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Legislative Council

LC Paper No. CB(4)222/13-14(04)

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Panel on Public Service
Meeting on 16 December 2013

Updated background brief on the
employment situation of non-civil service contract staff

Purpose

This paper provides background information on the employment situation of non-civil service contract ("NCSC") staff and summarizes the major views and concerns expressed by members when the subject was discussed by the Panel on Public Service ("the Panel").

Background

The NCSC Staff Scheme

2. According to the Administration¹, the NCSC Staff Scheme was introduced in 1999 to provide Permanent Secretaries and Heads of Departments ("HoDs") with a flexible means of employment to respond more promptly to changing operational and service needs of Bureaux/Departments/Offices ("B/Ds") –

- (a) which may be time-limited, seasonal, or subject to market fluctuations;
- (b) which require staff to work less than conditioned hours;
- (c) which require tapping the latest expertise in a particular area; or
- (d) where the mode of service delivery is under review or likely to be changed.

3. The terms of employment of NCSC staff are separate and different from those of civil servants. HoDs may determine the appropriate employment package for their NCSC staff having regard to the work involved, the labour market and other relevant considerations, provided that the terms offered are

¹ LC Paper No. CB(4)209/12-13(03)

overall speaking no less favourable than those prescribed under the Employment Ordinance (Cap. 57) and no more favourable than those applicable to civil servants in comparable civil service ranks or with comparable levels of responsibilities where they exist.

4. To ensure that the employment of NCSC staff by B/Ds fully complies with the ambit of the NCSC Staff Scheme, the Administration introduced in November 2006 certain improvement measures for the engagement and management of NCSC staff. These measures include setting a ceiling for the number of NCSC staff for each B/D in the light of specific operational needs, and requiring a B/D to seek approval from the Civil Service Bureau ("CSB") for the employment of NCSC staff above the prescribed ceiling.

Statistics on the employment of NCSC staff

5. The total numbers of full-time NCSC staff employed by B/Ds in the years from 2001 to 2012 are as follows:

<u>Year</u>	<u>Number of full-time NCSC staff</u>
<i>(as at 1 November)</i>	
2001	11 244
2002	13 701
2003	16 147
2004	14 807
2005	15 687
2006	16 488
2007	16 960
<i>(as at 31 December)</i>	
2008	14 608
<i>(as at 30 June)</i>	
2009	16 186
2010	15 867
2011	14 818
2012	14 535

Further statistics on the employment of full-time NCSC staff as at 30 June 2012 are set out in **Appendices I to V** as follows –

- Appendix I** Employment of NCSC staff by B/Ds
- Appendix II** A breakdown by contract duration on the number of NCSC staff employed by B/Ds
- Appendix III** A breakdown by salary range on the number of NCSC staff employed by B/Ds
- Appendix IV** Employment of NCSC staff by B/Ds with continuous service of 5 years or more
- Appendix V** Reasons of employment of NCSC staff by the 8 largest NCSC staff-user B/Ds

Replacement of NCSC positions by civil service posts

6. In a special review conducted by CSB jointly with B/Ds in 2006 ("the 2006 Review"), some 4 000 NCSC positions were identified as suitable for replacement by civil service posts. During the period between the 2006 Review and June 2012, another 1 800 NCSC positions were identified by B/Ds as suitable for replacement by civil service posts. As at 30 June 2012, a total of 5 084 NCSC positions had been phased out and replaced by civil servant posts. A breakdown of these 5 084 phased-out NCSC positions by B/Ds is at **Appendix VI**.

7. According to the Administration², among the 14 535 full-time NCSC staff employed by B/Ds as at 30 June 2012, 52% (7 542 in number) of the relevant NCSC positions were considered not suitable for replacement by civil service posts for the following reasons –

- (a) the service needs were time-limited or seasonal;
- (b) the service needs required staff to work less than the conditioned hours; or
- (c) it was necessary to tap the latest expertise in the market to meet the relevant B/Ds' special and changing operational needs.

A breakdown of the 7 542 NCSC positions by B/Ds and justifications for not being replaced by civil service posts is at **Appendix VII**.

² LC Paper No. CB(4)928/12-13(01)

8. As regards the remaining 48% (6 993 in number) of NCSC staff as at 30 June 2012, the Administration advised that they were employed mainly to provide various services where the mode of service delivery was under review or likely to be changed, or to meet service needs which was subject to unpredictable market changes from time to time. B/Ds were required to keep the employment of these NCSC staff under regular review and, where appropriate, seek to replace NCSC positions with civil service posts. The approved Estimates of Expenditure 2013-14 provided 460 civil service posts for replacing NCSC positions.

Discussions of the Panel

9. The major concerns and views expressed by Panel members and the Administration's relevant responses during the discussions of the subject by the Panel are summarized in the ensuing paragraphs.

Conversion of NCSC positions to civil service posts

10. Noting that as at 30 June 2012, 4 741 NCSC staff had been on continuous service for five years or more, and some of them even had been working in the same positions for more than 10 years, members considered the situation unacceptable. They urged the Administration to devise a mechanism for converting the long-term NCSC positions to civil service posts and to consider appointing those NSCS staff who had relatively long service years as civil servants.

11. The Administration advised that review on the employment of NCSC staff was an ongoing process and the conversion to civil service posts had been carried out progressively. The duration of the NSCS positions was not the most important consideration for conversion. The Administration needed to consider other factors such as the stability and long-term need of the service. For those NCSC positions which were suitable to be replaced by civil service posts, the pace of conversion was subject to the availability of resources to the relevant B/Ds as determined in the resources allocation exercise conducted each year.

12. Regarding the suggestion of appointing NCSC staff with relatively long service years as civil servants, the Administration responded that the Government's recruitment policy was fair competition and meritocracy. NCSC staff who met the basic entry requirements of the concerned civil service posts would generally enjoy a competitive edge over other applicants because of their relevant working experience.

The terms and conditions of service for NCSC staff

13. Members expressed concern that NCSC staff were receiving less favourable terms and conditions of service than their civil service counterparts doing the same job. They requested the Administration to improve the remuneration packages for NCSC staff and consider relaxing the existing rule that the salaries of NCSC staff should not exceed the salary mid-point of comparable civil service ranks. A member suggested that CSB should take over the management of NCSC staff from individual B/Ds so as to better safeguard the rights of NCSC staff.

14. The Administration responded that it was not appropriate to compare the terms and conditions of employment of NCSC staff with that of civil servants, as they were two distinct types of employment. Apart from complying with the Employment Ordinance (Cap. 57) and the guiding principles for employing NCSC staff, B/Ds were also required to ensure the competitiveness of the terms and conditions of service of the NCSC positions so as to be able to recruit persons of suitable calibre and to retain suitable NCSC staff. Since each B/Ds had its own specific operational needs, it would be more appropriate for B/Ds to manage their own NCSC staff.

Employment of NCSC staff by trading fund departments and certain B/Ds

15. Members noted with grave concern that large numbers of NCSC staff were being employed by the five departments operating as trading funds³. Some members pointed out that B/Ds operating as trading funds had to operate in a commercial manner and thus had employed a large number of NCSC staff in order to save costs. They called on the Administration to review the policy on trading funds.

16. The Administration advised that trading fund departments were subject to the same monitoring control as other B/Ds, save the absence of a cap on the number of NCSC staff to be employed having regard to the fact that trading fund departments required more flexibility in staff engagement to cater for business fluctuations. Nonetheless, same as other B/Ds, they were required to review their engagement of NCSC staff to ensure that the engagement fitted the ambit of the scheme.

17. Apart from those departments operating as trading funds, some members were concerned about the large numbers of NCSC staff employed by the Education Bureau, the Buildings Department and the Radio Television Hong

³ Of the 3 967 NCSC staff employed by the 5 trading fund departments, 2 073 staff were employed in Hongkong Post, 1 579 in Electrical and Mechanical Services Department, 129 in Office of the Communications Authority, 118 in Land Registry and 68 in Companies Registry.

Kong. At their requests, the Administration provided in July 2013 supplementary information in respect of the NCSC staff employed by these B/Ds⁴.

Provision of incremental credits to NCSC staff

18. While recognizing the need to uphold the principle of fairness and openness in the recruitment process, some members considered it unreasonable not to take into account the years of service of NCSC staff for the provision of incremental credits when they successfully applied for civil service posts. The Administration explained that under existing policy, incremental credits for experience might be granted to newly recruited civil servants (including former NCSC staff) only when there was difficulty in recruiting the required qualified candidate or when there was a specific need to recruit person with relevant working experience. Incremental credits would not be granted simply on the basis of their years of service in the Government as NCSC staff.

Council questions

19. Hon Mrs Regina IP asked an oral question on the employment of NCSC staff at the Council meeting of 6 February 2013. At the Council meeting of 19 June 2013, Hon Mr TANG Ka-piu asked a written question on the disbursement of severance payments, long service payments and gratuities to NCSC staff. The hyperlinks to the relevant Hansards are provided in **Appendix VIII**.

Latest development

20. The Administration will update the Panel on the employment situation of NCSC staff at the Panel meeting on 16 December 2013.

Relevant papers

21. A list of relevant papers is set out in **Appendix VIII**.

Council Business Division 4
Legislative Council Secretariat
12 December 2013

⁴ LC Paper No. CB(4)928/12-13(01)

Annex A

**Employment of Full-time NCSC Staff
by Bureau/Department/Office
(Position as at 30.6.2012)**

Bureau/Department/Office	Number of NCSC Staff
Agriculture, Fisheries and Conservation Department	302
Architectural Services Department	36
Buildings Department	438
Census and Statistics Department	207
Chief Executive's Office	7
Chief Secretary and Financial Secretary's Office (including the Efficiency Unit)	377
Civil Aviation Department	23
Civil Engineering and Development Department	75
Civil Service Bureau	1
Commerce and Economic Development Bureau	34
Companies Registry	68
Constitutional and Mainland Affairs Bureau	11
Correctional Services Department	7
Customs and Excise Department	17
Department of Health	861
Department of Justice	55
Development Bureau	39
Drainage Services Department	74
Education Bureau	1 234
Electrical and Mechanical Services Department	1 579
Environment Bureau	6
Environmental Protection Department	109
Financial Services and the Treasury Bureau	58
Fire Services Department	61
Food and Environmental Hygiene Department	323
Food and Health Bureau	17
Government Flying Service	12
Government Laboratory	30
Government Logistics Department	44
Government Property Agency	8
Highways Department	28
Home Affairs Bureau	56
Home Affairs Department	402
Hong Kong Observatory	24
Hong Kong Police Force	115
Hongkong Post	2 073
Immigration Department	83
Information Services Department	16

Bureau/Department/Office	Number of NCSC Staff
Inland Revenue Department	168
Innovation and Technology Commission	54
Intellectual Property Department	12
Invest Hong Kong	58
Judiciary	113
Labour and Welfare Bureau	25
Labour Department	225
Land Registry	118
Lands Department	216
Legal Aid Department	6
Leisure and Cultural Services Department	1 981
Marine Department	19
Office of the Communications Authority	129
Office of the Government Chief Information Officer	18
Official Receiver's Office	49
Planning Department	21
Radio Television Hong Kong	357
Rating and Valuation Department	68
Registration and Electoral Office	791
Security Bureau	19
Social Welfare Department	231
Student Financial Assistance Agency	533
Trade and Industry Department	86
Transport and Housing Bureau	5
Transport Department	136
Treasury	47
University Grants Committee Secretariat	20
Water Supplies Department	120
Total	14 535

Source: Annex A of LC Paper No. CB(4)209/12-13(03)

**Number of full-time NCSC staff employed by bureau/department/office
by contract duration
(position as at 30.6.2012)**

Bureau/Department/Office	Length of current contract			
	< 1 year	1 - < 2 years	2 - ≤ 3 years	Total
Hongkong Post	196	1 868	9	2 073
Leisure and Cultural Services Department	1 053	881	47	1 981
Electrical and Mechanical Services Department	17	656	906	1 579
Education Bureau	251	877	106	1 234
Department of Health	381	473	7	861
Registration and Electoral Office	759	32	-	791
Student Financial Assistance Agency	101	431	1	533
Buildings Department	-	438	-	438
Home Affairs Department	51	329	22	402
Chief Secretary and Financial Secretary's Office (including the Efficiency Unit)	8	352	17	377
Radio Television Hong Kong	52	304	1	357
Food and Environmental Hygiene Department	19	298	6	323
Agriculture, Fisheries and Conservation Department	102	199	1	302
Social Welfare Department	13	217	1	231
Labour Department	7	218	-	225
Lands Department	10	206	-	216
Census and Statistics Department	113	94	-	207
Inland Revenue Department	147	21	-	168
Transport Department	5	131	-	136
Office of the Communications Authority	7	58	64	129
Water Supplies Department	2	100	18	120
Land Registry	1	111	6	118
Hong Kong Police Force	6	107	2	115
Judiciary	103	9	1	113
Environmental Protection Department	5	94	10	109
Trade and Industry Department	8	74	4	86
Immigration Department	69	14	-	83
Civil Engineering and Development Department	-	68	7	75
Drainage Services Department	2	56	16	74
Companies Registry	54	13	1	68
Rating and Valuation Department	2	64	2	68
Fire Services Department	9	41	11	61
Financial Services and the Treasury Bureau	1	56	1	58
Invest Hong Kong	-	2	56	58
Home Affairs Bureau	30	22	4	56
Department of Justice	10	45	-	55
Innovation and Technology Commission	-	10	44	54
Official Receiver's Office	27	22	-	49
Treasury	5	39	3	47
Government Logistics Department	-	44	-	44
Development Bureau	5	23	11	39
Architectural Services Department	-	36	-	36
Commerce and Economic Development Bureau	-	11	23	34
Government Laboratory	6	24	-	30
Highways Department	-	17	11	28
Labour and Welfare Bureau	-	11	14	25
Hong Kong Observatory	3	21	-	24
Civil Aviation Department	-	14	9	23
Planning Department	1	19	1	21
University Grants Committee Secretariat	-	20	-	20
Marine Department	-	14	5	19
Security Bureau	1	18	-	19
Office of the Government Chief Information Officer	1	11	6	18
Customs and Excise Department	3	14	-	17
Food and Health Bureau	1	12	4	17
Information Services Department	-	16	-	16
Government Flying Service	-	-	12	12
Intellectual Property Department	-	12	-	12
Constitutional and Mainland Affairs Bureau	2	6	3	11
Government Property Agency	1	7	-	8
Chief Executive's Office	4	-	3	7
Correctional Services Department	-	2	5	7
Environment Bureau	-	4	2	6
Legal Aid Department	1	5	-	6
Transport and Housing Bureau	1	4	-	5
Civil Service Bureau	-	1	-	1
Total	(Note) 3 656	(Note) 9 396	1 483	14 535

Note

The number of full-time NCSC staff employed with a contract period of less than one year and those with a contract period between one year and less than two years as reported in the LC Paper No. CB(4) 209/12-13(03) were 3 867 and 9 185 respectively. Upon further verification, the respective figures should read 3 656 and 9 396.

Source: Annex B of LC Paper No. CB(4)337/12-13(01)

Number of full-time NCSC staff employed by bureau/department/office
by salary range
(position as at 30.6.2012)

Bureau/Department/Office	Monthly salary					Total
	\$30,000 or above	\$16,000 - \$29,999	\$8,000 - \$15,999	\$5,000 - \$7,999	Others	
Hongkong Post	29	16	1 020	775	233	2 073
Leisure and Cultural Services Department	70	263	1 642	6	-	1 981
Electrical and Mechanical Services Department	136	556	749	138	-	1 579
Education Bureau	154	137	941	2	-	1 234
Department of Health	55	50	756	-	-	861
Registration and Electoral Office	14	77	700	-	-	791
Student Financial Assistance Agency	9	117	407	-	-	533
Buildings Department	78	90	270	-	-	438
Home Affairs Department	13	53	336	-	-	402
Chief Secretary and Financial Secretary's Office (including the Efficiency Unit)	31	87	259	-	-	377
Radio Television Hong Kong	59	158	140	-	-	357
Food and Environmental Hygiene Department	7	67	249	-	-	323
Agriculture, Fisheries and Conservation Department	29	20	253	-	-	302
Social Welfare Department	8	34	140	49	-	231
Labour Department	3	79	143	-	-	225
Lands Department	65	25	126	-	-	216
Census and Statistics Department	21	5	181	-	-	207
Inland Revenue Department	-	9	49	110	-	168
Transport Department	10	29	97	-	-	136
Office of the Communications Authority	21	55	53	-	-	129
Water Supplies Department	17	23	80	-	-	120
Land Registry	12	17	86	3	-	118
Hong Kong Police Force	47	23	45	-	-	115
Judiciary	7	-	106	-	-	113
Environmental Protection Department	37	36	36	-	-	109
Trade and Industry Department	23	35	28	-	-	86
Immigration Department	5	11	67	-	-	83
Civil Engineering and Development Department	24	23	28	-	-	75
Drainage Services Department	20	32	22	-	-	74
Companies Registry	3	6	59	-	-	68
Rating and Valuation Department	13	7	48	-	-	68
Fire Services Department	10	9	42	-	-	61
Financial Services and the Treasury Bureau	22	27	9	-	-	58
Invest Hong Kong	49	4	5	-	-	58
Home Affairs Bureau	5	27	24	-	-	56
Department of Justice	27	2	26	-	-	55
Innovation and Technology Commission	41	11	2	-	-	54
Official Receiver's Office	6	26	17	-	-	49
Treasury	23	16	8	-	-	47
Government Logistics Department	-	2	37	4	1	44
Development Bureau	29	8	2	-	-	39
Architectural Services Department	25	10	1	-	-	36
Commerce and Economic Development Bureau	14	14	6	-	-	34
Government Laboratory	7	2	21	-	-	30
Highways Department	18	6	4	-	-	28
Labour and Welfare Bureau	9	14	2	-	-	25
Hong Kong Observatory	-	24	-	-	-	24
Civil Aviation Department	16	4	3	-	-	23
Planning Department	6	11	4	-	-	21
University Grants Committee Secretariat	7	7	6	-	-	20
Marine Department	3	7	9	-	-	19
Security Bureau	3	-	16	-	-	19
Office of the Government Chief Information Officer	9	4	5	-	-	18
Customs and Excise Department	1	4	12	-	-	17
Food and Health Bureau	3	10	4	-	-	17
Information Services Department	11	5	-	-	-	16
Government Flying Service	11	1	-	-	-	12
Intellectual Property Department	6	4	2	-	-	12
Constitutional and Mainland Affairs Bureau	5	4	2	-	-	11
Government Property Agency	1	4	3	-	-	8
Chief Executive's Office	-	4	3	-	-	7
Correctional Services Department	-	5	2	-	-	7
Environment Bureau	2	3	1	-	-	6
Legal Aid Department	-	-	6	-	-	6
Transport and Housing Bureau	-	-	5	-	-	5
Civil Service Bureau	1	-	-	-	-	1
Total	1 390	2 419	9 405	1 087	234	14 535

(Note 1)

(Note 2)

(Note 1)

Of the 1 087 NCSC staff who received monthly pay between \$5,000 to \$7,999, 71% were NCSC staff engaged by Hongkong Post and were remunerated on a daily/hourly basis. They were Workers and Sorting Office Assistants who received an hourly rate of at least \$44 per hour. Another 13% were engaged by Electrical and Mechanical Services Department as apprentices with a monthly pay of \$6,315. The NCSC apprentices are engaged under the Technician Training Scheme which aims to provide a three-year engineering skill training program to Secondary 3 and Secondary 5 school leavers who have finished one-year fundamental programme of relevant field at the Vocational Training Council. The Scheme offers on-the-job training in various disciplines covering electrical, mechanical, air-conditioning, vehicle as well as electronics. The NCSC apprentices are required to provide various kinds of services such as clerical, IT, technical/ inspectorate and customer service support to the Electrical and Mechanical Services Trading Fund. Another 10% were Temporary Junior Clerks engaged by Inland Revenue Department to undertake clerical duties to cope with short-term projects such as issue of various tax returns, tax return collection and assessment peaks. Their hourly rate was above \$28 per hour.

(Note 2)

All these 234 NCSC staff were remunerated on a hourly basis. Their monthly salary varied according to the number of hours actually worked. 233 staff members were engaged by Hongkong Post. They were Workers and Sorting Office Assistants whose hourly wage rate was at least \$44 per hour. The remaining one was a Printing Machine Operator engaged by Government Logistics Department. His hourly wage was \$72.5 per hour.

Source: Annex C of LC Paper No. CB(4)337/12-13(01)

**Employment of full-time NCSC staff by bureau/department/office
with continuous service of five years or more
(position as at 30.6.2012)**

Bureau/Department/Office (B/D)	No. of NCSC staff with five years or more continuous service (a)	No. of NCSC staff with five years or more continuous service	
		engaged in different positions within the same B/D (b)	engaged in the same position within the same B/D (c) = (a) - (b)
Hongkong Post	1 233	59	1 174 (Note 1)
Electrical and Mechanical Services Department	740	663	77 (Note 2)
Leisure and Cultural Services Department	523	188	335 (Note 3)
Department of Health	406	21	385 (Note 4)
Education Bureau	233	103	130 (Note 5)
Student Financial Assistance Agency	165	45	120 (Note 6)
Radio Television Hong Kong	135	27	108 (Note 7)
Buildings Department	127	43	84 (Note 8)
Social Welfare Department	126	27	99 (Note 9)
Agriculture, Fisheries and Conservation Department	116	4	112 (Note 10)
Food and Environmental Hygiene Department	91	34	57
Chief Secretary and Financial Secretary's Office (including the Efficiency Unit)	85	61	24
Labour Department	74	39	35
Hong Kong Police Force	66	7	59
Office of the Communications Authority	52	10	42
Transport Department	44	3	41
Water Supplies Department	44	3	41
Immigration Department	43	40	3
Land Registry	41	-	41
Invest Hong Kong	37	3	34
Home Affairs Department	32	2	30
Judiciary	32	25	7
Civil Engineering and Development Department	27	-	27
Registration and Electoral Office	21	4	17
Trade and Industry Department	20	13	7
Drainage Services Department	17	3	14
Government Logistics Department	16	1	15
Innovation and Technology Commission	16	4	12
Companies Registry	15	4	11
Inland Revenue Department	14	14	-
Environmental Protection Department	13	4	9
Rating and Valuation Department	13	-	13
Fire Services Department	12	1	11
Official Receiver's Office	12	-	12
Information Services Department	11	1	10
Treasury	9	4	5
Financial Services and the Treasury Bureau	8	-	8
Census and Statistics Department	6	5	1
Planning Department	6	3	3
Commerce and Economic Development Bureau	5	2	3
Department of Justice	5	-	5
Highways Department	5	-	5
Home Affairs Bureau	5	2	3
Intellectual Property Department	5	3	2
Government Laboratory	4	-	4
Office of the Government Chief Information Officer	4	-	4
University Grants Committee Secretariat	4	-	4

Bureau/Department/Office (B/D)	No. of NCSC staff with five years or more continuous service (a)	No. of NCSC staff with five years or more continuous service	
		engaged in different positions within the same B/D (b)	engaged in the same position within the same B/D (c) = (a) - (b)
Chief Executive's Office	3	-	3
Civil Aviation Department	3	1	2
Food and Health Bureau	3	1	2
Marine Department	3	-	3
Constitutional and Mainland Affairs Bureau	2	-	2
Hong Kong Observatory	2	1	1
Labour and Welfare Bureau	2	1	1
Customs and Excise Department	1	-	1
Development Bureau	1	-	1
Government Flying Service	1	1	-
Lands Department	1	1	-
Security Bureau	1	-	1
Architectural Services Department	-	-	-
Civil Service Bureau	-	-	-
Correctional Services Department	-	-	-
Environment Bureau	-	-	-
Government Property Agency	-	-	-
Legal Aid Department	-	-	-
Transport and Housing Bureau	-	-	-
Total	4 741	1 481	3 260

(Note 1)

Around 56% of the 1 174 NCSC staff who had been working in the same position in **Hongkong Post** for five years or more worked less than the conditioned hours required of civil servants. These staff were mainly involved in sorting, loading and unloading of mails. The remaining were engaged in providing marketing, sales and over-the-counter services, the need for which was subject to unpredictable market changes from time to time.

(Note 2)

Of the 77 NCSC staff who had been working in the same position in **Electrical and Mechanical Services Department (EMSD)** for five years or more, the Department retained them so long as their experience and expertise commensurate with the operational needs of the Electrical and Mechanical Services Trading Fund. EMSD will convert those NCSC positions the service need of which is identified as long-term into civil service posts in phases.

(Note 3)

Among the 335 NCSC staff who had been working in the same position in **Leisure and Cultural Services Department** for five years or more, some 92% were engaged in services which were/are under review, such as frontline and support services in public libraries, training and support services in the Music Office and stage management and support services. The remainder were mainly IT staff engaged either to meet short-term service needs or to tap their market expertise to maintain the IT systems in the Department, or to serve as a stop-gap measure pending phasing out of the NCSC positions and their replacement by civil service posts as identified in the 2006 special review.

(Note 4)

About 69% of the 385 NCSC staff who had been working in the same position in **Department of Health** for five years or more were employed to support the stepping up of port health surveillance measures at the immigration control points and the mode of operation of which is under review. The remainder were deployed either to meet time-limited requirements, such as control and regulation of Chinese medicines and related enforcement work, or to serve as a stop-gap measure pending phasing out of the NCSC positions and their replacement by civil service posts as identified in the 2006 special review.

(Note 5)

Among the 130 NCSC staff who had been working in the same position in **Education Bureau** for five years or more, some 75% were employed by government schools under the school-based management initiative. The remainder were employed to support various time-limited projects, such as Task Force on Language Support endorsed by the Standing Committee on Language Education and Research and funded by Language Fund since September 2003.

(Note 6)

The 120 NCSC staff who had been working in the same position in **Student Financial Assistance Agency** for five years or more were employed to undertake work the mode of operation of which would likely to be changed upon the phased implementation of a new integrated information technology system from 2013-14 to 2015-16.

(Note 7)

The 108 NCSC staff who had been working in the same position in **Radio Television Hong Kong** for five years or more were engaged to tap the latest expertise in the information technology, film production and journalism fields.

(Note 8)

The 84 NCSC staff who had been working in the same position in **Buildings Department** for five years or more were engaged to meet time-limited service needs, such as the removal of unauthorised works-in-progress and the provision of administrative/IT support for various divisions/offices.

(Note 9)

The 99 NCSC staff who had been working in the same position in **Social Welfare Department** for five years or more were engaged in services under review/to be outsourced, including Community Work Organizers engaged by the Department since 1999 to assist in the implementation of the Support for the Self-reliance Scheme. Their work has been outsourced with effect from 1 January 2013.

(Note 10)

The 112 NCSC staff who had been working in the same position in **Agriculture, Fisheries and Conservation Department** for five years or more were engaged to meet service needs the mode of service delivery of which was under review or likely to be changed, such as cleansing and maintenance services in country parks.

Source: Annex A of LC Paper No. CB(4)337/12-13(01)

A breakdown of the reasons for the employment of NCSC staff by the 8 largest NCSC staff-user bureau/departments

Reasons	No. of Full-time NCSC staff as at 30.6.2012							
	Hongkong Post	Leisure and Cultural Services Department	Electrical and Mechanical Services Department	Education Bureau	Department of Health	Registration and Electoral Office	Student Financial Assistance Agency	Buildings Department
To meet service needs that require staff to work less than the conditioned hours required of civil servants	1 035	--	--	6	9	--	--	--
To meet service needs that are subject to market fluctuation	1 038	--	1 326	--	--	--	--	--
To meet service needs that are time-limited or seasonal in nature	--	1 264	249	292	121	791	210	390
To meet service needs where the mode of delivery of the service is under review or likely to be changed	--	682	--	31	724	--	323	48
To tap the latest expertise in the market	--	30	4	19	--	--	--	--
To undertake work that should more appropriately be performed by civil servants as identified in the 2006 Special Review (Note)	--	5	--	--	7	--	--	--

Reasons	No. of Full-time NCSC staff as at 30.6.2012							
	Hongkong Post	Leisure and Cultural Services Department	Electrical and Mechanical Services Department	Education Bureau	Department of Health	Registration and Electoral Office	Student Financial Assistance Agency	Buildings Department
To meet the unique operational needs in government schools under school-based management initiatives	--	--	--	886	--	--	--	--
Total:	2 073	1 981	1 579	1 234	861	791	533	438

Note:

The NCSC positions concerned will be phased out having regard to the end-date of the existing employment contracts and the lead-time for filling the replacement civil service posts.

Source: Annexes E1 to E8 of LC Paper No. CB(4)209/12-13(03)

Annex D

**Breakdown of 5084 phased-out NCSC positions
by bureau/department/office
(position as at 30.6.2012)**

Bureau/Department/Office	No. of NCSC positions
Leisure and Cultural Services Department	909
Food and Environmental Hygiene Department	671
Department of Health	623
Social Welfare Department	491
Student Financial Assistance Agency	203
Education Bureau	195
Immigration Department	190
Home Affairs Department	162
Highways Department	145
Buildings Department	144
Water Supplies Department	123
Judiciary	121
Labour Department	110
Inland Revenue Department	104
Agriculture, Fisheries and Conservation Department	98
Hong Kong Police Force	95
Drainage Services Department	85
Transport Department	59
Customs and Excise Department	55
Lands Department	46
Fire Services Department	42
Intellectual Property Department	36
Government Laboratory	35
Department of Justice	34
Civil Engineering and Development Department	26
Electrical and Mechanical Services Department	21
Marine Department	21
Environmental Protection Department	19
Census and Statistics Department	17
Office of the Government Chief Information Officer	15
Land Registry	13
Legal Aid Department	13
Planning Department	13
Rating and Valuation Department	13
Trade and Industry Department	13
Registration and Electoral Office	11
Government Logistics Department	10
Civil Aviation Department	9
Radio Television Hong Kong	9
Commerce and Economic Development Bureau	8
Office of the Communications Authority	8

Bureau/Department/Office	No. of NCSC positions
Chief Secretary and Financial Secretary's Office (including the Efficiency Unit)	7
Government Flying Service	7
Treasury	7
Audit Commission	6
Correctional Services Department	5
Home Affairs Bureau	5
University Grants Committee Secretariat	5
Development Bureau	4
Innovation and Technology Commission	4
Constitutional and Mainland Affairs Bureau	3
Food and Health Bureau	3
Civil Service Bureau	2
Companies Registry	2
Financial Services and the Treasury Bureau	2
Information Services Department	2
Transport and Housing Bureau	2
Auxiliary Medical Service	1
Environment Bureau	1
Security Bureau	1
Total	5 084

Note: The NCSC positions were phased out by creation of civil service posts, filling of existing civil service vacancies or re-grading of existing civil service vacancies.

Source: Annex D of LC Paper No. CB(4)337/12-13(01)

**Breakdown by bureaux / departments (B/Ds) and
justifications for NCSC positions which cannot be converted to civil service posts
(position as at 30.6.2012)**

B/Ds	Justifications for non-conversion			
	To meet service needs that are short-term or time-limited or seasonal in nature	To meet service needs that require staff to work less than the conditioned hours required of civil servants	To tap the latest expertise in the market to meet B/D's special and changing operational needs	Total number of NCSC positions which cannot be converted to civil service posts
	A	B	C	D = A + B + C
Agriculture, Fisheries and Conservation Department	188	1	-	189
Architectural Services Department	36	-	-	36
Buildings Department	390	-	-	390
Census and Statistics Department	207	-	-	207
Chief Executive's Office	7	-	-	7
Chief Secretary and Financial Secretary's Offices (including the Efficiency Unit)	31	-	14	45
Civil Aviation Department	23	-	-	23
Civil Engineering and Development Department	30	-	-	30
Civil Service Bureau	-	1	-	1
Commerce and Economic Development Bureau	32	-	2	34
Companies Registry	23	-	-	23
Constitutional and Mainland Affairs Bureau	8	-	1	9
Correctional Services Department	7	-	-	7
Customs and Excise Department	17	-	-	17
Department of Health	121	9	-	130
Department of Justice	43	-	-	43
Development Bureau	11	-	8	19
Drainage Services Department	74	-	-	74
Education Bureau	292	6	19	317
Electrical and Mechanical Services Department	249	-	4	253
Environment Bureau	6	-	-	6
Environmental Protection Department	108	-	1	109
Financial Services and the Treasury Bureau	-	-	1	1
Fire Services Department	7	1	-	8
Food and Environmental Hygiene Department	87	8	3	98
Food and Health Bureau	16	-	-	16
Government Flying Service	11	-	1	12
Government Laboratory	30	-	-	30
Government Logistics Department	1	18	5	24
Government Property Agency	8	-	-	8
Highways Department	28	-	-	28
Home Affairs Bureau	51	-	2	53
Home Affairs Department	68	-	43	111
Hong Kong Observatory	24	-	-	24
Hong Kong Police Force	4	-	1	5
Hongkong Post	-	1 035	-	1 035
Immigration Department	77	-	-	77
Information Services Department	6	-	10	16
Inland Revenue Department	168	-	-	168

B/Ds	Justifications for non-conversion			
	To meet service needs that are short-term or time-limited or seasonal in nature	To meet service needs that require staff to work less than the conditioned hours required of civil servants	To tap the latest expertise in the market to meet B/D's special and changing operational needs	Total number of NCSC positions which cannot be converted to civil service posts
	A	B	C	D = A + B + C
Innovation and Technology Commission	4	-	33	37
Intellectual Property Department	4	-	8	12
Invest Hong Kong	-	-	58	58
Judiciary	101	2	1	104
Labour and Welfare Bureau	24	-	1	25
Labour Department	217	-	7	224
Land Registry	28	-	-	28
Lands Department	190	-	19	209
Legal Aid Department	-	-	-	-
Leisure and Cultural Services Department	1 264	-	30	1 294
Marine Department	18	-	-	18
Office of the Communications Authority	-	-	3	3
Office of the Government Chief Information Officer	6	-	2	8
Official Receiver's Office	49	-	-	49
Planning Department	11	-	8	19
Radio Television Hong Kong	78	-	249	327
Rating and Valuation Department	43	-	25	68
Registration and Electoral Office	791	-	-	791
Security Bureau	4	-	8	12
Social Welfare Department	31	-	12	43
Student Financial Assistance Agency	210	-	-	210
Trade and Industry Department	78	2	6	86
Transport and Housing Bureau	5	-	-	5
Transport Department	136	-	-	136
Treasury	47	-	-	47
University Grants Committee Secretariat	9	-	2	11
Water Supplies Department	29	-	6	35
Total	5 866	1 083	593	7 542

Source: Annex of LC Paper No. CB(4)928/12-13(01)

Employment situation of non-civil service contract staff

List of relevant papers

Meeting	Date of meeting	Paper
Panel on Public Service	18 January 1999 (item V)	Agenda Minutes
Panel on Public Service	18 March 2002 (item III)	Agenda Minutes CB(1)1474/01-02
Panel on Public Service	19 April 2004 (item IV)	Agenda Minutes CB(1)1568/03-04(02) CB(1)1813/03-04(01) CB(1)2346/03-04(01) CB(1)93/04-05(01)
Panel on Public Service	17 January 2005 (item III)	Agenda Minutes
Panel on Public Service	18 April 2005 (item III)	Agenda Minutes CB(1)1976/04-05(01) CB(1)2316/04-05(01)

Meeting	Date of meeting	Paper
Panel on Public Service	20 March 2006 (item II)	Agenda Minutes
Panel on Public Service	18 December 2006 (item IV)	Agenda Minutes
Panel on Public Service	15 January 2007 (item IV)	Agenda Minutes
Panel on Public Service	8 February 2007 (item IV)	Agenda Minutes
Panel on Public Service	15 March 2007 (item III)	Agenda Minutes CB(1)1321/06-07(01)
Panel on Public Service	17 December 2007 (item IV)	Agenda Minutes CB(1)597/07-08(01) CB(1)794/07-08(01)
Panel on Public Service	11 March 2008 (item V)	Agenda Minutes CB(1)1262/07-08(01)
Panel on Public Service	16 February 2009 (item VI)	Agenda Minutes CB(1) 747/08-09(06)

Meeting	Date of meeting	Paper
		CB(1)748/08-09 CB(1)2235/08-09(01)
Panel on Public Service	21 December 2009 (item III)	Agenda Minutes CB(1)674/09-10
Council meeting	6 January 2010	Official Record of Proceedings Pages 83 - 88 (Oral question raised by Dr Hon PAN Pey-chyou)
Council meeting	3 February 2010	Official Record of Proceedings Pages 72 - 75 (Oral question raised by Dr Hon PAN Pey-chyou)
Panel on Public Service	15 November 2010 (item IV)	Agenda Minutes
Council meeting	22 June 2011	Official Record of Proceedings Pages 68 - 76 (Oral question raised by Dr Hon PAN Pey-chyou)
Panel on Public Service	21 November 2011 (item V)	Agenda Minutes CB(1)2332/11-12(01)
Panel on Public Service	17 December 2012 (item V)	Agenda Minutes CB(4)337/12-13(01) CB(4)928/12-13(01)

Meeting	Date of meeting	Paper
Panel on Public Service	21 January 2013 (item VI)	Agenda Minutes
Council Meeting	6 February 2013	Official Record of Proceedings Pages 55 - 70 (Oral question raised by Hon Mrs Regina IP)
Council Meeting	19 June 2013	Official Record of Proceedings Pages 182 - 190 (Oral question raised by Hon Mr TANG Ka- piu)

Council Business Division 4
Legislative Council Secretariat
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