

Chapter II

**Good
Governance**

My Belief

“Hong Kong’s core values are also our absolute advantages, including the rule of law, an independent judiciary, human rights and freedoms, which are protected by the Basic Law. I and the HKSAR Government will do our utmost to safeguard the rule of law and ensure the accurate and full implementation of the Basic Law and ‘One Country, Two Systems’ in Hong Kong.”

“As a politician, I have to remind myself all the time of the need to grasp public sentiments accurately. I am also fully aware that while we have good intentions, we still need to be open and accommodating. While the Government has to ensure administrative efficiency, it still needs to listen patiently.”

The Hong Kong Special Administrative Region (HKSAR), being an inalienable part of the People’s Republic of China, is directly under the Central People’s Government and exercises a high degree of autonomy. With the support of the Motherland and an international vision, Hong Kong has maintained its unique strengths which are protected by the Basic Law, including the rule of law, executive power, legislative power, independent judicial power including that of final adjudication, human rights and freedoms, etc.

The HKSAR Government will, with utmost endeavours, implement “One Country, Two Systems”, uphold the Basic Law and safeguard the rule of law. Good governance is the cornerstone for discharging the above constitutional responsibilities. Also, the Government will ensure that its future work is closer to the aspirations, sentiments and opinions of the people while proactively enhancing public engagement. Our style of governance needs to be more open and accommodating and our way of listening to public views needs to be reformed.

The adoption of the new fiscal policy by the current-term Government is another important measure to improve governance. Under the principle of ensuring the stability of our public finances and in line with the Basic Law’s requirement of keeping our expenditure within the limits of revenues and avoiding fiscal deficits, the new fiscal philosophy aims to use our accumulated surpluses wisely for the community. Since the beginning of our current term, the recurrent expenditure of the HKSAR Government has increased by \$79.2 billion (21.9%) from 2017-18 to 2019-20 in support of new initiatives for improving people’s livelihood. Total government expenditure, including infrastructure and other non-recurrent expenditure, is estimated to be \$607.8 billion in 2019-20, an increase of 29.1% from that of 2017-18. At the same time, we still maintain a healthy fiscal reserve in excess of \$1,100 billion. We will continue to adhere to the new fiscal philosophy to invest in the future, enhance competitiveness and create benefits for society.

Recurrent Government Expenditure

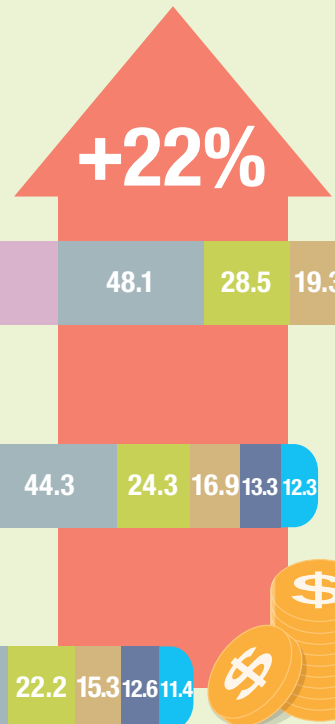
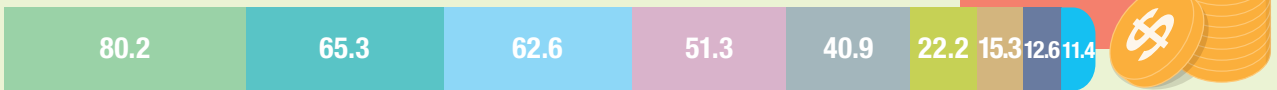
2019-20 (Estimate) **\$441 billion**



2018-19 **\$403 billion**



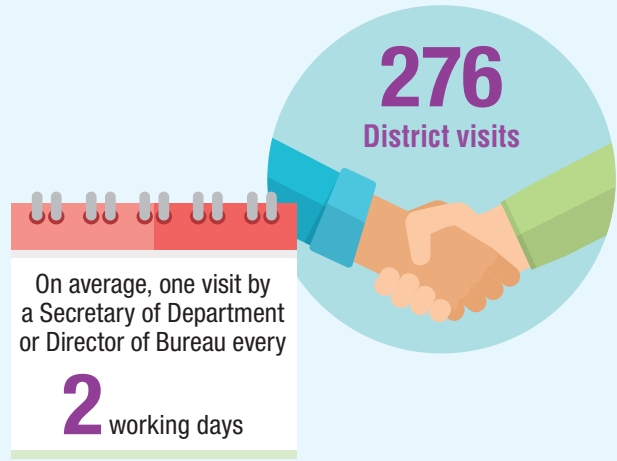
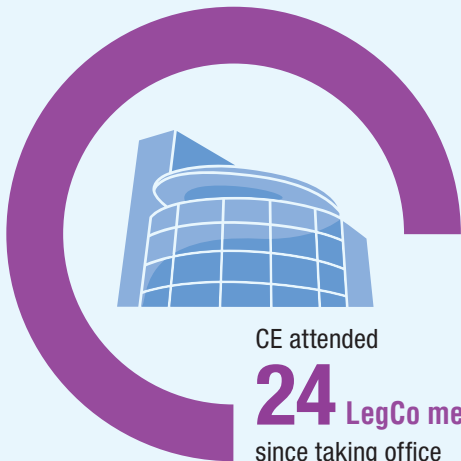
2017-18 **\$361.8 billion**



- Education
- Social Welfare
- Health
- Support
- Security
- Infrastructure and Housing
- Environment and Food
- Community and External Affairs
- Economic

Chapter II Good Governance

Strengthen Communication

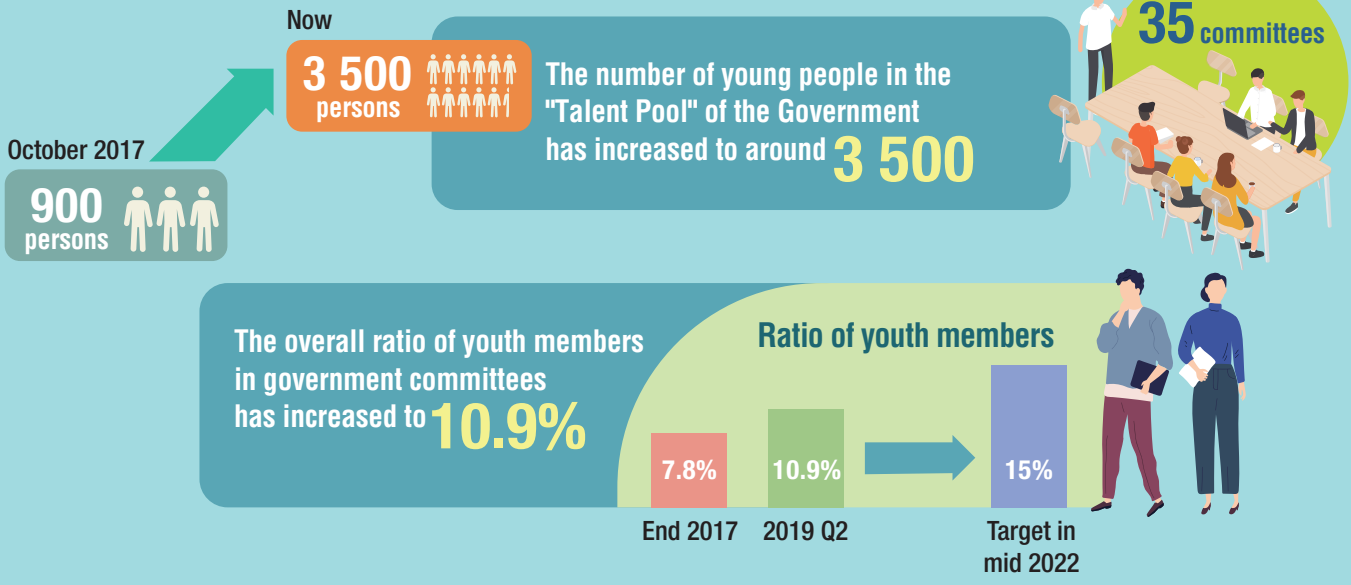


CE chaired summits on

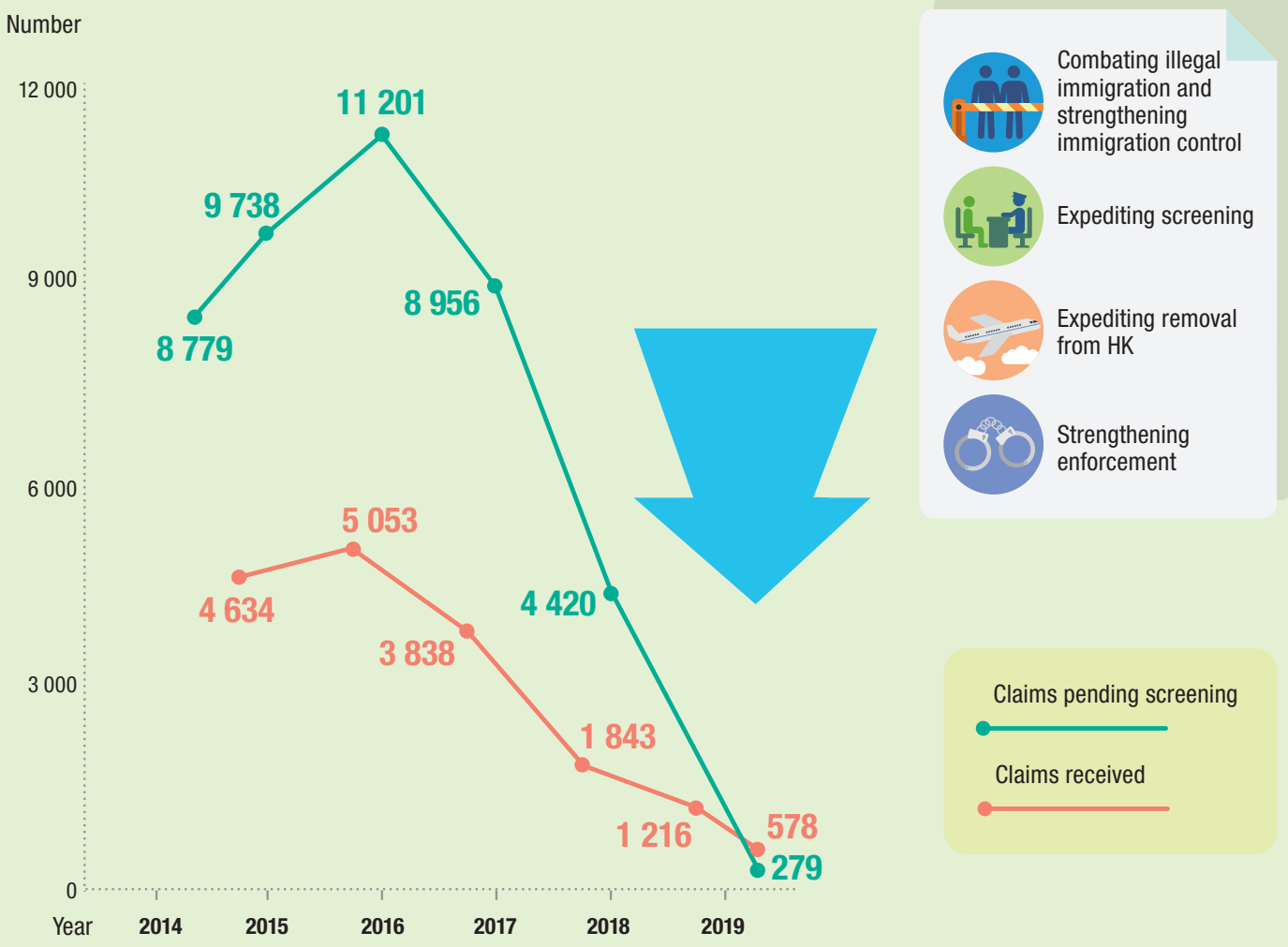




Member Self-recommendation Scheme for Youth



Non-refoulement Claims



Progress Made

A total of 40 new initiatives were announced in the 2017 and 2018 Policy Addresses and Policy Agendas, of which 39 have been completed or are progressing on schedule.

Key initiatives completed or major progress made by the current-term Government are as follows:

Boosting Implementation Capabilities

- During the first three years of the current-term Government (i.e. from 2017-18 to 2019-20), the civil service establishment has increased by about 13 500 posts (7.6%). The projected establishment by end-March 2020 will be 191 816 posts. (CSB)
- In July 2018, invited all serving civil servants joining the service between 1 June 2000 and 31 May 2015 to choose to retire at 65 (for civilian grades) or 60 (for disciplined services grades). (CSB)
- Identified a “Government, Institution or Community” site with an area of about 11 000 square metres in Kwun Tong for composite development based on the principle of “single site, multiple use”. Apart from the civil service college and some social welfare facilities, there will also be an elevated pedestrian platform, public open space and a green deck to enhance the local environment and walkability of the district. We consulted the Kwun Tong District Council (DC) on the initial plan of the development project in May 2019. The project is expected to be completed in end-2026. (CSB)

- The public consultation on archives law launched in December 2018 by the Law Reform Commission (LRC) was completed in March 2019. LRC is analysing the responses received during the consultation period. The Government will actively take follow-up action after receiving the report from LRC. (CSO)

Civil Service

- Construction works of the staff quarters for the Immigration Department (ImmD) at Heng Lam Street, Kowloon and the rank and file quarters for the Customs and Excise Department (C&ED) at Yau Yue Wan Village Road, Tseung Kwan O were completed in end-2018, while the flat intake completed in January and May 2019 respectively. Construction works of the staff quarters at Tseung Kwan O Road, Kwun Tong were completed in June 2019, and occupants have been moving in since August 2019. (SB)
- Construction works of five departmental quarters have been expedited, namely the staff quarters for the Correctional Services Department at Tin Wan, Aberdeen; the disciplined services quarters for the Fire Services Department at Pak Shing Kok, Tseung Kwan O; the junior police officers married quarters at Fan Garden, Fanling; the departmental quarters for the C&ED at Sheung Fung Street, Tsz Wan Shan; and the departmental quarters for the C&ED at Po Lam Road, Tseung Kwan O Area 123. It is expected that construction works will be completed and flat intake will begin gradually from around the fourth quarter of 2019 to end-2022. (SB)

- The relaxed award arrangements under the Long and Meritorious Service Travel Award Scheme were announced in April 2019, under which an awardee may flexibly nominate a travelling companion to receive the travel allowance. (CSB)

The Judiciary

- The Judiciary has established a central steering committee to oversee the implementation of the new High Court and District Court projects. The statutory rezoning procedures for the latter's development site commenced in May 2019. (CSO/DEVB)
- Introduced the Judicial Officers (Extension of Retirement Age) (Amendment) Bill 2019 into the Legislative Council (LegCo) in March 2019. The Second Reading debate of the Bill is expected to be resumed at the beginning of the 2019-20 legislative session. (CSO)

Public Participation

- Regularised the Member Self-recommendation Scheme for Youth, under which young people aged between 18 and 35 with a commitment to serve the community are recruited regularly to participate in government advisory committees. So far, 35 committees have joined the Scheme covering a total of 71 seats and 50 members have been appointed. The overall ratio of youth members has increased from 7.8% as at end 2017 to 10.9% as at mid-2019 and is gradually moving towards the target of 15% set by the current-term Government. (HAB)

- The Chief Executive has chaired six summits on different policy areas, including new directions of taxation, poverty alleviation, disability inclusion and quality education, to exchange views with stakeholders directly on the relevant strategies, policies and measures. (Relevant bureaux)

District Administration

- By end-September 2019, 276 visits (i.e. one visit every two working days on average) were made by Secretaries of Department and Directors of Bureau to have a better understanding of district affairs. (HAB)
- Since the launch of the Signature Project Scheme in 2013, 27 projects spearheaded by the respective DCs were funded under the scheme, of which 20 are in operation. (HAB)

Integrity

- Produced new videos for integrity training for government officers and public officers, which covered common corruption pitfalls and addressed the latest issues of concern in the civil service. (ICAC)
- Organised a series of commemorative events for the 45th anniversary of the Independent Commission Against Corruption, including a television drama series, an open day and a roving exhibition involving virtual reality and augmented reality interactive games. Also, a youth promotional programme was launched to disseminate via multi-media platforms the anti-corruption advertisements created by tertiary students and an online video leveraging on these advertisements was produced to further foster the concept of integrity in the younger generation. (ICAC)

- Organised 17 visits for exchange and meetings with leaders of seven international anti-corruption ranking institutions to promote Hong Kong's robust anti-corruption regime and probity environment. An international conference jointly hosted with the World Justice Project, the 7th ICAC Symposium was attended by more than 500 participants. Connections have been established with anti-corruption institutions of over 50 countries and training courses conducted for almost 400 graft fighters from over the world since 2017. (ICAC)
- Implemented a series of measures, including substantially increasing duty lawyer fees with effect from 1 April 2019, as well as opening an additional office for the Legal Advice Scheme for Unrepresented Litigants on Civil Procedures at Wanchai Tower, with a view to enhancing free legal advice services. (CSO)

Non-refoulement Claims

- In 2018, the numbers of non-ethnic Chinese illegal immigrants and new non-refoulement claims dropped significantly by about 80% from the peak. ImmD has largely completed the screening of over 11 000 pending claims. (SB)

Public Elections

- Worked with the Electoral Affairs Commission (EAC) to make practical arrangements to ensure that the 2019 DC Ordinary Election will be conducted in a fair, open and honest manner in accordance with the relevant legislation. (CMAB)
- Followed up with legislative amendments in light of EAC's recommendations on the boundaries of DC constituency areas for the 2019 DC Ordinary Election. (CMAB)

Legal Aid

- Since 1 July 2018, the work on formulating legal aid policy and housekeeping the Legal Aid Department was transferred from the Home Affairs Bureau to the Chief Secretary for Administration's Office, thereby underlining the independence of the legal aid system. (CSO)

Challenges Ahead

Boosting Implementation Capabilities

- Amidst rising demands for public service and uncertainty in the global economy, while we expand the civil service establishment to deliver new initiatives, it is necessary to ensure steady development of the civil service so as to maintain the sustainability of public finance. (CSB)

Article 45 of the Basic Law: Selection of the Chief Executive by Universal Suffrage

- We must be prudent in dealing with the highly controversial issues relating to constitutional development. It is irresponsible to restart political reform hastily as it will intensify the rift in society. The discussion on political reform needs to be conducted in a pragmatic manner having due regard to the legal basis and in a peaceful atmosphere conducive to mutual trust. The HKSAR Government will consider all related factors, size up the situation and carry out constitutional development in accordance with the Basic Law and the relevant Interpretation and Decisions of the Standing Committee of the National People's Congress. (CMAB)

Executive-Legislature Relationship

- In light of the latest developments in the community, the Government must be more open, accommodating and patient in listening to public views, firmly grasp public sentiments, and be proactive in responding to the aspirations of the public and LegCo. (CSO)

Non-refoulement Claims

- Over 13 000 non-refoulement claimants still remain in Hong Kong for various reasons, such as pending appeal to the Torture Claims Appeal Board, being engaged in judicial review or criminal proceedings, or awaiting repatriation. (SB)

New Initiatives

Boosting Implementation Capabilities

- Roll out electronic record-keeping system to all government bureaux/departments by end-2025 to enhance efficiency in preserving and managing government records. (CSO)
- Include records management as part of the induction training for newly-recruited government officers in phases. We have prepared a comprehensive service-wide training plan and will significantly increase the number of training targets on records management from about 4 000 to 10 000 per annum. (CSO)

District Administration

- Regularise the additional dedicated allocation of \$20.8 million for the promotion of arts and cultural activities under the community involvement programme and provide additional resources to enhance the manpower support for DCs. (HAB)
- Increase the annual recurrent provision for District-led Actions Scheme from \$63 million to \$80 million from 2020-21 onwards to further address long-standing problems and capitalise on opportunities in the districts. (HAB)

Integrity

- Develop a corruption prevention guide which sets out the best practices on related work procedures for reference by non-disciplined service departments and public bodies with law enforcement or regulatory functions. (ICAC)

- Assist the Development Bureau and major public bodies to strengthen their systems on supervision of construction works projects to reduce the possible risk of corruption in the systems. (ICAC)
- In collaboration with the relevant bureaux/departments, develop a comprehensive framework for and assist public works contractors to implement an Integrity Management System, with a view to enhancing the contractors' awareness and capabilities in integrity management and corruption prevention. (ICAC)
- Strengthen co-operation on anti-corruption with the anti-corruption agencies in Guangdong and Macao under the framework of the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area by co-organising training programmes, strengthening exchange on education and publicity of a probity culture as well as striving to establish a clean and transparent government-business relationship to promote synergy in the anti-corruption mechanism. (ICAC)

Amending the Crimes Ordinance

- Launch a public consultation on the proposed amendments to the Crimes Ordinance (Cap. 200) to introduce new offences on voyeurism and non-consensual photography of intimate parts. (SB)
- With reference to the review on sexual offences conducted by LRC, undertake preparatory work for the amendment of sexual offences provisions of the Crimes Ordinance (Cap. 200) to bring the provisions up-to-date. (SB)

Protection of Human Rights

- The Government and the Office of the Privacy Commissioner for Personal Data are actively reviewing the Personal Data (Privacy) Ordinance (Cap. 486). The directions of amendments include establishing a mandatory data breach notification mechanism and strengthening the regulation on data retention period, etc. We will prepare a draft amendment bill after consulting relevant stakeholders. (CMAB)
- Develop training resources for the Government disciplined services and incorporate such resources into the regular training courses to enhance frontline officers' knowledge of and sensitivity towards sexual minorities. We will also establish a communication platform to discuss with stakeholders and implement feasible anti-discrimination proposals based on the findings of the study on the experience of other jurisdictions in implementing measures on anti-discrimination of sexual minorities. (CMAB)
- Support the Equal Opportunities Commission in stepping up its sexual harassment prevention effort, which includes studying of related legal protection, setting up a one-stop support platform, promoting the formulation of anti-sexual harassment policies and measures among different sectors, and enhancing public understanding and alertness about sexual harassment through education and publicity campaigns. (CMAB)

Legal Aid

- Propose to increase the financial eligibility limit (FEL) of the Ordinary Legal Aid Scheme by about 30%, i.e. from the current level of \$307,130 to \$400,000; and increase the FEL of the Supplementary Legal Aid Scheme by about 30%, i.e. from the current level of \$1,535,650 to \$2,000,000. (CSO)