

Extract from Annex A of Secretary for the Civil Service's memo (dated 22 January 2005) to Independent Commission Against Corruption and Department of Justice inviting their comments on the review of the policy on post-service employment

(Note: Annex A is a Summary of Proposed Control Measures on Post-service Employment of Former Civil Servants and Related Issues)

	Subject	Existing Requirements	Proposed Changes	Related Issues
			<p>In addition, it is proposed to set out more specifically the principal considerations for assessing applications, the relevant tests being whether or not there is potential conflict of interest or public perception problem as follows:</p> <p><i>(a) Conflict of Interest</i></p> <ul style="list-style-type: none"> • whether the officer was involved in policy formulation or decision, the effects of which could have benefited his prospective employer; • whether the prospective employer might gain unfair advantage over competitors because of the officer's previous knowledge and experience; • whether the officer was involved in any 	<p>In applying the relevant tests of conflict of interest or perception problem, the responsible HoD/HoG and the approving authority would focus on the duties in which the applicant was involved <u>in the last three years of his service</u>. However, where the applicant is a senior directorate officer or because of the sensitivity of work, service beyond this period may also be taken into account.</p>

	Subject	Existing Requirements	Proposed Changes	Related Issues
			<p>contractual or legal dealings to which the prospective employer had been a party; and</p> <ul style="list-style-type: none"> • whether the proposed employment would have any connection with the assignments/projects and/or regulatory/enforcement duties in which the officer was involved before leaving the service. <p><i>(b) Public Perception</i></p> <ul style="list-style-type: none"> • whether the taking up of the proposed employment by the officer would give rise to public suspicion of impropriety or conflict of interest; • whether, in the eyes of the public, the proposed employment is objectionable or unacceptable; • whether the proposed employment would result in an undesirably high public profile of the officer; and • whether the proposed employment would cause embarrassment to the Government. 	