

LegCo Panel on Public Service

List of follow-up actions

(Position as at 16 June 2004)

Subject	Date of meeting	Follow-up actions required	Administration's response
1. <u>Review of civil service allowances</u>	25.4.2003	The Administration undertook to consider some Members' suggestion that the Overseas Education Allowance (OEA) scheme should apply to schooling in the Mainland, instead of in the United Kingdom. In other words, schooling in the United Kingdom would no longer be eligible for OEA.	The Administration's response awaited.
2. <u>Pension suspension policy for retired civil servants</u>	17.11.2003	<p>The Administration was requested to provide its written response to the following motion passed at the Panel meeting:</p> <p>“本事務委員會要求政府立即檢討現時由公務員轉任問責官員後，仍可在問責官員的任期內同時享有公務員的退休金的安排。”</p> <p>(English translation)</p> <p>“That this Panel calls on the Government to review immediately the existing arrangement whereby civil servants appointed as Principal Officials under the Accountability System are still entitled to receive their pensions during their tenure as Principal Officials.”</p> <p>The Administration was also requested to address, in its written response, the question raised by members on who was responsible for the review of the relevant arrangement.</p>	The Administration's initial response was circulated to members vide LC Paper No. CB(1)773/03-04(01) on 13 January 2004. The Administration will report progress of the review to the Panel in due course.

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3. <u>Review of acting allowances</u>	16.2.2004	The Administration undertook to report to the Panel in due course on the outcome of its consultation with the staff sides and departmental management on the proposed revised arrangements for acting allowances.	The Administration's response was circulated to members vide LC Paper No. CB(1)1979/03-04(01) on 28 May 2004.
4. <u>Employment of non-civil service contract staff</u>	19.4.2004	<p>(a) On the existing arrangement for Heads of Departments to employ non-civil service contract (NCSC) staff, the Administration undertook to take the following actions:</p> <p>(i) To examine whether any NCSC staff was employed to take up the duties of civil service posts and if yes, to provide details of the posts concerned with a breakdown by departments;</p> <p>(ii) To provide information on how long the posts being occupied by NCSC staff had been occupied by such staff, and if some of the posts had been occupied by NCSC staff for several years, to provide justifications for filling the posts by NCSC staff instead of civil servants; and</p> <p>(iii) To provide information on the employment of part-time NCSC staff, including the number of staff, terms and conditions of employment, the pay offered (e.g. the hourly rate offered), and the</p>	The Administration's response was circulated to members vide LC Paper No. CB(1)1813/03-04(01) on 13 May 2004. The Administration will provide further information on items (a)(i) and (a)(ii) after the statistics collection exercise in June 2004.

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		<p>departments they worked for.</p> <p>(b) The Administration also undertook to confirm whether medical benefits were available to non-civil service officers in the Chief Executive's Office and to provide details on the employment arrangements for artists employed by the Radio Television Hong Kong.</p>	
<p>5. <u>Policy governing the acceptance of post-retirement employment by civil servants</u></p>	<p>17.5.2004</p>	<p>(a) The Administration undertook to provide information on the number of retired directorate officers who had taken up post-retirement employment with private enterprises in the past three years, with a breakdown by rank at the time of retirement.</p> <p>(b) The Administration undertook to review the existing post-retirement employment mechanism, covering the following aspects, and to complete the review by end of 2004:</p> <p>(i) To examine whether the length of the six-month sanitization period was appropriate and to make reference to overseas practices in this aspect; to consider members' views, as follows:</p> <ul style="list-style-type: none"> ● The sanitization period for retired directorate officers should be lengthened, e.g. two or three years; and ● The sanitization period should be counted from the date on which the retired officers left the civil service, instead of the date of cessation of active service. In other words, the officers 	<p>The Administration's response to item (a) was circulated to members vide LC Paper No. CB(1)2163/03-04(01) on 15 June 2004. The Administration's response to items (b) and (c) awaited.</p>

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		<p>should not be allowed to take up any other employment during the period of their pre-retirement leave.</p> <p>(ii) To examine how the transparency of the mechanism could be enhanced, taking into account the need to strike a balance between the rights of individual civil servants to pursue employment or business after retirement on the one hand and the public interests and the aspirations of the community regarding the integrity and impartiality of the civil service on the other.</p> <p>(iii) In connection with item (ii) above, to seek legal advice on whether the disclosure of information would infringe the privacy rights of the retired officers concerned.</p> <p>(iv) To consider whether more restrictions should be imposed on the post-retirement employment of directorate officers.</p> <p>(v) To consult the following parties on the review:</p> <ul style="list-style-type: none"> ● The Advisory Committee on Post-retirement Employment; ● Civil servants; and ● The Department of Justice. <p>(vi) To consider how the mechanism should be applied to officers joining the civil service under the new</p>	

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		<p>entry terms on or after 1 June 2000, i.e. those who would be eligible for Civil Service Provident Fund instead of pension upon retirement.</p> <p>(c) The Administration undertook to convey members' views expressed at the Panel meeting to the Advisory Committee on Post-retirement Employment.</p>	
<p>6. <u>Civil service disciplinary mechanism and procedures</u></p>	<p>17.5.2004</p>	<p>The Administration undertook to take the following actions:</p> <p>(a) To provide a breakdown of the disciplinary cases in the civil service (Annex B to LC Paper No. CB(1)1786/03-04(04)) by the nature of offences/misconduct, in particular, offences involving investigation by the Independent Commission Against Corruption;</p> <p>(b) To provide information on the number of disciplinary cases involving unauthorized access to the Police Force's computer system (in addition to the judicial review case set out in Annex D to LC Paper No. CB(1)1786/03-04(04));</p> <p>(c) To provide a breakdown of the statistics on civil servants subject to disciplinary action for offences/misconduct related to "abuse of official position" (Annex E to LC Paper No. CB(1)1786/03-04(04)) by the type of punishment handed down and by offences/misconduct committed by directorate and non-directorate officers; and</p>	<p>The Administration's response was circulated to members vide LC Paper No. CB(1)2174/03-04(01) on 16 June 2004.</p>

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		(d) To clarify how the revised procedures promulgated in March 2003 would facilitate timely management actions for handling persistent sub-standard performers, in particular the arrangements for putting officers under the supervision of the "section 12 mechanism" mentioned in paragraph 30 of the paper provided by the Administration (LC Paper No. CB(1)1786/03-04(04)).	

Council Business Division 1
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