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# Chapter 5

## Developing Democracy And Enhancing Governance

### Preamble

Hong Kong has taken a critical step forward in its constitutional development. The proposed package for the 2012 elections was passed by a two-thirds majority of all the members of the Legislative Council, given consent by the Chief Executive and endorsed by the Standing Committee of the National People's Congress (NPCSC) last summer. This is an important milestone for Hong Kong's constitutional development. For the first time since the establishment of the HKSAR, we have managed to complete the "five-step mechanism" as set out in the Basic Law and the NPCSC's Interpretation of 2004 to amend the electoral methods for the Chief Executive and the Legislative Council. This will give the Hong Kong community greater confidence in and a stronger basis for forging consensus on constitutional development in future and pave the way for implementing universal suffrage for the Chief Executive and the Legislative Council in 2017 and 2020 respectively. The passage of the Chief Executive Election (Amendment) Bill 2010 and the Legislative Council (Amendment) Bill 2010 by the Legislative Council on 3 and 5 March 2011 respectively implements the constitutional reform package. With the enactment of local legislation for the 2012 Chief Executive and Legislative Council

elections, Hong Kong is now moving step by step towards the ultimate aim of universal suffrage.

Apart from pursuing the development of democracy, we will also enhance governance and bring our policies more in line with public opinion. We will make greater use of the new media that have become popular in recent years to enhance our interaction with the public and to engage the community in discussions about public affairs.

An effective government relies on a professional and highly efficient civil service. Our civil servants will carry on the fine tradition and remain as dedicated as ever to their duties in pursuit of service excellence. They will stay committed to serving the community in keeping with the spirit of putting people first.

## New Initiatives

*We will:*

- Conclude the public consultation on arrangements for filling vacancies in the Legislative Council with a view to resuming and completing the legislative exercise in the 2011-12 legislative session.
- Work closely with the Electoral Affairs Commission to make practical arrangements to ensure that the 2012 Legislative Council election and associated electoral arrangements will be conducted in fair, open and honest manner in accordance with the relevant legislation.
- Progressively increase the financial resources for the District Minor Works Programme to \$400 million per annum over the next two District Council terms. The increased resources would cover capital expenditures as well as management and maintenance expenditures of the completed facilities.
- Organise an international anti-corruption public service announcement video competition and workshop to support the International Association of Anti-Corruption Authorities in implementing the United Nations Convention Against Corruption, with a view to enabling its members worldwide to share experience and exchange ideas with experts on the effective use of mass media strategies in engaging the public in the fight against corruption.

- Partner with prominent youth bodies to launch a youth training programme on ethical leadership and positive values for tertiary students, which will comprise training workshops, exchange activities and a youth conference.
- Provide a “Life and Society” Teaching Package for Junior Secondary Students to support teaching the modules of “Personal and Social Development” and “Social Systems and Citizenship” in the new curriculum and help young people foster positive attitudes and values.

## 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.
- Continuing to work closely with the Electoral Affairs Commission to implement practical arrangements to ensure that the 2011 District Council Election, 2011 Chief Executive Election Committee Subsector Elections, 2012 Chief Executive Election and associated electoral arrangements will be conducted in fair, open and honest manner in accordance with the relevant legislation.
- Continuing to take forward the proposals concerning the abolition of the District Council appointment system.
- Conducting a review on rural elections, with a view to identifying room for improvement for future implementation, in the light of the experience gained in 2011’s rural elections.

- Preparing for the implementation of phase 2 of the enhancement of the remuneration package for Members of the District Councils (DCs) on 1 January 2012, including the introduction of an accountable medical allowance and an end-of-term gratuity for DC Members as well as the provision of Entertainment Expenses Reimbursement for DC Chairmen.
- Continuing the communication between DCs and the Administration through participation of Heads of Departments in DC meetings and briefings for DC members on government policies.
- 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.

- Continuing to work with the Commission on Youth, Committee on the Promotion of Civic Education and youth uniformed groups to provide young people with appropriate non-formal education and training, make use of the Youth Square and the Civic Education Resource Centre to 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 organise various national education activities in collaboration with the Commission on Youth, Committee on the Promotion of Civic Education and major community organisations.
- Continuing to support youth development activities through the district network of the Commission on Youth with a view to helping youths cultivate a positive approach to life and fulfill civic duties.
- Continuing to enhance communication with youths and encourage them to participate in community affairs, including organising more exchange sessions with them.
- Providing opportunities for youngsters, with a token stipend, to serve in under-privileged areas in the Mainland for six to twelve months under the “Service Corps” Programme.
- Continuing to develop and enrich the content of the Youth Portal to provide a multi-media platform for young people to access government services and information and to better engage them in the design and delivery of public services.

- 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 to 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 resources 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 regular conduct of pay trend surveys, starting salaries surveys and pay level surveys in accordance with the improved civil service pay adjustment mechanism so as to maintain broad comparability between civil service pay and private sector pay.
- 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 the removal of under-performers under the established procedures while sustaining efforts to further improve efficiency and productivity in the civil service.
- Continuing the Be the Smart Regulator Programme to improve the clarity, efficiency and relevance of regulatory and licence arrangements.
- Monitoring the reports of the major international competitiveness ranking institutes to identify opportunities for continuous improvements in the delivery of public services.
- 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; managing public finances with regard to the principles of commitment to society, sustainability and pragmatism; 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.
- Continuing to review the small house policy and implement a set of streamlined procedures to expedite the processing of small house applications.

- Continuing to handle lease modification and land exchange applications in the District Lands Office (Hong Kong West and South) by a dedicated approach; to centralise premium determination of high impact cases at the Lands Department Headquarters; and continuing to find ways to expedite the processing of land transactions.
- Improving the quality and efficiency of legal advice, the preparation in criminal cases and the standards of advocacy through comprehensive training programmes for prosecutors and making better use of resources.
- Enhancing the quality of criminal justice by promoting transparency in public prosecutions and improving our accountability to the community we serve.
- Promoting co-operation amongst prosecutors at the regional and global level by actively participating in the work of the various international prosecutors organisations.
- Continuing to press ahead with the establishment of an electronic database of Hong Kong legislation with legal status through conducting a tender process and proceeding with the staged implementation of the Legislation Publication Ordinance.
- Enhancing the accessibility of legislation through publishing guidelines on the drafting of legislation.
- Continuing to design and implement new processes, tools and governance arrangements for government IT-enabled change projects to maximise the realisation of business benefits.

- Continuing to ensure that our legislative regime for combating terrorism 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.
- 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.
- Continuing to implement effective measures to assist Hong Kong residents travelling abroad. These include a three-colour Outbound Travel Alert System; services of the “Assistance to Hong Kong Residents Unit” of the Immigration Department; and relevant contingency mechanism.
- Introducing a statutory mechanism to underpin the enhanced screening procedures for torture claims.
- Continuing our integrity-building endeavours for tertiary students in collaboration with tertiary education institutions by incorporating a personal ethics module in their relevant programmes and sustaining the impact of i-League – an association for undergraduates and graduates involved in “ICAC Ambassadors” programme.