

## Language Requirement for Appointments in the Civil Service

### Language Policy for the Civil Service

The Government's long-term policy objective is to develop a civil service that can operate efficiently in both Chinese and English and is generally conversant in Cantonese, English and Putonghua. This objective is set having regard to the increasing use of the Chinese language in day-to-day work and in communication with various representative bodies and members of the public.

2. In implementing this policy, apart from training, support and promotion of use of Chinese, it is also important that appropriate language requirements should be set where necessary to ensure that appointees to the civil service to have appropriate proficiency in both the Chinese and English languages.

3. A basic principle of setting language requirements for various appointment purposes is that **language requirement must be set on the basis of operational requirements**. Language requirement is never a means for achieving localisation. It is a proactive measure to attain the long-term objective of developing a bilingual civil service.

4. The language policy to promote use of Chinese in addition to English is long-standing. Section 3 of the Official Languages Ordinance (Cap.5) provides that both Chinese and English are official languages for the purposes of communication between the Government or any public officers and members of the public.

5. Various proposals for setting language requirements for appointment in the civil service have been included in a "Consultation Document on Civil Service Terms of Appointment and Conditions of Service" published in October 1993. The language policy and promotion of greater use of Chinese in the civil service was also reaffirmed by the Working Group on the Use of Chinese in the Civil Service chaired by the Secretary for the Civil Service set up in March 1995.

### Language requirement for new appointments

6. For all **new recruits on permanent and pensionable (P&P) terms**, since 1 August 1995, all civil service grades are required to set a Chinese language proficiency requirement in addition to any existing requirement for English language proficiency. As a general rule, new recruits appointed on P&P terms (except in very junior grades) should possess a certain level of proficiency in both Chinese and English, given that grades would need to ensure that new recruits on P&P terms could meet the long-term operational need. Where justified, individual grades may specify different levels of proficiency having regard to the job nature of the grade concerned.

7. For **new recruits on agreement terms**, since such appointment is for a fixed duration only, Chinese language proficiency will not be mandatory across the board. However, where communication in Chinese is required for the efficient day-to-day

conduct of work, Heads of Departments/Grades (HoDs/HoGs) might specify a Chinese language proficiency requirement as appropriate.

### **Language requirement for transfer to P&P terms**

8. At present, all agreement officers serving on local terms, including those former overseas agreement officers who have transferred to local agreement terms, may apply for transfer to local permanent and pensionable (P&P) terms on the same basis.

9. Given the policy objective to develop a bilingual civil service to cater for the increasing use of Chinese in day-to-day business, and that appointment on P&P terms offers a long-term employment with the Government, officers who transfer from agreement to P&P terms should be able to meet the long-term operational requirements, including requirements for language abilities in both Chinese and English.

10. With the revised arrangements and criteria for transfer to P&P terms promulgated on 15 November 1997, HoDs/HoGs are responsible for specifying a Chinese language proficiency requirement for transfer to local P&P terms in each grade. The nature and level of the requirement should be determined having regard to -

- (a) the language proficiency requirement for new recruits on P&P terms, which represent the level of language proficiency ideally required for the range of jobs in the grade; and
- (b) the overall operational requirements and distribution of work within the grade, not only at present, but also in the long run, having regard to the increasing use of Chinese language in the conduct of government business.

11. Notwithstanding the general Chinese language proficiency requirement prescribed for transfer to P&P terms in a grade, individual officers could be exempted from the grade-wide requirement if the HoDs/HoGs concerned considers that -

- (a) the officer, within the time span of his service on P&P terms before reaching the normal retirement age, does not have to possess Chinese language proficiency for the efficient and effective performance of his duties; or
- (b) the officers will be required to fill permanently a specialised professional or technical post requiring his specialist skills or expertise.

12. An officer who failed in his application for transfer to P&P terms because of failure to meet the Chinese language requirement will be allowed to apply for renewal of agreement. If he fulfill the criteria for renewal of agreement, he can still remain in the service on agreement terms and may apply again for transfer to P&P terms during his next agreement.

### **Language requirement for renewal of agreements**

13. Chinese language proficiency is not a compulsory requirement for renewal of agreements, except where it is required for the performance of duties during the agreement period. In particular, HoDs/HoGs may decide whether a Chinese language requirement is necessary for consideration of applications for renewal of agreement, having regard to -

- (a) whether Chinese language proficiency is required for the job which the officer will be expected to perform during the course of his next agreement; and
- (b) if the job does call for the use of Chinese, HoDs/HoGs should consider the level and nature of Chinese language proficiency required, the translation/interpretation service available in the department during the course of agreement and the ability of the officer concerned to attain the required standard of proficiency within a reasonable period.

### **Summary**

14. On the basis of the policy on language requirements as applied above, it should be noted that -

- (a) language requirements are set having regard to operational needs;
- (b) new recruits on P&P terms should normally possess proficiency in both Chinese and English, while candidates without proficiency in Chinese could still be appointed on agreement terms where necessary;
- (c) serving agreement officers serving on local terms who apply for transfer to P&P terms may be exempted from the Chinese requirement if they can be accommodated until-retirement in a post where Chinese language proficiency is not required; and
- (d) serving agreement officers serving on local terms who failed to transfer to P&P terms for reasons of failing the Chinese language requirement may still apply for renewal of agreement. Renewal of agreement does not normally require Chinese language proficiency, except required by the job.