

In response to the consultation paper dated 30<sup>th</sup> November 2007, we are pleased to respond with the following comments and suggestions:

### **Categorisation of Services and Suppliers**

Under the current SOA-QPS, Service Category 2 “On-going Services” includes the following:

YII System Maintenance and Support (According to Work Assignments issued, this is made up of a. Turnkey application maintenance projects and b. Requests for provision of application development resources)

YII Network Support Services (According to Work Assignments issued, this is primarily made up of requests for provision of I.T. support resources.)

We recommend separating turnkey projects and provision of I.T. manpower resources into two different categories. This will enable companies who are specialized in only one type of services to have the opportunity of participating in the SOA-QPS scheme.

### **Contractor’s Liability**

Except for the “Important Subjects” as cited in Paragraph 46 of the consultation paper, contractors should not be liable for any indirect or consequential damages. This is because under the SOA-QPS framework, the contractors are being rewarded based on the manpower services provided and not the economic benefits enjoyed by the end users. This is particularly true for work assignments calling for supply of I.T. manpower resources (such as Network Support Services). In these situations, the support staff is under the management of the hiring government department during the contract period which is not much different than a person directly contracted by the government department.

In any case, the total liability should be capped at the total contract value of the work assignment.

Thank you for your kind attention

Yours sincerely,

***Jardine OneSolution (HK) Limited***