

**Bills Committee on
Employees Compensation Assistance (Amendment) Bill 2002**

LC Paper No. CB(2)2207/01-02(02)

**Late Notification of Technical Amendments at the
Committee Stage due to the Re-organisation of Policy Bureaux**

Introduction

This paper informs Members of the Administration's intention of giving late notification for moving certain technical Committee Stage Amendments to the Employees Compensation Assistance (Amendment) Bill 2002 (the Amendment Bill).

Re-organisation of Policy Bureaux under the Accountability System

2. As part of the introduction of the Accountability System, the Policy Bureaux will be re-organised. As a result, the Administration will make the necessary legislative amendments so as to transfer the respective statutory functions to the respective new principal officials. A Legislative Council Resolution to this effect is to be moved on 19 June 2002. Subject to the passage of the proposed Resolution, the statutory functions exercisable by the Secretary for Education and Manpower (SEM) would be transferred to one of the principal officials under the Accountability System with effect from 1 July 2002.

Committee Stage Amendments Consequential to the Re-organisation of Policy Bureaux

3. The Amendment Bill contains two clauses which make reference to SEM. Clause 1(2) provides that the Amendment Ordinance shall come into operation on a day to be appointed by SEM by notice published in the Gazette. Clause 29 adds a new section 45A which empowers SEM to amend Schedule 4 by notice published in the Gazette.

4. Subject to the completion of scrutiny by the Bills Committee of the Amendment Bill, we aim to resume the second reading of the Bill on 26 June 2002 so that the measures which seek to reform the Employees Compensation Assistance Scheme (including the adjustment of the levy rate) will come into effect on 1 July 2002.

5. However, those provisions of the Amendment Bill which repeal relevant provisions relating to insurer insolvency shall only come into operation upon the setting up of the Employees Compensation Insurers Insolvency Scheme to be operated by the insurance industry. The commencement of such provision will inevitably fall on a date after 1 July 2002. Therefore, a Committee Stage Amendment (CSA) to the Amendment Bill is required in order to enable the new principal official, who is to take over the policy portfolio in relation to the Employees Compensation Assistance Ordinance, to appoint the commencement date of these provisions.

6. Likewise, it is necessary to make a CSA to the proposed section 45A to allow the new principal official concerned to exercise the statutory function under the section.

Notification of CSAs

7. During the deliberation of the Bills Committee, we have undertaken to move a number of CSAs to the Amendment Bill apart from the two consequential CSAs mentioned in paragraphs 5 and 6. In accordance with Rule 57(2) of the Rules Of Procedure Of The Legislative Council, notice of amendments to a bill shall be given not less than 7 clear days before the day on which the bill is to be considered in committee. If the second reading of the Amendment Bill is to be resumed on 26 June 2002, the notice of moving the CSAs should be given on or before 17 June 2002.

8. While the Administration will observe the time limit in giving the notice of moving the other CSAs, we cannot finalise the two consequential CSAs before 19 June 2002 when the Legislative Council is to consider the legislative amendment on the transfer of statutory functions under the Accountability System.

9. In this connection, we would need to seek the leave of the President of the Legislative Council to move the two consequential CSAs mentioned in paragraphs 5 and 6 with a shorter notice period. The Administration would like to appeal for Members' support to our application for leave from the President in order to move the two consequential CSAs.