



廉政公署

INDEPENDENT COMMISSION AGAINST CORRUPTION

行政總部

Administration Branch

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15 May 2014

Clerk to the Panel on Security
 (Attn: Mr Raymond LAM)
 Legislation Council Complex
 1 Legislative Council Road
 Central
 Hong Kong

Dear Mr Lam,

Panel on Security

Referring to the list of follow-up actions under Item 4 of your letter of 25 April 2014, I append below the required supplementary information for your necessary action.

Item 4 (a) – Information on Acting Appointments in ICAC

In line with the government practices, the ICAC has stipulated its policy on acting appointments in Section 5 of Chapter 20 of the Commission Standing Orders (CSO) (Part I). Acting appointments are arranged when the management considers it necessary and justified and they are generally made in the following two types –

- (a) *Acting for administrative convenience*: when it is considered necessary to appoint the officer to act in an office to meet management or operational needs, e.g. to cover leave duration of a substantive incumbent, or to try out the officer's performance in a higher rank; or
- (b) *Acting with a view to substantive appointment*: when the officer is recommended for appointment through a selection exercise subject to a period of observation before substantive appointment.



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Acting appointments, regardless of duration, are recorded in the officer's performance appraisal report and the officer's performance during the acting period is covered in the performance appraisal. The approving authorities for acting appointments are also clearly laid down in the CSO. To ensure fairness, the approving authority is required to follow the normal procedures for selection for substantive appointment to select an officer to take up the acting appointment if the acting appointment is expected or likely to last or has lasted for more than six months.

As requested, information on the numbers of acting appointments by ranks and grouped into directorate and non-directorate staff as well as the distribution of vacancies in the ICAC as at 1 May 2014 are given in *Annex I*.

Item 4 (b) – Staff wastage in ICAC between 2007 and 2013

A table showing the staff wastage between 2007 and 2013 is at *Annex II*.

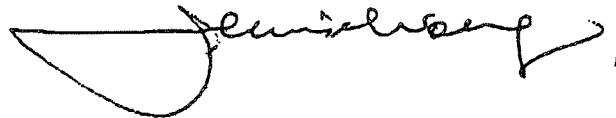
Item 4 (c) – Information on discussions of management succession in ICAC

According to records, the Advisory Committee on Corruption discussed ICAC's succession and staff changes at the senior management level at its meeting held in March 2013 and the subject has since become a regular agenda of the Committee.

Item 4 (d) – Information on Appointment of a Mainland Academic

As the information about ICAC's appointment of a Mainland academic has also been requested by the LegCo's Public Accounts Committee (PAC) on 3 June 2013, you may wish to refer to our reply to PAC on the subject, as copied in *Annex III*.

Yours sincerely,



(Mrs Jennie AU-YEUNG)
for Commissioner
Independent Commission Against Corruption

Number / Distribution of Vacancies and Acting Appointments of Directorate and CACO Grade Officers in the ICAC
(position as at 1.5.2014)

Rank		Vacancies				
		Department				Total
		OPS	CRD	CPD	ADM	
Directorate (D1 and above)	DD/Ops / SAD/CPD / SAD/CRD (D3)	0	0	0	0	0
	Secy to CAC / AD (D2)	1	0	1	1	3Δ
	CCACO / CFA (D1)	0	0	0	0	0
CACO Grade	SCACO	5	0	0	-1	4Δ
	CACO(U)	10	1	2	1	14Δ
	CACO(M/L)	7	0	6	0	13Δ#
	ACACO	25	5	0	0	30#
Total		48	6	9	1	64

Duration of Acting Appointments (in months)				
Type (a)		Type (b)		
not more than 3	more than 3 to 6	not more than 3	more than 3 to 6	more than 6
0	0	0	0	0
0	0	0	1	2
0	0	0	0	0
1	0	5	1	4
1	0	19	2	13
0	9	37	1	6
0	0	10	0	0
2	9	71	5	25

Legend

- DD/Ops - Deputy Director of Operations / Operations Department
- SAD/CPD - Senior Assistant Director of Corruption Prevention Department
- SAD/CRD - Senior Assistant Director of Community Relations Department
- AD - Assistant Director
- Secy to CAC - Secretary to the Commission Against Corruption
- CCACO - Chief Commission Against Corruption Officer
- CFA - Chief Forensic Accountant
- SCACO - Senior Commission Against Corruption Officer
- CACO(U) - Commission Against Corruption Officer (Upper)
- CACO(M/L) - Commission Against Corruption Officer (Middle/Lower)
- ACACO - Assistant Commission Against Corruption Officer

- Type (a) Acting with a view to substantive appointment
- Type (b) Acting for administrative convenience
- Δ Vacancies being filled by acting appointments
- # Recruitment exercises for ACACO in OPS and CRD, and CACO(M/L) in OPS and CPD are in the pipeline.

Annex II

Analysis of Wastage of Commission Against Corruption Officer (CACO) Grade Officers by Years of Service from 2007 to 2013

	2007	2008	2009	2010	2011	2012	2013
No. of Departed Officers (figures in bracket { } represent no. of officers on retirement)	79 {6}	76 {9}	46 {12}	47 {10}	47 {7}	50 {10}	34 {13}
Non-retirement Wastage Rate (percentage against strength as at 1 January of the year)	9.10%	8.59%	4.09%	4.43%	4.54%	4.64%	2.49%
<u>Years of Service of Pre-mature Departure</u>							
less than 1 year	9	18	6	10	2	4	3
1 year to less than 3 years	24	13	10	8	6	4	4
3 years to less than 5 years	2	4	3	2	8	4	4
5 years or more	38	32	15	17	24	28	10
Total No. of Officers on Pre-mature Departure	73	67	34	37	40	40	21

**An Extract of Information on
ICAC's Appointment of a Mainland Academic
in response to questions raised by LegCo's PAC on 3 June 2013**

- (a) What was the justification for hiring a mainland scholar as a consultant for the Centre of Anti-Corruption Studies (CACS)?
- After becoming a state party to the United Nations Convention Against Corruption (UNCAC) in 2005, China designated the Hong Kong ICAC in 2006 to assist other state parties in developing measures for the prevention of corruption. The then Commissioner considered it necessary to hire an expert who was familiar with China policies and laws with international perspectives to provide insights in Mainland's anti-corruption policies and development for effective implementation of anti-corruption initiatives through compliance of the UNCAC, the Centre decided to create the senior consultant post.
- (b) In respect of (a) above, whether the hiring had done through the usual public recruitment exercise; if not, why not?
- In view of the special requirements of the post concerned, the ICAC commissioned the Association of University Anti-Corruption Research Centres (the Association) to assist in recruiting an expert instead of following the general practice of hiring through public recruitment. The Association is a joint academic organisation with anti-corruption research experts representing anti-corruption research and education centres of over 20 renowned universities in Mainland China.
 - According to the ICAC requirements, the Association identified scholars with expertise in anti-corruption studies from universities on the Mainland. Subsequently, three Mainland scholars renowned for anti-corruption studies were recommended to the ICAC for consideration. Having contacted those three scholars, the ICAC eventually hired an Associate Dean of the Public Administration Faculty, Hunan University, as Research Consultant for a term of one year.