

立法會
Legislative Council

LC Paper No. CB(1)2445/10-11
(These minutes have been seen
by the Administration)

Ref : CB1/PL/ PS/1

Panel on Public Service

**Minutes of meeting held on
Monday, 18 April 2011, at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)
Hon LEE Cheuk-yan
Dr Hon Margaret NG
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, SBS, JP
Dr Hon LEUNG Ka-lau
Hon WONG Sing-chi
Hon LEUNG Kwok-hung

Member attending : Hon WONG Kwok-hing, MH

Members absent : Hon IP Wai-ming, MH (Deputy Chairman)
Hon CHEUNG Man-kwong
Dr Hon PAN Pey-chyou

**Public officers
attending** : **Agenda item IV**

Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Mr Brian LO, JP
Deputy Secretary for the Civil Service 2

Agenda item V

Miss Denise YUE, GBS, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Ms Shirley LAM
Deputy Secretary for the Civil Service 3

**Attendance by
invitation**

: Agenda item IV

Hong Kong Government Lifeguards General Union

Mr LEE Chiee-ming
Publicist

Environmental Protection Inspectorate Association

Mr SIU Wing-ki
Chairman

Hong Kong Civil Servants General Union

Mr CHUNG Tak-cheung
Vice Chairman

Hong Kong & Kowloon Life Guards' Union

Mr KWOK Siu-kit
General Secretary

Hong Kong Leisure Services Staff General Union

Mr CHEUNG Siu-wing
Chairman

Government Park & Playground Keepers Union

Mr YIP Chi-sing
Chairman

Hong Kong Life Saving Staff General Union

Mr CHAN Wai-ming
Chairman

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (1)2

Staff in attendance : Ms Sarah YUEN
Senior Council Secretary (1)6

Ms Emily LIU
Legislative Assistant (1)2

Action

- I Confirmation of minutes of meeting**
(LC Paper No. CB(1)1838/10-11 - Minutes of meeting on
21 February 2011)

The minutes of the meeting held on 21 February 2011 were confirmed.

- II Information papers issued since last meeting**
(LC Paper No. CB(1)1745/10-11 - Submission from a member
of the public complaining
about the hours of work of
the civil service
LC Paper No. CB(1)1767/10-11 - Submission from the Police
Force Council Staff Side on
the civil service pay
adjustment for 2011-2012)

2. Members noted the above papers issued since the last meeting.

III Items for discussion at the next meeting scheduled for 16 May 2011

(LC Paper No. CB(1)1858/10-11(01)	No. - List of outstanding items for discussion
LC Paper No. CB(1)1858/10-11(02)	No. - List of follow-up actions)

3. Members noted the following letters tabled at the meeting –

- (a) letter dated 18 April 2011 from the Education Employees General Union (the General Union) requesting the Panel to discuss "Pay policy of the Government in the calculation of salaries of government school teachers" at its regular meeting in May (LC Paper No. CB(1)1962/10-11(01)); and
- (b) letter dated 4 April 2011 from Dr PAN Pey-chyou and Mr IP Wai-ming requesting to discuss "Pay policy of the Government in the calculation of salaries of government school teachers" as soon as practicable, and proposing that relevant deputations be invited to give views when the item was discussed (LC Paper No. CB(1)1962/10-11(02)).

4. At the Chairman's invitation to respond to the above letters, the Secretary for the Civil Service (SCS) noted that the Administration had earlier provided a written response (LC Paper No. CB(1)2497/09-10(01) dated 12 July 2010) to the complaint concerned. The Chairman advised that the General Union, however, considered that the Administration's response failed to address their concerns. She requested the Administration to give thought to the General Union's request.

Admin

(Post-meeting note: in response to the request of the Panel, the Administration subsequently agreed to discuss the above issue raised by the General Union at the regular meeting of the Panel in June 2011.)

5. Highlighting the controversies surrounding the recent employment of Mr LEUNG Chin-man by Chow Tai Fook Enterprises, Mr WONG Sing-chi and Ms LI Fung-ying urged that the item on "Review of post-service outside work for directorate civil servants" be discussed as soon as practicable, preferably at the next meeting.

6. In response, SCS explained that although the Administration had been actively pursuing the review, some outstanding legal issues had yet to be sorted out. At the Chairman's request, SCS agreed to ascertain whether the item would be ready for discussion at the regular meeting in May and inform the Secretariat later.

7. After discussion, members agreed to discuss the following items at the next regular meeting on 16 May 2011 at 10:45 am –

- (a) employment of the disabled in the civil service; and
- (b) progress update on the preparation of the Civil Service Outstanding Service Award 2011 and other commendation schemes for civil servants.

8. The Panel also agreed to tentatively include "Review of post-service outside work for directorate civil servants" on the agenda for the next regular meeting subject to the Administration's confirmation of readiness of this item for discussion then.

(Post-meeting note: The Administration subsequently advised that the item "Review of post-service outside work for directorate civil servants" would not be ready for discussion in May 2011. At the meeting on 16 May 2011, the Panel agreed to the Administration's suggestion that the subject would be discussed before the end of the current legislative session at a special meeting to be scheduled.)

IV Requests for the conduct of grade structure reviews for specific non-directorate civilian grades: assessment criteria

LC Paper No. 1858/10-11(03)	CB(1) - Administration's paper on grade structure reviews for non-directorate civilian grades
LC Paper No. 1858/10-11(04)	CB(1) - Extract from the minutes of the Panel meeting on 21 June 2010)

Meeting with deputations/ the Administration

*Hong Kong Government Lifeguards General Union (HKLGU)
(LC Paper No. CB(1)1778/10-11(01))*

9. Mr LEE Chiee-ming briefed members on the General Union's submission. Members noted that HKLGU called for the conduct of a grade structure review (GSR) for government lifeguards for the following reasons –

- (a) there had been fundamental changes in the job nature/complexity and level of responsibilities of government lifeguards. Apart from newly requiring them to assist in law enforcement, their entry requirements had been tightened and they were required to learn using new equipment and tools to perform their work. In fact, with rising public expectations, government lifeguards, like policemen and firemen, were also required to attain a professional standard; and
- (b) there were difficulties in retaining government lifeguards due to the lack of promotion prospects and proper recognition of their importance. According to the General Union's statistics, the wastage rate of government lifeguards was 28.3%. Of these government lifeguards who had resigned, 44% had joined the disciplined services departments. There were also recruitment difficulties as evidenced by the declination of offer of appointment by 26% of the candidates newly recruited from the latest recruitment exercise.

*Environmental Protection Inspectorate Association
(LC Paper No. CB(1)1736/10-11(01))*

10. Mr SIU Wing-ki briefed members on the Association's submission, elaborating that there had been fundamental changes in the job nature/complexity and level of responsibilities of the Environmental Protection Inspector (EPI) grade from mainly providing technical support to law enforcement. EPIs' duties had also greatly expanded as detailed in the submission, and they presently had to deal with a broad range of pollution complaints and perform enforcement of multi-disciplinary environmental legislation. In fact, a grade review conducted for the EPI grade in 1998 had already revealed the above changes and development, and that some adjustments to the grade's pay scale were considered justified. However, owing to the then prevailing economic climate, a formal GSR had not been conducted accordingly at the EPI grade's request to ensure that EPIs would be remunerated according to the more

complicated duties they performed. Referring to the GSRs conducted for the directorate and the disciplined services grades in 2008, which resulted in pay adjustments for them, Mr SIU cautioned that there would be grievances if GSRs were not similarly conducted for non-directorate civilian grades as appropriate, and urged members and the Civil Service Bureau (CSB) to support the EPI grade's request for conduct of GSR.

Hong Kong Civil Servants General Union (HKCSGU)
(LC Paper No. CB(1)1837/10-11(01))

11. Mr CHUNG Tak-cheung briefed members on HKCSGU's submission by highlighting the following salient points –

- (a) the Administration should not assume that all GSR requests aimed at salary increases. Instead, the requested GSRs might lead to better utilization of public resources by effecting merger of grade(s) or streamlining of the work concerned. It should also be noted that most of the seven deputations attending this meeting belonged to the Leisure and Cultural Services Department (LCSA), indicating a need for the department to review its organization/structure and staffing situation to address staff's grievances;
- (b) GSRs were conducted for the directorate and the disciplined services grades in 2008 even though the relevant grades had not experienced recruitment or retention difficulties. To ensure fairness, recruitment or retention difficulties therefore should not be imposed as a criterion for the conduct of GSRs for non-directorate civilian grades; and
- (c) there had been fundamental changes in the job nature/complexity and level of responsibilities of the EPI grade. If fundamental change was to be consistently applied as a criterion for conduct of GSRs, the Administration should immediately accede to the EPI grade's GSR request. If not, should there be a surge in the market demand for such professionals, there might be great difficulty in retaining EPIs who were not under the Civil Service Pension Schemes.

Hong Kong & Kowloon Life Guards' Union

12. Mr KWOK Siu-kit briefed members on the Union's views as follows -

- (a) the Administration should conduct a GSR for government lifeguards and review their career development opportunities, so as to help raise their professional standard. It was inappropriate to pitch the pay for government lifeguards at the pay level of the Artisan grade. In 1979, the entry pay of government lifeguards was even higher than that for "Postal Officer" by \$50, while the entry requirements for both grades were the same. However, the entry requirements for the "Postal Officer" had subsequently been tightened and their pay scale had also become longer than that for government lifeguards by seven salary points; and
- (b) the Government should attach greater importance to lifeguards' work, which would directly affect public safety. The Administration should consider providing more adequate support for the career development of government lifeguards and explore turning it to be a professional grade. An example of inadequate support provided to government lifeguards was that, instead of encouraging them to learn how to use Automatic External Defibrillators which had been commonly used overseas, the equipment had not been made available at every public beach of Hong Kong until April 2011, and only about 350 of the some 1 600 government lifeguards had been trained to use it.

Hong Kong Leisure Services Staff General Union

(LC Papers Nos. CB(1)1813/10-11(01) and CB(1)1837/10-11(02))

13. Mr CHEUNG Siu-wing requested the conduct of a GSR for the leisure services staff of LCSD, including government lifeguards and Leisure Services Managers, etc. and expressed the following major views -

- (a) in addition to the criteria for assessing requests for conduct of GSRs set out in LC Paper No. CB(1)1858/10-11(03), the Administration should take staff morale and public interest into consideration when considering such requests;

- (b) the lack of market comparators had been quoted as the reason for conducting the GSR for the disciplined services grades in 2006. Since there were also no market comparators for the leisure services staff of LCSD responsible for managing leisure and sports facilities and trees, it was unfair not to similarly conduct a GSR for them;
- (c) since 2008, the leisure services staff of LCSD had been required to organize leisure programmes and activities in addition to management of facilities. Their workload had also increased since 2007 as a result of the involvement of District Councils in the management of leisure and sports facilities. The fundamental changes in the job nature/complexity and level of responsibilities of the leisure services staff of LCSD should be duly recognized; and
- (d) the refusal to conduct a GSR for the leisure services staff of LCSD had led to brain drain, in particular the 100 horticulturists trained up in the days of the two former Municipal Councils.

*Government Park & Playground Keepers Union
(LC Paper No. CB(1)1833/10-11(01))*

14. Mr YIP Chi-sing briefed members on the submission of the Union expressing concerns about the lack of a clear job description for park keepers, and called for the implementation of five-day week for them.

*Hong Kong Life Saving Staff General Union (HKLSSGU)
(LC Papers Nos. CB(1)1935/10-11(01) and CB(1)1962/10-11(03))*

15. Mr CHAN Wai-ming briefed members on HKLSSGU's two submissions. In gist, HKLSSGU considered it undesirable that the Administration had relaxed the minimum entry requirements for government lifeguards in order to tackle recruitment difficulties. HKLSSGU criticized the Administration for pitching the pay of government lifeguards at the level of that for the Artisan grade, refusing to create a separate grade for them despite the importance of life saving duties, and employing a large number of temporary government lifeguards to meet high service demands in peak season.

16. The Chairman and members thanked the deputations for attending the meeting to express their views. Members noted that the following

individuals and an organization which did not attend the meeting had also provided submissions for members' reference –

- (a) submissions from individual EPIs (LC Papers Nos. CB(1)1885/10-11(01), CB(1)1962/10-11(04) and CB(1)1962/10-11(05)); and
- (b) submission from HKSAR Government Employees General Union (LC Paper No. CB(1)1915/10-11(01)).

The Administration's initial response to the concerns of deputations

17. At the Chairman's invitation, SCS made the following points in response to the deputations' views –

- (a) a decision to conduct a GSR had to be supported with good justifications. GSRs were not the solution to manpower-related problems such as heavy workload, lack of promotion prospects or operation problems associated with certain grades and departments. As reported to the Panel in June 2010, the Administration adopted the following criteria in assessing requests for conduct of GSRs from non-directorate civilian grades -
 - (i) to address proven and persistent recruitment and retention difficulties of a specific non-directorate civilian grade, which could not be resolved through the regular pay surveys under the Improved Civil Service Pay Adjustment Mechanism; or
 - (ii) to enable a specific non-directorate civilian grade to function effectively on a sustainable basis in the face of fundamental changes to its job nature, job complexity and level of responsibilities (the fundamental change criterion);
- (b) regarding the recruitment and retention difficulties criterion, recent recruitment exercises of the non-directorate civilian grades represented at the meeting (e.g. Artisan (Beach/Swimming Pool) stream and the EPI grade) had encountered no difficulty. Decline of offers of appointment by new recruits was not uncommon because many candidates might apply for a number of jobs at the

same time. A high decline rate was therefore not indicative of recruitment difficulty as long as there were sufficient eligible candidates to fill the vacancies concerned. Departure during the probationary period should also not be a major concern as the purpose of probation was to allow new recruits to consider whether the job actually matched their expectation and for the Administration to assess their suitability to serve in the Civil Service. The Administration had therefore attached greater importance to the wastage rate of civil servants confirmed to permanent terms of employment. The overall unnatural wastage rate of such civil servants had remained low and stable;

- (c) as far as the fundamental change criterion was concerned, the Administration was of the view that the job nature, job complexity and level of responsibilities of all civil service grades evolved with time, having regard to policy initiatives, changes in expectations of the community, technological advancement, etc. For example, there were more regulatory controls in various areas of government work to safeguard public safety. While these developments might give rise to additional work, they did not of themselves constitute fundamental changes to the job nature, job complexity and level of responsibilities of the grades concerned;
- (d) as to the submission from the EPI grade, it should be noted that as a result of a review of the EPI grade conducted in 1987-1988, the number of ranks of the EPI grade had been increased from one to two, with a new higher rank of Senior EPI (SEPI) created in recognition of the increase in the job complexity and workload of the grade following the establishment of the Environmental Protection Department (EPD) in 1986. The ranks of the EPI grade had been further increased to three in 1991 as a result of a further review, with the creation of the Chief Environmental Protection Inspector (CEPI) rank. At present, there were over 750 posts in various ranks of the EPI grade, including some 300 posts in the two promotion ranks. Compared to an establishment of only 63 when the EPI grade was first created in 1979, the current establishment of the EPI grade had in fact increased by 10 times to cope with the increase in workload and expansion of job duties. This demonstrated

that there were other more appropriate and effective measures to address human resource-related issues than a GSR.;

- (e) GSRs were not a tool to address the concerns expressed by the deputations from staff unions of LCSD on the management of LCSD. In cases of unclear job duties or unclear division of responsibilities among different grades within a department, the departmental management should follow up and rectify the situation. As a clarification to an enquiry by a LCSD staff representative, "Park Keeper" was not a civil service grade but a title given to staff in the Workman I grade performing park-keeping duties; and
- (f) on the allegations that the Administration might be adopting double standards when handling requests for GSRs from the directorate and the disciplined services grades and requests from non-directorate civilian grades, it should be noted that to ensure that the pay of non-directorate civilian grades was broadly comparable to that of their private sector counterparts, the six-yearly Pay Level Surveys, and the three-yearly Starting Salaries Surveys were regularly conducted since 2006. Accordingly, the need to resort to GSRs for non-directorate civilian grades should only arise in exceptional circumstances. The Pay Level Surveys and the Starting Salaries Surveys could not cover the disciplined services grades and the directorate grades because of a lack of private market comparators. Hence, GSRs were considered necessary to separately examine the grade structures and the terms and conditions of service for the directorate grades and the disciplined services grades. In fact, a GSR for the directorate grade had not been conducted for more than 20 years before the one completed in 2009.

Discussion

18. Ms LI Fung-ying pointed out that the Administration's interpretation of the two criteria in assessing GSR requests was very different from that by civil servants. In particular, the fundamental change criterion could be arbitrarily and flexibly interpreted by the Administration to its advantage, so that as stated in the Administration's paper for this item (LC Paper No. CB(1)1858/10-11(03)), the evolution of job nature, job complexity and level of responsibilities of civil service

grades in response to policy initiatives, changes in attitudes and expectations of the community, technological advancement, etc would not constitute fundamental changes to justify conduct of GSRs for non-directorate civilian grades. To ensure fairness, she considered it necessary for the Administration to provide further details on how the fundamental change criterion would be applied in assessing GSR requests, preferably with quantifiable guidelines to facilitate objective assessment. Mr LEE Cheuk-yan echoed Ms LI's views.

19. SCS responded that there was difficulty in providing quantifiable guidelines for applying the fundamental change criterion but she assured members that every GSR request would be assessed on its own merits. For example, if a grade had all along been tasked with law enforcement work, even though the laws enforced had increased in number, the grade concerned would not be considered to have met the fundamental change criterion for conduct of a GSR. As such, although nearly all civil service grades had undergone different degree of changes in job nature, job complexity and level of responsibilities as a result of social changes, enactment of new legislation, and rising public aspiration for better quality public services, only a few grade reviews as elaborated below had been conducted in the past 20 to 30 years –

- (a) two GSRs had been conducted in 2008-2009 for the Veterinary Officer grade, and the Government Counsel grade and the related Legal Aid Counsel and Solicitor grades respectively. In both cases, the concerned grades had faced proven and persistent recruitment and retention difficulties but no fundamental changes to job nature; and
- (b) a comprehensive review of the Amenities Officer (AO) and Recreation and Sport Officer (RSO) grades was conducted in 2001 to rationalize the distinct but closely related responsibilities of the two grades. At the time, the AO grade was responsible for the management of recreation venues and facilities (the hardware), while the RSO grade was responsible for the promotion and organization of recreational activities and public sports programmes (the software). In view of the close operational inter-action between the “hardware” and the “software”, the need to enhance efficiency and productivity, and public demand for one-stop service with respect to the delivery of leisure services, the Administration considered a new mode of operation necessary and conducted a fundamental review of

the two grades. As a result, the two grades were merged into one and replaced by a new Leisure Services Manager grade.

Admin 20. SCS further invited members to note that apart from the present discussion paper, when the subject was last discussed by the Panel on 21 June 2010, a discussion paper (LC Paper No. CB(1)1911/09-10(05)) had been provided for members' reference. After that meeting, a supplementary paper (LC Paper No. CB(1)2900/09-10(01)) had also been provided as requested by Panel members. Nevertheless, SCS agreed to provide statistics on the recruitment and retention situation over the past five years of the non-directorate civilian grades with representatives attending this Panel meeting to present their views.

21. Mr WONG Kwok-hing urged the Administration to heed views on the fundamental change criterion from deputations, in particular those from LCSD, which in his view had apparently failed to address staff's concerns about changes in their job duties. Mr WONG also expressed concern that the importance of life-saving duties performed by government lifeguards was not commensurate with the title of their service grade, which was the Artisan grade. He also invited SCS to note the changes in government lifeguards' work which required the use of professional equipment and exercise of professional judgement, and that they were facing retention problem. He considered that government lifeguards' request for conduct of GSRs, as well as the GSR requests made by the Environmental Protection Inspectorate Association and the Government Park & Playground Keepers Union, were reasonable.

22. In response, SCS said that government lifeguards were placed under the Artisan grade and this should not be perceived as a derogatory treatment as the duties performed by civil servants in the Artisan grade were equally important and respectable. SCS further said that she was not convinced that government lifeguards' job nature, job complexity and level of responsibilities had undergone fundamental changes. She also did not see any recruitment and retention difficulties for the Artisan (Beach/Swimming Pool) stream.

23. Mr WONG Kwok-hing maintained that the Administration should reconsider his request for introducing a new Government Lifeguard grade in recognition of the professional nature of their work, and proposed that the Standing Commission on Civil Service Salaries and Conditions of Service be invited to discuss his request. The Chairman requested SCS to consider Mr WONG's views and request.

24. Mr LEUNG Kwok-hung considered that substantial increase in workload and work complexity could constitute fundamental changes in job nature/complexity and level of responsibilities. He considered it unacceptable that temporary lifeguards, including summer workers as pointed out by the deputations, were even recruited as lifeguards to perform such important work as life-saving duties. He called on the Administration to take early action to prevent staff's grievances so arising from culminating in demonstrations or strikes. SCS responded that the civil service worked as a team with strong solidarity and she believed that civil servants who had different views from the Government over GSR matters would not act in a way that would affect the provision of public services.

25. Mr LEE Cheuk-yan elaborated on the case of the Liaison Officer (LO) grade of the Home Affairs Department, which had been calling for a GSR on grounds that there was a need for higher entry requirements in response to changes in the grade's job duties, which had become much more complicated as a result of evolvement of building management legislation and higher frequency of public engagements as compared with before. He maintained that the Administration had failed to explain clearly the considerations behind the use of the fundamental change criterion, and proposed that the Panel could consider forming a subcommittee to follow up on the matter. He also considered it unfair that the Administration had failed to take into account the many changes in the work complexity (e.g. use of sophisticated life-saving equipment was required now) faced by the government lifeguards in considering their requests for development into a professional grade, like the case of the Ambulancemen grade.

26. In response, SCS made the following points –

- (a) nearly all civil service grades had undergone changes similar to those highlighted by Mr LEE Cheuk-yan above because of rising aspiration of the community and greater demand for a more proactive and participatory approach in policy formulation. Examples included the engagement of government town planners in District Council meetings and of government engineers in public consultations, as well as changes in the operational mode of the Clerical Officer grade which had to make frequent use of computers now. However, to cope with changes in work demands faced by any civil service grade, the Administration would enhance

training and provide additional manpower where justified so as to equip the staff concerned with the required skills and knowledge to meet new service needs; and

- (b) there were already three advisory bodies on civil service salaries and conditions of service tendering independent advice to the Administration. Where non-directorate civilian grades were concerned, the relevant advisory body was the Standing Commission on Civil Service Salaries and Conditions of Service. Individual non-directorate civilian grades could request the Standing Commission to conduct a GSR for them. The Standing Commission, being an independent body, would on its own volition, assess whether such GSR requests were justified.

V Overview of civil service disciplinary matters

(LC Paper No. CB(1) 1858/10-11(05) - Administration's paper on overview of civil service disciplinary matters

LC Paper No. CB(1) 691/10-11 - Updated background brief on disciplinary mechanism and proposed amendments to disciplined services legislation)

27. SCS briefed members on an overview of the civil service disciplinary mechanism and the updated figures on punishments imposed.

28. Ms LI Fung-ying referred to Annex B to the Administration's paper for this item (LC Paper No. CB(1)1858/10-11(05)), which provided a breakdown on dismissal cases processed under the Public Service (Administration) Order (PS(A)O) and the Disciplined Services Legislation (DSL) respectively, and asked the Administration to explain why, although the number of civil servants subject to PS(A)O doubled that subject to DSL, the number of dismissal cases involving the latter nearly doubled that involving the former.

29. SCS responded that the above situation might have resulted from the high standard of integrity and probity expected of civil servants in the disciplined services grades who held positions of trust and law enforcement. Moreover, certain disciplinary offences were unique to disciplined services departments, e.g. cowardice in the performance of

Admin duty. As for civil servants in the civilian grades, departments with a large number of staff performing frontline duties (such as LCSD, the Food and Environmental Hygiene Department, the Hongkong Post, the Department of Health, etc.) would usually account for a bigger share of dismissal cases. SCS said that she would provide further information after the meeting.

30. In response to the Chairman's enquiry, SCS further explained that because of the unique operational requirements of the six disciplined services departments, the management of disciplined services grades was different from that of civilian grades. For example, owing to the need to ensure proper management of inmates under the care of the Correctional Services Department, staff of the Department who treated inmates in a manner contrary to statutory requirements and administrative guidelines could render themselves liable to disciplinary proceedings with serious consequences.

Admin 31. The Chairman noted that there had been no dismissal cases for directorate civil servants, and asked whether equally stringent standards were applied to them. SCS responded that all civil servants were treated equally under the civil service disciplinary mechanism regardless of their grades and ranks. Since senior civil servants were expected to lead by example, it was the Administration's policy that a higher ranking civil servant would normally receive a heavier punishment than a junior civil servant found guilty of the same misconduct or criminal offence. She undertook to provide the numbers and types of disciplinary punishments imposed on directorate civil servants during the period from 2006-2007 to 2010-2011.

32. The Chairman enquired about the approach taken by the Administration in dealing with the case of a senior officer of EPD who had reportedly browsed pornographic websites during office hours. SCS responded that while she would not comment on individual cases, the Administration would investigate and examine the circumstances of each disciplinary case. Where a misconduct was established against a civil servant, the disciplinary authority would consider the level of punishment having regard to a host of factors, such as the nature and gravity of the misconduct, the rank and service and disciplinary record of the civil servant concerned, etc.

33. In response to the Chairman on how indebtedness of civilian civil servants would be handled, SCS said that she could not recall having come across any case of civilian civil servants being subject to formal

Admin disciplinary actions solely because they had become insolvent or bankrupt. She undertook to advise whether there were any such cases and if so, provide the relevant details.

VI Any other business

34. There being no other business, the meeting ended at 12:30 pm.

Council Business Division 1
Legislative Council Secretariat
15 June 2011