

Panel on Constitutional Affairs

Information Note prepared by the Secretariat

Employment arrangements for principal officials

Meeting on 21 May 2001

Meeting on 19 March 2001

The item was considered by the Panel at the meeting with the Secretary for Civil Service (SCS) on 19 March 2001 (Administration's paper issued vide LC Paper No. CB(2)1079/00-01(04).

2. Some members were dissatisfied that SCS had refused to reply to some of the questions raised by members at that meeting. Subsequent to the meeting, those questions and others relevant to the consideration of the item were set out in a letter dated 22 March 2001 and addressed to SCS seeking his response in writing (LC Paper No. CB(2)1441/00-01(01)). SCS responded by his letter dated 27 April 2001 (LC Paper No. CB(2) 1441/00-01(02)).

Meeting on 7 May 2001

3. SCS's letter dated 27 April 2001 was considered by the Panel at the meeting on 7 May 2001. The views of some members are summarised below -

- (a) SCS has failed to respond to the key points raised, that is, whether integrity checking of principal officials in the past had been conducted prior to or after the appointment by CPG, and whether a review of the existing process of appointment should be conducted.
- (b) Since the questions asked of SCS are related to the management of the Civil Service and the use of public money in the employment of principal officials, members do not find that the following statements contained in SCS's letter of 27 April 2001 could, without further justifications, form the proper bases for SCS's refusal to disclose the information sought. -
 - (i) "it is inappropriate to disclose the timing of the integrity checking of Mr Antony LEUNG as such information is by its nature secret" (para (a) of the letter);

- (ii) "cannot disclose exact details of the employment contract with Mr LEUNG including the date of signing the contract as the contract concerns personal data and is a matter between the Government and the officer "(para (c) of the letter);
- (iii) "It is not appropriate to disclose the specific terms and conditions of service for former or current government employees as those details are personal data and are a matter between the Government and the employees." (para (d) of the letter).

4. As a result of the consideration, the Panel has decided to invite SCS to attend the meeting on 21 May 2001 to discuss issues relating to the content of his letter and to respond to members' views set out above.

Council Business Division 2
Legislative Council Secretariat
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