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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 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 pursue constitutional development in a rational, pragmatic and inclusive manner. We should look for common ground while respecting differences of opinion 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. The Government will consult the public, before the end of this year, on the electoral arrangements for 2012, and put forth our proposed package within 2010, with a view to determining the two electoral methods within the tenure of the current-term Government.

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 the public consultation on the possible options for amending the methods for electing the Chief Executive and for forming the Legislative Council in 2012 and present to the Legislative Council within 2010 the proposed amendments to Annexes I and II to the Basic Law, with a view to determining the two electoral methods within the tenure of the third-term HKSAR Government. This could then lay a foundation for attaining universal suffrage for the Chief Executive in 2017, and for the Legislative Council in 2020.
- Enhance the transparency and legal certainty of the existing licensing regime for sound broadcasting service by introducing an amendment bill to stipulate a set of clear licensing criteria under the Telecommunications Ordinance.
- Develop and implement the first wave of electronic information management strategies for participating bureaux/departments to provide a convenient and efficient way to create, access and use accurate, timely and complete information about Government business.
- Design and implement new processes, tools and governance arrangements for Government IT-enabled change projects to maximise the realisation of business benefits.

- Enhance the accessibility of legislation through improved design and greater clarity.
- Embark on a territory-wide, senior secondary school ambassador programme to nurture a culture of probity, morality and ethical leadership in the younger generations, in addition to integrity-building endeavours across the spectrum from kindergarten to junior secondary.
- Commence a youth leadership programme with a view to inciting exchanges amongst local university students and their counterparts from the Mainland and overseas, through a participatory approach in workshops, training camps and case studies.
- Enhance the measures to assist Hong Kong residents travelling abroad. These will include: instituting a three-colour Outbound Travel Alert System; enhancing the services of the “Assistance to Hong Kong Residents Unit” of the Immigration Department; and strengthening the relevant contingency mechanism.
- Enhance the screening of torture claims through setting up a new appeal system, providing legal assistance to claimants, enhancing the efficiency and effectiveness of the processing of claims, and introducing legislation to underpin the enhanced screening procedure.

## 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.
- Preparing for the implementation of the improved arrangements for village representative elections in the next village ordinary election in 2011, after the enactment of the Village Representative Election Legislation (Miscellaneous Amendments) Ordinance 2009.
- 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.
- 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 Promotion of Civic Education and youth uniformed groups to provide young people with appropriate non-formal education and training, prepare for the full operation of the new Youth Square, 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.
- Capitalising on the “60th anniversary of the Founding of the People’s Republic of China” this year 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 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.
- 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 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.
- Taking follow-up action in respect of the recommendations in the reports of the grade structure reviews for the directorate grades, the disciplined services grades, and selected civilian grades facing recruitment and retention difficulties submitted by the relevant advisory bodies on civil service salaries and conditions of service.
- 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 improvements in the delivery of public services.
- 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; 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 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 implement a Dedicated Team in the District Lands Office (Hong Kong South and West) for handling lease modification and land exchange applications; to centralise premium determination of high impact cases at the Lands Department Headquarters; and to continue to find ways to expedite the processing of land transactions.
- 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 with the review of the provisions of the Control of Obscene and Indecent Articles Ordinance and the public engagement exercise to map out future options for improvement.
- Continuing to enhance the Governmental portal, GovHK, to provide more personalised interface for services and information to better meet the needs of users.
- 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.
- 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.