

政府總部
公務員事務局
香港添馬添美道2號
政府總部西翼



**CIVIL SERVICE BUREAU
GOVERNMENT SECRETARIAT**
WEST WING
CENTRAL GOVERNMENT OFFICES
2 TIM MEI AVENUE, TAMAR
HONG KONG

本函檔號 Our Ref.: CSBCR/PG/4-085-001/82

電話號碼 Tel. No.: 2810 3112

來函檔號 Your Ref.:

傳真號碼 Fax No.: 2501 0669

電郵地址 E-mail Address: csbts@csb.gov.hk

網址 Homepage Address: <http://www.csb.gov.hk>

12 December 2019

The Hon Alvin Yeung
Dr the Hon Kwok Ka-ki
The Hon Dennis Kwok Wing-hang
The Hon Tanya Chan
The Hon Jeremy Tam Man-ho

Unit 202, 2/F
Block B, Sea View Estate
4-6 Watson Road, North Point
Hong Kong

Dear Members,


2019-20 Civil Service Pay Adjustment

I refer to your letter of 9 December 2019 to the Chairman of the Finance Committee (FC) of the Legislative Council requesting the FC to invite the Commissioner of Police to attend the FC meeting to answer Members' questions on issues concerning provisions for the Police Force in the FC paper FCR(2019-20)33 on the "2019-20 Civil Service Pay Adjustment". The Chairman of the FC has agreed that your letter be referred to us for follow-up. Our reply is set out below.

According to the established annual civil service pay adjustment mechanism, the civil service is considered as a whole under 2019-20 civil service pay adjustment. Factors taken into account include the net pay trend indicators, the state of Hong Kong's economy, changes in the cost of living, the Government's fiscal position, the pay claims of the staff side and civil service morale. There is no particular consideration for the circumstances of individual departments. The Civil Service Bureau has referred to Security Bureau (SB) Members' request for the attendance of representative(s) of the Police Force at

the FC meeting. In view of Members' concern on issues relating to the pay adjustment of police officers under the 2019-20 civil service pay adjustment and provisions with regard to the Police Force, SB has provided their response through the information note attached. Members are invited to note for reference.

Yours sincerely,



(Benjamin Mok)
for Secretary for the Civil Service

Encl.

c.c. The Hon Chan Kin-por, GBS, JP,
Chairman of the Finance Committee of the Legislative Council
Deputy Secretary for Financial Services and the Treasury (Treasury)1
Principal Assistant Secretary (Security) E

**Finance Committee
Government's response to the action items of
the meeting on 6 December 2019**

At the Legislative Council Finance Committee ("LegCo FC") meeting on 6 December 2019, Members requested the Government to provide information about the overtime ("OT") work of police officers and Special Constables when scrutinising the 2019-20 Civil Service Pay Adjustment (FCR(2019-20)33). Relevant information is now provided below for reference.

OT work of police officers

General principles of claiming OT allowance

2. OT work is work undertaken over and beyond a civil servant's conditioned hours. It should be undertaken only when it is unavoidable, which means the duties to be performed by the civil servant at the time are essential and the duties must be performed at that time and cannot be deferred. OT work of police officers is subject to the Civil Service Regulations ("CSR"), Civil Service Bureau Circular No.18/2000 ("the Circular") as well as the stringent control under the relevant internal regulations of the Police. (Details please see para. 6 below)

3. Heads of Department ("HoDs") are required to ensure that OT work is kept to the absolute minimum as justified by operational requirements, and that at all times OT work is strictly controlled and properly supervised. Apart from unforeseen circumstances, OT work must be authorised in advance by HoDs or officers nominated by HoDs personally.

4. Time off in lieu ("TOIL") is the normal recompense for OT work performed. It may be granted by HoDs subject to exigencies of service. Monetary compensation for OT work performed by officers up to certain specified salary levels and in prescribed ranks may be approved by HoDs only when it is, or is likely to be, impracticable to arrange TOIL within a reasonable period of time from the date when OT work is performed.

Arrangement of HKPF's OT allowance

5. Since early June this year, more than 900 protests, processions and public meetings have been staged in Hong Kong, many of which eventually

turned into illegal acts of violence. During the ongoing conflicts in the past few months, frontline police officers had to handle massive and unlawful violent acts in various districts on the one hand, and to maintain regular police duties and public services in the territory on the other. The Police have flexibly deployed internal manpower and resources to cope with operational needs in a timely manner.

6. As mentioned before, OT work of police officers may only be undertaken when it is strictly unavoidable, and is subject to the CSR, the Circular as well as the stringent control under the relevant internal regulations of the Police. According to CSR, OT work will normally be compensated by TOIL. Where the granting of time off is, or is likely to be, impracticable within 30 days of the date on which OT work is performed, payment of Disciplined Services Overtime Allowance (“DSOA”) to eligible officers may be approved. Under CSR, HoDs should set a ceiling for the OT hours which an officer may undertake within a month. The ceiling is normally set at 60 hours in a month. The Circular also stipulates that departments have the flexibility to exceed the ceiling in exceptional or emergency situations or circumstances of genuine need.

7. HKPF has put in place stringent control and approval procedures regarding OT work. Supervisors will follow the requirements of relevant internal orders and criteria in considering OT work applications. According to the existing CSR, only those in ranks whose scale maxima are on or below Point 48 of the Police Pay Scale (i.e. the maximum pay point of Chief Inspector of Police) are eligible for DSOA. The Police will, having regard to operational needs, deploy manpower as appropriate, and permit officers to take time off or receive OT allowance according to individual needs and work situation. In view of the prevailing operational needs, HKPF has adjusted the ceiling for the OT hours which the police officer concerned may undertake within a month according to the established procedures of the Circular.

Expenditure on OT allowance

8. In general, the personal emoluments including salaries, allowances and job-related allowances of staff in government departments will be charged to Subhead 000 (Operational expenses). For disciplined services, personal emoluments include OT allowance.

9. LegCo FC has delegated to the Financial Secretary the authority to approve supplementary provisions without limit in personal emoluments,

provided that the supplementary provisions are used for the salaries and allowances of approved posts calculated in accordance with approved pay scales and rates of allowances. Therefore, if necessary, the Financial Secretary may approve, under delegated authority, the supplementary provisions required for DSOA. The Government will submit quarterly reports to FC on changes made to the approved estimates of expenditure under delegated authority.

10. In 2019-20, a provision of about \$20.2 billion was made under Subhead 000 (Operational expenses) for the salaries, allowances and other operating expenses of HKPF. In the past half year (June to November), the average number of DSOA recipients in HKPF was around 11 000 per month. The relevant expenditure in total was approximately \$950 million.

OT work of Special Constables

11. The ongoing riots over the past few months, with their massive scale, simultaneous occurrence in various districts and grave severity of violence, make it necessary to strengthen the support for the Police's front-line officers. The Government has therefore made use of the appointment mechanism under section 40 of the Public Order Ordinance to arrange for appropriate officers of other disciplined services to share or participate in part of the Police's work to strengthen the manpower and strength of the Police. The Commissioner of Police appointed a batch of officers of the Correctional Services Department ("CSD") as Special Constables in mid-November and appointed another batch of officers of the Customs and Excise Department ("C&ED") and Immigration Department ("ImmD") as Special Constables in end-November. During their appointment as Special Constables, the relevant CSD, C&ED and ImmD officers are temporarily on loan to the Police from their own departments on a part-time basis to discharge the duties of Special Constables. Salary (including OT allowance) of the relevant officers is charged to their own departments' expenditure heads.

**Security Bureau
December 2019**