

Select Committee to Inquire into Matters relating to  
the Post-service Work of Mr Leung Chin-man

Information provided by the Administration in response to  
the Clerk to Select Committee's letter of 2 March 2010

|  | Document<br>No. |
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| <p>1. The information provided by the Hon Mr Justice PANG Kin-kee indicates that the Advisory Committee on Post-service Employment of Civil Servants ("ACPE") has considered 395 post-service outside work applications during the period from 14 July 2003 to 9 April 2009 (SC(2) Paper No. W23(C)). Please advise whether all the 395 applications have been approved by the Secretary for the Civil Service ("SCS"), and whether ACPE has accepted the recommendations of the Civil Service Bureau ("CSB") on all these applications. If not, please advise the number of applications on which the recommendations of CSB were not accepted by ACPE, and the views/comments of ACPE on these applications.</p> <p><i>CSB's Response: Among the 395 post-service outside work applications considered by ACPE during the period from 14 July 2003 to 9 April 2009, one application was subsequently withdrawn by the applicant after consideration by ACPE and hence the application was not processed further; eight applications were rejected and the rest of the applications were approved by the decision authority.</i></p> <p><i>The majority view of the ACPE differed from the preliminary recommendation of the Administration in 13 applications. Of these 13 applications, the ACPE recommended to impose (a) a longer sanitisation period on eight applications; and (b) additional work restriction/tighter work restriction on the other five applications. The decision authority accepted the ACPE's advice in all cases.</i></p> |                 |
| <p>2. The report submitted by SCS to the Chief Executive on 15 August 2008 on the processing of the application from</p>   |                 |

Mr LEUNG Chin-man to take up post-service outside work with New World China Land Limited shows that Principal Officials (“POs”) appointed under the political appointment system are not involved in the process of considering post-service work applications from directorate civil servants. Since CSB Circular No. 10/2005 has not made reference to this arrangement, please advise how applicants and the approving authority are informed or made aware of the non-involvement of POs in the process and provide the relevant circulars and/or documents.

*CSB's Response: Under the Political Appointment System introduced in 2002, the Secretary for the Civil Service is responsible to the Chief Executive for civil service policy and the management of the civil service. This has been referred to in CSB Circular No. 8/2002 dated 28 June 2002. Directors of Bureau appointed under this System are underpinned by Permanent Secretaries in Bureaux. To facilitate the Directors of Bureau, with the exception of the Secretary for the Civil Service, to discharge their responsibilities in strategic policy issues by relieving them of administrative and operational matters, Permanent Secretaries are entrusted with the responsibilities and powers on civil service management issues in the respective bureaux. CSB Circular Memorandum No. 10/2002 dated 5 July 2002 sets out, among others, the changes in delegation of authority on civil service management from Bureau Secretaries to Permanent Secretaries. The processing of post-service outside work applications is one aspect of civil service management. CSB Circular No. 8/2002 was read by all officers; while CSB Circular Memorandum No. 10/2002 was read by Directors of Bureau, Permanent Secretaries, Heads of Department/Grade, Departmental Secretaries and officers dealing with personnel matters, and was brought to the attention of all officers concerned. Hence the officers concerned should be well aware of the provisions contained therein. The Select Committee may wish to note that CSB Circular No. 8/2002 was superseded by the Civil Service Code vide CSB Circular No. 9/2009 promulgated in September 2009. The Civil Service Code, which should be read by all*

C62  
~~CSB135~~  
(E/C)

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| <p><i>officers, has clearly stated that "While the Secretary for the Civil Service is responsible for the management of the civil service and the Secretary for Justice plays a role in managing the Government Counsel Grade as head of grade, politically appointed officials are generally not involved in issues relating to civil servant's careers, such as appointment, promotion and discipline."</i></p> |  |
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Civil Service Bureau  
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