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Government Secretariat
Hong Kong

9 September 2009

CIVIL SERVICE BUREAU CIRCULAR NO. 9/2009

Civil Service Code

To: Directors of Bureau Permanent Secretaries Heads of Department	c.c. Chief Secretary for Administration Financial Secretary Secretary for Justice Director, Chief Executive's Office Deputy Directors of Bureau Political Assistants Judiciary Administrator The Ombudsman Commissioner, Independent Commission Against Corruption Secretary, Public Service Commission
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(Note : Distribution of this circular is Scale A. It should be read by all officers. A Chinese version is attached.)

Purpose

This circular promulgates the Civil Service Code at **Annex**. It supersedes Civil Service Bureau ("CSB") Circular No. 8/2002 dated 28 June 2002.

Background

2. With the further development of the political appointment system, there is a need to put in place a Civil Service Code ("the Code") setting out the core values and standards of conduct which civil servants are expected to uphold, and the framework within which civil servants are expected to work with politically appointed officials¹ under the expanded political appointment system.

¹ In accordance with the *Code for Officials under the Political Appointment System*, politically appointed officials consist of principal officials under the political appointment system (i.e. Secretaries of Department and Directors of Bureau), Director of the Chief Executive's Office, under secretaries (i.e. Deputy Directors of Bureau) and political assistants.

The Civil Service Code

3. The Code provides civil servants with general pointers and broad guidelines on matters referred to in paragraph 2 above. Individual heads of policy bureaux, departments and agencies may issue their own detailed guides to suit their particular operational needs if considered necessary or appropriate. Such guides, if issued, should be consistent with the principles set out in this Code.

4. The Code covers the following major areas -

- (a) the core values which are central to the integrity and probity of the Civil Service (section 2);
- (b) the standards of conduct which are required to be upheld by civil servants (section 3);
- (c) the authority for the management of the Civil Service and the various regulations, rules and guidelines for ensuring adherence to the core values and standards of conduct expected of civil servants (section 4 and the Annex);
- (d) the role and responsibilities of civil servants in relation to different tiers of politically appointed officials (section 5);
- (e) the working relationship between civil servants and different tiers of politically appointed officials (section 6); and
- (f) the communication/complaint/redress mechanism to address concerns from civil servants on directions from politically appointed officials (section 7).

5. Civil servants should familiarise themselves with the contents of the Code and comply with it. Non-civil service contract staff, who by virtue of their terms of employment, are also required to observe and comply with the Code.

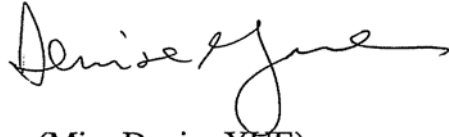
Distribution and Recirculation

6. Bureaux/departments are requested to provide a copy of this circular together with the Code to all newly appointed staff as soon as possible after appointment and to re-circulate this circular to staff every six months.

Enquiries

7. Enquiries concerning this circular and the Code should first be addressed to Departmental Secretaries who, if in doubt, may contact Principal Assistant Secretary

(Conduct & Discipline) at 2810 2140 or ~~Chief Executive Officer (Conduct & Discipline) at 2810 3493~~ of the CSB. ~~Chief Executive Officer (Conduct & Discipline)2~~
at 2810 3104

A handwritten signature in black ink, appearing to read "Denise YUE", with a long horizontal flourish extending to the right.

(Miss Denise YUE)
Secretary for the Civil Service

CIVIL SERVICE CODE

1 Introduction

1.1 The Civil Service is the backbone of the Government of the Hong Kong Special Administrative Region. It is responsible to the Chief Executive. It supports the Chief Executive and the Government of the day in formulating, explaining and implementing policies; conducting administrative affairs; delivering public services; and undertaking law enforcement and regulatory functions. It serves the community, and contributes to the effective governance and stability and prosperity of Hong Kong.

1.2 Article 99 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (hereafter referred to as "the Basic Law") states "... Public servants must be dedicated to their duties and be responsible to the Government of the Hong Kong Special Administrative Region". Article 60 of the Basic Law states "The head of the Government of the Hong Kong Special Administrative Region shall be the Chief Executive of the Region...". Article 48 provides that the "Chief Executive of the Hong Kong Special Administrative Region shall exercise the powers and functionsto appoint or remove holders of public office in accordance with legal procedures....". Civil servants, being a key component of the public service, have the constitutional role to give their best in serving the Chief Executive and the Government of the day.

1.3 Civil servants are appointed, managed and promoted on the basis of merit and in accordance with the principles of openness and fairness and with the prevailing rules and regulations applicable to the Civil Service. They are subject to the prevailing disciplinary system for the Civil Service, under which allegations of misconduct against individual civil servants are determined through an impartial process based on consideration of factual evidence. The independent and statutory Public Service Commission advises the Chief Executive on the appointment, promotion, conduct and discipline of civil servants under the Public Service Commission Ordinance (Chapter 93 of the Laws of Hong Kong).

1.4 The *Civil Service Code* sets forth the core values and standards of conduct of civil servants. It also sets out the general duties and responsibilities of civil servants in relation to officials under the political appointment system (hereafter referred to as "politically appointed officials"). Civil servants should familiarise themselves with the contents of the *Code* and comply with it.

1.5 The *Civil Service Code* is to be read in conjunction with the *Code for Officials under the Political Appointment System* which all politically appointed officials are required to comply with. In this context, politically appointed officials consist of -

- (a) principal officials under the political appointment system (i.e. the Secretaries of Department and Directors of Bureau) (hereafter referred to as “principal officials”);
- (b) Director of the Chief Executive’s Office;
- (c) under secretaries (i.e. Deputy Directors of Bureau); and
- (d) political assistants.

The Secretary for the Civil Service, who is one of the principal officials and a Director of Bureau, has a special role as explained in sections 3, 4, 6 and 7 below.

2 Core Values

2.1 The Civil Service is a permanent, honest, meritocratic, professional and politically neutral institution. The core values set out below are central to the integrity and probity of the Civil Service. They underpin good governance and help the Civil Service gain and retain the respect and confidence of the public.

2.2 Civil servants are required to uphold the following core values, which are of equal importance -

- (a) commitment to the rule of law;
- (b) honesty and integrity;
- (c) objectivity and impartiality;
- (d) political neutrality;
- (e) accountability for decisions and actions; and
- (f) dedication, professionalism and diligence.

3 Standards of Conduct

3.1 Based on the above core values, civil servants are required to follow the standards of conduct set out below.

3.2 ***Commitment to the rule of law:*** Civil servants shall uphold the rule of law and the administration of justice. They shall exercise executive powers in compliance with the Basic Law and the Laws of Hong Kong. When making decisions, they shall act within the scope of the power or discretion conferred on them, and within their delegated authority as relevant. They shall always observe due process. They shall report promptly, either directly or through their bureaux/departments as appropriate, to the Independent Commission Against Corruption any suspected corrupt act or to the Police other criminal act encountered in discharging their duties.

3.3 ***Honesty:*** Civil servants shall set out facts and relevant issues truthfully, and correct any errors as soon as possible. They shall use public resources only for the authorised purposes for which the resources are provided.

3.4 ***Integrity:*** Civil servants shall ensure that no actual, perceived or potential conflict of interest shall arise between their official duties and private interests. Where an actual, perceived or potential conflict of interest arises, they shall declare it to their supervisors so that the latter can determine how best to proceed or escalate the matter for a determination as necessary. They shall not use their official position to further personal interests or the private interests of others. They shall not solicit or accept, directly or indirectly, any advantage or gift which would, or might reasonably be seen to, compromise their integrity or judgment or influence the discharge or non-discharge of their duties and responsibilities. They shall not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties. They shall ensure that the views they express will not compromise their capacity to fulfil their official duties professionally, effectively and impartially. They shall use information gained by virtue of their official position for authorised purposes only. They shall not disclose documents, information or knowledge received in confidence from others in the course of their duties or by virtue of their official position.

3.5 ***Objectivity:*** Civil servants shall provide information and advice on the basis of evidence, and accurately present the options and facts. They shall base decisions on rigorous analysis of the facts and the merits of the case. They shall take due account of expert and professional advice. They shall not ignore

inconvenient facts or relevant considerations when providing advice or making decisions.

3.6 ***Impartiality***: Civil servants shall carry out their duties and responsibilities in accordance with the policies and decisions of the Government of the day and in a way that is fair, just and equitable. They shall act according to the merits of the case.

3.7 ***Political neutrality***: Civil servants shall serve the Chief Executive and the Government of the day with total loyalty and to the best of their ability, no matter what their own political beliefs are. They shall not allow their own personal party political affiliation or party political beliefs to determine or influence the discharge of their official duties and responsibilities, including the advice they give and the decisions or actions they take. In their official capacity, they shall not engage in party political activities¹ or use public resources for party political purposes such as electioneering or fund-raising activities for political parties.

3.8 In joining political parties or participating in political party activities in their private capacity, civil servants shall comply with the relevant prevailing regulations, rules and guidelines applicable to the Civil Service. They shall refrain from political party activities that might lead to any actual, perceived or potential conflict of interest or bias with their official positions or with the discharge of their duties and responsibilities. They shall also ensure that their private participation in political party activities would not compromise, or might not reasonably be seen to compromise, their impartiality and political neutrality in their official capacity; or cause any embarrassment to the Government. They shall comply with any restrictions that have been laid down on participation in political party and/or electioneering activities.

3.9 Civil servants are disqualified from being nominated as a candidate at an election of the Chief Executive, of the Legislative Council or of a District Council under the Chief Executive Election Ordinance (Chapter 569 of the Laws of Hong Kong), the Legislative Council Ordinance (Chapter 542 of the Laws of Hong Kong) and the District Councils Ordinance (Chapter 547 of the Laws of Hong Kong) respectively. They are also disqualified from being elected as an elected member of the Legislative Council or a District Council under the relevant ordinances. Civil servants who wish to stand for election of the Chief Executive, the Legislative

¹ For the avoidance of doubt, civil servants attending social functions of political parties upon invitation on a purely goodwill basis would not be regarded as engaging in party political activities. They shall observe the principle of impartiality as stipulated in paragraph 3.6 above when handling such invitations from political parties. They shall also observe the prevailing rules and regulations governing civil servants' participation in political activities.

Council or a District Council must retire – age permitting – or resign from the Civil Service.

3.10 Civil servants must retire – age permitting – or resign from the Civil Service before becoming a politically appointed official. The only exception to this is the civil servant appointed to serve as the Secretary for the Civil Service².

3.11 ***Accountability for decisions and actions:*** Civil servants shall act in accordance with government policies and procedures. They are responsible for decisions and actions taken in their official capacity and for the use of public resources. They are accountable for the exercise of various statutory powers conferred on them under the Laws of Hong Kong. Civil servants appointed as controlling officers under the Public Finance Ordinance (Chapter 2 of the Laws of Hong Kong) are accountable for all public moneys, property and expenditure under their charge, and the use of such resources in compliance with the directions and decisions made by their principal officials³. They are responsible for the efficient and effective use of resources under their charge. They are required to ensure compliance with all the regulations made and directions or instructions given by the Financial Secretary under the Public Finance Ordinance.

3.12 ***Dedication, professionalism and diligence:*** Civil servants shall act with a spirit of service to the community and in a professional manner. They shall conduct themselves in a way that instils and retains the confidence of all those whom they have official dealings with. They shall fulfil their duties and obligations responsibly. They shall deal with the public and their affairs fairly, efficiently, promptly, effectively and sensibly, to the best of their ability. Where necessary, the Government has a prior call at all times on the abilities, energies and attention of civil servants.

² Under the present arrangement, the person filling the position of the Secretary for the Civil Service under the political appointment system is to be drawn from the body of serving civil servants. He is not obligated to resign or retire from the Civil Service before taking up the position. Age permitting, he may return to the Civil Service after leaving the position of the Secretary for the Civil Service.

³ The *Code for Officials under the Political Appointment System* (paragraphs 2.24 and 2.25) provides that politically appointed officials shall note that controlling officers designated under the Public Finance Ordinance are responsible and accountable for all expenditure of the policy bureaux or departments or agencies falling within their purview, and that controlling officers are required to obey all regulations made and directions or instructions given by the Financial Secretary for the safety, economy and advantage of public moneys and government property. It also states that politically appointed officials have a duty to give fair consideration and due weight to honest, informed and impartial advice from the controlling officers.

4 Authority for the Management of the Civil Service

4.1 The Secretary for the Civil Service is responsible to the Chief Executive for policies and management of the Civil Service. One of the Secretary's major tasks is to safeguard the core values and define the standards of conduct of the Civil Service. In the performance of this role, the Secretary may issue regulations, rules and guidelines governing, among other subjects, avoidance of conflict of interest by civil servants, acceptance of advantages and entertainment, declaration of private investments, participation in political party or group activities, use of information obtained in a civil servant's official capacity, and outside work during service and for a specified period after leaving service. The Secretary may also revise existing regulations, rules and guidelines from time to time in the light of changing circumstances and needs. Civil servants are required to adhere to these regulations, rules and guidelines. Attached at the **Annex** is a list of the currently in force Civil Service Regulations, Civil Service Bureau's circulars and circular memoranda that are relevant to the core values and standards of conduct of the Civil Service. Civil servants are also required to comply with all the Laws of Hong Kong, including the Prevention of Bribery Ordinance (Chapter 201 of the Laws of Hong Kong) and the Official Secrets Ordinance (Chapter 521 of the Laws of Hong Kong).

4.2 Individual heads of policy bureaux, departments and agencies may issue their own mission and value statements provided they are in conformity with the *Civil Service Code*. Concerned civil servants are required to uphold and comply with these supplementary statements and guidelines as well.

5 Role and Responsibilities of Civil Servants in relation to Politically Appointed Officials⁴

5.1 Principal officials are responsible for their respective portfolios designated to them by the Chief Executive and for the policy bureaux, departments and agencies within their respective portfolios. They are responsible primarily for strategic direction, policy formulation, policy decisions and public advocacy of policy proposals. They are accountable to the Chief Executive for the success or failure of their policies. The Director of the Chief Executive's Office works with principal officials on, amongst other things, policy formulation and priority setting to ensure full implementation of the Chief Executive's agenda and decisions.

⁴ As stated in paragraph 1.5 above, the *Civil Service Code* is to be read in conjunction with the *Code for Officials under the Political Appointment System*. Further details on the role and responsibilities of politically appointed officials are set out in the latter *Code* and the Report on Further Development of the Political Appointment System issued in October 2007.

5.2 Principal officials have a duty to represent the Government and to transact business at meetings of the Legislative Council, and as necessary its committees, subcommittees and panels, e.g. to explain policy proposals, defend government policies, introduce bills or motions, present papers, make statements, answer questions, take part in debates, and secure funding and other resources required for their respective portfolios. They also have a duty to canvass support for government policies, decisions and actions from the Legislative Council, District Councils, the community, stakeholders, political parties, the media, etc.

5.3 Under secretaries are responsible primarily to assist their Directors of Bureau in undertaking the full range of political work, including the handling of Legislative Council business, maintaining regular liaison with members of the Legislative Council; attending public forums and other functions to explain and defend government proposals and decisions; maintaining close contact with the media and other stakeholders such as District Councils, political parties and groups, community organisations, etc.; and nurturing and securing community-wide support on government policies and decisions. They will deputise for their Directors of Bureau during the latter's temporary absence or when necessary. They also have to take up any specific policy areas or projects assigned by their Directors of Bureau.

5.4 Political assistants render support to principal officials and under secretaries. They are mainly responsible for providing political support and input, monitoring views from interest groups and the general public on policy issues, and assessing political implications. They are also responsible, at the instruction of principal officials and under secretaries, for liaising with political parties and groups, District Councils and other stakeholders and the media; and drafting speeches and media statements.

5.5 Civil servants support politically appointed officials in formulating policies. They are responsible for executing policies, carrying out executive tasks, managing and delivering services to the public, and undertaking law enforcement and regulatory functions, in accordance with the decisions of the Government of the day and directions of principal officials. Permanent secretaries of policy bureau, being the most senior echelon in the Civil Service, are responsible to their Directors of Bureau for the operation and full range of policy areas under the purview of their respective policy bureaux. Civil servants who are heads of departments or agencies are responsible, through permanent secretaries where relevant, to their principal officials for the operation of their departments or agencies.

5.6 Civil servants, particularly the more senior ones, are responsible for developing policy options or proposals and assessing their full implications, including the financial and manpower implications and the possible consequences of adopting or not adopting a particular policy option or course of action, based on intellectual rigour, objective research, professional knowledge and expertise. They are to attend before the Executive Council, as necessary, to assist politically appointed officials in explaining proposed policy initiatives or government policies. They are to assist, as necessary, politically appointed officials in presenting and explaining proposed policy initiatives or government policies to the Legislative Council, District Councils, the community, stakeholders, political parties, the media, etc. They are also to assist, as necessary, politically appointed officials in justifying requests, and securing the approval of the Legislative Council, for funding and other resources.

5.7 Civil servants shall support and implement policies and take actions, once decided by the Government of the day, fully and faithfully irrespective of their personal views. They shall ensure that their involvement in, or contribution to, any public debate or discussion on public matters is in accordance with the policies and decisions of the Government of the day and is appropriate to the official positions they hold. They shall not seek to obstruct or frustrate a policy or decision taken by politically appointed officials, or delay its implementation. They shall maintain confidentiality of the advice and views that they or other civil servants have given to politically appointed officials. They shall not suggest for public consumption any alternative to a policy proposed, or decided, by the Government or a politically appointed official.

5.8 Civil servants who serve as controlling officers have a particular responsibility to see that appropriate advice is tendered to politically appointed officials on all matters of financial propriety and regularity and more broadly as to all considerations of prudent and economically-sound administration, efficiency and effectiveness and value for money.

5.9 The division of role and responsibilities between politically appointed officials and civil servants relies on a good working relationship and the maintenance of mutual trust and confidence. Civil servants shall work in effective partnership with politically appointed officials.

6 Relationship between Civil Servants and Politically Appointed Officials

6.1 Civil servants shall serve the Government of the day with integrity and to the best of their ability. They shall follow the directives and work priorities determined by principal officials. They shall provide politically appointed officials their full, honest and impartial advice, without fear or favour, and whether or not the advice accords with the views of politically appointed officials. To uphold their integrity and professionalism, civil servants shall endeavour to provide politically appointed officials with the best advice they believe they can give and all relevant information they have access to. They shall work together with politically appointed officials in the spirit of partnership and foster mutual trust and confidence.

6.2 Under the *Code for Officials under the Political Appointment System*, politically appointed officials are required at all times to actively uphold and promote a permanent, honest, meritocratic, professional and politically neutral Civil Service; and, in particular, to uphold and promote the core values of the Civil Service as set out in section 2 above. In their dealings with civil servants, they are to have due regard to the *Civil Service Code*.

6.3 Permanent secretaries and those civil servants directly supporting principal officials (as stated in paragraph 6.6 below) have unlimited and direct access to principal officials. In general, other civil servants have access to principal officials through permanent secretaries. They may also have direct access to principal officials where appropriate; and permanent secretaries and the appropriate civil servants in the relevant line of command are to be kept informed of such communication as far as possible.

6.4 Under secretaries may, on behalf of their Directors of Bureau, convey to civil servants the views and work priorities of the Directors of Bureau; request civil servants to prepare and provide information and data, including internal analyses and papers; and hold meetings with civil servants to discuss the advice being put to Directors of Bureau. Political assistants may, on behalf of principal officials or under secretaries, request civil servants to prepare and provide information and data. Under secretaries shall also be kept closely informed of policy issues of their bureaux, especially those issues which are politically sensitive or may involve the Legislative Council. Such working contact is to be made in the spirit of partnership and does not constitute, and should not be perceived as constituting, a supervising or subordinating relationship between the under secretaries/political assistants and civil servants.

6.5 Permanent secretaries of policy bureau report direct to their Directors of Bureau. Their performance is appraised by their Directors of Bureau. Under secretaries have no direct line of command over permanent secretaries, except when the former are deputising for their Directors of Bureau. When this happens, the permanent secretary concerned shall report to the under secretary concerned where available. Where there is no under secretary (e.g. the position is not filled) or where the under secretary concerned is also temporarily absent or where another principal official has not been directed to perform the duties of the absent Director of Bureau⁵, the permanent secretary concerned shall keep the absent Director of Bureau informed and consult or report to him⁶ on the operation of the bureau concerned as necessary and where possible. The permanent secretary shall also consult and seek direction from the Chief Secretary for Administration or the Financial Secretary where necessary. In doing so, the permanent secretary concerned shall discharge his role and responsibilities as a civil servant and shall not be subject to political accountability.

6.6 Those civil servants assigned to provide support to principal officials (e.g. Administrative Assistants, Press Secretaries, Personal Secretaries, Drivers) and those assigned to provide support to other politically appointed officials (e.g. Personal Secretaries) report direct to the politically appointed officials concerned and their performance is appraised by them. Where appropriate, permanent secretaries or other senior civil servants may provide input on the performance appraisal of the civil servants concerned.

6.7 Civil servants (other than those in paragraphs 6.5 and 6.6) report direct to their supervisors in the Civil Service. Their performance is appraised by their supervisors in the Civil Service. For civil servants who work closely with under secretaries, their supervisors in the Civil Service may seek the views of under secretaries to ensure a comprehensive and multi-dimensional assessment of the civil servants concerned. Such solicitation of views does not constitute, and should not be perceived as constituting, a supervising or subordinating relationship between the under secretaries and civil servants concerned; and the supervisors in the Civil Service shall have the final say on the performance appraisals of the civil servants concerned.

⁵ Paragraph 2.7 of the *Code for Officials under the Political Appointment System* provides that principal officials “may be directed as necessary by the Chief Executive, during the temporary absence of other principal officials, to exercise the powers or perform the duties of the absent principal officials, including the duty to attend meetings of the Legislative Council, its committees, subcommittees and panels and to speak on behalf of the Government.”

⁶ Words importing the masculine gender in this *Code* shall include the feminine gender.

6.8 While the Secretary for the Civil Service is responsible for the management of the Civil Service and the Secretary for Justice plays a role in managing the Government Counsel Grade as the head of grade, politically appointed officials are generally not involved in issues relating to civil servants' careers, such as appointment, promotion and discipline.

7 Communication, Complaint and Redress Mechanism

7.1 There may be occasions where a civil servant feels that he has been directed to act in a way which he considers is illegal. In such circumstances, he should follow the guidelines set out in CSB Circular No. ~~20/79~~.
7/2012

7.2 There may be occasions where a civil servant feels that he has been directed to act in a way which he considers -

- (a) is improper or in conflict with the core values of the Civil Service;
- (b) is in breach of any government regulations including Civil Service Regulations and regulations governing the use of public money;
- (c) would conflict with his role as a civil servant; or
- (d) may involve possible maladministration.

Communication

7.3 In such circumstances, the civil servant concerned is encouraged to first discuss the matter with his immediate supervisor or with the officer who issued the direction. If for any reason he would find this difficult, he should discuss with another officer in his line management chain. He must not do anything to circumvent or undermine the policy which the direction flows from. It is important to cultivate and nurture a culture of open communication between supervisors and subordinates. Open communication works positively towards building mutual trust and loyalty. It is possible that many situations which may lead to misunderstanding will be addressed by the civil servants concerned discussing the matter with their supervisors or with officers whose directions have given rise to the concerns in the first place.

Complaint

7.4 If a civil servant remains concerned following a candid airing of his concerns before his immediate supervisor or the officer giving the direction or another officer in his line management chain, he should report the matter in accordance with the complaint procedures laid down by his policy bureau or department or agency. A civil servant will not be penalised for lodging a complaint which is made in good faith. The policy bureau or department or agency concerned shall follow up on the complaint in accordance with laid down procedures.

Redress mechanism

7.5 If the matter giving rise to the concerns of a civil servant originates from a direction or action taken by a politically appointed official at under secretary or below level, the civil servant is encouraged to discuss and resolve the matter with the concerned politically appointed official. He may also bring the matter to the personal attention of the relevant permanent secretary, who shall consider all the relevant information, discuss with the concerned civil servant and politically appointed official with a view to resolving the matter. If the matter cannot be resolved, the permanent secretary shall bring it to the personal attention of the relevant principal official for resolution. If the matter remains unresolved, it shall be brought to the attention of the Secretary for the Civil Service for resolution.

7.6 If the matter giving rise to the concerns of a civil servant originates from a direction or action taken by a principal official other than the Secretary for the Civil Service⁷, the civil servant is encouraged to discuss and resolve the matter with the concerned principal official. He may also bring the matter to the personal attention of the relevant permanent secretary, who shall discuss and resolve the matter with the principal official concerned. If the matter cannot be resolved, the relevant permanent secretary shall bring it to the personal attention of the Secretary for the Civil Service, who shall consider all the relevant information, discuss with the concerned civil servant and principal official and other officers as necessary, before taking a view.

7.7 Under the *Code for Officials Under the Political Appointment System*, politically appointed officials are to cooperate fully with the Secretary for the Civil Service to follow up on concerns from civil servants relating to their role or to the core values of the Civil Service.

⁷ This paragraph also applies if the matter giving rise to the concerns of a civil servant originates from a direction or action taken by the Director of the Chief Executive's Office.

7.8 If the matter giving rise to concerns from a civil servant remains unresolved after escalation to the Secretary for the Civil Service, the latter shall bring it to the personal attention of the Chief Secretary for Administration or the Financial Secretary as appropriate for resolution.

7.9 If the matter giving rise to concerns from a civil servant originates from a direction or action taken by the Secretary for the Civil Service, the civil servant is encouraged to discuss and resolve the matter with the said Secretary. He may also bring the matter to the personal attention of the relevant permanent secretary who is encouraged to discuss and resolve the matter with the Secretary for the Civil Service. If the matter cannot be resolved, the permanent secretary concerned shall bring it to the personal attention of the Chief Secretary for Administration for resolution.

7.10 If, pursuant to the procedures set out above, the matter still remains unresolved after escalation to the Chief Secretary for Administration or the Financial Secretary as appropriate, the matter shall be brought to the attention of the Chief Executive. The Chief Executive may refer representations to the Public Service Commission on matters which fall under its purview and the Commission shall tender its advice to the Chief Executive. If the Chief Executive decides to uphold the complaint, the politically appointed official concerned must implement the decision of the Chief Executive. If the Chief Executive is satisfied there is no question of impropriety and upholds the direction or action taken by the politically appointed official concerned, the civil servant concerned must faithfully carry out the instruction as directed.

Civil Service Bureau
September 2009

Civil Service Regulations (CSRs), Civil Service Bureau (CSB) Circulars and Circular Memoranda Relating to Conduct and Integrity

Conflict of Interest

- (1) CSB Circular No. 2/2004 on “Conflict of Interest”

Acceptance of Advantages and Entertainment

- (2) CSB Circular No. 3/2007 on “Acceptance of Advantages Offered to an Officer in his Private Capacity”
- (3) CSB Circular No. 4/2007 on “Advantages/Entertainment Offered to an Officer in his Official Capacity and Gifts and Donations to a Department for the Benefit of Staff”
- (4) CSB Circular No. 11/2007(C) on “Sponsored Visits”
- (5) CSRs 431-435 on “Acceptance of Entertainment”
- (6) CSR 444 on “Acceptance of Advantages”
- (7) CSR 448 on “Retirement Gifts”

Investments

- (8) CSB Circular No. 8/2006 on “Declaration of Investments by Civil Servants”
- (9) CSB Circular Memorandum No. 14/2008 on “Declaration of Investments by Civil Servants - Revised Declaration and Report Forms”
- (10) CSRs 461-466 on “Investments”

Outside Work

- ~~(11) CSB Circular No. 13/95 on “Acceptance of Outside Appointments after Retirement”~~

~~(12) CSB Circular Memorandum No. 50/96 on “Outside Appointments during Pre-retirement Leave and after Retirement”~~

~~(13) CSB Circular No. 3/97 on “Permission to Take up Outside Appointment on Completion of Agreement”~~

~~(14) CSB Circular No. 10/2005 on “Taking Up Outside Work by Directorate Civil Servants after Ceasing Active Service”~~

(11) CSB Circular No. 7/2011 on "Taking Up Outside Work by (1) Directorate Civil Servants on Final Leave and (2) Former Directorate Civil Servants"

(12) CSB Circular No. 9/2015 on "Taking Up Outside Work by Non-directorate Civil Servants Retiring / Retired from the Government"

(13) ~~(15) CSRs 397-398 on “Taking Up Outside Work after Ceasing Active Service”~~

(14) ~~(16) CSRs 550-564 on “Outside Work”~~

Indebtedness

(15) ~~(17) CSB Circular No. 4/2002 on “Managing Personal Finance and Management Measures on Staff Indebtedness in the Civil Service”~~

(16) ~~(18) CSRs 455-459 on “Insolvency and Bankruptcy”~~

(17) ~~(19) CSRs 480-482 on “Lending Money and Borrowing Money at Interest”~~

(18) ~~(20) CSR 483 on “Use of Subordinates as Guarantors”~~

Reporting Crime and Corruption

(19) ~~(21) CSB Circular No. 20/79 on “Reporting of Criminal Offences”~~

~~(22) CSB Circular No. 10/80 on “Reporting of Attempted Bribes”~~

Superseded by CSB Circular No. 7/2012 on "Reporting of Criminal Offences including Corruption-related Offences"

(20) ~~(23) CSB Circular No. 9/94 on “Allegations of Corruption against Civil Servants”~~

Superseded by CSB Circular Memorandum No. 9/2012 on "Handling of Allegations of Corruption"

Production by Government Officers of Publications Containing Paid Advertisements

(21) ~~(24) CSB Circular No. 6/77 on “Production by Government Officers of Publications Containing Paid Advertisements – CSR 530”~~

(22) ~~(25) CSB Circular No. 23/77 on “Production by Government Officers of Publications Containing Paid Advertisements – CSR 530”~~

(23) ~~(26) CSR 530 on “Publications”~~

Public Communications by Officers

- (24) ~~(27)~~ CSRs 520-525 on “Public Communications by Officers”

Public Donations

- (25) ~~(28)~~ CSR 531 on “Public Donations”

Participation in Political Activities by Civil Servants

- (26) ~~(29)~~ CSB Circular No. 26/90 on “Civil Servants Joining Political Organisations and Participating in Political Activities”

- (27) ~~(30)~~ CSB Circular No. 15/97 on “Civil Servants Standing for Elections and Participating in Electioneering Activities”

- (28) ~~(31)~~ ^{9/2010} CSB Circular No. 6/2003 on “Civil Servants Standing as Candidates in Village Representative Elections”

Superseded by CSB Circular No. 5/2014 on "Civil Servants Standing as Candidates in Rural Representative Elections"

- (29) ~~(32)~~ CSB Circular No. 4/2005 on “Civil Servants Standing for the Election Committee Subsector Elections and Participating in Electioneering Activities for the Chief Executive Election”

- (30) ~~(33)~~ CSB Circular Memorandum No. 20/2007 on “Civil Servants Participating in Electioneering Activities for the District Council Elections”

- (31) ~~(34)~~ CSB Circular Memorandum No. 2/2008 on “Civil Servants Standing for Elections and Participating in Electioneering Activities”

- (32) ~~(35)~~ CSB Circular No. 6/2008 on “Civil Servants Participating in Electioneering Activities for the Legislative Council Elections”

Avenues for Complaint/Seeking Redress

- (33) ~~(36)~~ CSB Circular No. 20/91 on “Staff Complaints Procedure”

- (34) ~~(37)~~ CSR 486 on “Representation to the Chief Executive”

- (35) ~~(38)~~ Section 20 of the Public Service (Administration) Order - Representations by Officers