

立法會
Legislative Council

LC Paper No. CB(1) 2221/00-01

(These minutes have been seen
by the Administration)

Ref : CB1/PL/PS/1

Legislative Council
Panel on Public Service

Minutes of meeting
held on Monday, 21 May 2001 at 10:45 am
in the Chamber of the Legislative Council Building

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon LI Fung-ying, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching
Hon CHAN Kwok-keung
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP

Members absent : Hon Andrew WONG Wang-fat, JP
Hon Howard YOUNG, JP
Hon Michael MAK Kwok-fung

Public officers attending : **Items III, IV and V**

Mr Joseph W P WONG, GBS, JP
Secretary for the Civil Service

Ms Anissa WONG, JP
Deputy Secretary for the Civil Service (1)

Mr D W PESCOD, JP
Deputy Secretary for the Civil Service (2)

Clerk in attendance : Miss Salumi CHAN
Chief Assistant Secretary (1)5

Staff in attendance : Mr S C TSANG
Senior Assistant Secretary (1)7

Action

I. Confirmation of minutes of meeting
(LC Paper No. CB(1)1238/00-01)

The minutes of the meeting held on 19 February 2001 were confirmed.

II. Date of next meeting and items for discussion

(LC Paper No. CB(1)1237/00-01(01) — List of outstanding items for discussion

LC Paper No. CB(1)1237/00-01(02) — List of follow-up actions)

Regular meeting on 18 June 2001

2. Members noted the list of outstanding items for discussion and agreed to discuss the following items at the next regular meeting to be held on Monday, 18 June 2001:

- (a) Proposal on the Civil Service Provident Fund Scheme — Outcome of Consultation (proposed by the Administration);
- (b) Pilot Scheme on Team-based Performance Rewards (proposed by the Administration);
- (c) Civil Service Overseas Education Allowances (proposed by Mr LEUNG Fu-wah); and
- (d) Draft Report of the Panel on Public Service for submission to the Legislative Council in July 2001.

(Post-meeting note: At the request of the Administration and with the concurrence of the Chairman of the Panel, the item of “Pilot Scheme on Team-based Performance Rewards” was deferred for discussion at a later meeting after the launching of the scheme in September 2001.)

3. On Mr LEE Cheuk-yan's proposal to discuss the item of "Civil Service Pay Adjustment 2001" at the next regular meeting, members agreed that the Administration be consulted on the proposal under Agenda Item VI — "Any other business".

Joint meeting on 24 May 2001

4. The Chairman reminded members that the Panel would have a joint meeting with the Panel on Planning, Lands and Works on Thursday, 24 May 2001 at 2:30 pm to discuss the item of "Corporatization of the Survey and Mapping Office of the Lands Department — Draft Bill for the Proposed Corporatization". Relevant staff associations would be invited to attend the meeting.

III. Civil Service Management-initiated Retirement Scheme

(LC Paper No. CB(1)1237/00-01(03) — Paper provided by the Administration)

5. Deputy Secretary for the Civil Service (1) (DSCS1) briefed members on the progress of the implementation of the Management-initiated Retirement (MIR) Scheme as detailed in the paper provided by the Administration. Given that the MIR Scheme had only been introduced since September 2000 and having regard to the government's policy commitment to keep strictly confidential all proceedings as well as the personal data of individual officers retired under the Scheme, the Administration considered it inappropriate to disclose at this stage the number of directorate officers retired under the Scheme as this might lead to speculation or identification of persons concerned. DSCS1 however undertook to provide information on the number of retirement cases under the MIR Scheme at an appropriate future date.

Number of retirement cases and ex-gratia payment involved

6. Whilst appreciating the need to safeguard the personal privacy of individual officers, Mr CHEUNG Man-kwong considered that the disclosure of the number of directorate officers retired under the MIR Scheme would in no way reveal the identity of and affect the personal privacy of individual officers concerned. In this connection, Mr CHEUNG also requested the Administration to disclose the amount of ex-gratia payment involved. In view of the small number of directorate officers retired from the civil service since September 2000 which was 26 in total, DSCS1 reiterated that the disclosure of the number of directorate officers retired under the MIR Scheme might lead to speculation and inevitably cause embarrassment, particularly to those directorate officers who were on early retirement for personal reasons. The Administration considered it more appropriate to disclose the figures when the MIR Scheme had been implemented for a longer period of time so as to minimize the negative labelling effect.

7. Mr CHEUNG Man-kwong pointed out that non-disclosure of information might also lead to speculation and cause embarrassment. In his view, non-disclosure of the number of directorate officers retired under the MIR Scheme might lead to speculation on which of the 26 directorate officers mentioned above had retired under the Scheme. Moreover, each directorate officer retired under the MIR Scheme would be paid with an ex-gratia compensation equivalent to his or her six months' final substantive salary. In view of the substantial amount of public monies involved, the Administration had the obligation to explain the relevant expenditure to the public and the Legislative Council. In response, DSCS1 advised that the Administration was prepared to disclose in May 2002 the number of directorate officers retired under the MIR Scheme and the ex-gratia payment involved.

8. Mr CHEUNG Man-kwong did not consider it justified for the Administration to withhold the information until May 2002. Secretary for the Civil Service (SCS) pointed out the need for the Administration to strike a balance between safeguarding public interest and personal privacy of civil servants. In view of the small number of directorate officers retired from the civil service since September 2000, it was more appropriate to disclose the information requested by Mr CHEUNG at a later stage, i.e. in May 2002.

9. The Chairman and Mr CHEUNG Man-kwong requested the Administration to consider early disclosure of the relevant information.

(Post-meeting note: The Administration's response was circulated to members vide LC Paper No. CB(1) 1501/00-01 on 11 June 2001.)

Scope of application

10. Referring to paragraph 2 of the paper provided by the Administration, Mr Albert CHAN and Ms LI Fung-ying noted that the MIR Scheme was an exit avenue to allow directorate officers to be directed by the management to retire early to cater for management needs and yet it was not a scheme for removal of non-performing officers or officers who had committed serious misconduct. Responding to their query on the scope of application of the MIR Scheme, DSCS1 advised that the subject had been discussed at the meeting of the Panel on Public Service held on 15 May 2000 (LC Paper No. CB(1) 1549/99-00(04)). In gist, she pointed out that the Scheme would be applied to deal with situations in which individual directorate officers had difficulties in meeting the changes in the requirements of the job or the department or grade and their continued service would hinder organizational improvement to the department or grade. DSCS1 also highlighted that the MIR Scheme would only be initiated at top management level by policy secretaries or heads of departments who had to be satisfied that the retirement of the directorate officers concerned was in the interest of organizational improvement of the departments or bureaux concerned and that the management was unable to accommodate them

elsewhere within the service. Each case under the MIR Scheme would be considered by a high-level panel chaired by the Chief Secretary for Administration (CS) with members comprising the Financial Secretary, Secretary for the Civil Service and the relevant policy secretary or head of department. The recommendation of the Panel would be subject to the advice of the Public Service Commission. The approving authority was reserved to the Chief Executive in respect of officers who were serving as principal officials, and CS for other directorate officers. The directorate officers who were required to retire under the MIR Scheme might appeal against the decision of CE or CS, as appropriate.

11. Mr Albert CHAN asked whether the MIR Scheme would cover the post of Senior Special Assistant to the Chief Executive. DSCS1 considered it inappropriate for her to comment on any particular post. She however pointed out that the MIR Scheme was applicable to all directorate officers on permanent and pensionable terms.

12. Mr LEUNG Fu-wah pointed out that some civil service staff associations had expressed concern about whether the Administration would extend the scope of the MIR Scheme to cover civil servants at middle or lower levels. Whilst appreciating the staff associations' concern, DSCS1 clarified that the MIR Scheme was a management tool applicable only to directorate officers.

IV. Creation of directorate posts

(LC Paper No. CB(1)855/00-01 — Paper provided by the Administration)

13. Deputy Secretary for the Civil Service (2) (DSCS2) briefed members on the paper provided by the Administration. He highlighted that the creation of permanent or supernumerary directorate posts was subject to careful scrutiny by the relevant policy bureau, Finance Bureau and Civil Service Bureau. The support for the grading and ranking of the proposed posts from appropriate advisory bodies, such as the Standing Committee on Directorate Salaries and Conditions of Service or the Standing Committee on Disciplined Services Salaries and Conditions of Service, had to be sought before a proposal was put up to the relevant Panels, the Establishment Subcommittee (ESC) and the Finance Committee (FC) of the Legislative Council for consideration. He pointed out that all the directorate posts created were fully justified on functional grounds and they amounted roughly to 0.7% - 0.8% of the entire civil service establishment. DSCS2 also mentioned that apart from creation of posts, the Administration had also from time to time identified directorate posts for deletion if considered necessary.

14. Referring to the figures shown in the Administration's paper, Mr LEE Cheuk-yan expressed concern about the growth in the number of directorate posts in recent years and asked whether the Administration would review the situation and contain the growth trend. DSCS2 replied that it was an ongoing exercise for the

Administration to examine each proposal on creation of directorate posts with due regard to the total establishment of the department or bureau concerned and its justifications on functional grounds. From a macro point of view, the Administration would conduct a structural review on the establishment of individual departments or bureaux whenever necessary. It would also ensure that any proposed creation of directorate posts would be in line with government's latest policy of containing the size of the civil service. Responding to Mr LEE, DSCS2 advised that the structural review would only be conducted on a need basis, as departments and bureaux would review their establishment from time to time for the purposes of creation and deletion of posts.

15. Comparing with the growth in the number of directorate posts, Mr CHEUNG Man-kwong pointed out that there had been a cut in the number of middle and lower level posts. He considered that the government's policy of containing the size of the civil service and the Enhanced Productivity Programme (EPP) should be applied to all levels of the civil service, but not only to the middle and lower levels. DSCS2 replied that the policy of containing the size of the civil service and the EPP did affect officers at all levels. He said that there had been a net creation of 101 new directorate posts (i.e. creation of 204 posts against a deletion of 103 posts) during the period from April 1997 to December 2000. He also pointed out that normally, when a directorate post was created, a certain number of non-directorate posts would also be created to support the directorate officer.

16. Mr CHEUNG Man-kwong pointed out that the number of directorate posts in some departments or bureaux had increased by 30% or more during the period from April 1997 to December 2000. He considered that such a significant growth might affect the morale of the officers at middle and junior levels. SCS reassured members that each proposal on creation of directorate posts had been critically examined by the Administration before submission to the relevant Panels, ESC and FC. The directorate posts could only be created with FC's endorsement. He stressed that all the directorate posts created were fully justified on functional grounds.

17. Mr CHEUNG Man-kwong recalled that at the municipal services reorganization exercise in 1999-2000, the Administration had undertaken to delete a certain number of directorate posts. At Mr CHEUNG's request, SCS undertook to provide the Panel with the number of directorate posts in the relevant departments before and after the dissolution of the two Provisional Municipal Councils.

(Post-meeting note: The information provided by the Administration was circulated to members vide LC Paper No. CB(1)1509/00-01 on 12 June 2001.)

V. Proposed Joint Secretariat for four Standing Commission/Standing Committees

- **Standing Commission on Civil Service Salaries and Conditions of Service**
- **Standing Committee on Disciplined Services Salaries and Conditions of Service**
- **Standing Committee on Directorate Salaries and Conditions of Service**
- **Standing Committee on Judicial Salaries and Conditions of Service**
(LC Paper No. CB(1)1237/00-01(04) — Paper provided by the Administration)

18. DSCS2 briefed members on the Administration's proposal to set up a joint secretariat to service the four Standing Commission/Standing Committees.

19. The Chairman supported the Administration's proposal which was expected to achieve better redeployment of resources. In response to the Chairman's enquiry on the changes in the number of posts after the establishment of the joint secretariat, DSCS2 advised that two directorate posts would be deleted and that with the centralization of registry and other support services, a certain number of non-directorate posts would also be deleted. At the Chairman's request, DSCS2 agreed to provide ESC with the relevant details in due course.

VI. Any other business

Civil Service Pay Adjustment 2001

20. The Chairman briefed the Administration on Mr LEE Cheuk-yan's suggestion raised earlier at the meeting that the subject of "Civil Service Pay Adjustment 2001" be discussed at the next regular Panel meeting scheduled for 18 June 2001. SCS advised that the Administration would submit its proposal on the subject to the Chief Executive-in-Council and then consult the central staff consultative councils. If it was decided that there would be an upward adjustment of civil service pay, the Administration would seek funding support from FC at its meeting scheduled for 6 July 2001. SCS undertook to brief members on the position of the subject at the next regular Panel meeting.

21. There being no other business, the meeting ended at 12:05 pm.