

Extract from the consultation paper on “Review of Policy on Post-service Employment of Former Directorate Civil Servants” and Annex B attached to the consultation paper issued to the Staff Councils (namely the Disciplined Services Consultative Council, the Police Force Council and the Senior Civil Service Council), Permanent Secretaries and Heads of Department/Grade inviting their comments on the proposals set out in the consultation paper

Approving Criteria

15. The key factors of considerations in vetting an application remain to be real, potential or perceived conflict of interest and public perception angle. The specific points to be borne in mind are set out under item 6 in Annex B. The approving authority would normally focus on the duties of an applicant in the last three years of his/her active service. In the case of a senior directorate officer or if the work handled while in service is of particular sensitivity, his/her duties prior to the three-year period may also be taken into account.

Extract from Annex B attached to the consultation paper on “Review of Policy on Post-service Employment of Former Directorate Civil Servants” issued to the Disciplined Services Consultative Council, the Police Force Council, the Senior Civil Service Council and Permanent Secretaries, Heads of Department/Grade inviting their comments on the proposals set out in the consultation paper

Existing Arrangement	Proposed Arrangement
6. Approving criteria	
<ul style="list-style-type: none"> * The key factors of consideration are conflict of interest (real, potential or perceived) and public perception. * In applying the tests of conflict of interest or possible negative public perception, the HoD/HoG and approving authority normally focus on the duties in which the applicant was involved in the last two years of his/her active service. 	<ul style="list-style-type: none"> * The key factors of consideration remain to be conflict of interest (real, potential or perceived) and public perception. * The specific points to be taken account of by the approving authority include: <ul style="list-style-type: none"> (a) <i>Conflict of interest</i> <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 access to sensitive information while in government service; - 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.

Existing Arrangement	Proposed Arrangement
	<p>(b) <i>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 the 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 in the last three years of his/her active service. However, where the applicant is a senior directorate officer or if the work he has handled is of particular sensitivity, his/her duties prior to the three-year period might also be taken into account.</p>