

Ref: (2) in AR HKPIA EC2005
Your Ref: CSB/CR/PG/4-030-002/4-1
Tel: 8108 6501
Fax: 31865692
email: hkpia@police.gov.hk
info@hkpia.org
Website: www.hkpia.org



香港警務督察協會
香港 軍器廠街壹號 警察總部轉
Hong Kong Police Inspectors' Association
c/o PHQ, No.1 Arsenal Street, Hong Kong.

Mr. WONG Wing-ping, Joseph, GBS, JP
Secretary for Civil Service

18th November 2005

Dear Sir,

Review of "Fringe Benefit Type of Civil Service Allowances"

I refer to your letter of 22nd September 2005 under the above reference concerning the 2nd Phase consultation on the above subject and wish to provide comments of our Association as follows: -

It is proposed to reduce the numbers of 'School Passage Allowance' entitlement (a) for children over 19 years to only one round-trip claim, and (b) for children below 19 years to two round-trip claims per academic year.

I note the consultation paper has provided no reason for the proposed reduction. I would envisage the Administration will probably say that the proposed reduction is realistic because of the consistently high fare of air-ticket at present will anyway prevent officers from making three round-trip claims a year (These days officers are usually claiming two round-trips only). I believe also that the Administration will try to argue that there is no change of the monetary value (i.e. maximum amount) of School Passage Allowance officers were entitled in 1997. In relation to the proposed reduction, I have however the following observations that must not be hastily overlooked: -

An academic year (using UK as an example) consists of three academic terms, the proposed reduction would in effect deprive the students' entitlement to the number of

opportunities for family reunion as they are entitled, particularly before 1997.

The proposed change includes forbidding the carrying forward to the next year of the unspent portion of the School Passage Allowance. Although the air-ticket fare is high at present, officers nowadays are still able to make a total of five round-trip claims for two consecutive academic years. Under the proposed change however, they could no longer do the same. In addition, even if the air-ticket fares go down again in the future making the purchasing of three round-trip tickets in one year with the School Passage Allowance possible, officers will in future be prevented from enjoying such benefit they are entitled because they will be permitted to make two claims only. In theory officers are given the same amount of School Passage Allowance as in 1997, but in fact they are only allowed to enjoy 2/3 of the amount and must surrender the remaining 1/3 to the Treasury. I fail to see any logic in the proposed 'change'.

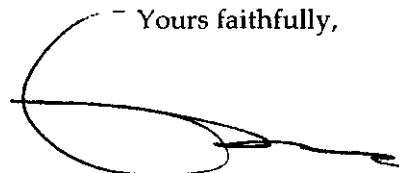
It was said in the consultation paper that 'School Passage Allowance' must be tightened up to reflect the 'original purpose' of the revision of the student passage benefit on 1998-07-01.

I do not believe the 'original purpose' of the 1998 revision was 'to tighten up' student passage benefit. To the contrary, I believe the 'original purpose' of the 1998 revision as announced at the time was just to 'provide flexibility for the benefit of the officers and their students'. The Administration is obliged to produce proof of the alleged 'original purpose' and proof that the said 'original purpose' was accepted by the staff side at the time.

Even if the said 'original purpose' could be established, the 1998 revision would amount to a reduction of officers' benefit to a level / in a manner less favourable than what they were entitled to enjoy before 1997. The 1998 revision is therefore inconsistent with the Basic Law.

Hoping that the above will receive your serious consideration in the 2nd Phase Review of Civil Service Allowances.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Peter P.L. Chan', written over a horizontal line.

(Peter P.L. CHAN)

for the Chairman

Hong Kong Police Inspectors' Association