

**Head 144 — GOVERNMENT SECRETARIAT:  
CONSTITUTIONAL AFFAIRS BUREAU**

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**Controlling officer:** the Secretary for Constitutional Affairs will account for expenditure under this Head.

<b>Estimate 2001–02</b> .....	<b>\$37.1m</b>
<b>Establishment ceiling 2001–02</b> (notional annual mid-point salary value) representing an estimated 40 non-directorate posts at 31 March 2001 and at 31 March 2002.....	<b>\$16.1m</b>
In addition there will be an estimated eight directorate posts at 31 March 2001 and at 31 March 2002.	
<b>Capital Account commitment balance</b> .....	<b>\$5.6m</b>

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**Controlling Officer’s Report**

**Programme**

**Constitutional Affairs**

This programme contributes to Policy Area 28: Constitutional Affairs (Secretary for Constitutional Affairs).

**Detail**

	1999–2000 (Actual)	2000–01 (Approved)	2000–01 (Revised)	<b>2001–02 (Estimate)</b>
Financial provision (\$m)	51.5	36.3 (–29.5%)	35.1 (–3.3%)	<b>37.1 (+5.7%)</b>

**Aim**

2 The aims are to maintain community confidence in the full and faithful implementation of the Basic Law, to further cultivate and strengthen our cordial and constructive working relationships with the Central People’s Government (CPG), and other Mainland authorities and the Macao Special Administrative Region Government (MSARG) in accordance with the principle of “One Country, Two Systems”, to enhance community confidence in electoral arrangements and participation in the electoral process, and to ensure that the electoral arrangements are open, fair, honest, acceptable to the community and fully compliant with the Basic Law.

**Brief Description**

3 The Constitutional Affairs Bureau’s main responsibilities under this programme are as follows:

- facilitate and advise bureaux and departments on matters relating to the implementation of the Basic Law;
- facilitate the promotion of the public’s knowledge and understanding of the Basic Law;
- advise other policy bureaux and departments on matters relating to the relations between the Hong Kong Special Administrative Region Government (HKSARG) and the CPG, and other Mainland provincial and municipal governments and the MSARG, and facilitate official exchanges as appropriate;
- facilitate and advise on the conduct of the HKSAR’s external affairs to ensure consistency with the provisions in the Basic Law and the “One Country, Two Systems” principle;
- act as a liaison point with the Mainland authorities and as a focal point of contact between the HKSARG and the Office of the Commissioner of the Ministry of Foreign Affairs in the HKSAR (MFA Office); and
- ensure continual development of the electoral systems in accordance with the blueprint of the Basic Law and the needs of the community.

4 Since reunification, we have assumed a co-ordinating and advisory role on matters relating to the implementation of the Basic Law. We have to ensure that various Basic Law requirements, for example, those concerning the application of national laws to the HKSAR, reporting of laws to the Standing Committee of the National People’s Congress, and consultation between the CPG and the HKSARG are complied with fully.

5 The Basic Law Promotion Steering Committee under the chairmanship of the Chief Secretary for Administration provides guidance in formulating policy and strategy for promoting the Basic Law. The Constitutional Affairs Bureau acts as the secretariat to the Steering Committee and coordinates the implementation of the action plans endorsed by the Steering Committee. During the past 12 months, the Steering Committee has co-ordinated and sponsored a series of programmes (e.g. symposiums, exhibitions, lyrics competition, etc.) to commemorate the tenth anniversary of the promulgation of the Basic Law and to increase the public’s understanding of the Basic Law. The programmes have been well-received.

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6 We have by now developed a cordial and constructive working relationship with the MFA Office on matters relating to the HKSAR's external affairs. This has facilitated the HKSAR's continued active participation in the international arena and the maintenance of close contacts with our overseas partners in a manner which reflects our high degree of autonomy.

7 We have also developed a co-operative working relationship with the Hong Kong and Macao Affairs Office (HKMAO) of the State Council. Both sides work closely together to facilitate official exchanges between the HKSARG and the CPG and other Mainland authorities. Through a wide range of official exchanges, many bureaux and departments have enhanced mutual understanding with their Mainland counterparts. Some have also signed memoranda of understanding to underline the commitment of both sides to cooperate in such areas as postal service, marine conservation and the fight against intellectual property piracy.

8 Since the establishment of the MSAR, we have developed an effective and cordial working relationship with the MSARG in the spirit of mutual respect and equality.

9 To enhance regional cooperation, we continue to maintain an extensive network of communication with the Guangdong Province. In 2000, the Boundary Liaison system remained an effective mechanism for both sides to discuss and resolve practical issues, particularly those relating to the effective and orderly flow of people and goods across the boundary. The Hong Kong/Guangdong Co-operation Joint Conference facilitated co-operation between the two sides at a high level on issues of mutual concern in such areas as infrastructure, environmental protection and tourism. The Infrastructure Co-ordinating Committee continued to operate smoothly.

10 The second term Legislative Council elections were held on 10 September 2000. Over 1.33 million voters cast their votes at the poll, representing a turnout rate of 43.6%. We worked closely with the Electoral Affairs Commission to ensure that the electoral arrangements were open, fair and honest.

### ***Matters Requiring Special Attention in 2001–02***

11 During 2001–02, the bureau will:

- continue to advise bureaux and departments on matters relating to the implementation of the Basic Law;
- continue to co-ordinate the promotion of the Basic Law, conduct a survey to gauge the public's understanding of the Basic Law and identify the effective means to better promote the Basic Law, and launch an intensive publicity campaign to enhance knowledge and understanding of specific provisions of the Basic Law;
- continue to advise bureaux and departments on the conduct of the HKSAR's external affairs in accordance with the relevant provisions of the Basic Law and the "One Country, Two Systems" principle;
- continue to advise bureaux and departments on developing and maintaining an effective and cordial working relationship with their Mainland and MSARG counterparts in line with the relevant provisions of the Basic Law and the "One Country, Two Systems" principle;
- further enhance our working relationships with the HKMAO and the MFA Office;
- facilitate liaison and cooperation with the Guangdong Province on matters of mutual concern through established and new channels;
- introduce a Chief Executive Election Bill into the Legislative Council;
- examine the feasibility of using more technology to improve our electoral arrangements; and
- continue the feasibility study of introducing a political party law and consult the public, if necessary, on our legislative proposals.

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**ANALYSIS OF FINANCIAL PROVISION**

<b>Programme</b>	1999-2000 (Actual) (\$m)	2000-01 (Approved) (\$m)	2000-01 (Revised) (\$m)	<b>2001-02 (Estimate) (\$m)</b>
Constitutional Affairs .....	51.5	36.3 (-29.5%)	35.1 (-3.3%)	<b>37.1 (+5.7%)</b>

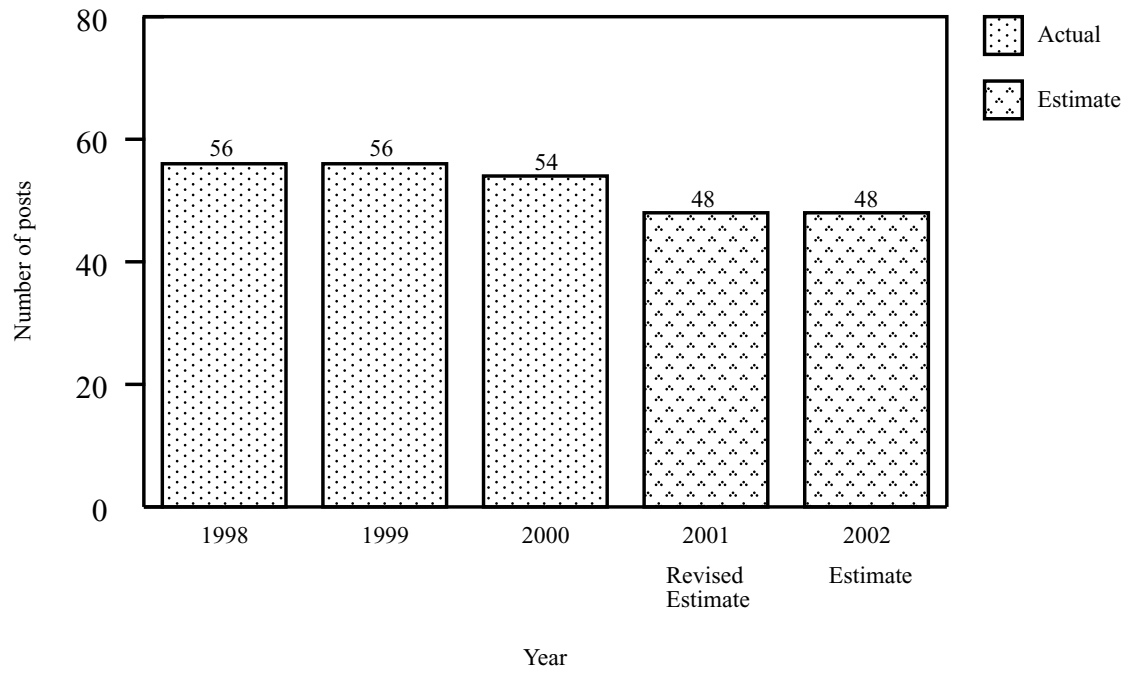
**Analysis of Financial and Staffing Provision**

Provision for 2001-02 is \$2.0 million (5.7%) higher than the revised estimate for 2000-01. This is mainly due to the increased requirement in capital expenditure for promoting understanding of the Basic Law, full-year provision of post filled during 2000-01 and salary increments for existing staff.

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*Changes in the size of the establishment  
(as at 31 March)*



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Sub-head (Code)	Actual expenditure 1999–2000	Approved estimate 2000–01	Revised estimate 2000–01	<b>Estimate 2001–02</b>	
	\$ 000	\$ 000	\$ 000	<b>\$'000</b>	
<b>Recurrent Account</b>					
I — Personal Emoluments					
001	Salaries.....	30,299	28,564	27,110	<b>27,566</b>
002	Allowances.....	3,115	3,922	2,549	<b>2,843</b>
007	Job-related allowances.....	6	7	7	<b>7</b>
	Total, Personal Emoluments .....	33,420	32,493	29,666	<b>30,416</b>
III — Departmental Expenses					
149	General departmental expenses.....	2,947	3,837	3,724	<b>3,810</b>
	Total, Departmental Expenses .....	2,947	3,837	3,724	<b>3,810</b>
	Total, Recurrent Account .....	36,367	36,330	33,390	<b>34,226</b>
<b>Capital Account</b>					
II — Other Non-Recurrent					
700	General other non-recurrent.....	15,110	—	1,745	<b>2,880</b>
	Total, Other Non-Recurrent.....	15,110	—	1,745	<b>2,880</b>
	Total, Capital Account.....	15,110	—	1,745	<b>2,880</b>
	Total Expenditure .....	<u>51,477</u>	<u>36,330</u>	<u>35,135</u>	<b><u>37,106</u></b>

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**Details of Expenditure by Subhead**

The estimate of the amount required in 2001–02 for the salaries and expenses of the Constitutional Affairs Bureau is \$37,106,000. This represents an increase of \$1,971,000 over the revised estimate for 2000–01 and a decrease of \$14,371,000 against actual expenditure in 1999–2000.

*Recurrent Account*

Personal Emoluments

**2** Provision of \$30,416,000 for personal emoluments represents an increase of \$750,000 over the revised estimate for 2000–01.

**3** The establishment at 31 March 2001 will be 48 permanent posts. No change in establishment is expected in 2001–02.

**4** Subject to certain conditions, the controlling officer may under delegated powers create or delete non-directorate posts during 2001–02, but the notional annual mid-point salary value of all such posts must not exceed \$16,074,000.

**5** Provision of \$2,843,000 under *Subhead 002 Allowances* is for standard allowances and the following non-standard allowance —

	<i>Rank</i>	<i>Master Pay Scale point</i>	<i>Rate per month† \$</i>
consolidated overtime allowance for Chauffeur grade	Chauffeur	5	5,240
		6	5,570
		7	5,940
		8	6,330
		9	6,740
		10	7,145

† These rates are payable for the first 1–100 hours overtime per month. Overtime performed in excess of 100 hours will be compensated at 1% of the monthly rate per hour.

The increase of \$294,000 (11.5%) over the revised estimate for 2000–01 is mainly due to the requirement of overtime allowance arising from work relating to the Chief Executive Election Bill and the increased requirement for acting allowance.

**6** Provision of \$7,000 under *Subhead 007 Job-related allowances* is for standard job-related allowances.

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**Capital Account**

**Commitments**

Sub- head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2000	Revised estimated expenditure for 2000-01	Balance
			\$ 000	\$ 000	\$ 000	\$ 000
700		<i>General other non-recurrent</i>				
	004	Basic Law publicity campaign .....	5,560	—	—	5,560
		Total .....	5,560	—	—	5,560