

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

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

<b>Estimate 2002–03</b> .....	<b>\$36.6m</b>
<b>Establishment ceiling 2002–03</b> (notional annual mid-point salary value) representing an estimated 40 non-directorate posts at 31 March 2002 and at 31 March 2003 .....	<b>\$16.7m</b>
In addition there will be an estimated eight directorate posts at 31 March 2002 and at 31 March 2003.	
<b>Capital Account commitment balance</b> .....	<b>\$5.4m</b>

**Controlling Officer’s Report**

**Programme**

**Constitutional Affairs**

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

**Detail**

	2000–01 (Actual)	2001–02 (Approved)	2001–02 (Revised)	<b>2002–03 (Estimate)</b>
Financial provision (\$m)	32.9	37.1 (+12.8%)	39.7 (+7.0%)	<b>36.6 (–7.8%)</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), 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 Hong Kong Special Administrative Region (HKSAR)’s participation in the international arena; 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 provide input and support to the review on enhancing the accountability of principal officials.

**Brief Description**

3 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 the public awareness of the Basic Law;
- advise other policy bureaux and departments on matters relating to the relations between the Government of the HKSAR and the CPG, and other Mainland authorities and the Government of the MSAR, and facilitate official exchanges as appropriate;
- facilitate 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 Government of the HKSAR and the Office of the Commissioner of the Ministry of Foreign Affairs in the HKSAR (MFA Office);
- ensure continual development of the electoral systems in accordance with the blueprint in the Basic Law and the needs of the community; and
- provide input and support to the review on enhancing the accountability of principal officials.

4 Since reunification, we have played a co-ordinating and advisory role in 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 Government of the HKSAR, 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 co-ordinates the implementation of the action plans endorsed by the Steering Committee. During the past 12 months, under the direction of the Steering Committee, various bureaux

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

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and departments, as well as District Councils, have organised or sponsored a wide range of activities to promote the Basic Law, e.g. symposiums, exhibitions, seminars, lyrics competitions, etc.

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

**7** We have also 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 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 agreements to underline the commitment of both sides to co-operate in such areas as postal services, marine conservation and the fight against intellectual property piracy.

**8** We have developed an effective and cordial working relationship with the Government of the MSAR in the spirit of mutual respect and equality.

**9** To enhance regional co-operation, we continue to maintain an extensive network of communication with the Guangdong Province. In 2001, 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 tourism, environmental protection, cross-boundary arrangements and infrastructure, and the economic development of the Pearl River Delta.

**10** We have put in place the necessary legislation for conducting the 2002 Chief Executive Election. We have been working closely with the Electoral Affairs Commission to ensure that this election is held in accordance with the Basic Law and in a manner that is open, fair and honest.

**11** In 2001–02, we participated in the review to examine how accountability of principal officials for their respective policy portfolios could be enhanced. The proposed framework was outlined in the 2001 Policy Address.

### ***Matters Requiring Special Attention in 2002–03***

**12** During 2002–03, 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 another survey to assess public awareness of the Basic Law and identify the most effective ways to promote the Basic Law, and launch a TV-based publicity campaign to enhance understanding and knowledge 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 the Government of the MSAR 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 co-operation with the Guangdong Province on matters of mutual concern through established and new channels;
- implement measures to use more technology to improve our electoral arrangements;
- examine the issues involved in introducing an automatic voter registration system;
- continue to study the feasibility of introducing a political party law; and
- continue to provide input and support in working out the detailed arrangements under the proposed accountability system.

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

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**ANALYSIS OF FINANCIAL PROVISION**

<b>Programme</b>	2000-01 (Actual) (\$m)	2001-02 (Approved) (\$m)	2001-02 (Revised) (\$m)	<b>2002-03 (Estimate) (\$m)</b>
Constitutional Affairs .....	32.9	37.1 (+12.8%)	39.7 (+7.0%)	<b>36.6 (-7.8%)</b>

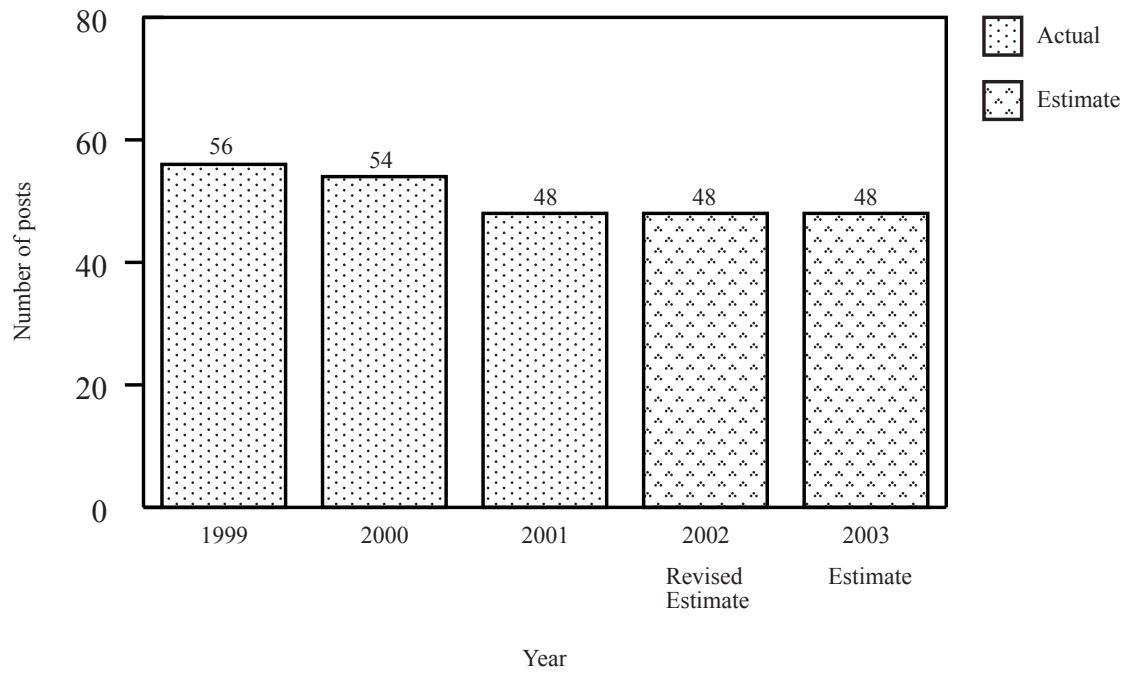
**Analysis of Financial and Staffing Provision**

Provision for 2002-03 is \$3.1 million (7.8%) lower than the revised estimate for 2001-02. This is mainly due to the decreased requirement in capital expenditure.

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

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



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

Sub-head (Code)	Actual expenditure 2000-01	Approved estimate 2001-02	Revised estimate 2001-02	<b>Estimate 2002-03</b>	
	\$'000	\$'000	\$'000	<b>\$'000</b>	
<b>Recurrent Account</b>					
I — Personal Emoluments					
001	Salaries .....	26,332	27,566	28,521	<b>27,251</b>
002	Allowances .....	1,737	2,843	2,774	<b>2,827</b>
007	Job-related allowances .....	6	7	7	<b>7</b>
	Total, Personal Emoluments .....	<u>28,075</u>	<u>30,416</u>	<u>31,302</u>	<b><u>30,085</u></b>
III — Departmental Expenses					
149	General departmental expenses .....	3,351	3,810	3,810	<b>3,810</b>
	Total, Departmental Expenses .....	<u>3,351</u>	<u>3,810</u>	<u>3,810</u>	<b><u>3,810</u></b>
	Total, Recurrent Account .....	<u>31,426</u>	<u>34,226</u>	<u>35,112</u>	<b><u>33,895</u></b>
<b>Capital Account</b>					
II — Other Non-Recurrent					
700	General other non-recurrent .....	1,467	2,880	4,565	<b>2,680</b>
	Total, Other Non-Recurrent .....	<u>1,467</u>	<u>2,880</u>	<u>4,565</u>	<b><u>2,680</u></b>
	Total, Capital Account .....	<u>1,467</u>	<u>2,880</u>	<u>4,565</u>	<b><u>2,680</u></b>
	Total Expenditure.....	<u><u>32,893</u></u>	<u><u>37,106</u></u>	<u><u>39,677</u></u>	<b><u><u>36,575</u></u></b>

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

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**Details of Expenditure by Subhead**

The estimate of the amount required in 2002–03 for the salaries and expenses of the Constitutional Affairs Bureau is \$36,575,000. This represents a decrease of \$3,102,000 against the revised estimate for 2001–02 and an increase of \$3,682,000 over actual expenditure in 2000–01.

*Recurrent Account*

Personal Emoluments

**2** Provision of \$30,085,000 for personal emoluments represents a decrease of \$1,217,000 against the revised estimate for 2001–02.

**3** The establishment at 31 March 2002 will be 48 permanent posts. No change in establishment is expected in 2002–03.

**4** Subject to certain conditions, the controlling officer may under delegated powers create or delete non-directorate posts during 2002–03, but the notional annual mid-point salary value of all such posts must not exceed \$16,650,000.

**5** Provision of \$2,827,000 under *Subhead 002 Allowances* is for standard allowances and the consolidated overtime allowance for Chauffeur grade.

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

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

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**Capital Account**

**Commitments**

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2001	Revised estimated expenditure for 2001-02	Balance
			\$'000	\$'000	\$'000	\$'000
700		<i>General other non-recurrent</i>				
	001	Promotion of Basic Law .....	10,000	9,607	25	368
	004	Basic Law publicity campaign .....	5,560	—	2,880	2,680
	005	Consultancy study on remuneration package for principal officials appointed under the new accountability system .....	4,000	—	1,660	2,340
		Total .....	<u>19,560</u>	<u>9,607</u>	<u>4,565</u>	<u>5,388</u>