



Tel: 2522 4267 **香港高級公務員協會** Fax: 2523 3319
HONG KONG SENIOR GOVERNMENT OFFICERS ASSOCIATION

The Honorable Ronald Arculli, GBS, JP
Chairman, Committee on Review of Post-service Outside Work
for Directorate Civil Servants,
10/F., West Wing,
Central Government Offices,
11 Ice House Street,
Central, Hong Kong

31 March 2009

Dear Hon. Arculli

Post-Service Outside Work for Directorate Civil Servants

I refer to the consultative session of the above subject which was held on 21 March 2009.

2. This Association would like to reiterate that the existing control regime of the subject matter is effective to serve the intended purposes; and we have grave concerns on further tightening the existing control regime by introducing those measures applying across the board, such as lengthening the sanitization period, banning outside work in the same field and suspension of pension. Such measures will not effectively prevent the perception of “deferred reward”, but merely sacrificing the interest and the rights of directorate civil servants.

3. In the past few years, only two cases of the subject matter have given cause for public concerns of the “deferred reward”. The root cause should be the deficiencies in the assessment process. To improve the assessment process, we would like to propose the following:

- a) To enhance the strength/representation of the Assessment Committee in handling some sensitive cases, reputable persons from the concerned working fields or civil servant unions may be invited to be the members of the Assessment Committee on a case by case basis;
- b) Specific and clear guidance to supplement the existing assessment criteria should be given to those who are assigned to examine/approve the applications;
- c) The assessment should be focused on areas of sensitive work done by the officer before his/her retirement (e.g. Past dealings with “prospective employer” and related companies on large scale contracts). It is not fair

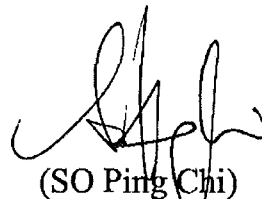
- for simply banning outside work in the same field; and
- d) The Assessment Committee should be able to exercise discretion to impose more stringent conditions on those directorate civil servants with past dealings involving in tender award of significant values contracts, property/land selling, major policies formulation, etc. On the other hand, the straight-forward applications for work which involve purely practicing the professionalism of applicants should be handled in an expeditious manner (i.e. within a month).

4. During other consultative sessions, the Review Committee had also received the suggestion from the public that the retired directorate civil servant having paid employment (other than specified subvented organizations) should be banned in receipt of his/her pension payments; and vice versa. The Review Committee should examine the suggestion carefully and determine whether it is legally in order for suspension of the pension payments under such circumstance.

5. In fact, the pension of a civil servant is the reward for his/her long civil service; which is just similar to the MPF provided by the private sectors for their employees. Thus, pension to civil servants is not for buying off the post-service working life of civil servants. If the Hong Kong general public considers the post -service paid employments of directorate civil servants are not in the public interest and should be banned, compensation in monetary form should be given to directorate civil servants on top of their existing pension payments.

6. Finally, I sincerely hope that under your great leadership, the Review Committee will seriously consider our views.

By Order of the Council



(SO Ping Chi)
Chairman,

Hong Kong Senior Government Officers Association

c.c.: Miss Denise YUE, GBS, JP, Secretary for the Civil Service