

25 February 2000

The Hon Andrew Wong Wang-fat, JP
Chairman, Panel on Constitutional Affairs
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Issue of Employees of Public-funded Bodies
Taking up Public Offices

Thank you for bringing to my attention members' concern with the different arrangements adopted by subvented organization in the welfare sector, primary and secondary schools, tertiary institutes funded by the University Grants Committee and the Hospital Authority with regard to their staff taking up public offices.

The Administration appreciated Members' concern and has carefully considered Members' suggestion of having a set of standardized guidelines for such engagements for all public-funded bodies.

Members would appreciate that no two organizations are alike, given their different roles and management styles. Each organization is an autonomous body, which decides for itself how its subvention is to be best utilized. The arrangement for staff engaged in public offices should therefore be determined between the organization and its staff as employer and employee respectively taking into account the nature of work involved and all other relevant considerations. Thus the Hospital Authority has guidelines on engagement of Hospital Authority staff in public offices, and each tertiary institution funded by the UGC draws up arrangement applicable to its own staff.

As explained by the Director of Administration at the Panel meeting on 25 October 1999, to have a set of standardized guidelines across the board would be difficult to implement and unlikely to be feasible, given the different roles of the organizations, the nature of the employees' work and the public offices in question. On 20 December 1999, relevant bureaux and departments having policy responsibility over subvented organizations in the welfare sector, primary and secondary schools, tertiary institutes funded by the UGC and the Hospital Authority also attended the Constitutional Affairs Panel meeting and explained in detail the arrangement adopted by organizations under their purview in respect of staff engaged in public offices

In view of Members' concern, we have once again looked into the matter. Having reviewed the matter, we remain of the view that individual organizations, as autonomous subvent bodies, and as the direct employers, must retain the flexibility to decide on the arrangements for their staff engaged in public offices that best suit their needs. This is not a matter that Government should seek to direct from the centre.

(Mrs Anson Chan)
Chief Secretary of Administration

cc Secretary for Education and Manpower
Secretary for Health and Welfare

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