

# 《公務員絨用委員會條例》

## (第 93 章)

# Public Service Commission Ordinance

## (Cap. 93)

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## 經核證文本

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條文 Provision	頁數 Page number	最後更新日期 Last updated date
主體 Main	1—22	11.3.2021
附表 1 First Schedule	S1-1—S1-2	11.3.2021
附表 2 Second Schedule	S2-1—S2-2	11.3.2021
附表 3 Third Schedule	S3-1—S3-2	11.3.2021

### 尚未實施的條文 / 修訂 ——

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<https://www.elegislation.gov.hk>) 閱覽。

### Provisions / Amendments not yet in operation —

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### 制定史

本為 1950 年第 14 號 (第 93 章, 1950 年版) —— 1951 年第 21 號, 1956 年第 51 號, 1961 年第 32 號, 1967 年第 3 號, 1968 年第 34 號, 1974 年第 7 號, 1974 年第 27 號, 1975 年第 65 號, 1975 年第 68 號, 1979 年第 15 號, 1979 年編正版, 1992 年第 69 號, 1995 年第 336 號法律公告, 1995 年第 79 號, 1995 年第 (C)76 號法律公告 (中文真確本), 1997 年第 362 號法律公告, 1998 年第 25 號, 1999 年第 63 號, 2003 年第 1 號, 2012 年第 2 號, 2021 年第 1 號編輯修訂紀錄

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## 《公務員絛用委員會條例》

## (第 93 章)

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本條例旨在成立公務員絛用委員會。

(由 1979 年第 15 號第 2 條修訂)

[1950 年 6 月 30 日]

(格式變更——2021 年第 1 號編輯修訂紀錄)

## 1. 簡稱

本條例可引稱為《公務員絛用委員會條例》。

(由 1979 年第 15 號第 3 條修訂)

## 2. 釋義

在本條例中，除文意另有所指外——

**《公務人員(管理)命令》**(Public Service (Administration) Order) 指經不時修訂的下列文書——

- (a) 《1997 年公務人員(管理)命令》(1997 年第 1 號行政命令)；
- (b) 根據該命令第 21 條訂立的《公務人員(紀律)規例》(該命令及規例均刊登於 1997 年第 2 期憲報第 5 號特別副刊)；及
- (c) 根據該命令訂立的任何其他規例或作出的任何指示；(由 1999 年第 63 號第 3 條增補)

**司法職位** (judicial office) 指《司法人員推薦委員會條例》(第 92 章)附表 1 內指明的任何司法職位；(由 1998 年第 25 號第 2 條代替)

**委員** (member) 與委員會有關而使用時，不包括主席；

**委員會** (Commission) 指藉本條例設立的公務員絛用委員會；(由 1979 年第 15 號第 4 條修訂)

To constitute a Public Service Commission.

(Amended 15 of 1979 s. 2)

[30 June 1950]

(Format changes—E.R. 1 of 2021)

## 1. Short title

This Ordinance may be cited as the Public Service Commission Ordinance.

(Amended 15 of 1979 s. 3)

## 2. Interpretation

In this Ordinance, unless the context otherwise requires—

**Commission** (委員會) means the Public Service Commission established by this Ordinance; (Amended 15 of 1979 s. 4)

**government regulations** (政府規例) means the administrative rules known as the Government Regulations and any other administrative rules or instruments regulating the public service; (Added 63 of 1999 s. 3)

**judicial office** (司法職位) means any judicial office specified in Schedule 1 to the Judicial Officers Recommendation Commission Ordinance (Cap. 92); (Replaced 25 of 1998 s. 2)

**member** (委員) when used with reference to the Commission does not include the Chairman;

**Public Service (Administration) Order** (《公務人員(管理)命令》) means—

- (a) the Public Service (Administration) Order 1997 (Executive Order No. 1 of 1997);

**政府規例** (government regulations) 指稱為《政府規例》的行政規則及規管公務人員的任何其他行政規則或其他文書。(由 1999 年第 63 號第 3 條增補)

### 3. 公務員敍用委員會

- (1) 為施行本條例，現設立一個公務員敍用委員會，委員會由一位主席及 2 至 8 名委員組成，各人均由行政長官親自簽署文書委任，行政長官並可酌情將其免任：(由 1967 年第 3 號第 2 條修訂；由 1979 年第 15 號第 5 條修訂；由 1999 年第 63 號第 3 條修訂)  
但 ——
  - (a) 主席或任何委員可隨時向政務司司長給予書面通知辭職；(由 1997 年第 362 號法律公告修訂)
  - (b) 主席須在任職主席 3 年後自動離職，但有資格再獲委任；
  - (c) 每名委員須在任職委員 2 年後自動離職，但有資格再獲委任。
- (2) 主席連同不少於 1 名委員可行使及執行委員會的任何職能、權力及職責，但委員會的決議須得到主席及每名考慮該項決議的委員一致表決始可通過。
- (3) 委員會可藉轉授文書，授權主席在一般情況或個別個案中，行使及執行該文書內指明的本條例所訂的委員會職能、權力及職責。
- (4) 任何可於委員會會議上處理的事項，均可以文件傳閱方式，供主席及不少於 1 名委員考慮以作處理，尤其 ——
  - (a) 可無須經過會議而通過委員會的決議，但該項決議及有關的表決均須以書面記錄，主席及各名考慮該項決議的委員並須就其作出的表決署名；及

- (b) the Public Service (Disciplinary) Regulation made under section 21 of that Order (and together with that Order published as S.S. No. 5 to Gazette No. 2/1997); and
  - (c) any other regulation made or any direction given under that Order,
- as amended from time to time. (*Added 63 of 1999 s. 3*)

### 3. Public Service Commission

- (1) There shall be established for the purposes of this Ordinance a Public Service Commission which shall consist of a Chairman and not less than 2 and not more than 8 members, all of whom shall be appointed by the Chief Executive by writing under his hand and shall hold office at his discretion: (*Amended 3 of 1967 s. 2; 15 of 1979 s. 5; 63 of 1999 s. 3*)  
Provided that—
  - (a) the Chairman or any member may at any time resign his office by giving notice in writing to the Chief Secretary for Administration; (*Amended L.N. 362 of 1997*)
  - (b) the Chairman shall automatically vacate his office after he has held it for 3 years, but shall be eligible for re-appointment;
  - (c) every member shall automatically vacate his office after he has held it for 2 years, but shall be eligible for re-appointment.
- (2) The Chairman and not less than 1 member may exercise and perform any of the functions, powers and duties of the Commission, but the Commission shall not pass a resolution except by the unanimous vote of the Chairman and every member who considers the resolution.
- (3) The Commission may, by instrument of delegation, authorize the Chairman to exercise and perform, either generally or in

- (b) 可無須經過會議而對任何事項擬定意見，但由主席提出的意見及由任何考慮該事項的委員提出的意見，均須以書面記錄，各人並須就其提出的意見署名。
- (5) 每當 ——
- (a) 主席或任何委員不在香港或不能執行其職務；或
- (b) 主席或委員的職位懸空，正待作出新委任或再度委任，
- 則行政長官可委任另一人暫時署理主席或委員（視屬何情況而定）的職務。（由 1979 年第 15 號第 5 條代替。由 1999 年第 63 號第 3 條修訂）
- (6) 行政長官可與任何合適的人訂立協議，聘用該人為委員會主席：（由 1999 年第 63 號第 3 條修訂）
- 但 ——
- (a) 該協議須有一隱含條款，即行政長官委任主席的權力是不受約束的，而行政長官並可酌情將該人免任；及
- (b) 根據該協議訂定的酬金、津貼或利益，須當作為只在立法會撥給所需款項時才可繳付、准給及收取，並以立法會撥給的款項為限。（由 1999 年第 63 號第 3 條修訂）

（由 1974 年第 27 號第 3 條修訂）

- any particular case, such of the functions, powers and duties of the Commission under this Ordinance as may be specified in the instrument.
- (4) Anything which may be done at a meeting of the Commission may be done by the circulation of papers for the consideration of the Chairman and not less than 1 member and in particular—
- (a) a resolution of the Commission may be passed without a meeting, but the resolution and the voting thereon shall be recorded in writing and the Chairman and any member who considers the resolution shall sign his name to his vote; and
- (b) advice on any matter may be formulated without a meeting, but the advice of the Chairman and any member who considers the matter shall be recorded in writing and each shall sign his name to the advice given by him.
- (5) Whenever—
- (a) the Chairman or any member is absent from Hong Kong or is unable to act; or
- (b) the office of Chairman or of a member is vacant pending a new appointment or reappointment,
- the Chief Executive may appoint another person to act temporarily as Chairman or a member, as the case may be. (Replaced 15 of 1979 s. 5. Amended 63 of 1999 s. 3)
- (6) It shall be lawful for the Chief Executive to enter into an agreement with any suitable person for the employment of such person as Chairman of the Commission: (Amended 63 of 1999 s. 3)
- Provided that—



**4. 擔任某些職位的人無資格獲委任為委員會委員**

任何立法會議員，或擔任可享有退休金的職位或職守的人，而該職位或職守的薪酬全部或部分是由香港政府收入或由香港日後設立的市政府或市議會的收入或資金繳付的，均不可被委任為委員會主席或委員：（由 1999 年第 63 號第 3 條修訂）

但上述所載的禁止規定，不得擴及——

- (a) 由原訟法庭法官擔任主席的委任；或（由 1998 年第 25 號第 2 條修訂）
- (b) 根據第 3(5) 條作出的主席的暫時委任；或
- (c) 對仍擔任上述職位或職守的人作出的委任，但該人是正在作退休前渡假，並已就其現時所擔任的職位或職守的服務期所會付給他的退休金款額，獲得正式通知者。

（由 1951 年第 21 號第 2 條修訂；由 1974 年第 27 號第 4 條修訂）

- (a) it shall be an implied term of any such agreement that the Chief Executive's power to appoint a Chairman shall remain unfettered and that such person may be dismissed at the discretion of the Chief Executive; and (*Amended 63 of 1999 s. 3*)
- (b) any remuneration, allowances or benefits provided for under such agreement shall be deemed to be payable, allowable and receivable only if and to the extent that the necessary moneys are provided for by Legislative Council. (*Amended E.R. 1 of 2021*)

(*Amended 27 of 1974 s. 3*)

**4. Ineligibility of persons holding certain offices for appointment as members of Commission**

It shall not be lawful to appoint as Chairman or as a member of the Commission any member of Legislative Council or any person who is the holder of a pensionable office or post the emoluments whereof are payable wholly or partly out of the revenues of Hong Kong or out of the revenue or funds of any municipality or municipal council which may hereafter be established in Hong Kong: (*Amended 63 of 1999 s. 3*)

Provided that the prohibition hereinbefore contained shall not extend to—

- (a) the appointment of a judge of the Court of First Instance as Chairman; or (*Amended 25 of 1998 s. 2*)
- (b) the making of a temporary appointment as Chairman under section 3(5); or
- (c) the appointment of a person who, although still the holder of any such office or post as aforesaid is on leave prior to retirement and has already received official notification of the pension which will be payable to him



**5. 委員會秘書**

行政長官須不時委任一名擔任公職服務的人員執行委員會秘書的職務；該秘書不得為委員會委員，對委員會商議的事項亦無投票權。

(由 1999 年第 63 號第 3 條修訂)

**6. 委員會職能**

(1) 委員會須就以下事項向行政長官提供意見 —— (由 1999 年第 63 號第 3 條修訂)

- (a) 公職服務的訂明空缺的填補；
- (b) 將擔任公職服務的訂明職系及職類的人員擢升至另一職系及職類；
- (c) 經由行政長官轉介予委員會的某一人員提出的申述，或由某一人員按照政府規例向委員會提交的申述；(由 1974 年第 27 號第 5 條代替)
- (d) 涉及公職服務的任何事項，而該事項是根據本條例訂立的規例所訂明的或由行政長官轉介予委員會的；(由 1979 年第 15 號第 6 條修訂)
- (e) 涉及公職人員的品行及紀律的任何事項，而《公務人員(管理)命令》規定行政長官須就該事項諮詢委員會的。(由 1979 年第 15 號第 6 條增補)

(2) 本條不適用於以下職位、職位類別或委任 ——

- (a) 行政長官，或政務司司長、財政司司長及律政司司長的職位，或行政長官的私人職員；(由 1974 年第 27 號第 5 條修訂；由 1975 年第 68 號第 2 條修訂)

for service which comprised service in the office or post of which he is the holder.

(Amended 21 of 1951 s. 2; 27 of 1974 s. 4)

**5. Secretary to Commission**

The Chief Executive shall from time to time appoint an officer in the public service to act as secretary to the Commission. The secretary shall not be a member of the Commission or have any vote in its deliberations.

(Amended 63 of 1999 s. 3)

**6. Functions of Commission**

(1) The Commission shall advise the Chief Executive regarding—  
(Amended 63 of 1999 s. 3)

- (a) the filling of such vacancies in the public service as may be prescribed;
- (b) the promotion of an officer from such grades and classes of the public service to another grade and class as may be prescribed;
- (c) such representations from an officer as may be referred to it by the Chief Executive or made to the Commission in accordance with government regulations; (Replaced 27 of 1974 s. 5. Amended 63 of 1999 s. 3)
- (d) any matter affecting the public service which may be prescribed by regulation made hereunder or which the Chief Executive may refer to the Commission; (Amended 15 of 1979 s. 6)
- (e) any matter affecting the conduct and discipline of public officers on which the Chief Executive is required by Public Service (Administration) Order to consult the

- (b) 任何司法職位；(由 1975 年第 65 號第 16 條代替)
  - (c) 委員會主席或委員；
  - (d) 警隊內的職位或職級；(由 2012 年第 2 號第 3 條修訂)
  - (e) 附表 1 指明的職位。(由 1975 年第 68 號第 2 條代替)
  - (2A) 凡受僱擔任公職服務而為附表 3 第 2 欄指明的團體執行職責的人，已被邀選擇受僱於該團體或留任公務員，而該人——
    - (a) 選擇留任公務員；或
    - (b) 在第 3 欄內相對於該團體的指明日期或該日期前，未有作出任何選擇，
 則第 (1)(a) 至 (d) 款對他的僱用不適用。(由 1992 年第 69 號第 2 條增補)
  - (3) 立法會可藉決議修訂附表 1 或 3。(由 1975 年第 68 號第 2 條增補。由 1992 年第 69 號第 2 條修訂)
- (由 1999 年第 63 號第 3 條修訂)

## 7. 主席及委員的酬金

- (1) 委員會主席及委員有權支取立法會不時撥款發給的酬金

- Commission. (Added 15 of 1979 s. 6. Amended 63 of 1999 s. 3)
- (2) Nothing in this section shall apply to the following offices, classes of office or appointments—
  - (a) the Chief Executive, or the offices of the Chief Secretary for Administration, the Financial Secretary and the Secretary for Justice, or any member of the Chief Executive's personal staff; (Amended 27 of 1974 s. 5; 68 of 1975 s. 2; 63 of 1999 s. 3)
  - (b) any judicial office; (Replaced 65 of 1975 s. 16)
  - (c) the Chairman or any member of the Commission;
  - (d) any office or rank in the police force; (Amended 2 of 2012 s. 3)
  - (e) any office specified in the First Schedule. (Replaced 68 of 1975 s. 2)
- (2A) Where a person employed in the public service carries out duties for a body specified in column 2 of the Third Schedule has been invited to opt to take up employment with that body or to remain a public servant and the person either—
  - (a) opts to remain a public servant; or
  - (b) fails to make any election on or before the date specified in column 3 opposite that body,
 subsection (1)(a) to (d) does not apply to his employment. (Added 69 of 1992 s. 2)
- (3) The Legislative Council may by resolution amend the First or Third Schedule. (Added 68 of 1975 s. 2. Amended 69 of 1992 s. 2)

## 7. Remuneration of the Chairman and members

- (1) The Chairman and members of the Commission shall be

及津貼：

但如根據第 3(5) 條作出暫時委任，則獲委任的人有權支取行政長官所批准的酬金及津貼，但不得超過按假若該項委任是根據第 3(1) 條作出時便會適用的酬金及津貼級別所應支取的數額。 (由 1974 年第 27 號第 6 條修訂)

- (2) 委員會主席或委員收取根據第 (1) 款撥款發給或以其他方式規定給予的酬金或津貼一事，不得當作因此而促使主席或該委員受《公務人員(管理)命令》或政府規例所規限。

(由 1999 年第 63 號第 3 條修訂)

## 8. 主席及委員的宣誓

當委員會主席或委員獲首次委任，不論是根據第 3(1) 或 (5) 條獲委任的，均須各從其良心，在原訟法庭法官面前採用附表 2 的表格作出宗教式或非宗教式宣誓。

(由 1968 年第 34 號第 3 條修訂；由 1974 年第 27 號第 6 條修訂；  
由 1975 年第 68 號第 3 條修訂；由 1999 年第 63 號第 3 條修訂)

## 9. 向委員會提供虛假資料的罪行

凡有人就任何人受僱擔任公職服務的申請或公職服務上的升級申請，或就委員會根據本條例有責任向行政長官提供意見的事項，故意向委員會、委員會主席或委員，或根據任何規例獲委任以協助委員會行使職能或履行職責的人或團體，提供

entitled to such remuneration and allowances as may from time to time be voted by the Legislative Council:

Provided that in the event of a temporary appointment under section 3(5) such appointee shall be entitled to such remuneration and allowances as the Chief Executive may approve not exceeding the scale of remuneration and allowances which would have been applicable had the appointment been made under section 3(1). (Amended 27 of 1974 s. 6)

- (2) The receipt by the Chairman or by any member of the Commission of any remuneration or allowance voted or otherwise provided for under subsection (1) shall not be deemed to cause the Chairman or any such member to be subject to the Public Service (Administration) Order or to government regulations.

(Amended 63 of 1999 s. 3)

## 8. Oath of Chairman and members

The Chairman and members of the Commission shall on first appointment, whether appointed under section 3(1) or (5), take an oath or make an affirmation, each according to his conscience, in the form in the Second Schedule, which shall be administered by a judge of the Court of First Instance.

(Amended 34 of 1968 s. 3; 27 of 1974 s. 6; 68 of 1975 s. 3; 63 of 1999 s. 3)

## 9. Offence of giving false information to Commission

Any person who in connexion with an application by any person for employment or promotion in the public service or with any matter upon which it is the duty of the Commission to advise the Chief Executive under this Ordinance, wilfully gives to the Commission or to the Chairman or a member thereof or to any

虛假的資料，不論其虛假的原因是有要項虛假或有要項遺漏，即屬犯罪，可處第 1 級罰款及監禁 2 年。

(由 1961 年第 32 號第 3 條修訂；由 1999 年第 63 號第 3 條修訂；  
編輯修訂——2021 年第 1 號編輯修訂紀錄)

#### 10. 委員會的報告及陳述書或其他通訊為享有特權的通訊

委員會在行使其職能或履行其職責時向香港政府、行政長官、政務司司長或政府部門首長提交的任何報告、陳述書或其他通訊均為享有特權的通訊，除非行政長官（由政務司司長親自簽署）同意，否則不得在任何法律訴訟程序中強制將其交出。

(由 1997 年第 362 號法律公告修訂；由 1999 年第 63 號第 3 條修訂)

#### 11. 主席及委員的保障

在針對委員會的主席及委員就其執行主席及委員職責時的任何作為或不作為的法律行動或訴訟中，該委員會主席及委員享有的保障及特權，與裁判官或太平紳士在執行其職務而行事時藉法律所享有的保障及特權相同。

(比照第 227 章第 VIII 部) [比照 1870 c. 105 s. 10 U.K.]

#### 12. 禁止向未獲授權的人發布及披露資料

- (1) 委員會的主席或委員或任何其他人士，未得行政長官（由政務司司長親自簽署）書面許可，不得就根據本條例或根據本條例訂立的規例而轉介委員會的事項，向任何未獲授

person or body of persons appointed by any regulation to assist the Commission in the exercise of its functions or the discharge of its duties, any information which is false by reason of the falsity of, or by reason of the omission of, a material particular, shall be guilty of an offence and shall be liable to a fine at level 1 and imprisonment for 2 years.

(Amended 32 of 1961 s. 3; 63 of 1999 s. 3; E.R. 1 of 2021)

#### 10. Reports and statements or other communications of Commission privileged

Any report, statement or other communication which the Commission may in the exercise of its functions or the discharge of its duties hereunder make to the Government of Hong Kong or to the Chief Executive or to the Chief Secretary for Administration or to the head of a department of Government shall be privileged in that its production may not be compelled in any legal proceedings unless the Chief Executive under the hand of the Chief Secretary for Administration consents to its production in such proceedings.

(Amended L.N. 362 of 1997; 63 of 1999 s. 3)

#### 11. Protection to Chairman and members

Any Chairman and any member of the Commission shall have such and the like protection and privileges in case of any action or suit brought against him for any act done or omitted to be done in the execution of his duty as is by law given to any magistrate or justice acting in the execution of his office.

(cf. Cap. 227 Part VIII) [cf. 1870 c. 105 s. 10 U.K.]

#### 12. Publication and disclosure of information to unauthorized persons prohibited

- (1) Neither the Chairman nor any member of the Commission nor any other person shall without the written permission of

權的人，發布或披露他在執行根據本條例或根據本條例訂立的規例所訂的職責的過程中所知悉的任何文件、通訊或資料的內容或部分內容，或在其執行職責的過程以外發布或披露該等內容；任何人明知而違反本條條文行事，即屬犯罪，可處第 1 級罰款及監禁 1 年。（由 1997 年第 362 號法律公告修訂；由 1999 年第 63 號第 3 條修訂）

- (2) 任何人如管有據他所知已在違反本條條文的情況下披露的資料，在並非為了根據本條例進行檢控的目的的情況下向任何其他人士發布或傳達該等資料，即屬犯罪，可處第 1 級罰款及監禁 1 年。

*(編輯修訂——2021 年第 1 號編輯修訂紀錄)*

### 13. 影響或企圖影響委員會的罪行

任何人並非在執行職責的過程中，親自或經由任何其他人士直接或間接以任何形式影響或企圖影響委員會或委員會的主席或任何委員的決定，即屬犯罪，可處第 2 級罰款及監禁 2 年：  
*(編輯修訂——2021 年第 1 號編輯修訂紀錄)*

但本條並不禁止——

- (a) 任何人將證明書或考績證書給予公職申請人或候選人，或應委員會的正式要求提供任何資料或協助；  
或

the Chief Executive under the hand of the Chief Secretary for Administration publish or disclose to any unauthorized person or otherwise than in the course of duty the contents or any part of the contents of any document, communication or information whatsoever which has come to his knowledge in the course of his duties under this Ordinance or under any regulation made thereunder in respect of any matters referred to the Commission under this Ordinance or any regulation made thereunder and any person who knowingly acts in contravention of the provisions of this section shall be guilty of an offence and shall be liable to a fine at level 1 and imprisonment for 1 year. *(Amended L.N. 362 of 1997; 63 of 1999 s. 3)*

- (2) If any person having possession of any information which to his knowledge has been disclosed in contravention of the provisions of this section publishes or communicates any such information to any other person otherwise than for the purpose of any prosecution under this Ordinance, he shall be guilty of an offence and shall be liable to a fine at level 1 and imprisonment for 1 year.

*(Amended E.R. 1 of 2021)*

### 13. Offence to influence or attempt to influence Commission

Every person who otherwise than in the course of his duty directly or indirectly by himself or by any other person in any manner whatsoever influences or attempts to influence any decision of the Commission or the Chairman or any member thereof shall be guilty of an offence and shall be liable to a fine at level 2 and imprisonment for 2 years: *(Amended E.R. 1 of 2021)*

Provided that nothing in this section shall prohibit—

- (a) any person from giving a certificate or testimonial to any applicant or candidate for any public office or from



- (b) 任何人員按照政府規例向委員會提交申述。(由 1974 年第 27 號第 7 條代替。由 1999 年第 63 號第 3 條修訂)

#### 14. 行政長官會同行政會議訂立規例的權力

- (1) 行政長官會同行政會議可藉規例訂定——(由 1999 年第 63 號第 3 條修訂)
- (a) 委員會(不論是否在下述團體及下述的人的協助下)就額外的職能及職責的履行;
  - (b) 委員會行使其職能及職責的時間、地點及方式;
  - (c) 由部門委員會、訂明的人及訂明類別的人,協助委員會執行其全部或任何職能及職責;
  - (d) 由委員會或(c)段所提述的部門委員會及所提述的人舉行考試,及為公務員或公職服務的候選人進行面試;
  - (e) 關乎下述事項的表格及費用:即向委員會提交的申請、由委員會發出的報告或通訊或任何其他憑藉或根據本條例而規定的事項;
  - (f) 根據第 6 條須予訂明的任何事項,及概括而言,本條例條文的施行。
- (2) 為免除疑問,特此聲明該等規例可規定,當提交政府的意見並非委員會的一致意見或並非主席與每名考慮該事項的委員的一致意見(視屬何情況而定)時,委員會着手處理的方式。(由 1974 年第 27 號第 8 條修訂)

supplying any information or assistance upon formal request made by the Commission; or

- (b) any officer from making representations to the Commission in accordance with government regulations. (Replaced 27 of 1974 s. 7. Amended 63 of 1999 s. 3)

#### 14. Power of Chief Executive in Council to make regulations

- (1) The Chief Executive in Council may by regulation provide for— (Amended 63 of 1999 s. 3)
- (a) the discharge by the Commission (whether or not with the assistance of such bodies and persons as are hereinafter mentioned) of additional functions and duties;
  - (b) the time, place and manner, when in which and how the Commission shall exercise its functions and duties; (Amended E.R. 1 of 2021)
  - (c) the Commission being assisted by departmental boards and by such other persons and classes of persons as may be prescribed in the performance of all or any of its functions and duties;
  - (d) the conduct of examinations and the interviewing of public servants or candidates for the public service by the Commission or by such boards and persons as are referred to in paragraph (c);
  - (e) forms and fees in connexion with applications to the Commission, reports or communications from the Commission or for any other matter required by or under this Ordinance;
  - (f) any matter which under section 6 requires to be prescribed and generally, the carrying out the provisions of this Ordinance.

**15. 保留條文**

本條例不得減損《基本法》賦給行政長官權力委任人員擔任公職服務的任何條文。

(由 1999 年第 63 號第 3 條代替)

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- (2) For the purpose of removing doubt it is hereby declared that such regulations may provide for the manner in which the Commission is to proceed in any case in which the advice tendered to Government is not the unanimous advice of the Commission or, as the case may be, of the Chairman and every member by whom the matter advised upon has been considered. (*Amended 27 of 1974 s. 8*)

**15. Saving**

Nothing in this Ordinance shall derogate from any provision of the Basic Law vesting in the Chief Executive the power of making appointments to the Public Service.

(*Replaced 63 of 1999 s. 3*)

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S1-1  
第 93 章

附表 1

First Schedule

S1-2  
Cap. 93

## 附表 1

[ 第 6(2)(e) 及 (3) 條 ]

### 指明職位

審計署署長 (由 1997 年第 362 號法律公告修訂)

廉政專員

副廉政專員

根據《廉政公署條例》(第 204 章) 第 8 條獲委任的人 (由 2003 年第 1 號第 3 條修訂)

(附表 1 由 1975 年第 68 號第 4 條增補。編輯修訂——2021 年第 1 號  
編輯修訂紀錄)

## First Schedule

[s. 6(2)(e) & (3)]

### Specified Offices

The Director of Audit

The Commissioner of the Independent Commission Against Corruption

The Deputy Commissioner of the Independent Commission Against Corruption

A person appointed under section 8 of the Independent Commission Against Corruption Ordinance (Cap. 204)

(First Schedule added 68 of 1975 s. 4. Amended E.R. 1 of 2021)

S2-1  
第 93 章

附表 2

Second Schedule

S2-2  
Cap. 93

## 附表 2

[ 第 8 條 ]

### 就職宣誓

(由 1968 年第 34 號第 5 條修訂；由 1975 年第 68 號第 4 條修訂)

本人 \_\_\_\_\_，既獲委任為公務員敍用委員會 主席，  
委員

{ 謹此宣誓 }  
{ 謹以至誠鄭重聲明及宣誓 }，本人定必本着不懼不偏、無  
袒無憎的精神，就根據《公務員敍用委員會條例》轉介予公務員敍用  
委員會的一切事項坦率地向香港政府提供本人的意見；又本人決不  
向未獲授權的人或在執行職責的過程以外，直接或間接洩露該等事  
項。

19 \_\_\_\_ 年 \_\_\_\_ 月 \_\_\_\_ 日 宣誓  
聲明。

.....  
監誓人 .....

(由 1979 年第 15 號第 7 條修訂)

## Second Schedule

[s. 8]

### Oath of Office

(Amended 34 of 1968 s. 5; 68 of 1975 s. 4)

I, \_\_\_\_\_, having been  
appointed to act as Chairman of the Public Service Commission,  
member

{ do swear }  
{ solemnly and sincerely declare and affirm } that I will freely and  
without fear or favour, affection or ill-will, give my counsel and advice to  
the Government of Hong Kong in connexion with all such matters as may  
be referred to the Public Service Commission under the Public Service  
Commission Ordinance, and that I will not directly or indirectly reveal  
any such matters to any unauthorized person or otherwise than in the  
course of duty.

Sworn this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.  
Declared

.....  
Before me,

.....  
(Amended 15 of 1979 s. 7)

S3-1  
第 93 章

附表 3

Third Schedule

S3-2  
Cap. 93**附表 3**

[ 第 6(2A) 及 (3) 條 ]

**指明團體**

項	團體	日期
1.	醫院管理局	1994 年 11 月 30 日
2.	職業訓練局	1991 年 7 月 31 日
3.	金融管理局 (由 1995 年第 336 號法律公 告增補)	1994 年 9 月 30 日

( 附表 3 由 1992 年第 69 號第 3 條增補 )

**Third Schedule**

[s. 6(2A) &amp; (3)]

**Specified Bodies**

Item	Body	Date
1.	Hospital Authority	30 November 1994
2.	Vocational Training Council	31 July 1991
3.	Monetary Authority ( <i>Added L.N. 336 of</i> <i>1995</i> )	30 September 1994

(Third Schedule added 69 of 1992 s. 3)