

Extract from Annex A attached to the discussion paper on “Review of Policy on Post-service Employment of Former Directorate Civil Servants” issued to the CSB Strategy Group for discussion on 2 August 2005

Existing Arrangement	Proposed Arrangement	Related Issues / Considerations
6. Approving criteria		
* The key factors of consideration are conflict of interest (real <u>or</u>, potential—or—perceived) and public perception. * In applying the tests of conflict of interest or possible negative public perception, the HoD/HoG and approving authority normally focus on the duties in which the applicant was involved in the last two years of his/her active service.	* The key factors of consideration remain to be conflict of interest (real <u>or</u>, potential-or-perceived) and public perception. * The specific points to be taken account of by the approving authority include: (a) <i>Conflict of interest</i> - whether the officer was involved in policy formulation or decisions, the effects of which directly or specifically benefited or could directly or specifically benefit his/her prospective employer; - whether the prospective employer might	* To facilitate consideration of an application, the applicant will be required to provide - - an account of his/her duties in the last three years (presently two) of his/her government service; - a detailed account of the nature and scope of business of the prospective employer; and - a detailed account of his/her major duties and responsibilities under the proposed employment.

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	gain unfair advantage over competitors because of the officer's access to sensitive information while in government service; - whether the officer was involved in any contractual or legal dealings to which the prospective employer was a party; and - 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. (b) <i>Public perception</i> - whether the officer's taking up of the proposed employment would give rise to public suspicion of impropriety or conflict of interest; and - whether the proposed employment would cause embarrassment to the Government. * In applying the tests of conflict of interest or possible negative public perception, the HoD/HoG and approving authority would normally focus on the duties in which the applicant was involved in the last three years of his/her active service.	

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	However, where the applicant is a senior-directorate officer <u>at D4 or above</u> or if the work he has handled is of particular sensitivity, his/her duties prior to the three-year period might also be taken into account.	