

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

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

Estimate 2000–01..... **\$36.3m**

Establishment ceiling 2000–01 (notional annual mid-point salary value) representing an estimated 46 non-directorate posts at 31 March 2000 reducing by six posts to 40 posts at 31 March 2001 **\$16.4m**

In addition there will be an estimated eight directorate posts at 31 March 2000 and at 31 March 2001.

Controlling Officer’s Report

Programme

Constitutional Affairs

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

Detail

	1998–99 (Actual)	1999–2000 (Approved)	1999–2000 (Revised)	2000–01 (Estimate)
Financial provision (\$m)	43.0	40.1 (–6.7%)	53.0 (+32.2%)	36.3 (–31.5%)

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 relationship with the Central People’s Government (CPG) and other Mainland authorities 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 public 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 (HKSAR) and the CPG, and other provincial and municipal governments, and facilitate in developing visit programmes as appropriate;
- facilitate and advise on the conduct of 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 Government of HKSAR and the Office of the Commissioner of the Ministry of Foreign Affairs in HKSAR (the 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 HKSAR are complied with fully.

5 The Basic Law Promotion Steering Committee under the chairmanship of the Chief Secretary for Administration aims to co-ordinate the enhanced efforts in promoting the Basic Law. The Constitutional Affairs Bureau acts as the secretariat and provides support to the Steering Committee. For the past 12 months, the Steering Committee has proved to be an effective means in providing opportunities for community organisations to participate in promoting the Basic Law. A series of programmes have been endorsed by the Steering Committee for promoting the Basic Law with regard to the four target groups, namely, the local community, teachers and students, the civil service and the overseas audience. A Basic Law Resource Centre and a Basic Law Homepage have also been set up under the auspices of the Steering Committee.

6 Since reunification, we have 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

Head 144 —GOVERNMENT SECRETARIAT: CONSTITUTIONAL AFFAIRS BUREAU

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 cooperative working relationship with the Hong Kong and Macao Affairs Office (the HKMAO) of the State Council. Both sides work closely together to facilitate official exchanges between the Government of the HKSAR 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 To enhance regional cooperation, we continue to maintain an extensive network of communication with the Guangdong Province. In 1999, 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 cooperation 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.

9 In the past 12 months, we had a number of Bills enacted by the Legislative Council. These provided the legal basis for, amongst other things, the first District Councils election and the second Legislative Council election. Moreover, to ensure that our elections are conducted fairly, openly and honestly, we introduced a Bill to replace the existing Corrupt and Illegal Practices Ordinance.

10 On 28 November 1999, the first District Councils election was held. We worked closely with the Electoral Affairs Commission to ensure that the electoral arrangements were open, fair and honest. Over 816 000 voters cast their votes in the election, representing a turnout rate of 35.8 %.

Matters Requiring Special Attention in 2000–01

11 During 2000–01, the Bureau will:

- continue to advise bureaux and departments on matters relating to the implementation of the Basic Law;
- continue to coordinate the promotion of the Basic Law, in particular, programmes commemorating the 10th Anniversary of the promulgation of the Basic Law;
- continue to advise bureaux and departments on the conduct of 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 counterparts in line with the relevant provisions of the Basic Law and the "One Country, Two Systems" principle;
- further enhance our working relationship 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; and
- work closely with the Electoral Affairs Commission to ensure that suitable practical arrangements will be made for the second Legislative Council election.

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

ANALYSIS OF FINANCIAL PROVISION

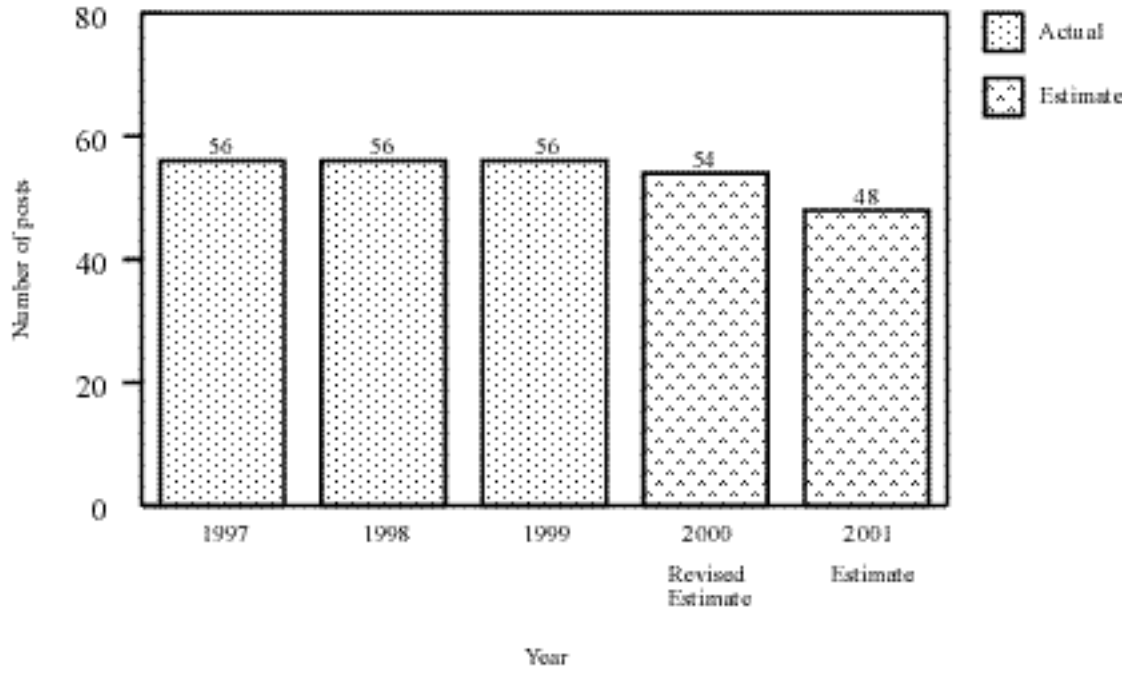
Programme	1998–99 (Actual) (\$m)	1999–2000 (Approved) (\$m)	1999–2000 (Revised) (\$m)	2000–01 (Estimate) (\$m)
Constitutional Affairs	43.0	40.1 (–6.7%)	53.0 (+32.2%)	36.3 (–31.5%)

Analysis of Financial and Staffing Provision

Provision for 2000–01 is \$16.7 million (31.5%) lower than the revised estimate for 1999–2000. This is mainly due to the full-year savings of five supernumerary posts that lapsed in 1999–2000, the net deletion of six permanent posts in 2000–01 under the Enhanced Productivity Programme and reduced requirement in capital expenditure.

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

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



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

Sub-head (Code)	Actual expenditure 1998-99	Approved estimate 1999-2000	Revised estimate 1999-2000	Estimate 2000-01	
	\$ 000	\$ 000	\$ 000	\$' 000	
Recurrent Account					
I — Personal Emoluments					
001	Salaries.....	30,081	32,095	32,144	28,564
002	Allowances	3,756	4,131	3,862	3,922
007	Job-related allowances.....	6	7	7	7
	Total, Personal Emoluments	<u>33,843</u>	<u>36,233</u>	<u>36,013</u>	<u>32,493</u>
III — Departmental Expenses					
149	General departmental expenses	3,836	3,856	3,856	3,837
	Total, Departmental Expenses	<u>3,836</u>	<u>3,856</u>	<u>3,856</u>	<u>3,837</u>
	Total, Recurrent Account.....	<u>37,679</u>	<u>40,089</u>	<u>39,869</u>	<u>36,330</u>
Capital Account					
II — Other Non-Recurrent					
	General other non-recurrent.....	5,271	—	13,176	¾
	Total, Other Non-Recurrent	<u>5,271</u>	<u>—</u>	<u>13,176</u>	<u>¾</u>
	Total, Capital Account.....	<u>5,271</u>	<u>—</u>	<u>13,176</u>	<u>¾</u>
	Total Expenditure.....	<u><u>42,950</u></u>	<u><u>40,089</u></u>	<u><u>53,045</u></u>	<u><u>36,330</u></u>

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

Details of Expenditure by Subhead

The estimate of the amount required in 2000–01 for the salaries and expenses of the Constitutional Affairs Bureau is \$36,330,000. This represents a decrease of \$16,715,000 against the revised estimate for 1999–2000 and of \$6,620,000 against actual expenditure in 1998–99.

Recurrent Account

Personal Emoluments

2 Provision of \$32,493,000 for personal emoluments represents a decrease of \$3,520,000 against the revised estimate for 1999–2000 and takes into account the full-year savings of five supernumerary posts that lapsed in 1999–2000 and the net deletion of six permanent posts in 2000–01 under the Enhanced Productivity Programme.

3 The establishment at 31 March 2000 will be 54 permanent posts. It is expected that a net six permanent posts will be deleted in 2000–01.

4 Subject to certain conditions, the controlling officer may under delegated powers create or delete non-directorate posts during 2000–01, but the notional annual mid-point salary value of all such posts must not exceed \$16,434,000.

5 Provision of \$3,922,000 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	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.

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