

Head 144 — GOVERNMENT SECRETARIAT: CONSTITUTIONAL AFFAIRS BUREAU

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

Estimate 2005–06..... **\$39.9m**

Establishment ceiling 2005–06 (notional annual mid-point salary value) representing an estimated 38 non-directorate posts as at 31 March 2005 reducing by one post to 37 posts as at 31 March 2006... **\$14.4m**

In addition, there will be an estimated seven directorate posts as at 31 March 2005 and as at 31 March 2006.

Commitment balance **\$5.3m**

Controlling Officer's Report

Programmes

Programme (1) Director of Bureau's Office This programme contributes to Policy Area 27: Intra-Governmental Services (Secretary for Constitutional Affairs).

Programme (2) Constitutional Affairs This programme contributes to Policy Area 28: Constitutional Affairs (Secretary for Constitutional Affairs).

Detail

Programme (1): Director of Bureau's Office

	2003–04 (Actual)	2004–05 (Original)	2004–05 (Revised)	2005–06 (Estimate)
Financial provision (\$m)	5.0	5.0	5.0 (—)	5.0 (—)
				(or same as 2004–05 Original)

Aim

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

Brief Description

3 The Office of the Secretary for Constitutional Affairs is responsible for providing administrative support to the Secretary for Constitutional 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): Constitutional Affairs

	2003–04 (Actual)	2004–05 (Original)	2004–05 (Revised)	2005–06 (Estimate)
Financial provision (\$m)	31.1	29.4	32.9 (+11.9%)	34.9 (+6.1%)
				(or +18.7% on 2004–05 Original)

Aim

4 The aims are to maintain community confidence in the full and faithful implementation of the Basic Law; to facilitate the implementation of the "One Country, Two Systems" principle and demonstrate its success; to further cultivate and strengthen our cordial and constructive working relationship with the Central People's Government (CPG), other Mainland authorities and the Government of the Macao Special Administrative Region (MSAR) in accordance with the principle of "One Country, Two Systems"; to facilitate the conduct of Hong Kong Special Administrative Region (HKSAR)'s external affairs; to co-ordinate liaison with Taiwan organisations in the HKSAR; to enhance community confidence in electoral arrangements and participation in the electoral process; to ensure that the electoral arrangements are open, fair, honest, acceptable to the community and in compliance with the Basic Law; and to address the issue of constitutional development after 2007.

Brief Description

5 The Constitutional Affairs Bureau's main responsibilities under this programme are as follows:

- advise bureaux and departments on matters relating to the implementation of the Basic Law;
- facilitate the promotion of public awareness and understanding of the Basic Law;
- facilitate the implementation of the "One Country, Two Systems" principle and demonstrate its success;
- advise other bureaux and departments on matters relating to the working relationship between the Government of the HKSAR and the CPG, other Mainland authorities and the Government of the MSAR, and facilitate official exchanges as appropriate;
- act as a focal point of contact between the Government of the HKSAR and the Mainland authorities as well as the Office of the Commissioner of the Ministry of Foreign Affairs in the HKSAR (MFA Office);
- facilitate the conduct of the HKSAR's external affairs and ensure consistency with the relevant provisions of the Basic Law and the "One Country, Two Systems" principle;
- co-ordinate liaison with Taiwan organisations in the HKSAR;
- ensure development of the electoral systems in accordance with the relevant provisions of the Basic Law; and
- address the issue of constitutional development after 2007.

6 Since reunification, we have played a co-ordinating and advisory role in matters relating to the implementation of the Basic Law and the principle of "One Country, Two Systems".

7 The Basic Law Promotion Steering Committee under the chairmanship of the Chief Secretary for Administration provides guidance in formulating policy and strategy for promoting public awareness and understanding of the Basic Law. The Bureau acts as the secretariat to the Steering Committee and co-ordinates the implementation of the action plans endorsed by the Steering Committee.

8 We have developed a good working relationship with the Hong Kong and Macao Affairs Office (HKMAO) of the State Council. This has facilitated official exchanges between the bureaux and departments of the Government of the HKSAR and the CPG and other Mainland authorities.

9 We have developed a good working relationship with the MFA Office on matters relating to the HKSAR's external affairs. This has enabled HKSAR to continue to participate actively in the international arena and to maintain close contacts with our overseas partners in a manner which reflects a high degree of autonomy.

10 We have developed a good working relationship with the Government of the MSAR in the spirit of mutual respect and equality.

11 To enhance regional co-operation, we have provided support for the Hong Kong/Guangdong Co-operation Joint Conference which facilitates co-operation at a high level on issues of common interest in such areas as tourism, environmental protection, cross-boundary arrangements and infrastructure, and the economic development of the Pearl River Delta (PRD). We provided secretariat support for the Hong Kong/Shanghai Economic and Trade Co-operation Conference established in October 2003, as well as the Hong Kong/Beijing Economic and Trade Co-operation Conference established in September 2004.

12 In June 2004, the first "Pan-Pearl River Delta Regional Co-operation and Development Forum" was successfully held in Hong Kong, Macao and Guangzhou. The 11 governments in the Pan-PRD region ("9+2") also signed a regional co-operation framework agreement. We organised the Hong Kong-leg of the forum and will continue to co-ordinate the HKSAR's participation on matters relating to "9+2".

13 Since 1 July 2002, we have taken on the responsibility of co-ordinating liaison with Taiwan organisations in the HKSAR.

14 The 2004 Legislative Council election was conducted in September 2004. Half of the 60 Legislative Council seats were returned by geographical constituency election, the other half by functional constituency election. The third term Legislative Council commenced operation on 1 October 2004.

15 We have commenced public consultation on matters relating to constitutional development after 2007 and, in particular, the methods for selecting the Chief Executive in 2007 and electing the legislature in 2008.

Matters Requiring Special Attention in 2005–06

16 During 2005–06, 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 and conduct publicity to enhance public awareness and understanding of the Basic Law;

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- continue to facilitate the implementation of the “One Country, Two Systems” principle and demonstrate its success;
- continue to advise bureaux and departments on developing and maintaining a good working relationship with their Mainland counterparts and the Government of the MSAR in line with the relevant provisions of the Basic Law and the “One Country, Two Systems” principle;
- continue to enhance our working relationships with the HKMAO and the MFA Office;
- 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;
- facilitate liaison and co-operation with the Guangdong Province, the Shanghai and Beijing Municipalities, as well as other provinces and regions in the Pan-PRD region on matters of common interest;
- co-ordinate liaison with Taiwan organisations in the HKSAR;
- work closely with the relevant bureaux and departments to make suitable preparations for a review on the roles, functions and composition of District Councils, taking into account the experience of the operation of the second term District Councils; and
- address the issue of constitutional development after 2007.

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ANALYSIS OF FINANCIAL PROVISION

Programme	2003-04 (Actual) (\$m)	2004-05 (Original) (\$m)	2004-05 (Revised) (\$m)	2005-06 (Estimate) (\$m)
(1) Director of Bureau's Office.....	5.0	5.0	5.0	5.0
(2) Constitutional Affairs	31.1	29.4	32.9	34.9
	<u>36.1</u>	<u>34.4</u>	<u>37.9</u> (+10.2%)	<u>39.9</u> (+5.3%)
				(or +16.0% on 2004-05 Original)

Analysis of Financial and Staffing Provision

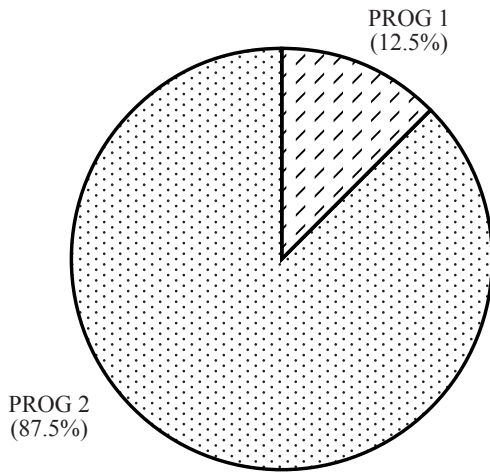
Programme (1)

Provision for 2005-06 is the same as the revised estimate for 2004-05.

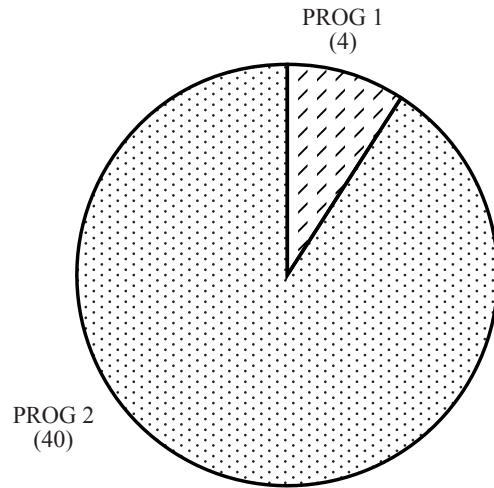
Programme (2)

Provision for 2005-06 is \$2.0 million (6.1%) higher than the revised estimate for 2004-05. This is mainly due to a net increase in provision required for the non-recurrent items and increased requirement for "9+2", partly offset by reduced departmental expenses. One post will be deleted in 2005-06.

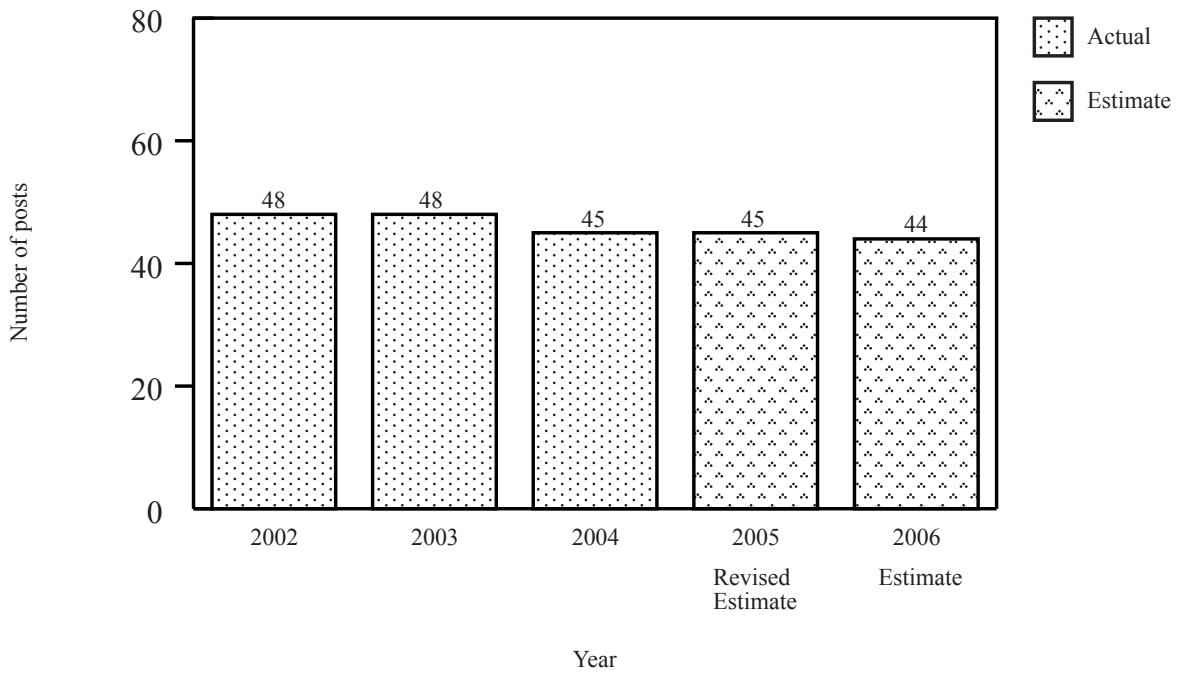
*Allocation of provision
to programmes
(2005-06)*



*Staff by programme
(as at 31 March 2006)*



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



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Sub-head (Code)	Actual expenditure 2003–04	Approved estimate 2004–05	Revised estimate 2004–05	Estimate 2005–06	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses	35,493	34,442	35,367	34,638
	Total, Recurrent	<u>35,493</u>	<u>34,442</u>	<u>35,367</u>	<u>34,638</u>
Non-Recurrent					
700	General non-recurrent	596	—	2,545	5,250
	Total, Non-Recurrent	<u>596</u>	<u>—</u>	<u>2,545</u>	<u>5,250</u>
	Total, Operating Account	<u>36,089</u>	<u>34,442</u>	<u>37,912</u>	<u>39,888</u>
<hr/>					
	Total Expenditure	<u><u>36,089</u></u>	<u><u>34,442</u></u>	<u><u>37,912</u></u>	<u><u>39,888</u></u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2005–06 for the salaries and expenses of the Constitutional Affairs Bureau is \$39,888,000. This represents an increase of \$1,976,000 over the revised estimates for 2004–05 and of \$3,799,000 over actual expenditure in 2003–04.

Operating Account

Recurrent

2 Provision of \$34,638,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Constitutional Affairs Bureau.

3 The establishment as at 31 March 2005 will be 45 permanent posts. It is expected that there will be a deletion of one permanent post in 2005–06. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2005–06, but the notional annual mid-point salary value of all such posts must not exceed \$14,362,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2003–04 (Actual) (\$'000)	2004–05 (Original) (\$'000)	2004–05 (Revised) (\$'000)	2005–06 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	25,910	24,445	23,242	23,106
- Allowances	2,172	2,026	2,029	2,045
- Job-related allowances	2	—	1	2
Personnel Related Expenses				
- Mandatory Provident Fund contribution	52	60	60	72
Departmental Expenses				
- General departmental expenses	7,357	7,911	10,035	9,413
	<u>35,493</u>	<u>34,442</u>	<u>35,367</u>	<u>34,638</u>

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Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2004	Revised estimated expenditure for 2004-05	Balance
			\$'000	\$'000	\$'000	\$'000
<i>Operating Account</i>						
700		<i>General non-recurrent</i>				
	468	Enhanced Basic Law promotion activities in 2005-06, being the 15th anniversary of the promulgation of the Basic Law	3,750	—	—	3,750
	469	Review on Constitutional Development	4,045	—	2,545	1,500
		Total	<u>7,795</u>	<u>—</u>	<u>2,545</u>	<u>5,250</u>