

**CONDITIONS OF SERVICE AND  
OTHER MATTERS**

**建議劃一上班候命工作的補假率**

**Proposal to standardise the rate of  
compensating stand-by duty by time off  
in lieu**

6.1. 一九九八年五月，政府就建議劃一上班候命工作的補假率一事，徵詢我們的意見。

6.1. In May 1998, the Administration sought our views on their proposal to standardise the rate used to compensate stand-by duty by time off in lieu.

6.2. 需要在規定工作時數以外在工作地點上班候命的人員，可按月薪的1/210這一較低津貼率獲發逾時工作津貼，或以補假作償。然而，部門並沒有就補假率訂定任何規則，在這方面亦沒有一致的做法。有些部門是按1:1的比率，而有些則按2:1的比率補假作償。至於紀律部隊人員，則按1:1的比率獲補假作償。

6.2. Officers required to stand-by at their place of work beyond their conditioned hours might be paid overtime allowance at a reduced rate of 1/210 of their monthly salary, or compensated by time off in lieu (TOIL). However, there were no rules nor standard practices for the rate of TOIL. Some departments compensated stand-by duty by TOIL at the ratio of 1:1 and some at the ratio of 2:1. For those disciplined services where TOIL was granted, it was at a ratio of 1:1.

6.3. 我們同意政府的意見，把上班候命工作的補假率劃一，以解決不同部門人員獲不同對待的問題。我們認為，建議的3:2比率，即每三小時上班候命可獲兩小時補假作償，是公平和合理的。不過，我們建議政府應諮詢部門管方和有關員工協會，才實施上述建議。

6.3. We shared the Administration's view that the rate used to compensate stand-by duty by TOIL should be standardised in order to alleviate any disparity of treatment for staff in different departments. We felt that the proposed ratio of 3:2 was fair and reasonable, i.e. three hours of stand-by duty to be compensated by two hours of TOIL. However, we suggested that the Administration should consult departmental management and staff associations concerned before implementing the proposal.

6.4. 一九九八年八月，我們根據這些結論向政府提供意見。

6.4. We advised the Administration along these lines in August 1998.

## 停止向新聘人員提供與房屋有關的附帶福利

6.5. 一九九八年十二月，為配合劃一聘用條款和服務條件的實施，政府就建議停止向新聘人員提供多項與房屋有關的附帶福利一事，徵詢我們的意見：

- (a) 為非因職位需要而設的宿舍提供的家具及用具，以及為代替家具及用具而發放的家具及用具津貼；
- (b) 空氣調節津貼；以及
- (c) 酒店膳宿津貼。

6.6. 政府檢討過繼續提供這些福利的理據後，得出以下結論：

- (a) 家具及用具和家具及用具津貼

由於現已推出各類居所資助，加上向公務員提供政府宿舍的政策有所改變，因此，當局不應再提供家具及用具或代替家具及用具的津貼，但為職位需要而設的宿舍則除外。(由於入住為職位需要而設的宿舍的人員是按指示入住宿舍，並須在調職時遷出，而可能有時要在短時間內遷出宿舍，因此，他們不會花錢購買家具。有見及此，當局認為向入住為職位需要而設的宿舍的人員提供家具及用具的理據仍然有效。)

- (b) 空氣調節津貼  
適用於首長級人員的空氣調節津貼在一九七二年開始提供。當時冷氣機是奢侈品，如今則屬普通家具。因此，

## Cessation of Minor Housing Related Benefits for New Recruits

6.5. In December 1998, the Administration sought our views on their proposals on the cessation of a number of minor housing related benefits for new recruits, in line with the implementation of the Common Terms of Appointment and Conditions of Services -

- (a) **Furniture and Domestic Appliances (F&DA)**, supplied to non-post-tied quarters, and the **Furniture and Domestic Appliances Allowance (F&DAA)** payable in lieu;
- (b) **Air-Conditioning Allowance**; and
- (c) **Hotel Subsistence Allowance**.

6.6. The Administration, having reviewed the rationale for continuing the provision of these benefits, had concluded that -

- (a) **Furniture and Domestic Appliances, and Furniture and Domestic Appliances Allowance**

With the introduction of various types of home financing assistance and the change in the policy on the provision of government quarters, furniture and domestic appliances, or an allowance in lieu, should no longer be provided except in the case of post-tied quarters (PTQ). (As officers living in PTQ were directed to occupy them and had to move out when they were posted elsewhere, they could not be expected to invest in furnishing quarters which they might be required to vacate at short notice. The Administration therefore considered that the argument for providing furniture and domestic appliances for PTQ occupiers was still valid.)

- (b) **Air-Conditioning Allowance**  
The air-conditioning allowance for directorate officers was first introduced in 1972 when air-conditioners were

上述人員再無充分理據領取津貼購置冷氣機。

(c) 酒店膳宿津貼

政府在一九七二年開始發放這項津貼給在獲分配宿舍前入住酒店而招致額外支出的海外公務員。當局相信，現時取價公道的食肆比比皆是，公務員和其家屬無需在酒店用膳。因此，當他們入住酒店時，政府不應繼續資助其日常開支。

regarded as luxuries. However, they had become common household appliances and there was no longer any justification for an officer to receive a subsidy for their purchase.

(c) **Hotel Subsistence Allowance**

The allowance was first introduced in 1972 for overseas officers, who incurred extra expenditure while living in hotels before they were allocated quarters. The Administration believed that, nowadays, restaurants with reasonable prices were readily accessible and there was no need for officers and their families to have their meals in their hotels and that, therefore, there was no longer any real reason why Government should continue to subsidise officers' daily expenses whilst they were accommodated in hotels.



紀常會委員訪問香港海關設於香港空運貨站有限公司超級一號貨站的辦事處  
*Committee Members visit the Customs post at Super Terminal One, HK Air Cargo Terminals Ltd*

6.7. 政府建議由現時起停止為按劃一條款受聘的新聘人員提供上述福利。入住因職位需要而設的宿舍的人員，則會繼續獲發家具及用具津貼。

6.8. 我們認為，上文所述政府在家具及用具、家具及用具津貼和空氣調節津貼方面的建議，顯然有充分理據，因此應予支持。

6.9. 我們認為，建議停止發放酒店膳宿津貼的論據表面看來似乎略嫌牽強。事實上，入住酒店的費用較以前(例如 20 年前)可能更加昂貴，而現在是否比從前更容易在附近找到價廉物美的食肆，亦成疑問 — 其實情況可能剛剛相反。況且，膳宿津貼亦應包括其他費用和入住酒店不便之處所引致的開支，例如洗衣費等。我們曾就這幾點與公務員事務局討論，而該局的基本立場似乎是，他們相信，不論贊成和反對這項津貼的理由為何，日後合資格領取津貼的人數將會寥寥可數 — 估計一九九九年可能只有一人合資格。因此，這項津貼是沒有需要的。基於這點，我們建議，政府的建議應予支持。

6.10. 一九九九年一月，我們根據這些結論向政府提供意見。有關的建議由一九九九年五月一日起生效。

### 空氣調節津貼

6.11. 繼較早前徵詢我們對建議取消向新聘人員提供與房屋有關的附帶福利的意見後，政府在一九九九年三月就非首長級的

6.7. The Administration proposed to cease providing these benefits for **new recruits** appointed under the Common Terms, with effect from a current date. The provision of F&DA to PTQ occupiers would continue.

6.8. We considered that the Administration's proposals on Furniture and Domestic Appliances, the Furniture and Domestic Appliances Allowance and the Air-Conditioning Allowance outlined above appeared to be well justified. We recommended that they be supported.

6.9. We felt that the case for the proposed cessation of the Hotel Subsistence Allowance appeared, on the face of it, to be rather less well argued. Living in a hotel might actually be somewhat more costly than it was, say, twenty years ago, and it was doubtful whether it was easier to find good, cheap, restaurants nearby than it was then - indeed, the reverse might be true. Moreover, the subsistence allowance was presumably also intended to cover other expenses and inconveniences inherent in hotel life - laundry, for instance. We discussed these points with Civil Service Bureau and it appeared that their basic position was that they believed that, whatever the pros and cons of the allowance, the numbers of officers eligible to draw it in future would be negligible - they estimated only **one** might be eligible in 1999. It was therefore, to all intents and purposes, redundant. On this basis, we recommended that the Administration's proposal be supported.

6.10. We advised the Administration along these lines in January 1999. The proposals took effect on 1 May 1999.

### Air-Conditioning Allowance

6.11. Further to seeking our advice on their proposal to remove the provision of the minor housing related benefits for new recruits,

在職人員達到首長級後無資格領取空氣調節津貼的建議，徵詢我們的意見。

6.12. 根據《公務員事務規例》第 700 條，出任實任首長級職位的公務員，可在每 60 個月內申請一筆津貼購買最多兩部冷氣機，最高金額為每部 3,135 元。

6.13. 為配合財政司司長一九九九年三月三日公布有關削減公務員附帶福利開支的財政預算措施，以及政府的公務員體制改革計劃，政府打算進一步限制發放空氣調節津貼。在一九九九年四月一日(建議適用於新聘人員的截算日期)前尚未達到首長級的在職人員，即使日後晉升至首長級，也無資格領取這項津貼。

6.14. 政府表示已仔細研究《基本法》第一百條的條文。由於有關建議不會影響在職的首長級人員，政府認為該建議不會與“不低於原來標準”的規定有所牴觸。

6.15. 經審慎研究有關建議後，我們於一九九九年三月向政府表示支持其建議。不過，我們發現一個可能受在職人員關注的問題。雖然大概沒有人會因為那些還未到達有關的薪點而享有空氣調節津貼的人員失去這項津貼而深感憂慮，但假如同一原則引用在其他福利上，而這些福利是有關人員達到某一職級或薪點才可享有的(例如首長級旅費津貼或居所資助計劃)，那麼情況就可能大不相同了。

the Administration, in March 1999, sought our views on their proposal that **servicing** non-directorate officers should no longer be entitled to air-conditioning allowance if and when they reached directorate rank.

6.12. Under CSR 700, officers occupying substantively a post in the Directorate might apply for an allowance to purchase up to two air-conditioners in every 60 months' period, subject to a maximum of \$3,135 per air-conditioner.

6.13. In line with the Financial Secretary's budgetary measures announced on 3 March 1999 to reduce expenditure on civil servants' fringe benefits and Government's plans to reform the Civil Service, the Administration intended to restrict further the provision of the air-conditioning allowance. Serving officers who had not yet reached the Directorate before 1 April 1999, the cut-off date proposed for new recruits, would not be entitled to receive the allowance even if in future they were promoted to the Directorate.

6.14. The Administration said that they had considered carefully the provisions of Article 100 of the Basic Law. As the proposal would not affect officers already serving in the Directorate, they did not see that it would be in conflict with the "no less favourable" provision.

6.15. Having carefully considered the proposal, we advised the Administration of our support in March 1999. However, we identified one aspect as a possible concern for serving officers. While no one was likely to worry over much about the demise of the anachronistic air-conditioning allowance for those not yet senior enough to enjoy it, it might be quite a different story were the same principle to be applied to **other** benefits which took effect when an officer reached a certain rank or pay point - the Directorate Passage Allowance, say, or the Home Financing Scheme.



紀常會委員訪問海傍警署  
*Committee Members visit Waterfront Police Station*

## 公務員體制改革

6.16. 一九九九年三月，當局就《公務員體制改革諮詢文件》提出的初步構思，徵詢委員會意見。

6.17. 自從行政長官於一九九九年一月十四日在立法會宣布當局有意徹底檢討和改革公務員管理制度後，當局便向部門管理層、員工及其他有關人士展開廣泛的諮詢。當局擬根據所接獲的意見和建議，制定詳細建議，然後作更全面的諮詢，並在隨後 18 個月內逐步推行。

## Civil Service Reform

6.16. In March 1999, the Administration sought our views on their initial thinking as set out in the Consultation Document on Civil Service Reform.

6.17. Following the Chief Executive's announcement in the Legislative Council on 14 January 1999 that the Administration intended to conduct a fundamental review and reform of the Civil Service management system, an extensive consultation exercise with departmental management and staff and other interested parties was initiated by the Administration. On the basis of the views and suggestions received, the Administration intended to work out detailed proposals for more in-depth consultation and gradual implementation over the following 18 months.

6.18. 大致上來說，我們支持改革所依據的原則，但對事態發展感到有點不安，因為愈來愈多公務員有不滿情緒，這從他們上街示威抗議等事件可見一斑。我們認為，如果當局過分集中於某些具爭議的事項(特別是合約制)，不顧反對意見(特別是公務員的意見)，一意孤行，在改革方面所盡的一切努力可能會變得徒勞無功。如果改革要有較大的成功機會，當局應極力爭取部門管理層和員工的支持。為此，我們認為當局宜擱置一些較激進的建議，全力推展一些有較多人支持的建議。

6.19. 我們特別關注的是，當局不應採取任何可能影響紀律部隊的效率和穩定性或削弱其一向高昂的團隊精神的措施。

6.20. 我們沒有直接向紀律部隊進行任何諮詢，但秘書長曾非正式地探詢紀律部隊首長和其屬下首長級高級人員的意見。雖然彼此對問題的着重點有所不同，但他們的意見大致上可歸納如下：

(a) 他們都認同公務員體制不能一成不變，必須能夠對經濟逆轉的挑戰作出回應，並與資訊科技的發展齊步向前，而某些方面則需要改革。不過，有部分人深信，現行制度多年來一直行之有效——特別是在一九九七年過渡期，因此希望保留當中精華之處。

6.18. Generally speaking, we supported the philosophy on which the reforms were based. However, we were somewhat perturbed by the turn events seemed to be taking, with growing unrest in the Civil Service reflected by protests in the streets, etc. We believed that if undue emphasis were placed on certain controversial aspects (notably contract terms) and these went forward despite the contrary views which had been expressed, particularly from within the public service, then the whole reform effort might begin to come undone. If reform was to have a good chance of success, there ought to be a great effort to get departmental management and staff 'on side'. To this end, we thought it might be better to hold back the more radical proposals, and to press on with those which had attracted wider support.

6.19. We were especially concerned that nothing should be done which might adversely affect the efficiency and stability of the Disciplined Services, or diminish their traditionally strong esprit de corps.

6.20. We did not carry out any direct consultation with the Services, but the Secretary General took informal soundings of the heads of the Services and their senior directorate officers. There were differences of emphasis, of course, but their views might be summed up broadly as follows -

(a) There was a recognition that the Civil Service could not stand still, that it had to respond to the challenge of the economic downturn and to keep pace with advances in information technology and so forth, and that reform **was** needed in certain areas. However, there was also a strong belief that the existing system had served Hong Kong well over very many years - not least during the 1997 transition. There was therefore a desire to preserve the best elements of the public service.

- (b) 有部分人認為，建議的改革範圍太廣，流於籠統，而且過分着重商業機構的做法，因而似乎忽略公營機構本身的特點。
- (c) 他們的關注集中於若干具爭議的主要事宜——特別是合約制、以公積金取代退休金和薪效掛鉤。他們關注到若當局實施上述措施，會令他們失去工作保障和削弱紀律部隊特有的精神：
- (i) 合約制不受員工支持。至於建議終止僱用那些證明沒有潛質晉升至督導職級的人員的問題，他們極表關注。紀律部隊難免基層人數龐大，當中基本職級人員大都盡忠職守，因多年來累積的工作經驗，他們的工作效率不斷提高。
- (ii) 公積金本身易於調動，他們認為這可能會導致人才在經濟好轉時流往私營機構。
- (iii) 薪效掛鉤被員工普遍認為是不切實際的建議，而且不利紀律部隊講求合作的工作模式，但亦有員工原則上認為，這項建議對一些部門具有一些吸引力。
- (d) 有些人員認為，除了某些專家職位

- (b) There was a feeling in some quarters that the proposed reforms were too broad, too vague, and placed too much emphasis on commercial sector practice - and that too little account appeared to have been taken of the special characteristics of the public sector.
- (c) Concern focused on a number of key contentious issues - particularly **contract terms**, the replacement of pensions by a **provident fund**, and **performance pay**. The worry was that these would tend to break down officers' sense of vocation and would undermine the special spirit of the Disciplined Services -
- (i) **Contract terms** had very little support. There was particularly serious concern about the proposed termination of the service of those who did not show potential to rise to supervisory ranks. The Disciplined Services inevitably had a broad base and the majority of officers in the basic ranks did their jobs conscientiously and well, and continued to grow in effectiveness as they developed experience over the years.
- (ii) The increased mobility inherent in the **provident fund** was considered likely to lead to the efflux of good officers to the private sector in times when the economy was booming.
- (iii) **Performance pay** was widely thought to be almost a non-starter; and inimical to the team-work essential in the Disciplined Services. But it was felt to hold limited attractions, in principle, for some of the departments.
- (d) The concept of **outside appointments**



外，從外界招聘人員擔任晉升職級的構思相信甚少會應用到紀律部隊方面。

- (e) 有部分人員支持補償退休計劃，但當局須顧及有關人員的尊嚴和提供合理的補償方案。不過，如果設有自願性質或雙方同意的制度，則會較佳。
- (f) 改善紀律處分程序的建議普遍受歡迎 — 雖然各紀律部隊本身已有一套嚴格而有效的內部程序。有關表現管理的建議亦得到廣泛支持，儘管有些人對評核委員會的效用有所懷疑。
- (g) 高層管理人員察覺到員佐級人員頗感不安。他們似乎認為整個改革措施是由兩三宗個別事件(如禽流感、機場啓用問題等)引發，而這些事件並不能反映公務員的整體效率和對工作的承擔。此外，有些人員相信當局已決定在經濟不景的情況下乘勢推行廣泛的改革，也有人猜測改革建議的動力並非來自政府內部。
- (h) 各紀律部隊首長認為有必要向在職人員清楚解釋公務員體制改革(包括入職薪酬檢討)對他們的影響(如有的話)。

to promotion ranks was considered to have little application to the Services, apart perhaps for some specialist posts.

- (e) There was some support for **management-initiated retirement**, provided that the dignity of the officers concerned was preserved and there was a reasonable compensation package. But a voluntary or mutually-agreed system would be preferred.
- (f) The proposed improvements to **disciplinary procedures** were generally welcomed - although the Services already had strict and effective internal procedures of their own. There was also broad support for the proposals on **performance management**, although some doubt as to the efficacy of assessment panels.
- (g) Senior management had detected considerable disquiet amongst the rank and file, where a view appeared to have been taken that the whole reform initiative had been prompted by two or three isolated incidents (chicken flu, the airport opening, etc.) which did not reflect the overall efficiency and commitment of the Civil Service. There was also a belief that the Administration had already made up their mind to seize the opportunity offered by the economic downturn in order to push through far-reaching changes, and speculation that the impetus for the reform proposals did not come from **within** the Civil Service.
- (h) Heads of Service saw a need to explain very clearly to **servicing officers** the effect, if any, which Civil Service Reform (including the Starting Salaries Review) would have on them.



紀常會委員訪問入境事務處設於香港國際機場入境大堂的辦事處  
*Committee Members visit Immigration posts in the Arrival Hall of Hong Kong International Airport*

6.21. 鑑於紀律部隊(以至整個公營機構)有上述憂慮，我們在五月二十六日的會議上討論公務員體制改革時得出以下的初步意見：

- (a) 我們贊成改革的大致構思，但我們認為，如果較具爭議性的建議推行過急，整個改革方案便可能無法實施。政治上的反對勢力正逐漸形成，而改革在一些重要問題上似乎沒有足夠的支持。改革可能會破壞雙互的信任，令不明朗環境下的恐懼感日增，及嚴重損害公營機構人員的士氣。
- (b) 我們認為，採取以下方法，可能有助解決問題。這就是當局或可更明確地

6.21. Against this background of anxiety in the Disciplined Services (and in the public service as a whole), we formed the following preliminary views when we discussed Civil Service Reform at our meeting on 26 May -

- (a) We supported the broad conception of reform, but we saw a danger that the whole package could be derailed if the Administration were to push ahead too fast with the more controversial proposals. Political opposition was developing and there appeared to be inadequate support in key areas. There seemed to be a risk of trust being undermined, of fear growing in a climate of uncertainty, and of serious damage being done to the morale of the public service.
- (b) We thought it might help if **the aim** of the reform initiative could be spelt out