



SUPERINTENDENTS' ASSOCIATION  
OF THE  
HONG KONG POLICE FORCE  
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POLICE HEADQUARTERS  
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16<sup>th</sup> April 2009

Mr. Ronald ARCULLI  
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

Dear Mr. ARCULLI,

**Public Consultation on Review of Post-service outside Work  
for Directorate Civil Servants**

The Superintendent's association represents directorate officers of the Police Force. Our members are supportive of arrangements that assure the integrity of the HKSARG and we share the community's view for reasonable measures that can help us avoid corruption or conflict of interest. The basis of any prohibition on working beyond the period of final leave needs to be legitimate and any blanket sanitization period for all staff irrespective of the individual circumstances cannot in our view be legitimate. We feel there is a need to protect the existing individuals rights to post service employment. The two underlying

principles to balance and protect the public interest and individual rights (Issue 1) are supported.

We observe that Hong Kong already has just about the toughest provisions of anywhere in the world. Any idea of a total ban on post-retirement employment is therefore viewed as outrageous. It is a common trend that people in Hong Kong now are marrying and having children at a later age. Many civil servants will face heavy financial commitments in their retirement and this needs to be taken into account when considering restrictions on working. In the Police the earlier retirement ages of 55 and 57 for directorate officers exacerbates concerns relating to financial commitments in retirement and many will have no option but to seek work. It would be unreasonable to restrict directorate civil servants from employment for 3 years. If there is any blanket ban on employment this needs to be compensated by full paid 'gardening leave' as in the private sector for the full period of any restriction for both contract and pensionable employees. The assumption seems to be that directorate officers working after retirement is a bad thing but in fact given their experience they are in a position to contribute positively to the community. Overall we consider the current arrangements and length of restrictions are more than adequate (Issue 3).

It is the area of disclosure of dealings (Issue 4) where improvement is most practical to ensure no conflict of interest at this time. The processing period for applications needs to be reasonable and we feel it should not itself be an obstacle to finding employment. Any arrangements for post-office employment for civil servants that is any more stringent than for principal officials seems to us to be unreasonable. There should be consistency in treatment with our political appointees who incidentally have the wherewithal to know far more than lower ranked Directorate civil servants.

The civil service in the long run will not be well served by any unreasonable changes to existing policy to make things so restrictive that it will discourage movement mid-career to and from the private sector. Changes should not be made that could affect the career choices

of graduates. Not everyone joins the government with the hope of doing so for life. Staff that are now on CSPF terms are likely to take their Civil Service career as just one of several careers. If they know that once they reach Directorate they may not be able to get another job in the private sector for 3 years, they may not join in the Government in the first place.

With regard to the issue relating to inducements offered to serving directorate officers regarding possible future employment this is adequately covered in the POBO legislation. To improve things the provisions on disclosure on application may be extended so that they are practical and in the best interests of the Civil Service as a whole. Improved disclosure of dealings with the private sector and current imposition of work restrictions (Issue 4 and 5) are therefore supported.

On the current arrangements to suspend pensions when working in sub-vented organisations and the level of sanctions, we feel these are working well. Finally we would agree that the level of public disclosure should be sufficient to build confidence in the current system. (Issue 7 to 9).

We trust our views expressed on the above issues will be of assistance to the ongoing review process.

Yours sincerely,



(WONG Chi-hung)

Chairman

Superintendents' Association of  
The Hong Kong Police Force

c.c. Commissioner of Police