

Information Paper

Legislative Council Panel on Public Service

**Post-service Employment of Former Civil Servants -
Supplementary Information**

Purpose

As a follow up to the meeting of the Legislative Council Panel on Public Service held on 21 March 2005, this note provides the information requested by members on a few issues.

Supplementary Information

Policy and mechanism governing post-retirement employment of former non-directorate civil servants

2. At present, non-directorate civil servants retiring / retired on pensionable terms, except for staff remunerated on the Model Scale I Pay Scale, are required to seek prior permission for taking up outside employment within two years from their retirement. Blanket approval is granted to all staff remunerated on Model Scale I Pay Scale to take up outside appointments after retirement in view of the low risk of conflict of interest.

3. Non-directorate civil servants' applications for post-retirement employment are subject to approval by their respective Heads of Department / Grade. The key principles and criteria adopted for consideration of applications are consistent for both directorate and non-directorate civil servants, namely whether there is real, potential or perceived conflict of interest and how the proposed employment would be received from the public perception angle. No minimum sanitization is stipulated for post-retirement employment of former non-directorate civil servants. The approving authority

has the discretion to impose sanitization or restriction on the scope of work to guard against possible conflict of interest or negative public perception.

Involvement of former directorate officers in the bidding of government land, property, projects and contracts

4. Under the present mechanism, former directorate officers are given permission to take up outside employment on the basis of the nature and scope of employment or business as proposed in their applications. There is no across-the-board prohibition on their involvement in the bidding for government land, property, projects and contracts, but on a case-by-case basis, prohibition on involvement in the bidding for specified government projects/contracts may be imposed.

5. For the approved cases, the Civil Service Bureau (CSB) do not keep track of the individual tasks or assignments that the former officers concerned undertake within the approved employment or business. As such we do not have information on their involvement in the bidding for government land, property, projects or contracts in the course of carrying out the approved employment or business.

6. In the context of the recent review of the policy governing post-service employment of former directorate officers (the review), however, we have proposed that a standard restriction be applied in all cases of outside employment during the final leave and/or after retirement involving former directorate officers such that the officers concerned should not be involved, directly or indirectly, in the bidding for any government land, property, projects or contracts.

Transitional arrangement before the implementation of the revised mechanism

7. We are consulting the staff sides and departmental management on our findings and preliminary proposals from the review. Subject to the progress of consultation and further deliberations, our plan is to commence the operation of the revised system in the latter half of the year, applying to officers who will cease active government service after the new system has been put in place.

8. Before the revised system is brought into operation, it is only fair and reasonable that we continue to process applications involving officers who have ceased active service or who will cease active service before the implementation date in accordance with the existing rules and mechanism. In any case, the current rules and mechanism already provide for the extension of sanitization and imposition of restrictions on the employment if the circumstances so justify.

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Civil Service Bureau
April 2005