

**For discussion
on 1 April 2022**

Legislative Council Panel on Security

**Proposed Directorate Staffing Proposals in the
Independent Commission Against Corruption**

PURPOSE

This paper seeks Members' views on the proposal to create the following in the Independent Commission Against Corruption ("ICAC") with effect from 6 July 2022 or upon approval of the Finance Committee ("FC") of the Legislative Council (whichever is the later) for providing necessary support to the Commissioner, ICAC ("C/ICAC") for his assumption of presidency of the International Association of Anti-Corruption Authorities ("IAACA") –

- (a) one new rank and one supernumerary post of Senior Assistant Director, Commission Against Corruption ("SAD, CAC") [ICAC Pay Scale ("IPS") Point 47, equivalent to D3], designated as Director of International Cooperation and Corporate Services ("DIC") for three years; and
- (b) one supernumerary post of Assistant Director, Commission Against Corruption ("AD, CAC") (IPS Point 46, equivalent to D2), designated as Assistant Director/International Cooperation ("AD/IC") for three years.

The paper also seeks Members' views on the proposal to re-grade one permanent Secretary to the Commission Against Corruption ("Secy to the CAC") post to AD, CAC post by the creation of one permanent AD, CAC post offset by the deletion of one permanent Secy to the CAC post (both at IPS Point 46, equivalent to D2 level).

JUSTIFICATIONS

C/ICAC's Assumption of IAACA Presidency

2. With the approval of the Central People's Government and the Chief Executive of the Hong Kong Special Administrative Region, C/ICAC ran for the Presidency of IAACA and was elected the President at its General Meeting on 5 January 2022. The term of his IAACA presidency commenced immediately for three years.

3. IAACA is an independent and non-political anti-corruption organisation comprising institutions around the world responsible for investigation, prevention and prosecution of corruption. Its objective is to promote the effective implementation of the United Nations Convention against Corruption and foster constructive collaboration among its members in the prevention of and fight against corruption, as well as in various aspects of international cooperation to combat and control corruption. Since its establishment in 2006, it has been instrumental in the global fight against corruption. Currently, over 140 countries and regions participate in it through organisational or individual membership.

4. The IAACA constitution provides that the President shall establish a Secretariat. Accordingly, a Secretariat has been set up in ICAC with effect from 6 January 2022 to support C/ICAC in fulfilling the mandate of the presidency, which is part and parcel of ICAC's international cooperation work, with major functions as follows –

- (a) providing executive and secretariat support to C/ICAC and DIC as the IAACA President and Secretary-General (“SG”) respectively in formulating and developing policies and initiatives for IAACA;
- (b) supporting the functioning of the Executive Committee of IAACA;
- (c) maintaining close communication with various IAACA's stakeholders, including Vice Presidents, Regional Coordinators and other Executive Committee members, organisational and individual members, international organisations and anti-corruption experts around the world;
- (d) organising IAACA's General Meetings, meetings of the Executive Committee and its sub-committees, conferences and training events held in Hong Kong and other territories;
- (e) organising overseas duty visits by ICAC officers for carrying out duties relating to the work of the IAACA Presidency and Secretariat, such as reaching out to IAACA's stakeholders and organising meetings and training events;
- (f) coordinating visits by delegations of IAACA members and other stakeholders to ICAC and the IAACA Secretariat;
- (g) publicising IAACA through newsletters, dedicated website and social media; and
- (h) handling IAACA membership, including applications and database maintenance.

5. Following C/ICAC's assumption of presidency, the International Cooperation and Corporate Services Department ("ICD"), comprising the International Cooperation ("IC") Branch and the Corporate Services ("CS") Branch, has been set up with effect from 6 January 2022. IC Branch, to be headed by the proposed AD/IC, is formed with manpower transferred from the then International Liaison and Training ("ILT") Group after the re-organisation of the then Administration ("Admin") Branch [which has subsequently been renamed the CS Branch to better reflect its work nature upon the establishment of ICD]. In addition to the duties of international and Mainland liaison as well as provision of training, capacity building and consultancy services to anti-corruption agencies ("ACAs") in different jurisdictions, the IC Branch is responsible for running the IAACA Secretariat.

6. The organisation charts of ICAC before and after the creation of the two supernumerary directorate posts and that of ICD are at **Annexes A1 to A3**.

Need for Creating the Proposed Two Supernumerary Directorate Posts

DIC

7. In accordance with the IAACA constitution, the President shall recommend the SG for appointment by the IAACA Executive Committee. Given the lack of a senior directorate officer taking charge of the increasingly heavy portfolio relating to international cooperation, Mainland liaison and collaboration with ACAs in capacity building, C/ICAC had to be involved personally in many different aspects of this work charter which was not desirable. For example, C/ICAC had been frequently involved in conducting exchanges and discussions on collaboration with senior officials of ACAs in other jurisdictions, attending and chairing meetings related to IAACA affairs, and sharing experience on international occasions. It has been observed that our counterparts usually have the flexibility of being represented by either their heads of organisations (e.g. Chairperson, Chief Commissioner, Governor, President) or the most senior officials in charge of the operations of the authorities (e.g. Director-General, Secretary-General). To represent C/ICAC to liaise and have meetings with heads of ACAs and international organisations as well as other senior officials and executives of overseas agencies and institutions, an officer at D3 level is therefore absolutely necessary for sharing out the burden on C/ICAC and to deputise him on high-level international and Mainland forums in commensurate with the level of representatives of our counterparts.

8. The job description of DIC is at **Annex B1**.

AD/IC

9. Following C/ICAC's assumption of IAACA presidency, it is considered necessary to create a supernumerary AD/IC post, the post-holder of which will be responsible for spearheading the international liaison and training

charter of ICAC and also serves as the deputy to the SG of IAACA. He will also be required to deputise DIC in supporting C/ICAC in the daily administration of IAACA Secretariat and managing IAACA affairs in relation to bilateral, regional and international cooperation. ICAC's international and Mainland liaison and training work had previously been carried out by the ILT Group before the re-organisation of the then Admin Branch. The then Admin Branch was headed by the then Assistant Director/Administration ("AD/A") and the post has subsequently been renamed as Assistant Director/Corporate Services ("AD/CS") (at D2 level). The then AD/A has been heavily involved in directing the Communications and Media Relations Office ("CMRO") which handles all press-related matters, and the Management and Administration ("MA") Group which takes charge of, inter alia, all the administrative, financial and human resources management matters of the whole Commission. Adding to AD/A's already exceedingly heavy portfolio, ILT Group had been put under the then Admin Branch since its establishment in 2018. As functions of ILT Group were distinctly different from conventional administrative work, coupled with their growing importance, volume and complexity and after C/ICAC's assumption of the IAACA presidency and the Secretariat was set up, it is considered operationally necessary to create the supernumerary post of AD/IC to spearhead the international liaison and training charter so as to relieve the hectic workload of AD/CS who can now focus on overseeing CMRO and MA Group.

10. The job description of AD/IC is at **Annex B2**.

Creation of the New Rank of SAD, CAC

11. There are currently three D3 ranks in ICAC, namely, i) Deputy Director of Operations, Commission Against Corruption, ii) Senior Assistant Director of Corruption Prevention, Commission Against Corruption and iii) Senior Assistant Director of Community Relations, Commission Against Corruption. The post-holders concerned are responsible for the specific functions of law enforcement, corruption prevention and community education respectively. To accurately reflect the work nature of DIC which focuses distinctly on international cooperation and corporate services and allow flexibility in future deployment, it is proposed to create a new rank of SAD, CAC (at D3 level) to accommodate the incumbent of DIC with effect from 6 July 2022 onwards or upon approval of FC (whichever is the later).

Re-grading of one permanent Secy to the CAC post to AD, CAC post

12. There are currently two D2 ranks in ICAC, namely AD, CAC and Secy to the CAC. Before the re-organisation of the then Admin Branch, the former post of AD/A was the only post pitching at the rank of Secy to the CAC to reflect the incumbent's role as the most senior officer to advise C/ICAC on corporate matters. Following the establishment of ICD, such role will be taken up by DIC and related matters will be pinned under the CS Branch (formerly Admin Branch). Against such backdrop, it is considered appropriate to pitch the post of AD/CS

(formerly AD/A) at the rank of AD, CAC instead of Secretary to the CAC to avoid confusion of roles between DIC and AD/CS. It is proposed to re-grade the above permanent Secy to the CAC post to AD, CAC post by the creation of one permanent AD, CAC post offset by the deletion of one permanent Secy to the CAC post (both at IPS Point 46, equivalent to D2 level).

NON-DIRECTORATE SUPPORT

13. ICD will have an approved establishment of 180 non-directorate posts (152 posts in CS Branch and 28 posts in IC Branch), including eight posts which will be created when they are filled.

ALTERNATIVES CONSIDERED

14. The possibility of redeploying existing staffing resources within ICAC to take over the work of DIC and AD/IC has been explored but is considered not feasible. DIC needs to be the SG of IAACA and at the same time oversees IC Branch and CS Branch in the multiple portfolios of international cooperation and capacity building, media communications and various corporate services of ICAC while AD/IC needs to double as the deputy to the SG of IAACA and head of IC Branch. The other directorate officers in ICAC are all fully engaged and are unable to absorb this new area of work.

FINANCIAL IMPLICATIONS

15. The proposed creation of the two supernumerary directorate posts will incur an additional notional annual salary cost at mid-point of \$4,934,400. The additional full annual average staff cost, including salaries and staff on-cost, is \$6,542,280. The proposed re-grading of a permanent Secy to the CAC post to AD, CAC post is cost-neutral.

16. The additional notional annual salary cost at mid-point arising from the creation of the eight non-directorate posts mentioned in paragraph 13 above is \$5,463,720 and the full annual average staff cost, including salaries and staff on-cost, is \$7,667,124.

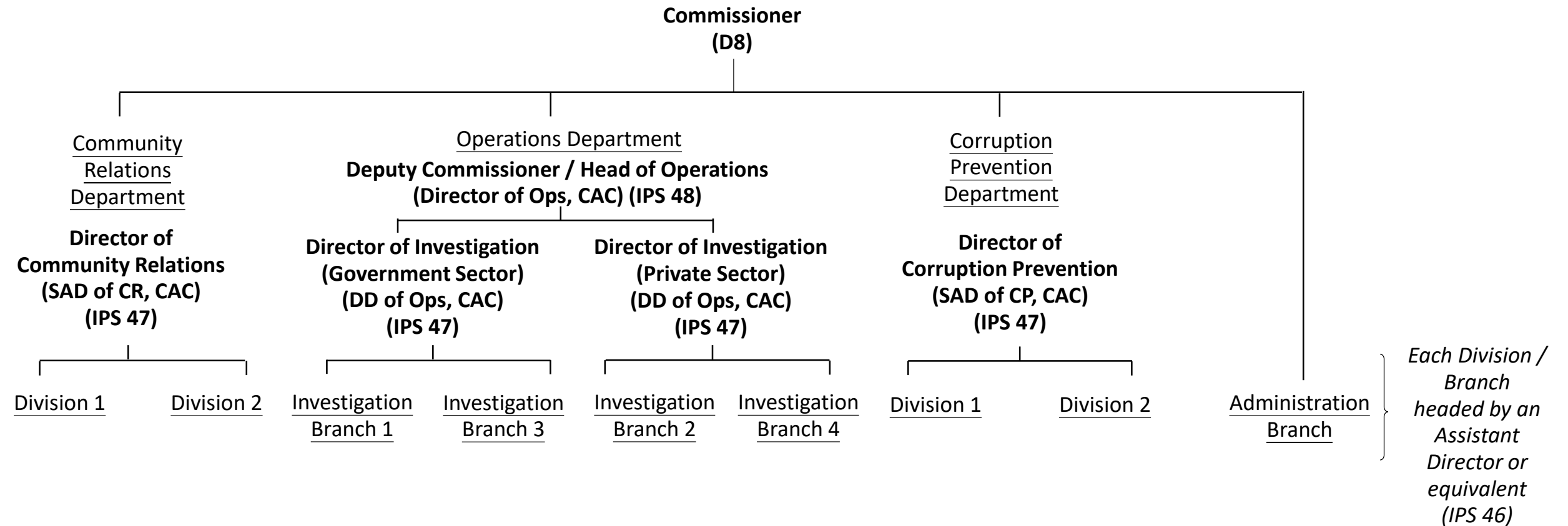
17. We have included sufficient provision in the draft Estimates of 2022-23 to meet the above costs and will reflect the resources required in the Estimates of the subsequent years concerned.

ADVICE SOUGHT

18. Members are invited to comment on the staffing proposal. Subject to Members' views, we will seek endorsement from the Establishment Subcommittee and approval of FC on the staffing proposal.

**Independent Commission Against Corruption
March 2022**

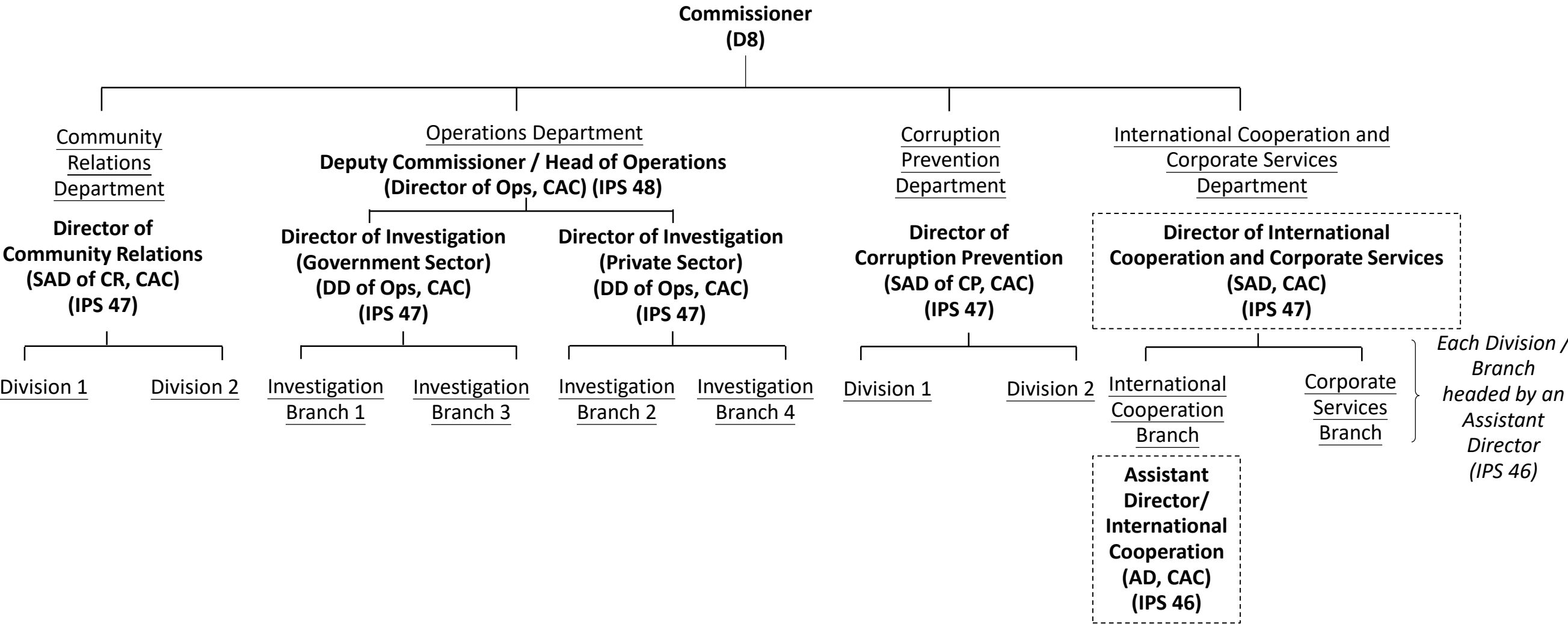
Organisation Chart of Independent Commission Against Corruption
(before the creation of the two supernumerary directorate posts)



Legend

CAC	Commission Against Corruption
CP	Corruption Prevention
CR	Community Relations
DD	Deputy Director
IPS	Independent Commission Against Corruption Pay Scale
Ops	Operations
SAD	Senior Assistant Director

Organisation Chart of Independent Commission Against Corruption
(after the creation of the two supernumerary directorate posts)

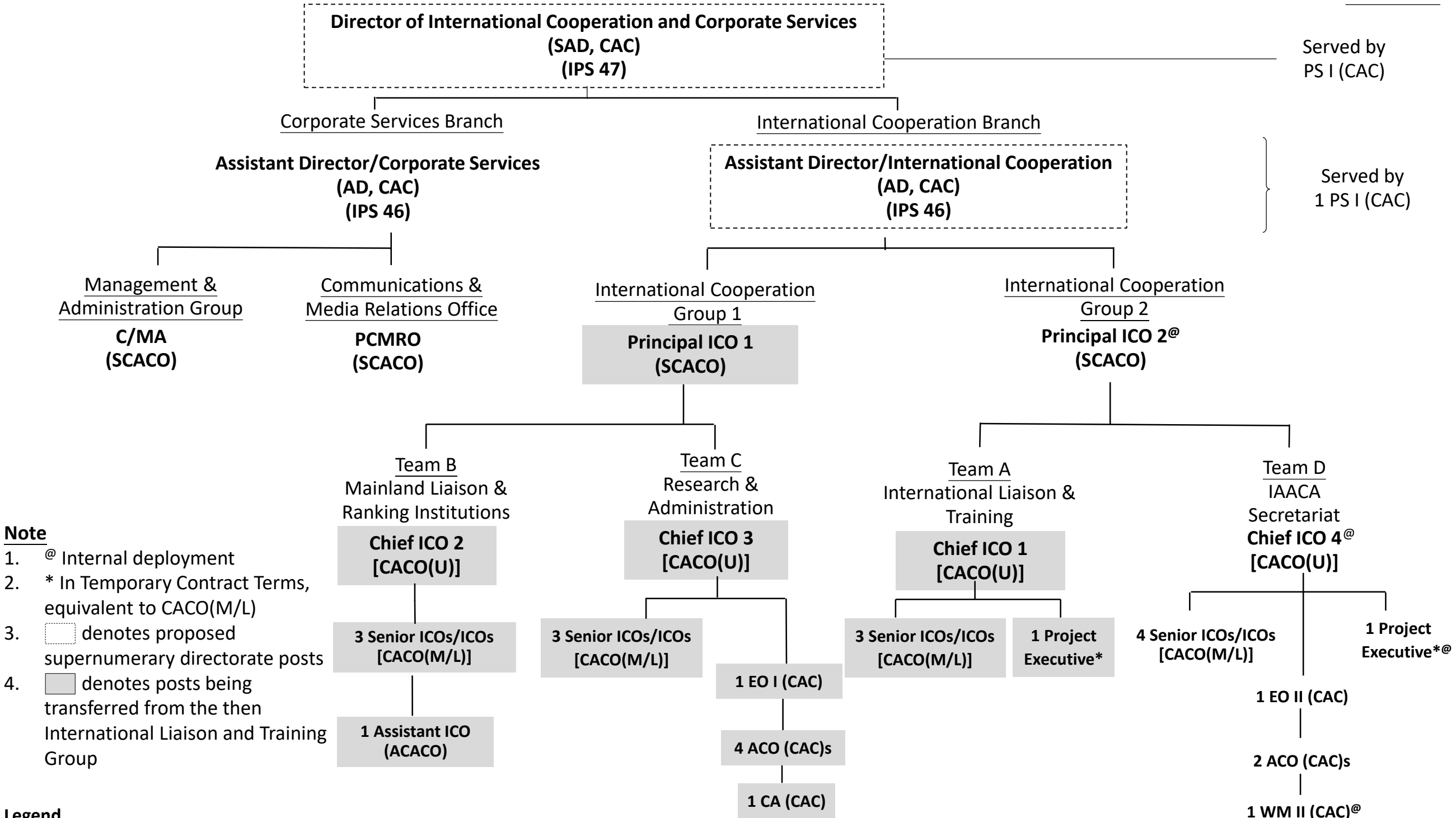


Note
[Dashed box] denotes proposed supernumerary directorate posts

Legend	
AD	Assistant Director
CAC	Commission Against Corruption
CP	Corruption Prevention
CR	Community Relations
DD	Deputy Director
IPS	Independent Commission Against Corruption Pay Scale
Ops	Operations
SAD	Senior Assistant Director

Organisation Chart of International Cooperation and Corporate Services Department

Annex A3



Legend

ACACO	Assistant Commission Against Corruption Officer
ACO	Assistant Clerical Officer
AD	Assistant Director
CA	Clerical Assistant
CAC	Commission Against Corruption
CACO(M/L)	Commission Against Corruption Officer (Middle/Lower)
CACO(U)	Commission Against Corruption Officer (Upper)
C/MA	Chief Staff Officer/Management and Administration
EO	Executive Officer

IAACA
ICO
IPS
PCMRO
PS
SAD
SCACO
WM

International Association of Anti-Corruption Authorities
International Cooperation Officer
Independent Commission Against Corruption Pay Scale
Principal Communications and Media Relations Officer
Personal Secretary
Senior Assistant Director
Senior Commission Against Corruption Officer
Workman

**Job Description of
Director of International Cooperation and Corporate Services**

Post Title	: Director of International Cooperation and Corporate Services
Rank	: Senior Assistant Director, Commission Against Corruption (Independent Commission Against Corruption Pay Scale Point 47, equivalent to D3)
Responsible to	: Commissioner, Independent Commission Against Corruption

Duties and Responsibilities –

- (1) Assuming the post of Secretary-General of the International Association of Anti-Corruption Authorities (“IAACA”) to assist the Commissioner (as President of the IAACA) in formulating and implementing policies and strategies related to the IAACA;
- (2) Directing two Assistant Directors who respectively manages the International Cooperation Branch (comprising two International Cooperation Groups) and the Corporate Services Branch (comprising Management and Administration Group and Communications and Media Relations Office);
- (3) Overseeing the office of the Secretariat of IAACA; and
- (4) Overseeing the international cooperation and Mainland liaison, and overall portfolio of the administration and media relations of the Commission.

**Job Description of
Assistant Director/International Cooperation**

- Post Title** : Assistant Director/International Cooperation
- Rank** : Assistant Director, Commission Against Corruption
(Independent Commission Against Corruption Pay Scale
Point 46, equivalent to D2)
- Responsible to** : Director of International Cooperation and Corporate
Services

Duties and Responsibilities –

- (1) Deputising the Secretary-General (Director of International Cooperation and Corporate Services) of the International Association of Anti-Corruption Authorities (“IAACA”) in supporting the President (Commissioner) in the daily administration of IAACA Secretariat and managing IAACA affairs in relation to bilateral, regional and international cooperation;
- (2) Assisting the Director of International Cooperation and Corporate Services in overseeing the enhanced portfolio of international engagement, publicity and capacity building and Mainland liaison pertaining to the global collaboration in the fight against corruption; as well as corporate research on related topics;
- (3) Directing International Cooperation Groups, with the assistance of the two Senior Commission Against Corruption Officers and through four dedicated teams, in the following work areas:
 - Team A – international liaison with overseas anti-corruption agencies [including those from Belt and Road (“B&R”) and non-B&R countries]; provision of one-stop capacity building training as well as consultancy services for B&R countries;
 - Team B – liaison with Mainland and Macao authorities; collaboration with counterparts in the Greater Bay Area; provision of corruption prevention service to Hong Kong enterprises in the Greater Bay Area; and liaison with non-governmental organisations, ranking institutions and their data source organisations;

- Team C – provision of research and internal administrative support to the whole International Cooperation Branch; arranging programmes under the Information Services Department's Sponsored Visitors Programme; assisting in IAACA affairs and training and consultancy service to overseas anti-corruption agencies as and when necessary; and
- Team D – operation of the IAACA Secretariat, including close liaison with over 140 IAACA members and over 360 anti-corruption authorities / agencies round the world, provision of all kinds of coordination and support services to the President and the Secretary-General, including logistics for meetings, duty visits, participation in international conferences, operation of dedicated website, publicity of IAACA, etc. to ensure IAACA functions efficiently and effectively in pursuit of its role as laid down in its Constitution, the key of which is to promote the effective implementation of the United Nations Convention against Corruption.