

16<sup>th</sup> September 1996

The Right Honourable Christopher Patten  
Governor of Hong Kong  
Government House  
Hong Kong

Dear Sir,

**Proposed Replacement of Existing Age Requirements  
by General Attributes Required of Candidates**

We have been invited by the Administration to advise, under Clause 1 (a) of our Terms of Reference, on its proposal to replace the existing age requirements for appointment to seven entry ranks with more general attributes required of candidates, while retaining the pay scales of the ranks concerned.

**BACKGROUND**

2. On 16<sup>th</sup> August 1994, Civil Service Branch (CSB) issued Circular Memorandum No. 51/94 asking Heads of Departments/Heads of Grades to replace existing age requirements for appointment purposes by general attributes required of candidates, unless the age requirements could be exceptionally justified, such as for health or safety reasons. A Private Member's Bill, the Equal Opportunities (Family Responsibility, Sexuality and Age) Bill, has also been recently introduced into the Legislative Council, making it unlawful for an employer to discriminate against a person on the ground of, inter alia, age at the time of recruitment.

Appendix E (Cont'd)

3. Among the ranks under the Commission's purview, the pay scales of the following seven ranks have in the past taken account of, inter alia, age requirement for appointment -

	<u>Rank</u>	<u>Pay Scale</u>	<u>Age Requirement</u>
(a)	Social Security Assistant	MPS 7-17	at least 21
(b)	Welfare Worker	MPS 7-17	at least 21
(c)	Assistant Census and Survey Officer	MPS 7-17	at least 21
(d)	Transport Inspector	MPS 9-19	at least 25
(e)	Labour Inspector II	MPS 9-21	at least 21
(f)	Tax Inspector II	MPS10-19	25-35
(g)	Land Executive	MPS15-33	25-35

4. Having reviewed the job requirements of the entry ranks and the attributes of successful applicants, the Heads of Departments concerned all proposed to replace age requirements by general attributes such as working experience, maturity, inter-personal and communication skills. The proposals concerning individual ranks are set out in Annex I. They further proposed that the existing pay scales should be retained, notwithstanding the removal of the age requirements.

**THE ADMINISTRATION'S PROPOSAL**

5. The Administration supports the proposals on the following grounds -

- (a) The proposals are consistent with Civil Service appointments policy;

- (b) There are no exceptional circumstances, such as for health and safety reasons, that would justify the retention of the age requirements;
- (c) Replacing the rigid "age" requirement by a more general "maturity" requirement should increase flexibility in recruitment and should provide a wider pool of suitable candidates; and
- (d) As the general attributes are determined having regard to the circumstances and job requirements of the individual ranks, the Administration considers that the use of attributes in lieu of age is more appropriate.

### IMPLICATIONS OF THE PROPOSAL

6. The Administration has conducted a review of the recruitment situation of the seven affected ranks. This review shows that -

- (a) All ranks except one have removed age requirements in their recruitment advertisements and yet have not experienced any significant upsurge in the number of young applicants. In many cases, the number of applicants not fulfilling the original age requirements is comparatively small, except for the Land Executive and Tax Inspector II ranks where the age requirements are more stringent.
- (b) Five ranks have stopped using age as a shortlisting criterion and have instead used general attributes such as maturity, interpersonal or communication skills and working experience as shortlisting criteria and/or selection criteria. None of them has

identified any particular difficulty in administering these criteria for selecting suitable candidates. In fact, some ranks have actually identified candidates who did not meet the original age requirements.

7. As set out in the Standing Commission's Report No. 23, age is one of the relevant factors in adjusting the minimum of a pay scale. Since the qualities behind the age requirements are determined having regard to the circumstances and job requirements of the ranks, the Administration considers it logical that these qualities should attract the same additional pay points as the original age requirements. It is also incumbent upon Government to remove age requirements from the entry requirements of civil service grades so as to eliminate any allegation of age discrimination.

8. As regards implications for other civil service grades, the Administration has examined the entry requirements and circumstances of other grades under the purview of the Standing Commission, and found that a number of grades have used working experience, particularly experience in the relevant fields, and other general attributes such as maturity, personality and interpersonal skills, as part of their entry requirements and the pay scales of these grades were determined having regard to such requirements. The Administration cannot find any other grades which require the general attributes mentioned for entry but do not have a corresponding adjustment in their pay scales. It is rather unlikely that a grade would have a legitimate claim for additional pay points on account of requiring such general attributes of its staff. Any change to entry requirements would have to be justified strictly on job requirements and operational needs.

### **IMPLEMENTATION**

9. The Administration has confirmed that upon the Commission's advice, age requirements will be formally removed from the entry requirements of the seven grades concerned. Furthermore, age will not be used as a shortlisting criterion, except where such a criterion can be fully justified. Instead, general attributes will be used.

**COMMISSION'S VIEWS AND RECOMMENDATIONS**

10. The proposal to remove the existing age requirements in the seven ranks to comply with the general policy of removing age discrimination in civil service was first submitted to the Standing Commission in 1995. Having exchanged views and observations between the Commission Secretariat and the Administration, and having regard to the findings of the Administration's research into the situation of other grades, we are satisfied that the proposal is sound in principle and will not give rise to claims for pay revision by other grades.

**CONCLUSION**

11. In conclusion, we support the Administration's proposal to replace the existing age requirements for appointment to the seven ranks of Social Security Assistant, Welfare Worker, Assistant Census and Survey Officer, Transport Inspector, Labour Inspector II, Tax Inspector II and Land Executive with more general attributes required of candidates, while retaining the pay scales of the ranks concerned.

Yours faithfully,

(Sidney Gordon)  
Chairman  
for and on behalf of  
Members of the Standing Commission  
on Civil Service Salaries and Conditions of Service

**Proposals on Replacement of the Existing Age Requirements by  
General Attributes Required of Candidates**

Rank	Department	Age Requirement	Factors taken into account in determining existing pay scale	Proposed general attributes for replacing age requirement
Social Security Assistant	Social Welfare Department	at least 21	(a) age requirement; and (b) the nature of job, i.e. paying home visits, working with street sleepers and attending to difficult clients in crisis situation, etc.	Candidates should be mature with good communication and interpersonal skills.
Welfare Worker	Social Welfare Department Housing Department	at least 21	(a) age requirement; and (b) the nature of job, i.e. the need to work irregular hours and the generally unpleasant nature of the duties.	Candidates should be mature with good communication and interpersonal skills
Assistant Census and Survey Officer	Census & Statistics Department	at least 21	(a) a mature character as a necessary attribute in conducting visits to households and establishments; and	Candidates should be mature.

Rank	Department	Age Requirement	Factors taken into account in determining existing pay scale	Proposed general attributes for replacing age requirement
			(b) the nature of job, i.e. to perform a substantial amount of outdoor work, to work irregular hours and the need to work independently.	
Transport Inspector	Transport Department	at least 25	<p>(a) age requirement;</p> <p>(b) possession of a driving licence; and</p> <p>(c) the nature of job, i.e. the need to work irregular hours and to undertake outdoor surveys and investigations involving frequent contacts with members of the public and transport operators.</p>	Candidates should be mature, experienced in handling people, and be able to carry out field work and produce survey reports independently.

## Annex I to Appendix E (Cont'd)

Rank	Department	Age Requirement	Factors taken into account in determining existing pay scale	Proposed general attributes for replacing age requirement
Labour Inspector II	Labour Department	at least 21	(a) age requirement; and (b) the nature of job, i.e. enforcement of regulations under the Factories and Industrial Under-takings Ordinance concerning the prohibition of child employment as well as hours of work and conditions of employment for women and young persons.	Candidates should be mature.
Tax Inspector II	Inland Revenue Department	25 - 35	(a) age and experience requirements; and (b) the nature of job i.e. the need to work irregular hours and work which calls for maturity, tact and patience as the	Candidates should be mature.



Rank	Department	Age Requirement	Factors taken into account in determining existing pay scale	Proposed general attributes for replacing age requirement
Land Executive	Lands Department	25 - 35	<p>necessary attributes in dealing with taxpayers, etc.</p> <p>(a) age requirement;</p> <p>(b) possession of a valid driving licence; and</p> <p>(c) job contents e.g. complexity, the requirement to work independently and the need to handle confrontational situations.</p>	Maturity, management and communication skills, human relation techniques, experience in handling people gained through work situations, and ability to work independently.