

LCQ18: Appointments to advisory and statutory bodies

\*\*\*\*\*

Following is a question by the Hon Emily Lau and a written reply by the Acting Secretary for Home Affairs, Ms Florence Hui, in the Legislative Council today (June 17):

Question:

In the consultation paper "Review of the Role and Functions of Public Sector Advisory and Statutory Bodies" published in 2003, the authorities set a minimum ratio of 25% of non-official members of either gender in advisory and statutory bodies (ASBs) and stipulated that in general, a non-official member of an ASB should neither serve more than six years in any one capacity (six-year) nor as a member on more than six boards or committees at the same time (six-board). The paper also pointed out that "there is a need to review ASBs in the public sector in order to enhance their openness, effectiveness, representativeness and transparency". Subsequently, in reply to the question of a Member of this Council on December 6, 2006, the former Secretary for Home Affairs advised that the Government "will consider reviewing the 25% gender benchmark", but it is learnt that at present there are still 185 non-official members in ASBs who have served for more than six years and the ratio of women members is only 27.6%. In this connection, will the Government inform this Council:

(a) why at present there are still many incumbent members who have served for more than six years, and how many persons are currently serving as members on more than six boards or committees at the same time;

(b) whether it will formulate measures to ensure that the various policy bureaux and government departments will abide by the six-year and six-board rules in appointing those members; if it will, of the details; if not, the reasons for that;

(c) whether it has devised any appraisal mechanism to monitor the attendance rates of those members at meetings and upload such rates onto the Internet, so as to enhance transparency and their public accountability; if it has, of the details; if not, the reasons for that;

(d) what measures the various policy bureaux had taken in the past five years to actively promote the participation of women in ASBs, and whether it has assessed if such measures are adequate;

(e) whether it has conducted any review on the aforesaid 25% gender ratio benchmark since December 2006; if it has, of the details; if not, the reasons for that; and

(f) whether it will set a minimum ratio of the number of persons under 35 years old among the non-official members of ASBs, so as to ensure that the views of the young people are considered?

Reply:

President,

(a) When appointing members to Advisory and Statutory Bodies (ASBs), the Government will observe the "Six-year Rule" and "Six-board Rule" (6-6 Rules). "Six-year Rule" means not appointing a non-official member to serve on the same ASB in any one capacity for more than six years, and "Six-board Rule" means not appointing a person to serve as a non-official member on more than six ASBs at any one time. As at April 30, 2009, 167 non-official members appointed by the Government (representing 3.05% of all government appointed non-officials) had served in the same capacity of the ASB concerned for more than six years, while six persons (representing 0.17% of all government appointed non-officials) were appointed by the Government to serve as non-official members on seven ASBs.

In making appointments to ASBs, the Government aims to secure the services of the most suitable persons to meet the requirements of the board or committee concerned. In making appointments, the Government will consider a host of factors including a candidate's ability, expertise, experience, integrity and commitment to public service, the functions and nature of the board or committee concerned, etc. For statutory bodies, the appointing authorities will also consider the relevant statutory requirements. In considering the above factors, the appointing authorities aim to achieve the objective that the composition of ASBs could broadly reflect the interests and views of the community, and that the principle of appointment by merit can be upheld. Appointing authorities may appoint a member to serve on the same body for more than six years under individual circumstances when necessary.

(b) The "6-6 Rules" have been stipulated in the general guidelines on appointments to ASBs issued to appointing authorities for reference. By issuing notices to the relevant appointing authorities six months before the expiry of the membership of ASBs, Home Affairs Bureau (HAB) would remind appointing authorities to take active measures to ensure that appointments made by them would comply with the "6-6 Rules" as far as practicable, in order to attract more suitable talents and avoid overloading the non-official members.

(c) The Government encourages ASBs to adopt appropriate measures to enhance transparency and accountability to the public. In this connection, ASBs have, taking into account their functions and nature of business, adopted various transparency measures where practicable. These measures include, among others, issuing press releases, making agenda or papers of the meetings available for public inspection, or uploading appropriate information onto the internet. In making appointments to ASBs, appointing authorities would also take into account the candidates' commitment to public service, their performance or attendance in the ASBs concerned, etc.

(d) In January 2004, the Government set the "25% gender benchmark" as a working target, meaning at least 25% of appointed non-official members of ASBs should be of male or female. We achieved the working target in December 2005. In the past few years, bureaux have been taking active measures to promote women's participation in ASBs. HAB will also, through various channels such as the Women's Commission, continue to encourage more women who are able and willing to participate in ASBs to submit their personal particulars to the Central Personality Index maintained by HAB with a view to enlarging the pool of potential female candidates available for

appointment to ASBs. The women's participation rate in ASBs has shown gradual improvement and as at April 30, 2009, the overall women's participation rate among the non-official members appointed by the Government to ASBs has reached 27.6%.

(e) In the past two years, HAB has explored with various bureaux and the Women's Commission the possibility of further enhancing women's participation in ASBs. According to the views and information provided by bureaux, for certain ASBs, the majority of practitioners in the respective sectors or professions are male. Moreover, the term of appointment of members of some ASBs may last for a few years, the appointing authorities will only have opportunity to raise the women's participation rate further when making new appointments. As such, we do not have plan to further raise the gender benchmark at present. Nevertheless, through channels mentioned in part (d) above, the appointing authorities would continue to identify and cultivate more women to participate in the work of ASBs.

(f) We do not have plan to set any appointment ratio target for different age groups. While upholding the fundamental principle of appointment by merit, HAB would encourage appointing authorities to appoint more persons of different age groups who are interested in community affairs as non-official members of ASBs to ensure that members of ASBs can reflect the opinions of different age groups.

Ends/Wednesday, June 17, 2009

NNNN