

OMLEGCO

Press Release 新聞稿

Office of Members of the Legislative Council
立法局議員辦事處

Tuesday, April 20, 1993

House Committee Endorses Report on Reorganisation of Legislative Council Secretariat

The House Committee of the Legislative Council today (Tuesday) endorsed the proposals in a report prepared by the Legislative Council President's Working Group on the Proposed Reorganisation of the Legislative Council Secretariat.

The report contains recommendations for the setting up of a new independent Legislative Council Secretariat by 1 April 1994, with financial and administrative autonomy. It envisages the merging of the existing OMLEGCO Secretariat and the Office of the Clerk to the Legislative Council. To this end, a Legislative Council Commission should be established by statute to be responsible for all matters of finance, staff and provision of services to Legislative Council Members.

Pending enactment of the necessary legislation, the present OMELCO Secretariat Incorporated should be reconstituted to provide for a Provisional Commission.

The Commission's management and staff policies should be publicly defensible. The accounts of the Secretariat and the economy and efficiency with which the Secretariat uses its resources should be subject to the usual scrutiny by the Director of Audit.

The report also contains other recommendations :

- * **Financial arrangements** - It is proposed that the new Secretariat should be financed through a one-line vote arrangement under a new Head of Expenditure to give flexibility to the Secretariat.

- * **Managerial autonomy** - The Commission should employ its own staff and determine their terms of service.
- * **Remuneration package for staff** - In designing the package, the key objective is that the package should be attractive to recruit, retain and motivate staff of high quality on the one hand and the new terms and conditions are publicly defensible on the other.

A **summary of recommendations**, endorsed by House Committee, together with the supporting appendices, is attached.

These proposals will now be put to the Administration for approval so that the necessary funding can be sought and legislation prepared.

The President's Working Group was formed last year following the Governor's address in the Legislative Council on 7 October 1992 that the non-official membership of Executive and Legislative Councils should be separated and that arrangements should be made for the Legislative Council to develop its own administrative and support facilities.

The Working Group comprised the President Hon John J Swaine, Chairman of House Committee Hon Mrs Elsie TU, Deputy Chairman Hon Andrew WONG, Hon SZETO Wah, Hon TAM Yiu-chung, Hon Ronald Arculli, Dr Hon LEONG Che-hung, Hon Vincent CHENG, Hon Emily LAU and Hon LEE Wing-tat.

SUMMARY OF RECOMMENDATIONS
IN ORDER TO IMPLEMENT THE PRINCIPLE OF
FINANCIAL AND MANAGERIAL AUTONOMY
FOR THE LEGISLATIVE COUNCIL

- (1) A Legislative Council Commission to be established by Ordinance as soon as practicable, and to be responsible for all matters of finance, staff and the provision of services to members.
- (2) The Commission to be headed by the President of the Legislative Council and include the Chairman and Deputy Chairman of the House Committee as ex officio members and such representative number of members as will command the confidence of members generally.
- (3) Pending the enactment of legislation, the present OMELCO Secretariat Incorporated to be reconstituted as the Legislative Council Secretariat Incorporated with the new Executive Committee to serve as the provisional Commission.
- (4) All Members of the Legislative Council (with the exception of the 3 ex officio members) to be members of the reconstituted company.

- (5) The new Executive Committee to comprise not more than 11 persons as follows -

The President as Chairman

The Chairman and Deputy Chairman of the House Committee as ex officio members

Not more than 8 other persons to be elected by Members.

- (6) As from 1st April 1994, a one-line vote under a separate head of expenditure to be provided for the Legislative Council.
- (7) The Legislative Council to observe the constitutional principle that its budget (although condensed into a one-line vote) must be proposed by the Government.
- (8) The Legislative Council to accept that it must be publicly accountable for its expenditure, and that its accounts must be subject to public scrutiny and audit.
- (9) The new Legislative Council Secretariat to be answerable to the Legislative Council Commission which shall direct its affairs.
- (10) An independent Secretariat to be in place before the new Legislative Council is established in 1995.
- (11) Terms of employment to be sufficiently attractive to ensure the recruitment and retention of staff of high quality, but to be publicly defensible.
- (12) Such terms to be broadly in line with the Civil Service, but subject to the Commission's right to be flexible in appropriate cases.

- (13) The new staff structure to be as shown in Appendix 1.
- (14) The Head of Secretariat to be a Secretary General ranked at D6 (now D4) supported by a new post of Deputy Secretary General ranked at D3.
- (15) The new SG to take on the role of chief procedural adviser to the President and principal Table Officer or Chief Clerk in addition to other duties.
- (16) The Legal Adviser to be ranked at D5, one up from his present rank of D4, and to take on the role of advising the President on matters of law in addition to other duties superseding the Law Draftsman as Counsel to the Legislature.
- (17) The Chamber Division to be in 3 sections each headed by an ASG at D2, and an Administration Division to be in 6 sections each headed by a PAS at D1 except for the London Office whose head will remain at MPS 45-49.
- (18) The proposed Research and Library Services Section to be a key area for expansion.
- (19) The renamed Public Information Section to concentrate on public relations for the Legislative Council, public information, monitoring of public opinion, and analysis of media reports.
- (20) Recruitment of the SG and DSG as well as section heads to commence as soon as Finance Committee approval is obtained for the proposed re-organisation, the aim being to have key staff in place this summer.

- (21) The SG and DSG if civil servants to resign upon taking up their appointments with the new Secretariat.
- (22) As for section heads and ranks below, if the best candidates are civil servants (whether currently serving with the Secretariat or in the Clerk's Office, or with recent service), the option to be open to them not to resign as civil servants. However that option not to extend beyond 18 months from first appointment with the new Secretariat, and notice to be given not later than 12 months from first appointment whether that officer wishes to revert to the Civil Service, to enable a replacement to be recruited if necessary.
- (23) Special arrangements to be made if necessary to ensure the continued provision of quality translators and simultaneous interpreters, such as by hire of services from the Administration.
- (24) All existing contract staff employed by OMELCO (now OMLEGCO) to have the right to continue in employment without the need to apply.
- (25) The remuneration package offered to staff to comply with the following additional principles -
- (a) No present contract staff to be worse off because of the proposed reorganisation.
 - (b) Such contract staff to have the option of retaining existing fringe benefits or converting to the proposed cash allowance (plus other benefits).

(c) The Commission or provisional Commission to examine the contracts of existing staff before April 1994 to decide whether they need revision.

(d) Civil servants who join the new Secretariat (whether currently serving or with recent service) to have the option of retaining existing fringe benefits (subject to negotiation with the Government) or of converting to the proposed cash allowance (plus other benefits).

(26) Subject to these principles, staff to be offered 3 year contracts with the following components (as shown comprehensively in Appendices 2 and 3) -

(a) Basic salary in accordance with the Government salary scales applicable to the rank.

(b) The following benefits in kind -

Leave including sick and maternity leave

Medical and dental benefits

Benefits in the event of duty-related death or injury.

(c) A cash allowance over and above the benefits in (b) above which monetizes the following benefits available to civil servants -

Additional leave entitlements

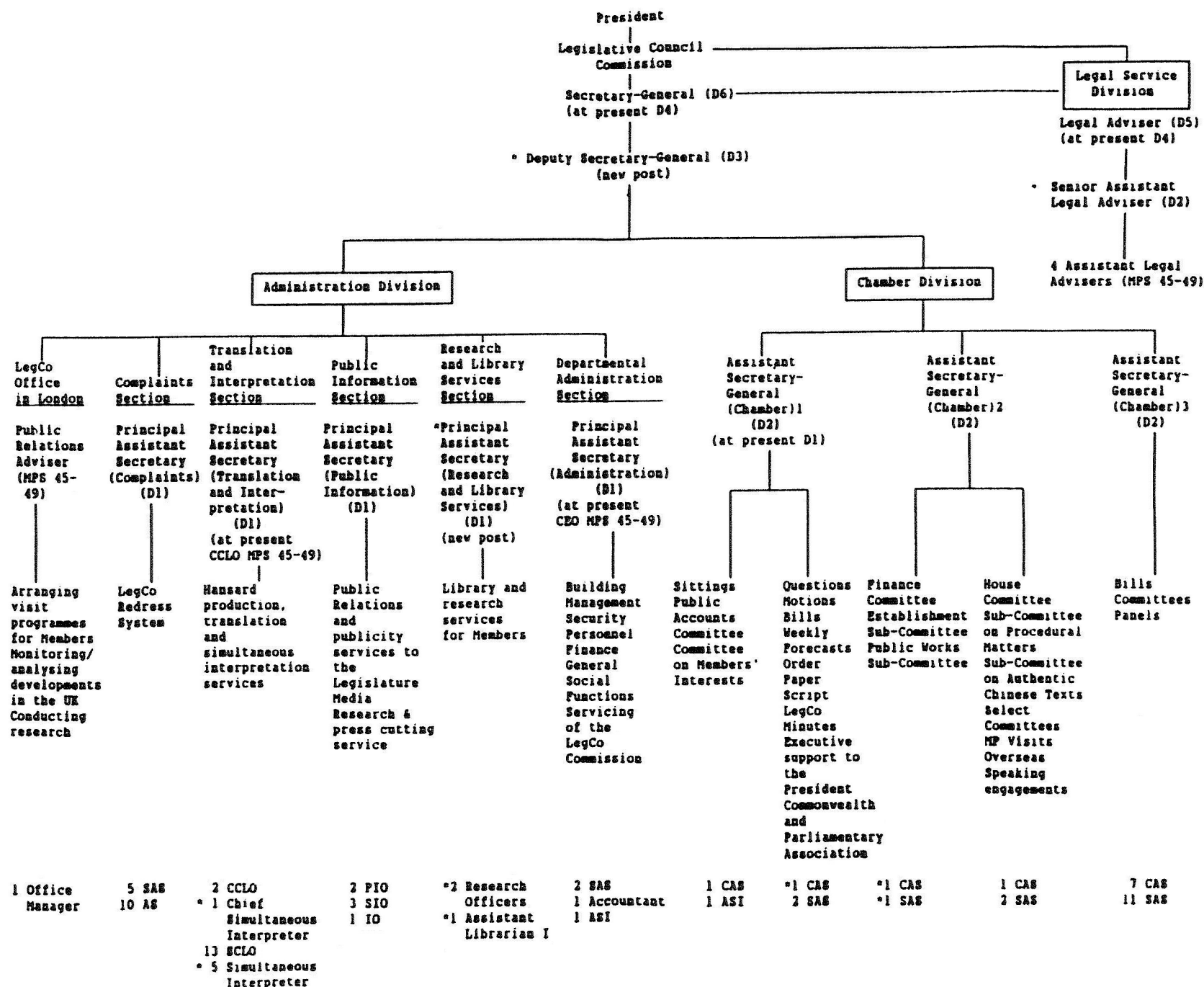
Passages

Housing

Education allowance.

(d) End of contract gratuity at 25% of basic salary.

Proposed Organisation Chart of the New Legislative Council Secretariat



Appendix 2

Table Showing the Salary Scales and
Proposed Cash Allowances for Directorate Officers
and Staff on MPS 16 and above

<u>Rank</u>	<u>Salary Scale (\$)</u> <u>(as at 1.4.92)</u>	<u>Proposed Cash Allowance (\$)</u> (at 47.84% of Basic Salary)
D6	106,950	51,165
D5	101,300	48,462
D4	95,450 (98,350)	45,663 (47,051)
D3	84,050 (86,550) (89,100)	40,210 (41,406) (42,625)
D2	72,350 (74,550) (76,750)	34,612 (35,665) (36,717)
D1	60,850 (62,750) (64,650)	29,111 (30,020) (30,929)
MPS 45-49	47,420-	22,686-
ALA/CAS/CCLO	54,635	26,137

<u>Rank</u>	<u>Salary Scale (\$)</u> <u>(as at 1.4.92)</u>	<u>Proposed Cash Allowance (\$)</u> (at 29.51% of Basic Salary)
MPS 34-44	29,740-	8,776-
SAS/SCLO	45,765	13,505
 (at 7.70% of Basic Salary)		
MPS 28-33	22,675-	1,746-
AS I/CLO I/ ASSF	28,530	2,197
MPS 22-27	17,235-	1,327-
SPS/SCO/SSFA	21,655	1,667
MPS 16-21	12,895-	993-
Sr Callig/CO I/ PS I	16,450	1,267

Note : In addition to the proposed cash allowance, staff are entitled to other fringe benefits set out in Appendix 3 and end-of-contract gratuity at 25% of all basic salaries received during the period.

Appendix 3

Table Showing the Fringe Benefits
Available to Staff of the New LegCo Secretariat

<u>Items</u>		<u>Entitlements</u>
(i)	Leave	
<u>Category</u>	<u>Years of Service</u>	
Staff at or above \$11,695 p.m. (MPS 14)	10+	28 working days)
) <u>PLUS</u>
	<10	21 working days) <u>Cash</u>
) <u>Allowance</u>
)
Staff with less than \$11,695 p.m.	10+	21 working days)
)
	<10	14 working days)
		Note : To be taken in the year earned or the following year but not to be carried forward beyond the second year
(ii)	Sick Leave	Same as those for civil servants
	<u>Years of Service</u>	
	<4	91 days on full pay and 91 days on half pay
	4+	182 days on full pay and 182 days on half pay in any period of four years
(iii)	Maternity Leave	Same terms as those for civil servants

<u>Items</u>	<u>Entitlements</u>
(iv) Medical and Dental Benefits	The Hospital Authority and the Department of Health to provide medical and dental services to staff and families on terms similar to those for civil servants
(v) Duty-related Death or Injury Benefits	Same level of entitlements as civil servants in the event of duty-related death or injury i.e. pro-rata gratuity plus an option to receive either compensation provided under the Employees' Compensation Ordinance or compensation calculated on the same basis as dependant pensions (or additional pension in the case of permanent incapacity) in the Civil Service
(vi) Housing Assistance	
<u>Category</u>	
Staff at MPS 21 or below	To continue to be eligible for public housing under the special quota for junior Government officers