

立法會
Legislative Council

LC Paper No. CB(1)1243/07-08

Ref.: CB1/PL/PS

Panel on Public Service

Meeting on 21 April 2008

**Background brief on incorporation of
Basic Law assessment into civil service recruitment**

Purpose

This paper sets out the background to the proposed incorporation of Basic Law assessment into civil service recruitment and summarizes members' concerns expressed in the past.

Policy Address 2007

2. In his Policy Address on 10 October 2007, the Chief Executive stated that "As the constitutional document of the HKSAR, the Basic Law has laid a solid foundation for the continued stability and prosperity of Hong Kong. The Constitutional and Mainland Affairs Bureau will devote more resources to increase the promotion of the Basic Law. We will also enhance Basic Law-related training for the civil service. In addition to providing training courses tailored to the specific needs of different levels of civil servants, we will establish a mechanism to follow up on their training status and incorporate the Basic Law into the civil service recruitment examination".

Basic Law assessment at recruitment

3. At the meeting of the Panel on Public Service held on 15 October 2007, members expressed concerns about the proposal to incorporate the Basic Law into the civil service recruitment examination. Some members cast doubt on the need to include an assessment of the knowledge of the Basic Law in the civil service recruitment process. They were worried that the inclusion of tests of the Basic Law in civil service recruitment would become an assessment of the candidates' political inclination. Whilst they were in support of the provision of training on the Basic Law for civil servants, they

considered that the knowledge of the Basic Law had no bearing on the duty performance of the operation staff, for example, life-guards and Health Inspectors, etc. They therefore took the view that the assessment should only be required for candidates applying for jobs which involved political considerations, and should not be applied to posts in the professional, clerical and operation grades/ranks.

4. In response to members' questions regarding the Estimate of Expenditure 2008-09, the Administration advised at the special Finance Committee meeting held on 31 March 2008 that all candidates applying for civil service jobs advertised on or after 1 September 2008 would be assessed on their Basic Law knowledge. The objective of the assessment on Basic Law knowledge was to heighten public awareness of the Basic Law and promote a culture of learning of the Basic Law as well as to ascertain that all new recruits to the civil service had an acceptable degree of understanding of it. As a general principle, the major consideration for suitability for appointment remained whether or not a candidate's qualifications, experience and calibre met the requirements for effective performance of the job. Basic Law knowledge would not be a prerequisite for application to a civil service job, but would be one of the many considerations to assess the suitability of a candidate.

5. At the special Finance Committee meeting, the Administration further advised that the ways in which Basic Law knowledge was tested in civil service recruitment would be set according to the different education attainment of the target pool of candidates of civil service jobs. For grades with academic requirements at Form 5 level or above, candidates would be assessed on Basic Law knowledge through written test (in the form of multiple-choice questions). The results would be of permanent validity and would form part of the overall assessment on their suitability for appointment. As for grades with academic requirements below Form 5 level, the candidates would be tested on their Basic Law knowledge during recruitment interviews.

6. In view of members' concerns, the Administration would brief members further on the proposed incorporation of Basic Law assessment into civil service recruitment at the forthcoming meeting of the Panel on Public Service to be held on 21 April 2008.

Basic Law training

7. At the meeting of the Panel on Public Service held on 18 February 2008, the Administration updated members on the national studies and Basic Law programmes and related training activities offered to civil servants.

8. Members note that since the promulgation of the Basic Law in the early 1990's, the Civil Service Training and Development Institute (CSTDI) (then Civil Service Training Centre) has been providing training on the Basic Law for civil servants centrally. The training programmes and promotional activities cover the core concepts and provisions of the Basic Law, including the status of the Basic Law in the legal system of the Mainland, relationship between the Central People's Government and the HKSAR, interpretation of the Basic Law, etc. CSTDI has also issued various publications related to the Basic Law.

9. In line with the Chief Executive's 2007/08 Policy Address, the Administration has also advised that it will further enhance Basic Law training for civil servants to ensure that the training forms an integral part of training for civil servants, and is provided in a systematic and well planned manner which takes into account the needs of civil servants of different levels and their work nature. It will adopt a multi-pronged approach which includes classroom training, e-learning, publications and diversified promotional activities to achieve this objective.

10. During previous discussions on related matters in the past, some members took the view that the selection of speakers for training programmes on the Basic Law for civil servants should be careful as they might influence the trainees in respect of their political aspirations. They considered that persons holding different views on the interpretation of the Basic Law should be invited to conduct the Basic Law training courses for civil servants. Views had also been expressed that representatives from trade unions should be invited to conduct training on the Basic Law for civil servants.

Related papers

11. A list of papers is in the **Annex**.

Council Business Division 1
Legislative Council Secretariat
15 April 2008

Annex

Incorporation of Basic Law assessment into civil service recruitment

List of relevant papers

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
15.10.2007	Public Service Panel	<p>Administration's paper on policy initiatives of the Civil Service Bureau under the 2007-2008 Policy Address and Policy Agenda</p> <p>Minutes of the meeting</p>	<p>http://www.legco.gov.hk/y r07-08/english/panels/ps/p apers/ps1015cb1-21-1-e.pdf</p> <p>http://www.legco.gov.hk/y r07-08/english/panels/ps/m inutes/ps071015.pdf</p>
18.2.2008	Public Service Panel	<p>Administration's paper on update on national studies and Basic Law training for civil servants</p> <p>Minutes of the meeting</p>	<p>http://www.legco.gov.hk/y r07-08/english/panels/ps/p apers/ps0218cb1-764-4-e.pdf</p> <p>http://www.legco.gov.hk/y r07-08/english/panels/ps/m inutes/ps080218.pdf</p>
31.3.2008	Finance Committee	<p>Hon Abraham SHEK's question and the Administration's response on incorporation of Basic Law assessment in civil service recruitment</p>	<p>http://www.legco.gov.hk/y r07-08/english/fc/fc/w_q/c sb-e.pdf</p>