

**Guiding Principles and Criteria for the
Assessment of Applications for Post-service Employment by
Directorate Civil Servants**

The Government's policy is to ensure that civil servants on final leave or who have left the Government will not take up any work outside the Government which may constitute real or potential conflict of interest with their previous government service, or cause negative public perception embarrassing the Government and undermining the image of the civil service, without at the same time unduly restricting the said individuals' right to pursue employment or other work after ceasing government service. In connection with the latter consideration, it should be noted that Article 33 of the Basic Law provides that "Hong Kong residents shall have freedom of choice of occupation".

2. Within the policy stated above, the key factors to be taken into account in the consideration of each application for post-service employment by a directorate civil servant include, but are not limited to, the following –

- (a) whether the applicant was involved in the formulation of any policy or decisions, the effects of which directly or specifically benefited or could directly or specifically benefit his/her own business or prospective employer;
- (b) whether the applicant or his/her prospective employer might gain unfair advantage over competitors because of the applicant's access to sensitive information while in government service;
- (c) whether the applicant was involved in any contractual or legal dealings to which his/her prospective employer was a party;
- (d) whether the proposed work would have any connection with the assignments/projects and/or regulatory/enforcement duties in which the applicant was involved while in government service;
- (e) whether the applicant's taking up of the proposed work would give rise to public suspicion of conflict of interest or other impropriety; and
- (f) whether any aspects of the proposed work would cause embarrassment to the Government or bring disgrace to the civil service.

3. The relevant Civil Service Bureau Circulars^{*} governing the applications of post-service employment by directorate civil servants are attached for your reference.

^{*} The relevant Civil Service Bureau Circulars are Documents ~~CSB-3, 5 and 6.~~ C8, C11 C12