

## LCQ8: Arrangement of police officers' overtime work

Following is a question by the Hon Jeremy Tam and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (December 11):

Question:

According to the Guidelines on Control and Administration of Overtime issued by the Civil Service Bureau in 2000, civil servants may undertake overtime (OT) work only when it is strictly unavoidable, and each officer may work OT for a maximum of 60 hours only in a month. In addition, time-off should be the normal recompense for OT work. However, when it is, or is likely to be, impractical for the department to arrange time-off for the officer concerned within one month from the date when OT work is performed, the department may grant him Overtime Allowance (OTA). It has been reported that since the eruption of the "anti-extradition to China" movement in June this year, police officers have been granted substantial amounts of OTA and the ceiling on the OT hours for which they may work has been raised to 120 hours in a month. In this connection, will the Government inform this Council:

(1) of a breakdown of the number of police officers who were engaged in crowd management work from June to November this year by number of OT hours they claimed each month (set out in Table 1);

Table 1

Number of OT hours	Number of persons					
	June	July	August	September	October	November
1-20						
21-40						
41-60						
61-80						
81-100						
101-119						
120						

(2) regarding police officers engaged in crowd management work from June to November this year who belonged to (i) a rank below Chief Inspector of Police and (ii) the rank of Chief Inspector of Police, of the respective total amounts of OTA they received and the respective numbers of persons receiving OTA each month, with a breakdown of such numbers of persons by the group to which the amount of allowance received per person belonged (each group

spanning \$10 000) in tables of the same format as Table 2;

Table 2

Rank: \_\_\_\_\_

OTA (\$)	Number of persons					
	June	July	August	September	October	November
1-10 000						
10 001-20 000						
...						

(3) whether police officers engaged in crowd management work who belong to the rank of (i) Superintendent of Police or (ii) Directorate Officers of the Police Force are eligible for OTA; if so, of the respective total amounts of OTA they received and the respective numbers of persons receiving OTA each month from June to November this year, with a breakdown of the numbers of persons by the group to which the amount of allowance received per person belonged (each group spanning \$10 000) in tables of the same format as Table 2;

(4) of the total amount of OTA granted to police officers from June to November this year;

(5) how the mechanisms for the application for and the vetting and approval of OTA for police officers operate; of the measures in place to guard against false claims of OT work, and to ascertain that the relevant work is "strictly unavoidable"; and

(6) of the objective factors based on which (i) it determines whether it is practical to arrange time-off for the police officers who have performed OT work within the following month, and (ii) it made the decision to raise the ceiling for the OT hours that police officers may work to 120 hours in a month?

Reply:

President,

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. Such violent acts include wantonly blocking roads, paralysing traffic, hurling petrol bombs and bricks at various locations, setting fires, intentionally vandalising and burning shops and MTR and Light Rail facilities, and madly assaulting people with different views. These acts have seriously jeopardised public safety and public order. In performing their duties to maintain public safety and public order, police officers have faced serious threats to their personal safety.

The Police have a statutory duty to maintain public safety and public

order. When unlawful acts take place, the Police must take appropriate enforcement actions to maintain public order, and safeguard the lives and properties of the public.

Frontline police officers have remained steadfast in their duties during the ongoing conflicts in the past few months. While handling massive and unlawful violent acts in various districts, they have also maintained regular police duties and public services in the territory. The Police have flexibly deployed internal manpower and resources to cope with operational needs in a timely manner.

Having consulted the Civil Service Bureau, we provide a consolidated reply to the Hon Jeremy Tam's question below:

(1) to (4) In the demonstrations over the past months, processions and public meetings turned into illegal acts of violence. Overtime (OT) work of police officers may only be undertaken when it is strictly unavoidable, and is subject to the Civil Service Regulations (CSR) as well as the stringent control under the relevant internal regulations of the Police. According to CSR, OT work will normally be compensated by time off in lieu. 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 to eligible officers may be approved. 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 Disciplined Services Overtime Allowance.

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 2019-20, a provision of around \$20.2 billion was made under Subhead 000 Operational expenses for salaries, allowances and other operating expenses of the Hong Kong Police Force (HKPF). In accordance with the established practice, the amount of OT allowance paid by HKPF in the 2019-20 financial year will be reflected in the relevant revised estimate.

(5) and (6) OT work arrangement and compensation of police officers are regulated by relevant provisions of CSR and Civil Service Bureau Circular No. 18/2000 (the Circular). HKPF has put in place stringent control and approval procedures over OT work. Supervisors will follow the requirements of relevant internal orders and criteria in considering OT work applications.

Under CSR, Heads of Departments 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 require officers to work OT which will exceed the above ceiling in exceptional or emergency situations or circumstances of genuine need.

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.