# 公務員津貼的管理

## 主席:

我們繼續第2節聆訊,有關報告書第8章"公務員津貼的管理"。這是該章的第2次聆訊,證人包括公務員事務局局長林煥光先生、公務員事務局副局長栢志高先生、庫務局局長俞宗怡女士、庫務局副局長林鄭月娥女士、法定語文專員李立新先生、司法機構政務長徐志強先生、香港郵政署署長陸炳泉先生及香港郵政署副署長蔣任宏先生。

在吳亮星議員開始提問前,我想先澄清兩項重要的問題。我們曾致函公務員事務局,昨天收到他們的書面回應,第一項想澄清的問題是,提交給委員會的備忘錄"Memorandum on conditions of service",這份文件的日期是1998年12月,但我們現在討論的"Terms and conditions"是很久以前的情況,請問這份1998年的文件是在何時生效?以前的文件內容又如何?我希望先瞭解清楚這份文件的生效日期,如果這份文件曾作修改,你是否可以提交以前的文本呢?Mr Pescod.

# Mr Duncan Pescod, Deputy Secretary for the Civil Service (Dep SCS):

Mr Chairman, in fact what we have done is to give you a sample. We have different types of memoranda for different categories of staff, and indeed those memoranda are changed over time as the various fringe benefits are changed. For example, previous to 1989 certain staff would have had non-departmental quarters as one of the housing benefits. When that stopped, of course, the MOCS was modified to reflect the change. Likewise when we stopped the overseas education allowance, again, the MOCS was changed to reflect that change.

I could certainly give you copies of all the various MOCS going back years and years and years, but it seemed to us that the issue was to give you an example of what was in the MOCS and how that MOCS applied to staff. The basic design has not changed. It is just the content. As we have changed the fringe benefits, for example, we have deleted some; we have taken that out from the MOCS. But certainly we can give you the other examples. There will be many.

# 主席:

你指對員工入職時所作的承諾,似乎每個員工在不同時候入職會有不同的協議,這情況與98年指出所有情況也包括在內有異。如果在這情況下,我們有需要考慮其法律效力。

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其次,我想澄清你們在99年12月15日覆函中第2頁最後一段,即第(c)&(d)段指出"Despite the above, we have always observed the convention that being a responsible employer, it is not appropriate to unilaterally withdraw existing benefits from serving civil servants.",我相信是回應我們的問題,表示不剝奪員工現有福利的政策,你第一次提及時稱之為政策,並講述其起源和所根據的文件,現在回應又稱這並非一項政策,只是按照慣常的處理方法。這兩者的分別很大。若是政策,我們就不會與你們作出討論,我希望你澄清是否一個慣常的處理方法。你們不會單方面刪除福利是否只是一個慣常的處理方法,而非一項政策?

### Dep SCS:

Mr Chairman, in fact I think the most important part of this letter comes in on the second section where I drew Members' attention to the undertaking in the 1968 agreement which basically puts in place a system for full consultation with the staff side on any issue that affects conditions of service. And that is an established policy.

#### Chairman:

I think you are trying to confuse us. I think nobody here has said a word about objecting to a thorough consultation exercise. Nobody objected to it. That is part of the procedure. But we want to make sure that at the end of the day, after you have done the consultation, which I think in all cases your procedure is established, has done, after the consultation. We know that the Government has a legal right to withdraw it. But there is no policy for not withdrawing it after consultation. What I really want to establish is on that particular point, after consultation.

## Dep SCS:

Mr Chairman, all I can say on that, and I am certainly not a lawyer, is that as far as our records are concerned we have never withdrawn an existing benefit. Unlike our attitude in the context of the allowances, and we have indicated that at the last meeting.

#### Chairman:

So, what about the court case of Lam Yok-ming and others. Is it actually in the record? I think we can find out.

### Dep SCS:

Yes, we gave you that example as we were asked to at the last meeting. The details of that are established in the court records.

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#### Chairman:

Maybe I think, through the Legal Adviser we will find out. Clearly one employee thought that you had withdrawn. That is why they took you to court.

### Dep SCS:

I think that the context there was in respect of a personal situation. It is a different matter when you are talking about a generic withdrawal affecting all civil servants.

#### Chairman:

But you would not disagree that I said it is only a convention and not an established policy which went through ExCo, etc?

### Dep SCS:

In so far as every time we have changed a fringe benefit it has been through the Executive Council and the fact that we have not withdrawn from existing staff has been acknowledged by the Executive Council. We deal with each case on its merits, Mr Chairman.

### Chairman:

Thank you.

### 主席:

劉慧卿議員。

### 劉慧卿議員:

主席。報告書第2.6段說明這是一個慣例,他們沒有堅持是一項政策。他們會自我約束,雖然擁有很大的權力,但不會行使該權力,他們會與員工討論後才作出決定。

### 主席:

這一點很關鍵。我們知道大家有約束性,需要諮詢員工意見。但你們可能根本沒有作出諮詢,如何得知員工會不同意呢?從報章得悉,有些部門的首長亦覺得有些津貼過時,其實他們並沒有反對。因此,我們必須留意他們有否根據程序進行諮詢?

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這是一個關鍵的問題,而不是一個政策問題。議員可就這方面提出具體的跟進問題。 吳亮星議員。

## 吳亮星議員:

我就上次聆訊餘下的部份提問。有關往返住所及辦事處交通津貼的檢討,根據報告書第4.18段,這項津貼實施已久,當局早於75年已知道有需要進行檢討,並訂定長遠目標,以期取消這項津貼,在第4.19段更指出,公務員事務局就往返住所及辦事處交通津貼於1997年12月展開新一輪的檢討,並在98年1月,該局向各政府部門發出問卷,調查員工往返住所及辦事處所需的交通費,至99年8月,公務員事務局又發出諮詢文件,建議修訂該項津貼。請問經過新一輪的檢討、問卷調查及發出諮詢文件等過程,你們是否同意這項交通津貼正如審計署所認為屬於"異常現象"呢?此外,有否改變在75年所訂下取消這項津貼的長遠目標?現時你們的方向和計劃為何?有何具體計劃可達成這項長遠目標呢?

## 主席:

Mr Pescod.

### Dep SCS:

Mr Chairman, put simply, yes, we have no dispute with the logic behind the Director of Audit's comments on this, and indeed we have completed our review and will shortly be bringing forward to this Council proposals for basically scrapping the HOTA and replacing the system completely with an entirely new arrangement.

I think I should explain. We think there is a need to provide for a certain type of compensation for officers that are required to travel long distances to their place of work because, unlike most private sector situations where employees are employed within a defined location, our staff can be deployed virtually anywhere within the territory, and as such we think that there is a need to compensate them for nugatory expense beyond the normal level of travel costs.

So, we will be bringing that forward to Members fairly shortly.

### 主席:

吳議員。

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# 吳亮星議員:

非常高興聽到會盡快作出檢討和調整,但我想就過去實行時一些特別的情況 提問,報告書第4.21段提及在一年發還的6,700萬元交通津貼中,有大部份款項用以津 貼在凌晨時分往返新界市中心辦公地方的交通費,請問獲發這項津貼的員工是否屬超 時或夜班的特別工作,通常是何種職務的公務員會領取該項津貼呢?

### 主席:

栢先生。

## Dep SCS:

Mr Chairman, I do not necessarily agree with the analysis, of course. As we have pointed out in our response, we do not think that a sample of 100 out of 18,000 is a representative sample by any stretch of the imagination.

Nevertheless, the prime objective was to provide for staff who are required to work in remote locations. But unfortunately as Members have quite rightly pointed out, the system had not been changed for an extended period of time despite the fact that travel, particularly within the New Territories area, had improved dramatically over the years. And that is what we are trying to address in this review we have just recently completed.

As for whether it is designed to provide just for overnight, it is not. The HOTA was to provide for compensation for the cost of travel.

As for the claim limits, basically it is open to any officer to claim. Clearly if, for example, an officer were provided with a vehicle or drives his own car, then they are not eligible to claim under this system.

### 主席:

劉慧卿議員提問後,我會作出簡短的跟進。

### 劉慧卿議員:

主席。我有3個問題,第一,這項檢討是否已諮詢了職工會,職工會是否同意取消這項津貼?第二,現在可否透露將來提交的建議,會基於甚麼準則發放交通津貼?第三,政府有眾多員工,在可能範圍內,政府是否可以安排員工在就近居所的辦事處工作,以減低員工來往交通的需要?

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## 主席:

栢先生。

# Dep SCS:

Mr Chairman, yes, we have consulted the unions and they have accepted the proposals. In fact during the course of consultation we modified them slightly to accommodate some of their concerns. We have also consulted the Standing Commission, as we are required to do in any change of this nature, and we are consulting the Standing Committee. So, we have gone through the whole process and the new package is acceptable from everybody's perspective, as far as I know.

As for the details of the new package, perhaps I can just outline the main principle. The main principle is, as I said before, that we accept that where officers are posted to remote offices there is a need to compensate then for the additional cost. In that case we are drawing up a list for designated remote locations, and these will include, for example, the border area, certain of the outlying islands and places in, for example, remote locations within Sai Kung.

As far as making sure that that list is accurate, we will have a regular review mechanism to ensure that the list is updated on a regular basis. We will also be trying to ensure that the allowances are kept within reasonable levels, and there will also be a proposal to adjust allowances in accordance with the CPI(A). I mean, this is a fairly standard arrangement now, to make sure that allowances are kept in step with the costs.

As far as postings are concerned, that is quite a difficult one for me to answer in a black and white way because, of course, for example, we do have large numbers of staff working on the border: immigration officers; customs officers; police officers. And while during the course of an officer's career he may be working near where he lives, by the nature of the posting arrangements he could be posted to another location within two or three years. So, while we give due regard to that, it is not an overriding consideration.

## 主席:

我很高興知道員工的態度非常合理,在諮詢後亦同意這建議,我不會對合理性提出質疑。事實上,這項長遠目標在75年訂立後曾作出3次檢討,由第4.3段至第4.18段都有提及。尤其在第4.18段指出,75年提出檢討,員工的反應是最主要的障礙,但現在這個理由完全不成立,員工處理這事件的態度非常合理。請問在75年、84年和92年,究竟政府提出了何種正式的諮詢?如果你們不能即時回應,請你稍後翻查紀錄,你曾強調有清楚的諮詢程序,但參閱審計署署長報告書英文版第4.4段"the working party recognised that the officers concerned were naturally likely to oppose the abolition of

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the allowance",在第4.7段指出84年的情況是"However, there was adverse reaction from the staff side on the revision of the boundary. The proposal was withdrawn in November",而第4.8段提及到了92年,"in anticipation of strong staff reaction, in August 1992, the CSB decided that this proposal should be shelved",這3段的用字和寫法似乎指出只是政府單方面的感覺,認為員工必然反對。請問政府有否作出正式諮詢?又經過何種程序呢?是否未作諮詢就收回建議?如果當時員工的態度像現在般合理,這問題是否早已解決了?

# 主席:

栢先生。

### Dep SCS:

To be frank with you I have not got any personal knowledge of what happened back in those days. So, I really could not comment.

## 主席:

報告書指出公務員事務局假設員工會不理性地反對這些過時津貼,但這假設可能對員工並不公平,今次工會便非常合作,我覺得應該為工會討回公道。劉慧卿議員。

## 劉慧卿議員:

審計署署長曾參閱有關文件,請問署長,主席剛才提到的數次諮詢,是政府自把自為,不作諮詢便自行決定,純粹以自己的感覺,認為職工會反對便不作諮詢,是否有這情況呢?

### 主席:

陳署長。

### 審計署署長陳彥達先生:

主席。我不太清楚每一個的情況,根據報告書似乎是內部的,並非全面的檢討。

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## 主席:

很清楚檢討是進行了。

## 劉慧卿議員:

他指是內部檢討。

## 主席:

檢討有否按應有程序諮詢是關鍵......

### 審計署署長:

或者請公務員事務局提供更多詳細資料。

### 主席:

因為選擇用詞是你的決定,所以我才向你提出這問題,或者請公務員事務局以書面詳細答覆。吳亮星議員,你可以轉到其他部份了。

### 吳亮星議員:

我與梁劉柔芬議員聽取上述解釋後均覺得其他部份都有相同的情況,政府過份慷概是基於擔心員工的反應。其實,在上次聆訊時我亦提及負責檢討津貼的人員亦可收取該等津貼,他們也是員工的一份子,雖然不是一項批評,但亦很難撇除這項因素,他們會否因此而不同意取消某項津貼呢?我們現在進入第5部份......

### 主席:

吳議員,我認為這是一個很嚴重的批評,或者讓林局長作出回應。

### 吳亮星議員:

上次聆訊時他們已回應不存在利益衝突的問題,因此,我不希望重複了。他們收取該津貼、卻要撰寫報告和諮詢員工,不同的角色集於一身,我們認為難免有衝突的情況,但現在最重要是提交有關文件,交代當時諮詢的情況,如果有數據顯示諮詢員工......

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### 主席:

請你發問問題,稍後若局長想作出回應,可一併回覆。

# 吳亮星議員:

主席,告書第5.18段,審計署"建議公務員事務局局長和庫務局局長應就釐定 行車津貼額的公式作出檢討,將現有過分慷概的優惠元素撇除,並只發還在出差時使 用私家車所招致的直接成本"。而在第5.19(a)段,公務員事務局局長回應表示,"政府 在制訂有關政策時,從未有意圖故意提供優惠"。請問政府是否同意這公式是存在優 惠的元素?只是政府並非故意提供這優惠,並請回應有關優惠的情況。

# 主席:

栢先生。

## Dep SCS:

Mr Chairman, maybe I should respond to the previous comment first. I think it is really rather a presumption to assume that the person who wrote the report is entitled to an allowance. I do not think that would be appropriate at all. In any case I think the circumstances in 1999 are sufficiently different from the circumstances in 1984 and 1975 for us really to be comparing pears and apples. I think you have got to see these consultation exercises in context, and the situation is very different today.

Turning to the present question, we certainly do not consider that the provision of mileage allowances has too much of an incentive side. What we are trying to ensure is that officers get a fair recompense for those that use their cars for duty purposes. And bear in mind that they must get approval in the first place to be able to use their car, and then they must demonstrate that they have actually used their car for their duty purposes.

It is also fair to point out that in some cases this is actually an enhancement in terms of efficiency, because if an officer uses his car for accessing a remote location, for example, it means we are not tying up a Government vehicle, we are not tying up additional drivers and additional resources in that operational requirement.

So, we have got to look at it from the point of view, is it operationally valid and is it operationally efficient, and in that context we shall be reviewing the provision of duty mileage allowances, including the payment formula, to make sure that it is current and up to date.

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### 主席:

吳議員。

## 吳亮星議員:

主席,副局長不同意這公式有過份慷慨的優惠元素,否需要請審計署就此作 出回應?

## 主席:

陳署長。

## 審計署署長:

報告書第5.15段已說明有關情況,我們並非指該項津貼的全部範圍均屬過份 慷慨,審計署認為出差時使用其車輛所招致的直接成本,即燃料費是必須得到補償 的,但維修費用和其他項目卻是過於慷慨。多謝主席。

### 主席:

這點我們清楚了,這似乎亦是公務員事務局檢討的範圍。

### 吳亮星議員:

根據第5.19(f)段,局長同意會盡快就出差行車津貼的發放和釐定有關津貼額 的公式作出檢討,請問具體時間表為何?其次,就審計署提及優惠方面的處理方法, 是否有初步檢討的方向?甚麼津貼額會廢除或保留呢?

### 主席:

**栢先生**。

### Dep SCS:

Mr Chairman, I do not think we go into a review with preconceived ideas. We have acknowledged the comments made by the Director of Audit, and in fact before the Audit report came out we had already decided to review, and that is reflected in the Audit's comments at the end there.

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As far as what the objective is, the objective is to make sure that the mileage allowance is up to date and reasonable. And that it is not going to be something that is perceived to be generous, as the Member suggested.

As for timetable, I would expect that this would take between four to six months, that sort of time frame.

## 主席:

劉慧卿議員。

## 劉慧卿議員:

請問員工方面初步的反應如何?

### 主席:

栢先生。

## Dep SCS:

No, Mr Chairman. We have not yet commenced that part of the review. Once we have a proposal we will go to the staff side.

### 主席:

進入另一部份好嗎?吳議員。

### 吳亮星議員:

進入第6部份有關家具及用具津貼。報告書第6.5段指出"領取家具及用具津貼是服務條件之一,除非在職人員自願放棄這項福利,否則不得撤銷"。請問是否有任何具體法律文件或書面憑證,可作為當局釐定這項服務條件的依據?

### 主席:

這就是先前提及的備忘錄,這類備忘錄何時開始出現在員工的聘用書內呢?

### 主席:

**栢先生。** 

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## Dep SCS:

Mr Chairman, I believe that the unilateral variation clause has always been a part of the standard contract document.

#### Chairman:

No. I think in the Memorandum you list out in detail all the various benefits, but the Memorandum, I said, that came to us was an example of 1998 December. It is a very, very recent one. But these should have been given to the employee at the time of appointment to be validly binding on the Government, right? I think one of the questions, if I may supplement, is when does that condition first appear in any Memorandum?

### Dep SCS:

1950's.

#### Chairman:

In the 1950's? Is it possible to have an earlier example? You need not go back that far.

## Dep SCS:

As I said I will try and give you examples of other generations of MOCS. I have already given an undertaking to do that.

#### Chairman:

So if it reflects in a very, very early Memorandum at the time you issued the appointment then it will prove what you have said is correct. That is what we are trying to do. I think that is what Mr NG wants, proof of such a legal obligation. 吳議員,這個你滿意嗎?

# 公務員事務局局長林煥光先生:

這方面可以提供。

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# 吳亮星議員:

根據報告書第6.11段,81年11月開始實施自置居所資助計劃,但在第6.13段提及"政府決定限制發放家具及用具津貼,應只適用於在1990年10月1日或之後參與自置居所資助計劃的人員"。為何撤銷90年以前聘用的人員領取該項津貼的資格會帶來違反合約權利的問題?但撤銷90年以後者卻不怕違反合約?兩者既是同類計劃,當中有何實際分別呢?

# 主席:

栢先生。

# Dep SCS:

First, when we introduced the Home Purchase Allowance that was done as an additional allowance for officers who could still have available to them non-departmental quarters, private tenancy allowances, and the other forms of housing benefit. At that time, in 1981, there was no consideration given to the withdrawal of that allowance.

In 1989 we introduced a completely different set of housing benefits, including the Home Finance Allowance, the Accommodation Allowance and a modified Home Purchase Scheme. At that time we did look at the question of whether or not we should apply other changes to housing-related benefits – and obviously this is a housing-related benefit – and that is the difference. It was just that, at the time of 1981, we did not consider that as something that needed to be looked at.

### 主席:

HPS在1990年開始實施,當時為何不考慮更改這項條件呢?

### Dep SCS:

Well, Mr Chairman, I said, there were two stages here in this process. The HPS was an earlier form of home purchase scheme available to staff, but it was on the basis that the senior staff, those who were above MPS 34, could still have available to them the private tenancy allowance and the non-departmental quarters. In 1989 we introduced the Home Finance Scheme and from that point on all officers who were recruited, who reached point MPS 34 or equivalent, were not longer eligible for either the PTA or NDQ, only the HFS. For officers between MPS 22 to 33, they were eligible for a quota-limited home purchase scheme. So we are talking about a very complicated development of housing benefits.

## 公務員津貼的管理

#### Chairman:

Nonetheless, during that very short space of time – we are talking about a year's difference – when these things are being quite dramatically reformed – I hope it is not an exaggeration – but at that time there is an opportunity to look at this allowance, which apparently you have agreed that you have missed.

## Dep SCS:

Well, no, I think, as I indicated it was not looked at thoroughly in the sense of the HPA introduction in 1981, but the 1990 cut-off was an obvious cut-off for us because there were so many major changes in respect of our housing benefits, and we changed dramatically. We introduced, for example, situations such that, when people joined the Home Finance Scheme, they forfeited all other forms of housing benefit available to them. So there were major changes at that point, and that was obviously the appropriate time to make these consequential changes to what we call housing-related benefits.

#### Chairman:

OK.

# 吳亮星議員:

這部份的最後一條問題。在第6.13段的第二分段,公務員事務局局長說"他計劃分階段停止或限制發放家具及用具津貼予在職人員",請問理據何在及如何分階段進行?員工方面對此有何反應?

### 主席:

栢先生。

### Dep SCS:

Mr Chairman, on this, we did consult staff in terms of the cessation of the FDA and they agreed to that, and that has already been implemented. So, I do not think I can add much more than that.

## 主席:

謝謝。吳議員。

## 公務員津貼的管理

## 吳亮星議員:

進入第7部份有關方言津貼。根據報告書第7.20段,向中文主任發放方言津貼的平均費用為每小時4,952元,而庫務局局長核准的兼職傳譯員時薪僅為204元,相比之下,相差甚遠,請問是否顯示管理上存在失誤或不足呢?

### 主席:

這問題牽涉數個部門,由部門首長回應或先請栢先生作出回應?如有需要,你可請部門的同事協助。

## Dep SCS:

Mr Chairman, the only point I can really make on this one before I ask the Commissioner for Official Languages to add some comments, is that we basically accept both Audit's comments on this and have been working with the departments to implement the changes. There are some technical issues that we have to resolve but I think we can take this one forward.

As far as the financial figures in 7.20 perhaps the Commissioner for Official Languages might like to comment on it.

### 主席:

李立新專員。

### 法定語文專員李立新先生:

主席。很抱歉,我恐怕未能即時就這情況為委員會提供滿意的答覆,因為費用是由不同成分組合而成,我需要翻查資料才能提供一個正式的答覆。

### 吳亮星議員:

稍後請向我們提供資料說明這是一個合理的情況。

### 主席:

雖然有些數字在報告書內已有提及,但他未能即時回應,或者在稍後才一併 回覆。吳議員,仍有跟進嗎?

## 公務員津貼的管理

## 吳亮星議員:

根據報告書第7.23段,公務員事務局局長表示同意審計署的兩項建議,"他正 與有關的職系首長商討這事項,他會繼續研究,以期將發放方言津貼的做法合理化"。 請問何時才能把發放這津貼的做法合理化?會如何作出研究?可否讓我們知悉下一 步的跟進情況呢?

## 主席:

栢先生。

## Dep SCS:

Mr Chairman, as I have indicated we have actually reached agreement in principle with the heads of grade over the payment arrangements. Of course in accordance with our normal practice we do need to speak to the staff, and so that is the stage that we would expect to reach fairly soon.

As far as time table, it will depend on the staff, how quickly they come back to us on this, but I would have thought a few months would be the sort of time frame we are talking about for that change.

### 主席:

李華明議員。

## 李華明議員:

主席。我想就普通話作為認可的方言提出問題。根據審計署署長報告書中文本第30頁表八,1999年6月申領普通話津貼的人數佔申領方言津貼總人數的68%,可以看到很多人員領取津貼學習普通話。而在第7.18段提及,"在1995年9月,政府發表其既定目標,旨在培育一支通曉兩文(中英文俱佳)三語(廣東話、普通話和英語)的公務員隊伍",既然公務員基本上需通曉普通話,政府是否仍需繼續讓員工領取津貼學習普通話?公務員是否應假設需自發裝備自己?政府會否檢討何時不再把普通話列為可申領津貼的方言?

### 主席:

李專員。請你回應。

## 公務員津貼的管理

## 法定語文專員:

主席。就普通話方面,政府的政策確是要培育一支通曉兩文三語的公務員隊伍,但到目前為止,通曉普通話者並不太多。其實這政策只推行了數年時間,普通話組的同事當年在入職時並不須通曉普通話,他們是在入職後經過進修和通過考試後,才能領取普通話津貼。我們現正考慮招聘中文主任時,要求必須具備一定的普通話程度,但程度是否需足以作普通話傳譯就必須細心研究。我們希望將來入職者能充分掌握兩文三語,便可省回這項學習普通話的津貼。

若主席允許,我想回應剛才有關第7.20段的問題,報告書指發放津貼以獲得普通話傳譯服務,平均費用為每小時4,952元,相比之下,庫務局局長核准的兼職傳譯員時薪僅為204元。這項計算結果可能是因為領取每月906元方言津貼的人員,不常需要進行普通話傳譯工作,因此,平均費用需要4,952元,非常昂貴。相對於向外聘請一節傳譯員為204元,就好像天文數字。我們會檢討有關情況,我在報告書內亦指出,除了普通話以外,其他方言現已不常應用,我們會考慮取消該等方言津貼,我們同意有勞才有酬。多謝主席。

# 主席:

劉慧卿議員。

### 劉慧卿議員:

李先生剛才並未有提及聘用兼職傳譯員的問題,希望你能對此作出回應。徐志強先生曾表示在法庭僱用兼職傳譯員似乎較難實行,請他也就這方面作出回應。你們是否已就其可行性作出詳細考慮呢?我相信聘用兼職傳譯員會更具成本效益。

### 主席:

徐先生。

### 司法機構政務長徐志強先生:

主席。我們現時是有聘用兼職傳譯人員的。可能我們在回應時不夠全面,我 現在向各位議員提供少許數據。我們曾就今年的情況作出一些統計,除普通話傳譯員 外,其他方言的傳譯員佔95%是臨時聘用的。所以我們實際上是有聘用臨時傳譯員的。 我們在報告書內的回應,是指比較複雜或以英語作為審訊語言的案件。據我瞭解,由 方言繙譯為廣東話是比較簡單的,因為是直譯;但由一種語言傳譯為另一種語言,例 如由中文譯為英文,是另一種技巧。根據現時我們核准臨時傳譯員的登記名冊,他們

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是未能做到由方言直接繙譯為英文,這是困難所在。由方言譯為廣東話是沒有困難的,在一些比較初級的法庭中,大部份都是聘用臨時傳譯員的,只有餘下少許的傳譯工作是由我們自己的同事擔任。

## 劉慧卿議員:

但那些只是很少部份?

## 司法機構政務長:

只有很少部份需要我們自己的同事在初級法庭擔任傳譯工作。

### 劉慧卿議員:

主席。我想向李先生提出有關聘用臨時傳譯員的問題,他似乎沒有就此點作出詳細回應。

## 主席:

李先生。

# 法定語文專員:

主席先生。我們是比較少聘用臨時傳譯員,即時傳譯員則是屬於另一種不同的職系。我們盡可能由我們的同事作普通話的傳譯工作,我們亦會維持一個7人的普通話組,為政府提供高水平的普通話傳譯服務。我們有時需要隨團到中國內地作傳譯工作,有需要維持這個組別,盡可能不聘用外間的員工,特別是當傳譯工作涉及機密或敏感的事宜,我們不方便聘用外間的臨時傳譯員。

### 主席:

有一、兩點我想作出跟進。請問李專員,在審計署署長報告書第7.12段中,清楚顯示你們的統計數字和資料很齊全,否則,審計署署長亦不能一下子取出那麼多的有關數據。顯然你保留了這麼多數字和數據,亦看出有問題出現,否則,你亦不會輕易同意審計署署長的意見,但究竟你拿著這些數據做過些甚麼工作?從管理角度來說,這些數據可否使你們早點察覺問題所在,而自行提出一些改善建議?公務員事務局和庫務局均認為,部門主管才是應該提出這些問題的人,而不應由部門以外的人士為你們提出。在這事件中可以看到,最終也是由審計署署長提出,你們才有動力作出改變。我這種說法是否公平?

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在審計署署長報告書第7.8段中指出,你們曾有一次想作出改變。當時公務員事務局曾經提議以獎金計劃代替方言津貼,但最終由於反應欠佳,該獎金計劃並未推行。首先,我想問部門首長,你們既然有這麼多數據,為何仍要部門以外的人士提出,你們才作出改變?你們應該知道問題所在的。第二,當時的公務員事務局曾就此作出建議,為何後來收回建議?究竟反對是從何而來?

## 法定語文專員:

主席先生。大家從表十一有關1989年至1998年的數據中可以看到,普通話傳譯的服務需求一直存在。其他方言的傳譯服務如廈門話、潮洲話和客家話等,在1994年之前,仍有一定程度的需求。但大家可以看到,自1996年開始,潮洲話及客家話等方言的傳譯服務需求突然下降。其實,自1996年開始我們已和公務員事務局開始檢討。在審計署署長報告書發表之前,我們已和公務員事務局商討過,知道長此下去,早晚會有問題。我們是看到這情況,但亦看到普通話傳譯服務繼續有需求。所以,並非待審計署署長提出後,我們才會作出檢討。這兩年我們已作出研究。在我上任後從一些檔案文件中,看到我們是有交換過這方面的意見。我們亦曾初步徵詢同事對他們每月取得方言津貼卻不需提供傳譯服務的意見。

## 主席:

我亦想向審計署署長瞭解,你有否看過有關文件?他們是否在95至96年已開始提出來自行檢討?

### 審計署署長:

主席。我們有看過,問題在於其檢討進展和是否有成果。

### 主席:

你認為他們進展太緩慢?

### 審計署署長:

沒錯。

## 公務員津貼的管理

### 主席:

那麼,我們作評論時便很不同了。我亦想瞭解審計署署長報告書第7.8段的最後一句話,審計署署長指出,"由於反應欠佳,該獎金計劃並未推行"。究竟是哪方面有不同意見?是員工還是部門首長?究竟有否進行諮詢程序?不知公務員事務局是否有辦法幫助我們?如果沒有,可能要翻查資料。Paragraph 7.8, the last sentence said, "due to unfavourable response", where is the response from, whether there was a consultation conducted?

# Dep SCS:

Yes, Mr Chairman, on this one the bonus scheme idea was designed to encourage people to take up the skills. When the idea was put forward it was raised at the Senior Civil Service Council. The reaction was not very positive and that is what this is talking about, it is staff side's reaction to it.

### Chairman:

So, it is not a line that you are pursuing now?

### Dep SCS:

No.

### 主席:

我想請問司法機構政務長徐先生,似乎法定語文專員那裏有很多統計的數字,不知道法庭方面是否也有相當的數據?你們剛才口述的數字,也是今天你們來委員會作聆訊前才取得的。不知你們是否有數據,以及你們有否好好運用這些資料?如果你們看到問題,是否會主動提出作檢討?徐先生。

### 司法機構政務長:

主席。過去是沒有備存這些記錄的。我們在回應審計署署長報告時亦曾指出 此點。但我們作為一個公營機構,我們接受應以衡工量值的原則來發放方言津貼。所 以,我們會就發放方言津貼進行檢討。我們會在檢討發放津貼的新機制過程中,加入 資料搜集。謝謝。

### 主席:

謝謝。剛才我聽你說有95%是臨時傳譯員......

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## 司法機構政務長:

普通話以外其他方言,有95%是臨時傳譯員。

# 主席:

這比例看來似乎很高。是否需要倒過來,看看是否值得聘請全職人員?95% 臨時僱員的工作時間可能只是很短。

## 司法機構政務長:

每個月九百多元的津貼,作四個多小時的傳譯工作已是物有所值的了。

## 主席:

所以兩方面也應該考慮,不能看單方面。

## 司法機構政務長:

明白。

### 主席:

謝謝。吳亮星議員。

### 吳亮星議員:

進入第8部份關於逾時工作津貼。根據報告書第8.11段下的表十四,員工逾時工作津貼的總支出佔部門薪金支出的百分比,最高百分比的部門是郵政署。表內列出的數據顯示,郵政署自1994年至1999年,有關百分比均維持在30%以上。即是說,逾時工作津貼居然佔薪金的三成多,最高紀錄是在97-98年,高達薪金的四成多。多年來偏高的逾時工作津貼是否顯示這部門的人手數字有不合理的情況?有否作出特別的改善措施?改善措施的效果如何?可否提供這方面的資料?

### 主席:

請郵政署的陸署長同答。

## 公務員津貼的管理

## 香港郵政署署長陸炳泉先生:

多謝主席。過去數年,我們逾時工作津貼佔薪金的百分比一直維持在30%左右,但這百分比其實有一個歷史的背景。郵政署在95年8月之前仍然是一個傳統的政府部門,我們的資源也是由中央分配的。所以,在這環境下,我們只可取得有限的資源來開設長期僱員的職位。因此,我們要依賴同事們作超時工作,以及聘請臨時工以應付工作量。因為郵件的數量不可事先控制,我們不可以控制市民投寄郵件的數量或外國入口的郵件數量。所以,在此情況下,要用快而有效的方法來處理郵件,最快的方法是逾時工作津貼。

我們在97年底開始研究這問題。我可以簡單講述一下,我們曾進行幾類大型研究工作。第一,我們檢討了工作的模式。由97年11月開始,郵政總局已開始通宵的分揀工作,即是將所有當日未能完成分揀的信件通宵分揀。這有兩方面的好處,一方面可保證我們的服務承諾,即所有本地信件在投寄後的一個工作天可以派出;另一方面,我們可以盡量利用機器以減低逾時工作津貼。郵政總局在實行這種嘗試時有非常滿意的成效,所以,我們在98年6月亦在國際郵件中心推行這種操作。現時,在我們的空郵中心及九龍中央郵政局,亦推行了通宵分揀工作。除了可以保證我們的服務承諾外,在很大程度上,可以減低在其他分局所需的逾時工作。

第二,我們將工作外判。各位在街道上除了看到郵政署的車輛之外,其實我們還用了相當多其他街外的車輛來運送郵件的。此外,在集郵組方面,我們將集郵物品的包裝外判給私營公司辦理,這亦可降低我們的超時工作量。

我們現正進行一項大型的工作標準調查。自今年6月開始,將全港1 740段派信段作出全面檢討,希望用一個新的工作標準,更準確地反映工作量。第一期其實已在10月推行,在聖誕節後的1月、3月及6月,我們會分3期推行其他信段的檢討工作。當所有的檢討工作在明年6月完成後,我們希望可以更平均分配現有的工作量,令逾時工作可以適量降低。

我們還有一項大型工作在進行中,就是我們正檢討生產力指數。過去,我們一直有使用生產力指數,但隨著時間和郵件性質的改變,我們正研究改善生產力指數,使之更準確地反映整個部門的生產力,甚至每一區及每一間分局的生產力。現時,我們正搜集廣泛的資料來成立一個資料庫。希望這個資料庫成立之後,可以對我們起很大的指導性作用。

此外,我們正進行合併工作單位的工作,例如我們已合併特快專遞及包裹的派遞。合併後,除了可減省人手,亦可降低逾時工作。我們亦正檢討分局櫃位的人手,我們一共為16間分局進行了檢討,並已適當地調低人手。我們引進了新的機器,因而降低了人手的需求及逾時工作。最近,我們亦作出運輸的檢討,將司機調配得更好及

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更有效地使用我們的車輛。此方面的超時工作亦降低了。

主席先生。剛才所說的,是我們正進行的檢討,我們希望在檢討完成後,更能達到"衡工量值"及提高部門的生產力。我們看到初步的成效不錯。過去兩年,通過大量的諮詢、溝通和鼓勵,同事間的反應非常好。根據我們的數據,我們在本財政年度的第二季的生產力比去年同期提升了12%。多謝主席。

### 主席:

吳亮星議員。

# 吳亮星議員:

多謝郵政署署長給我們這麼詳細的介紹,報告書表十四指出1994年至1999年 發放給員工的逾時工作津貼的總支出佔部門總薪金支出的百分比,並列出5個有關部 門的情況。行政長官辦公室一欄中註明這些數字包括前總督的編制,1997年之前的逾 時工作津貼的總支出佔部門總薪金支出的十多個百分比,而98-99年度卻下降至9.2%。 我們經常聽到該部門的工作時間是朝7晚11,俗稱"7-eleven",但該部門逾時工作津貼 的總支出佔總薪金支出百分比並沒有增加,反而下降。我們依照"衡工量值"來看,其 他部門會否考慮效法這部門節省渝時工作的做法?報告書第8.12段指出,"公務員事務 局在1999年2月對各決策局和部門進行了一次調查,以收集有關各決策局和部門如何 控制逾時工作津貼的資料"。調查結果顯示,很有趣,在第二小段提出"不容易明白為 何這樣多的逾時工作不能以其他方式代替,例如要求調配額外人員、引進輪班制度、 重新編配員工的職責,或聘用非公務員合約員工以應付短期的工作需求";郵政署署 長說他們已實行24小時工作,和聘用散工,甚至將工作外判;政府是否不能採用輪班 工作,所以要"引進"輪班制度?剛才我一開首便問郵政署是否人手編配不合理。請公 務員事務局給我一個初步的解釋,由調查至現階段,你們由不明白至現時明白了多 少? 並告訴我們在第8.13段所說,公務員事務局日後可採取甚麼措施來管理逾時工作 的研究結果。

## 主席:

栢先生。

## 公務員津貼的管理

## Dep SCS:

If I could deal with the CSB situation? Our efforts over the last few years have been designed to ensure that departments do try to curtail their use of overtime. We have taken a number of steps. We issued circulars in 1998 to remind heads of department of the need to control properly the use of overtime allowance, and in particular to remind them that in fact overtime should first be compensated by time off in lieu. They should not actually be using the allowance as a first resort, which in some cases had been perhaps one of the issues.

We also have undertaken to work with various departments as the Postmaster General indicated. We have been working with the Post Office, Housing Department, Water Supplies Department and these other major users of overtime allowance, to see exactly what is going on within their departments, and that includes looking at things like restructuring their shift arrangements, restructuring their work arrangements, looking at perhaps outsourcing if that is appropriate. So we are certainly always prepared to work with departments, and indeed most recently we have offered assistance in terms of additional staff to go into the departments and carry out this work if the departments themselves do not have the resources.

So, as far as giving assistance, I think we are trying our best to do that, but it comes back to one point and I think it is important I stress this. While we can have all sorts of policies and reviews and what have you, ultimately, the overtime requirement for a particular department must be dictated by operational need. And if there is an emergency situation where they need staff to be activated overnight at short notice to work beyond their normal hours, the head of department must make that decision. We cannot make that decision centrally at CSB. So we are trying to work with the departments but we are not trying to dictate to them because they must have that flexibility.

## 主席:

陸署長。

### 香港郵政署署長:

我想回應關於第二段的問題。如果我們要聘請新的永久僱員,作為一個營運基金部門,我們非常關心成本的問題,如果成本高,我們有提高收費的壓力。在這情況下,對開設永久僱員職位我們要非常小心考慮,但亦不表示我們不會開設這些職位。自1995年開始,一直有128個及133個職位開設在永久僱員的職位內,但我們要非常小心。假設我們將所有逾時工作的時數以永久僱員工作的時數代替,我們便要開設2000個職位才能完全取代。這對我們的成本效應影響非常大,所以我們不會這樣做。我們希望可聘請多些非公務員的合約僱員,來應付部份的逾時工作。這一直行之有

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效,而自1994年起,臨時僱員的工作時數佔我們所有職員的工作時數的百分比一直在提升。由94-95財政年度的5.66%,慢慢提升至98-99年度的9.44%。直至11月底,永久僱員大約有6000人,但臨時僱員及非公務員的合約員工的總數超過1000人,可見佔相當大比例。當然,我們現時是一年中最忙碌的時間,正處理聖誕郵件,但這數字反映了我們已盡量聘請臨時僱員或短期僱員,以降低逾時工作。

剛才我提及通宵工作以分揀郵件,這是一個特別的通宵更。一般來說,我們的更數是分兩更,通宵更是第三更。主管的同事一部份是永久僱員,亦有其他非公務員的合約員工。問題是非公務員的合約員工的流動性非常高。大家可能想到,他們亦是"騎牛搵馬"。過去我們聘請了64名非公務員的合約員工,到現時為止,有一半已離職。所以,訓練亦是一個很大的問題。當然,我們會繼續......

### 主席:

陸先生,我得提醒你,我已給你很多時間回答,我們只餘下5分鐘,而我們仍有一個議題要處理。請你精簡地回答,不要重複,還有數位議員舉手想提問,請大家盡量精簡。我會容許多點時間以完成這議題。陸署長,我認為你已充分回答了。

## 香港郵政署署長:

我大致上已說完了。

### 主席:

好,我請劉慧卿議員繼續。

### 劉慧卿議員:

謝謝主席。表十四顯示郵政署自94-95年度已發放頗多的逾時工作津貼,剛才署長說他們在1995年8月以營運基金運作後才會如此,但那趨勢看來似乎不是,你們似乎慣性逾時工作。剛才署長亦提到要增加2 000個職位才能取代逾時工作。若以金錢來量度,這樣做可為納稅人節省了多少金錢?此外,報告書第8.5及8.6段中有關廉政公署的檢討。在1994年至1996年廉署接獲約600宗有關公務員管理員工方面行為不當的投訴,包括分派逾時工作時偏袒的投訴,甚至誘使員工透過行賄來確保獲得繼續分派逾時工作。我想問一問,特別在郵政署,在分派逾時工作時,如何避免產生廉署提出的問題?

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## 主席:

陸署長。

## 香港郵政署署長:

多謝主席。表十四中有關96年及97年的數字,是被香港集郵狂潮所推高的。相信大家都記得,該兩年的集郵狂潮非常狂熱,我們需在短時間內召集同事來售賣郵票和維持秩序,這給予整個部門很大壓力。故此,該段時間並非有代表性的年份。在98-99年度的數字已經下降,相信99-00年度的數字仍會繼續下降,這是趨勢的問題。

至於逾時工作可節省多少金錢,以不同的薪級點計算,一名郵差超時工作每小時的工資約74元至130元,而一名郵差的正式工資是由82元至243元,這是頗大的對比。

## 主席:

栢先生,你是否想作補充?尤其是有關廉署的意見。

## Dep SCS:

In fact ICAC has been working very closely with us to try and make sure that our guidelines and indeed the departments themselves are taking steps to ensure that excessive use of overtime does not become a habituated practice. And that is one of the reasons that we issued our 1998 guidelines to reflect all departments the experience that the ICAC had picked up in their investigations into complains. And indeed one of the issues that we were very keen to ensure is that, where problems had emerged in one department, the experience was shared so that all departments could benefit from having handled that problem. And the real solution is to ensure that they do not use excessive levels of overtime, and if there are large, regular overtime patterns, then they should do job reviews. They should consider alternate means to provide the service to the public. And all of that is part and parcel of our current situation, and what we will be looking at in our future review.

### 劉慧卿議員:

署長沒有回答我為何在94年會有三十多個百分比的逾時工作津貼?你們似乎慣性有那麼多逾時工作津貼,你卻回答了97至99年的情況。在1994年仍未以營運基金方式運作。此外關於廉署的意見。第8.5段指出,"為數不少的公務員因擅自缺勤、偽造簽到記錄和騙取逾時工作津貼及紀律部隊逾時工作津貼,而遭紀律處分"。可否向我們提供由94至96年,各類遭紀律處分的數據?

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## 主席:

栢先生,可否向我們提供有關的數字?

# 劉慧卿議員:

你現在是否知道?

# Dep SCS:

I have not got the figures. I will provide them.

## 主席:

那請以書面作覆。陸先生,請你說回97年之前的情況。我也想簡單的跟進。報告書第8.13段指出,公務員事務局在審計署署長報告書發表前曾經對此事作出"顯示有關部門沒有積極尋找其他方法"的評論。這是否反映97年前你們沒有積極改進?這是劉慧卿議員的主要問題。陸署長,請一併回答。

# 香港郵政署署長:

我剛才也曾解釋94-95年數字是有一個歷史背景的,那歷史背景是,我們未能從中央的資源分配中取得我們所需開設的永久僱員數目。所以,如果將我們所有要處理這數量的郵件的工時來定一個數,而永久僱員的數目不變,其他兩個元素便會有變化。因此,郵政署過去的逾時工作也是差不多的。

### 主席:

我希望請林局長幫忙。請你看一看究竟郵政署在94年以後有否申請增加職位?為何你不批准?此外,你作為公務員事務局局長,為何不積極為他們增加職位?希望你一併為我們解答。因為如果郵政署真的有申請增加職位,你沒有積極幫助他們,卻在第8.13段批評他們沒有積極尋找其他方法的話,似乎並不公平。我不想你們兩個部門自說自話,你稍後可否作綜合回應?

### Dep SCS:

Mr Chairman, the initiative to create posts must come from the department.

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### Chairman:

But have they applied?

## Dep SCS:

I will check on that for you and let you know.

#### Chairman:

And have you actively assisted? If you have not then is it fair to say ...?

### Dep SCS:

We always actively assist.

#### Chairman:

So, I want to consolidate the reply. I think you had better go back and check; otherwise I would not accept Mr LUK's response. 林太。

### 庫務局副局長林鄭月娥女士:

主席。如果你容許,我也想稍作補充。在有限的資源下,每年也有資源分配計劃。每一年,大部份部門也會申請額外的員工,我亦可以證實,郵政署在未轉為營運基金運作前,相信亦有爭取聘請多些員工的。回答劉慧卿議員的問題,資料顯示,由1990年開始,郵政署在未轉以營運基金運作前,其逾時工作津貼也是按年以幾千萬元遞升的。換句話說,是有一定的政府資源落在郵政署,不過,是以逾時工作津貼的形式來應付其增加的工作量。

同一例子,大家可看到警務處今次卻受到審計署署長的讚賞。警務處每年亦會在資源分配上爭取額外職位,但在未能成功爭取之餘,警務處作了甚麼調配呢?它在現有的紀律部隊逾時工作津貼撥款中,想出比較靈活的調配方法。所以,警務處紀律部隊過去幾年的逾時工作津貼大幅下降。剛才栢志高先生也曾說過,我們希望部門在有限的資源下,可以想出最符合成本效益的調配方法。

### 主席:

如你所說,亦證實陸署長早前的說法。現時有很多事可以做得很靈活了。他回答在97年之前,逾時工作津貼那麼多是因為未能申請額外員工,這個理由根本不足夠,亦不能完全成立,因為他還有其他解決方法。我這種說法是否適當?正如報告書第8.13段公務員事務局這樣批評郵政局。

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### Dep SCS:

Of course it is appropriate because even if you are unsuccessful in securing resources there are always ways to look at your operational procedures. And that is what we have been working with the various departments since then.

## 主席:

我明白,但我要弄清楚,因為你們幾個部門的口供不同。陸署長,最後機會。

## 香港郵政署署長:

多謝主席。我想報告書第8.13段並非針對郵政署的,我想它只是一個很generic 的statement,並非針對我們的。不過,我想說的是,其實我們在1995年轉以營運基金運作後,給予部門一個很大的動力,要看成本效益,這和一般傳統的政府部門有少許分別。此外,在轉以營運基金運作後,我們要面對市場的競爭力,令我們一定要這樣做。

# 劉慧卿議員:

我們當然同意要考慮成本效益,但庫務局局長林太的意思是,警務處可以做得到,為何郵政署做不到?這是問題所在,這是一項批評。我相信陸署長一定要作出回應。有些事你現在才開始做,雖然遲了幾年,但仍希望你成功。但為何別人做得到,你卻不能?我相信林太說的最主要是這點。

### 主席:

我已經給他數次機會回應的了,劉議員。

### 劉慧卿議員:

但他老是說由於郵政署轉以營運基金的方式運作才會如此,你不要把話題扯到那裏。

### 主席:

我也想跟進這點。由於時間所限,我們一併提問,因為聆訊已超時,會議廳外有很多人在等候。陸署長說要看以營運基金運作後的情況,如果我們看回整件事情的發生,最初是由廉署接到投訴開始的,當時出了一個指引,接著是立法會公務員及資助機構員工事務委員會在1997年詢問他們有否作出調查。那動力似乎來自廉署及立

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法會的要求,所以才開始調查這事,最後得到比較積極的處理。我想問庫務局俞局長,報告書第2.18段的第二小段第三行指出,"庫務局實不宜再審查部門就個別津貼提出的撥款建議",意味著這些應由部門自己提出,自行想方法作出改善。此事項似乎是一個例子,顯示動力要來自廉署及立法會的事務委員會。在此之前,庫務局和公務員事務局,甚至部門主管,似乎也沒有作出改進的動力,這情況是否令人滿意?請庫務局局長和公務員事務局局長回答。俞局長。

## **庫務局局長俞宗怡女士:**

多謝主席。在庫務局的立場來說,動力一定是來自管制人員,controlling officer,一定是的。

## 主席:

如果他沒有行動呢?就如你現在批評他們一般。

## 庫務局局長:

庫務局的責任是每年從整體資源調配的角度來決定撥款,看每一個部門可調配多少逾時工作津貼。我們由本財政年度開始,已多加一條限制,即管制人員不可以在財政年度中間,因為他們未能好好控制逾時工作,而要求庫務局額外撥款。剛才相志高先生亦曾經說過,我們坐在中央的同事,是無法細微地管理每一個部門,對他們說應以逾時工作來處理某一事項,或對他們說這工作流程不對,應作出檢討。我們無法做到,我們要管理八十多個管制總目。

主席,我還想補充一句。當庫務局從每一個部門的總開支中看到某一個部門,在過去數月或過去一個財政年度,就逾時工作津貼花了很多錢,庫務局會將這現象提交公務員事務局,以及有關的管制人員,希望有關的管制人員和公務員事務局留意,看看他們應施行甚麼改善工作。我們有一個提醒的作用。我們看到事情似乎不太理想時,我們會敲響警鐘,這警鐘會在公務員事務局中敲響,從體制上敲響,亦對該部門的管制人員敲響警鐘。所以,你可以在報告書第8.10段看到,我們在1998年8月敲響了郵政署的警鐘。

### 主席:

廉署在94年也敲響了警鐘,97年立法會亦敲響了警鐘,98年已是事後的事了。你敲響了警鐘,是有其用處,我並不反對。但如果管制人員被你批評後沒有採取積極的行動作出改善,究竟應由哪個政府部門監管?是否真的要廉署接到投訴後,或經立法會議員要求,然後才處理?若說你們距離部門是遠的話,廉署和立法會豈不更遙遠?為何要由它們來監管呢?栢先生。

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## Dep SCS:

Chairman, when we approach controlling officers they always respond positively, but in most cases they have a real issue to deal with on the ground. You are talking about situations where, for example in the Electrical and Mechanical Services Department, they are called out at short notice. They have to get their staff there quickly. They use overtime as a way to provide the resources because they cannot instantly create additional posts.

You have also got to bear in mind we have been introducing new solutions to these problems. The Postmaster General mentioned one that did not exist in the early 90's, the use of non-civil service contract staff. We are trying to work with departments, both centrally and individually, to provide the appropriate response to the service to the public. And I can confirm that FB do draw to our attention problems that they pick up, and we take them forward with the department. And if it is appropriate we then, as I said in response to an earlier question, make sure that the experience picked up in that context is shared with all departments so that we can not just deal with a particular instance, but we can deal with all instances that may be of a similar nature.

So I can assure you that we do have a positive response in all these cases. But we cannot control what actually happens in the ground in 80 odd departments.

### 庫務局副局長:

主席。我想稍作補充。最大的動力其實是來自管制人員本身瞭解到使用公帑必須審慎。自從"資源增值計劃"在98年10月推出後,明顯地看到各類津貼,特別是超時工作津貼,是大幅下降的。過去5年,所有逾時工作津貼都停留在一個很固定的水平,換句話說,各部門是慣用多少便用多少,大概佔整體薪酬開支的2%,加上紀律部隊是3%。到98-99年度,這兩個數字加超來是2.5%,可見是下降了20%。我可以率先在此透露,下一財政年度,我們已收到很多管制人員通知,他們不需要那麼多逾時工作津貼了。

### 主席:

吳亮星議員,可否在5分鐘內完成最後一部份的提問?

### 吳亮星議員:

我問最後一部份關於署任津貼的問題。報告書第9.10段指出,公務員事務局局長在1989年6月決定,毋須將署任制度的建議修訂諮詢財務委員會,因為過往並無向其諮詢,所以毋須徵詢其意見。但審計署在報告書第9.13段提出相反意見,認為由

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於有關修訂可能對財政有很大影響,因此須徵得財務委員會批准。我想聽聽庫務局和 公務員事務局就此事的回應。此外,報告書第9.17段指出,"審計署認為,公務員事務 局必須加快諮詢各職工會"。公務員事務局曾否諮詢各職工會?若否,理由何在?

# 主席:

栢先生。

## Dep SCS:

For the first point, yes, indeed we have embarked on a round of consultation with a view to further modifying the acting allowance arrangements. I can say that in this case the staff side have not been particularly sympathetic to the view you have been putting forward. But we think that the proposals we put forward are probably reasonable. And as such we will hopefully complete this exercise fairly shortly, by the end of the year, and introduce a changed trigger point for acting allowances.

In respect of the first one, I do not really think I can add much more to what is already in the Audit's report. The amendment to the acting allowance has never been a subject that we have raised in this Council. It has always been a matter that we have dealt with as we see fit from an operational point of view in accordance with the relevant CSR's.

### 主席:

劉慧卿議員。

### 劉慧卿議員:

主席。我同意審計署署長這方面的建議,因為確實是多花了錢,是應該徵得財務委員會批准的。我希望日後如有同類事件,如有改變,都應該考慮立法會的看法。

現時政府正檢討是否應取消署任津貼,我相信政府亦會注意到,立法會秘書處去年已取消署任津貼,在商界亦是絕無僅有的,究竟現時還有何強烈理據繼續發放署任津貼?林先生經常對我們說,政府的待遇和商界差不多,但去年花在署任津貼的公帑高達7億元,我不知為何仍要考慮。此外,有關署任期方面,你和審計署持不同看法。你將符合資格支取津貼的署任期由30天減至14天,予人比前寬鬆的感覺。別人以為過時的做法,為何你卻越做越寬鬆?

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### 主席:

**栢先生。** 

## Dep SCS:

Mr Chairman, we felt back in 1989 when this was changed that the leave pattern which was for shorter leaves instead of the long leaves of three, four months previously, indicated that it was an appropriate change. We are now looking at it again in the context of the current situation, and our proposal is that we should go back to the 30 days as it has appeared that the leave shift pattern, among other things, has not been quite as dramatic. People still do try to take longer leaves.

But in fact whether or not there were financial implications was not a consideration on this one. Consideration is what is the appropriate trigger to provide for cover for an officer being absent from duty.

## 劉慧卿議員:

我相信如果你將此事提交立法會,我們會花很多時間辯論。請你回答我有關 私人機構的問題。現時政府的待遇如何與私人機構看齊?甚至如何跟立法會秘書處看 齊?

### 主席:

栢先生。

### Dep SCS:

We have spoken to the private sector. This is not something that, as far as I understand, is provided in the private sector. This is a civil service arrangement, I am afraid.

## 主席:

或許請庫務局幫忙。雖然這不是一項申請批款的文件,但這是一個重要的承 諾及對財政有長期支出的影響,是否應該提交財務委員會或立法會其他事務委員會作 出商討?

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# 庫務局局長:

主席。我們可考慮增加透明度。

# 主席:

我們等你回應此點。

# 劉慧卿議員:

但和私人機構比較待遇方面,我覺得很奇怪。

## 主席:

這點我們自行作出判斷。

# 劉慧卿議員:

何時會有檢討結果?

## 主席:

栢先生,是否有時間表?

# Dep SCS:

As I said, we hope to promulgate the changes by the end of this year.

## 劉慧卿議員:

End of this year? 很快的了。

## 主席:

還剩下十多天。

### 劉慧卿議員:

不如現在告訴我們會有甚麼改變?

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## Dep SCS:

As I mentioned, our intention is to move to a 30-day trigger point. That is the major change.

## 主席:

但這是未被同意的?林局長。

# 公務員事務局局長林煥光先生:

主席。我想稍作補充。其實我們今天會向立法會公務員及資助機構員工事務委員會提交文件的,其中會有很多詳細的資料。

# 劉慧卿議員:

既然你今天到來聆訊,你可以稍為透露給我們知道,因為我們並非全屬該事 務委員會的委員。

# 公務員事務局局長:

基本上都是將獲得署任津貼的觸發點由目前的14天延長至30天。我想在此澄清,其實絕大部份的署任津貼開支,並非一般替假那一類,而是在員工升級前試用的那一種,那一種等如薪金,不應當作一般替假式的署任,替假式署任的開支只佔一小部份。

# 劉慧卿議員:

是否以後也不會發放替假式的署任津貼?

## 公務員事務局局長:

30天以上的才會發放津貼。

### 劉慧卿議員:

究竟可以節省多少錢?這是最重要的問題。既然林先生將會宣布符合資格支 取津貼的署任期的修訂細則,你預計會節省多少錢呢?

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# 公務員事務局局長:

主席。我們預計可以節省2億元。

## 劉慧卿議員:

節省2億元?支出7億元,只能節省2億元那麼少?

## 公務員事務局局長:

主席。我想補充。其實7億元的開支中,包括了很多不屬替假,而是長期署任,即試任,是與替假不同的津貼。如果大家需要細項分目,我們可以書面補充。

## 劉慧卿議員:

現時索取署任津貼是否有一個新的定義?是不是這意思?

## 主席:

林局長。

### 公務員事務局局長:

一向也是有的,不過......

### 劉慧卿議員:

沒有執行?

## 公務員事務局局長:

不過看起來大家將兩者混在一起。其實審計署署長亦有將兩者分開的。

### 劉慧卿議員:

請於日後向委員會提交一份較詳細的文件,我們最重視的是如何節省更多金錢,以及希望盡量和私人機構看齊。你說你們大體的待遇與私人機構看齊,卻又選擇性地喜歡就看齊,不喜歡就不看齊,我相信會令人覺得無所適從。

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# 主席:

我們可向公務員及資助機構員工事務委員會索取有關文件及會議紀錄參 考。其實兩個委員會同時研究同一問題並不太好,我們會看看那委員會的進度如何。

既然有時間,我想多問一句來弄清楚紀錄,便是99年12月15日的覆函。Mr Pescod, concerning the reply letter. One point I am still not totally sure is really the very last sentence of Page 3. It is not the grateful sort of thing. It is the inset. It really said, "in this way the Government is not acting arbitrarily against legitimate staff interests." I think the word "arbitrary" has been used several times both today and the first hearing. I just want to make sure what is in the mind of the Secretary for the Civil Service. Is it true or is it correct to say that you would not consider any change arbitrary if you have properly consulted the staff association? And if after consultation, a thorough consultation, if they agree of course then it is mutual agreement, it is not arbitrary. But what if they do not agree and legally you still have the right, legally you still have the right to vary the term, and if you do that, if you assert that Clause 20 in the Memorandum, would you then be acting arbitrarily?

# Dep SCS:

Mr Chairman, as I think I indicated right at the beginning of the meeting, the important point here is the previous paragraph. If we start the formal consultation - we always would on any change – it would be done in the context of the 1968 agreement with the Senior Civil Service Council. If we cannot reach agreement at that council then the next step in the process ...

#### Chairman:

..... arbitration?

### Dep SCS:

..... is to trigger a committee of inquiry. It is not arbitration. It is a committee of inquiry. And in that context all the recommendations, and I gave you a copy of the 1968 agreement, would be referred to the committee of inquiry and they would look at it. That is the mechanism we have.

#### Chairman:

OK. And then if they agree or concur with the Civil Service Bureau, then the change would not be arbitrary?

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## Dep SCS:

If they agreed we would probably follow their advice.

### Chairman:

It is a way forward?

## Dep SCS:

Yes.

#### Chairman:

Thank you. I just wanted to clarify that, OK.

## 劉慧卿議員:

主席。我想問公務員事務局局長有關他在報告書第9.19段的回應,"他認為1989年修訂符合資格支取津貼的署任期的理據,不能視作可質疑及不合理"。表示現在是可質疑及不合理了,是碼?所以你現在又轉回以前的做法。

### Dep SCS:

You have to look at the context. In 1989 we were looking at a particular change in circumstances affecting part of the acting allowance payments. Those were the changes to allow for shorter periods of leave. Now we are looking at where the majority of acting allowance payments go, and that is in respect of acting with a view to a substantive appointment. We are actually talking about two different situations.

## 劉慧卿議員:

我以為最主要是在30天那點上。最糟的是他們沒有提供給我們資料文件,只向其他委員會提供。我們要猜測他們腦袋裏想的是甚麼,然後再向他們發問。這樣進行聆訊是很不理想的。最主要的是將符合資格支取津貼的署任期由30天減至14天,現在修訂回復為30天。我有否弄錯?

### 主席:

由14天修訂為30天。栢先生。

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## Dep SCS:

I do not really know that I can add very much more to what I have said. We have issued the paper and we can make it available.

## 主席:

或者我提醒一句。立法會也很講求衡工量值,我們不想由數個委員會研究同一件事,因為連繫上會比較困難。立法會的一般做法是,如果有公開聆訊的話,其他委員會便不作處理。當然,我不想拖慢這事,如果你將部份資料交給其他委員會而不交給本委員會,我們的內部工作在配合上便有困難。所以,劉議員要求而我亦提醒有關的政府部門,如果遇上這類情況,最低限度應向本委員會提供資料,因為本委員會是一個法定架構,我們的結論在某程度上是獨立的,亦代表整個立法會。這決定是比較重要的。

## 劉慧卿議員:

主席。我認為你的提醒很恰當,若有數個委員會研究同一事項,有時政府可能也會很混亂。以前曾有議員想提出事項進行動議辯論,但因本委員會當時正研訊有關事項而不能提出。今天我們在進行聆訊,調查本事項。公務員及資助機構員工事務委員會則不是今天開會,你卻將文件交給它。你今天到來答辯,卻不肯告訴我們。最低限度應提供那份文件讓我們看看,因為這與此事有直接關係。我不明白局長是怎樣想的。

# 主席:

我會和有關的事務委員會主席商討,看我們內部如何處理。

### 劉慧卿議員:

如果他向我們提供那份文件,那便沒有問題了,但他卻要我們自己去看看他 所提供給事務委員會的資料。

## 主席:

林局長。

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# 公務員事務局局長:

對不起,如果大家有誤解。其實我們今早才完成那份文件,我預期今天下午可交給公務員及資助機構員工事務委員會。因為今天是一個公開聆訊,我們一貫的做法是,政策上的文件是會交給公務員及資助機構員工事務委員會,因為這是有關公務員的事務。既然大家提醒我,我會保證這份文件在交給公務員及資助機構員工事務委員會的同時,亦會交給這委員會的。

# 主席:

我希望你小心處理,因為我們現進行聆訊,所做的工作比該事務委員會多, 我希望你多點留意我們的結論。我亦會和有關的委員會主席商討,看看應如何處理。 好了,我在此結束今次的聆訊,多謝證人的出席及協助。

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