



本司檔號 Our Ref.: L/M to ADM 101/70/5
來函檔號 Your Ref.:
電話號碼 Tel. No.: 2529 9110

22 February 2007

Mrs Percy Ma
Clerk to Panel
Legislative Council Panel on Administration of Justice and Legal Services
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mrs Ma,

Non-Civil Service Contract (NCSC) staff

I refer to your letter of 1 February 2007 requesting information on NCSC staff in the Department of Justice (the DoJ). The requested information is set out below.

(a) A breakdown of the 20 and 38 NCSC positions by ranks, duties and length of service

2. A breakdown by ranks, duties and length of service of the 20 NCSC staff who were employed for purposes within the ambit of the NCSC Staff Scheme and 38 NCSC staff who were discharging duties which should more appropriately be performed by civil servants is provided at **Annex**.

(b) Whether the employment of NCSC staff has any adverse impact on the operation and service delivery of the DoJ

3. NCSC staff are recruited either on the basis of the same professional and academic qualifications and experience criteria as their civil service counterparts or, in the absence of a comparable civil service rank, the qualifications and experience necessary for the effective discharge of the duties of the positions.

The NCSC appointees are provided with comprehensive work manuals and reference materials relating to their work and on-the-job training as appropriate, and are closely supervised by senior officers. The employment of NCSC staff has provided the Department with the flexibility to address specific operational needs and complemented the civil service workforce in providing timely and quality services. We do not consider that the employment of NCSC staff has any adverse impact on the operation and service delivery of the Department.

(c) Justifications for the continued employment of the 20 NCSC staff

4. These NCSC staff are employed to meet service needs that are time-limited; or which require staff to work less than the conditioned hours required of civil servants; or which the mode of delivery of the service is likely to be changed through contracting-out. Their employment is within the ambit of the NCSC Staff Scheme.

(d) The outcome of the review to convert the 38 NCSC positions into civil service posts and the timing of implementation

5. We are working with the Civil Service Bureau to devise the phasing-out plan for the 38 NCSC positions. Where possible, we would phase them out by making use of existing and anticipated civil service vacancies, or creating new posts to be offset by deletion of existing vacancies or re-grading existing vacant posts. In the process, we will examine the work of the individual NCSC positions and identify the most appropriate civil service ranks to take up the relevant work. Without compromising the Government's objective to keep the overall civil service establishment under control, we will consider the net creation of civil service posts after exhausting the other options set out above. In working out the phasing-out plan, we will take into consideration the timing when the contract of the relevant NCSC staff expires and the lead time for filling the civil service vacancies to ensure a seamless phasing out process.

Yours sincerely,



(Stephen Sui)
for Secretary for Justice

**Breakdown of Non-Civil Service Contract (NCSC) Staff
Employed as at 31 March 2006**

(I) Employed for purposes within the ambit of the NCSC Staff Scheme

1. To meet service need that are time-limited; short term or seasonal in nature

NCSC Job Title	Duties	No.	Length of Service
Contract Government Counsel	To provide legal advice and services for time-limited projects such as the merger of MTR and KCRC, Hong Kong Zhuhai Macau Bridge project, etc.	8	Less than 5 years
General Clerk/Assistant	To perform general clerical and accounting duties, including assisting in the preparation of payment statements and records, to cope with temporary upsurge in workload.	1	Less than 5 years

2. To meet service needs that require staff to work less than the conditioned hours required of civil servants

NCSC Job Title	Duties	No.	Length of Service
Manager	To undertake ad-hoc projects and co-ordinate visit programmes for the Department.	1	Less than 5 years

3. To meet service needs where the mode of delivery of service is likely to be changed

NCSC Job Title	Duties	No.	Length of Service
IT Helpdesk Officer/Technical Clerk	To provide IT helpdesk and other related technical support services to IT users in the Department.	7	Less than 5 years
		2	5 years or more
General Clerk/Assistant	To provide word processing support in connection with the special projects to set up a China Law Database and a Periodical Catalogue Database.	1	5 years or more

Total : 20

(II) Employed to discharge duties that should more appropriately be performed by civil servants

NCSC Job Title	Duties	No.	Length of Service
Contract Government Counsel	To undertake civil litigation, legal advisory work or trial preparation work, such as providing the necessary legal support for handling claims made under the “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”, and on issues relating to the Electronic Transactions Ordinance.	15	Less than 5 years
Contract Legal Clerk	To provide para-legal support to various units of the legal divisions.	8	Less than 5 years
Executive Assistant	To undertake executive and general administration duties.	1	Less than 5 years
General Clerk/Assistant	To provide general clerical support to various units of the legal divisions.	9	Less than 5 years
General Worker	To perform general manual work and messengerial and despatch duties.	2	Less than 5 years
		2	5 years or more
Personal Secretary	To perform general typing, word-processing and other secretarial duties.	1	Less than 5 years

Total : 38