

LEGCO QUESTION NO. 18
(Written Reply)

Asked by :
Hon Mrs Regina IP

Date of meeting : 29 November 2023

Replied by :
Chief Secretary for Administration

Question:

The Law Reform Commission of Hong Kong (LRC) established the Archives Law Sub-committee (the Subcommittee) in 2013 to commence a comprehensive study on archives law. The Subcommittee published a consultation paper on December 6, 2018 to commence a three-month public consultation on whether reform of the current public records management regime was needed. However, as at October 2023, the LRC had not yet released a report on the public consultation concerned, and the Government had not made any response. In this connection, will the Government inform this Council:

- (1) of the latest progress made by the Subcommittee in respect of the aforesaid study;
- (2) whether the LRC has drawn up a timetable for releasing a report on the aforesaid consultation; if so, of the details; if not, the reasons for that;
- (3) whether it has refined the administrative guidelines on records management in the Government; if so, of the details; if not, the reasons for that;
- (4) whether it will strengthen the records management training and education provided for civil servants; if so, of the details; if not, the reasons for that; and
- (5) as the Government held a positive view towards the enactment of an archives law in the Policy Addresses delivered in 2017 and 2018 respectively, and the Subcommittee also indicated in December 2018 that its provisional view was that there was a case for the introduction of an archives law, whether the Government will commence the relevant legislative procedure; if so, of the details and the implementation timetable; if not, the reasons for that?

Reply:

President,

In consultation with the Department of Justice, the consolidated reply to the question raised by the Hon Mrs Regina Ip is as follows:

(1) and (2)

The Law Reform Commission of Hong Kong (LRC) has been commissioned to review the current management of the public records regime with a comparative study on the relevant law and practice in other jurisdictions for the purpose of making appropriate recommendations on reform options in case of need. The LRC will definitely continue to strive to ensure that the efforts made in such work will be manifested in the report to be issued in future, and demonstrate that the time and efforts spent on the preparation and compilation of the report are totally necessary and worthwhile.

(3) The Government attaches great importance to and has been actively enhancing the records management regime. To ensure that government records are managed and preserved properly, the Government Records Service (GRS) has established and promulgated various records management regulations, administrative requirements and guidelines to assist bureaux/departments (B/Ds) to practise good records management. The GRS also reviews these regulations, requirements and guidelines in accordance with the actual implementation situation in B/Ds and the development of the relevant standards and requirements in the records management profession, so as to make timely updates and revisions. In the past three years, the GRS has reviewed and updated one General Circular relating to preservation of Government publications, three Records Management Publications and one guideline relating to management of electronic messages. The GRS will continue to review other relevant regulations and guidelines to further improve records management in the Government in due course.

(4) The Government attaches great importance to the provision of records management training to government officers, in particular newly recruited government officers, and gradually increased the annual records management training target significantly from 4 000 in 2019 to 10 000 from 2021 onwards. Records management has also been included as part of the induction training for newly recruited government officers in phases. From January 2021 to the end of October 2023, more than 36 100 government officers have received records management training, of whom over 50 per

cent were newly recruited officers. In addition, to ensure that the records management training framework, contents, target trainees and mode of training reflect the latest situation, the GRS reviews and formulates its training plan for the next three years at a three-year interval. The latest training plan, which serves as the records management training blueprint for 2024 to 2026, was completed in September 2023.

- (5) The Government will make timely consideration when the LRC's completed report is released to the public and submitted to the Government.