

All but one on 'through train' Locals qualify for SAR

By Jessica Tang

THE only senior administrator likely to be kicked off the "through train" for civil servants is Secretary for Health and Welfare Katherine Fok.

All the locals appointed to top bureaucratic levels have said they do not have right of abode in any foreign country, thereby meeting a condition imposed by the Basic Law as the prime criteria for their employment with the Special Administrative Region (SAR) government.

Concerns about the future of senior civil servants have been heightened recently by the Hong Kong government's appointment of a final team of administrators to oversee the territory's last 834 days of transition from British to Chinese sovereignty.

Mrs Fok does not qualify because she acknowledges holding a full British pass-

port, one of the 50,000 passports Britain has issued to a select group of local residents.

Governor Chris Patten last year named Mrs Fok to succeed Elizabeth Wong, who was asked to retire early because her New Zealand passport meant she was deemed an expatriate and was on overseas contract terms.

But Mrs Fok has expressed willingness to surrender her British passport if it means she can stay at her post beyond 30 June 1997.

By September, all senior officials whose appointments have already been announced will be local residents without overseas residency rights, except for Secretary for Works James Blake.

Attorney-General Jeremy Mathews and the Independent Commission Against Corruption Commissioner Bertrand de Speville are



KATHERINE FOK: Holds full British passport.

regarded as "legal officers" and are exempt from the accelerated localisation process. No timetable has been set for their retirement.

The government is understood to be inviting top civil servants in sensitive posts to apply for British citizenship under the British Nationality Selection Scheme. The fact that key

officials have not applied in the final phase of the application period, which ended on 31 March 1994, suggests they may stay after the transfer of sovereignty.

The British government says information about whether or not a Hong Kong senior civil servant has applied for a British passport is strictly confidential.

The Chinese government disputes this and has asked Britain to hand over records on senior civil servants.

Hong Kong and Macau Affairs Office director Lu Ping said last month Britain was obliged by the terms of the Joint Declaration to forward relevant documents which China would, in turn, pass to the Hong Kong Special Administrative Region (SAR) chief executive.

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Mr Lu said the Hong Kong government would be breaching the Basic Law and the Joint Declaration if it handed over documents directly to the SAR.

He stressed that it was not for the SAR to act as though it was a sovereign state.

A direct transfer of documents from the colonial authorities to the SAR government would be tantamount to treating Hong Kong as though it was an independent entity, he warned.

Mr Lu also said the chief executive alone was responsible for nominating senior administrators for endorsement by China.

He emphasised that China would not act as a rubber stamp for such nominations and that it had the right to know the nationality status of senior civil servant, because the Basic Law guaranteed the 26 most sensitive jobs to local permanent residents without the right of abode in foreign countries.

Top officials such as Financial Secretary designate

Donald Tsang, Secretary for Financial Services Rafael Hui, Treasury chief Kwong Ki-chi and Secretary for Housing Dominic Wong have publicly pledged to work for the future SAR government.

With the exception of Mr Tsang and Director of Audit Dominic Chan, other newly-appointed senior officials are all younger than 50 and have at least 10 years left in their civil service careers.

The nationality of Secretary for Education and Manpower Michael Leung remains a big question mark. The 56-year-old civil servant, who refuses to disclose his nationality status, has been tipped to retire as a result of ill health.

Also close to the retirement age by mid-1997 are Chief Secretary Anson Chan and Secretary for Recreation and Culture James So.

Mrs Chan may choose not to remain in the civil service because of her staunch support for Governor Patten.