

Stations Allowance (RSA) and the Additional Allowance (AA) payable to officers in receipt of RSA for each child attending school in the urban area at 12% and 2.5% respectively of point 1 of the GDS(R) pay scale.

6.83 Apart from the disciplined services, RSA and the AA are also payable to clerical staff and Medical and Health Department staff who are posted to and are living on outlying islands and Cape Collinson. These staff are remunerated on the Master Pay Scale. We concluded that it would not be appropriate, therefore, for these allowances to be pegged to the GDS(R) pay scale which is only applicable to disciplined service staff.

6.84 We also considered that, since RSA was designed to compensate for the extra cost of living in remote areas, it would be more appropriate to link the basic rate to the Special Subsistence Allowance and to determine the AA for children on the basis of the travelling costs involved.

6.85 If the rates of the RSA and the AA were set at percentages of a certain point of a salary scale, they would be adjusted automatically in line with salary revisions. However, salary revisions were determined on the basis of pay trend indicators, which took into account factors other than the cost of living. As these factors bear no relation to RSA, we considered it inappropriate that they should be taken into account in revising RSA. We, therefore, concluded that the rate of RSA should continue to be revised having regard to the cost of living alone.

6.86 We were satisfied that the current rates of \$530, and \$110 per month for RSA and AA respectively, which were last revised in February, 1989, were adequate and we considered it unnecessary to revise the rates.

6.87 We considered that the Divisional Superintendent and Inspectorate officers of the Islands Division of the Police Force who are required to live on the outlying islands should continue to be recompensed by the payment of an allowance and that they should continue to receive an AA for their children attending school in the urban area.

6.88 We advised the Governor along these lines in October, 1989. The Commissioner of Police was informed of our advice to the Governor later the same month.

**Special Allowance for Disciplined Service Staff  
working with Vietnamese Boat People**

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6.89 In September, 1989, we received from the Commissioner of Correctional Services, the Commissioner of Police and the Director of Immigration submissions

requesting the payment of a Special Allowance for disciplined service staff working in VBP detention centres, Vietnamese Refugees (VR) closed centres or emergency reception centres.

6.90 In support of his request, the Commissioner of Correctional Services argued that -

- (a) his staff have to strike a balance between taking care of the Vietnamese Boat People and managing them. This is a demanding task for which the staff concerned are not specifically trained and a considerable degree of skill and patience is demanded of the staff;
- (b) closed/detention centres are understaffed, overcrowded and have inadequate facilities, which makes management difficult. Frequent large scale admissions and transfers have to be completed very quickly which is very stressful for the staff concerned;
- (c) overcrowding and the unhygienic habits of the Vietnamese Boat People make conditions in the centres extremely poor. All available space and facilities are allocated to the Vietnamese Boat People, resulting in inadequate staff quarters, barrack accommodation, welfare and recreational facilities. In addition, the staff must endure inclement weather and frequent verbal abuse from the Vietnamese Boat People;
- (d) unruly mobs can form and there is the real risk of bodily harm. There is also the danger of contracting contagious diseases which could easily spread in centres where hygienic conditions were poor. This risk applies not only to staff, but also to their families; and
- (e) staff in the closed/detention centres are working under great stress. Morale has, therefore, suffered and the staff are particularly concerned at the lack of recognition of their hard work.

6.91 We considered that -

- (a) managing Vietnamese Boat People within the confines of the centres is basically a custodial function for which disciplined staff in the Correctional Services Department have been trained and which is included in the Guide to Appointment for Assistant Officers I and Assistant Officers II and Officers (Correctional Services). In fact, the management of Vietnamese Boat People has been a major activity of the Correctional Services

Department for the past ten years;

- (b) the elements of danger, hardship, working conditions and stress have already been taken into account in the determination of the basic pay of the officers concerned. The nature, scope and complexity of work, as well as the danger, hardship and stress of staff working in VBP centres are less than those of officers working in penal institutions. The latter are required to guard hardened criminals serving life and long term sentences and who are, consequently, potentially dangerous. The duties of managing Vietnamese Boat People cannot be regarded as being more demanding than normal custodial duties, as evidenced by the fact that staff in the "Refugee Unit" stream are not required to have working experience in penal institutions;
- (c) the problems of workload, shortage of staff and morale are basically management problems for which granting a special allowance would be inappropriate; and
- (d) there is no evidence to support the claim that staff and their families are vulnerable to contracting contagious diseases.

6.92 The Commissioner of Police requested a Hardship Allowance (Management Considerations) for Police officers deployed on regular duties at VBP detention centres and emergency reception centres at the rate of \$50 per day (amounting to \$1500 a month) regardless of rank with effect from 1 June 1989. He pointed out that -

- (a) the functions of camp management are not part of normal Police duties;
- (b) Police officers on such duties faced danger arising from the threat of physical assault by Vietnamese Boat People. Officers deployed to the camps are unarmed. There is a higher crime rate in the camps and the Vietnamese are ingenious at manufacturing weapons;
- (c) there is a risk of Police officers contracting infectious and other diseases from Vietnamese Boat People because of their low standard of hygiene;
- (d) working conditions in the centres were poor and there were inadequate toilet, washing and eating facilities;
- (e) officers have to spend additional travelling time because of the remoteness of the camps and centres; and

- (f) because of limited staffing resources, officers have to work long hours.

6.93

We considered that -

- (a) conditions at the VBP detention or emergency reception centres were originally extremely bad due to the haste with which they were established. However, Police officers since then have been provided with air-conditioned offices and rest rooms, and have separate eating and toilet facilities from those used by the Vietnamese Boat People;
- (b) with the exception of the Superintendents and Chief Inspectors who are officers and deputies in charge of the VBP centres, the majority of the Police officers are employed on duties relating to the security of the centre, such as gate and beat duties and taking roll-calls. Such duties cannot be regarded as more demanding, or in addition to normal constabulary duties;
- (c) a special set of laws for detention centres were passed by the Legislative Council on 18 October, 1989. These laws give the Police power to enforce order in VBP detention or emergency reception centres and make control of troublemakers a more straight-forward task;
- (d) the chances of Police officers contracting diseases from the Vietnamese Boat People had been greatly reduced since there are separate dining and toilet facilities for Police officers. Staff working in hospitals are exposed to an even greater threat of contracting infection, yet they are not compensated by the payment of an allowance;
- (e) the extra time incurred by Police officers in travelling to and from VBP centres is counted as duty time; and
- (f) in its Final Report, the Rennie Committee made it clear that staff in the disciplined services should not in general be eligible for hardship allowance because the nature of their work and the elements of danger and hardship have already been taken into account in the determination of their pay. If the Hardship Allowance (Management Considerations) were to be granted to Police officers deployed to VBP centres, it would result in a double benefit for the staff concerned.

6.94

In his request for a Special Allowance for Immigration staff up to the rank of Chief Immigration

Officer working in the Vietnamese Refugees Division, the Director of Immigration acknowledged that the elements of danger and hardship had been taken into account in the determination of pay for the disciplined services. However, he argued that -

- (a) Immigration staff have to work amongst Vietnamese Boat People, engage in in-depth and lengthy interrogations and interviews, conduct body searches and take fingerprints and photographs;
- (b) Immigration staff are required to identify people for repatriation and are received with hostility and suspicion. Physical danger is always present and Immigration staff had been stoned by Vietnamese Boat People;
- (c) close contact with the Vietnamese Boat People means that Immigration staff are vulnerable to contagious diseases since they have to examine Vietnamese Boat People prior to the Port Health examination; and
- (d) morale amongst the Immigration staff concerned was deteriorating rapidly.



**Briefing by Immigration Service officers during a visit to Hei Ling Chau Vietnamese Boat People Detention Centre in September, 1989.**

6.95 We considered that -

- (a) immigration control, including the control of illegal immigrants, has always been one of the major functions of the Immigration Department. The work of examining, screening and dealing

with the resettlement or repatriation of Vietnamese Boat People falls within the normal scope of, and is inherent in, the work of Immigration Department staff. Although the scale and extent of this work is large, it had been even greater in the past and cannot be regarded as sufficiently extra or unusual as to justify payment of a special allowance;

- (b) the elements of danger, hardship, working conditions and stress had already been taken into account in the determination of the basic pay of the Immigration staff;
- (c) working conditions, whilst not ideal, are reasonable. At Hei Ling Chau, for example, Immigration staff undertaking screening duties are provided with air-conditioned offices, whilst Correctional Services staff, who manage the centre, are in close proximity to assist in case of difficulties; and
- (d) there is no evidence to support the claim that staff and their families are vulnerable to contracting contagious diseases.

6.96 We noted that all three requests were based on the degree of hardship, discomfort and danger perceived by staff. We concluded, however, that payment of an allowance in these circumstances would be inappropriate and that the solution laid in removing or minimising these hardships through administrative or other means. We considered that the working conditions in VBP centres should be improved and that funds should be provided for this purpose. Therefore, in November, 1989, we advised the Governor that -

- (a) payment of a Special Allowance would not be justified;
- (b) the Administration, in conjunction with the departmental managements, should step up its efforts to improve working conditions for staff involved with Vietnamese Boat People;
- (c) in order to ameliorate the working conditions for the staff working there, consideration should be given to closing VBP centres with the worst working conditions;
- (d) the Administration should reimburse the funds already spent from the Police Welfare Fund on improving the working conditions in VBP centres;
- (e) the Administration should consider setting up a special contingency fund within the Security Branch which would enable money to be provided

quickly for the improvement of conditions for staff working with Vietnamese Boat People; and

- (f) arrangements should be made to give guidance to staff working with Vietnamese Boat People on what precautionary measures should be adopted to safeguard their health.

6.97 The disciplined services were informed of our advice to the Governor in December, 1989.

**Disciplined Services Overtime Allowance  
for Senior Pilot and Equivalent Ranks in the  
Royal Hong Kong Auxiliary Air Force**

6.98 In September, 1989, the Chief Staff Officer, RHKAAF submitted a request to us to extend the payment of DSOA to Senior Pilots, Pilots I, Crewman Officers\*, Senior Technical Officers and Technical Officers.

6.99 The Chief Staff Officer stated that regular overtime work is required because -

- (a) due to the small size of the department, there is usually only one subject officer in any particular profession and, when the need for any specialised function arises, the officer concerned is required to work longer hours;
- (b) as the RHKAAF operates three different types of fixed-wing aircraft as well as helicopters, pilots cannot interchange from one type to another to cover leave absences and this further exacerbates the problem;
- (c) the RHKAAF is undergoing a period of rapid expansion which requires professional and senior professional staff to carry out a range of administrative duties which are not normally associated with their normal duties. This means that they have to work longer hours, even though they have relinquished some of their routine duties to other junior officers;
- (d) the training and examination of all volunteer aircrew in the Flying Squadron are the responsibility of the professional/senior professional permanent staff and they are required to discharge these duties outside their normal working hours at weekends and on two weekday evenings; and

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\* The rank of Crewman Officer was retitled as Air Crewman Officer on 26 April, 1991.

- (e) it is impracticable to give time-off-in-lieu to staff without imposing restrictions on the flying services provided.

6.100 We noted that the conditioned hours of work for each of these five ranks in the RHKAAF is 44 hours per week or 176 per month. We examined figures provided by the Chief Staff Officer and noted that the five ranks concerned work, on average, monthly overtime of between 10 and 24 hours as follows -

<u>Rank</u>	<u>Average monthly overtime hours</u>
Senior Pilot	24
Pilot I	24
Crewman Officer	15
Senior Technical Officer	10
Technical Officer	10

6.101 Based on these figures, the staff concerned worked an average of less than one hour overtime per day. Even if the overtime were not evenly distributed throughout the month, we concluded that the staff concerned did not regularly work a significant amount of overtime.

6.102 We concluded that -

- (a) the staff concerned are at such a level of seniority that they should be expected to work some overtime as part of their normal duties and their salary had been set at a level to reflect this;
- (b) staff in these five ranks did not work a significant amount of overtime and the average figure of less than one hour each day is well within the limits which should be expected of staff at that level; and
- (c) should the amount of overtime significantly increase, we would have to be satisfied that the overtime was required for genuine operational reasons (to meet unexpected emergencies) and not merely to reward those who failed to complete their normal duties within their regular conditioned hours.

6.103 We advised the Governor in April, 1990 that the Chief Staff Officer's request should not be supported. The Chief Staff Officer was informed of our advice to Governor in May, 1990.

#### Special Allowance for Fire Services Staff

6.104 In September, 1989, the Director of Fire



Services submitted a request to us for the payment of an allowance to compensate married staff who are eligible for, but are not provided with, departmental quarters. He proposed that the allowance should be a fixed sum, ranging from \$1200 to \$1500 per month, or a monthly allowance expressed as a percentage, ranging from 15% to 20%, of an officer's monthly salary. The Director stated that, since the Government had recognised that married disciplined service staff should be provided with quarters, staff regarded the provision of quarters as an entitlement.

6.105 We noted that the provision of departmental quarters is not an entitlement for disciplined service staff. Rather, departmental quarters are an additional benefit which the Administration provides for the disciplined services due to operational considerations and subject to the availability of resources. The Administration's commitment in this respect is, therefore, conditional. With limited resources, eligible staff have to compete with their colleagues and those who cannot secure quarters have to wait their turn.

6.106 We did not consider it logical, in the face of limited resources, to suggest that some of these scarce resources should be diverted for allowances-in-lieu to staff who are not allocated quarters. With a total of over 7000 officers throughout the disciplined services who are eligible for, but not allocated with, departmental quarters, the proposed monthly allowance of \$1500 would result in an annual recurrent cost of \$126 million. If such a sum were available, we considered that it would be much better spent on the provision of more quarters to meet the long-term demand. We considered, therefore, that the granting of an allowance would be inconsistent with the Administration's long-term objective of providing sufficient departmental quarters for the disciplined services.

6.107 We advised the Governor in April, 1990 that the Director's request should not be supported. The Director was informed of our advice to the Governor in May, 1990.

#### **Reimbursement Allowance for Police Officers engaged in Bomb Disposal Duties**

6.108 In February, 1990, the Administration sought our advice on a proposal to grant a reimbursement allowance to Police officers engaged in bomb disposal duties on a voluntary basis, to compensate them for being required to pay higher than normal premiums for their life insurance policies.

6.109 We noted that the Rennie Committee had recommended that compensation should be paid for the higher life insurance premiums required of Police officers

employed on bomb disposal duties on a voluntary basis and that this compensation should take the form of a reimbursement allowance, subject to an appropriate maximum. The Administration, in consultation with the Police Force, had derived the following reimbursement arrangements -

- (a) the reimbursement allowance should be payable to the two Assistant Force Bomb Disposal Officers in the Explosive Ordnance Disposal Cadre engaged on bomb disposal duties on a part-time basis and who are required to pay a higher premium for their life insurance policies;
- (b) eligible Police officers should be paid a reimbursement allowance of 75% of the loading charges, that is, the extra premium on life insurance policies attributable to their bomb disposal duties. However, any loading charges to which an officer may already be subjected, because he is a full-time policeman, should first be deducted;
- (c) the limit of the maximum sum assured for which reimbursement may be made should be set at three times an officer's annual salary. This would enable officers to raise their insurance cover as their salary increases; and
- (d) no limit should be placed on the length of the eligibility period. Since it is unlikely that they would be engaged in bomb disposal activities on a long term basis, the officers concerned should continue to receive the allowance for as long as they are employed on such duties on a voluntary basis. Payment of the allowance would cease if they are appointed as full-time specialist Bomb Disposal Officers.

6.110 We advised the Governor in May, 1990 that the proposal should be supported and the reimbursement allowance should be paid from a current date. The Commissioner of Police was informed of our advice to the Governor in June, 1990.

#### Extra Duties Allowances for the Disciplined Services (Marine)

6.111 When the Rennie Committee examined job-related allowances for the disciplined services in 1988, it reclassified a group of allowances which was then known as Non-standard Extraneous Duties Allowances payable to sea-going members of the disciplined services, as EDADS (Marine). It did not propose any changes, other than to