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Subject Disposition views to the Review Committee for Prevention & Handling of Conflicts of Interests

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**To: The Hon Chairman and Members of the Independent Review Committee for the Prevention & Handling of Conflicts of Interests**

**Submission of disposition views on the Prevention & Handling of Potential Conflicts of Interests of Officials in High Offices up to that of the Chief Executive**

In making myself better known than having the name and the email address as attached herewith, I would like to brief myself that I, being a former government servant in one of the disciplinary services, have been conducting email correspondence with a number of Bureaux and Officials including with the Chief Secretary and the Chief Executive recently in issues of Open Consultations and Free Expressions of Dispositions.

**Primary objective of Review Committee as per Tasking Appointment vs**

**Nature of Involvements pertaining to Enactments of Appointments to respective Offices**

As captioned, there is the primary objective of the Review Committee for the Prevention & Handling of Conflicts of Interests of Officials in High Offices up to that of the Chief Executive.

This primary objective of review as per tasking appointment has been made by the Chief Executive at an earlier date on 27th Feb, 2012 when understandably he would be facing lots of undue pressure of inquisition. However a review does not necessarily incur any implementation as in this case.

Due to basic differences in the Enactments of Office Appointments, the Nature of Overall Governance and Appraisal of Office Appointments respectively for High Officials in General and for the Chief Executive should nominally be different as follow.

**The Appointment of Office of the Chief Executive by Enactment from the Central Government –**

**cannot be altered at will by any biasing suggestions from individuals**

By nature of Enactment from the Central Government, the Empowering and also the Ultimate Governance and Appraisal of the Office of Appointment are all defined according to Constitutionality, and cannot be altered at will by any biasing suggestions from individuals.

**The Appointment of Officials in High Offices by Enactments from the Government within the Autonomy of Hong Kong SAR –**

**the Modular Structure of ICAC as Fundamental Regulating Framework for upholding clean Governance being basically sound having no necessity to call for implementations**

By nature of Enactment from the Government of Hong Kong, the Empowering and also the Ultimate Governance and Appraisal of the Offices of Appointments are all defined within the Autonomy of Hong Kong SAR

The Modular Structure of ICAC will provide the necessary Regulating Framework for

upholding clean governance of Officials in High Offices in General in terms of Prevention Principles and Operational Strategies.

As this Modular Framework is basically sound in its functioning, a review does not necessarily call for urgent implementations in terms of Fundamental Principles and Strategies.

For special occurrences, case specific adjustments can be made for Functional needs so long they are conforming to the Legal Empowerment of the ICAC within the Autonomy of Hong Kong SAR.

### **Recent critics about Uniformly Levied-governance and about Self-governance on Integrity of the CE**

1) There are critics saying that it is necessary for the CE to be governed by same set of bindings for clean governance under Integrity –

However, there is the basic difference at the level of Empowering Enactment of the CE, and the ultimate Governance and Appraisal Integrity in of the CE in Office will be distinctively different.

2) Then there are critics saying that Self-governance on Integrity of the CE is inadequate –

However, it should be remarked that Self-governance is a merit and besides it is a must of necessary-condition. When there is the required supplementary condition, where in this case, it is the Supervision-condition provided by the Central Government which makes the Overall-governance sufficient, and no other Setting within the Autonomy can take its place.

In fact the Central Government always knows profoundly what the CE has been doing through its information venues and inquires into necessary details of concern at times of duty reporting of the CE

**Remarks:** As analysis using logical statements

(C1 and C2 and ... and Cn) equiv Ct

Where Ci's = component and necessary conditions with  $n \geq 2$

and Ct = sufficient condition

In words, the iteration of a combination of enough necessary conditions is equivalent to a sufficient condition.

### **Disclaimer**

By effect of the statement made here, I have no objection that my disposition made here be cited in its entirety or otherwise as anonymous submission, keeping my identity confidential within the records of the government setting.

**Sincerely with Regards,**

**From:** [REDACTED]