

# Transcript of remarks by SCS

Following is the transcript of remarks by the Secretary for the Civil Service, Mr Patrick Nip, at a media session after attending a radio programme this morning (June 13):

Reporter : Secretary, can you talk about the issue of social media? You mentioned that civil servants should not oppose the national security legislation. But in their private capacity on social media, they do have the freedom of expression but you asked them to be mindful. So can you promise that if civil servants in their personal capacities, while they are not working, when they express opinions that could be against the national security law, they won't be penalised? Even when somebody takes a screen capture of private messages or private opinions on social media, they are supposed to be only shared among friends. That is question number one. Question number two on the de-acting of Michael Ngan, a union representative. Aside from him, there are a few other, a total of eight people according to reports who were de-acted. So is it really usual for a department to de-act so many staff at one point? Can you promise that this has nothing to do with you, your decision as well as any political consideration?

Secretary for the Civil Service: As regards your first question, the Basic Law and our Hong Kong laws guarantee the freedom of expression and also the freedom of assembly, and all that. So if you do it in your personal capacity to express your views, so long as you comply with the law, that's of course okay. But if you are at the same time holding a capacity as a civil servant, then you have to be mindful of your public expression and your act, so as to comply with the requirements and your responsibility as a civil servant. I think that's the basic principle.

As regards the social media, the hard fact is even though you mean to talk about things within the private circle, the reality is that sometimes this will be leaked out and then become public. Then you have to deal with the situation where people will regard what you said might be in contradiction with the capacities that you are holding. So you have to be mindful about that. This is not just confined to civil servants, it is confined to anyone. And we are facing this reality in nowadays' society. So that's the point that I really want to make. The basic point is that as a person, you are entitled to your views and expressions. But when you are discharging your duty as a civil servant, you have to make sure that what you said and your own personal view would not affect the impartiality of discharging your duty as a civil servant. And you have to be responsible to the HKSAR Government.

As regards acting arrangements, it's entirely for every department to follow the established mechanism and procedures, including the guidelines issued by the Civil Service Bureau and relevant regulations to deal with acting arrangements. Basically acting arrangements are of two types: one is arranging acting with a view to promotion. So when the Board identifies a person who has potential will then arrange an acting arrangement to test his

ability with a view to promotion. The other type is acting for administrative convenience because of the operational needs of the department. This is the acting for administrative convenience. So it is for departments to make appropriate arrangements having regard to their operational needs and the actual situation. The important thing is to follow the established rules and procedures.

(Please also refer to the Chinese portion of the transcript.)