
Chapter 5

Developing Democracy And Enhancing Governance

Preamble

Hong Kong has taken a critical step forward in its constitutional development. The Decision adopted by the Standing Committee of the National People's Congress makes it clear that the election of the HKSAR Chief Executive may be implemented by universal suffrage in 2017. The Decision also makes it clear that after the Chief Executive is selected by universal suffrage, the election of the Legislative Council may also be implemented by universal suffrage. That is, after the election of the Chief Executive is implemented by universal suffrage in 2017, the Legislative Council may also be elected by universal suffrage in 2020. The Decision has brought Hong Kong's constitutional development to a new stage. We should seize on this valuable opportunity and adopt a rational, pragmatic and inclusive manner. We should look for common ground while respecting differences of opinions, in order to forge a consensus on the constitutional arrangements for the year 2012. This will enable Hong Kong to move towards the ultimate goal of universal suffrage.

Apart from pursuing the development of democracy, we will enhance governance and improve the quality of public services at the same

time. We will continue to uphold the principle of people-based governance and strengthen our communications with the public to bring our policies more in line with public opinion.

New Initiatives

We will:

- Carry out public consultation on the possible options for amending the methods for electing the Chief Executive and for forming the Legislative Council in 2012, with a view to determining the two electoral methods within the tenure of the third-term HKSAR Government. This could then lay a solid foundation for attaining universal suffrage for the Chief Executive in 2017, and for the Legislative Council in 2020.
- Adopt a focused approach to study the rankings of Hong Kong in global competitiveness, economic freedom and ease of doing business by international ranking institutions, to identify areas for improvement with a view to enhancing Hong Kong's competitiveness in the longer term.
- Enhance the Governmental portal, GovHK, to provide more personalised interface for services and information to better meet the needs of users.
- Capitalise on the "60th Anniversary of the Founding of the People's Republic of China" in 2009 and launch a series of national education programmes in 2008-09.

On-going Initiatives

We are:

- Continuing to implement the Political Appointment System.
- Continuing to facilitate the implementation of “One Country, Two Systems” and to demonstrate its success; and to strengthen our efforts in promoting public awareness and understanding of the Basic Law.
- Following up with the relevant Mainland authorities on how the HKSAR could complement the preparation of the National 12th Five-Year Plan under the principle of “One Country, Two Systems”. The objectives are to help ensure that we can make necessary preparations to realise Hong Kong’s development potentials, and to facilitate our timely and effective contribution to the Mainland’s social and economic development during the 12th Five-Year Plan period.
- Continuing to strengthen regional co-operation through our co-operation mechanism with the Pan-Pearl River Delta Region; the Macao Special Administrative Region, the Guangdong Province; and the Municipalities of Beijing, Shanghai and Shenzhen.
- Finalising the improved arrangements for village representative elections with a view to introducing an amendment bill into the Legislative Council in 2009 for implementation in the next village ordinary election in 2011.

- Continuing to enhance the communication between District Councils (DCs) and the Administration through participation of Heads of Departments in DC meetings and briefings for DC members on government policies. We organised a Summit on District Administration in May 2008 and issued a report on the views collected and the action agenda of concrete follow-up measures discussed at the Summit.
- Strengthening our liaison network through District Officers.
- Continuing to consult DCs on government policies and proposals.
- Continuing to take into account public opinion gathered during policy-formulation.
- Strengthening our network at district level to facilitate the collation, assessment and analysis of community feedback.
- Continuing to foster a close working relationship between the executive authorities and the legislature in accordance with the delineation of functions set out in the Basic Law.
- Working with the Commission on Youth, the Committee on Promotion of Civic Education and the youth uniformed groups to provide young people with appropriate non-formal education and training, prepare for the commissioning of the Centre for Youth Development, enhance the promotion of youth development and civic education outside schools, particularly on the civic and social participation of young people and the promotion of national education.

- Continuing to enrich the content and features of the Youth Portal to provide more useful and interesting information and services for local youth aged 15 to 24.
- Setting out the framework within which civil servants are expected to work with political appointees under an expanded Political Appointment System through the issue of a Civil Service Code.
- Continuing to control the size of the civil service by providing the necessary management tools to assist bureaux and departments to make more effective use of manpower resources and enhance efficiency, while at the same time giving due consideration of the need for additional manpower resources for delivering new and improved services.
- Continuing to provide civil servants with training and development opportunities. We shall also continue to enhance the variety and content of the training materials on our e-learning portal, and promote wider use of e-learning, as part of our endeavours to fortify a culture of continuous learning in the civil service.
- Continuing to implement an action plan which will ensure that the Basic Law forms an integral part of training for civil servants, and that the training is provided in a systematic and planned manner which takes into account the needs of civil servants of different levels and work nature.
- Continuing with the development of an effective arrangement for implementing both upward and downward pay adjustments in future, as part and parcel of the improved civil service pay adjustment mechanism.

- Continuing to provide support to the relevant advisory bodies on civil service salaries and conditions of service to conduct grade structure reviews for the directorate grades, the disciplined services grades, and selected civilian grades facing recruitment and retention difficulties. We will take follow-up action upon receipt of their recommendations.
- Continuing to maintain and enhance morale of the civil service, and encourage fuller use of various commendation schemes to recognise and motivate exemplary performance.
- Continuing to maintain a vigorous, effective and efficient disciplinary system against misconduct in the civil service. Continuing to monitor closely implementation of the streamlined procedures for removing under-performers while sustaining efforts to further improve efficiency and productivity in the civil service.
- Under the Be the Smart Regulator Programme, continuing to extend the on-line licence tracking facility now available for food business related licences as well as hotel and club licences to other licences. Continuing to develop the e-liquor licence processing system for completion in April 2009. Promoting the business consultation e-platform to facilitate the business sectors to access consultation information relating to new regulations, administrative measures and procedures that would impact business and to offer their views and comments.
- Formulating measures to streamline food business licensing, including the introduction of a composite licence/permit scheme to facilitate the operation of food business which manufacture and sell various types of ready-to-eat food items.

- In line with the principle of keeping expenditure within the limits of revenue, continuing the strive to achieve a fiscal balance, avoid deficits and keep the budget commensurate with the growth rate of Gross Domestic Product; making proper use of fiscal surplus, if any, after taking account of our long-term interest; reviewing our tax base and continuing to implement the asset sale and securitisation programme.
- Studying options for broadening the tax base and to consult the public further on those options which are more practical in due course.
- Ensuring that the Architectural Services Department can achieve the target of outsourcing to 90% of the delivery of new projects in 2008-09 under its re-engineering programme.
- Continuing to review the small house policy with a view to formulating preliminary proposals for more in-depth discussion and continuing with the implementation of a set of streamlined procedures to expedite the processing of small house applications.
- Continuing to find ways to expedite the processing of lease modification and land exchange applications including a review on the effectiveness of the pilot scheme set up in the Lands Department.
- Furthering the standards of advocacy and preparation in criminal cases through the provision of comprehensive training arrangements for prosecutors.

- Enhancing the quality of criminal justice by promoting transparency in public prosecutions, liaising closely with justice partners (including the Police, the Independent Commission Against Corruption and the departmental prosecutors) and reviewing the disclosure arrangements of law enforcement agencies.
- Promoting co-operation amongst prosecutors at the global level by actively participating in the work of the International Association of Prosecutors.
- Continuing to enhance the law drafting skill of law draftsmen through an in-house mentorship programme and enrich their drafting experience by organising training programmes.
- Continuing the Bilingual Law Information System with enhanced features to provide easy access to our bilingual laws of Hong Kong.
- Reviewing the provisions of the Control of Obscene and Indecent Articles Ordinance in light of prevalence of new media, and planning to extensively engage the public in mapping out future options for improvement.
- Continuing to ensure that our legislative regime for combating terrorism is current and meets the need of changing circumstances.
- Continuing to seek long-term solutions to address the problems of outdated facilities and overcrowding in some of our penal institutions.

- Working in tandem with the Independent Police Complaints Council to prepare for the early and continued effective operation of the Council as a statutory body following the enactment of the Independent Police Complaints Council Ordinance.
- Continuing discussions with the Mainland and other jurisdictions on bilateral co-operation relating to Mutual Legal Assistance in Criminal Matters, Surrender of Fugitive Offenders and Transfer of Sentenced Persons.
- Continuing to implement the Risks and Needs Assessment Protocol to identify prisoners prone to custodial and re-offending risks, and to deliver rehabilitative programmes matching their needs, with a view to more effectively reducing re-offending.