



Business and Professionals
Federation of Hong Kong
香港工商專業聯會

31 October 2006

The Hon Stephen S L Lam, JP
Secretary for Constitutional Affairs
Constitutional Affairs Bureau
Government of the HKSAR

Dear Mr Lam,

We enclose herewith the BPF's response to the Consultation Document on Further Development of the Political Appointment System. Should you require further information, please do not hesitate to contact me

Yours sincerely,

(Signed)

Connie Hui
Secretary General



BPF Response to the Consultation Document on Further Development of the Political Appointment System

In July 2004, the Head of the Policy Unit, Prof Lau Siu Kai suggested the appointment of Deputy Ministers. The Business and Professionals Federation had by then already voiced its belief that the Principal Officials (Ministers for short) should be given more help in the performance of their work and duties. Although delayed, it was a pleasant surprise therefore that in July 2006 the SAR Government published its Consultation Document on the Development of the Political Appointment System.

In response to Professor Lau Siu Kai's statement in 2004, the BPF issued its own statement and comments on the idea and said,

"It would recommend the appointment of professional non-partisan public servants to assume these deputy appointments modeling on the Canadian system. They would provide the "minister" with expert broad policy advice and the support needed for the "minister's" portfolio responsibilities, including "programme delivery", internal departmental management and interdepartmental coordination. In performing these duties, deputy "ministers" have a fundamental responsibility to support both the fundamental and collective responsibilities of their "minister". They are accountable on a day-to-day basis to their "minister", and a cooperative relationship between the two is critical. The advice that deputy 'ministers' provide should be objective and must respect the law."

The BPF said that the Canadian system "mutatis mutandis" conveys much that is useful about the role Deputy Ministers could perform in Hong Kong. The BPF therefore strongly supports the present Government proposals.

Hong Kong's Ministers execute their responsibilities almost without support unless, as in some cases, they employ the Permanent Secretary as a sort of Deputy in addition to their duties as Executive Head of their respective Departments. Without support Ministers are unable to work proactively to enhance the policies of their portfolio. Moreover, they need to travel abroad much more than at present so as to meet and exchange views with foreign officials and, at home, to entertain foreign visitors. They need to get out and about their constituency of Hong Kong much more than they do, so as to enhance public understanding of Government's policies and their understanding of different points of view. They are at present unable to do this as frequently as desirable because of their deskbound lives. An efficient

Deputy will hopefully release them from some of their bureaucratic drudgery and for them to become more politically involved.

There is no need here to repeat what is said in the Consultation Document about the need for and usefulness of the appointment of Deputies and their assistants. The BPF agrees with what is said therein. However while it is important and necessary that these reforms be put in place, it is our view that the portfolio of Ministers themselves also needs examination.

In some cases individuals Minister's work covers a span of several portfolios which are widely differentiated as for example, Health, Welfare and Food Hygiene. It would be desirable to have a Deputy to specialise in each of the needs of these respective responsibilities, for example, to have a Deputy Minister for Health and a Deputy Minister for Welfare. Indeed it might be better still to have a separate Minister for Health and a separate Minister for Welfare, both of which carry a heavy burden and span of responsibilities greater than the ability of a single Minister.

The BPF is not entirely in agreement with Paragraph 3.09 of the Document and would argue strongly for the appointment of a Deputy Chief Secretary for Development. The responsibilities of the Chief Secretary for Administration are very numerous, moreover he often becomes the repository for odd jobs that do not sit comfortably in any portfolio. We suggest that there should be a Deputy Chief Secretary for Development who would coordinate and resolve conflicts in this important area and bring together the work of the Secretary for Environment, Transport and Works and the Secretary for Housing, Planning and Lands and thus see that the work of bringing Asia's World City truly into reality is expedited.

The Hong Kong polity is extremely complex. It is a great pity that in an effort to secure the Legislature's support the Government has had to skimp and scrape. The document is somewhat defensive in this respect when there is a crying need to introduce change. We should learn from places with a similar population but lacking the challenges and complexity of Hong Kong whose governance and administrative systems are much more comprehensive than our own.

To revert, the BPF hopes that these proposals will gain the support of the Legislature in their entirety, only by this way will the people at large be on the way to getting government they deserve.

31 October 2006