

Chief Executive should be subject to anti-corruption rules

Chief Executive Donald Tsang Yam-kuen paid a nine-day overseas visit in mid-April. During his visit to Brazil, he reportedly stayed in a hotel presidential suite for one night at a cost of over \$50,000. This **has created an uproar** in society.

This surely is not a good thing for the reputations of both the Chief Executive and the whole SAR Government. Particularly, the Chief Executive himself has already **in trouble** following earlier reports about his using tycoons' private jets and luxury yachts and renting a luxuriously decorated big apartment, with opposition lawmakers putting forward a vote of non-confidence motion and even demanding for his impeachment. The "\$50,000" presidential suite for a night simply provides more ammunition to politicians. For grass-roots citizens, it is unimaginable to spend \$50,000 for a night in a hotel suite. Not to mention that **it was paid for with** public funds or taxpayers' blood-and-sweat money.

On this, Donald Tsang and Director of the Chief Executive's Office Gabriel Leung Cheuk-wai yesterday made their explanations respectively. In summary, factors in selecting a hotel for the Chief Executive's accommodation on official trips normally include transportation and security. It must also be taken into consideration whether he would meet foreign guests or the press. Therefore, a suite with more space is needed. In the past, during a visit to Switzerland, the Chief Executive had to sit on his bed in his hotel room for a press interview because no suite was available. This time, in the Brazilian city, Brasilia, where the Chief Executive visited, public security was not so good and there were not many hotels to **pick and choose**.

Such considerations no doubt can explain that certain protocols and standards are needed for accommodation, meals and transport for the Chief Executive during overseas trips to ensure the smooth-going of the visits. After all, Hong Kong SAR is an international metropolis under "one country two systems". Therefore, it is improper to demand the Chief Executive to lodge in a "three-star" hotel. Nor would citizens have such an unreasonable demand. But given standards and protocols, is it necessary to spend \$50,000 for a night in a hotel? Is it really improper to meet foreign guests or sign agreements in a hotel room at a cost of \$20,000 - 30,000 per day? The answer is obviously No.

From another perspective, however, what kind of hotels should the Chief Executive stay during an overseas trip? What is the upper limit to the daily rent of a hotel room for him? What are the standards for his meals and banquets he may give to guests? What kind of vehicle should he take?... One can find no answers to such questions in existing rules and regulations.

As a matter of fact, as is evident from the dispute in the case of Donald Tsang's accepting tycoons' entertainments whether interests or "potential interests" are involved, the existing Independent Commission Against Corruption (ICAC) and civil service rules governing the conduct of public servants only apply to civil servants at all levels and bureau- and department-secretaries. But the Chief Executive is not subject to such rules. In questioning Donald Tsang's accepting tycoons' entertainments, opposition lawmakers' accusations are mostly exaggerated and ungrounded. But their criticism, that the

Chief Executive is not **subject to** any existing anti-corruption laws or rules, could be said to get to the heart of the problem.

Therefore, in face of such problems, the imminent task is to work out relevant regulations as quickly as possible so that the Chief Executive will be subject to anti-corruption rules, not to keep on discussing why Donald Tsang wanted to spend \$50,000 for a night in a hotel during his visit to Brazil. And the requirements and rules for the Chief Executive must be higher and stricter than those for civil servants and secretaries. "A crooked stick will have a crooked shadow." It is a responsibility of the leader of a government to play an exemplary role for others to follow.

Right now, an independent committee led by retired chief justice Andrew Li Kwok-nang is studying whether the Chief Executive should also be subject to anti-corruption rules governing the conduct of public servants. It is hoped that Justice Li will not just make some suggestions but will help the SAR Government to work out and pass relevant regulations to constitutionally and legally improve the anti-corruption mechanism for the Chief Executive so as to make the rule of law in the SAR even fairer and sounder.

When Chief Executive-elect Leung Chun-ying earlier travelled to Beijing to accept the "letter of appointment", Premier Wen Jiabao sincerely urged a demand for those who govern to remain clean. At this crucial moment of transition of administration, Premier Wen's weighty advice also serves as all-time reminder for all who govern.

WORDS AND USAGE

① **Create/make an uproar** (idiom) – To cause an outburst or sensation. (引起嘩然)

Examples: 1. The dog got into church and created an uproar. 2. Her poodle made an uproar in the restaurant.

② **In trouble** (idiom) – In danger; in difficulty; due for punishment. (惹上麻煩)

Examples: 1. If you don't be quiet, you're going to be in trouble. 2. The company was in trouble for months, and then went bankrupt.

③ **Pay for sth** (with sth) (phrasal verb) – To make payment (with something) for something. (用……付款)

Examples: 1. I will pay you for the loan you made me with the money I get from selling my car. 2. Can I pay for it with a check?

④ **Pick and choose** (idiom) – To be selective; to take time and care to choose something you really want. (挑選)

Examples: 1. You must take what you are given. You cannot pick and choose. 2. There are so few jobs in the financial sector at the moment that you are not really in a position to pick and choose.

⑤ **Subject to sth** (idiom) – Being under the control or authority of something. (受……管制)

Examples: 1. All citizens in this nation are subject to the law. 2. Roaming tariff and destinations are subject to change without prior notice.

特首職位應從速納入反貪條例

特首曾蔭權本月中旬外訪九天，傳媒報道，他在巴西逗留期間，曾經入住五萬港元一晚的酒店總統套房，消息傳開，市民嘩然。

毫無疑問，這對特首以至整個特區政府的形象，都不是一件好事。特別是特首本人，不久前才為什麼富豪遊艇、私人飛機、豪宅豪裝所困，被立法會反對派議員抓着「小辮子」不放，又是「不信任」、又要「彈劾」，如今再來一個「五萬元」，不是給政客們送「彈藥」了麼？而對升斗市民來說，五萬元住一晚酒店也是不可思議之事，更何況花的是公帑、是市民納稅人的血汗錢？

對此，曾蔭權和「特首辦」主任梁卓偉昨日分別作出了一些解釋，比如說，特首外訪，住什麼酒店，通常要考慮交通和治安等因素，還要考慮可能需要在房間中接待來賓和傳媒，因此面積較為寬敞的套房是有需要的，曾經試過在瑞士一次外訪，因為租住不到套房，特首要坐在床邊接受記者訪問。而此次出訪的城市巴西利亞，治安不太安寧，可供選擇的酒店不多。

這些因素，無疑可以說明，特首外訪對所住酒店以至膳食、交通等安排，確實需要有一定的規格和要求，以確保出訪任務能順利完成，畢竟香港特區是「一國兩制」下的國際都會級城市，總不可能叫特首去住「三星」，市民也不會有此不近人情的苛求。但規格是規格、禮儀是禮儀，五萬元一晚是否必須？是否住二、三萬元一晚的就會見不成外賓、簽不成協議？答案顯而易見，是無論如何也說不過去的。

但從另一角度而言，特首外訪，到底應該入住何種等級的酒店、每晚房間租金上限為何？還有用膳和宴請的規格如何？乘坐何



▲特首曾蔭權（中）訪巴西住一晚酒店的開支，竟等於4人綜援家庭8個半月綜援金

種等級的車子？……種種待遇要求，如果要從現有規章條文守則中去查閱，是找不到答案的。

事實是，正如之前有關接受富豪款待可能涉及利益以至「潛在利益」的「疑案」一樣，現有的公務員反貪防賄守則，是只可以管各級公務員、管司長局長，但特首是不在「守則」規管之內。反對派議員在質詢有關款待「疑案」時，種種指責多是言過其實和「莫須有」，但質疑特首職位在防貪反腐問題上「有王管」，不受任何法例條文所規範，不能不說是「一語中的」。

因此，面對接二連三已經發生的問題，眼前急務，不是再去糾纏特首此次巴西之行為何要住五萬元一個晚上，而是要從根本上從速制訂相關法規，把特首職位同樣置於反貪防賄的法律條文規

管之下。而其要求和準則，不僅不應低於各級公務員和司局長，反之應該有更高和更嚴格的要求，所謂「上樑不正下樑歪」，以身作則、率先垂範，本來就應該是政府為首者所必須負起的責任。

眼前，由前終審法院首席大法官李國能任主席的專責委員會正就特首防賄條例進行研究及提交報告，希望「李官」不僅是提出一些建議，而是要從憲制和法律層面協助特區政府盡早制訂、通過有關法例，完善有關特首職位的反貪防腐機制，令特區法治更趨公平和完善。

在候任特首梁振英日前赴京接受「任命狀」時，溫家寶總理嚴肅地提出了為政者必須廉潔的要求。在特區政府正要新舊交替接班的關鍵時刻，溫總理這一提醒，不僅語重心長，更有如晨鐘暮鼓，應時刻縈繞在所有為政者的耳邊和心上。

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曾特首在任7年，外訪55次

職，便可委託終審法官負責組成的獨立調查委員會，調查有結果後，若有2/3議員通過，便可彈劾行政長官；但在特首職位的反貪彷彿機制上仍需完善。

針對貪污腐敗，許多國家基本態度是避免腐敗發生，防患於未然。既有最高立法機構制定的反腐敗總法規，又有配套的分類制度。如英國的《防腐化法》、美國的《從政道德法》、韓國的《防止腐敗法》、新加坡的《公務準則》、俄羅斯的《國家公務員體制法》和日、法、德等國的《公務員法》等；分類法規如美國的《國務院官員責任和行為守則》、日本的《教育公務員特別法》、印度的《中央文官行為準則》、巴西的《聯邦高官行為準則》、法國的《法官章程》、《議會工作人員章程》和德國的《腐敗預防準則實施建議》等。

為租借新界畫押不算光彩 中國原子彈之父是鄧稼先

四月卅日晚上，港台《光明頂》節目，有許應駿後裔以嘉賓身份，講述其祖先乃至叔伯之「威水史」，不少誇張乃至失實。

稍涉近代史，都知道香港、九龍、新界之為英國佔有，是西方列強侵略並瓜分中國之產物，在中國來說，是屈辱不是光榮；只有站在英國殖民利益方面發言，才會有另外一種評價。

所謂新界，其實是九龍半島（界限街以北）大部分和許多離島，自一八九八年《中英拓展香港界址專條》簽訂後，居民與土地皆歸英國管治，名為「租借」，實則佔有。代表英國簽字的是英國駐華公使寶納樂（港譯麥當奴），代表中國簽字的有李鴻章（大學士，正一品）、許應駿（禮部尚書，從一品）。這個「專條」，是個不平等條約。當時參與瓜分中國

的，除英國外還有俄、法、德等國；英國除「租借」新界外，還「租借」了山東的威海衛。

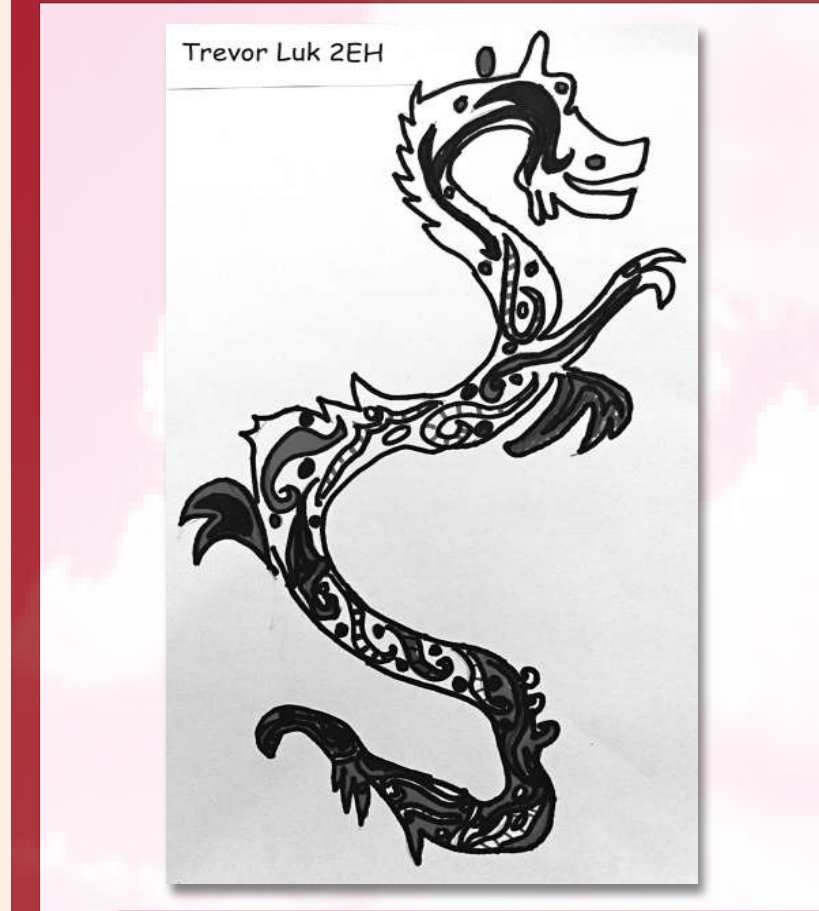
當晚，許氏嘉賓在《光明頂》片面地宣揚許應駿在簽訂這個不平等條約的「功勞」，卻不提列強瓜分中國的背景。出人意外的，竟把許應駿曲從西太后打擊維新派說成是理直氣壯的事，把許應駿和康有為之間的矛盾說成直在許氏而曲在康氏，稍懂歷史的，都知道他在說甚麼話！

談到許應駿的後代，竟把一名許氏女婿朱光亞說成「中國原子彈之父」！其實，為中國設計製造出第一顆原子彈的，是另一名許氏女婿（許德珩的女婿）鄧稼先，他才是公認的中國原子彈之父（年前本欄曾詳細介紹）。許德珩與廣州高第街許氏家族全無關係。

容若

觸景立畫

龍的圖案組合



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SOHO DIARY



Porridge or Porridges

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In a book about London by Jerry White called London in the 20th Century, there is a little story about the interactionsxbe (互動) of people from different parts of England. One Londoner said he had eaten the asparagus of Worcester and heard that it was called "grass". And the Londoner visited the homes of some Scotsmen and heard that they talked about porridge (a breakfast food made by boiling crushed grain in milk or water) using a plural form, "porridges". (P.99)

There is a note on this remark, indicating that White got the information from another book. I am not going to dig out from where the speech came, I just want to point out that the plural form has always troubled me, not only because there is no plural form in Chinese, but also because some plural forms, similar to the case in Jerry's book, have a "regional difference". Some words

do not need "s" in an English dictionary, but they have "s" in an American dictionary. Sometimes I follow simple logic and see whether the item is countable or uncountable. Or, I would say porridge or different kinds of porridge.

In Hong Kong, probably not many people would call asparagus "grass" in English. If a student writes "I ate grass cooked with rice in a restaurant...", not many teachers would add a remark like: "do you come from Worcester or some part of England where asparagus is called grass?"

In Jerry White's book, he talks about how colourful Londoners are and how they try to understand one another's expressions.

In a story on the BBC website called "Asparagus, royalty and the joys of seasonal eating", I learnt that in Germany white asparagus is referred to by some people as "the king of vegetables".

通識記憶體

行政長官外訪是出於工作需要，主要目的是加強睦鄰友好、加強國際或地區間聯繫。曾蔭權自05年至今共外訪55次。

外訪住宿通常由香港駐當地的經貿辦事處安排，需要考慮的因素包括行程、保安、運作上的需要和價錢等。至於各國特首應該住什麼房間、租金限制等並沒有成文規定，相信是因為情況不同導致，如2009年奧巴馬訪華，包下酒店全部268間客房，自己住唯一的總統套房裡，每天租金約6萬元人民幣。

2008年港訂立防賄條例》》》

在2008年6月25日，香港立法會就已通過《防止賄賂修訂條例草案》（《防賄條例》），廉政公署若有理由懷疑行政長官觸犯《防賄條例》，可由律政司決定是否起訴，並可以把事件轉介立法會，若有1/4立法會議員指控行政長官有嚴重違規或瀆職而不辭