

LCQ2: Public consultation

Following is a question by the Hon Ronny Tong and a reply by the Secretary for Constitutional Affairs, Mr Stephen Lam (in the absence of Secretary for Home Affairs), in the Legislative Council today (June 20):

Question:

It is noted that the Government intends to publish in July this year a Green Paper on constitutional development, which concerns the ultimate proposals for the reform of the political system, and the public consultation exercise will last three months. In this connection, will the Government inform this Council of:

(a) the number of issues on which the Government has published public consultation papers since the establishment of the Hong Kong Special Administrative Region, with the number broken down by the duration of the consultation periods;

(b) the criteria and factors adopted by the Government for determining the contents of consultation papers, the duration of consultation periods and the means of public consultation, and whether various bureaux and departments adopt the same criteria for determining the duration of consultation periods; and

(c) the criteria and factors adopted by the Government for determining the starting and ending dates for consultation periods; whether the period for the public consultation on constitutional development will be extended, taking in account that more members of the public will not be in Hong Kong because of summer vacation?

Reply:

Madam President,

(a) The Government subscribes to the principle of being open, transparent and accountable to the public in the policy-making process. Public consultation has become part and parcel of the day-to-day work of all bureaux and departments. We consult the community and stakeholders on both territory-wide and local issues which are of interest and concern to the community. For public consultation on major policy

issues, it is a common practice for Government bureaux to issue consultation papers and collate public feedback and views through various means.

Within the constraints of resources and time available, we have gathered information relating to the public consultation documents on major policy issues published by different Government bureaux since the introduction of the political appointment system in July 2002. During this period, different Government bureaux have issued a total of 66 public consultation documents. The scheduled consultation periods of 57 consultation documents ranged from three weeks to three months, while eight lasted three and a half to six months, and one for nine months.

(b) and (c) When determining the contents of consultation papers, the duration of consultation periods including the starting and ending dates, and the means of public consultation, all bureaux and departments will take into account a set of key principles :

(i) Firstly, the public should be presented with information relating to the subject, including the background, the options available and relevant factors considered in drawing up the proposal;

(ii) The target sectors to be consulted should be as wide as possible, having regard to the nature of the subject and resources available, so as to facilitate affected stakeholders and various sectors of the community to express their views to Government. In this regard, the majority of the 66 public consultation papers on major policy issues published by Government bureaux since July 2002 had adopted multiple means of consultation including written submission by post, by fax or electronic mails, consultation with Legislative Council and the District Councils, and meetings with relevant organisations and stakeholders concerned, etc.;

(iii) Last but not least, having regard to the nature of the subject, the public should be given a reasonable period of time to study the proposals, and air their views including preparation of their submissions to Government. The bureaux and departments concerned will decide on the consultation period having regard to the actual circumstances of the case including the timetable and community need for implementing the new measure or policy.

The Chief Executive has undertaken to publish a green paper on constitutional development in mid-2007, followed by a three-month public consultation. We are still

considering the specific timing for publishing the green paper. At this stage, we consider that a three-month public consultation period is appropriate.

Ends/Wednesday, June 20, 2007