

**LegCo Panel on Public Service
Follow-up to Meeting on 19 April 2004**

**Request for information on
Employment of Non-Civil Service Contract Staff**

Background

At the meeting of the Legislative Council Panel on Public Service held on 19 April 2004, Members requested the following information in respect of the employment of non-civil service contract (NCSC) staff –

- (i) whether any NCSC staff was employed to take up the duties of civil service posts and if yes, to provide details of the posts concerned with a breakdown by departments;
- (ii) to provide information on how long the posts being occupied by NCSC staff had been occupied by such staff, and if some of the posts had been occupied by NCSC staff for several years, to provide justifications for filling the posts by NCSC staff instead of civil servants; and
- (iii) to provide information on the employment of part-time NCSC staff, including the number of staff, terms and conditions of employment, the pay offered (e.g. the hourly rate offered), and the departments they worked for.

The Administration also undertook to confirm whether medical benefits were available to non-civil service officers in the Chief Executive's Office and to provide details on the employment arrangements for artists employed by the Radio Television Hong Kong.

The Administration's Response

Employment of NCSC Staff to take up duties of civil service posts

2. The NCSC scheme is a standing scheme introduced in 1999 to enable Heads of Department (HoDs) to employ staff outside the Civil Service on fixed term contracts of various duration e.g. one month up to three years to meet service needs which are short-term, part-time or under review. NCSC staff are engaged on terms and purposes different from those of civil servants. The employment of NCSC staff will not result in displacement or redundancy of serving civil servants. Given the nature of the NCSC scheme and in order to maintain flexibility of the scheme, it is our policy not to micro-manage departments in the employment of NCSC staff. Hence, the Civil Service Bureau does not centrally gather information relating to the detailed employment situation of NCSC staff in individual departments. For overall monitoring of the NCSC scheme, we gather general information including the number of NCSC staff employed, the range of salaries and contract duration from departments as at end June and end December each year. In the light of Members' request, we shall gather the relevant information in the statistics collection exercise in June 2004 and provide the information to Members once available.

Employment of part-time NCSC staff

4. The total number of part-time¹ NCSC staff employed by departments as at 31 December 2003 was 6 289. The breakdown of the staff employed by individual departments is provided at Annex. As the working hours, duration of contract as well as skills and experiences required of part-time staff vary depending on operational needs; the rate of remuneration may differ considerably even for the same job category (e.g. the pay of part-time sports instructors and part-time music instructors engaged by the Leisure and Cultural Services Department is substantially different). Hence, we do not collect information on the hourly rate of part-time NCSC staff. However, same as full-time NCSC staff, the employment packages of part-time NCSC staff are also governed by the two guiding principles that the terms and conditions are no less favourable than those provided for under the Employment Ordinance and no more favourable than civil servants in comparable civil service ranks or ranks of comparable level of

¹ Employment which is not defined as "continuous contract" under the definition of the Employment Ordinance is classified as part-time staff.

responsibilities.

Medical Benefits available to non-civil service contract officers in the Chief Executive's Office

5. There are seven non-civil service contract officers in the Chief Executive's Office. The remuneration packages for four of them have been endorsed by Finance Committee and include medical benefits similar to and no better than those prevailing in respect of the equivalent rank in the civil service. The remaining three are employed under the NCSC scheme and are not provided with medical benefits in their remuneration package.

Employment arrangements for Artists employed by the Radio Television Hong Kong (RTHK)

6. At the Finance Committee Meeting on 24 March 1982, the Director of Broadcasting was given approval to engage "freelance staff" as and when required and to pay them at the going market rate necessary to obtain their services. This group of staff, subsequently renamed as Departmental Contract Staff Category II, refers to casual artists, disc jockeys, script-writers, contributors and researchers whose services are engaged for a specific purpose in the production of particular programmes. As only a contract for service will be provided, they are paid a fee but not a salary. Such fees are usually paid on an assignment basis, but may also be paid on a monthly basis in case of services which last for a longer period of time and require the regular attendance of the persons. As they are not employees of the RTHK, they are not entitled to any fringe benefits under the Employment Ordinance, nor RTHK's contribution under the Mandatory Provident Fund Schemes Ordinance.

**Breakdown of Part-time Non-Civil Service Contract Staff
by Bureau / Department / Office**

Bureau / Department / Office	No. of Part-time Staff as at 31 December 2003
Agriculture, Fisheries and Conservation Department	24
Census and Statistics Department	3
Chief Secretary and Financial Secretary's Office	88
Civil Service Bureau	9
Civil Service Training and Development Institute	65
Correctional Services Department	26
Department of Health	127
Education and Manpower Bureau	45
Environmental Protection Department	3
Health, Welfare and Food Bureau	1
Home Affairs Bureau	1
Home Affairs Department	398
Innovation and Technology Commission	6
Invest Hong Kong	1
Leisure and Cultural Services Department	5 115
Security Bureau	25
Social Welfare Department	352
Total :	6 289

Note :

Number of part-time NCSC staff employed reflects the position as at the survey date.

Civil Service Bureau

May 2004