

Extract from the discussion paper on “Review of Policy on Post-service Employment of Former Directorate Civil Servants” and Annex B attached to the discussion paper issued to the Advisory Committee on Post-retirement Employment for discussion on 7 March 2005

Approving Criteria

15. The key factors of considerations in vetting an application remain to be real/perceived conflict of interest and public perception angle. The specific points to be borne in mind are set out under item 7 in Annex B. The approving authority would normally focus on the duties of an applicant in the last three years of his/her government service. In the case of a senior directorate officer or if the work handled while in service is of particular sensitivity, his/her service prior to the three-year period may also be taken into account.

**Extract from Annex B attached to the discussion paper on
 “Review of Policy on Post-service Employment of Former Directorate Civil Servants”
 issued to the Advisory Committee on Post-retirement Employment for discussion on 7 March 2005**

Existing arrangement	Proposed arrangement	Related issues / considerations
7. Approving criteria		
<p>* The key factors of consideration are conflict of interest (real and perceived) and public perception angle.</p>	<p>* The key factors of consideration remain conflict of interest and public perception. The specific points to be taken account of by the approving authority include:</p> <p><i>(a) Conflict of interest</i></p> <ul style="list-style-type: none"> - whether the officer was involved in policy formulation or decisions, the effects of which directly or specifically benefited or could directly or specifically benefit his/her prospective employer; - whether the prospective employer might gain unfair advantage over competitors because of the officer's possession of sensitive information while in government service; 	<p>* To facilitate consideration of an application, the applicant will be required to provide -</p> <ul style="list-style-type: none"> - an account of his/her duties in the last three years (presently two) of his/her government service; - a detailed account of the nature and scope of business of the prospective employer; and - a detailed account of his/her major duties and responsibilities under the proposed employment.

Existing arrangement	Proposed arrangement	Related issues / considerations
	<ul style="list-style-type: none"> - whether the officer was involved in any contractual or legal dealings to which the prospective employer was a party; and - whether the proposed employment would have any connection with the assignments / projects and/or regulatory / enforcement duties in which the officer was involved before leaving the service. <p><i>(b) Public perception</i></p> <ul style="list-style-type: none"> - whether the officer's taking up of the proposed employment would give rise to public suspicion of impropriety or conflict of interest; and - whether the proposed employment would cause embarrassment to Government. <p>* In applying the tests of conflict of interest or possible negative public perception, the HoD/HoG and approving authority would normally focus on the duties in which the applicant was involved <u>in the last three years of his/her service</u>. However, where the applicant is a senior directorate officer</p>	

Existing arrangement	Proposed arrangement	Related issues / considerations
	or if the work he has handled is of particular sensitivity, service prior to the three-year period might also be taken into account.	