

Access to files 'may become law'

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The independent legislator Christine Loh has said she might consider turning into law Government measures providing public access to official files, including ones on individuals.

Loh said she would insist that public access to information be made a statutory right, despite the reluctance of Governor Chris Patten to allow her bill to be tabled for debate in the Legislative Council.

After meeting Patten yesterday, Loh said she was asked to wait until the Government put forward its own package of proposals to be unveiled today.

Loh said if the Government decided to follow Britain and adopt an administrative code of practice for departments to follow in disclosing information, she might consider legislating the code to give the

public a legal right to information.

She said Patten and the Chief Secretary, Anson Chan, remained unconvinced that giving legislative rights was the best means to achieve "open government".

"Our fundamental difference is how to institutionalise, how to entrench giving people the right to information."

"I propose a legislative right and they have other means in mind," she said.

The question of costs and Chinese objections were not mentioned by Patten as considerations.

Loh's bill provides for public access to personal files and Government documents with certain areas of information exempted.

It envisages a commissioner of information to examine a document in dispute, and to order the relevant government department to disclose

the document to the requesting party.

The Governor's assent would be needed for Loh to table her bill because its proposal for a commissioner of information to monitor the disclosure of information would have revenue implications for the Government.

She said a legislative right was "by no means a dead issue" as she could still amend her own bill to bypass the Governor's assent.

Loh said one option would be for her to scrap the proposal on instituting a commissioner of information.

Loh said a commissioner of information was "the best solution" to redress complaints on maladministration and abuse of power.

She said she hoped the legislative process would be complete by the end of the next legislative session, which ends in July 1995.