

LCQ11: Appropriation for police

Following is a question by the Hon Alvin Yeung and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (January 15):

Question:

€€€€€The controlling officer for Head 122 (Hong Kong Police Force) of Government expenditure is the Commissioner of Police (CP). In this connection, will the Government inform this Council of the following information in respect of each of the financial years from 2015-2016 to 2019-2020:

(1) (i) the original estimates of expenditure, (ii) the revised estimates of expenditure and (iii) the actual expenditure (except for the current year) under Head 122, and set out in Table 1 a breakdown by subhead;

Table 1

Financial year	Subhead	(i)	(ii)	(iii)
2015-2016	000			
	...			
	Total			
...				

(2) (i) the amount of supplementary appropriation sought for Head 122 by the authorities by introducing a Supplementary Appropriation Bill into this Council, and (ii) the main reasons for seeking the appropriation (except for the current year) (set out in Table 2);

Table 2

Financial year	(i)	(ii)
2015-2016		
...		

(3) the number of applications made by the authorities to the Finance Committee of this Council for making changes to the approved estimates of expenditure under Head 122, and set out in Table 3 the following information in respect of each of such applications: the (i) approval date and commencement date of the changes, (ii) subhead(s) involved, (iii) nature of the change(s) (i.e. (a) creation of new subhead(s), (b) supplementary provision in approved or new subhead(s), (c) variation(s) in the

establishment(s) of post(s), (d) increase(s) in the limit to the commitments which might be entered into for non-recurrent expenditure and (e) others), (iv) purpose and (v) amount;

Table 3

Financial year	(i)	(ii)	(iii)	(iv)	(v)
2015-2016					
	Total				
...					

(4) the number of changes that the Financial Secretary made, in accordance with the power delegated to him by the Finance Committee of this Council under section 8(3) of the Public Finance Ordinance (Cap 2), to the approved estimates of expenditure under Head 122, and set out in Table 4 (of the same format as Table 3) the following information in respect of each of such changes: the (i) commencement date, (ii) subhead(s) involved, (iii) nature of the change, (iv) purpose and (v) amount;

(5) the total amount of urgent expenditure incurred by CP under section 15 of Cap 2, and set out in Table 5 the following information in respect of each of the occasions on which such expenditure was incurred: the (i) date, (ii) subhead(s) involved, (iii) purpose and (iv) amount;

Table 5

Financial year	(i)	(ii)	(iii)	(iv)
2015-2016				
	Total			
...				

(6) the number of allocation warrants signed, under section 14(4) of Cap 2, by other controlling officers for authorising CP to incur expenditure under the subheads of the heads controlled by such officers, and the following information in respect of each of such allocation warrants: the (i) date of signing, (ii) commencement date, (iii) the controlling officer and department concerned, (iv) head and subhead(s) involved, (v) purpose, and (vi) amount (set out in Table 6); and

Table 6

Financial year	(i)	(ii)	(iii)	(iv)	(v)	(vi)

2015-2016						
Total						
...						

(7) the channels, apart from the aforesaid channels, through which the Hong Kong Police Force receive funding?

Reply:

President,

Having consulted the Financial Services and the Treasury Bureau, my reply to various parts of the question is as follows:

(1) The original estimates, revised estimates and actual expenditures under Head 122 (Hong Kong Police Force) in the past five financial years are given in Annex 1.

(2) According to section 8 of the Public Finance Ordinance (PFO), the Government may, before the close of a financial year to which the Appropriation Ordinance relates, seek the approval from the Finance Committee of the Legislative Council (LegCo) or exercise the power delegate to it to approve the supplementary appropriation for a subhead under any head of expenditure. According to section 9 of PFO, if at the close of account for any financial year it is found that the expenditure charged to any head is in excess of the sum appropriated for that head by an Appropriation Ordinance for that financial year, the Government shall introduce a Supplementary Appropriation Bill (the Bill) to LegCo as soon as practicable after the close of the financial year. The submission of the Bill is mainly technical in nature.

Information concerning Head 122 (Hong Kong Police Force) in the Bills submitted by the Government to LegCo in the past five financial years is given in Annex 2.

(3) Information concerning Head 122 (Hong Kong Police Force) in the applications approved by the Finance Committee of LegCo in the past five financial years is given in Annex 3.

(4) According to section 8(3) of PFO, the Finance Committee may delegate to the Financial Secretary the power to approve changes subject to such conditions, exceptions and limitations as are specified in the delegation. Section 8(4) of PFO also states that the Financial Secretary, where a delegation by the Finance Committee under subsection (3) so provides, and subject to such conditions, exceptions and limitations as are specified in the delegation, may further delegate his power to approve changes to any public officer.

Under the above delegation, the more commonly exercised delegated authority includes:

- (a) supplementary provisions for salaries and allowances in accordance with approved scales and rates in respect of personal emoluments and subventions;
- (b) supplementary provisions up to \$10 million for each subhead without approved commitment (i.e. Operating Account recurrent subheads and Capital Account block vote subheads);
- (c) supplementary provisions for subheads with approved commitments provided that the unexpended balances of the approved commitments are not exceeded;
- (d) creation of new commitments up to \$10 million each;
- (e) for commitments approved under delegated authority, increases in commitment which do not cause the approved commitment to exceed \$10 million; and
- (f) for commitments approved by the Finance Committee, increases in commitment up to \$10 million.

According to section 8(8)(a) of PFO, the Financial Secretary shall at the end of each quarter of the financial year or as soon as practicable thereafter report to the Finance Committee changes made to the approved estimates of expenditure in that quarter upon approval by him or by any public officer pursuant to a delegation under section 8(3) or (4).

Information on the changes made to the approved estimates of expenditure under Head 122 (Hong Kong Police Force) with the power delegated by the Finance Committee under section 8 of PFO in the past five financial years is given in Annex 4.

(5) No urgent expenditure was incurred by the Commissioner of Police under section 15 of PFO in the past five financial years.

(6) Under section 14 of PFO, a controlling officer may, in respect of any subhead for which he/she is the controlling officer, authorise by an allocation warrant issued by him/her any other controlling officer to incur expenditure for the former's subhead. The purpose of the expenditure involved in the allocation warrant must conform with the purpose within the ambit of the payment subhead. For example, department A which rents private premises as office via the Government Property Agency (GPA) will issue an allocation warrant to GPA to pay for the rent and related fees. The power of the allocation warrant comes from PFO instead of the Financial Committee's delegation.

It is a common arrangement for government departments to use allocation warrants to incur expenditure for each other. The total amount of funding received via allocation warrants by the Hong Kong Police Force (HKPF) during the financial years from 2015-16 to 2019-20 is given in Annex 5. Allocation warrants received involved items such as receiving from the Treasury compensation for work-related injuries, receiving from the Civil Service Bureau subsidies for studies programmes, receiving from the Office of the Government Chief Information Officer fees for installing the administrative computer systems and employing consultants to conduct feasibility study and

system development, receiving from the Security Bureau the salaries for police officers on secondment to the bureau, etc.

In response to the public order events in recent months, some departments need to strengthen premise security, and have issued allocation warrants to HKPF, incurring expenditure from their own subheads, for measures to enhance the security of government premises and public facilities such as the procurement of huge water barriers and other equipment. The purpose of which is to maintain their daily operations and to ensure that public services are not affected. These allocation warrants have not been used for meeting expenses of HKPF's personal emoluments subhead.

(7) As for funding received from LegCo, apart from the channels mentioned in paragraphs (1) to (6) above, like other government departments, HKPF can also seek funding from the Capital Works Reserve Fund (CWRP) according to the established mechanism. There are altogether 11 heads of expenditure under CWRP, covering Land Acquisition (Head 701), Public Works Programme (Heads 702 to 707, 709 and 711), Capital Subventions and Major Systems and Equipment (Head 708) and Computerisation (Head 710).