

LEGISLATIVE COUNCIL PANEL ON PUBLIC SERVICE

Written response to the motion on civil servants standing for elections and participating in electioneering activities

Purpose

This paper sets out the response of the Civil Service Bureau (CSB) to the motion passed by the Legislative Council Panel on Public Service on 18 February 2008, namely, “The decision made by the Government recently in respect of civil servants in the four restricted groups standing for National People’s Congress-related elections is hasty and inappropriate.”

Response

2. As explained at the Panel meeting on 18 February 2008 and as stated in the paper submitted to the Panel by CSB for the said Panel meeting (ref. LC Paper No.CB(1)764/07-08(03)) , the various regulations and guidelines on civil servants’ standing for elections and participating in electioneering activities are subject to review, and amendment as appropriate, from time to time by CSB, having regard to changing circumstances and needs. Prior to each of the relevant elections and where circumstances warrant, CSB will also update or revise the concerned regulations and guidelines as appropriate.

3. The revised guidelines on standing for elections or participating in electioneering activities relating to the HKSAR Deputies to the National People’s Congress (NPC) and the Election Conference for the HKSAR Deputies Election to the NPC were issued by CSB in early January 2008 following a review conducted in the latter half of 2007 in accordance with the established practice stated above. As set out in the above Panel paper, the revised guidelines refine the restriction on standing for NPC-related elections and undertaking NPC-related electioneering activities by all those civil servants in the “Restricted Group” and are on their final leave, subject to certain conditions and safeguards. As also explained in the said Panel paper, we consider the refinement decision is warranted having regard to the circumstances

prevailing in Hong Kong since the reunification, and is in full accord with the guiding principle governing civil servants' participation in election and electioneering activities, namely, to strike the appropriate balance between civil servants enjoying their civil and political rights as citizens on the one hand, and civil servants remaining impartial and avoiding any actual or potential conflict of interest on the other. We stand by the decision taken, and do not agree that it is hasty and inappropriate.

Civil Service Bureau
March 2008