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本年報內的統計數字以曆年計算

## Foreword

### 序言



One of the key roles of the Commission is to ensure uniformity and consistency in the application of policies and procedures that pertain to appointments, promotions and discipline in the civil service. With the general recruitment freeze and implementation of the Voluntary

Retirement (VR) II Scheme, as well as the deletion of posts across the service arising from the Efficiency Savings Exercise during the year, special attention was called for.

The VR II scheme and the downsizing of the civil service necessitated a very careful assessment of vacancies for both recruitment and promotion. Departments were required to obtain prior approval from their respective policy bureaux and Civil Service Bureau for filling such posts. What this meant was that many posts could only be filled on a temporary basis pending the outcome of reviews on long-term projections on their staffing establishment. The Commission, in turn, provided valuable input in dealing with such submissions to ensure service-wide consistency. Indeed, the perception that reduction in the size of the civil service resulted in a lower workload for the Commission was totally unfounded because any one submission, regardless of the number of vacancies, required the same meticulous examination. Moreover, the lack of vacancies did not dispense with the need to review acting appointments to ensure that the most deserving continued to be offered such posts - such exercises involve the same volume of work as a promotion exercise.

The Commission also continued to focus on policy and procedures relating to discipline. We readily supported the Administration's determination to raise the standard of discipline, with new benchmarks set which resulted in stiffer penalties. Following brainstorming sessions with the Administration, procedures have been further streamlined to enable disciplinary cases to be dealt with in a shorter timeframe. The Commission continues to advocate for a new tier of punishment between compulsory retirement and dismissal. Whilst both result in removal from office, there is a pressing need to bridge the wide gap that now exists vis-à-vis the pension payable and total loss of all benefits in such cases.

Mr Christopher Cheng, senior Member, Dr Thomas Leung and Mrs Ng Yeoh Saw Kheng retired from the Commission during the year. I pay tribute to them for their many years of dedicated service, sterling support and invaluable advice. I also extend a warm welcome to Mr Simon Ip, our new Member.

**Haider Barma**  
Chairman

委員會的主要功能之一，是確保公務員隊伍施行一致的聘用、晉升和紀律政策和程序。年內，當局全面暫停招聘公務員，推行第二輪自願退休計劃，以及按增效節流計劃刪除各類公務員職位，凡此種種，都須關注。

由於推行第二輪自願退休計劃和縮減公務員編制，因此無論是招聘或晉升，都須小心評估是否確有職位空缺。各部門均須經所屬決策局和公務員事務局事先批准，才可填補這些職位。換言之，許多職位只能以臨時方式填補，等待長遠人手編制推算檢討的結果。委員會就如何處理這類建議提供不少意見，力求確保公務員體系內的處理方法一致。其實，因公務員人數減少而認為委員會的工作量會減輕，是全無理據的想法，因為無論空缺數目有多少，委員會審研任何一項建議時會同樣細心謹慎。再者，即使職位空缺有限，仍有需要檢討署任安排，以確保繼續委任最適合的人選署任職位。這方面的工作量不下於處理晉升事宜的工作。

委員會也會繼續注視有關紀律的政策和程序。當局決心提高紀律標準，訂定新的基準，懲處也因而加重，委員會對此全力支持。此外，當局與委員會以集思會的形式一起進行討論後，已進一步精簡程序，加快處理紀律個案。委員會還會繼續倡議在迫令退休和革職之間，增設一個新的處分級別。雖然上述兩者最終同樣免去有關人員的職位，但前者令退休金分毫無損，後者則令所有福利盡失，中間差距甚大，亟需縮窄。

年內，資深委員鄭維志先生、梁國輝先生和黃楊素瓊女士離任。他們多年來竭誠服務，鼎力支持，提供不少寶貴的意見，本人謹此衷心致謝。同時，本人歡迎新成員葉錫安先生加入委員會。



**鮑文**  
主席

The Commission was established in 1950 as an independent statutory body. The Public Service Commission Ordinance and its subsidiary regulations (Chapter 93 of the Laws of Hong Kong) stipulate our remit. Our fundamental role is to advise the Chief Executive on appointments, promotions and discipline.

Our advice on appointments and promotions relates only to the senior ranks of the public service. This covers posts with a maximum salary of \$33,940 (Point 26 of the Master Pay Scale) a month or more, up to and including Permanent Secretaries (PSs), Heads of Department (HoDs) and officers of similar status. At the end of 2003, the number of established civil service posts under the Commission's purview was 34 419.

The posts of Chief Secretary for Administration, Financial Secretary, Secretary for Justice, the Director of Audit as well as posts in the Judiciary, the Hong Kong Police Force and the Independent Commission Against Corruption fall outside the purview of the Commission. In addition, following the introduction of the Accountability System on 1 July 2002, Ministers or Directors of Bureau are not civil servants and their appointments also need not be referred to the Commission.

As for disciplinary cases, this covers all Category A officers<sup>1</sup> with the exception of exclusions specified in the Public Service Commission Ordinance. Notwithstanding this, the Commission has indicated its readiness to advise on disciplinary cases concerning probationers and agreement officers under the mechanism of the Public Service (Administration) Order (PS(A)O).

## 委 委

員會於一九五零年成立，是一個獨立法定機構，《公務員敍用委員會條例》及其附屬規例(香港法例第93章)訂明其職權範圍。委員會的主要職責，是就公務員的聘用、晉升及紀律事宜，向行政長官提供意見。

委員會就聘用及晉升事宜提供的意見，其範圍僅限於高職級公務員，包括頂薪點達每月薪金33,940元(總薪級表第26點)或以上的職位，至常任秘書長、部門首長和職位相若的人員。截至二零零三年年底，在委員會職權範圍內的設定公務員職位共有34 419個。

政務司司長、財政司司長、律政司司長、審計署署長，以及司法機構、香港警務處及廉政公署人員等職位，不在委員會的職權範圍內。此外，自二零零二年七月一日問責制推行之後，各局首長或局長已不是公務員，其聘任事宜亦無須交由委員會處理。

至於紀律事宜，除《公務員敍用委員會條例》訂明的人員外，所有甲類公務員<sup>1</sup>的紀律個案都經委員會處理。不過，委員會已表明樂於就《公務人員(管理)命令》機制下有關試用人員及合約人員的紀律個案，提供意見。

<sup>1</sup> Under the Pension Benefits Regulations, Cap. 99A of the Laws of Hong Kong, "Category A Officer" means an officer who is appointed to an established office and who occupied an established office at the time of his retirement or resignation from the service. This covers virtually all officers except those on probation, agreement and those remunerated on the Model Scale I Pay Scale.

根據《退休金利益規例》(香港法例第99A章)，“甲類公務員”指受聘擔任設定職位，並在退休或辭職時責任設定職位的人員。除了試用人員、合約人員和第一標準薪級人員外，實際上包括了所有公務員。

## Other Functions

The Commission's advice is also sought on the following matters :

- representations from officers on matters falling within the Commission's statutory responsibilities and in which the officers have a direct and definable interest;
- deferment/termination of probationary/trial service;
- employment on agreement terms which —
  - involves overseas agreements;
  - departs from the normal progression in the rank under the new entry system;
  - offers a shorter than normal duration on performance or conduct grounds;
  - requires selection or comparison of merit.

In addition the Commission is required to advise on any matter relating to the public service that may be referred to us by the Chief Executive.

## 其他職責

委員會亦會就下列事項提供意見：

- 公務員在委員會法定權限內就本身有直接和實際利益的事宜提出的申述；
- 延長／中止試用／試任服務；
- 按合約條款聘任，而有關聘任：
  - 涉及海外合約；
  - 偏離新入職制度下的一般進程；
  - 基於工作表現或品行方面的理由，任期較正常為短；
  - 須經甄選或量才錄用。

此外，委員會亦須就任何由行政長官轉介而與公務員有關的事宜，提供意見。

## Advisory Role

The Commission's role is **advisory**. It has no executive powers. The Civil Service Bureau (CSB) and Government departments are responsible for conducting recruitment and promotion exercises as well as interviews and for submitting their recommendations to the Commission for advice. The Commission however maintains a watching brief to ensure that the selection process is carried out fairly, meticulously and thoroughly. Departments are required to clarify or justify their recommendations in response to the Commission's observations. The Commission also draws departments' attention to deviations from established procedures/practices and staff management issues identified during the processing of submissions and, where appropriate, recommends measures to deal with these problems.

## 諮詢角色

委員會只擔任**諮詢**角色，並無執行權力。公務員事務局和政府各部門負責招聘、晉升和面試工作，並向委員會提交建議，徵詢意見。不過，委員會發揮監察作用，確保甄選程序公平、審慎及妥善進行。部門須回應委員會的意見，澄清或解釋所提建議。委員會審閱建議時，如果發現有偏離既定程序／做法的情況或人事管理問題，便會促請部門注意，並建議改善的方法。



Mr Wilfred Wong, JP  
Member, Public Service Commission

王英偉先生，JP  
公務員敘用委員會委員

*"With the rising public demand for a quality civil service, it is crucial that the Commission ensures that the most suitable candidates are appointed and the most deserving officers are promoted whilst those committing misconduct are appropriately dealt with."*

**“公眾對公務員質素的要求愈來愈高，委員會必須確保獲得聘任的是最適合的人選，獲得擢升的是最值得晉升的人員，以及如有公務員行為不當，都會妥為處理。”**

## Human Resource Management : Policy and Initiatives

The Commission continued to act as a "think tank" to the Secretary for the Civil Service (SCS). The Commission's views are sought on policy and procedural issues pertaining to appointments, promotions and discipline as well as on a wide range of subjects relating to the review and development of Human Resource Management subjects.

## 人力資源管理：政策和措施

委員會繼續充當公務員事務局局長的“智囊團”，凡與聘用、晉升和紀律有關的政策和程序，以及與檢討和制定人力資源管理方法有關的事宜，政府都會徵詢委員會的意見。

*"The Commission has always served an important function to provide an unbiased external view to uphold the time-tested rules and regulations governing the management of the Civil Service. With the increasing demand for better service to the public, higher efficiency and greater transparency, the Commission has in recent years played the role as an advisor to public service reform.*

*This has been a challenge to the Commission and will continue to constitute one of our core contributions in the years to come. In this regard, I believe we have acted progressively, and at the same time, retained the trust and respect of the civil service."*

**“委員會向來肩負重任，提供不偏不倚的外界觀點，促使有關管理公務員的規則和規例能一如以往，繼續有效推行。鑑於社會大眾日益要求更好、更有效和更高透明度的服務，委員會近年更就公營部門改革提供意見，出謀獻策。**

**這對委員會來說是一項挑戰，而在未來的日子，委員會會繼續這方面的主要工作。我深信，我們的工作既可與時並進，又能保持公務員對我們的信任和尊重。”**



Dr Thomas Leung, BBS, JP  
Member, Public Service Commission

梁國輝博士，BBS，JP  
公務員敘用委員會委員

During the year, the CSB consulted the Commission on the revised procedures for retiring an officer in the public interest on account of sub-standard performance under section 12 of the PS(A)O. The Commission has long advocated the need to streamline procedures and shorten the time required for such cases. We also pointed out that the fundamental prerequisite to make the new system work depended on senior management's determination to identify non-performers and pursue such cases. This, in turn, called for continuous efforts to tackle the undesirable practice of giving over-generous appraisal. We are pleased to record that SCS issued a personal appeal to all PSs and HoDs on the importance of frank and honest staff appraisals. The new procedures were implemented in late March 2003 and resulted in an increase in the number of section 12 cases compared to previous years. The relevant statistics are given in Chapter 3.

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### Mission and Performance Target

The Commission's mission is to safeguard the impartiality and integrity of appointment and promotion systems in the civil service and to ensure that recommendations for appointment and promotion are based on merit and are free from political patronage or pressure.

In 2003, the Commission advised on 932 submissions covering recruitment and promotion exercises, discipline cases and other appointment-related subjects. Altogether 314 submissions were queried, resulting in 89 re-submissions (28%) with recommendations revised by CSB and departments after taking into account the Commission's observations. A statistical breakdown of these cases is given in *Appendix I*.

年內，公務員事務局曾就有關根據《公務人員(管理)命令》第12條為公眾利益著令表現欠佳人員退休的修訂程序，徵詢委員會的意見。委員會向來倡議須精簡這類個案的程序，縮短所需時間。我們並指出，新制度要行之有效，基本條件是高層管理人員須有決心辨別表現欠佳人員和跟進這類個案。為此，當局必須不斷努力，糾正評核過於寬鬆的不良做法。我們欣悉公務員事務局局長曾親自發函，籲請所有常任秘書長及部門首長重視真誠無欺的員工評核。新的程序於二零零三年三月底實施，程序推行後，引用第12條的個案，數目較往年有所增加。有關的統計數字載於第三章。

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### 使命和工作目標

委員會的使命，是確保公務員的聘用及晉升制度公平公正，並且是以工作表現為依據，不受政治背景或壓力影響。

年內，委員會就932項建議提供意見，涵蓋範圍包括招聘和晉升工作、紀律個案和其他與聘用有關的事宜。委員會總共對其中314項建議提出疑問，公務員事務局和有關部門考慮委員會的意見後，修訂其中89項(佔28%)，並向委員會重新提交建議。有關個案的分項數字載於附錄I。

In dealing with recruitment, promotion and disciplinary cases, the Commission's target is to tender its advice or respond formally within four to six weeks upon receipt of departmental submissions. In 2003, a record high of 98.1% of the 932 submissions (compared with 96.6% in 2002) were dealt with within the pledged processing time. The remaining few submissions related to large and complicated exercises which necessitated a longer processing time.

在處理招聘、晉升及紀律個案時，委員會的目標是在接獲建議後四至六個星期內，正式提供意見或作出回應。年內，在接獲的932項建議中，有98.1%(二零零二年為96.6%)是在目標時間內處理，達標比率為歷來最高。其餘幾項涉及大量工作和較繁複的建議，則需要較長時間處理。



The Public Service Commission Ordinance specifies that the Commission must comprise a Chairman and not less than two or more than eight members. All are appointed by the Chief Executive and have a record of public or community service. Members of the Legislative Council, the Hong Kong Civil Service and the Judiciary may not be appointed to the Commission. This restriction does not extend to retired officers.

《公務員敘用委員會條例》訂明，委員會須有一名主席和不少於兩名或不多於八名委員。成員全部由行政長官委任，並有擔任公職或服務社會的經驗。立法會議員、香港公務員和司法機構人員不得加入委員會，退休公務員則不在此限。

**The membership of the Commission during 2003 was as follows :**

二零零三年委員會成員名單如下：

<b>Chairman</b> 主席	Mr Haider BARMA, JP 鮑文先生，JP	since August 1996 由一九九六年八月起
<b>Members</b> 委員	Mr Christopher CHENG Wai-chee, JP 鄭維志先生，JP	July 1993 to July 2003 一九九三年七月至二零零三年七月
	Dr Thomas LEUNG Kwok-fai, BBS, JP 梁國輝博士，BBS，JP	May 1994 to April 2003 一九九四年五月至二零零三年四月
	Mrs NG YEOH Saw-kheng, JP 黃楊素瓊女士，JP	June 1995 to May 2003 一九九五年六月至二零零三年五月
	Mr Vincent CHOW Wing-shing, JP 周永成先生，JP	since February 1998 由一九九八年二月起
	Mr Frank PONG Fai, JP 龐輝先生，JP	since February 1998 由一九九八年二月起
	Dr Elizabeth SHING Shiu-ching, JP 成小澄博士，JP	since June 1999 由一九九九年六月起
	Miss Eliza CHAN Ching-har, JP 陳清霞女士，JP	since December 2001 由二零零一年十二月起
	Mr Wilfred WONG Ying-wai, JP 王英偉先生	since February 2002 由二零零二年二月起
	Mr Simon IP Sik-on, JP 葉錫安先生，JP	since May 2003 由二零零三年五月起
<b>Secretary</b> 秘書	Mrs Stella AU-YEUNG KWAI Wai-mun 歐陽桂慧敏女士	since November 2002 由二零零二年十一月起
Curricula vitae of the Chairman and Members are at <i>Appendix II</i> . 主席及委員的簡介載於附錄II。		

## Secretariat of the Commission

The Commission is served by a small and dedicated team of civil servants from the Executive Officer, Secretarial and Clerical grades. Submissions from the Civil Service Bureau (CSB) and Government departments are meticulously vetted, with further clarification and justification obtained where necessary, before the advice of the Commission is sought. For easy reference, a flow chart illustrating the vetting process of promotion cases is at *Appendix III*.

*"I have benefited from brainstorming sessions with the Secretary and her staff. They deserve full credit for their painstaking efforts in vetting departmental submissions. The succinct analysis provided has certainly helped me, and I daresay other Members, in dealing with case files and tendering our advice."*

**“我曾參加委員會的集思會，與秘書和職員作交流。秘書處人員盡心竭力，審查部門提交的建議，殊堪嘉許。他們深刻透徹的分析，不單對我，相信對其他委員來說，都大有幫助，讓我們在處理個案和提供意見時，有所參考。”**

During the year, the Chairman and Commission Secretariat continued to carry out efficiency savings measures by redistributing duties, streamlining work procedures and enhancing office automation. Under the various initiatives, two more posts were deleted in 2003, in addition to the five posts deleted under the Enhanced Productivity Programmes in 2000 - 2002. The updated organisation chart of the Secretariat is at *Appendix IV*.

## 委員會秘書處

委員會秘書處由行政主任、秘書和文書職系等公務員所組成的專責小組提供服務。公務員事務局和政府部門所提交的建議，秘書處會先行詳細審議，如有需要，會要求有關方面進一步澄清和解釋，然後向委員會徵詢意見。為方便參考，現把晉升個案審議程序流程圖載於附錄 III，以資說明。



Mr Christopher Cheng, JP  
Member, Public Service Commission

鄭維志先生，JP  
公務員敘用委員會委員

年內，主席和委員會秘書處繼續通過重新分配職務、精簡工作程序和加強辦公室自動化等措施，提高效率，節約開支。由於實行這些措施，繼二零零零至二零零二年按資源增值計劃刪減五個職位後，二零零三年再刪減兩個職位。秘書處的最新組織架構圖見附錄 IV。

## Method of Work

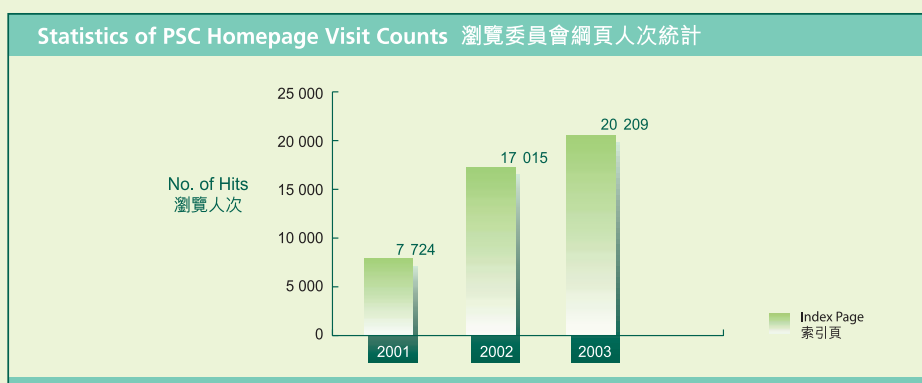
Business is normally conducted through the circulation of files. Meetings are held when policy issues or cases which are complex or involve important points of principle have to be discussed. The CSB and senior management from departments are invited to the meetings to appraise the Commission on matters of concern so that the Commission will have a better understanding of the problems faced by departments.

## Homepage on the Internet

The Commission's homepage can be accessed through the Government Information Centre or at the following address :

<http://www.csb.gov.hk/hkgcsb/psc>

The homepage provides basic information on the Commission's role and functions, its current Membership, the way the Commission conducts its business and the organisation of the Commission Secretariat. Our Annual Reports, which are available in public libraries and District Offices, can also be viewed on the homepage and can be downloaded. The total number of recorded visits to our homepage continued to increase. This reflects the public's increasing interest in our work. A comparison of visits over the past three years is shown below —



## 工作方式

委員會的工作通常以傳閱文件的方式進行。如須討論政策事宜、複雜或涉及重要原則問題的個案，便會舉行會議。公務員事務局和部門的高級管理人員會獲邀出席會議，闡述委員會所關注的事宜，讓委員會多了解部門面對的問題。

## 互聯網的網頁

委員會網頁可透過政府資訊中心或在下列網址瀏覽：

委員會網頁載有委員會的基本資料，包括角色和職責、現有成員名單、委員會執行職務的方式，以及秘書處的組織架構。委員會年報，可在公共圖書館和各區民政事務處索閱，亦可在網頁上瀏覽和下載。根據記錄，瀏覽委員會網頁的總人次持續增加，反映了市民愈來愈關注委員會的工作。下圖顯示過去三年瀏覽人次的比較數字：

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### Homepage on the Central Cyber Government Office (CCGO)

Our homepage has also been uploaded onto the CCGO since January 2001. It provides an easily accessible alternate route for officers in departments and bureaux to grasp the Commission's general views and latest advice on procedural and policy aspects of appointment and disciplinary matters and thus, hopefully, help them in their work. This homepage attracted a total of 1 799 visits last year.

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### 數碼政府合署的網頁

委員會網頁自二零零一年一月起已上載至數碼政府合署，為各部門和各局人員提供另一個方便快捷的途徑，藉以查閱委員會在聘用和紀律事宜的程序和政策方面的一般看法和最新意見，希望對他們的工作有所幫助。去年共有 1 799 人次瀏覽這網頁。

### Recruitment/In-service Appointment

Recruitment is undertaken by the Civil Service Bureau and Government departments. The Commission is involved in the process through overseeing the procedural aspects and advising on vetting criteria and on recommendations for appointment. Advice on recruitment exercises normally takes up about 10% of the Commission's time except for the year of 2003.

### 招聘／內部聘任

招聘工作由公務員事務局及政府各部門進行。委員會的職責，是監察有關程序，以及就審查準則和聘用建議提供意見。除了二零零三年，就招聘工作提供建議通常約佔委員會日常工作 10% 時間。



Mr Frank Pong, JP  
Member, Public Service Commission

龐輝先生，JP  
公務員敘用委員會委員

*"I believe the Hong Kong Civil Service is still amongst the best in the world. Innovative thinking and the adoption of ideas would go towards maintaining our position."*

**“我深信，本港擁有的仍是世界上最優秀的公務員隊伍之一。我們應以創新思維，採納嶄新概念，使我們的地位維持不變。”**

The Administration adopted a service-wide recruitment freeze with effect from 1 April 2003. Exceptional approval was required for conducting an open recruitment exercise. This therefore resulted in a substantial reduction in the number of new recruits during the calendar year. In 2003, the Commission advised on the filling of 46 posts by open recruitment and seven posts through in-service appointment. Coupled with the down-sizing of the civil service and the deletion of vacancies at the recruitment rank, this represented a decrease of about 87% in the number of recruits compared with the previous year. A statistical breakdown of these appointments is given below —

由二零零三年四月一日起，當局全面暫停招聘公務員。只有在經特別批准的情況下，才能進行公開招聘。因此，在該曆年內招聘人數大幅下降。二零零三年，委員會曾就以公開招聘方式填補的 46 個職位，以及以內部聘任方式填補的七個職位給予意見。由於公務員編制縮減，加上招聘職級空缺有所刪除，招聘人數較去年減少約 87%。這些聘任的分項數字載於下表：

Recruitment/In-service Appointment in 2003 二零零三年的招聘／內部聘任人數	
	Number 人數
<b>Recruitment after local press advertisements</b> 在本港報章刊登廣告後新聘用的人員	
- on probation 試用	22
- on agreement 合約	22
- on transfer (between departments or grades) 轉職(部門或職系之間)	2
<b>In-service appointment</b> 內部聘任	
- on transfer (between departments or grades) 轉職(部門或職系之間)	6
- on overseas terms 按海外聘用條款受聘	1
<b>Total</b> 合計	<b>53</b>
Comparison with figures for previous years : 與過去數年的數字比較 :	
Year 年份	No. of Officers 聘用人數
2001	776
2002	395
2003	53

Since the establishment of the Hong Kong Special Administrative Region (HKSAR) Government in 1997, new appointees to the public service must be permanent residents of the HKSAR. However, professional and technical posts may be filled by non-permanent residents if there are no qualified or suitable candidates with permanent resident status (Article 101 of the Basic Law). No such appointments were made in 2003.

Serving overseas agreement officers in the civil service are retained primarily on operational and specialist grounds. They can, and have been encouraged to, apply for transfer to local terms subject to their obtaining permanent resident status and their satisfying language and other criteria.

香港特別行政區(特區)政府於一九九七年成立後，新聘用人員必須是特區永久居民。然而，就專業及技術職位而言，假如永久居民當中沒有合資格或合適人選，則可招聘非永久居民填補(《基本法》第一百零一條)。二零零三年，當局並沒有作出這類聘任。

目前在政府任職的海外合約公務員，主要是由於運作需要和他們的專業才能而得以留任。他們在取得永久居留身分並符合語文和其他規定後，可以申請轉為按本地條款受聘，而當局對此也是加以鼓勵的。

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## Special Appointments

The Government has an extremely diversified range of functions to perform. Civil servants do not always have the expertise to carry out specialised functions; hence special appointments<sup>2</sup> are sometimes necessary. These appointees do not compete with the civil servants for promotion and the continued need for their employment is reviewed regularly.

The Commission did not receive any submission recommending the offer of 'special appointment' in 2003.

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## Promotions

During the year the Commission advised on 342 promotions to fill vacancies in 232 ranks<sup>3</sup>. These included 52 promotions to directorate vacancies which included ten to the senior directorate ranks (see *Appendix V*). The actual number of promotions advised fell by 69% from 1 107 in 2002 to 342 in 2003. *The Second Voluntary Retirement Scheme and the implementation of efficiency savings measures had a significant impact on the number of vacancies in promotion ranks that could be filled substantively as departments had to review their overall establishment and strength position.* Thus, in most promotion exercises in the year, departments resorted to recommending officers for acting for administrative convenience pending the confirmation of the vacancies in the long run. A more detailed analysis on how the service-wide review of manpower plans affected promotion exercises is given in Chapter 4.

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<sup>2</sup> Such appointments do not occupy an established post in the civil service.  
該等聘任並不佔公務員的常額職位。

<sup>3</sup> The number of eligible officers far exceeded the number of promotees. In a number of promotion exercises, over 300 candidates were shortlisted for detailed consideration by the board.  
合資格人員的數目遠超獲得晉升的人數，在一些晉升選拔中，經篩選後供晉升選拔委員會詳加考慮的合資格人員超過 300 名。

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## 特別聘任

由於政府要執行的職務範圍極為廣泛，公務員未必具備所有專責職務所需的專門知識，因此有時需要特別聘任專才<sup>2</sup>。這些受聘者不會與公務員競逐晉升，當局亦會定期檢討是否需要繼續聘用他們。

二零零三年，委員會並沒有收到任何特別聘任的建議書。

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## 晉升

年內，共有 342 個職位空缺採用晉升方式填補，委員會對晉升建議提供意見。這些職位分屬 232 個職級<sup>3</sup>，其中 52 個是首長級空缺，包括 10 個高層首長級空缺（見附錄 V）。獲委員會提供意見的實際晉升宗數由二零零二年的 1 107 宗減至二零零三年的 342 宗，跌幅達 69%。推行第二輪自願退休計劃和增效節流措施，對以實任形式填補的晉升職位空缺數目影響很大，因為部門需要檢討整體編制和實際員額。因此，在年內進行晉升選拔時，部門大多建議員工以方便行政的方式署理職位，直至長遠的職位空缺數目確定。第四章詳述政府的全面人力計劃檢討對晉升選拔工作的影響。

The Commission has remained particularly concerned that inconsistencies in standard of reporting do not result in an undeserving officer gaining promotion. The Commission is pleased to note that most departments continue to rely on assessment panels, preceding promotion boards, to comment on reports so as to achieve a consistent standard of reporting.

### Complaints/Appeals

During the year the Commission dealt with nine representations/complaints relating to the result of promotion or recruitment exercises. After careful and thorough examination, the Commission was satisfied that all the appeals were unsubstantiated.

The Commission also received ten complaints relating to non-confirmation to permanent and pensionable terms, belated processing of a promotion exercise, posting arrangements/the staff appraisal system and alleged misconduct on the part of officers recommended for promotion. Eight of these complaints were unfounded. The other two cases related to —

- (a) an appeal case relating to non-confirmation to permanent and pensionable terms after satisfactory completion of the probationary period - details of this case can be found in Case C in Chapter 7 "Case Studies"; and
- (b) a case concerning the belated processing of promotion exercise - the complainant expressed anxiety over the prolonged delay in the announcement of the promotion exercise. The department took over three months to respond to the Commission Secretariat's request for clarification on a certain

一直以來，委員會最關心的，仍是評核準則的不一致不會導致那些不該得到擢升的人員獲得晉升。委員會欣悉大多數部門在召開晉升選拔委員會前，仍然會成立評核委員會研究評核報告，務求評核準則一致。

### 投訴／上訴

年內，委員會處理了九宗與晉升或招聘結果有關的申述／投訴。經詳細審查後，委員會認為所有投訴均不成立。

此外，委員會收到 10 宗投訴，涉及不獲確實聘任為常額及可享退休金人員、延緩處理晉升選拔工作、職位調配安排／員工工作表現評核制度，以及獲推薦晉升的人員行為不當的指控。當中八宗投訴不成立，其餘兩宗個案則涉及：

- (a) 一宗關於完成試用期而不獲確實聘任為常額及可享退休金人員的上訴個案—詳情請參閱第七章“個案研究”個案三；以及
- (b) 一宗關於延緩處理晉升選拔工作的上訴個案—投訴人對部門長期遲遲未公布晉升結果表示焦慮。委員會秘書處要求部門就某項疑點作出澄清。部門用了超過三個月的時間作出回應，再用了兩個月的時間回應秘書處其後提出的疑問。上述延緩不但不利於人事管理，也有損員工士氣。雖然有關的晉升選拔工作涉及



point of doubt and another two months to subsequent queries. Such delays were not conducive to good staff management and staff morale. While appreciating that a large number of eligible officers and a vacancy review were involved in this occasion, promptness in handling all promotion related cases was important. The department accepted the Commission's observation and undertook to implement necessary steps to strengthen the processing and monitoring of future promotion exercises.

The Commission takes its watching brief seriously and will not hesitate to thoroughly investigate matters in which officers have a direct and definable interest. It is encouraging that the Commission's efforts are acknowledged, as illustrated by the following comments from an individual officer —

*"..... Your work raises my confidence towards the Government and I'll continue to serve the Government in future....."*

There were also two other complaints which related to matters outside the Commission's purview. These were referred to the relevant departments for follow-up action.

大量合資格人員，其間部門又在進行職位空缺檢討，但委員會認為，從速處理所有與晉升有關的個案也很重要。部門接受委員會的意見，承諾採取必要步驟，以加強處理和監察日後的晉升選拔工作。

委員會十分重視其監察功能，對於與公務員有直接和實際利益關係的事宜，都會毫不猶豫地加以徹查。委員會的努力獲得認同，令人深受鼓舞。以下某位公務員的表白，便可說明這點：

*"..... 委員會的工作加強了我對政府的信心，我將繼續為政府服務....."*

委員會另外收到兩宗投訴，所涉事宜不屬於委員會的職權範圍，因此已轉交相關的部門跟進。

## Renewal/ Extension of Agreement

In 2003, the Commission advised on 201 cases of renewal/ extension of contracts for officers employed under the old entry system. Among them, 75 officers had their agreements renewed, 83 had their agreements extended and 43 officers were not offered new agreements. A categorization of their terms of agreement is given below —

## 續約／延長合約

年內，委員會就 201 宗根據舊入職制度受聘人員的續約／延長合約個案提供意見，其中 75 名人員獲得續約，83 名人員的合約獲得延長，另有 43 名人員不獲續約。按合約條款類別列出的分項數字如下：

	Renewal 續約	Extension 延長合約	Non-renewal 不獲續約	Total 總計
Local Terms <sup>4</sup> 本地條款 <sup>4</sup>	36	74	42	152
Locally Modelled Terms <sup>5</sup> 本地模式條款 <sup>5</sup>	3	5	—	8
Overseas Terms 海外條款	15	3	1	19
Common Terms <sup>6</sup> 劃一聘用條款 <sup>6</sup>	21	1	—	22
<b>Total</b> <b>總計</b>	<b>75</b>	<b>83</b>	<b>43</b>	<b>201</b>

<sup>4</sup> The set of terms offered to local officers appointed before 1 January 1999.

“本地條款”適用於在一九九九年一月一日前受聘的本地公務員。

<sup>5</sup> The set of terms offered to overseas officers appointed before 1 January 1999 who have applied to transfer to locally modelled conditions after becoming permanent residents.

“本地模式條款”適用於在一九九九年一月一日前受聘，並在取得永久居民資格後申請轉以本地模式條款受聘的海外公務員。

<sup>6</sup> The set of terms offered to officers appointed between 1 January 1999 and 31 May 2000.

“劃一聘用條款”適用於在一九九九年一月一日至二零零零年五月三十一日期間受聘的公務員。

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## Further Appointment under the New Entry System

For officers employed under the new entry system<sup>7</sup>, the Commission approved the offer of further appointment on new agreement terms to 61 probationers who had performed satisfactorily during the probationary period. Nevertheless, 52 of them were only offered, as an interim measure, a one-year agreement instead of a three-year agreement under the normal progression of the grades because the departments concerned required more time to ascertain the permanency of the posts. The Commission also agreed to a recommendation that one probationer should not be offered further appointment on new agreement terms due to limited vacancies and his less meritorious performance.

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## Extension of Service/Re-employment after Retirement

The Commission Secretariat processed seven cases of re-employment after retirement over the age of 55 under the Old Pension Scheme. Six of them which were all justified on operational grounds were approved by the Commission and the remaining one was withdrawn by the department upon queries raised by the Secretariat. One case of a renewal of agreement on locally modelled terms beyond the normal retirement age of 60 was also approved.

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## 根據新入職制度續聘

至於根據新入職制度<sup>7</sup>受聘的人員，委員會已批准按新合約條款續聘 61 名在試用期內表現良好的人員。不過，由於某些部門需要更多時間確定有關職位是否應長期設立，因此其中 52 名試用人員只獲暫時續約一年，而非按個別職系的一般進程續約三年。此外，有部門基於一名試用人員表現未夠理想，加上空缺有限，於是建議不按新合約條款續聘該員。該建議獲得委員會接納。

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## 退休後延任／重行受僱

委員會秘書處曾處理七宗申請根據舊退休金計劃在 55 歲退休後重行受僱的個案，其中六宗證明有運作需要的個案，獲委員會同意，另有一宗在秘書處提出問題後由部門撤回。委員會也批准了一宗要求在達到 60 歲正常退休年齡後按本地模式條款續約的申請。

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<sup>7</sup> The new entry system was introduced on 1 June 2000. With effect from this date, new recruits to the basic ranks will normally be appointed on 3-year new probationary terms to be followed by 3-year new agreement terms before they are considered for appointment on new permanent terms.

新入職制度由二零零零年六月一日起實施。由該日起，新入職的基本職級人員一般會先按新試用條款聘用三年，繼而按新合約條款聘用三年，然後方會獲考慮按新長期聘用條款聘用。

### Refusal/Deferment of Passage of Probation/Trial Bar

The Commission remains of the firm view that confirmation to the permanent establishment should not be "automatic" and we therefore continue to advocate the need for a realistic assessment of the performance of probationers/officers on trial. It is reassuring that most departments have now adopted this approach and have made full use of the probationary/trial period to observe these officers' performance. Where there are adequate reasons to further test an officer on performance grounds, an extension period of 12 months has been widely adopted as the norm so as to allow sufficient time for the management to ascertain the progress made by the officer and his suitability for confirmation. The Commission has also been pleased to note that where the officers are clearly unsuitable, departments have taken the initiative to terminate the probationary/trial service without waiting till the full period is up.

In 2003, 17 officers were granted extension of probationary/trial service and ten officers had their respective services terminated.

A statistical breakdown is given below —

Probationary/Trial Service 試用／試任	2001	2002	2003
extended for six months or less 延長6個月或以下	19	10 <sup>8</sup>	7
extended for eight months 延長8個月	1	—	—
extended for 12 months 延長12個月	18	12	10
extended for 18 months 延長18個月	1	1	—
services terminated 遭中止聘用	14	15	10
<b>Total 總數</b>	<b>53</b>	<b>38</b>	<b>27</b>

<sup>8</sup> Most of these officers' probationary/trial service was extended to cover their period of sick/maternity leave or to allow the officer to obtain the requisite qualification. Hence the period of the extension was much shorter.

這些人員大部分因為放取病假／分娩假或需要時間取得所需資格，所以需要延長試用／試任期，延長的時間亦因而較短。

### 拒予通過／延長試用／試任關限

委員會堅決認為試用／試任人員不應“自動”獲確實聘任為常額編制人員，所以一向呼籲部門必須認真地評核試用／試任人員的工作表現。委員會樂見大部分部門已經這樣做，並在試用／試任期內盡量觀察這些人員的表現。如果有足夠理由證明須進一步測試這些人員的表現，慣常的做法是把試用／試任期延長 12 個月，以便管方有充裕時間確定該名人員是否有進步及適宜確實聘任。委員會亦樂於看到，當部門認為試用／試任人員明顯不稱職時，也不再等試用／試任期屆滿，即主動中止其試用／試任。

二零零三年，共有 17 名人員須延長試用／試任，另有十名人員被中止聘用。分項統計數字如下：

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## Opening-up Arrangement

During the year the Commission advised on eight cases under the opening-up arrangements whereby positions in promotion ranks occupied by agreement officers were opened up for competition between the incumbent officer and eligible officers one rank below. This arrangement applies to both overseas officers who are permanent residents and are seeking a further agreement on locally modelled conditions, or other agreement officers applying for a further agreement on existing terms.

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## Localisation — Transfer to Local Permanent and Pensionable Terms

There were 18 officers seeking transfer from agreement terms to pensionable terms in 2003. Approval had been given to one application for transfer from local agreement terms and 15 applications for transfer from common agreement terms. Two applications for transfer from locally modelled agreement terms had to be rejected because of the lack of a long-term service need for the posts concerned.

*Appendix VI* shows a breakdown of appointments by salary group and related matters advised by the Commission in 2003.

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## 開放職位安排

年內，委員會就八宗採用開放職位安排的個案提供意見。開放職位是指把合約人員所擔任屬於晉升職級的職位，開放給該名人員及其他低一級的合資格人員競逐。這項安排適用於本身是永久居民而希望按本地模式條款續約的海外人員，以及申請按現行條款續約的其他合約人員。

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## 本地化政策 — 轉為按本地常額及可享退休金條款聘用

二零零三年，共有 18 名人員申請由合約條款轉為按可享退休金條款受聘。申請獲批准的包括一名本地合約制和 15 名劃一合約制的人員。兩名本地模式合約制人員提出的申請被拒，因為有關職位並無長期運作需要。

在二零零三年內徵詢委員會意見的聘用個案(按薪俸組別列出)及有關事宜的分項數字，載於附錄 VI。

### Section 12 of the Public Service (Administration) Order (PS(A)O) — Compulsory Retirement in the Public Interest

Compulsory retirement under section 12 of the PS(A)O is **not** a form of disciplinary action or punishment but pursued as an administrative measure in the public interest on the grounds of -

- (a) "loss of confidence" — when the management has lost confidence in the officer and cannot entrust him with public duties (in such cases the officer is normally interdicted from duty until a decision is made on his case); and
- (b) "persistent substandard performance" — when the officer fails to reach the requisite level of performance despite having been given an opportunity, normally for a period of 12 months, to demonstrate his worth.

During the year, the Commission advised on 15 cases under section 12 of the PS(A)O. Three of these officers were retired because the management had lost confidence in them. The other 12 officers were retired because of their substandard performance.

### 《公務人員(管理)命令》第 12 條 — 着令為公眾利益着想而退休

根據《公務人員(管理)命令》第 12 條着令人員退休，**並非**紀律行動，也不是懲罰，而是為公眾利益着想，基於下列原因而採取的行政措施：

- (a) “失去信心”—— 管方已對有關人員失去信心，不能委派他執行公職(通常該員會被停職，直至當局就其個案作出決定)；以及
- (b) “工作表現持續欠佳”—— 儘管已給予機會(一般為期12個月)讓有關人員證明其工作能力，但他的表現仍未能達到要求。

年內，委員會就15宗有關《公務人員(管理)命令》第 12 條的個案提供意見，其中三名人員因管方對他們失去信心而須退休，另外 12 名則因工作表現欠佳而須退休。

#### Number of Officers Compulsorily Retired under section 12 of PS(A)O

根據《公務人員(管理)命令》第 12 條着令人員退休

Reason 理由	2001	2002	2003
Loss of confidence 失去信心	2	4	3
Persistent substandard performance 工作表現持續欠佳	5	8	12
<b>Total 總數</b>	<b>7</b>	<b>12</b>	<b>15</b>

The Commission is pleased to note that departments have become conscientious in dealing with persistent substandard performance, in particular after the promulgation of the revised procedures in March 2003. It is important that departments keep up the momentum in identifying non-performers and taking appropriate follow-up action. In this respect, in the course of vetting staff appraisal reports in connection with promotion exercises, the Commission draws attention to possible section 12 cases for departmental action.

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### Management Initiated Retirement (MIR) Scheme

The MIR Scheme, first introduced in 2000, provides for the retirement of directorate officers on the permanent establishment to facilitate organisational improvement and to maintain the high standards expected of the directorate. It can be invoked on management grounds if the approving authority has been fully satisfied that —

- (a) the retirement of an officer from his present office is in the interest of the organisational improvement of a department or grade; and
- (b) there will be severe management difficulties in accommodating the officer elsewhere in the service.

The officer concerned will be notified beforehand and given the opportunity to make representations. A panel chaired by the Secretary for the Civil Service will consider each case following which the Commission's advice will be sought on the recommendation to retire these officers. In 2003, two cases were received and the Commission was satisfied that the recommendations should be supported and advised accordingly.

委員會樂見部門認真處理工作表現持續欠佳的人員，尤以在二零零三年三月修訂程序公布後為然。各部門必須繼續努力，留意表現欠佳人員，並採取適當的跟進行動。因此，委員會在審核關乎晉升選拔的評核報告時，格外留意或可根據第 12 條採取行動的個案，以便部門採取行動。

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### 補償退休計劃

補償退休計劃在二零零零年首次推出，讓屬於常額編制的首長級人員提早退休，以便改善部門組織和維持首長級公務員應有的高水平表現。假如批核當局確信會有下列情況出現，便可根據管理的理由，實行這項計劃：

- (a) 有關人員從現任職位退休，有助所屬部門或職系改善組織；以及
- (b) 管理層難以把有關人員安置在其他政府工作崗位。

有關人員事前均會接獲通知及有機會申辯。一個由公務員事務局局長擔任主席的委員會，先逐一審議每宗個案，然後請本委員會就着令有關人員退休的建議，提供意見。二零零三年，委員會接獲兩宗個案，經研究後認為有關建議應予支持，並據此提供意見。

During the year the Administration had reviewed the Scheme specifically and proposed the deletion of the ex-gratia payment element (calculated at the rate of six months of the officer's final substantive salary) from the retirement package of the Scheme. The Commission was consulted and was supportive of the proposal as the expenditure to be incurred in retiring an officer under the Scheme already included an enhanced pension payment.

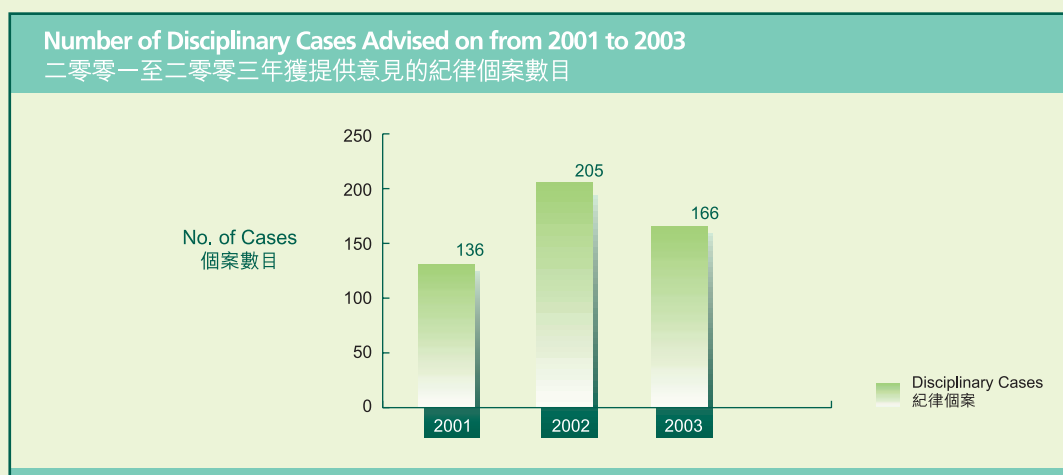
### Disciplinary Cases

The Commission is responsible for advising on disciplinary cases on all Category A officers in the public service with the exception of a small number of exclusions specified in the Public Service Commission Ordinance. The number of disciplinary cases received from the Administration and advised by the Commission dropped by 19% from 205 in 2002 to 166 in 2003. This is mainly attributable to the decrease in traffic related offences and unauthorized loan cases from 37 and 20, respectively, in 2002 to 13 and 6 in 2003.

年內，當局仔細檢討了這項計劃，並建議刪除這計劃的退休補償方案中的特惠金部分(按有關人員的六個月最後實職薪金計算)。當局徵詢委員會的意見，委員會對建議表示支持，因為根據計劃着令公務員退休所引致的支出已包括一筆加額退休金。

### 紀律個案

除《公務員敍用委員會條例》訂明的少數人員外，涉及甲類公務員的紀律個案，均由委員會提供意見。當局向委員會徵詢意見的紀律個案，數目由二零零二年的205宗減至二零零三年的166宗，減幅為19%。這主要由於違反交通規例的罪行和未經批准的借貸個案，分別由二零零二年的37宗及20宗，減至二零零三年的13宗及6宗。



The Commission's advice is based on the principles of equity and fairness, taking into account the nature and gravity of the misconduct involved in each case, the officer's service record, any mitigating or aggravating factors, whether there have been court proceedings, and the level of punishment in precedent cases.

委員會是按公平公正的原則提供意見，並會考慮每宗個案所涉失當行為的性質和嚴重程度、當事人的服務記錄、懲罰加減的理由、是否涉及法律訴訟，以及以往案例懲罰的輕重。





Mrs Ng Yeoh Saw-kheng, JP  
Member, Public Service Commission

黃楊素瓊女士，JP  
公務員敘用委員會委員

*"The Commission provides proactive input in advising on disciplinary cases to ensure that no civil servant would find it worthwhile to flunk work or to bring the service into disrepute. In so doing, I believe, the Commission contributes towards meeting public expectations of the civil service."*

**“委員會就紀律個案提供意見時，持積極主動的態度，確保不會有公務員漠視紀律，怠忽職守，或使政府聲譽受損。委員會藉此促使公務員符合社會大眾的期望，貢獻良多。”**

The following tables provide an analysis of the type of misconduct cases and the level of penalties awarded during 2003 —

下表列出二零零三年內違紀行為類別及懲處的輕重：

Disciplinary Cases Referred to the Commission for Advice —  
Misconduct/Offences and Penalties Advised on During 2003  
徵詢委員會意見的紀律個案 —  
二零零三年內獲提供意見的違紀／刑事個案及相關懲罰

Category of Misconduct/Offences 違紀／刑事個案類別								
Penalties 懲罰	Corruption related offences 與貪污有關罪行	Theft 盜竊罪行	Traffic related offences 違反交通規例的罪行	Crimes not under columns 1, 2 and 3 第一、二、三欄以外的罪行	Abuse of official position, negligence, insubordination, supervisory accountability, loss of confidence, substandard performance 濫用職權、疏忽職責、不服從上級、監督不力、失去信心、表現欠佳	Unpunctuality, unauthorised absence, abscondment 不守時、擅離職守、棄職潛逃	Others (accepting unauthorised loans, outside work, falsify claim of allowance, etc) 其他 (接受未經批准的借貸、外間工作、虛報津貼等)	Total 合計
Dismissal 撤職	2	2	—	11	3	12	—	30
Compulsory retirement + Fine 迫令退休+罰款	—	—	—	—	—	2	1	3
Compulsory retirement 迫令退休	—	—	1	4	19	5	3	32
Lesser Penalty 較輕微的懲罰	—	5	12	21	19	16	28	101
<b>TOTAL 合計</b>	<b>2</b>	<b>7</b>	<b>13</b>	<b>36</b>	<b>41</b>	<b>35</b>	<b>32</b>	<b>166 (Note)(註)</b>

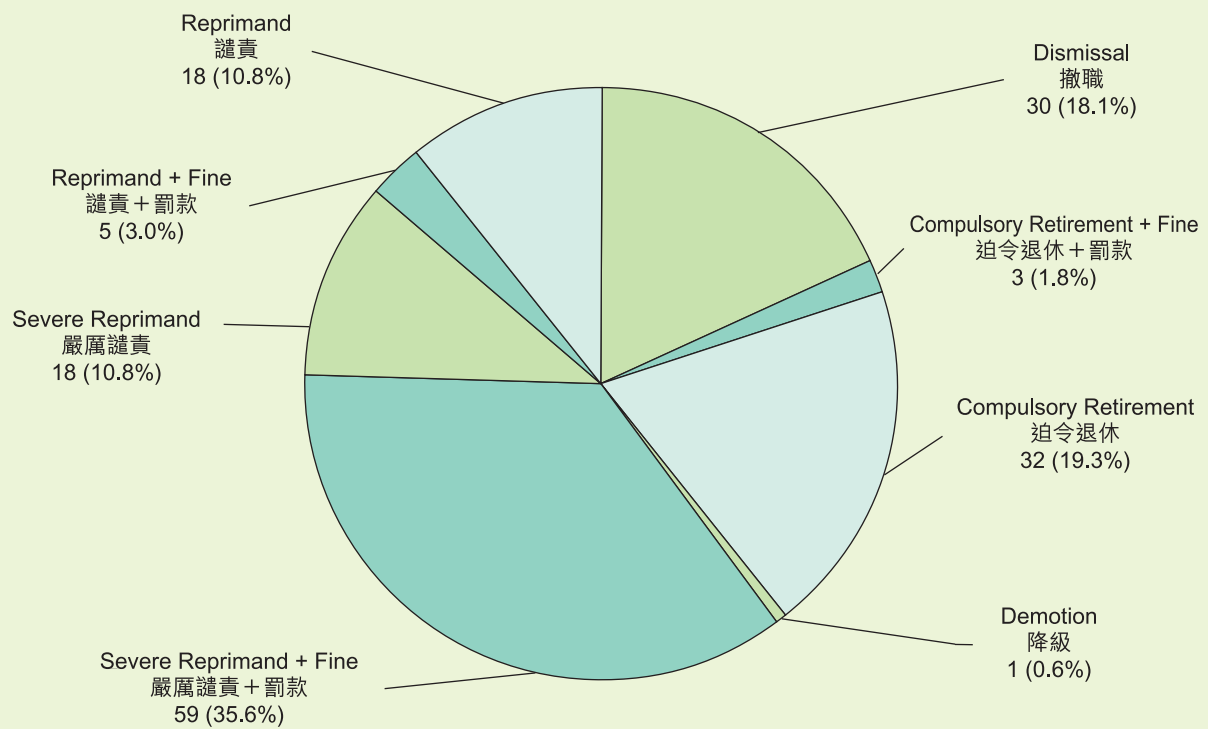
- Note : (a) 58 of the 166 cases followed upon conviction.  
註：在166宗個案中，有58宗是當事人被法庭裁定刑事罪名成立後再予懲處。
- (b) In 10 of the remaining 108 cases, the officers have absconded.  
至於其餘108宗，有10宗所涉及的人員已棄職潛逃。
- (c) The 166 cases include 18 in the Disciplined Services (including 6 from the Police Force, the Fire Services and the Correctional Services seeking the Commission's informal advice).  
在166宗個案中，有18宗涉及紀律人員的個案(包括由委員會非正式地提供意見的6宗涉及警隊、消防處和懲教署的個案)。
- (d) 15 cases under PS(A)O s.12 are included.  
上表包括15宗根據《公務人員(管理)命令》第12條處理的個案。

Penalties Advised on During 2003  
Breakdown by Salary Group  
二零零三年內建議的懲罰  
按薪俸組別劃分的分項數字

Penalties 懲罰	Salary Group 薪俸組別		
	At or Below Master Pay Scale 13 or equivalent 總薪級表第13點 或以下或同等薪點	Master Pay Scale 14 to 33 or equivalent 總薪級表第14至33點 或同等薪點	Master Pay Scale 34 and above or equivalent 總薪級表第34點 或以上或同等薪點
Dismissal 撤職	10	14	6
Compulsory Retirement + Fine 迫令退休 + 罰款	3	—	—
Compulsory Retirement 迫令退休	12	16	4
Demotion 降級	—	1	—
Severe Reprimand + Fine 嚴厲譴責 + 罰款	31	24	4
Severe Reprimand 嚴厲譴責	12	5	1
Reprimand + Fine 譴責 + 罰款	5	—	—
Reprimand 譴責	10	6	2
<b>Total 合計</b>	<b>83</b>	<b>66</b>	<b>17</b>

**Analysis of Penalties Advised on During 2003**  
 二零零三年內所建議懲罰的分析

**Removal from Service : 39.2%**  
**(Dismissal + Compulsory Retirement)**  
 解僱 : 39.2%  
 (撤職 + 迫令退休)



A special issue in the year worth highlighting is the consequential reduction in the number or deferment of appointment/promotion cases arising from the service-wide review on manpower plans and the launching of the Second Voluntary Retirement (VR) Scheme. The following paragraphs give a detailed account of the issue.

### Background

The Commission noted that the Administration had set out annual efficiency savings targets for bureaux/departments in August 2002, in addition to sounding out the possibility of a Second VR Scheme. In response to these initiatives, Permanent Secretaries/Heads of Department/Heads of Grade (PSs/HoDs/HoGs) commenced their manpower plan reviews and to allow for uncertainties in the vacancy position, some appointment/promotion recommendations were revised while others were held back pending the review results. These recommendations mainly involved the intake of new recruits as well as the continued appointment/substantive promotion of serving officers.

### Intake of new recruits

To achieve the target of reducing the size of the civil service to around 160 000 by 2006-07, the Administration announced in January 2003 that a general recruitment freeze to the civil service was to be imposed with effect from 1 April 2003. Exemption would only be granted under very exceptional circumstances for the intake of new civil service recruits. At the start of 2003, there were 24 open recruitment and/or in-service appointment exercises which were in progress. Six exercises were later completed with offers made to new recruits before the recruitment freeze and five had resulted in the appointment of serving officers. The other

年內值得特別關注的事宜，是政府進行全面的人力計劃檢討和推行第二輪自願退休計劃，聘用／晉升個案數目因而減少或有關工作因而延遲進行。下列各段詳述有關事宜。

### 背景

委員會注意到，當局除了提出可能推行第二輪自願退休計劃外，還在二零零二年八月為各局／部門訂下每年增效節流目標。各常任秘書長／部門首長／職系首長已作出回應，著手進行人力計劃檢討。為顧及空缺職位的變動，有些聘用／晉升建議有所修訂，另一些則暫緩實行，等待檢討的結果。這些建議主要涉及招聘新的公務員，以及現職人員的繼續聘用／實際升職。

### 招聘新的公務員

當局的目標是在二零零六至零七年年底前，把公務員人數減至約160 000。為達到此目標，當局在二零零三年一月公布，由二零零三年四月一日起全面暫停招聘公務員，只在非常例外的情況下，才會批准招聘新的公務員。在二零零三年年初，有24項公開招聘及／或內部聘任工作在進行中，當中六項其後完成，並在全面暫停招聘生效前向新聘任人員發出聘書，五項則在完成後向現職公務

13 exercises had been aborted and not processed further. Since the recruitment freeze, only 12 in-service appointment and four open recruitment exercises were launched in the remainder of 2003. Of them, seven in-service recruitment exercises had been completed with recommendations favourably advised by the Commission while the four open recruitment exercises were still in progress at the end of 2003.

### **Further appointment of serving officers not on permanent terms**

In line with the general policy to reduce civil service establishment, the Administration also asked, on a case by case basis, that bureaux/departments should critically examine the continued need for the posts occupied by agreement officers, and ensure that renewal of agreement would tally with the overall manpower plan of their policy bureau. For agreement officers who belong to a grade included under the VR Scheme, exceptional approval had to be sought from their PS and the Civil Service Bureau (CSB) for their further appointment on permanent terms. In the year, a total of 219 agreement officers had applied for further appointment: 16 had been transferred to permanent terms, of whom none belonged to VR grades; 158 were offered a renewal/extension of agreement; and 45 had their applications rejected.

As regards probationers or officers on trial in another grade, their further appointment or confirmation to permanent terms had also been adversely affected in some cases. Two officers on trial were reverted back to their former office due to the lack of vacancies. For probationers appointed under the new entry system, one was not offered further appointment on completion of probation, while 52 were each granted an agreement for a shorter than the normal tour of three years.

員提出聘任。其他 13 項工作則中止進行，沒有繼續下去。自實行暫停招聘公務員後，在二零零三年的餘下時間，政府只共進行了 12 項內部聘任和四項公開招聘工作，其中七項內部聘任工作已經完成，委員會並已同意有關部門所推薦人選；及至二零零三年年底，上述四項公開招聘工作仍在進行中。

### **並非按長期聘用條款受聘的在職公務員續聘事宜**

此外，為配合縮減公務員編制的整體政策當局要求各局／部門逐一審慎研究是否有需要繼續保留合約人員的職位，以及確保續約符合有關政策局的整體人力計劃。如合約僱員屬於已納入自願退休計劃的職系，則須徵求所屬常任秘書長和公務員事務局的例外批准，才可按長期聘用條款續聘。年內，共有 219 名合約人員申請續聘，其中 16 人轉按長期聘用條款受聘，全都不屬自願退休職系；158 人獲續訂／延長合約；另 45 人的申請被拒。

此外，部分試用人員或在另一職系試任的人員，獲得續聘或按長期聘用條款確實聘任的機會也受到影響。有兩名試任人員，就是由於沒有空缺而須調回原職。至於根據新的入職制度受聘的試用人員，有一人在試用期屆滿後不獲續聘，另有 52 人所獲提供的合約比一般的三年期為短。

### Substantive promotion of serving officers

As regards the substantive promotion of serving officers, the Administration issued guidelines in December 2002 and further guidelines in February 2003 reminding PSs/HoDs/HoGs that before promotion boards were held or promotion recommendations implemented (for boards already concluded), they should assess and confirm with their PS the need for filling the vacancies substantively. For vacancies which belonged to one of the grades included under the VR Scheme or for grades which were anticipated to have staff surplus, they had to consider additionally if there was a change to the grade structure and present it to their PS and the CSB for prior agreement.

With uncertainties in the vacancy position in some grades, many departments withdrew their recommendations for substantive promotion and the recommendees concerned were instead put to act up for administrative convenience. However, 11 departments which had put up recommendations for substantive filling of vacancies in 21 cases, decided to hold the recommendations in abeyance meanwhile, pending endorsement of their original recommendations by the PS and/or CSB. These involved 115 recommendees for promotion and acting with a view (AWAV) to substantive promotion.

Apart from the cases described in the preceding paragraph, there were 49 officers who had already been appointed to act up in the higher rank on an AWAV basis before the guidelines were issued and later completed their acting appointment satisfactorily. Among them, 15 had to cease their AWAV appointment due to a lack of vacancy or uncertainties in the manpower position, but they were allowed to continue acting in the higher rank for administrative convenience. Since the non-implementation of their promotion was circumstantial and not related to their

### 在職人員的實際升職

至於在職人員的實際晉升，當局在二零零二年十二月發出指引，其後在二零零三年二月發出進一步指引，促請各常任秘書長／部門首長／職系首長注意，凡召開晉升選拔委員會或實行晉升建議(如已召開晉升選拔委員會)前，有關方面應評估和向所屬常任秘書長證實確有需要以實任方式填補有關職位空缺。如果職位空缺屬已納入自願退休計劃的職系，或屬預期有過剩人手的職系，更須額外考慮職系結構會否改變，並提請所屬常任秘書長和公務員事務局事先批准。

由於某些職系的空缺數目不能肯定，不少部門撤回實際升職的建議，獲推薦的人員改為署理較高職級以方便行政。有 11 個部門曾提出 21 宗實任職位的建議，但後來都決定暫時擱置有關建議，待所屬常任秘書長及／或公務員事務局批准。這些個案所涉及獲推薦晉升或署理以待實際升職的人員有 115 名。

除上述個案外，在有關指引發出前，有 49 名人員已獲安排署理較高職級以待實際升職，其後完成署任期，工作表現良好。然而，由於缺乏空缺或人手情況不能肯定，其中 15 人須停止署理較高職級以待實際升職，但仍准予以方便行政的方式署理較高職級。由於他們未能晉升是環境所致，與工作

performance, the Commission had advised that the officers be duly counselled, and encouraged to sustain their good performance. The Commission had also suggested to the departments that a proper record should be made in their staff report files to reflect the reasons. For the other 34 AWAV recommendees, their acting appointment was extended while awaiting the necessary confirmation on the vacancy position.

### Concerns arising from the withholding of processing promotion recommendations

The Commission acknowledged that cases regarding the in-take of new recruits and confirmation/substantive promotion of serving officers had been promptly resolved following the issue of guidelines from the Administration. The Commission also fully appreciated that before a substantive appointment could be made in both VR and non-VR grades, there was a need to ensure that permanent vacancies and funding resources were available. Yet from the human resource management angle, the Commission was mindful that the holding up of promotion recommendations for a prolonged period could result in —

- (a) staff morale problems, particularly with the 21 outstanding cases for which the formalities of promotion boards were concluded in 2002;
- (b) in some cases, fresh annual reports had become available and the validity of the recommendations based on earlier appraisals would require further review and affirmation;
- (c) candidates who should otherwise have been eligible for consideration under the '12-month active service' rule would now be disqualified; and

表現無關，委員會建議給予這些人員適當輔導，並勉勵他們繼續努力，保持工作水準。委員會並建議部門應在員工的評核報告檔案中把有關原因記錄在案。至於其餘獲推薦署理較高職級以待實際升職的34名人員，他們的署任獲得延長，等待核實空缺情況。

### 暫緩處理晉升建議所引起的關注

委員會知悉，在當局發出指引後，有關新公務員招聘和在職公務員實任／實際晉升的問題已迅速得到解決。委員會也十分明白，無論是否已納入自願退休計劃，各職系都必須肯定有長期空缺，也有財政資源可供運用，才可安排實任職位。然而，從人力資源管理角度來看，委員會注意到晉升建議若拖延日久，會引起下列問題：

- (a) 員工士氣問題，特別是上述21宗未完個案所涉人員，這些個案的晉升選拔委員會工作程序已經在二零零二年完成；
- (b) 在某些個案中，新的年度評核報告已經備妥，以致根據先前的評核提出的建議是否仍然適用，須再作檢討和確認；
- (c) 根據“尚有12個月實際服務期”規則原可獲考慮的候選人，現在變得不符合資格；以及

(d) regular promotion/selection exercises due to be conducted in 2003 were held in abeyance, and the various acting appointments not promptly reviewed.

The Commission therefore invited the Administration to examine these related issues in a holistic manner to bring about an early resolution of the outstanding cases. The Commission Secretariat had also approached individual departments urging them to expedite action in handling the outstanding cases. After further consultation and discussion with the Commission Secretariat, the Administration issued further guidelines to PSs/HoDs/HoGs in July 2003 with a view to expediting departmental action in wrapping up those cases.

### Resolution of the outstanding cases

In the guidelines issued in July 2003, the Administration stipulated that, subject to the necessary endorsement from their PS and CSB and taking into account the latest performance of the candidates, PSs/HoDs/HoGs could implement promotion recommendations but the effective date of promotion of an officer who belonged to a VR grade should be after the VR approval date. In addition, officers who had less than 12 months' active service, including VR takers, could not be promoted. In this connection, it is noted that the deferral of the effective date for promotion in VR grades has not deprived any candidate who is not a VR taker of his claim for substantive appointment.

Since the approval of VR applications on 24 July 2003, many PSs/HoDs/HoGs have been able to finalise their manpower plans and firm up their recommendations shortly afterwards. Of the 21 cases involving 115 promotion and AWAV recommendees, ten cases involving 40 officers had been successfully concluded

(d) 原應在二零零三年進行的常規晉升選拔／遴選工作，暫緩進行，而各項署任安排也沒有及時檢討。

委員會因此促請當局從整體角度來研究這些相關問題，以期及早解決這些未完個案。委員會秘書處也接觸過個別部門，促請他們加快處理未完個案。經進一步諮詢委員會秘書處，共同商討後，當局在二零零三年七月向各常任秘書長／部門首長／職系首長發出進一步指引，以促使部門加快完成這些個案。

### 解決未完個案

當局在二零零三年七月發出的指引，訂明只要取得所屬常任秘書長和公務員事務局同意，並須考慮候選人最近期的工作表現，常任秘書長／部門首長／職系首長可以實施晉升建議，但屬於自願退休計劃職系的人員，晉升的生效日期須訂於自願退休計劃批准日期之後。此外，實際服務期少於 12 個月的人員，包括已參加自願退休計劃者，不可以獲擢升。因此，自願退休計劃職系人員的晉升生效日期雖然延後了，但沒有參加自願退休計劃的候選人並沒因而失去實任機會。

自願退休的申請在二零零三年七月二十四日獲得批准後，很多常任秘書長／部門首長／職系首長都可以為人力計劃定案，隨而敲定晉升建議。在上述涉及 115 名人員獲推薦晉升和署理較高職級以待實際升職的 21 宗個案中，有十宗涉及 40 名人員的個案，獲委員會同意有關建議後，圓滿了結。另有一宗涉及三名人員的建議，則遭撤回，



with favourable advice from the Commission. Recommendations on one exercise involving three officers were rescinded and revised to acting appointments. The remaining ten cases involving 72 officers were still unresolved as at the end of 2003. As regards the 34 AWAV recommendees whose acting appointment had been extended while awaiting the vacancy confirmation, 33 displayed satisfactory performance whilst one officer's AWAV appointment had been ceased due to misconduct unearthed during the extended period. Among the 33 officers, 28 eventually got promoted, while one had to cease his AWAV appointment due to the lack of substantive vacancy but was allowed to continue to act up for administrative convenience. For the remaining four officers, their AWAV appointments had been extended beyond the end of 2003 as their PSs/HoDs/HoGs were still in the process of confirming the vacancy position.

In addition to resolution of the outstanding cases, the Commission was pleased to note that PSs/HoDs/HoGs have resumed the conduct of regular exercises and strived to catch up with their annual promotion exercise schedules. In this regard, an upsurge in the number of promotion/selection boards conducted has been witnessed since August 2003 with 142 exercises held in the ensuing five months or so. The Commission acknowledged the good efforts made by PSs/HoDs/HoGs. The Commission also believed that staff morale would be enhanced with the resolution of outstanding cases and resumption of regular promotion/selection exercises. On our part, to expedite the processing of these cases, the Commission Secretariat has stepped up its efforts, and by the close of 2003, 146 out of 178 submissions received after 24 July 2003 had been advised by the Commission, with the remaining 32 cases being processed with further clarifications required of departments/bureaux.

該三名人員改為署任較高職級。其餘涉及 72 名人員的十宗個案，在二零零三年年底仍懸而未決。至於原獲推薦署理較高職級以待實際升職，但因需等候空缺核實結果而須延長署任期的 34 名人員，其中 33 名期間表現良好，而另一人期間被發現行為不當，結果被中止署任。在這 33 名人員之中，28 人最終獲得擢升，另一人由於缺乏實職空缺而須暫停署任較高職級以待實際升職，但仍准予繼續以方便行政的方式署理較高職級。至於其餘四名人員，他們署理以待實際升職的安排須延長至二零零三年年底之後，因為所屬的常任秘書長／部門首長／職系首長仍在核實空缺情況。

未完個案終告解決之餘，委員會更欣悉常任秘書長／部門首長／職系首長已恢復常規的工作，並加快步伐，以求趕及按既定的時間安排進行每年的晉升選拔程序。自二零零三年八月起，晉升選拔委員會／遴選委員會召開數目驟增，在五個月內舉行了 142 項選拔工作。對於常任秘書長／部門首長／職系首長所作的努力，委員會深表讚賞。委員會深信，在未完個案順利解決，常規的晉升選拔／遴選工作又一一恢復後，員工士氣可以大大提升。委員會秘書處也會竭盡所能，加快處理有關個案。在二零零三年七月二十四日後，委員會收到 178 宗建議，及至二零零三年年底已就其中 146 宗提供意見，其餘 32 宗仍在處理中，有待部門／局澄清某些問題。

A proper and up-to-date disciplinary mechanism, and its effective operation, is the major key to upholding and implementing a high standard of conduct and discipline in the civil service. To maintain and ensure its efficacy and fairness, the Commission believes that the entire mechanism needs to be put under constant scrutiny and review.

**要** 促使公務員敦品勵行、嚴守紀律，關鍵主要在於建立妥善而又切合時宜的紀律處分機制，並使之有效運作。為確保該機制行之有效和符合公平原則，委員會認為整個機制須定期監察和檢討。

*"The Commission has reviewed and debated policies and procedures relating to the disciplinary mechanism. Indeed, we have worked closely with the Civil Service Bureau. Whilst headway has been made in shortening the time taken to process cases, the introduction of a new level of punishment between compulsory retirement and dismissal will provide more flexibility in dealing with difficult cases which justify punishment between those two layers."*

**“委員會仔細檢討和深入辯論有關紀律處分機制的政策和程序。事實上，我們與公務員事務局保持緊密合作。在縮短處理個案所需時間方面，工作已有進展，而另一項建議，即在迫令退休和撤職兩類處分之間，增設一個新的處分級別，推行後可更靈活處理應得懲罰介乎兩者之間的棘手個案。”**



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公務員敘用委員會委員

The Commission has focused on this as an on-going process and has conveyed its observations and recommendations on disciplinary policy and procedures to the Administration continuously over the past years. Indeed, many of the fundamental changes implemented over the past few years and now being pursued arise from the Commission's initiatives. To recap —

(a) emphasis on the need to facilitate the prompt processing of disciplinary cases and ensure service-wide consistency in the level of punishment for comparable cases of misconduct has resulted in the setting up of the Secretariat on Civil Service Discipline in April 2000 to centrally process formal disciplinary cases under the Public Service (Administration) Order (PS(A)O);

委員會持續關注這方面的工作，多年來不斷就紀律處分政策和程序向當局提出意見和建議。當局過去數年實施及現正推動的多項根本改革，都是源於委員會的意見。現把這些改革措施概述如下：

(a) 委員會強調必須加快處理紀律個案，並確保可比較的行為不當個案在公務員體系能有輕重一致的懲處。當局終於在二零零零年四月成立公務員紀律秘書處，按《公務人員(管理)命令》由中央處理正式的紀律個案；

(b) in November 2000 at the Commission's behest, the Civil Service Bureau (CSB) commenced a review of the disciplinary mechanism with the aim, among other things, to further speed up the processing of disciplinary cases and ensure consistency in disciplinary principles and procedures throughout the civil service. We have urged CSB to take action expeditiously to include the following suggestions we have made on previous occasions —

- to introduce additional tiers of punishment between compulsory retirement and dismissal to provide for reduced pension or stiffer financial penalties in cases bordering on dismissal;
- to add in the existing procedural system an in-built provision to allow the Commission and CSB to re-open a completed disciplinary case, if warranted; and to provide for a switch of action from one to another section of the PS(A)O during the disciplinary proceeding so as to provide for a higher level of punishment where warranted;
- to seek the Commission's informal advice on formal disciplinary cases involving Category B officers<sup>9</sup> so as to maintain consistency in disciplinary principles and standards throughout the service; and
- to empower Heads of Department and other punishment authorities to impose a fixed-amount fine on Category A officers for certain types of minor misconduct without the need of going through formal disciplinary inquiries.

(b) 二零零零年十一月，公務員事務局按委員會的建議，展開紀律處分機制檢討，目的包括研究如何加快處理紀律個案，以及確保公務員整體的紀律處分原則和程序一致。委員會促請公務員事務局從速採取行動，落實委員會先前提出的下列建議：

- 在迫令退休和撤職這兩者之間，增加懲處級別，為那些幾可革職處分的個案訂定扣減退休金或更重罰款的罰則；
- 在現有程序制度內加入規定，讓委員會和公務員事務局在有需要時可能重開已完結的紀律個案；並訂明在紀律研訊期間，可根據《公務人員(管理)命令》的不同條文而採取其他行動，以便在有需要時施予更重的處分；
- 就有關乙類人員<sup>9</sup>的正式紀律個案徵詢委員會的非正式意見，以維持公務員體系一致的紀律處分原則和標準；以及
- 賦予部門首長和其他負責懲處工作的人員權力，判處干犯某幾類輕微失當行為的甲類人員定額罰款，而無須進行正式的紀律研訊；

<sup>9</sup> Currently, as provided by the PS(A)O, the Commission only advises on the Administration's recommendation for punishment of Category A officers, i.e. officers employed on permanent terms. This excludes Category B officers, namely those on probation, Model Scale 1 Pay Scale and agreement terms. Having regard to the implementation of the new "3+3" entry system which means that an officer would spend 6 years on probation cum agreement terms before becoming a Category A officer (as opposed to the previous 2-year probation), the size of Category B staff will grow significantly. The Commission believes there is a need to also cover probation and agreement officers with a view to ensuring consistency and parity in treatment. As there are no reasons to exclude only the Model Scale 1 Pay Scale staff from the Commission's purview, the Commission has indicated it would be happy to also examine and advise on these cases.

根據《公務人員(管理)命令》，委員會現時只就當局對懲處甲類人員(即以常額條款受聘的人員)的建議提供意見。這並不包括乙類人員，即試用人員、按第一標準薪級表支薪的人員或按合約條款受聘的人員。由於實施新的“三加三”入職制度，有關人員將按試用另加合約條款形式工作六年(以前則為試用兩年)後，才可成為甲類人員，因此，乙類人員數目會大幅增加。委員會認為有需要把試用和合約人員包括在其權限內，以確保作出劃一和公平的處理。由於沒有理由只把第一標準薪級人員擱於委員會權限之外，委員會已表明樂於審核這類個案並提供意見。

(c) the need to look into the question of supervisory accountability when dealing with misconduct cases involving absenteeism and malpractices; and, if found lacking, to take disciplinary action against the officers concerned.

On more specific issues at the Commission's behest, the Administration has —

- (i) promulgated guidelines in June 2000 to help departments decide on the appropriate course of action in cases involving breaches of housing benefits rules to ensure that disciplinary action is pursued in cases which involved more than technical abuses of housing benefits rules;
- (ii) issued "Guidelines on Disciplinary Action Arising from Traffic Accidents/Offences" by the then Government Land Transport Administrator in April 2002 to ensure consistency amongst different departments in considering/taking disciplinary action against government drivers involved in traffic accidents or traffic offences; and
- (iii) agreed that an officer who has been convicted of a traffic offence which is non-duty-related would not be subject to further disciplinary action unless drink-driving or other misconduct unbecoming of a civil servant is involved.

(c) 處理涉及曠工和玩忽職守等不當行為個案時，須研究上司督導屬員的責任問題；如發現未有克盡督導責任，須向有關人員施以紀律處分。

委員會就更多具體問題提出了建議，當局都採取了相應的行動：

- (i) 在二零零零年六月公布指引，以協助部門對有關違反房屋福利規則的個案決定採取何種適當的行動，確保對涉及並非單純技術性違反房屋福利規則的個案採取紀律行動；
- (ii) 二零零二年四月，當時的政府車輛管理處處長發出《因應交通意外／違例事項採取紀律行動指引》，確保各部門遇有政府司機涉及交通意外／違例事項而考慮／採取紀律處分時做法一致；以及
- (iii) 同意如公務員被裁定觸犯與公職無關的交通違例事項，無須再受紀律處分，除非其中涉及酒後駕駛或其他與公務員身分不符的不當行為。

Arising from a disciplinary case in the year, the Commission has requested CSB to give a clear policy guideline on the extent to which performance, subsequent to the misconduct committed by an officer, should be taken into account as a mitigating factor in determining punishment in disciplinary cases. This arose from the Commission's deliberation regarding a submission in which the department argued that exceptionally good performance of an officer, subsequent to his misconduct, should be a mitigating factor for retaining his service.

The Procedural Manual on Discipline indicates the factors that should be taken into consideration when determining the level of punishment include the gravity of the misconduct; whether the misconduct is duty related or not; the disciplinary and service records of the officers; mitigating factors; and the customary level of punishment in precedent cases. The Manual, however, does not go into detail as to whether or not service records include records of service subsequent to the misconduct and, if so, the weight to be attached to such records. CSB has emphasized that the gravity of the misconduct should remain the primary factor in determining the level of punishment; other factors, including the service records of the officer, should remain secondary considerations. Although they would not rule out the possibility of a punishment authority taking into consideration performance throughout the active service of the officer under consideration, it is considered only reasonable to look at such records in context, bearing in mind that the gravity of the misconduct should take precedence over other factors, service records being only one of them. Furthermore, as not every officer would have the same opportunity to put in good performance subsequent to an act of misconduct, CSB is of the view that disproportionate weight to performance records after the incident(s) of misconduct should be guarded against.

由於年內的一宗紀律個案，委員會已要求公務員事務局提供清晰政策指引，闡釋在釐定紀律個案的處分時，人員在干犯不當行為後的表現可在多大程度上作為從寬處理的考慮因素。此事緣於委員會審議某部門的建議時，有關部門認為有關人員在干犯不當行為後工作表現優異，可作為從寬處理的理由，應可讓該員保留公職。

《紀律處分程序指南》說明釐定懲處輕重應考慮的因素，包括不當行為的嚴重程度、不當行為是否與工作相關、有關人員的紀律和服務記錄、從寬處理的理由，以及以往案例慣常的懲處輕重。不過，指南沒有詳述服務記錄是否包括不當行為發生後的服務記錄，也沒有說明包括的話，則所佔比重為何。公務員事務局強調，不當行為的嚴重程度應是釐定懲處輕重的主要考慮因素，服務記錄等其他因素乃屬次要。儘管不會排除負責懲處工作人員可能會顧及有關人員整段實際服務期的表現，公務員事務局認為事件屬違紀行為，應據此來考慮有關服務記錄。須緊記的是，不當行為的嚴重程度應凌駕於其他因素，而服務記錄只是眾多其他因素之一。再者，由於並非每名行為不當人員其後都有相同機會展示良好表現，公務員事務局認為宜慎防過分注重不當行為事件發生後的表現記錄。

The Commission noted the above guiding principles spelt out by CSB and shares the view that the gravity of the misconduct should be given the most weighting. Indeed, it is pertinent that not every officer would have the opportunity to put in good post-misconduct performance. This, in turn, underlines the need to expedite action on disciplinary cases to ensure fairness.

Given the ever-increasing public expectations of an efficient and clean civil service, the Commission whole-heartedly supports the Administration's determination of raising the standard of conduct and discipline throughout the service. In this context, the Commission has suggested to the Administration the importance of publicising disciplinary cases and the level of punishment awarded, such as through the Civil Service Newsletter, so that staff are aware of the serious consequences of various acts of misconduct.

委員會留意到公務員事務局提出上述指導原則，並認同不當行為的輕重應是最主要的考慮因素。最為關鍵的是，並非每名行為不當的人員其後都有機會展示良好表現。於此可見，實有需要加快處理紀律個案，以確保公平。

市民對公務員的工作效率和廉潔操守，期望日高，當局決心提高公務員隊伍的操守和紀律水平，委員會對此全力支持。這方面而言，委員會已建議當局應廣為公布有關紀律處分個案和懲處輕重，例如登載於公務員通訊上，好讓公務員明白到干犯各項不當行為的嚴重後果。

*"Management must emphasise and demonstrate that misconduct will not be tolerated. To enhance the deterrent effect, I believe there is merit in publicizing selected disciplinary cases and the level of punishment awarded."*

**“管理層必須強調和表明，絕不姑息不當行為。公布部分紀律個案和處分輕重，當可收以儆效尤之效。”**



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Member, Public Service Commission

周永成先生，JP  
公務員敘用委員會委員

The Commission firmly believes in working in partnership with the Administration to identify, develop and promote good practices in the management of the civil service. With this objective in mind, the Chairman participated in major and difficult selection and promotion exercises and Members also attended such meetings as observers on a selective basis. Furthermore, the Chairman and staff of the Commission Secretariat visited departments to discuss, with the Heads of Department (HoDs) and their Departmental Secretaries (DSs), specific departmental issues as well as disciplinary matters and other subjects of common concern. These visits have proved to be fruitful and constructive to both the Commission and departments.

In the course of examining submissions, the Commission has taken the opportunity to review policy as well as current rules and practices pertaining to appointment, promotion and discipline with a view to streamlining procedures. This approach has also enabled irregularities and shortcomings to be identified. The following paragraphs give an account of problematic areas together with improvement measures or new initiatives suggested by the Commission to tackle these issues. HoDs and their DSs are encouraged to draw on the experience so as to avoid similar irregularities and shortcomings in future submissions.

委員會深信，必須與當局緊密合作，維持伙伴關係，一起尋找、發展和推廣優良的管理公務員方法。委員會主席秉持這個信念，參與了重要而又複雜的遴選和晉升選拔工作，各委員也以觀察員的身分列席個別會議。委員會主席和秘書處職員也造訪部門，與部門首長和其部門主任秘書討論特定的部門事宜、紀律問題和其他共同關注的題目。這些探訪對委員會和部門來說都大有裨益。

委員會在審研當局所遞交的建議時，藉機檢討與聘任、晉升及紀律有關的政策、現行的規則與做法，以期精簡程序。我們亦可藉此找出紕漏及不足之處。以下各段述明這些問題，並載列委員會為解決這些問題而建議的改善措施或新方法。委員會鼓勵各部門首長和其部門主任秘書借鑑有關經驗，避免在日後遞交建議時，出現類似的紕漏和不足之處。

*“Impartiality and equity are the two pillars to preserve the integrity and effectiveness of the civil service performance management system. Management must establish and demonstrate to the staff an open, transparent and communicative management style and a system to enshrine these values. In this regard, the Commission has a vital role to play to provide independent advice and prevent any irregularities.”*

**“公平公正是保持公務員工作表現管理系統暢順運作和行之有效的兩大支柱。管理層必須奉行和展現公開、具透明度和促進溝通的管理風格，以及設立體現這些信念的制度。在這方面而言，委員會提供獨立意見，杜絕紕漏，任重道遠。”**



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公務員敘用委員會委員

## General

### **Authorisation of officers under the Public Service Commission (PSC) Regulations**

In accordance with Regulation 2 of the PSC Regulations, only holders of specific posts in bureaux/departments and within the Civil Service Bureau (CSB) who had been duly authorised could seek the Commission's advice in performing appointments related duties under Regulations 3(1), 4 and 5 of the PSC Regulations. The Commission considered the practice to be archaic and the regular updating of the list of specific posts not time effective.

CSB was requested to review the arrangement in December 2002. In response, the bureau shared the views of the Commission and the Secretary for the Civil Service (SCS) made a general authorisation in April 2003 to allow for all officers not below the rank of Senior Executive Officer or equivalent in bureaux/departments, irrespective of posts, to perform the requisite duties.

## 一般事宜

### **根據《公務員敘用委員會規例》獲得授權的人員**

根據《公務員敘用委員會規例》第2條，只有局／部門及公務員事務局內擔任特定職位並獲授權的人，才可向委員會尋求意見，以執行規例第3(1)、4和5條所指明與聘任有關的職責。委員會認為這種做法不合時宜，而定期更新特定職位名單，也費時失事。

公務員事務局應要求在二零零二年十二月檢討這項安排。結果，該局認同委員會的看法。二零零三年四月，公務員事務局局長批給一般授權予各局／部門所有職級不低於高級行政主任或同等職級的公務員，讓他們不論職位為何，都可執行有關職責。



## Recruitment

### *Recruitment before freeze*

A department had conducted recruitment exercises for two ranks in a grade which was later included under the Second Voluntary Retirement (VR) Scheme, and intended to offer appointment to successful candidates before the recruitment freeze took effect on 1 April 2003. The Commission was concerned about the implications for a VR grade to take in new staff while inviting serving ones to retire. On further review, the department withdrew its recommended appointment for the senior rank. It also clarified that the recruitment at the lower rank was confined to a few particular streams of the grade that did not have staff surplus and would be excluded from the VR scheme. Given the clarification, the Commission endorsed the recommendations.

### *Entry requirements*

In the course of vetting a recruitment exercise conducted for a degree grade, the Commission prompted a review on its entry requirements which had become outdated with the increase in opportunities for further study in recent years. The original requirements were either (a) a first or second class honours bachelor degree; or (b) a postgraduate degree. A candidate could have obtained a recognized postgraduate degree under (b) but such qualification might not be regarded as an equivalent of (a). On re-examining this further, the Head of Grade agreed that the entry requirement should be tightened to the effect that the qualification under (b) when considered in totality should be comparable to that of (a).

## 招聘

### *暫停招聘生效前的招聘工作*

某部門為某職系的兩個職級進行招聘，但該職系後來納入第二輪自願退休計劃，而部門擬在二零零三年四月一日全面暫停招聘公務員前，向獲取錄的應徵者提出聘用。委員會所關注的，是自願退休職系既邀請在職人員退休，又同時招聘新員工，這樣會有什麼影響。經再加檢討後，部門撤回較高職級的聘任推薦。該部門並述明，較低職級的招聘，只限於該職系的數個分流，這些分流並無過剩人手，也沒有納入自願退休計劃。考慮過上述解釋後，委員會批准所提建議。

### *入職要求*

在審查一項涉及學位職系的招聘工作時，委員會鑑於近年進修機會增加，要求當局檢討過時的入職要求。原來的入職要求是：(a) 一級或二級榮譽學士學位；或(b)學士以上的學位。應徵者如持有認可學士以上的學位，便可符合(b)項要求，但這個學歷資格未必與(a)項學歷資格同等。經再加研究後，有關職系首長同意，應收緊入職條件，規定(b)項所述的學歷資格整體上須與(a)項相若。

## Promotion

### *Non-implementation or delay in implementation of promotion board recommendations*

There have been several cases where recommendations on promotion exercises, favourably advised on by the Commission, were not implemented; nor were these cases then brought to the attention of the Commission. In other cases, the subsequent promotion for some officers who were recommended for acting with a view (AWAV) appointments was delayed or not effected because of delays in completion of staff reports, uncertainty in the vacancy position, or doubts on their performance and conduct. If an extension or cessation of the AWAV appointment is warranted, this should be promptly submitted to the Commission for advice. To prevent the recurrence of undue delays or omissions in seeking the Commission's advice, the Commission Secretariat has since set up a system to monitor AWAV cases. Departments concerned have also been reminded to keep the Commission informed of the promotion of officers on AWAV appointment and to seek the Commission's views on non-implementation of any of the recommendations.

### *Adoption of stringent experience requirement for shortlisting purposes*

In promotion exercises, some departments have specified service criterion to trim down the number of eligible candidates when there are limited vacancies. However, excessively stringent service criterion is not necessary in cases where the pool of candidates is small or where there are a large number of vacancies. In a promotion exercise, only five shortlisted officers were considered for two vacancies, resulting from the department's tightening of

## 晉升

### *晉升選拔委員會所提建議沒有實行或延遲實行*

在某些個案中，委員會已對部門晉升選拔委員會所提建議表示支持，但這些建議並沒有實行，而有關部門又沒有知會委員會。在另一些個案中，有些獲推薦署理以待升職的人員，其後的升職受到拖延或沒有實行，原因是評核報告遲遲未填寫、空缺情況不明朗，或有關員工的表現和品行備受質疑。如果署理以待實際升職的安排需要延長或中止，應從速徵詢委員會的意見。為免在徵詢委員會的意見方面再出現不當的延遲或遺漏，委員會秘書處設立了一個監察這類個案的機制。各部門已獲通知，署理職位以待實際升職的人員一旦獲得擢升，便應通知委員會；如果所提建議沒有實行，也須徵詢委員會的意見。

### *擬備入選名單時採用嚴格的年資要求*

在進行晉升選拔時，由於空缺有限，有些部門訂明服務年資準則，以縮小合資格候選人的數目。然而，如果入選數目不多，或有大量的空缺，實不需訂下過於嚴格的服務年資準則。在某項晉升選拔工作中，由於部門收緊服務年資準則，由在職級服務三年增至五年，以致只有五名人員初步入選，競逐兩個空缺。一名在上一次符合資格獲得考慮的人員，今次也被淘汰出來。該部門提交另一項

the service criterion from three to five years of in-rank experience. An officer who was eligible for consideration in the last exercise was also screened out. In another promotion submission by the same department, the service criterion had been tightened from four to five years notwithstanding ample vacancies available resulting in a one to two ratio of recommendees to shortlisted officers. The Commission is of the view that the department should relax rather than tighten the service criterion in these two cases. The department has been advised to impose a reasonable service criterion in future exercises.

### **Attendance as observers**

A promotion interview was conducted in a department for selecting the most suitable candidate to fill a higher rank vacancy. Due to another prior official engagement, an observer had to leave in the midst of an interview. The candidate concerned felt frustrated as he had not been advised of the observer's early departure beforehand. The Commission was satisfied that it was no more than a pure oversight, but appreciated that this could be disconcerting to the candidate concerned. The Commission has thus invited the Administration to issue a general reminder on this point to prevent such a recurrence.

### **Review of acting appointments recommended in the last exercise**

Acting appointments recommended by the last board should be reviewed through a promotion/selection board when fresh annual reports are due. A department which failed to comply with the above requirement explained that they did not conduct a review in the past year as the acting list drawn up by the last board had

晉升建議，雖然涉及頗多的空缺，但仍把服務年資準則由四年收緊至五年，以致每兩名入選人便有一人可獲推薦。委員會認為，在上述兩個情況下，部門應該放寬而不是收緊服務年資準則。委員會已促請該部門日後訂定合理的服務年資準則。

### **以觀察員的身分出席**

某部門舉行晉升選拔面試，以選出最適合的人選，填補較高職級的空缺。面試時一名觀察員另有公務而須提早離席。由於候選人事前並不知悉觀察員會提早離席，因而甚感不快。委員會認同這只是一時疏忽，但也明白到會影響候選人的情緒。委員會因此已請當局提醒各部門避免發生類似事件。

### **檢討上一次建議的署任安排**

在新的年度評核報告到期時，便須再召開晉升選拔委員會／遴選委員會，檢討上一次的委員會所推薦的署任安排。某部門並沒有遵守這項要求，並解釋說上一次的委員會所擬定的署任名單上仍有人選可用，因此過去一年沒有進行檢討。這個說法不可接受，因為在新一輪的年度評核報告備妥後，舊有署任

not yet been exhausted. This, however, is not acceptable as the validity of the acting list should lapse when the fresh round of annual reports is available. The officers' performance and relative claims should have been reviewed through the normal procedures of a selection board. The department has been reminded to closely observe this requirement in future. In exceptional circumstances requiring the deployment of officers from the lapsed waiting list during the gap period, i.e. before approval is given for fresh recommendations, the management should ensure that the performance and conduct of the officers concerned still merit the acting appointment.

### ***Appointment of officers to AWAV to substantive promotion***

Some departments have not properly administered AWAV appointments as illustrated below —

- A department had recommended two officers to act up on an AWAV basis, notwithstanding the fact that their performance records had generated doubts on their readiness for the recommendation. The Commission's view is that AWAV appointments should only apply in cases where the slight residue doubt for substantive promotion of an officer could be cleared within a short period. On review, the department agreed that a longer observation on the two officers was required and the two officers were appointed to continue acting up in the higher rank for administrative convenience, pending a further review of their performance by the next board.
- Another department had recommended a further extension of an officer's extended AWAV appointment for six more months notwithstanding its projection of the unavailability of a vacancy for his substantive promotion at the end of the

名單便告失效。有關人員的表現和晉升機會，應透過遴選委員會的正常程序來評檢。委員會已促請該部門日後嚴守這項要求。然而，在交替期間，即新一輪的建議仍未獲得批准之時，如出現特殊情況，以致須按已失效的名單調配人員，管方應審視有關人員的表現和品行，確定是否值得讓該員署任職位。

### ***安排人員署理較高職級以待實際升職***

若干部門在安排人員署理較高職級以待實際升職方面有欠妥善，詳情如下：

- 有部門推薦兩名人員署理較高職級以待實際升職，然而根據這兩人的表現記錄，卻令人懷疑他們是否適合擔任部門所推薦的署任職位。委員會認為，只在有關實際升職的少許疑問能經一段短時間觀察便可消除的情況下，才適宜安排人員署理較高職級以待實際升職。經檢討後，該部門同意須為這兩名人員安排更長的觀察期。該兩人被安排以方便行政的方式繼續署理較高職級，等待下一次選拔委員會進一步檢討他們的表現。
- 另有部門建議，把一名人員原已延長了的署理較高職級以待升職的安排，再延長六個月。然而，該部門預計在延長期完結時，仍不會有空缺讓該員實際晉升。委員會認為，在這情況下，把該員署理較高職級以待升職的安排再延長六

extended period. The Commission considered in the circumstances a further extension of his AWAV appointment not justified. On the Commission's advice, the department ceased his AWAV appointment but the officer has been allowed to continue acting for administrative convenience pending a further review of the vacancy position in the next annual exercise.

- In another case involving the extension of AWAV appointment for six months for a batch of officers due to an extensive grade review which would impact on the vacancy position of the rank concerned, it was found that the department had not complied with Civil Service Regulations (CSR) 170(c) which required staff reports to be completed at quarterly intervals for officers of AWAV appointment. The Commission reminded the department to comply with the requirement before seeking its advice on the proposed extension of the officers' AWAV appointment. It was through this reporting procedure prompted by the Commission that an officer's misconduct was unveiled following which his AWAV appointment was ceased without further extension. It is important for departments to continue to monitor the performance and conduct of the officers under extended AWAV appointment through regular staff reporting.

個月，並無充分理據支持。該部門接受委員會的意見，中止該員署理較高職級以待升職的安排，但仍讓他以方便行政的方式署理較高職級，等待下一次年度選拔時，部門重新檢討空缺情況。

- 在另一宗個案中，有一批人員署理較高職級以待實際升職的安排須延長六個月，因為有關職系將進行全面檢討，會影響該職級的空缺情況。不過，該部門沒有按《公務員事務規例》第170(c)條的規定，為署理較高職級以待實際升職的人員每三個月填寫一份評核報告。委員會提醒該部門先完成有關規定，然後才就建議延長有關人員的署理安排一事徵詢委員會的意見。經委員會提醒後，部門展開填寫評核報告程序，從而發現一名人員曾經行為不當，該員的署理委任遂被中止，不獲延長。在有關人員的署理委任延長期間，必須透過常規的員工評核，監察人員的表現和行為，這點不容忽視。

## Performance Appraisal System

### *Appraisals of officers who were selected for long-term acting appointment*

In processing promotion/selection exercises from departments, the Commission noted in some cases that although the officers concerned were appointed to act in the next higher rank for administrative convenience, their performance was still assessed in their substantive rank throughout the entire reporting period. The Commission considered that officers appointed for long-term acting should be appraised at the acting rank in all parts of the report and so stated in the appraisal form so as to facilitate the board's assessment of their capability in all respects for the higher rank in which they were being tested.

### *Use of annual report form*

In vetting a departmental submission on a selection exercise, the Commission observed that the annual appraisal form had been used to assess officers covering a short period of one to two months, with the parts on rating the officers' performance on the individual responsibilities and their core competencies skipped. It would not be realistic for the appraising and countersigning officers to assess an officer's performance in such details for only a short period of time. The Commission drew the department's attention to the guidelines as set out in the relevant CSR that no report was required if staff changes took place within three months of the previous report and if any report was to be written, a memo or simplified form should be adopted. The department had subsequently come up with an abbreviated form to be used for performance appraisal in situations where full appraisal is not required.

## 表現評核制度

### *獲選長期署任的人員的評核*

在審查部門的晉升選拔／遴選工作時，委員會發現，在某些個案中，雖然有關人員獲委任以方便行政的方式署理高一級的職級，但他們在整個評核期內的表現仍以其實職職級為準來評核。委員會認為，獲委任長期署理職位的人員，應在評核報告的各個部分以其署任職級的表現來評核，並在評核報告中加以註明，以便選拔委員會衡量有關人員各方面的能力是否可以應付較高職級的考驗。

### *使用年度評核表格*

在審查某部門就一項選拔提出的建議時，委員會發現，部門使用年度評核表格，填寫人員的一、兩個月短期表現，而個別職責的表現和關鍵才能評分部分則留空不填。要評核人員和加簽人員在這麼短的時間內，詳細評核人員的表現，並不切實際。委員會促請部門注意《公務員事務規例》的指引，即如果在上一個評核報告填寫後的三個月內有人事變動，便無須填寫評核報告；如須評核，則應使用便箋或簡化的表格。該部門後來編製了簡化的表格，供無須詳細評核時使用。

### **Enhancements to appraisal forms**

A department has introduced new appraisal forms to several grades under its ambit. The Commission, whilst appreciative of the department's efforts, has spotted two major areas which warranted enhancement. One area relates to the omission of an important section to assess the appraisee's performance in respect of his responsibilities and targets. As such the overall grading of his performance is not substantiated by his achievements during the period. The other area relates to the core competencies which are multifarious and could have been better consolidated, with clear delineation in the levels required for common items. The department has been asked to improve on the new forms.

### **Duty list in appraisal report**

In a department the appraisees in several ranks only indicate their post titles and the sections/regions in which they are working under the section "description of duties" in the appraisal form. According to CSR 230(4), staff reports must include in sufficient details the duties of the appraisees during the reporting period. This is to enable the appraising officer to assess how well the appraisee has performed each of the duties (normally comprising no more than five or six items) listed. The Commission has invited the department to rectify the practice.

### **Review of staff reports by assessment panel**

In tendering advice to a department on their recommendations of a selection exercise, the Commission pointed out that their assessment panel should review the staff reports of all officers at that rank and not just those who had satisfied the service criterion for consideration of promotion and with overall performance graded 'Outstanding' or 'Moderate' or below. It is the role of the assessment panel to moderate staff appraisals across the rank to maintain consistency of staff reporting and to make actual

### **改善評核表格**

某部門為轄下的數個職系編製了新的評核表格。儘管委員會讚賞部門的努力，但發現了其中兩大方面須予改善。其一是遺漏了有關受評人的職責和工作目標的表現評核這個重要部分，沒有了這方面的評核，受評人整段期間工作表現的整體評分，並無具體的成績用作佐證。另一項有待改善的地方是，關鍵才能流於繁瑣，應予精簡，一般項目也應清楚界定不同水平的要求。委員會已請該部門改進新的評核表格。

### **評核報告的職務表**

某部門有不同職級的受評人員，都只在評核表格的“職責說明”一欄填上自己的職銜和任職的組／地區。根據《公務員事務規例》第 230(4)條，評核報告應載列受評人在評核期間的職務詳情，以便評核人員按每項列明的職責(通常列出不多於五至六項)評核受評人的表現。委員會已促請部門糾正有關做法。

### **由評核委員會檢討評核報告**

委員會在就某部門完成遴選後所作建議給予意見時，指出評核委員會應檢討有關職級所有人員的評核報告，而非單單檢討符合服務年資條件而納入考慮晉升之列的人員，以及整體表現被評為“優”、“可”或以下級別人員的評核報告。評核委員會的角色，是協調整個職系的員工評核，維持評核的一致；如

adjustments to the overall/individual gradings, where justified, to reflect more accurately the performance of the officers concerned.

### **Operation of assessment panels**

A department proposed to set up assessment panels for moderating staff appraisals in a new grade which has recently been formed by merging two grades. Based on the proposed composition and operation of the panels, the Commission has suggested some fine-tuning amendments which have been accepted by the department. However, one of the issues raised would need further review, i.e., the exceedingly large size of the panels with two co-chairmen and seven to 13 members/observers. Though a large membership would ensure wide representation, the Commission was concerned that the operational efficiency of the panels would likely be compromised. While appreciating the department's endeavour to try this out first, the Commission has advised the department to conduct a timely review on the trimming down of the size of the panels after their first operation.

### **Adoption of appraisal forms**

A department has adopted a rather confused arrangement of using different forms for assessing acting performance at the higher rank. That is, a form for the higher rank is used only for officers whose acting appointment has been endorsed by the Commission, while a form at the substantive rank is adopted for all other officers whose acting appointments are made without the Commission's advice in the first instance. Such an arrangement can cause shortlisting problems in a selection/promotion exercise as the two distinctly different forms may unfairly screen out those officers whose acting performance is assessed in the form for the substantive rank. To avoid confusion and ensure consistency, the Commission has advised the department to standardize the use of report forms.

有充分理由，應調整整體／個別評分，以便更準確地反映有關人員的表現。

### **評核委員會的運作**

某部門建議設立評核委員會，協調某個新職系的員工評核報告。新職系是由兩個職系不久之前合併而成。委員會建議就該評核委員會的擬議組合和運作略作改善。部門接納了委員會的建議。然而，其中一項關於評核委員會人數過多的意見，則須進一步檢討。該評核委員會有兩名主席和 7 至 13 名成員／觀察員。成員較多雖然可確保較有代表性，但委員會關注到這樣很可能影響運作效率。儘管委員會讚賞部門勇於嘗試，但建議部門在評核委員會第一次運作之後適時進行檢討，看看是否需要減少該評核委員會人數。

### **採用評核表格**

某部門為評核署理較高職級的人員使用不同的表格，造成頗為混亂的情況。凡人員的署任安排已獲委員會批准，都會採用適用於較高職級的表格。至於署任安排未先獲委員會批准的人員，則採用適用於實職職級的表格。這項安排會在遴選候選人時造成問題，因為這兩類表格截然不同，正在署任但使用其實職職級表格來被評核的人員，或會被不公平地淘汰。為免引起混亂和確保連貫一致，委員會建議有關部門使用劃一的評核表格。



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## Performance Management

### *Delay in deferring or stopping an annual increment of an officer with unsatisfactory performance*

In considering a department's recommendation to terminate the probationary service of an officer, the Commission noted that the officer had been granted an annual increment despite his unsatisfactory performance. This was considered highly undesirable. The irregularity arose mainly due to the delay in action taken by the department to stop the increment. The Commission has reminded the department that an officer deserved an increment only when his performance is satisfactory, and that prompt action should be taken to stop/defer increments where warranted.

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## Passage of Probation/Trial Bar

### *Necessity of inviting representations from probationers/officers on trial in cases of termination of service due to insufficient vacancies*

In considering the recommendation of a department for terminating the trial service of some officers due to insufficient vacancies, the Commission noted that the department had invited representations from the officers concerned in accordance with CSR 200(3). The provision for inviting representations also exists for probationers under CSR 186(3). The Commission is of the view that since the claims of the officers had been duly and fairly considered by a selection board on grounds of comparative merits, and that termination of their services was due to insufficient vacancies rather than their general unsuitability on performance and conduct grounds, it would not be necessary to invite representations from the officers in order to avoid raising false hopes. The Commission has invited CSB to consider issuing appropriate guidelines to departments.

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## 表現管理

### *未有及時對表現欠理想的員工延期或暫停發放按年遞加的增薪*

在考慮某部門建議終止某員的試用時，委員會注意到，雖然該員表現欠理想，仍獲得發放按年遞加的增薪。委員會認為這樣做極不可取。出現這種紕漏，主要是因為部門遲遲不採取行動，停止發放增薪。委員會已促請部門注意，只應在有關人員的表現理想時，才應發放增薪。如有需要，應從速採取行動，終止／延期發放增薪。

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## 通過試用／試任關限

### *因職位空缺不足而終止聘任的試用／試任人員是否需要請他們提出申述*

某部門因職位空缺不足建議終止若干人員的試任，委員會在考慮這項建議時，留意到該部門曾根據《公務員事務規例》第200(3)條邀請有關人員提出申述。《公務員事務規例》第186(3)條也有關於邀請試用人員提出申述的條文。委員會認為有關人員各個方面的優劣已獲遴選委員會給予適當和充分考慮，而且終止聘任是職位空缺不足而非人員的整體表現和品行有問題所致，因此無須邀請有關人員提出申述，以免該員有不切實際的期望。委員會促請公務員事務局考慮向部門發出適當指引。

### ***Passing standard for officers on trial***

The performance of an officer appointed on trial was graded 'Moderate' in the second half of the trial period and several areas of deficiency were identified. However, his supervisors recommended his passage over the trial bar based on some slight improvements shown at the end of the trial period.

The Commission strongly advocates that in allowing an officer to pass the trial bar, a stringent standard had to be adopted and one had to prove beyond doubt his competence at the trial rank. It was not adequate for an officer to just meet the minimum acceptable standard towards the end of the trial appointment. He should deliver a positive performance and show potential to develop further in the grade. Against these considerations, the Commission viewed that the officer in question had not fully demonstrated his suitability for passing over the trial bar. In response to the Commission's comments, the officer concerned had his trial period extended by the department for 12 months with financial loss for further observation and monitoring.

### **Renewal/Extension of Agreement**

#### ***Renewal/extension of agreement for officers with misconduct***

An agreement officer was found to have misconducted himself and was served a written warning. With his agreement due to expire shortly, the department initially put up a recommendation for waiving the debarring effect and renewing his agreement for a normal tour. Though the misconduct was not very serious, the Commission considered it important that a high standard of probity was required of civil servants and a clear message should be sent to the officer and other staff in this regard. It had therefore

### **試任人員通過關限的標準**

一名試任人員在試任期下半年的表現被評為“可”，並被指有若干不足之處。不過，該員的上司基於該員在試任後期表現稍有改善而建議讓其通過試任關限。

委員會極力主張在准許員工通過試任關限時，須採用嚴格標準，並證明他確實勝任試任職級，無可置疑。僅在試任後期才達到可接受的最低標準，並不足夠。他應有良好表現，並顯露能在職系內進一步發展的潛質。基於這些考慮因素，委員會認為有關人員未能顯示完全適合通過試任關限。有關部門因應委員會的意見，把該員的試任期延長 12 個月而使其蒙受金錢損失，以作進一步觀察和監察。

### **續約／延長合約**

#### **續訂／延長行為失當人員的合約**

一名合約人員因行為失當而接獲書面警告。該員的合約快將屆滿時，部門最初建議撤銷書面警告的限制作用，與該員續訂正常任期的合約。儘管當事人的不當行為並不十分嚴重，委員會仍認為公務員維持崇高操守至為重要，並應向該員和其他員工發出清晰的有關信息。因此，委員會建

suggested that a one-year extension for further observation of his performance and conduct should be more appropriate. The Commission's advice was accepted by the department.

## New Entry System

### *Reduction of probation period for serving officers on in-service transfer under the new entry system*

The Commission noted in its last annual report that officers who were appointed under the new entry system and not yet confirmed to permanent terms had to undergo another three-year probation on transfer to another grade. This could result in an officer in the most extreme case having to serve a maximum of nine years before he could be confirmed. Since there would be a significant disparity of in-service transfer arrangements between the new and old entry systems which would also result in a disincentive for probationers under the new system to apply for cross-grade transfer, the Commission has invited the Administration to consider refining the arrangements. On further review, the Administration agreed that the appointment authority may, having regard to the nature of the duties and other management considerations, consider reducing the probationary period in the new office in accordance with CSR 183(3), i.e. by no more than the probationary period or period of service the officer has served in the former office, and in any case by no more than half of the probationary period required for the new office. The related guidelines were promulgated by the Administration in June 2003. The Commission welcomed the new arrangements which allowed for flexibility in deciding on the appropriate duration of probation in the new office to facilitate cross-grade fertilization within the service.

議宜延長合約一年，進一步觀察該員的表現和品行。委員會的意見獲得部門接納。

## 新入職制度

### *縮短按新入職制度作內部轉職的在職人員的試用期*

委員會在上一年報提到，根據新入職制度受聘而尚未按長期聘用條款轉為實任的人員，在轉職至另一職系時，須再經過三年試用。尤有甚者，當事人可能最多須服務九年才可以實任。由於新舊入職制度兩者之間在內部轉職安排會有重大差異，可能導致按新入職制度受聘的試用人員不願申請轉投其他職系，委員會因此促請當局考慮改善有關安排。經進一步檢討後，當局同意聘任機構可根據《公務員事務規例》第183(3)條，因應工作性質和其他管理上的考慮因素，考慮把新職位的試用期縮短，但縮短時間不得超過當事人在原有職位的試用期或已完成的服務期，而無論如何，也不得超過新職位規定的試用期的一半。當局在二零零三年六月公布相關指引。委員會歡迎新安排，因為能夠靈活決定新職位適當的試用期，促進公務員隊伍各職系之間的轉職。

### ***Alignment of arrangements in seeking the Commission's advice under the new and old entry systems***

With the issue of guidelines on the further appointment of officers appointed under the new entry system in June 2003, the Commission's advice would have to be sought for termination/non-renewal of agreement or non-transfer to permanent terms on performance or conduct grounds or where a selection or comparison of merits was required. The Commission was, however, aware that a different arrangement had hitherto been adopted for agreement officers appointed under the old system in that only cases for renewal/extension of agreements and transfer to permanent terms were subject to the Commission's advice. For consistency, the Administration was invited to consider aligning the old arrangements with those under the new system. The Commission was pleased to note that the Administration found the proposal agreeable and in future only termination/non-renewal of agreement or non-transfer to permanent terms on performance or conduct grounds as well as cases involving selection or comparison of merits under both the old and new entry system would require the Commission's advice. Guidelines on the alignment of arrangements were issued in October 2003.

### ***Further appointment on new agreement terms upon completion of probation***

Under the new entry system, probationers will normally be offered a three-year agreement when they satisfactorily complete their probation. In considering the offer of further appointment on new agreement terms to the probationers, some departments were unable to offer three-year agreements due to uncertainties in the vacancy position of the rank/grade concerned. They proposed to offer a one-year agreement in the first instance with

### ***根據新舊入職制度徵詢委員會意見時採取一致安排***

新入職制人員的續聘指引在二零零三年六月發出後，凡有人員因表現或品行理由而被終止／不獲續訂合約或不予轉為長期聘用制，或部門有需要進行遴選或比較人選的優劣時，都要徵詢委員會意見。委員會卻留意到為舊制合約人員所作安排向來不同，只在續訂／延長合約和轉為長期聘用制時，才須徵詢委員會意見。為求一致，委員會促請當局考慮劃一新舊制的安排。委員會欣悉當局贊同這項建議，而將來不論新還是舊入職制，只是有關人員因表現或品行理由而被終止／不獲續訂合約或不予轉為長期聘用制，以及部門進行遴選或比較人選優劣的個案，才會徵詢委員會意見。關於劃一安排的指引已在二零零三年十月發出。

### ***試用期滿以新合約條款續聘***

根據新入職制度，試用人員試用期滿，表現良好，通常會獲續約三年。在考慮向試用人員提出以新合約條款續聘時，若干部門因不能確定有關職級／職系的空缺情況而未能提供三年期合約。這些部門建議先行提供一年期合約，續聘與否，則視乎人手檢討結果／最終人力計劃而定。這建議獲公務員事務局批准，並獲委員會同意。假如檢討後沒

any further appointment subject to the outcome of the staffing review/finalization of the manpower plan. The proposal was approved by the CSB and favourably advised on by the Commission. In the event that there were insufficient vacancies to accommodate all officers upon review, the Commission considered that a selection board should be convened to examine the claims of all officers for further appointment.

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## Discipline

### *Debarring effect on appointment*

In vetting a departmental submission on a selection exercise, the Commission noted that an officer was allowed to retire and be re-employed during the debarring period of a written warning given to him for his duty-related misconduct. The department failed to seek CSB's advice beforehand and explained that the officer's re-employment on agreement terms should not be construed as an appointment in the strictest sense. The Commission did not find the department's explanation acceptable in that the term "appointment" should be construed in the widest possible sense, including but not limited to acting appointment, further appointment, re-employment and appointment on transfer and passage of probation/trial bar. According to the Procedural Manual on Discipline, the debarring effect of informal and formal punishments imposed on an officer for promotion or appointment purposes should only be waived in exceptional circumstances after consultation with CSB. The Commission is of the view that the anomaly was the result of an oversight on the management's part and has advised the department to be more careful and stringent in handling similar cases in the future.

有足夠職位空缺容納所有人員，委員會認為應召開遴選委員會，研究哪些人員適宜續聘。

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## 紀律

### *對聘任的限制力*

在審查某部門進行遴選後所提交的建議時，委員會留意到某人員因干犯與工作有關的不當行為而接獲書面警告，而在書面警告的限制有效期間，該員獲准退休並重行僱用。部門事前沒有徵求公務員事務局的意思，而據部門解釋，當事人以合約條款重行僱用，嚴格來說不應視作聘用。委員會認為部門的解釋不可接受，因為“聘用”一詞應作廣義詮釋，範圍包括但不局限於署任、續聘、重行僱用、轉職聘任和通過試用／試任關限。根據《紀律處分程序指南》，非正式或正式處分對晉升或聘用的限制，只在特殊情況下，並經諮詢公務員事務局後才可撤銷。委員會認為事件處理欠善，是管方一時不察所致，並已促請部門日後處理同類個案時，須加倍小心謹慎。

The Commission believes that case studies will be of interest and help to departments in their on-going quest to enhance human resource management.

### Case A — Objectivity in making recommendations on punishment

#### Background

A junior staff member who joined the service in 1984 was severely reprimanded, fined one increment for three months and cautioned on removal from the service in the event of further misconduct following his criminal convictions of "Theft" and "Failure to produce proof of identity on demand". In processing his case, the department discovered that he attended the criminal trial of his case in February 2000 without leave or permission. Moreover, the relevant notes of court proceedings revealed that he had a previous record of "Theft" in 1985 for which he was put on probation without a criminal conviction, and another conviction of "Theft" in 1990 for which he was fined \$1,000. The department therefore took disciplinary action under section 10 of the Public Service (Administration) Order (PS(A)O) against him for his (a) failure to report the criminal proceedings against him in 1985 and 1990; and (b) unauthorised absence for 2 hours 20 minutes to attend the court hearing of his "Theft" case in February 2000. The Inquiry Committee subsequently found him guilty as charged.

員會認為，對不斷渴求提升人力資源管理的部門而言，個案研究可資借鑒，亦有所裨益。

### 個案壹 — 提出有關懲處的建議時是否客觀

#### 背景

一名在一九八四年加入政府的初級人員，因“盜竊”和“未能在規定下出示身分證明文件”而被判刑事罪名成立，其後遭管方嚴厲譴責和罰款(扣減一個增薪點達三個月)，並予以告誡，如再犯不當行為便會遭撤職。部門着手處理這宗個案時，發現當事人未經請假或取得批准而在二零零零年二月出席有關其刑事案件的審訊。此外，有關法院法律程序紀要顯示當事人分別在一九八五年曾犯“盜竊”案，當時被判接受感化而無須刑事定罪，及在一九九零年因“盜竊”而被定罪，罰款一千元。鑑於以上情況，有關部門根據《公務人員(管理)命令》第10條採取紀律行動，指控他：(a)沒有呈報在一九八五年和一九九零年受到的刑事檢控；以及(b)在二零零零年二月因“盜竊”案件出庭應訊而擅離職守達兩小時二十分鐘。研訊委員會其後裁定指控成立。

## Development

The Secretariat on Civil Service Discipline (SCSD) originally recommended to the department that the officer should be punished by a severe reprimand, a fine of one increment for 12 months plus a caution on removal from the service. However, the department was of the view that the officer should be compulsorily retired because he had committed multiple acts of misconduct which were not minor in nature and his repeated misconduct had reflected badly on his integrity, trustworthiness and suitability for remaining in the service. After discussion with the Civil Service Bureau (CSB), SCSD showed support to the department and submitted the case to the Commission recommending that the officer should be compulsorily retired.

The punishment for failure to report criminal proceedings that are non-duty-related is usually a written warning. As for unauthorised absence of 2 hours 20 minutes, the punishment is normally a reprimand/severe reprimand plus a fine. Although the officer in question deserved a heavier punishment because he was found guilty of two counts of failure to report criminal proceedings brought against him and unauthorised absence, the Commission considered the recommended compulsory retirement overly harsh, particularly after taken into consideration the officer's junior position. Taking into account precedent cases and the department's concern that a heavy punishment was required to achieve the necessary deterrent effect in managing its large number of junior staff, the Commission advised that the officer should be punished by a severe reprimand, a fine of one increment for 12 months plus a caution on removal from the service in the event of further misconduct.

## 事情發展

公務員紀律秘書處原先向有關部門建議，當事人應被嚴厲譴責、罰款(扣減一個增薪點達12個月)，以及予以可遭撤職的告誡。不過，部門認為應迫令當事人退休，因他干犯多宗性質不輕的不當行為，而屢犯不改令人質疑他的品格和信用及他是否適合留任公職。經與公務員事務局商討後，公務員紀律秘書處也支持該部門迫令當事人退休的建議，並把建議提交委員會，徵詢意見。

沒有呈報與工作無關的刑事檢控，一般是以書面警告作處分；擅離職守達兩小時二十分鐘，一般是以譴責／嚴厲譴責加上罰款作處分。當事人兩度沒有呈報受到刑事檢控兼且擅離職守，理應加重處分。然而，委員會認為迫令退休的建議過分苛刻，特別是考慮到當事人的初級職位。基於先例和有關部門考慮到要有效管理眾多初級人員，有必要重罰以儆效尤，委員會建議當事人應被嚴重譴責、罰款(扣減一個增薪點達12個月)，並予以告誡，如果再度行為失當，即行撤職。

CSB then invited the Commission to re-consider the merits of the department's recommendation because they shared the department's view that, given the large number of junior staff under its charge, it was at times necessary for the departmental management to adopt a very strict standard to maintain staff discipline and order, even though the standard adopted might be a notch higher than the service-wide norm. Nevertheless, the Commission, upon review, considered that its original recommendation should stand.

### **Observations**

Whilst fully supporting the Administration's determination to tackle misconduct and enhance discipline, the Commission considers it crucial that the actual punishment awarded should be commensurate with the gravity of the misconduct and that broad consistency be maintained in the service. Any recommended punishment should be weighed very carefully against the norm across the civil service for similar types of misconduct to ensure that the punishment awarded is fair by all standards. The Administration needs, therefore, to be thoroughly objective in vetting departmental recommendations on punishment, whether the proposed punishment is too harsh or lenient as the case may be, and must refrain from accepting departmental proposals simply for the sake of demonstrating support. If the Administration considers that new benchmarks should be set in the future in determining the level of punishment in relation to similar cases of misconduct, the enhanced punishment, if to be implemented, should be promulgated for uniform application by all departments.

其後，公務員事務局促請委員會重新考慮部門所提建議的理據，因為公務員事務局認同該部門的看法，即鑑於部門管轄的初級人員為數眾多，部門管方有時須採用極為嚴格的標準，以維持員工的紀律和秩序，儘管所採用的標準比公務員體系整體標準為高。然而，委員會在檢討後，認為仍應維持原先的建議。

### **觀察**

委員會全力支持政府對付不當行為和提高紀律的決心，但認為同樣重要的是，實際處分應與不當行為的輕重相符，並在公務員隊伍普遍維持一致做法。建議施加任何處分時，都應參考同類行為失當個案在公務員體系的處分慣例，審慎衡量，從而確保以任何標準而論，處分都屬公正。因此，當局審查部門的處分建議時，無論建議處分是否過於苛刻或寬大，都必須完全客觀，並避免純粹為表示支持而接納部門的建議。假如當局認為日後應制定新標準，以釐定同類行為失當個案的處分輕重，便應把擬實施的加重處分公布，讓所有部門統一施行。



## Case B — Shortlisting for recruitment purposes

### **Background**

A department launched a direct recruitment exercise for a promotion post that attracted less than 100 applications with only about 20 odd candidates (including some having doubtful qualifications requiring further clarification) meeting the entry requirements. The Commission's advice was sought on introducing shortlisting criterion in relation to post-qualification experience to reduce the number of qualified candidates for interview.

### **Development**

After applying the proposed shortlisting criterion, the department considered that six candidates could satisfy the criterion for interview. However, the Commission Secretariat's vetting of the applications revealed that only two candidates fulfilled the requirements while the other four either had doubtful qualifications or were unqualified. Given the small number of qualified candidates, the Commission was concerned that by further imposing the shortlisting criterion, there was a risk of having too small a pool of candidates for selection. Another factor was that after applying the shortlisting criterion, the basic entry requirements that had been advertised were altered, making it unfair to those candidates who might have applied otherwise. Eventually, the department, on failing to devise any suitable shortlisting criterion, decided to interview all the 20 odd candidates.

## 個案二 — 招聘的篩選工作

### **背景**

某部門為某個晉升職位進行直接招聘，接獲申請不足 100 份，其中只有 20 多名應徵者（部分的資歷有欠清罵，需作澄清）符合入職條件。部門擬採用取得有關資歷後的工作經驗作為篩選準則，以減少可獲面試的合資格應徵者數目，於是徵詢委員會的意見。

### **事情發展**

經採用建議的篩選準則後，有六個應徵者符合面試的條件。不過，委員會秘書處在審核申請時發現，只有兩名應徵者完全符合有關條件，其餘四人不是資歷含糊不清，就是不合資格。鑑於合資格的應徵者為數不多，委員會擔心附加篩選準則，可能會令可供選擇的應徵者的數目變得太少。另一項考慮因素是，附加篩選準則後，廣告刊載的基本入職條件便有所改變，這會對入職條件如不同則可能會提出申請的人有欠公平。該部門由於未能制定合適的篩選準則，最終決定讓全部 20 多個應徵者接受面試。

## Observations

The department has taken a considerable time to deliberate on the shortlisting criterion without achieving any results. The Commission notes that as a general guideline, the number of candidates to be interviewed in a recruitment exercise should not normally exceed five for each vacancy. Yet a mechanical approach towards shortlisting should be avoided and the adoption of shortlisting criteria is only necessary when the size of qualified candidates is exceedingly large. In this case, there was no apparent need since the total number of qualified candidates, discounting those requiring verification of doubtful qualifications, is relatively small. Moreover, any shortlisting criteria proposed should be meaningful, effective and consistent with the advertised basic entry requirements.

### Case C — Request for confirmation to permanent and pensionable terms after satisfactory completion of probationary service

#### Background

An officer was appointed as an assistant professional on probationary terms for five years in 1998. Her performance and conduct during her probationary period fully met the requisite standard. She had also acquired the requisite qualification and experience for passage of promotion step and probation bar for confirmation to the permanent establishment within the five-year probationary period in 2003. However, it was anticipated that there would be surplus staff in the grade. The department, after consulting the CSB, only offered further appointment on local agreement terms up to mid-2005. The officer lodged an appeal to the Commission as she considered that the offer of appointment on agreement terms instead of permanent terms was not fair as it was not in line with the terms stipulated in her Memorandum on Conditions of Service on appointment.

## 觀察

該部門用了很長時間考慮篩選準則，但徒勞無功。委員會注意到，根據一般原則，進行招聘時，通常每個職位空缺的面試者不應多於五人。然而，部門應避免採用一成不變的篩選方式，除非合資格人數太多，否則無須附加篩選準則。就這宗個案而言，撇除要核實資歷的人員後，符合資格的應徵者已經很少，顯然沒有需要附加篩選準則。此外，任何建議的篩選準則均須具有意義和有效，並要與廣告所述的基本入職條件一致。

### 個案三 — 圓滿完成試用後要求按常額及可享退休金條款獲確實聘任

#### 背景

某人員在一九九八年按試用條款受聘為助理專業人員，為期五年。試用期內，她的工作表現和品行完全達到所需的標準，並於二零零三年取得通過試用關限可獲確實聘用為常額人員和晉升所需的資格和經驗。不過，該職系預計會出現人手過剩的情況。部門在諮詢公務員事務局後，只按本地合約條款與該員續約至二零零五年年中。該人員向委員會提出上訴，她認為以合約條款而非常額聘用條款聘用她是不公平的，因為這是有違聘用她時的服務條件說明書列明的條款。

## Issues of concern

In examining the officer's appeal, the Commission believed that the officer had a legitimate expectation of continuous employment on permanent terms on the satisfactory completion of her probationary service and attainment of professional qualification and questioned whether it was fair to deny her confirmation to permanent establishment. The Commission noted that the prevailing Civil Service Regulations (CSR) governing the passage over the probation bar and further employment were amended in July 2000 in connection with the implementation of the new entry system. The officer was appointed in 1998 and, at that point in time, there was no mention of service need as a criterion for passage of probation bar in the then CSR. The Commission therefore invited CSB to review the policy involved and re-consider the claims of the officer.

## Conclusion

After re-examining the policy involved, CSB accepted that unlike officers appointed under the new entry system whose continuous employment service was at the discretion of the government and was subject to service need, the appellant was appointed to an established office on probationary and pensionable terms with a clear understanding of continued service on permanent terms in her Memorandum on Conditions of Service. The officer was finally allowed to pass the probation bar and be confirmed to the permanent establishment. The Commission is pleased with the outcome of the case.

## 關注事項

在研究該人員提出的上訴時，委員會相信，該人員對在圓滿完成試用及考取專業資格後可按常額聘用條款獲得續聘有合理期望，並質疑部門拒絕確實聘用她為常額人員是否公平。委員會知悉，《公務員事務規例》中關於通過試用關限和續聘的現行規定，是在二零零零年七月修訂，以配合新入職制度的推行。該人員在一九九八年受聘，當時《公務員事務規例》的條文沒有列明職務需要是通過試用關限的準則。因此，委員會請公務員事務局檢討有關政策，以及重新考慮該人員的訴求。

## 總結

在重新研究有關政策後，公務員事務局認同，雖然按新入職制度受聘的人員獲續聘與否，是由政府酌情決定，同時亦須視乎職務需要，但上訴人與這些人員不同，她是按試用及可享退休金條款受聘擔任設定職位，她的服務條件說明書清楚述明她可按常額聘用條款獲得續聘。該員最後獲准通過試用關限，並確實聘用為常額人員。委員會歡迎這個結果。

*"As a recent appointee to the Commission, I have seen and am impressed by the important role of the Commission as an independent adviser on civil service appointments, promotions and disciplinary actions. The Commission ensures that decisions affecting the livelihood of members of the civil service are fair, reasonable and impartial and that due processes are observed. In turn, this helps to reduce grievances among affected members of the service and enhances morale generally. The Secretariat performs its duties with meticulous care."*

**“雖然我是最近才加入委員會，但目睹委員會發揮重要作用，就公務員的聘用、晉升和紀律行動提供獨立的意見，深感欣慰。委員會確保影響公務員職業生涯的決定是公平、合理和公正的，而且有關程序符合規定。這樣有助減輕受影響的公務員的不滿，提高整體士氣。秘書處執行職務時，謹慎細心，殊堪表揚。”**



Mr Simon Ip, JP  
Member, Public Service Commission

葉錫安先生，JP  
公務員敘用委員會委員

## Case D — Termination of probationary service of an officer with impaired physical condition

### Background

A probationer with impaired physical condition was allowed to remain in the service for eight years notwithstanding his persistent poor performance. On account of his substandard performance, there was a strong case of termination of his probationary service under CSR 186. However, such action had to be deferred pending the conclusion of medical boards to ascertain whether his poor performance was attributable to his impaired physical condition. Altogether ten medical boards had been convened over a period of five years. The delays were tolerated lest management be challenged on the grounds of the Disability Discrimination

## 個案四 — 終止一名殘障人員的試用服務

### 背景

一名殘障人員在試用期間儘管工作表現持續差劣，仍獲准留任達八年之久。由於他表現欠佳，該部門有充分理由根據《公務員事務規例》第186條終止其試用服務，但必須待醫事委員會得出結論，確定他表現差劣非因殘障所致，才能採取行動。五年內就該個案共召開了十次醫事委員會會議。該部門容忍延遲採取行動，是為免有人以《殘疾歧視條例》為理由提出質疑。鑑於最終的醫學意見認為該人員表現不符合要求並非健康狀況所

Ordinance. Given the ultimate medical advice that his unsatisfactory performance was not attributable to his state of health, the department eventually terminated his probationary service on the Commission's advice.

### **Problems identified**

In scrutinizing this case, the Commission noted that the need for a series of medical boards stemmed primarily from the inconclusiveness of the findings and advice of the initial medical boards. The Commission also noted that the unreasonably long time taken to arrange some of the medical boards contributed to the delay in reaching a definitive view of how best to tackle the officer's case. Despite the complications of the case, the retention of the officer on probation for eight years despite his unsatisfactory performance is unacceptable. Moreover, during the extended period of his probation, the management had failed to notify him in writing that he had yet to pass the probation bar. The department clarified that the officer had been told of his extended probation through the appraisal interviews but such records were not documented in the appraisal reports.

### **Observations**

The Commission is of the view that the procedures for handling probationary cases that involve medical assessment of probationers with impaired physical/mental conditions should be streamlined/improved to enable early action under CSR 186. For example, the time required for arranging medical boards and provision of more conclusive/definitive comments by the boards should be accelerated. The Commission has asked the CSB to conduct a review and take the matter up with the Hospital Authority. As a result, guidelines on the appointment of medical boards have been issued to bureaux and departments to facilitate the reaching

致，部門便按照委員會的意見終止其試用服務。

### **問題所在**

研究這宗個案時，委員會留意到，需要召開連串醫事委員會，主要因為初期召開的醫事委員會沒有提供確定的結果和意見。委員會又留意到，安排召開部分醫事委員會會議需時過長，毫不合理，以致該部門遲遲未能就處理該個案定出最佳的方法。儘管個案複雜，但該部門八年來不管該人員表現不符合要求而繼續留他試用，這是不能接受的。況且，在延長他的試用期間，管方並沒有以書面通知他仍未通過試用關限。部門澄清，在評核會見中已告知該人員延長試用期一事，但有關評核報告內並無將之記錄在案。

### **觀察**

委員會認為，就對殘障／精神不健全的試用人員進行醫療審定的個案，當局應精簡／改善這類個案的處理程序，以便及早根據《公務員事務規例》第186條採取行動。舉例來說，部門應加快安排醫事委員會，並請醫事委員會從速提供確定意見。委員會已要求公務員事務局進行檢討，並與醫院管理局研究此事。其後有關方面已向各局和部門發出如何安排醫事委員會的指引，務求及早就健康欠佳個案定出處理方法。委員會又建議該部門檢討有關的評核報告表格，以便加入有關通過試用關限建議的欄目。這樣可把上司對

of an early conclusion on cases of infirmity. The Commission has also advised the department to review the relevant staff report form to include a section on recommendation on passage of probation bar. This would facilitate proper documentation of the supervisor's recommendation and provide a clear indication to the staff concerned.

### Case E — Extension of probation period with financial loss

#### *Background*

Two probationers were involved in an Independent Commission Against Corruption case and were interdicted twice whilst still on probation. Formal charges had been laid against them but they were eventually acquitted of the charges. To make up for their absence on interdiction, their probation period had been extended twice without financial loss. Notwithstanding their acquittal, the department considered it necessary to investigate their cases to see if they had misconducted themselves. The Commission's covering endorsement for the third extension of their probation bar, with financial loss this time, was sought in early 2003, eight months after their second extension was due.

#### *Problems identified*

Incredible delays were noted in the department's handling of the second and third extensions of the two officers' probation period. The two officers were due to pass their probation after the first extension of their probation period came to an end in August 2001. However, no follow-up action was taken until 15 months later when their second and third extensions were handled in one go. Furthermore, the two officers were informed of the second extension only on the occasion when they were concurrently invited to submit representations on the proposed

有關通過試用關限的建議妥為記錄，有關人員也可清楚知悉建議。

### 個案五 — 在有關人員蒙受金錢損失的情況下延長試用期

#### *背景*

兩名試用人員涉及一宗廉政公署的案件，在試用期間兩度被停職。他們被正式起訴，但最後獲判無罪。為補償停職期間的缺勤時間，他們在沒有蒙受金錢損失的情況下兩度獲延長試用期。雖然兩人被判無罪，但有關部門認為有需要調查其個案，以確定他們是否行為失當。在二零零三年年初，即兩人第二次試用延期屆滿後八個月，該部門徵求委員會事後批准第三度延長他們的試用關限，而這次他們須蒙受金錢損失。

#### *問題所在*

該部門在處理兩人員的第二次和第三次延長試用期時，極為遲緩。兩人第一次延長的試用期於二零零一年八月底屆滿後，已到期通過試用關限，但部門並沒有即時採取跟進行動，直到 15 個月後才一併處理第二次和第三次的延期事宜。此外，兩人都是在同時接獲管方通知就他們在蒙受金錢損失的情況下第三次延期一事提交申述時，才獲悉第二次

third extension with financial loss. In other words, they had not been told of the deferment of their probation until some 15 months after the due date!

Furthermore, the department has mishandled the case from the very beginning since its processing of the two officers' first extension which should have been accompanied with financial loss as their conduct and integrity had obviously been called into question resulting in their being interdicted. The department had in fact consulted the CSB prior to the processing of the first extension and was told that the extension of probation period should be with financial loss unless the extension was required through no fault of the staff concerned, e.g. prolonged sick leave. However, the CSB's advice was not heeded and the two officers' first and second extensions were both not accompanied with financial loss.

### Observations

The Commission is of the view that the undue delays reflect a gross oversight on the part of the departmental management which, in turn, raises the question of a lack of supervisory accountability that must be looked into. To avoid recurrence of similar problems in the future, the Commission has advised the department to put in place a proper system for regulating and monitoring probationary service. In response, the department has assured the Commission of the implementation of a strengthened monitoring mechanism whereby a parallel bring-up system for counter-checking of passage of probation/trial cases will be set up; all proposals on deferment/refusal of passage of probation/trial bars will be referred to the respective directorate officer for consideration; and the Head of Department's personal attention will be drawn to cases which have been outstanding for nine months (i.e. beyond the first six months' extension).

延期之事。換言之，他們是在到期日後約15個月才獲告知試用期限押後一事。

再者，該部門自處理兩人第一次延長期限一事開始已有欠妥當。該次延長期限，本應附帶金錢損失，因為兩人的品行和操守明顯令人懷疑，才導致被停職。該部門其實在處理第一次延期事宜前已諮詢公務員事務局，並獲告知延長試用期應附有金錢損失，除非延長期限並非因為有關人員的過錯，例如放取長期病假等。可是，有關部門並沒有聽取公務員事務局的意見，而兩人的第一次和第二次延期都沒有附帶金錢損失。

### 觀察

委員會認為，不恰當延遲採取行動的做法，反映出部門管方嚴重疏忽，令人懷疑是否存在監督不力問題，亟須正視。為免日後再發生類似問題，委員會已建議部門就試用服務訂立一套適當的規管和監察制度。該部門回應時向委員會保證，會推行一個更嚴格的監察機制，並同時制定一套按時覆核通過試用／試任個案的制度；把所有押後／拒絕批准通過試用／試任關限的建議交予有關的首長級人員考慮；以及把已過了九個月(即超過了第一次的六個月延任期)的個案交由部門首長親自審研。同時，當局已提醒各部門把所有延長試用／試任關限而無須有關人員蒙受金錢損失的個案提交委員會，徵詢非正

Meanwhile the Administration has reminded departments to submit all cases of extension of probation/trial bar without financial loss to the Commission for informal advice, pending the next amendment of the Public Service Commission Regulations to formally require that this be done.

## Case F — Renewal of local agreement

### Background

A department recommended a full renewal of the agreement of an officer who was found to have misconducted herself and was punished by a severe reprimand plus a fine equivalent to reduction in salary by one increment for 12 months. The Commission's advice was subsequently sought by the department to extend the officer's agreement for one year to further observe her performance and conduct. The proposal was agreed by the CSB based on the department's suggested strong operational grounds to retain the service of the officer.

### Development

When vetting the submission from the department, the Commission doubted the justifications for the further extension of the officer's agreement in view of her seriously blemished conduct record. Moreover, the views of the relevant Permanent Secretary (PS) should have been sought on whether the proposed extension would tally with the Bureau' overall manpower plan on reduction of the establishment as the grade to which the officer belonged had been included in the Second Voluntary Retirement (VR) Scheme.

式意見，以待《公務員絀用委員會規例》下次修訂時正式就此作出規定。

## 個案六 — 續訂本地合約

### 背景

有部門建議按原來的合約條款與一名行為失當的人員續訂合約，該名人員曾受嚴厲譴責，且被罰款(相等於連續12個月從其薪酬中扣除一個薪點的薪額)。該部門後來建議延長該人員的合約期一年，以進一步觀察其表現和行為，並就建議徵詢委員會的意見。讓該人員留任的建議已獲公務員事務局批准，該局是基於部門就運作需要所提出的強烈理由而准其所請。

### 事情發展

委員會在審查部門的建議書時，鑑於該名人員的行為記錄甚差，質疑延長其合約期的理據。再者，該人員所屬的職系已納入第二輪自願退休計劃，部門應向所屬的常任秘書長諮詢，延長該員合約期的建議與局方削減編制的整體人力計劃是否配合。



The bureau shared the concern of the Commission with regard to the adverse conduct record of the officer and also doubted that the expertise of the officer would in fact enhance the service of the department. In other words, there was no operational need to keep the officer in post and her agreement need not be further renewed or extended. Taking into account the bureau's clarification on the minimal operational justification for retention of the officer's service, CSB rescinded its earlier approval for extending the officer's agreement for one year. After much deliberation among the Commission, the Bureau, CSB and the department, a short extension of agreement was granted to the officer to provide for an adequate notice for her to seek employment outside the civil service.

### **Observations**

The Commission considers that to safeguard the quality of the civil service, only deserving officers with a high standard of performance and probity should be retained. Any renewal or extension of agreement of an officer should be critically examined and well supported by his/her proven track record of both performance and conduct. A clear message should be sent across the service in this respect.

局方與委員會同樣關注有關人員行為記錄欠佳的問題，而且質疑該員的專長會否有助部門提升服務質素。換言之，在部門的運作上根本不需要該員留任，因此其合約也沒有需要續訂或延長。鑑於局方已澄清因運作需要而挽留該員的理據極不充分，公務員事務局遂撤銷之前批准延長該員合約期一年的決定。委員會、局方、公務員事務局和有關部門經多番商議後，議決稍為延長該人員的合約期，以便給予足夠時間的通知，讓該人員在政府以外的機構另覓工作。

### **觀察**

委員會認為，為了維持公務員隊伍的質素，政府只應讓表現卓越，誠實公正的人員留任。凡屬續訂合約或延長合約期的個案，部門都必須嚴加審核，並查證有關人員過往的工作表現和行為記錄是否良好。就這方面，政府應向全體公務員傳遞明確的信息。

## Case G — A poorly handled acting-with-a-view (AWAV) to substantive promotion case

### Background

In a promotion exercise, the department recommended an officer for a six-month AWAV appointment, taking effect from a date six months after the conduct of the board. However, being unaware of his deteriorating performance and misconduct since the conclusion of the promotion exercise, his AWAV appointment was effected. It was only when the officer's annual staff report and the first quarterly AWAV report were available that the Headquarters management was alerted to his poor performance and misconduct. Accordingly, the department recommended cessation of his AWAV appointment whilst disciplinary action was being taken against him.

The Commission supported the department's recommendation to cease the officer's AWAV appointment and, indeed following a disciplinary hearing regarding his misconduct, he was subsequently removed from the service under section 10 of PS(A)O.

### Problems identified

The case reflected some serious shortcomings in the performance management system of the department. Notwithstanding the endorsement of his AWAV appointment, the officer should not have been allowed to take up such an appointment, given his deteriorating performance. However, there appeared to have been insufficient monitoring and a lack of dialogue and co-ordination between the regional office in which the appraising/countersigning officers were working and the Headquarters. Besides, no mechanism was in place to ensure that the officer's most recent performance and conduct had been considered before the AWAV appointment was effected.

## 個案七 — 處理不當的署理以待實際升職個案

### 背景

在一次晉升選拔中，有部門推薦一名人員署理六個月以待實際升職，署任安排的生效日期與晉升選拔委員會開會日期相距六個月。然而，該人員自晉升選拔工作完結後，工作表現每況愈下，且行為不當，但管方對此卻毫不察覺，讓該人員按原定安排署理六個月以待實際升職。總部管理層到接獲該人員的周年評核報告和首份為期三個月的署任考績報告後，才知悉該員表現欠佳、行為失當。部門因此建議中止其署任安排，同時向該人員採取紀律行動。

委員會贊同部門所提出有關中止該員署任安排的建議，而事實上，就該員行為不當而進行的紀律聆訊結束後，部門已按《公務人員(管理)命令》第 10 條的規定，將他解僱。

### 問題所在

這宗個案反映了部門的表現管理制度有嚴重不善之處。儘管有關人員的署任安排已獲批准，但鑑於其表現每況愈下，部門不應該讓該人員署任職位。然而，部門似乎監管不力，而有關評核人員／加簽人員所屬的區辦事處與總部之間看來也欠缺溝通，協調不足。此外，部門也沒有設定機制，確保該人員的署任安排生效前，管方可一併考慮該員最近的表現和操守。

## Observations

Arising from the case, the department was advised to strengthen the existing supervisory system and to enhance communication between regional offices and the Headquarters. In case of poor performance or doubt, prompt management action should be taken without waiting for the call of a report at the end of the normal appraisal cycle. A monitoring mechanism should also be in place to ensure that where an officer's acting appointment is to take place from a current date, his most recent performance and conduct still justify that appointment. The department has undertaken to implement related improvement measures.

## Case H — Another poorly handled AWAV case

### Background

The Commission advised favourably on a bureau's recommendation on a professional grade officer's AWAV appointment for six months back in 1997. Six years later in 2003, the bureau informed the Commission that the officer had not been promoted yet because his performance during the acting period was not up to par. His acting appointment was then ceased, but without the endorsement of the Commission, when he proceeded on a one-year no pay study leave in 2002. The bureau intended to hold a fresh promotion board in 2003 to fill the vacancy and accordingly sought the advice of the Commission.

## 觀察

鑑於這宗個案，委員會建議該部門改善現有的監管制度，並加強區辦事處與總部之間的溝通。遇有員工表現欠佳或有任何懷疑，管方應立即採取行動，而不應待正常的評核周期完結，接獲有關人員的評核報告後才着手處理。部門更應設立監察機制，確保即將署任職位的人員，最近的表現和操守仍符合要求。該部門承諾實施相關的改善措施。

## 個案八 — 另一宗處理不當的署理以待實際升職個案

### 背景

某局在一九九七年建議讓一名專業職系人員署理以待實際升職，署任期為六個月，委員會當時表示贊同。事隔六年，該局在二零零三年告知委員會，該人員尚未獲得擢升，理由是他在署任期間的表現未能達到標準。該人員在二零零二年開始放取一年無薪進修假期時，被停止署任，但未事先獲委員會同意。該局有意在二零零三年召開新的晉升選拔委員會以填補空缺，並就此徵詢委員會意見。

## Development

The Commission was gravely concerned with the way the officer's acting appointment was handled by the bureau. It advised and urged the bureau to firstly take expeditious action to conclude the outstanding acting appointment case in accordance with the proper procedures before convening the fresh board. The Commission's covering endorsement would need to be sought on the de facto extension of the officer's AWAV appointment from 1997 to 2002 and its cessation thereafter, to be justified by documented performance records and handled in accordance with the established procedures and regulations under the CSR 170 (d) to (f).

In view of the serious procedural lapse in the case, the attention of the CSB and personal attention of the relevant PS was also drawn to the case. After repeated reminders from the Commission Secretariat and urging from the PS and CSB, the bureau finally wrapped up the case seeking the Commission's advice in retrospect in relation to the cessation of the officer's AWAV appointment.

## Observations

The inaction on the part of the bureau over the past six years to properly conclude the officer's AWAV appointment is totally unacceptable. Also the serious delays in completing the officer's staff reports in the last five years from 1997 to 2002, with completion of some parts of the reports as late as in 2003 despite reminders from the Commission, were entirely against the practice of good performance management. The officer should have been formally counseled in no uncertain terms regarding his deficiencies in performance and encouraged to improve where required. The recommendation on his promotion or stepping down should have been made after a reasonable period of observation.

## 事情發展

委員會深切關注該局對該人員署任的處理方式。委員會促請該局先行根據適當程序，迅速了結該宗未完的署任個案，然後才召開新的晉升選拔委員會。關於把該人員的署理以待實際升職安排，由一九九七年實際延長至二零零二年，繼而終止其署任一事，當局須徵求委員會的事後同意，並須附上表現記錄文件用作佐證，同時須根據《公務員事務規例》第 170(d)至(f)條的既定程序和規例處理。

鑑於事件的程序失當問題十分嚴重，委員會已促請公務員事務局加以注意，並請有關的常任秘書長親自注意這個個案。經委員會秘書處一再催辦，加上有關的常任秘書長和公務員事務局催促，該局最後就終止有關人員署理以待實際升職的安排向委員會事後徵求意見，有關個案終告完結。

## 意見

對於該局過去六年沒有採取任何行動，妥善解決這宗署理以待實際升職的個案，是完全不可接受。再者，一九九七至二零零二年這五年內，該人員的評核報告遲遲未填寫，情況嚴重。儘管委員會一再催辦，這些報告的部分內容仍拖延至二零零三年才填妥，完全違反良好表現管理之道。該人員的工作表現如有不足之處，管方應給予明確的輔導，勉勵他作出改善。合理的觀察期過後，才應推薦該人員晉升或建議終止他的署任。

The mishandling of the case reflects the inexperience and lack of knowledge of the bureau on civil service performance management matters. A bring-up register should be initiated by departments/bureaux to ensure the proper administering of AWAV appointments as well as timely completion of staff appraisals. In cases of doubt the advice of the Commission and the CSB should be sought at an early stage to avoid unnecessary delays in the handling of problematic cases.

## Case I — Effective date of promotion after AWAV appointment

### Background

Two officers were offered AWAV appointment for six months on the Commission's favourable advice in late 2001. They had successfully proven their worth at the higher rank in mid-2002 after the trial period. However their promotion had not been effected on the due date because their staff appraisals were not completed until early 2003. Their promotion was subsequently complicated by the two sets of guidelines issued by the Secretary for the Civil Service (SCS) in late 2002 and early 2003 specifying that departments needed to obtain approval from their PS and the SCS to effect promotion in those grades that fall into the Second VR Scheme and that the effective date of promotion should not be earlier than the date when approval was given by them. Since the two officers belonged to one of the Second VR grades, their promotion was subject to the above requirements and the effective date of their promotion would have to be deferred from the original due date in mid-2002 to the latter half of 2003 when approval was received from the PS and SCS.

事件處理失當，反映該局對公務員表現管理工作缺乏經驗和認識。各部門／局應準備一本按時呈閱的記錄冊，確保有關署理以待實際升職的安排處理得宜，員工評核報告也依時填寫。如有疑問，應及早徵詢委員會和公務員事務局意見，以免棘手個案不必要地延誤處理。

## 個案九 — 署理以待實際升職後的晉升生效日期

### 背景

在取得委員會的同意後，兩名人員在二零零一年年底獲安排署理以待實際升職，為期六個月。試任期在二零零二年年中結束，他們的表現證明足以勝任較高職級。儘管如此，他們的晉升卻沒有依期生效，原因是他們的員工評核報告到二零零三年年初才填妥。他們的晉升問題其後變得複雜，事緣公務員事務局局長在二零零二年年底和二零零三年年初發出兩套指引，訂明各部門如欲擢升屬於第二輪自願退休計劃職系的人員，必須先取得所屬常任秘書長和公務員事務局局長批准，而晉升生效日期也不得早於他們的批准日期。由於該兩名人員屬第二輪自願退休計劃其中一個職系的人員，晉升須遵守上述規定，晉升日期也須由二零零二年中原來的生效日期，延至二零零三年下半年，即獲常任秘書長和公務員事務局局長批准後才生效。

### **Development**

The department made several appeals to the SCS to backdate the officers' promotion to the original due date. The Commission shared the views of the department that the officers would have been promoted in mid-2002 if not for the belated reporting, which was through no fault of the officers concerned. The deferment of their promotion date is inequitable and results in a detrimental blow to staff morale.

After careful consideration, the SCS finally agreed to backdating the two officers' promotion to the original due date, i.e. at the end of the six-month AWAV period.

### **Observations**

The Commission maintains that prompt and on time staff reporting, especially on officers who are under observation for whatever reasons, is of paramount importance and is integral to an effective staff management system. Any delay in reporting is not conducive to good staff management and will dampen staff morale and could cause serious consequences. Departments are reminded to draw on the lesson of this case to guard against future recurrence of similar cases.

### **事情發展**

有關部門多次要求公務員事務局局長把兩人的晉升日期追溯至原來的生效日期。委員會認同部門的看法，若非延誤填寫報告，兩人早應在二零零二年年中晉升。延誤又非他們的過失所致，押後晉升日期既欠公允，也大大打擊員工士氣。

公務員事務局局長經仔細考慮後，同意把兩人的晉升日期追溯至原來的生效日期，即在為期六個月的署理以待實際升職的署任期結束之時。

### **意見**

委員會向來強調，從速和依時完成員工評核報告(特別是就因各種理由接受觀察的人員而言)，至為重要，也是有效的人事管理制度不可或缺的要害。任何延誤都不利於良好的人事管理，也有損員工士氣，後果嚴重。各部門應汲取此事的教訓，以免日後再有同類事件發生。

## Case J — Resignation versus unauthorised absence

### Background

An officer tendered his resignation whilst on leave but did not enclose the requisite payment of one month's salary in lieu of notice in accordance with CSR 320. As he did not resume duty when his leave expired, his supervisor paid a home visit to his last known address and the department also sent a letter to him asking him to contact the department immediately. However, all efforts to locate the officer were unsuccessful.

### Problem identified

The department had difficulties in determining whether this officer's resignation should take effect or not despite the fact that he had not given the requisite three months' notice or one month's salary in lieu. The case was therefore held in abeyance for more than two years.

### Conclusion

As this officer's letter of resignation did not enclose the requisite payment of one month's salary in lieu of notice, it is not a letter of resignation under CSR 320. According to legal advice, if an officer does not resign in accordance with CSR 320, he remains in the service. Once this officer had been absent from duty without leave or permission for a period exceeding 14 days, action under section 10(3) of the PS(A)O should be taken against him. The officer in this case was eventually summarily dismissed and the department had been reminded of the proper procedures to be followed in handling similar cases in future.

## 個案十一 辭職與擅離職守

### 背景

有人員在放假期間遞交辭職信，但卻沒有按《公務員事務規例》第 320 條的規定，繳付所需的一個月薪金以代替辭職通知。由於該人員在假期完結後沒有回到工作崗位，其主管親往該人員最後報稱的住所了解情況，而部門也發信要求他立即與部門聯絡，但都徒勞無功，始終無法與該人員取得聯絡。

### 問題所在

雖然該名人員並沒有按規定給予三個月的辭職通知，或繳付一個月的薪金以代替辭職通知，但部門仍難以決定該員的辭職應否生效。為此，這宗個案一直擱置了兩年多。

### 結論

由於該名人員在遞交辭職信時，沒有繳付所需的一個月薪金以代替辭職通知，因此該信件不屬於《公務員事務規例》第 320 條所指的辭職信。根據法律意見，一名人員假如沒有按《公務員事務規例》第 320 條的規定提出辭職，則視為仍然在職論。倘若這名人員沒有請假或取得批准而缺勤超過 14 天，則部門應根據《公務人員(管理)命令》第 10(3) 條的規定，向該員採取行動。這宗個案的當事人最終遭即時革職。委員會提醒該部門日後遇到同類個案時，須按照適當程序處理。

The Commission continued to maintain close ties with relevant organisations/commissions overseas and in the Mainland. During the period covered by this Report, a delegation of civil servants from the Shenzhen Government visited the Commission Secretariat on 3 September 2003. They were briefed on the role and functions of the Commission. Topics of mutual interests were discussed and views exchanged.

Moreover, the Commission actively participated in promoting good practices in human resource management. The Commission Secretariat took part to speak on disciplinary and sub-standard performance cases in the Workshop on Managing Problem Performance organised by the Civil Service Training and Development Institute for departmental managers on Points 34 to 39 of the Master Pay Scale. Three classes were conducted from October to December 2003 and all were well received by participants.

委員會繼續與海外和內地的有關機構／委員會保持密切聯繫。在本報告涵蓋期內，由深圳市政府公務員組成的代表團在二零零三年九月三日探訪委員會秘書處。我們向他們簡介委員會的角色及職能。雙方也就共同關注的課題進行討論，交流意見。

委員會積極參與推廣人力資源管理的優良方法。公務員培訓處為總薪級表第34至39點的部門主管人員開辦“處理欠佳的工作表現”課程，委員會秘書處也有派員參與講授，介紹紀律處分及工作表現欠佳的個案。課程在二零零三年十月至十二月期間共開辦了三次，深受參加人士歡迎。



The Commission would like to express its sincere gratitude to the Secretary for the Civil Service and his staff for their continued support and assistance in all areas of our work. The Commission also warmly acknowledges the ready co-operation and understanding shown by Permanent Secretaries, Heads of Department and their senior staff in responding to the Commission's queries and suggestions during the past year.

As always, the staff of the Commission Secretariat continued to provide unfailing support to the Commission by working most efficiently and maintaining a very high standard in vetting departmental submissions. The Chairman and Members of the Commission wish to place on record the appreciation of their work.



務員事務局局長及屬下職員不斷鼎力支持並協助委員會各方面的工作，委員會謹此衷心致謝。年內，各常任秘書長、部門首長及高層人員對於委員會的提問和建議，給予衷誠合作和理解，委員會謹致謝忱。

一如以往，委員會秘書處職員繼續向委員會提供全力支援，在審核部門建議方面，效率奇佳，水平特高。主席及各委員謹此表揚他們的優秀表現。

## Submissions with Revised Recommendations after the Commission Secretariat's Observations

委員會秘書處提供意見後曾作修訂的建議

Submissions with Recommendations Revised following PSC Secretariat's Observations — 2003 二零零三年委員會秘書處提供意見後曾作修訂的建議						
Number of 數目	Category 類別	Recruitment/ In-service Appointment 招聘／內部聘任	Promotions/ Acting Appointments 晉升／署任職位	Appointment on Agreement Terms/ Re-employment after Retirement 按合約條款聘用／退休後重行受僱	Discipline 紀律	Others* 其他*
	Submissions advised on 曾提供意見的建議	49	316	271	166	130
	(a) Submissions queried 曾提出質疑的建議	9	144	97	7	57
	(b) Submissions with revised recommendations following queries 在提出質疑後作修訂的建議	2	71	7	4	5
	(b)/(a)	22%	49%	7%	57%	9%
Comparison with Previous Years 與過去數年的數字比較						
Year 年份		2001	2002	2003		
	Total No. of submissions advised on 曾提供意見的建議總數	1 209	1 262	932		
	(a) Submissions queried 曾提出質疑的建議	380	410	314		
	(b) Submissions with revised recommendations following query 在提出質疑後作修訂的建議	211	189	89		
	(b)/(a)	56%	46%	28%		

\* Submissions on review of acting appointments made to meet operational needs, passage of probation/trial bar, opening-up, revision of terms and Guides to Appointment, etc.

\* 這個類別的建議包括因運作需要而署任職位的檢討、通過試用／試任關限、開放職位、修訂聘用條款及聘任指引等。

## Curricula Vitae of the Chairman and Members of the Public Service Commission

### 委員會主席及委員簡介



*Mr Haider Barma, JP*

*Chairman, Public Service Commission*

*(appointed on 1 August 1996)*

*Occupation : Chairman, Public Service Commission*

*Qualification : B.A., HKU*

Mr Barma has been a career civil servant. He joined the Administrative Service in August 1966. Senior positions held prior to retirement include Deputy Secretary for the Civil Service (Appointments) (1986 - 1988), Director of Regional Services (1988 - 1991), Director of Urban Services (1991 - 1993) and Secretary for Transport (1993 - 1996).

*鮑文先生，JP*

*委員會主席(一九九六年八月一日獲委任)*

*職業：公務員敘用委員會主席*

*學歷：香港大學文學士*

鮑文先生終身為香港政府服務。他在一九六六年八月加入政務職系，退休前擔任的高級職位計有副銓敘司(聘任)(一九八六至八八年)、區域市政總署署長(一九八八至九一年)、市政總署署長(一九九一至九三年)及運輸司(一九九三至九六年)。



*Mr Christopher CHENG Wai-chee, JP*

*Member, Public Service Commission*

*(appointed from 15 July 1993 to 14 July 2003)*

*Occupation : Chairman of Wing Tai Corporation Ltd. & USI Holdings Limited*

*Qualification : BBA, MBA*

Mr Cheng is a Member of the Board of Stewards of the Hong Kong Jockey Club, a Member of the Exchange Fund Advisory Committee of the Hong Kong Special Administrative Region Government and a Non-Executive Director of the Securities and Futures Commission. He is the former Chairman of the Hong Kong General Chamber of Commerce, and a Member of the Council of the University of Hong Kong, the Court of the Hong Kong University of Science and Technology and the Town Planning Board.

*鄭維志先生，JP*

*委員會委員(任期由一九九三年七月十五日至二零零三年七月十四日)*

*職業：永泰出口商有限公司及富聯集團有限公司主席*

*學歷：工商管理學士、工商管理碩士*

鄭先生是香港賽馬會董事、香港特別行政區政府外匯基金諮詢委員會委員，以及證券及期貨監察委員會非執行董事。他是香港總商會前主席，並且是香港大學校務委員會、香港科技大學顧問委員會及城市規劃委員會的成員。



*Dr Thomas LEUNG Kwok-fai, BBS, JP*

*Member, Public Service Commission*

*(appointed from 1 May 1994 to 30 April 2003)*

*Occupation : Chairman of Vision in Business Consulting Ltd.*

*Qualification : Ph. D.*

Dr Leung is the Chairman of the Council of the Hong Kong Institute of Education. He also serves as a Member of the Barrister Disciplinary Tribunal and the Independent Commission on Remuneration for the Members of the Executive Council and the Legislature of the Hong Kong Special Administrative Region.

*梁國輝博士， BBS， JP*

*委員會委員(任期由一九九四年五月一日至二零零三年四月三十日)*

*職業：泓略顧問有限公司主席*

*學歷：哲學博士*

梁博士現任香港教育學院校董會主席。他也是大律師紀律審裁組，以及香港特別行政區行政會議成員及立法會議員薪津獨立委員會的成員。



*Mrs NG YEOH Saw-kheng, JP*

*Member, Public Service Commission*

*(appointed from 1 June 1995 to 31 May 2003)*

*Occupation : Director of several private companies in Hong Kong*

*Qualification : MBBS (University of Singapore)*

Mrs Ng is a Member of the Diocesan Girls' School School Council.

*黃楊素瓊女士， JP*

*委員會委員(任期由一九九五年六月一日至二零零三年五月三十一日)*

*職業：香港多家私人公司的董事*

*學歷：內外科醫學士(新加坡大學)*

黃楊素瓊女士是拔萃女書院校董會成員。



*Mr Vincent CHOW Wing-shing, JP*

*Member, Public Service Commission*

*(appointed on 1 February 1998)*

*Occupation : Director & Group General Manager, Chow Sang Sang Holdings International Ltd.*

*Qualification : B.Sc., M.Sc.*

Mr Chow is a Member of the Council of the City University of Hong Kong. He serves on the Board of Governors of the Hong Kong Philharmonic Orchestra and as the Chairman of the Hong Kong Repertory Theatre Ltd.

*周永成先生，JP*

*委員會委員(一九九八年二月一日獲委任)*

*職業：周生生集團國際有限公司集團董事兼總經理*

*學歷：理學士、理學碩士*

周先生是香港城市大學校董會成員，也是香港管弦樂團監察委員會委員，並擔任香港話劇團有限公司主席。



*Mr Frank PONG Fai, JP*

*Member, Public Service Commission*

*(appointed on 1 February 1998)*

*Occupation : Executive Director, Shiu Wing Steel Ltd.*

*Qualification : B.Sc., Fellow Member, HKIE, Fellow Member, the Chartered Institute of Transport in Hong Kong*

Mr Pong was a Member of the Court of the Hong Kong Polytechnic University and the Solicitors Disciplinary Tribunal.

*龐輝先生，JP*

*委員會委員(一九九八年二月一日獲委任)*

*職業：紹榮鋼鐵有限公司常務董事*

*學歷：理學士、香港工程師學會資深會員、香港運輸學會資深會員*

龐先生是香港理工大學顧問委員會和律師紀律審裁組的成員。



*Dr Elizabeth SHING Shiu-ching, JP*

*Member, Public Service Commission*

*(appointed on 1 June 1999)*

*Occupation : Director-General, Hong Kong Management Association*

*Qualification : BA(Hons), MBA, DBA(Hon), FCMI*

Dr Shing is a Member of the Electoral Affairs Commission, the Advisory Committee on Post-retirement Employment, the Appeal Board on Closure Orders (Immediate Health Hazard) of the Public Health and Municipal Services Ordinance, the Consumer Council and the Management Committee of the Consumer Legal Action Fund.

*成小澄博士，JP*

*委員會委員(一九九九年六月一日獲委任)*

*職業：香港管理專業協會總幹事*

*學歷：榮譽文學士、工商管理碩士、工商管理博士、英國特許管理學會會士*

成博士是選舉管理委員會、退休公務員就業申請諮詢委員會、公眾衛生及市政條例封閉令(對健康的即時危害)上訴委員會、消費者委員會及消費者訴訟基金管理委員會的成員。



*Miss Eliza CHAN Ching-har, JP*

*Member, Public Service Commission*

*(appointed on 1 December 2001)*

*Occupation : Senior Partner of Bryan Cave in association with Jewkes Chan & Partners. Directorships in several companies*

*Qualification : LL.B, B.Sc., Diploma in PRC Law*

Miss Chan is a Member of the Hospital Authority and the Chairman of its Public Complaints Committee, the Kowloon Hospital and the Hong Kong Eye Hospital. She is also a Member of the Hong Kong Examinations and Assessment Authority and an adjudicator of the Immigration Tribunal.

*陳清霞女士，JP*

*委員會委員(二零零一年十二月一日獲委任)*

*職業：博凱律師事務所暨祖偉仕律師行的高級合伙人、多家公司的董事*

*學歷：法學士、理學士、中國法律文憑*

陳女士是醫院管理局成員兼其下的公眾投訴委員會主席，也是九龍醫院和香港眼科醫院的主席。此外，她也是香港考試及評核局成員，以及入境事務審裁處審裁員。



*Mr Wilfred WONG Ying-wai, JP*

*Member, Public Service Commission*

*(appointed on 1 February 2002)*

*Occupation : Vice-Chairman of Shui On Holdings Ltd.*

*Qualification : B.Soc.Sc. (HKU), Dip in M.S. (HKCU), MPA (Harvard), Post-graduate Studies in Admin. Dev. (Oxford)*

Mr Wong is the Chairman of the Social Welfare Advisory Committee, the Deputy Chairman of the Court and Council of the Hong Kong Baptist University, and a Council Member of the Hong Kong University of Science and Technology. He is also a trustee of the Business and Professionals Federation of Hong Kong and the Vice-President of the Shanghai-Hong Kong Council for the promotion and development of the Yangtze.



*Mr Simon IP Sik-on, D. Ed, JP*

*Member, Public Service Commission*

*(appointed on 23 May 2003)*

*Occupation : Senior Partner of Johnson Stokes & Master*

*Qualification : Solicitor of Supreme Court of Hong Kong*

Mr Ip is a Member of the Board of Stewards of the Hong Kong Jockey Club, a Member of the Executive Committee and the Board of Directors of the Community Chest of Hong Kong, a Member of the Board of Trustees of the Sir Edward Youde Memorial Fund, the Council of the Queen Elizabeth Foundation for the Mentally Handicapped and the AIDS Foundation Advisory Board, Research Fellow of the Faculty of Law of Tsinghua University, Beijing, Honorary Fellow of the Management Society for Healthcare Professionals and an Honorary Legal Adviser to various organisations.

*王英偉先生，JP*

*委員會委員(二零零二年二月一日獲委任)*

*職業：瑞安集團有限公司副主席*

*學歷：社會科學學士(香港大學)、管理學文憑(香港中文大學)、公共管理學碩士(哈佛大學)、行政發展研究課程(牛津大學)*

王先生是社會福利諮詢委員會主席、香港浸會大學諮議會及校董會副主席、香港科技大學校董會成員，並擔任香港工商專業聯會的信託委員及長江開發滬港促進會副理事長。

*葉錫安先生，教育學博士，JP*

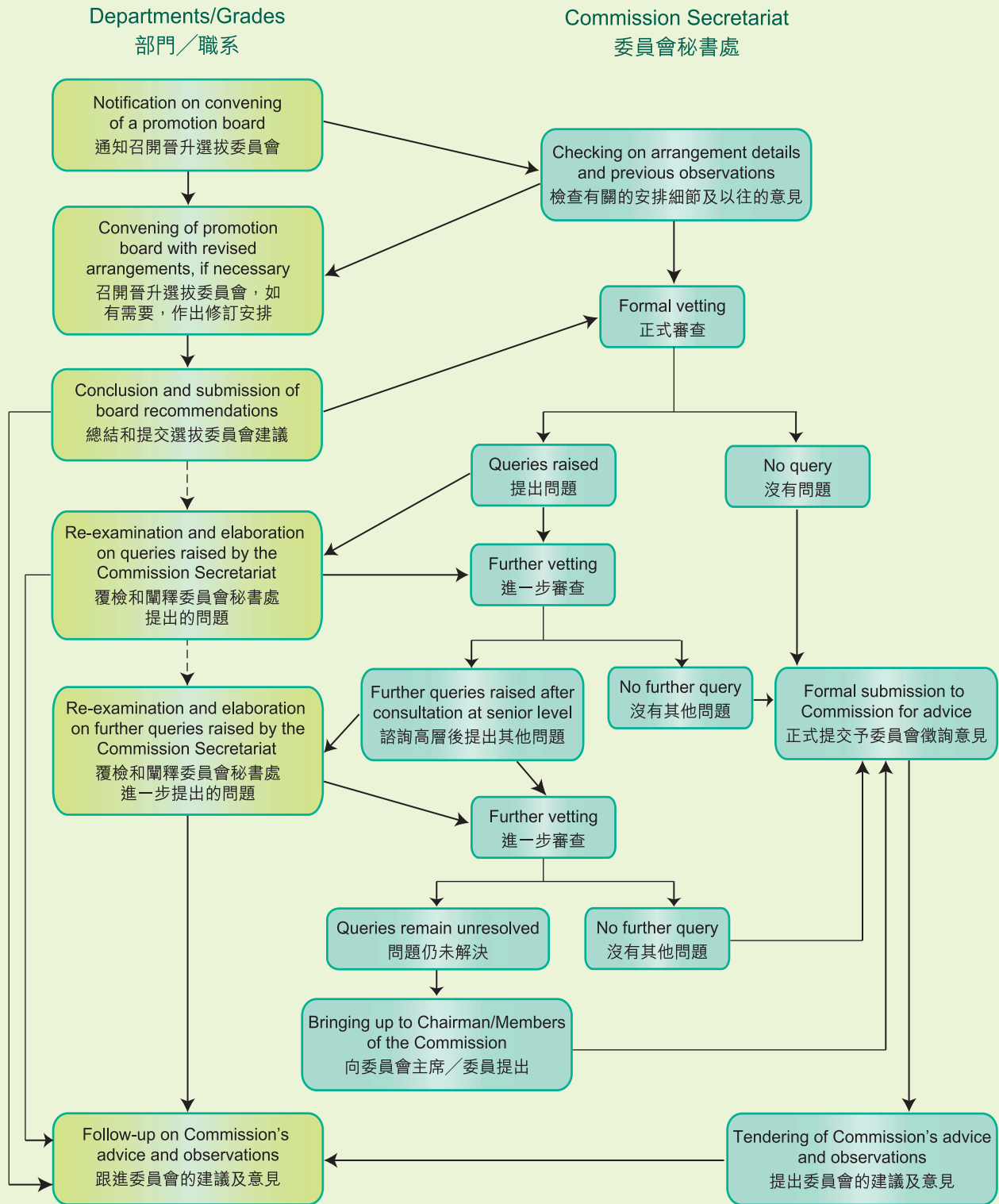
*委員會委員(二零零三年五月二十三日獲委任)*

*職業：孖士打律師行首席合伙人*

*學歷：香港最高法院律師*

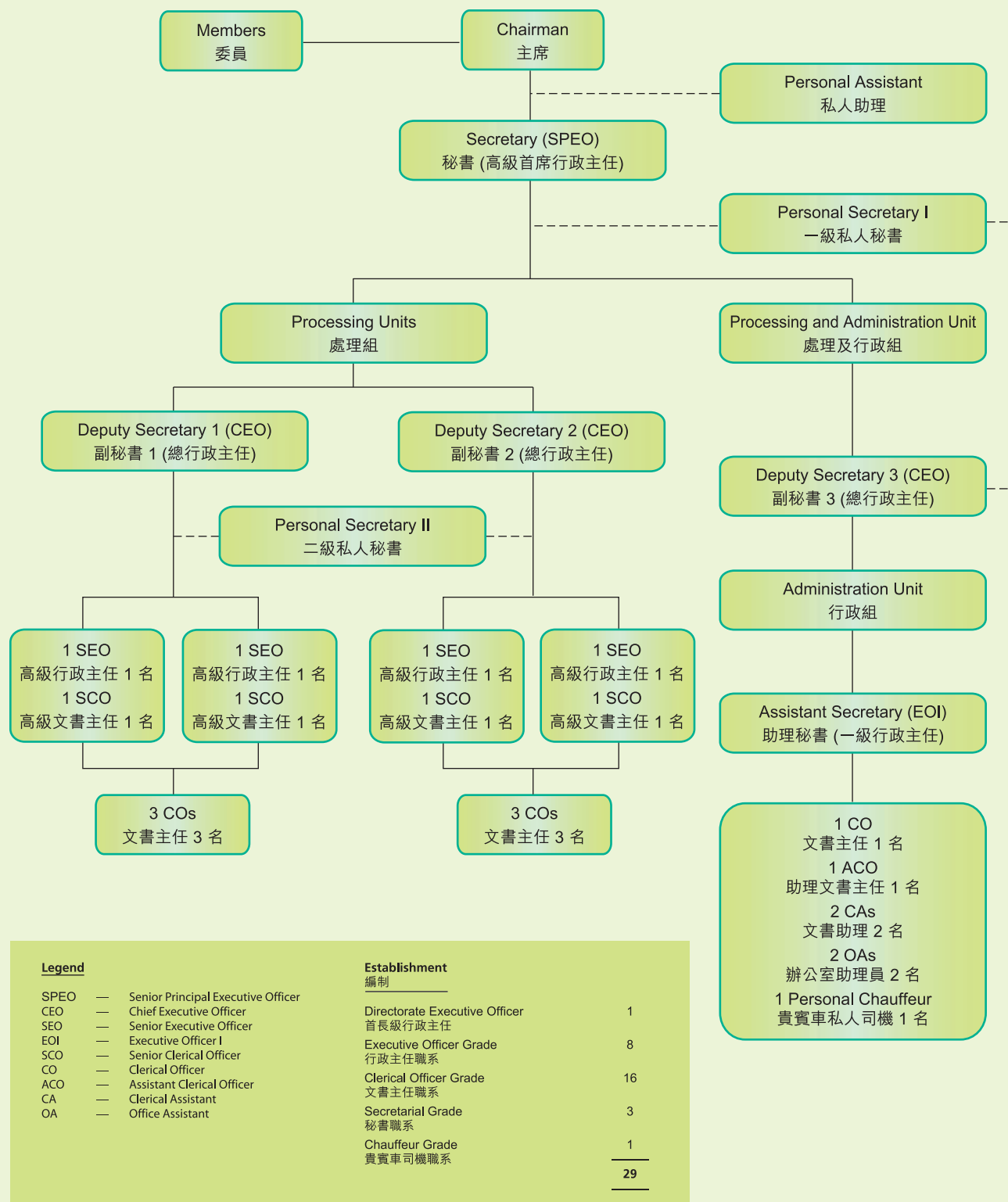
葉先生是香港賽馬會董事，以及香港公益金執行委員會和董事會的成員。他並擔任尤德爵士紀念基金信託委員會、伊利沙伯女皇弱智人士基金理事會，以及香港愛滋病基金會顧問委員會的成員。他也是北京清華大學法學院研究生及醫療管理學會資深會員。此外，他擔任多個組織的義務法律顧問。

## Flow Chart Illustrating the Vetting Process of Promotion Cases 晉升選拔個案審查程序流程圖





## Organisation of the Public Service Commission Secretariat 公務員敘用委員會秘書處組織架構



**Legend**

SPEO	—	Senior Principal Executive Officer
CEO	—	Chief Executive Officer
SEO	—	Senior Executive Officer
EOI	—	Executive Officer I
SCO	—	Senior Clerical Officer
CO	—	Clerical Officer
ACO	—	Assistant Clerical Officer
CA	—	Clerical Assistant
OA	—	Office Assistant

**Establishment**

編制		
Directorate Executive Officer	1	
首長級行政主任		
Executive Officer Grade	8	
行政主任職系		
Clerical Officer Grade	16	
文書主任職系		
Secretarial Grade	3	
秘書職系		
Chauffeur Grade	1	
貴賓車司機職系		
	<b>29</b>	

## Appointments to the Senior Directorate (D3 & above) in 2003

### 二零零三年高層首長級人員 (D3 或以上) 的任命

#### Filling of Vacancies in Senior Directorate Advised by PSC Breakdown by Pay Scale

徵詢委員會意見  
填補的高層首長級職位空缺(按薪級列出)

Directorate Ranking Pay Scale 首長級薪級表	No. of Vacancies 空缺數目
D8	2
D6/DL6	4
D5	4
D4	19
D3/DL3/C3	28
<b>Total</b> 合計	<b>57#</b>

# Of the 57 vacancies, 10 were filled by promotion, 10 by acting appointment with a view to substantive promotion, 28 by acting for administrative convenience, 3 by recruitment, 2 by renewal of agreement, 1 by re-employment after retirement and 3 by posting of Administrative Officer/other departmental grade officers.

在57個空缺之中，10個由晉升方式填補、10個由署理以待實際升職方式填補、28個由為方便行政而署理的方式填補、3由招聘方式填補、2個由續約方式填補、1個由退休後重行受僱方式填補，以及3個由調派政務主任/其他部門職系人員方式填補。

#### Appointments to Heads of Department Advised by PSC

徵詢委員會意見任命的部門首長

Post Title 職位名稱	Directorate Ranking Pay Scale 首長級薪級表
Commissioner for Innovation and Technology* 創新科技署署長*	D6
Director of Health 衛生署署長	D6
Director of Accounting Services 庫務署署長	D5
Director of Architectural Services 建築署署長	D5
Director of Buildings* 屋宇署署長*	D5
Postmaster General 郵政署署長	D5
Government Economist 政府經濟顧問	D4
Secretary General, University Grants Committee 大學教育資助委員會秘書長	D4
Director of General Grades * 一般職系處長*	D3

\* Appointments from outside the departmental grade.  
任命部門職系以外人員擔任部門首長

Legend  
註

C General Disciplined Services (Commander) Ranks  
一般紀律人員(指揮官級)

D Directorate Group  
首長級人員

DL Directorate (Legal) Group  
首長級(律政人員)

## Breakdown of Appointments (by Salary Group) and Related Matters in 2003

二零零三年聘用 (按薪俸組別列出) 及有關事宜的分項統計數字

Filling of Vacancies Advised by PSC Breakdown by Salary Group 徵詢委員會意見填補的職位空缺 (按薪俸組別列出)					
Vacancies Filled by 填補空缺方式	Salary Group 薪俸組別				
	Master Pay Scale Below Points 26 總薪級表第26點以下	Master Pay Scale Points 26-44 總薪級表第26-44點	Master Pay Scale Points 45-49 總薪級表第45-49點	Directorate 首長級薪級表	General Disciplined Services Pay Scale 一般紀律人員薪級表
Recruitment after local advertisement 在本港刊登廣告後聘用	—	20	2	2	22
In-service Appointments 內部聘任	—	1	3	3	—
Promotion 晉升	—	134	53	52	103
Renewal/Extension of agreement 續約/延長合約	17	133	4	3	1
Further appointment under new entry system 根據新入職制度續聘	32	29	—	—	—
Extension of service/ Re-employment after retirement 退休後延任/重行受僱	—	1	1	5	—
Opening-up arrangement 開放職位安排	—	3	2	3	—
Secondment 借調	—	—	—	2	—
Sub-total 小計	49	321	65	70	126
<b>Total No. of Vacancies Involved</b> 所涉及的空缺總數					<b>631</b>

<b>Other Appointment-related Matters in 2003</b> 二零零三年其他與聘用有關事項					
<b>Other appointment-related matters referred to the Commission for advice during 2003 are set out as follows :</b> 二零零三年內曾徵詢委員會意見的其他與聘用有關事項如下：					
Guides to Appointment 聘任指引	No. of ranks 職級數目  2				
Representations/complaints 申述書／投訴	No. of cases 個案數目  21				
Extension/Refusal of passage over 延長／不批准通過 <table style="display: inline-table; vertical-align: middle; margin-left: 20px;"> <tr> <td style="font-size: 2em;">{</td> <td>Probation bar 試用關限</td> </tr> <tr> <td style="font-size: 2em;">}</td> <td>Trial bar 試任關限</td> </tr> </table>	{	Probation bar 試用關限	}	Trial bar 試任關限	No. of officers 人員數目  16  11
{	Probation bar 試用關限				
}	Trial bar 試任關限				
Revision of terms: 修訂聘用條款：					
(Transfer from local agreement terms to pensionable terms) (由本地合約條款轉為可享退休金條款)	1				
(Transfer from locally modelled agreement terms to pensionable terms) (由本地模式合約條款轉為可享退休金條款)	2				
(Transfer from common agreement terms to pensionable terms) (由劃一合約條款轉為可享退休金條款)	15				
Promotion waiting list 晉升候補名單	19				
Acting for administrative convenience 為方便行政而署理職位	1 843				
Acting with a view to substantive promotion 署理以待實際升職	60				
Acting with a view to substantive promotion waiting list 署理以待實際升職候補名單	8				
<b>Total no. of officers</b> 合計人員數目	<b>1 975</b>				