Controlling officer: the Permanent Secretary for Home Affairs will account for expenditure under this Head	1.
Estimate 2004–05	\$684.8m
<b>Establishment ceiling 2004–05</b> (notional annual mid-point salary value) representing an estimated 166 non-directorate posts as at 31 March 2004 reducing by two posts to 164 posts as at 31 March 2005	\$58.7m
In addition there will be an estimated 12 directorate posts as at 31 March 2004 and as at 31 March 2005.	
Commitment balance	\$8.3m

# **Controlling Officer's Report**

# **Programmes**

Programme (1) Director of Bureau's Office	This programme contributes to Policy Area 27: Intra-Governmental Services (Secretary for Home Affairs).
Programme (2) Rights of the Individual Programme (3) Information Policy Programme (4) District and Community Relations Programme (5) Youth Development	These programmes contribute to Policy Area 19: District and Community Relations (Secretary for Home Affairs).
Programme (6) Recreation, Sport and Entertainment Licensing Programme (7) Culture Programme (8) Subvention: Hong Kong Academy for Performing Arts, Hong Kong Arts Development Council, Hong Kong Sports Development Board	These programmes contribute to Policy Area 18: Recreation, Culture, Amenities and Entertainment Licensing (Secretary for Home Affairs).
Programme (9) Subvention: Equal Opportunities Commission, Office of the Privacy Commissioner for Personal Data	This programme contributes to Policy Area 19: District and Community Relations (Secretary for Home Affairs).

# Detail

# **Programme (1): Director of Bureau's Office**

	2002–03	2003–04	2003–04	2004–05
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	_	6.0	5.8 (-3.3%)	<b>5.8</b> (—)

(or -3.3% on 2003–04 Original)

# Aim

2 The aim is to ensure the smooth operation of the Office of the Secretary for Home Affairs.

# **Brief Description**

3 The Office of the Secretary for Home Affairs is responsible for providing administrative support to the Secretary for Home Affairs in carrying out his duties. The work includes the planning, co-ordination and implementation of all arrangements for the Secretary's public, media and community functions.

## **Programme (2): Rights of the Individual**

	2002–03	2003–04	2003–04	2004–05
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	40.0	42.3	41.2 (-2.6%)	<b>39.1</b> (-5.1%)

(or -7.6% on 2003–04 Original)

#### Aim

4 The aim is to formulate and implement policies on the rights of the individual.

## **Brief Description**

- **5** The bureau focuses attention on the rights of the individual in respect of privacy protection for personal data, human rights and family law; promotion of equal opportunities on grounds of gender, family status, sexual orientation and race; and promotion of civic education outside schools. In June 2003, we announced our intention to introduce legislation against racial discrimination in the 2004–05 legislative session, following public consultations on the detailed legislative proposals.
- 6 The bureau oversees compliance with the reporting requirements under five human rights treaties which apply to the Hong Kong Special Administrative Region (HKSAR). In 2003, the second report on the HKSAR under the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the first report on the HKSAR under the Convention on the Rights of the Child (CRC) were submitted to the United Nations. The ICESCR Report forms part of China's initial report under the Covenant. The CRC Report forms part of China's second report under the Convention. We also drafted our second report under the International Covenant on Civil and Political Rights.
  - 7 The key performance measure is:

#### **Indicator**

	2002	2003	2004
	(Actual)	(Actual)	(Estimate)
civic education projects sponsored under the Community Participation Scheme	213	220	200

## Matters Requiring Special Attention in 2004-05

- **8** During 2004–05, the bureau will:
- continue to implement the recommendations made by an inter-departmental working group to improve the law and administrative measures affecting divorcees and children who live on alimony;
- continue to monitor the implementation of the guidelines relating to protection of personal data in public registers
  and to provide bureaux and departments, where appropriate, with advice and guidance on safeguarding the
  personal data privacy of data subject;
- continue to review the Personal Data (Privacy) Ordinance to address difficulties that have been encountered in its
  operations;
- continue to oversee compliance with the reporting requirements under five human rights treaties which apply to the HKSAR;
- enhance the work on promotion of civic education outside schools, in conjunction with the Committee on Promotion of Civic Education, particularly in areas targetting young adults and the working population;
- continue the on-going administrative and educational measures to promote awareness of racial harmony and equality; and
- issue a public consultation paper on the legislative proposals for the law against racial discrimination.

# **Programme (3): Information Policy**

	2002–03	2003–04	2003–04	2004–05
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	10.0	9.8	9.7 (-1.0%)	<b>9.6</b> (-1.0%)

(or -2.0% on 2003–04 Original)

#### Aim

**9** The aim is to formulate and develop policy in respect of information.

# **Brief Description**

- 10 The responsibilities of the bureau under this programme are to formulate and develop policy in respect of information; focus attention on freedom of information; help bureaux and departments to comply with the Code on Access to Information; promote the use of the Internet for dissemination of government information; and undertake housekeeping functions for the Information Services Department.
  - 11 In 2003, the bureau made good progress in achieving its overall policy objectives.

# Matters Requiring Special Attention in 2004-05

12 During 2004–05, the bureau will continue to provide bureaux and departments with advice and guidance on matters related to compliance with the Code on Access to Information and promote the use of the Internet for dissemination of government information.

## **Programme (4): District and Community Relations**

	2002–03 (Actual)	2003–04 (Original)	2003–04 (Revised)	2004–05 (Estimate)
Financial provision (\$m)	50.3	27.2	27.7 (+1.8%)	<b>24.5</b> (-11.6%)
				(or –9.9% on 2003–04 Original)

## Aim

13 The primary objective is to formulate and oversee the implementation of the policy in respect of district administration and community building in Hong Kong.

# **Brief Description**

- **14** The responsibilities of the bureau under this programme are to :
- formulate and develop policy in respect of the District Administration Scheme; the community building programme; building management; gambling; advisory and statutory bodies; licensing of hotels, guesthouses, clubs and bedspace apartments; design of postage stamps; opinion gauging; management of Chinese temples and cemeteries; administration of trust funds for which the trustee is The Secretary for Home Affairs Incorporated; and management of the properties of The Secretary for Home Affairs Incorporated;
- co-ordinate major celebration activities;
- · undertake housekeeping functions for the Home Affairs Department; and
- oversee the policy and resources allocation on community development work.
- 15 The policy objectives for the year 2003 were generally achieved.
- 16 The key performance measures in respect of district and community relations are:

	2002 (Actual)	2003 (Actual)	2004 (Estimate)
number of data subjects and curriculum vitaes in the Central			
Personality Index	22 920	23 926	24 800
opinion surveys conducted	10	9	11
respondents covered in the surveys	23 549	12 973	13 000
opinion surveys conducted in the private sector which			
require collation of information	48	80	90
Chinese temples registered	347	346	348
statutory and charitable funds income (\$m)	69	66	61
welfare and education grants from trust funds (\$m)	49	36	42

## Matters Requiring Special Attention in 2004-05

- 17 During 2004–05, the bureau will:
- work closely with the Football Betting and Lotteries Commission to ensure proper regulation of authorised football betting and lotteries;
- continue to conduct public education on gambling-related issues, provide counselling and treatment services for problem and pathological gamblers, as well as conduct research on impact of gambling;
- introduce a series of administrative reforms to improve the management and maintenance of Chinese temples and Chinese permanent cemeteries in Hong Kong; and
- further review the role and functions of advisory and statutory bodies.

## **Programme (5): Youth Development**

	2002–03	2003–04	2003–04	2004–05
	(Actual)	(Original)	(Revised)	(Estimate)
Financial provision (\$m)	75.9	83.8	80.7 (-3.7%)	<b>80.2</b> (-0.6%)

(or -4.3% on 2003–04 Original)

#### Aim

18 The aim is to co-ordinate and implement measures to promote youth development.

## **Brief Description**

- 19 The responsibilities of the bureau under this programme are to co-ordinate youth development measures by working closely with the Commission on Youth, youth organisations, youth uniformed groups and others. In 2003, the bureau met or exceeded all the performance targets set under this programme.
  - **20** The key performance measures in respect of youth development are:

# **Indicators**

	2002 (Actual)	2003 (Actual)	2004 (Estimate)
participants under the International Youth Exchange			
Programme	110	89	115
participants under the Community Participation Scheme for	4.500	<b>5.500</b>	< <b>7</b> 00
organising study tours to the Mainlandyouth members of uniformed groups subvented by the	4 532	7 732	6 500
bureau	109 987	121 596	129 252

## Matters Requiring Special Attention in 2004-05

- 21 During 2004–05, the bureau will:
- continue to work closely with the Commission on Youth on issues relating to youth development;
- enhance understanding of and respect for Chinese culture and heritage among young people through study tours to the Mainland;
- encourage youth uniformed groups to plan and provide youth development activities in line with its policy objective;
- enhance the work on promotion of youth development in conjunction with the Commission on Youth, particularly
  on social participation of youth; and
- co-operate with the Commission on Youth in conducting the first-ever comprehensive benchmark study on civic engagement and social networks of youth in Hong Kong.

## **Programme (6): Recreation, Sport and Entertainment Licensing**

	2002–03 (Actual)	2003–04 (Original)	2003–04 (Revised)	2004–05 (Estimate)
Financial provision# (\$m)	20.1	22.7	22.1 (-2.6%)	<b>28.2</b> (+27.6%)
				(or +24.2% on 2003–04 Original)

<sup>#</sup> All figures set out above include the provisions for Outward Bound Trust of Hong Kong transferred from Head 176—Subventions: Miscellaneous and reflected under Head 53 with effect from 2004–05.

#### Aim

22 The aim is to oversee the promotion and development of recreation and sport at all levels throughout the community, and to ensure quality and effectiveness in policy formulation, co-ordination and monitoring of policy implementation on entertainment licensing.

# **Brief Description**

## 23 The bureau:

- co-ordinates and oversees policy on the promotion and development of sport and recreation on a territory-wide basis;
- oversees policy regarding the development and management of recreational and sports venues and programmes provided by the Leisure and Cultural Services Department (LCSD);
- works in co-operation with the sports community on the promotion and development of sport;
- formulates and co-ordinates policy on issues related to the development of recreational and sports facilities and events;
- disburses grants from the Sir David Trench Fund for Recreation for the provision of recreational facilities for public use;
- assists deserving underprivileged or disabled persons and young people at risk, who are unable to meet all or part
  of the course fees, to take courses at the Outward Bound School; and
- · formulates and oversees policy on entertainment licensing.
- **24** Hong Kong athletes have continued to achieve good results in major international games. The bureau will continue to provide strategic and resources support to help Hong Kong develop a strong sporting culture, achieve greater excellence by our elite athletes and raise our international profile on sport.
- 25 In view of the technological advancement (especially on Internet access) and the new demand for multientertainment facilities, the bureau has been considering a more business-friendly and more relaxed mode of regulatory framework for entertainment licensing by providing mainly controls on public safety and observance of relevant legislation on indecency.
  - 26 The key performance measures in respect of recreation and sports promotion are:

	2002 (Actual)	2003 (Actual)	2004 (Estimate)
	(Actual)	(Actual)	(Estimate)
applications under the Sir David Trench Fund for Recreation processed			
non-capital works	568	601	610
capital works	26	29	30
grants under the Sir David Trench Fund for Recreation			
non-capital works	462	380	390
capital works	6	9	10
amount of grants under the Sir David Trench Fund for			
Recreation			
non-capital works (\$m)	1.3	1.8	1.9
capital works (\$m)	0.5	0.9	1
underprivileged or disabled persons and young people at risk			
assisted to take courses at the Outward Bound School	795	722	680
training programme days at the Outward Bound School	5 729	5 278	4 854

- 27 The key performance measure in respect of the provision of recreational and sports facilities and programmes is reflected in the extent to which the executive department achieves its objectives cost-effectively as measured by targets and performance indicators in respect of its programmes.
- 28 The key performance measure in respect of entertainment licensing is reflected in the extent to which the policy objectives are achieved and progress made in implementing the policy commitments. It is also reflected in the extent to which the executive department accomplishes its programmes efficiently and cost-effectively.

## Matters Requiring Special Attention in 2004-05

- 29 The bureau will continue to work closely with the LCSD and other stakeholders in the implementation of the recommendations of the Sports Policy Review. The bureau will take forward the planning of major new sports and recreation venues and work out a cost-effective implementation plan.
- 30 The bureau will aim to ensure an adequate provision of recreational and sports activities to meet public demand and promote a wide choice of public recreational and sports venues.
  - 31 In respect of entertainment licensing, the key tasks will include:
  - examining the overall structure for entertainment licensing to provide more streamlined and efficient services; and
  - reviewing the Amusement Game Centres Ordinance and examining possible licensing framework for different types of entertainment centres.

## **Programme (7): Culture**

	2002–03 (Actual)	2003–04 (Original)	2003–04 (Revised)	2004–05 (Estimate)
Financial provision (\$m)	19.1	20.0	23.7 (+18.5%)	<b>22.0</b> (-7.2%)
				(or +10.0% on 2003–04 Original)

#### Aim

32 The aim is to promote and develop the arts and culture in Hong Kong.

# **Brief Description**

- 33 The bureau's main responsibility under this programme is to formulate policies and programmes on cultural and heritage matters and to co-ordinate the delivery of these policies and programmes by the LCSD, the Hong Kong Academy for Performing Arts (HKAPA), the Hong Kong Arts Development Council (HKADC) and other arts related organisations.
- 34 The bureau, working in co-operation with the HKAPA and the HKADC, is responsible for promoting and developing the arts and culture in Hong Kong. To this end, it is responsible for administering the recurrent subvention to the HKAPA, which offers professional training in various arts disciplines, and liaising closely with the HKAPA as a degree-awarding institution. It also administers subvention to the HKADC, which is a statutory body, inter alia, to plan, promote and support the broad development of the arts, including literary, performing, visual and film arts, mainly through initiating arts projects and the disbursement of funds to established and budding arts groups and individual artists in Hong Kong. In addition, the bureau provides secretariat and administrative support to the Hong Kong Jockey Club Music and Dance Fund which offers funding support for music and dance education and also the Lord Wilson Heritage Trust which offers funding support for preserving Hong Kong's heritage.
- 35 The bureau also develops initiatives, and organises international and local events to promote creative industries in Hong Kong.
- **36** The targets set for 2003 were generally achieved and the bureau has continued to make good progress in achieving its overall policy objective.
  - 37 The key performance measures in respect of culture promotion are:

	2002 (Actual)	2003 (Actual)	2004 (Estimate)
Music and Dance Fund grant and scholarship applications			
processed	322	189††	190
Music and Dance Fund grants and scholarships awarded	138	79††	80
Lord Wilson Heritage Trust grants awarded	4	9	7

†† The number of applications for grant and scholarship processed and awarded under the Hong Kong Jockey Club Music and Dance Fund dropped to 189 and 79 respectively in 2003 because starting from 2003, only those government/aided primary and secondary schools which had not obtained any grants from the Fund before or at least in the past ten years are eligible to apply for grants. This measure aims to rationalise the allocation of resources between grant and scholarship under the Fund.

# Matters Requiring Special Attention in 2004-05

- **38** During 2004–05, the bureau will continue to:
- strengthen our efforts in developing a cultural network with our neighbouring cities in the Greater Pearl River Delta;
- review the built heritage conservation policy in the light of the views received in the public consultation exercise launched in February 2004;
- provide secretariat and administrative support to the Hong Kong Jockey Club Music and Dance Fund and the Lord Wilson Heritage Trust;
- · work closely with the HKADC to assist it in implementing its Three-Year Plan and its future planning; and
- work closely with the HKAPA and the Hong Kong Council for Academic Accreditation (HKCAA) in setting the course for the HKAPA's future development.

## Programme (8): Subvention: Hong Kong Academy for Performing Arts, Hong Kong Arts Development Council, Hong Kong Sports Development Board

	2002–03 (Actual)	2003–04 (Original)	2003–04 (Revised)	2004–05 (Estimate)
Financial provision (\$m)				
Hong Kong Sports Development Board	189.1	185.1	184.3 (-0.4%)	<b>90.9</b> (-50.7%)
				(or -50.9% on 2003–04 Original)
Hong Kong Academy for Performing Arts	188.6	182.9	183.4 (+0.3%)	<b>166.8</b> (-9.1%)
				(or -8.8% on 2003–04 Original)
Hong Kong Arts Development Council	103.0	107.0	106.6 (-0.4%)	<b>102.2</b> (-4.1%)
				(or -4.5% on 2003–04 Original)
Total#	480.7	475.0	474.3 (-0.1%)	<b>359.9</b> (-24.1%)
				(or -24.2% on 2003–04 Original)

<sup>#</sup> All figures set out above include the provisions for Hong Kong Sports Development Board, Hong Kong Academy for Performing Arts and Hong Kong Arts Development Council transferred from Head 177—Subventions: Non-departmental Public Bodies and reflected under Head 53 with effect from 2004–05.

Hong Kong Sports Development Board

## Aim

**39** The aim is to enable the Hong Kong Sports Development Board (HKSDB) to promote and develop sport and physical recreation in Hong Kong in accordance with its mandate under the Hong Kong Sports Development Board Ordinance.

## **Brief Description**

- 40 The objectives of the Board are to draw up and implement a coherent plan for the development of sport and physical recreation; advance the knowledge and practice of sport and physical recreation at all levels; provide greater support for high performance sport; conduct and support research and studies; and enhance Hong Kong's position in the international sporting community.
  - **41** The targets set for 2003 were generally achieved.
  - **42** The key performance measures are:

## **Targets**

	Target	2002 (Actual)	2003 (Actual)	2004 (Plan)
sports programmes organisedparticipants in sports programmes	59 6 670	48 4 485	51 12 743	57 12 620
Indicators				
		2002 (Actual)	2003 (Actual)	2004 (Estimate)
National Sports Associations' staff and officials p in coach and administration training programm liaison meetings with National Sports Association	ies	1 424	1 348	1 200
major sports counterparts		1 277	981	125‡
athletes participating in major Championships and subvented major international sports events held l		1 080	817	1 266
international sports conferences		2	6	11
income generated from donations and sponsorship athletes under the elite training programme at the		6.48	6.57	8
Kong Sports Institute		338	364	381

<sup>‡</sup> In 2004–05, the provision of subvention service to sports organisations will be taken up by the LCSD, hence a significant drop in the number of liaison meetings.

## Matter Requiring Special Attention in 2004–05

43 In 2004–05, some of the existing functions of the HKSDB would be transferred to other organisations, namely the provision of subvention service to sports organisations to be taken up by the LCSD and the management of Sports House to be transferred to the Sports Federation & Olympic Committee of Hong Kong, China. The corresponding transfer of the provision from the HKSDB to the two concerned parties has already been reflected in the 2004–05 Draft Estimates. In July 2003, the Government announced its plan to introduce a new administrative structure for sports, which included, amongst other things, the dissolution of the HKSDB and the reconstitution of the Hong Kong Sports Institute. For the purpose of the former, the HKSDB (Repeal) Bill has been introduced into the Legislative Council.

Hong Kong Academy for Performing Arts

# Aim

44 The aim is to enable the HKAPA to develop and promote professional artistic standards through the education and training of students for careers as professionals in performing arts.

## **Brief Description**

- **45** Under the Hong Kong Academy for Performing Arts Ordinance, the objectives of the HKAPA are to foster and provide for training, education and research in the performing arts and related technical arts. Five different disciplines, namely Dance, Drama, Music, Technical Arts, and Film and Television are taught. The core of the HKAPA's teaching programme is its full-time degree, diploma and certificate courses.
- **46** The revalidation of one programme, Bachelor of Fine Arts Degree in Film and Television, by the HKCAA has been scheduled for February 2005.
  - 47 The performance targets for 2002–03 were generally achieved and the objectives of the HKAPA were met.
  - **48** The key performance measures are:

## **Indicators**

	2002–03 (Actual)	Academic Year 2003–04 (Revised Estimate)	2004–05 (Estimate)
no. of full-time equivalent students†	855	892	875
	200,971	190,489	188,117
	357	330	368

<sup>†</sup> Six part-time students are equated to one full-time student.

# Matters Requiring Special Attention in 2004-05

**49** The bureau will continue to work closely with the HKCAA in setting the course for the HKAPA's future development by taking into account the recommendations offered by the HKCAA on the validation/revalidation of its degree courses.

Hong Kong Arts Development Council

## Aim

**50** The aim is to enable the HKADC to promote and develop arts and culture in Hong Kong in accordance with the parameters of the Hong Kong Arts Development Council Ordinance.

## **Brief Description**

- **51** The HKADC is an independent statutory body established in 1995. The mission of the HKADC is to plan, promote and support the development of the arts in Hong Kong, including the literary, performing, visual and media arts, with a view to improving the quality of life and artistic creativity of the whole community.
- 52 To achieve optimum efficiency and flexibility and to adapt to changing circumstances, the HKADC streamlined its work process and staffing for a more efficient and effective management.
- 53 The targets set for 2002–03 were generally achieved and HKADC has continued to make good progress in achieving its overall objectives.
  - **54** The key performance measures are:

# Target

• to achieve the key tasks and action steps set out in the Three-Year Plan which were effective from June 2001.

	2002–03 (Actual)	2003–04 (Revised Estimate)	2004–05 (Estimate)
Three-Year Grant (3YG)			
arts organisations receiving 3YG	6	6	6
audience outreached	354 878	386 653	350 000
Project Grant@			
total no. of applications processed	913	482	500
success rate in application (%)	17.85	27.60	20.00
audience outreached	309 674	357 012	400 000
Devolved Grant			
audience outreached	28 420	56 278	100 000
One-Year Grant			
audience outreached	693 926	760 793	600 000
Hong Kong International Film Festival			
audience outreached	221 349	232 416	244 037
Overall Figures			
promotion programmes for arts education	146	180	180
international cultural exchange activities	65	70	70
partnership projects§	7	8	10
pro-active projects <sup>^</sup>	33	30	30
audience outreached through pro-active projects‡	3 337 558	$600\ 000$	610 000
Website Information Services			
visitors to the HKADC Website	45 918	63 000	65 000
pages viewed of the HKADC Website	1 130 653	800 000	820 000

	2002–03 (Actual)	2003–04 (Revised Estimate)	2004–05 (Estimate)
ratio between 3YG, pro-active project and all other grant schemes (in terms of financial provision)	1.60:0.42:1.00	1.53:0.77:1.00	1.41:0.53:1.00

- @ The number of project grants applications decreased in 2003–04 because of the introduction of new types of grant schemes.
- § Partnership projects are those collaborated by the HKADC with government departments, private or public sectors with external sources of funding and resources support.
- ^ Including on-going pro-active projects carried forward from previous years.
- ‡ A high number of audience outreached in 2002–03 was achieved because two of the proactive projects coorganised with a print media and the Radio Television Hong Kong received very good response from the public.

## Matters Requiring Special Attention in 2004-05

- 55 With the formal launch of the Three-Year Plan in June 2001, more proactive approach has been taken to bring the arts closer to the community. During 2004–05, the HKADC will continue to:
  - implement the broad range of action outlined in its Three-Year Plan;
  - · vigorously pursue alternative, non-government sources of funding for the arts, either in cash or in kind; and
  - build closer partnership relationship with both the Government and non-government bodies.

**56** In addition to recurrent subvention, the HKADC will continue to seek funding from the Arts and Sport Development Fund to support individual projects, which would enhance Hong Kong's position as an international cultural metropolis.

Programme (9): Subvention: Equal Opportunities Commission, Office of the Privacy Commissioner for Personal Data

	2002–03 (Actual)	2003–04 (Original)	2003–04 (Revised)	2004–05 (Estimate)
Financial provision (\$m)				
Equal Opportunities Commission	80.4	79.5	77.8 (-2.1%)	<b>77.5</b> (-0.4%)
				(or -2.5% on 2003–04 Original)
Office of the Privacy Commissioner for Personal Data	36.9	38.8	38.2 (-1.5%)	<b>38.0</b> (-0.5%)
				(or -2.1% on 2003–04 Original)
Total#	117.3	118.3	116.0 (-1.9%)	115.5 (-0.4%)
				(or -2.4% on 2003–04 Original)

<sup>#</sup> All figures set out above include the provisions for Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data transferred from Head 177—Subventions: Non-departmental Public Bodies and reflected under Head 53 with effect from 2004–05.

**Equal Opportunities Commission** 

## Aim

57 The aim is to oversee the implementation of the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance (DDO) and the Family Status Discrimination Ordinance (FSDO) which prohibit discrimination on the grounds of sex, marital status, pregnancy, disability and family status.

# **Brief Description**

- **58** The Equal Opportunities Commission (EOC) is an independent statutory body established in 1996. The main functions of the EOC are to:
  - work towards the elimination of discrimination on the grounds of sex, marital status, pregnancy, disability and family status;
  - promote equality of opportunities between men and women, between persons with a disability and persons without a disability, and irrespective of family status;
  - work towards the elimination of sexual harassment, and harassment and vilification on the grounds of disability;
  - conduct investigation into complaints lodged under the SDO, the DDO and the FSDO and encourage conciliation between the parties in dispute;
  - take action on other complaints including discriminatory advertisements and cases outside section 84 of the SDO, section 80 of the DDO and section 62 of the FSDO;
  - develop and issue codes of practice under the SDO, the DDO and the FSDO;
  - keep under review the workings of the SDO, the DDO and the FSDO and when necessary, draw up proposals for amendments; and
  - conduct research on issues relevant to discrimination and equal opportunities.
  - 59 The performance targets set for 2003 were generally met.
  - **60** The performance targets and indicators of the EOC are as follows:

## **Targets**

	Target (% of cases)	2002 (Actual)	2003 (Actual)	2004 (Plan)
interview a walk-in enquirer within 30 minutes	95	100	99	95
reply to written enquiries on simple issues within five working daysreply to written enquiries on complex	95	100	100	95
issues within 14 working daysconclude a complaint case within six	95	99	100	95
months	75	75	83	75
Indicators				
		2002 (Actual)	2003 (Actual)	2004 (Estimate)
enquiries		203 068	417 209	417 209
complaints for investigation/conciliation† complaints received				
under SDO		390	450	495
DDO		341	408	449
FSDO		26	57	63
complaints handled		4 4 4 4 0	-01	<b>*</b> 0.*
under SDO		1 1118	601	585 531
DDO		535	551	531 74
FSDOcomplaints under investigation/concilia	ntion	64	65	/4
under SDO	ation	151	144	144
DDO		143	130	130
FSDO		8	20	20
complaints where legal assistance was		Ŭ		
under SDO		$6\P$	7	N.A.@
DDO		10	15	N.A.@
FSDO		_	1	N.A.@
complaints taken to court				
under SDO		3	1	N.A.@
DDO		3	2	N.A.@
FSDO		_	_	N.A.@
complaints for follow-up action‡		39	121↓	57
cases processed		39 14	131¢	57 18
cases resolvedcases taken to court		14	93ф	N.A.@
cases taken to court	•••••	_	_	11.A.W

	2002 (Actual)	2003 (Actual)	2004 (Estimate)
promotional activities			
talks/workshops/seminars/drama performances			
(audience)	500(67 000)	467(66 000)	467(66 000)
copies of codes of practice issued	18 000	19 000	19 000
on-line resource centre hit rates	10 976 440	15 633 330	15 633 330

- † Complaints lodged under section 84, section 80 and section 62 of SDO, DDO and FSDO respectively.
- § A total of 528 Secondary School Places Allocation (SSPA) cases received in 2001 was handled and concluded in 2002.
- ¶ Including two cases referred to solicitors in private practice on pro bono basis.
- @ Not applicable since difficult to estimate; actual figure will be supplied at year end.
- † This refers to investigations and actions on complaints other than those referred to '†'.
- φ Severe Acute Respiratory Syndrome (SARS) related cases accounted for the increase.

# Matters Requiring Special Attention in 2004-05

- **61** During 2004–05, the Commission will pay special attention to:
- working with the Government to mainstream equal opportunities in the policy-making process;
- promoting equal opportunities principles as a key component of sustainable development for a community;
- assisting the public and private sectors in acquiring in-depth understanding of equal opportunities legislation through training programmes and public education;
- partnering with business and industries to develop good practices;
- incorporating equal opportunities concepts in schools curriculum;
- continuing the study on implementing equal pay for work of equal value;
- conducting a broad and ongoing review of the EOC's direction and work to ensure an efficient and effective
  operation;
- building relationships with equivalent bodies in the Mainland and overseas through proactive networking and co-operation; and
- examining the feasibility of establishing an Equal Opportunities Tribunal.

Office of the Privacy Commissioner for Personal Data

# Aim

**62** The aim is to oversee the implementation of the Personal Data (Privacy) Ordinance which protects the individual's privacy with respect to personal data.

## **Brief Description**

- 63 The Privacy Commissioner for Personal Data (the Privacy Commissioner) is an independent statutory authority established in 1996. The Privacy Commissioner has the following key functions and power to:
  - monitor and supervise compliance with the provisions of the Personal Data (Privacy) Ordinance;
  - approve and issue codes of practice giving practical guidance for compliance with the provisions of the Personal Data (Privacy) Ordinance;
  - promote awareness and understanding of the provisions of the Personal Data (Privacy) Ordinance;
  - carry out inspections of personal data systems, including those of government departments and statutory corporations; and
  - investigate, upon receipt of complaints from data subjects or on his own initiative, suspected breaches of requirements of the Personal Data (Privacy) Ordinance.
  - 64 The performance targets and indicators for 2003 have been satisfactorily met.
  - 65 The performance targets and indicators of the Privacy Commissioner's Office are as follows:

Targets				
	Target (% of cases)	2002 (Actual)	2003 (Actual)	2004 (Plan)
handling public complaints acknowledgement of a complaint within two working days of				
receiptclosing a complaint within 180 days	95	98	96	95
of receipt	85	93	91	85
receiptacknowledgement of a written enquiry within two working days	95	99	99	95
of receiptsubstantive reply to a written enquiry within 28 working days	95	99	99	95
of receipt	85	96	98	85
Indicators				
		2002 (Actual)	2003 (Actual)	2004 (Estimate)
public enquiries received		17 114 843 147 990 798 192 6	15 782 984 192 1 176 991 185	16 000 1 080 185 1 265 1 080 185 5

# Matters Requiring Special Attention in 2004-05

**66** During 2004–05, the Privacy Commissioner will:

- conduct a survey on data users who carry out transborder data flow activities that could be affected by section 33 of the Personal Data (Privacy) Ordinance;
- continue to promote public awareness and understanding of the Ordinance and the functions of the Privacy Commissioner's Office; and
- publish guidelines on Monitoring and Personal Data Privacy at Work.

## ANALYSIS OF FINANCIAL PROVISION

Prog	gramme	2002–03 (Actual) (\$m)	2003–04 (Original) (\$m)	2003–04 (Revised) (\$m)	2004–05 (Estimate) (\$m)
(1) (2) (3) (4) (5)	Director of Bureau's Office	40.0 10.0 50.3 75.9	6.0 42.3 9.8 27.2 83.8	5.8 41.2 9.7 27.7 80.7	5.8 39.1 9.6 24.5 80.2
(6) (7) (8)	Recreation, Sport and Entertainment Licensing Culture Subvention: Hong Kong Academy	20.1 19.1	22.7 20.0	22.1 23.7	28.2 22.0
(9)	for Performing Arts, Hong Kong Arts Development Council, Hong Kong Sports Development Board Subvention: Equal Opportunities Commission, Office of the Privacy	480.7	475.0	474.3	359.9
	Commissioner for Personal Data	117.3	118.3	116.0	115.5
		813.4	805.1	801.2 (-0.5%)	684.8 (-14.5%)

(or -14.9% on 2003-04 Original)

## **Analysis of Financial and Staffing Provision**

## Programme (1)

Provision for 2004–05 is the same as the revised estimate for 2003–04.

## Programme (2)

Provision for 2004–05 is \$2.1 million (5.1%) lower than the revised estimate for 2003–04. This is mainly due to reduced operating expenses and reduced cashflow requirement on campaign and projects.

## Programme (3)

Provision for 2004–05 is \$0.1 million (1.0%) lower than the revised estimate for 2003–04. This is mainly due to the effect of the 2004 and 2005 civil service pay cut.

## Programme (4)

Provision for 2004–05 is \$3.2 million (11.6%) lower than the revised estimate for 2003–04. This is mainly due to deletion of two posts and reduced cashflow requirement on a district and community relations project.

# Programme (5)

Provision for 2004–05 is \$0.5 million (0.6%) lower than the revised estimate for 2003–04. This is mainly due to reduced subvention to uniformed groups and other youth organisations and reduced operating expenses, partly offset by increased cashflow requirement on youth development programmes.

## Programme (6)

Provision for 2004–05 is \$6.1 million (27.6%) higher than the revised estimate for 2003–04. This is mainly due to increase in resources for the management of Sports House and the setting up of the Sports Commission, partly offset by the effect of the 2004 and 2005 civil service pay cut and deletion of one post.

# Programme (7)

Provision for 2004–05 is \$1.7 million (7.2%) lower than the revised estimate for 2003–04. This is mainly due to the effect of the 2004 and 2005 civil service pay cut and reduced cashflow requirement on cultural-related projects, partly offset by the transfer of resources from other departments for the creation of one post to strengthen support on arts and culture activities.

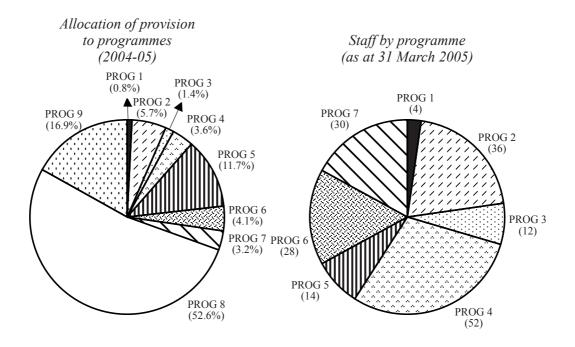
## Programme (8)

Provision for 2004–05 is \$114.4 million (24.1%) lower than the revised estimate for 2003–04. This is mainly due to the redeployment of resources from the Hong Kong Sports Development Board to Leisure and Cultural Services Department for the provision of subvention service to sports organisations and to the Sports Federation and Olympic Committee of Hong Kong, China for the management of Sports House; reduced operating expenses, effect of pay reduction and reduced provision for the replacement of equipment for the Hong Kong Academy for Performing Arts; and reduced operating expenses and effect of pay reduction for the Hong Kong Arts Development Council.

# Programme (9)

Provision for 2004–05 is \$0.5 million (0.4%) lower than the revised estimate for 2003–04. This is mainly due to reduced operating expenses for the Equal Opportunities Commission, reduced cashflow requirement for privacy policy research services for the Office of the Privacy Commissioner for Personal Data, partly offset by increased cashflow requirement for research and training projects for the Equal Opportunities Commission.

.



(No government staff under PROG 8 & 9)

2005

Estimate

# (as at 31 March) 300 225 - 178 184 180 178 176 75 - 75 - 178 184 180 178 176

Changes in the size of the establishment

Year

2003

2004

Revised

Estimate

0

2001

2002

South   Sout	Sub- head (Code)		Actual expenditure 2002–03	Approved estimate 2003–04	Revised estimate 2003–04	<b>Estimate</b> 2004–05
Recurrent   Operational expenses.		\$'000	\$'000	\$'000	\$'000	\$'000
Operational expenses		Operating Account				
Recoverable salaries and allowances (General)		Recurrent				
Deduct reimbursements		Recoverable salaries and allowances	_	201,869	198,686	668,985
Allowances		<i>Deduct</i> reimbursements <u>Cr.1,620</u>	_	_	_	_
Job-related allowances			,	_	_	_
General departmental expenses   17,441				_		
International Youth Exchange Programme			-	_	_	_
Promotion of civic education outside schools		International Youth Exchange Programme		_	_	_
Youth development activities		Activities to promote equal opportunities		_	_	_
Sports Federation and Olympic Committee of Hong Kong, China				_	_	_
Hong Kong, China			15,559	_		
Total, Recurrent   195,515   201,869   198,686   668,985		Hong Kong, China	2,752	_	_	_
Non-Recurrent   17,925   8,088   10,347   7,382   Total, Non-Recurrent   213,440   209,957   209,033   676,367			50,885	_	_	_
Total, Non-Recurrent		Total, Recurrent	195,515	201,869	198,686	668,985
Total, Non-Recurrent		Non Paguerant				
Total, Non-Recurrent						
Total, Operating Account   213,440   209,957   209,033   676,367	700	General non-recurrent	17,925	8,088	10,347	7,382
Capital Account   Subventions   Subventions   Subventions   Section   Subventions		Total, Non-Recurrent	17,925	8,088	10,347	7,382
Subventions		Total, Operating Account	213,440	209,957	209,033	676,367
Subventions						
Hong Kong Arts Development Council		Capital Account				
942       Hong Kong Academy for Performing Arts		Subventions				
942       Hong Kong Academy for Performing Arts	865	Hong Kong Arts Development Council	_	_	_	275
973 Hong Kong Academy for Performing Arts - minor plant, vehicles and equipment (block vote)	942		_	_	_	642
vote)       —       —       7,551         Total, Subventions       —       —       8,468         Total, Capital Account       —       —       8,468	973	Hong Kong Academy for Performing Arts -				
Total, Subventions						= ==.
Total, Capital Account		vote)	_	_	_	7,551
<u> </u>		Total, Subventions				8,468
Total Expenditure		Total, Capital Account				8,468
Total Expenditure						
Total Expenditure						
		Total Expenditure	213,440	209,957	209,033	684,835

## **Details of Expenditure by Subhead**

The estimate of the amount required in 2004–05 for the salaries and expenses of the Home Affairs Bureau is \$684,835,000. This represents an increase of \$475,802,000 over the revised estimates for 2003–04 and of \$471,395,000 over actual expenditure in 2002–03.

## Operating Account

## Recurrent

- **2** Provision of \$668,985,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Home Affairs Bureau. The increase of \$470,299,000 (236.7%) over the revised estimate for 2003–04 is mainly due to the transfer of provisions of the subvention subheads in respect of the Hong Kong Academy for Performing Arts, Hong Kong Arts Development Council, Hong Kong Sports Development Board, Equal Opportunities Commission, Office of the Privacy Commissioner for Personal Data and Outward Bound Trust of Hong Kong to *Subhead 000 Operational expenses* of this bureau.
- **3** The establishment as at 31 March 2004 will be 178 permanent posts. It is expected that there will be a net deletion of two posts in 2004–05. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2004–05, but the notional annual mid-point salary value of all such posts must not exceed \$58,700,000.
  - 4 An analysis of the financial provision under Subhead 000 Operational expenses is as follows:

	2002–03 (Actual) (\$'000)	2003–04 (Original) (\$'000)	2003–04 (Revised) (\$'000)	2004–05 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	90,057	84,421	82,940	81,887
- Allowances	2,845	3,260	2,566	2,993
- Job-related allowances	3	24	3	23
Personnel Related Expenses				
- Mandatory Provident Fund				
contribution	_	204	129	144
Departmental Expenses				
- General departmental expenses	17,441	23,237	22,625	25,101
Other Charges				
- International Youth Exchange				
Programme	1,555	1,583	1,283	1,508
- Activities to promote equal				
opportunities	3,660	4,464	4,464	4,252
- Promotion of civic education outside	40.550	10.470	10 (50	40.466
schools	10,758	10,672	10,672	10,166
- Youth development activities	15,559	19,094	19,094	18,189
Subventions				00.020
- Hong Kong Sports Development Board#	_	_	_	90,930
- Hong Kong Academy for Performing				150 (00
Arts			_	158,608
- Outward Bound Trust of Hong Kong	_	_	_	1,842
- Equal Opportunities Commission	_	_	_	75,627
- Office of the Privacy Commissioner for				27 011
Personal Data Hong Kong Arts Development Council	_	_	_	37,811
	_	_	_	101,880
- Sports Federation and Olympic Committee of Hong Kong, China	2,752	2,919	2,919	7,608
- Uniformed groups and other youth	2,732	2,919	2,919	7,000
organisations	50,885	51,991	51,991	50,416
organisations	50,005	J1,771	31,991	30,710
	195,515	201,869	198,686	668,985

<sup>#</sup> The provision is for HKSDB and, if the HKSDB (Repeal) Bill is enacted to dissolve HKSDB, the Hong Kong Sports Institute Ltd which will succeed HKSDB.

**<sup>5</sup>** Gross provision of \$1,620,000 under *Subhead 003 Recoverable salaries and allowances (General)* is for the salaries and allowances of the civil servants seconded to the Trust Funds, Temples and Cemeteries Joint Secretariat which serves as the secretarial and executive arms of the Chinese Temples Committee, the Board of Management of the Chinese Permanent Cemeteries and seven Trust Fund Committees. Expenditure under this subhead is reimbursed by the relevant Committees and Board of Management.

Capital Account

# Subventions

**6** Provision of \$7,551,000 under *Subhead 973 Hong Kong Academy for Performing Arts—minor plant, vehicles and equipment (block vote)* is for new equipment and minor modification/renovation works costing above \$150,000 but not exceeding \$2,000,000 for each item.

## **Commitments**

Sub- head Item (Code) (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2003	Revised estimated expenditure for 2003–04	Balance		
		\$'000	\$'000	\$'000	\$'000		
Operating A	ccount						
700 § 145	General non-recurrent Equal Opportunities Commission: Research and educational projects on	2 000	1.002		015		
§ 155	equal pay for work of equal value Equal Opportunities Commission: Production of sector targeted training	2,000	1,083	_	917		
# 162	modules Office of the Privacy Commissioner for Personal Data: Privacy policy	1,520	440	145	935		
	research services	630	_	420	210		
266	Youth development programmes	9,000	5,503	825	2,672		
267	The "Hong Kong, Our Home" Campaign	10,000	5,330	2,437	2,233		
285 291	Promotion of human rights	750	37	350	363		
	historical buildings	723	_	671	52		
		24,623	12,393	4,848	7,382		
Capital Account							
865 ^ 160	Hong Kong Arts Development Council Replacement of client database and file management system (CDFM)	500	_	225	275		
942	Hong Kong Academy for Performing Arts						
@ 153	Replacement of sea water-cooled chiller no. 1	3,000		2,358	642		
	Total	28,123	12,393	7,431	8,299		

<sup>§</sup> Denote items moved from Head 177—Subventions: Non-departmental Public Bodies Subhead 916 Equal Opportunities Commission. Expenditure for 2003–04 is accounted for under the 2003–04 Revised Estimates of Head 177 Subhead 916.

<sup>#</sup> Denotes item moved from Head 177—Subventions: Non-departmental Public Bodies Subhead 918 Office of the Privacy Commissioner for Personal Data. Expenditure for 2003–04 is accounted for under the 2003–04 Revised Estimates of Head 177 Subhead 918.

<sup>^</sup> Denotes item moved from Head 177—Subventions: Non-departmental Public Bodies Subhead 865 Hong Kong Arts Development Council. Expenditure for 2003–04 is accounted for under the 2003–04 Revised Estimates of Head 177 Subhead 865.

<sup>@</sup> Denotes item moved from Head 177—Subventions: Non-departmental Public Bodies *Subhead 942 Hong Kong Academy for Performing Arts*. Expenditure for 2003–04 is accounted for under the 2003–04 Revised Estimates of Head 177 *Subhead 942*.