

I write to set out below my views on your consultation document;

a) As I have said publicly, most Permanent Secretaries are responsible for only a portion of the policy responsibilities of their bureaux. Moreover, as they are supposed to be responsible for assisting their Bureau Secretaries, they should not be subject to more stringent controls regarding post-service outside work than Principal Officials.

b) I understand the difference between directorate civil servants and Principal Officials is that the former are entitled to pensions, while the latter are employed on contract. But if the purpose of post-service controls is to reduce, if not eliminate altogether, the risks of conflict of interest or "postdated checks", then the pension entitlement of civil servants is an irrelevant consideration.

c) I think a distinction should be drawn between directorate civil servants at D4 and above who are involved in policy formulation, and those below, especially senior professional officers at D1 level, who are engaged in professional work rather than policy formulation. It does not make sense to debar a dentist, for example, from practicing dental medicine after his or her final leave has expired. Such debarment would be unfair to a retired professional officer seeking gainful employment, and wasteful of the skills and experience acquired.

d) In the case of senior directorate officers engaged in policy work, the criterion must be to look for potential or perceived conflict of interest in each and every case. I think existing control periods are long enough and we should not allow one case, that involving Mr. Leung Chin Man, to make the rules unnecessarily restrictive and unduly stringent. A balance ought to be struck between protecting the public interest and the retired officer's right to work and society's ability to benefit from their experience. After all, cases which caused public furore, like those involving Mr. Leung Chin Man and Miss Elaine Chung, are few and far between.

Sincerely,
Regina Ip