

Doc Type	HA
Paper No	51/95
Title	Code on Access to Information
CONTENTS	<p>HA 51/95</p> <p>THE HONG KONG HOUSING AUTHORITY</p> <p>Memorandum for the Housing Authority</p> <p>Code on Access to Information</p> <p>PURPOSE</p> <p>The purpose of this paper is to seek Members' endorsement for the implementation of the Code on Access to Information in the Housing Department in January 1996.</p> <p>BACKGROUND</p> <p>2. On 23 February 1995, Government announced the introduction of a Code on Access to Information (the Code). A copy of the Code is at Annex. The introduction of the Code is a major step forward in Government's commitment to greater openness and accountability. In essence, all Government Branches and Departments are required, under the Code, to make available to the public as much information as possible to enhance understanding of the formulation and interpretation of public policies.</p> <p>3. The Code sets out the types of information to be provided either routinely or on request and provides the procedures and timeframe within which the information sought must be provided. It also sets out specific grounds on which the request can be declined. These include, among other things, defence and security; external affairs; nationality; internal discussions, and personal and commercial privacy.</p> <p>4. On 1 March 1995, the Government introduced this Code in nine Branches and Departments. The trial was extended to another twelve Branches and Departments as from 1 July 1995. Following a review after six months operation of the scheme, the Government has decided that the Code should be extended progressively to all Branches and Departments without modification. Accordingly, another two batches of Branches and Departments will become subject to the Code on 2 October 1995 and 1 December 1995 respectively. The Government is committed to cover all Branches and Departments before the end of 1996, and it is expected that this will be achieved by mid-1996.</p> <p>PREPARATIONS FOR ADOPTION</p> <p>5. The Housing Department has reviewed its position and concludes that it is in a position to adopt the Code in January 1996 subject to satisfactory progress in the preparation.</p> <p>6. On the interpretation and application of the Code, staff of the Efficiency Unit will be attached to the Department to help us draw up specific procedures and prepare materials. Based on the Efficiency Unit's advice and given the complexity of the Department, we envisage that it will take about eight weeks to complete the administrative procedures. Training and briefing will be conducted for the Department prior to the formal launch.</p> <p>7. To meet the target of January 1996, preparatory work has started in mid-September. The Information and Community Relations Division is best placed to coordinate in this exercise. In anticipation of the formal introduction of the Code, the Department has initiated the compilation of an information repository comprising information which can readily be made available to the public such as LegCo briefs, motion debates, questions and answers, unclassified HA/Committee papers, press releases and housing statistics. Such data and information will be automated by the end of October 1995 to facilitate access and dissemination.</p> <p>8. In the context of the Department's operation, we consider that the Code provides sufficient protection against disclosure of commercially and personally sensitive information (such as tenders, financial vetting of contractors, contractors' performance, funds investment, banking policies, personal data of our domestic and non-domestic tenants, papers for internal discussions etc.). We would carefully consider the grounds for non-disclosure and keep the situation under regular review.</p> <p>FINANCIAL AND STAFFING IMPLICATIONS</p> <p>9. It is difficult to estimate precisely the number of requests arising directly from the Department's adoption of the Code. The Department routinely handles a huge number of public enquiries by telephone or in writing at different levels, and this arrangement will continue. Based on other Departments/Branches' operational experience under the trial scheme, only a total 258 requests were received over a six-month period, and there has been no real difficulty coping with them. We therefore consider that the existing ICRD resources should be able to cope with the work initially with seconded staff from the Efficiency Unit, but we will review the need for permanent staff when the workload pattern becomes clearer.</p> <p>PUBLIC REACTION AND PUBLICITY</p> <p>10. We expect that the public and the media will welcome the Department's plan to adopt the Code. In our publicity, we will emphasize our commitment to openness and will do our best to operate within the spirit of the Code.</p> <p>RECOMMENDATION</p> <p>11. It has been the Authority's established policy to be more open and accessible to the public. The adoption of the Code is a further step in this</p>

direction. We therefore recommend that the Department should adopt the Code in January 1996.

ADVICE SOUGHT

12. At its meeting on 28 September 1995, Members are invited to endorse a proposal for the Housing Department to adopt the Code in January 1996. Members will be informed how we propose to apply the Code in the context of our operations at the next HA Meeting on 4 January 1996 before the formal launch.

13. A representative from the Efficiency Unit has been invited to attend the meeting to answer questions which Members may have.

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