

立法會
Legislative Council

LC Paper No. CB(2)2281/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/PL/MP/1

Panel on Manpower

Minutes of meeting
held on Thursday, 24 April 2003 at 2:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon CHAN Kwok-keung (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Dr Hon LUI Ming-wah, JP
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon YEUNG Yiu-chung, BBS
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Hon Frederick FUNG Kin-kee

Members attending : Hon NG Leung-sing, JP
Hon Margaret NG

Members absent : Hon LAU Chin-shek, JP (Chairman)
Hon CHAN Yuen-han, JP
Hon Tommy CHEUNG Yu-yan, JP

Public Officers attending : Item III

Mr Stephen IP, GBS, JP
Secretary for Economic Development and Labour

Action

Mr Matthew CHEUNG Kin-chung, JP
Permanent Secretary for Economic Development and Labour
(Labour)

Mrs DO PANG Wai-yee
Principal Assistant Secretary for Economic Development
and Labour (Labour)

Mr Philip CHOK, JP
Deputy Secretary for Education and Manpower

Mr Ian WINGFIELD, GBS, JP
Law Officer (International Law)
Department of Justice

Ms Roxana CHENG
Senior Assistant Solicitor General
Department of Justice

Mr Simon PEH
Assistant Director of Immigration (Visa and Policies)

Mrs Jenny CHAN, JP
Assistant Commissioner for Labour (Employees' Rights and
Benefits)

Item IV

Mr Matthew CHEUNG Kin-chung, JP
Permanent Secretary for Economic Development and Labour
(Labour)

Mr TSANG Kin-woo, JP
Assistant Commissioner for Labour (Employment Services)

Mrs Jennie CHOR, JP
Assistant Commissioner for Labour (Labour Relations)

Item V

Mr Matthew CHEUNG Kin-chung, JP
Permanent Secretary for Economic Development and Labour
(Labour)

Action

Mr TSANG Kin-woo, JP
Assistant Commissioner for Labour (Employment Services)

Item VI

Mr Byron LAM
Principal Assistant Secretary for Education and Manpower
(Manpower Planning and Training)

Mr Gary AU
Assistant Secretary for Education and Manpower
(Manpower Planning and Training)

Mr M K WONG
Chief Industrial Training Officer
Vocational Training Council

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2) 1

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5
(for item III only)

Ms Dora WAI
Senior Assistant Secretary (2) 4

Action

I. Confirmation of minutes of previous meetings and matters arising
(LC Paper Nos. CB(2)1785/02-03 and CB(2)1787/02-03)

The minutes of the meetings held on 12 and 28 March 2003 were confirmed.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1783/02-03(01) and (02))

2. Members agreed that the next regular meeting originally scheduled for 15 May 2003 be re-scheduled to 6 May 2003 at 10:45 am to discuss the following items -

- (a) Severe Acute Respiratory Syndrome : Proposed relief measures on employment side; and

Action

- (b) Proposed withholding of the Factories and Industrial Undertakings (Medical Examinations) Regulation.

III. Review of the policy on foreign domestic helpers - proposal to impose a levy on employers of foreign domestic helpers

(LC Paper Nos. CB(2)1730/02-03(01), LS83/02-03, CB(2)1438/02-03(02), CB(2)1783/02-03(03) and (04), and the Legislative Council Brief (Ref: EDLB/LB/C/36/02))

3. Secretary for Economic Development and Labour (SEDL) briefed Members on the Administration's response to issues previously raised by Members and Assistant Legal Adviser 5 (ALA5) concerning the proposal to impose a levy on employers of foreign domestic helpers (FDHs) as set out in its paper (LC Paper No. CB(2)1730/02-03(01)). SEDL informed Members that judicial review was being sought by a group of members of the public on the legality of the levy proposal.

4. Miss Margaret NG said that the 1992 General Labour Importation Scheme (the General Scheme) had been in place before the introduction of the Employees Retraining Bill. According to the Administration, employers who imported workers under the General Scheme had been charged a levy as a contractual fee by the Government in consideration of the grant of a quota to employers for importing workers. The Administration's intention in making the levy statutory was to ensure that the levy collected could be channelled directly to the statutory fund specified for retraining of local workers.

5. Miss Margaret NG pointed out that paragraph 6 of the Legislative Council (LegCo) Brief on "Importation of Labour: The Way Forward" issued in 1996 provided in Annex A to the Administration's paper (LC Paper No. CB(2)1730/02-03(01)), which read "Applications from employers from any sector of industry will be processed on", had revealed that labour importation schemes had been designed for importing industrial workers rather than domestic helpers. In her view, the legislative intent of the Employees Retraining Ordinance (Cap. 423) (ERO) did not cover FDHs as imported foreign workers under a labour importation scheme. Apparently, it was a change to the original policy of not charging a levy from employers of FDHs. She questioned whether there had been adequate public consultation on such a fundamental change, and whether the Labour Advisory Board (LAB) had been consulted on the proposal, in particular the conditions for importation of FDHs set out in Annex B to the Administration's paper (LC Paper No. CB(2)1730/02-03(01)), before it was announced to the public.

6. SEDL said that section 14(3) of the ERO empowered the Chief Executive (CE) (CE) in Council to approve, from time to time, a labour importation scheme under the terms of which an employees retraining levy was payable by employers who imported workers under the scheme. Although importation of FDHs had not been designated as a labour importation scheme when the ERO was enacted, it should not prevent the

Action

inclusion of such importation under the ERO in the light of changing social and economic circumstances.

7. SEDL pointed out that the meaning of "industry" was very broad, which covered various trades and industries. Therefore, the Supplementary Labour Scheme (SLS) under the ERO was applicable to a great number of trades and industries. He also pointed out that there was not a standing requirement to consult LAB on each proposed labour importation scheme. For example, LAB had not been consulted on the Special Importation of Labour Scheme for the New Airport and Related Projects as the ground rules were similar to those of the General Scheme. As for SLS, LAB had been consulted because it would be involved in monitoring the Scheme and vetting applications.

8. Miss Margaret NG opined that the scope of application of section 14 of the ERO should be determined by its legislative intent rather than the apparent meaning of the provision. If in doubt, proper consultation should be conducted before the formulation and implementation of a proposal. In her view, LAB should be consulted on each proposal, including labour importation schemes, where there might be implications on local employment.

9. ALA5 said that section 14 of the ERO did not expressly provide for the scope of application in respect of a labour importation scheme approved by CE in Council for the purposes of this section. Therefore, it was not clear as to whether a labour importation scheme under the ERO should only be applicable to business and industrial sectors, or whether it should cover domestic purposes as well. Despite this, as a matter of principle of law, the powers conferred by an ordinance should be exercised reasonably and in good faith and upon lawful and relevant grounds of public interest in case of absence of an express provision. In determining how to exercise such powers, the policy intent of the legislation should be taken into due consideration.

10. Law Officer (International Law) of the Department of Justice (LO(IL), D of J) said that the definitions of "employer" and "employee" under the ERO imposed no requirement on the scope of application of a labour importation scheme approved by CE in Council for the purposes of the Ordinance. It might cater for commercial or domestic purposes.

11. Mr LEUNG Fu-wah said that he was a member of LAB between 1991 and 2000. According to his knowledge, LAB had not always been consulted on proposals relating to importation of labour. He recalled that the establishment of a fund financed by a levy imposed on employers of foreign workers for the purpose of providing training and retraining to local workers had been a political decision of the Administration in view of the pressure from the labour sector against the importation of labour. He did not consider that the Administration had the intention to impose a levy on employers of FDHs when the ERO was enacted in 1992. He questioned why the Administration had not imposed such a levy on FDH employers as soon as the Employees Retraining Board (ERB) had started offering retraining programmes for local domestic helpers (LDHs).

Action

12. Deputy Secretary for Education and Manpower said that he was unable to provide the answer as he had not yet assumed responsibility for labour and manpower matters when ERB first launched retraining programmes for LDHs. Nevertheless, he considered it an opportune time to introduce the levy proposal given the existing changing circumstances.

13. Mr LEUNG Fu-wah considered that LAB should be consulted on all proposals relating to labour matters. SEDL agreed to consider Mr LEUNG's views.

14. Dr LUI Ming-wah considered the proposal to impose a levy on employers of FDHs acceptable, given that it should be able to help reduce the increasing number of FDHs in Hong Kong and promote employment opportunities for LDHs. In his view, the more effective way to achieve the purposes was to reduce the level of minimum allowable wage (MAW) for FDHs.

15. In response to Mr Kenneth TING's enquiry, SEDL said that the MAW of FDHs was subject to annual review under a well-tried mechanism. There was no need to consult LAB on such reviews. Over the past three decades, there were altogether 18 revisions. Of these, only one had shown downward adjustment.

16. Mr Kenneth TING and Mr YEUNG Yiu-chung expressed support for the proposals to reduce the MAW of FDHs and to impose a levy on FDH employers. Mr YEUNG considered the proposed reduction in the MAW reasonable having regard to the level of prevailing monthly salary of university graduates which only stood at around \$6,000 to \$7,000. Mr YEUNG welcomed the proposed imposition of levy on employers of FDHs as he believed that the levy collected could enhance the training and retraining of LDHs.

17. Mr LEE Cheuk-yan opined that the designation of the importation of FDHs as a labour importation scheme under the ERO was in essence a policy change. It could be evidenced by the response given by the then Secretary for Education and Manpower to a question asked by Dr Hon Samuel WONG at the LegCo sitting on 28 June 1995. The then Secretary had pointed out that FDHs came under a separate scheme which was different from the labour importation scheme. Mr LEE considered that the Administration had consciously bypassed LegCo in the formulation of the levy proposal. In his view, LAB and LegCo should be consulted during the formulation process of the proposal.

18. SEDL pointed out that according to a manpower projection commissioned by the Administration, there would be some 136 000 low-skilled workers with low education attainment who were in need of training or retraining to help them enhance their employability. After a review of the policy on FDHs conducted in the context of the formulation of population policy, the Administration considered it reasonable that employers who enjoyed services offered by FDHs should shoulder the obligation of contributing towards the training and retraining of LDHs. Against this background, the Administration considered it appropriate to impose a levy payable by employers for the importation of FDHs under the ERO. He pointed out that a major consideration in

Action

formulating the levy proposal was the compliance with statutory requirements.

19. Noting that FDHs were imported on the basis of local demand with no quota set for such importation, Mr LEE Cheuk-yan did not agree with the Administration's argument that individual employers had to be given a quota under the ERO. He considered that such "quota" was in fact the approval given by the Administration on the number of FDHs an employer could import. In practice, there should be no upper ceiling for the total number of FDHs to be imported by an employer.

20. Ms Cyd HO expressed similar views of Mr LEE Cheuk-yan. She asked whether the Administration had ever announced to the public the quota for the importation of FDHs. She also asked whether there was a maximum number of FDHs that an employer would be allowed to import.

21. LO(IL), D of J said that there was a limit on the number of FDHs that an employer could import. Such limit was operated on the basis of the household income of individual employers who imported FDHs.

22. Assistant Director of Immigration (Visa and Policies) said that with effect from 1 April 2003, an employer must have a household income of no less than \$15,000 per month or assets of comparable amount for each FDH he employed. If an employer intended to employ two FDHs, he must have at least \$30,000 monthly household income or comparable assets and so on.

23. Ms Cyd HO opined that the household income requirement should be regarded as a condition for importation of FDHs rather than a quota for such importation. Mr LEUNG Yiu-chung shared the view of Ms HO, and asked whether the so-called "quota" was applicable to individual employers or the whole scheme.

24. Permanent Secretary for Economic Development and Labour (Labour) (PSL) said that before the enactment of the ERO, the levy had been introduced as a contractual fee charged by the Government in consideration of the grant of a quota to an employer for importing workers. Employers applying for FDHs would therefore be subject to a quota. When the Administration introduced the Employees Retraining Bill in 1992, the policy intention was to give a quota to each individual employer, i.e. the number of workers he could import. Thus, under the ERO, quota meant the number of FDHs an employer would be permitted to employ after satisfying the eligibility criteria set out in Annex B to the Administration's paper (LC Paper No. CB(2)1730/02-03(01)). He pointed out that there was no ceiling for the number of workers to be imported under SLS, and no such ceiling would be set for the importation of FDHs.

25. In response to Ms Cyd HO's enquiry on the definition of "quota", ALA5 said that from the legal perspective, the meaning of "quota" should be interpreted in the context of all relevant provisions in a piece of legislation. In the context of the ERO, the word "quota" was used in a relatively loose manner. The Ordinance did not specify whether a labour importation scheme was subject to a ceiling in respect of the number of workers to be imported, or whether the quota should apply to individual employers or

Action

the whole scheme.

26. Given that the policy of FDHs had been in place for nearly 30 years, Ms LI Fung-ying agreed that the time had come for a review of the policy. However, she criticised that the review had not been conducted in a comprehensive manner. She said that over 80% of the members of The Federation of Hong Kong and Kowloon Labour Unions were in support of the proposal to impose a levy on employers of FDHs. She suggested that the levy for the provision of training and retraining for local workers should be imposed on all employers who imported workers from outside Hong Kong, including employers who imported talents and professionals from the Mainland. SEDL agreed to consider Ms LI's views.

27. Miss Margaret NG said that in exercising its powers, the Administration should ensure that proper procedures were followed and the spirit of law was upheld. Where there was a change to the original legislative intent, comprehensive consultation should be carried out and the new policy should be put forward by way of legislative proposal.

28. Miss Margaret NG considered it a totally inappropriate approach for the Administration to announce the levy proposal to the public prior to discussing it with the Panel. Although there might be public support to implement the proposal, adequate consultation with stakeholders should not be omitted in particular where there was a major policy change. She asked whether the Administration was prepared to carry out a consultation exercise for the levy proposal, and, if the answer was in the positive, what would be the scope and basis of the consultation.

29. SEDL pointed out that the Administration had followed established procedures and upheld the spirit of law in the formulation of policies, including the levy proposal. He said that extensive consultation on the levy proposal had been carried out when conducting the review of the policy on FDHs. Views from relevant parties, such as associations of employers of FDHs, associations of migrant workers and local labour unions, had been carefully considered during the process. He added that whether the levy proposal was legally in order would be a matter for the court as judicial review proceedings for a case concerning the proposal were underway.

30. Ms Cyd HO gathered that according to the administrative regulations of the Census and Statistics Department (C&SD), a government bureau/department intending to implement a proposal that might affect over 1 000 persons should inform C&SD which should conduct a survey to collect the views of the affected parties on the proposal. She asked whether this procedure had been followed in the formulation of the levy proposal. The Deputy Chairman asked the Administration to provide a written response on this.

Adm

IV. Financial assistance to workers affected by atypical pneumonia
(LC Paper No. CB(2)1843/02-03(01))

31. Mr LEE Cheuk-yan considered that the package of relief measures to help the

Action

community tide over the difficulties arising from the outbreak of atypical pneumonia (AP) could not address the problem faced by workers who had been requested by their employers to take no pay leave or whose earnings had been reduced by reason of the disease. In his view, those who would benefit from the salaries tax rebate measure were not the ones who most needed the Government's assistance. He urged the Administration to consider his following proposal and provide financial assistance to unemployed and semi-unemployed workers, e.g. those who were on no pay leave by reason of AP, with a view to helping them tide over their financial difficulties during this critical period -

	Amount of financial assistance to be provided to each affected worker	Estimated cost of implementing this measure
Unemployed	\$5,000 per month (for a maximum of three months)	\$0.1 billion
Semi-unemployed	80% of the amount of reduced earnings (estimated to be around \$2,000 per month)	\$0.3 billion

32. PSL pointed out that the package of relief measures had been drawn up in a multi-pronged manner. In fact, those workers who were on no pay leave by reason of lower turnover of their companies due to the outbreak of AP were the target group to be assisted by the Government through the loan guarantee scheme (the Loan Scheme) announced under the package of relief measures. The arrangement was that a Government-guaranteed loan scheme with a commitment of 3.5 billion would be introduced to provide bridging finance to business establishments against the likelihood of closure or lay-offs. Under the Loan Scheme, each business establishment could borrow a maximum of \$1 million provided it could meet the relevant eligibility criteria.

33. PSL said that based on past records, catering establishments with 30 to 50 employees were facing more serious financial difficulties during the outbreak of AP. A loan of \$1 million would be able to help the employers of these establishments to make wage payments to their employees for three months. He believed that the Loan Scheme, together with other relief measures, such as waiver of rates payments, reduction of water and sewage charges as well as trade effluent surcharges, could effectively reduce the operating costs of these establishments and would in turn lower the chance of closures or lay-offs. With the various assistance provided to employers, the problem of no pay leave, non-payment or under-payment of wages on grounds of financial difficulties, should be greatly improved if the employers concerned were determined to carry on the business and retain their employees wholeheartedly.

34. PSL further pointed out that employers who had secured a loan under the Loan Scheme would be given a grace period of six months for repayment of the loan and the repayment period could be as long as 24 months. He also highlighted a special feature of the Loan Scheme that the amount of loan secured should only be used for making

Action

wage payments. Such payments should be made direct to the employees' bank accounts with a view to preventing possible abuse by employers. This had demonstrated that the Loan Scheme sought to provide the best possible protection to workers. He added that the hard times arising from the outbreak of AP had indeed provided a good opportunity for employers and employees to show their concern and care to each other.

35. Mr LEE Cheuk-yan considered that in view of the prevailing critical situation, time factor was important in the provision of skills enhancement training, with payment of \$4,000 training allowance for unemployed workers. He suggested that such training programmes should be launched immediately after funding approval had been sought from the Finance Committee on 16 May 2003. He also suggested that training programmes of a two-week module should be designed to allow greater flexibility for workers.

36. PSL said that the special two-month tailor-made skills enhancement training to be run by ERB would be provided to unemployed workers previously engaged in the catering, retail and tourism sectors. This would provide a good opportunity to these workers to upgrade their job skills in preparation for new challenges. The skills enhancement training would be provided in a mobile and flexible manner, and would be different from the traditional programmes offered by ERB. There would be 2 000 places for tourist guides, with key training components on languages and soft skills. Trainees of the skills enhancement training would be subject to an end-of-term assessment and 90% attendance requirement. The skills enhancement training programmes would be launched as soon as their curricula had been finalised and funding approval obtained.

Adm

37. Mr LEE Cheuk-yan requested the Administration to include its response to the following issues in the paper to be provided for the item "Severe Acute Respiratory Syndrome : Proposed relief measures on employment side" scheduled for discussion at the regular meeting in May 2003 -

- (a) the free cleaning service to the homes of needy elderly as proposed under the package of relief measures should be provided on a long term rather than an ad hoc basis;
- (b) the 3 000 temporary street cleaning posts proposed to be created in the Food and Environmental Hygiene Department should be under direct employment by the Department; and
- (c) the measures to help the unemployed and semi-unemployed, such as the provision of skills enhancement training, should be implemented immediately after funding approval had been sought from the Finance Committee.

38. Ms LI Fung-ying and Mr Andrew CHENG shared similar view of Mr LEE Cheuk-yan that the Government should provide more financial assistance to the unemployed. Ms LI urged the Administration to re-consider the proposal of The

Action

Federation of Hong Kong and Kowloon Labour Unions to establish a loan fund to cater for the needs of unemployed workers with a view to helping them tide over their financial predicament.

39. PSL responded that the Administration had given careful consideration to the proposed establishment of a loan fund for the unemployed. However, it was unable to pursue the proposal due to resource constraints. Indeed, the resources earmarked for addressing unemployment and under-employment of workers under circumstances related to AP, i.e. \$3.5 billion for the Loan Scheme and \$432 million for creation of new jobs and training places, accounted for nearly one-third of the package of relief measures which amounted to a total of \$11.8 billion.

40. Ms LI Fung-ying considered that to better protect the rights and benefits of workers and to reduce the chance of labour disputes, the Administration should provide clear guidelines for the reference of employers and employees on arrangements for taking no pay leave, reduction of wages as well as termination of employment under circumstances related to AP.

41. PSL pointed out that labour laws clearly provided that the taking of no pay leave and reduction of wage required mutual agreement between employers and employees. The guidelines on retrenchment and wage reduction issued by the Government in 1998 when there had also been high unemployment had been updated from time to time. The guidelines had been posted on the Labour Department (LD)'s webpage and had also been widely distributed to labour unions, district offices of LD and the Home Affairs Department, etc. In view of the latest development of the outbreak of AP, the relevant guidelines would be further updated and posted on LD's webpage in the following week. Information illustrating how to handle different cases would be presented in the format of frequently asked questions to facilitate public understanding. He suggested that employees who were unfairly treated by their employers might approach LD for assistance.

42. Mr Andrew CHENG learned that many pregnant employees, especially employees of the Hospital Authority (HA), were afraid of reporting to work for fear of contracting AP. He hoped that the Government and HA would take the lead to allow pregnant employees to take paid leave until the disease was under control.

43. PSL said that the Government had issued guidelines in this regard some two weeks ago. The Government would adopt a flexible and pragmatic approach in dealing with pregnant employees who expressed worry about AP infection at work. Depending on the wish of these employees, they might be arranged to stay away from frontline work or might even be allowed to discharge their duties at home if operationally feasible. If these employees preferred to take leave during the period, they would be allowed to first exhaust their annual leave balance, and upon exhaustion, advance leave would be granted to them. Any employees who encountered difficulties on this front might contact LD for advice and assistance.

Action

44. PSL learned that HA had worked out its own leave arrangements for its employees under circumstances related to AP. He understood that due to the tremendous workload arising from the fight against AP, employees of HA might not be able to take leave during this period for operational reasons. He agreed to further liaise with HA on the matter.

V. Employment training scheme for university graduates
(LC Paper No. CB(2)1783/02-03(06))

45. PSL briefed members on the Graduate Employment Training Scheme for university graduates (the GET Scheme) as set out in the Administration's paper. He said that the Administration intended to seek funding approval from the Finance Committee on 16 May 2003 for launching the GET Scheme in 2003-04.

46. Mr LEE Cheuk-yan enquired about the response of employers to the "One Company One Job" Campaign (the Campaign) launched in 2002. He also asked whether the Administration had conducted any assessment of the acceptability of employers towards the GET Scheme in the light of the response of the Campaign.

47. PSL said that the Administration did not have the overall number of employers who had participated in the Campaign since LD had not been responsible for following up job placements under the Campaign. Despite this, the Administration learned from the Hong Kong General Chamber of Commerce that its members had given a positive feedback about the Campaign.

48. PSL added that he had discussed the GET Scheme with the Small and Medium Enterprises Committee as well as some entrepreneurs who had business operations in the Pearl River Delta. Initial feedback from these parties about the Scheme was encouraging. They had indicated that they would be willing to employ university graduates if a monthly training allowance of \$2,000 for six months would be provided to them for each trainee they engaged. They would also consider offering long-term employment to the graduate trainees if the performance of the latter was satisfactory. He pointed out that the actual response to the GET Scheme would depend heavily on the economic climate in August 2003 when the Scheme would be launched.

49. Noting that there would be a monitoring mechanism to prevent abuses of the GET Scheme by employers, Ms LI Fung-ying asked whether additional measures would be put in place to better guard against exploitation of university graduates by employers.

50. PSL said that LD had acquired abundant experience in implementing employment programmes like the GET Scheme. On the other hand, the seven participating universities also possessed ample experience in arranging job placements for their graduates. In fact, these universities had well-established networks to canvass suitable vacancies based on the needs of their graduates. He, therefore, believed that the

Action

possibility of employers exploiting graduate trainees under the GET Scheme should be remote.

51. Mr Kenneth TING said that the Federation of Hong Kong Industries was in full support of the GET Scheme as members of the Federation considered that on-the-job training was the most effective way to enhance job-related skills and to broaden the horizons of trainees.

VI. Proposed amendments to the Apprenticeship Ordinance
(LC Paper No. CB(2)1783/02-03(07))

52. Principal Assistant Secretary for Education and Manpower (Manpower Planning and Training) (PAS (MP&T)) briefed members on the proposed amendments to the Apprenticeship Ordinance and the Apprenticeship Regulations as set out in the Administration's paper.

53. Ms LI Fung-ying noted that the minimum period required to be served by an apprentice in a designated trade would be reduced from three years to one year. She asked whether the Administration had assessed whether the proposed change would affect the training of an apprentice, and whether the Administration would make arrangements to align the duration of the complementary courses to that of the revised apprenticeship periods. In addition, she enquired whether the Administration would review the 43 designated trades having regard to the present day needs.

54. PAS (MP&T) pointed out that the required period of apprenticeship varied from trade to trade. The purpose of relaxing the minimum period of apprenticeship was to give flexibility to the Apprenticeship Scheme so as to facilitate more trades to participate in the Scheme. As the Vocational Training Council (VTC) would consult employers of different designated trades on the suitable duration of apprenticeship period for their trades, the quality of apprenticeship training would not be affected due to the relaxation.

55. PAS (MP&T) added that the list of 43 designated trades would be reviewed and updated from time to time by the Office of the Director of Apprenticeship. In fact, the Administration would add some new designated trades shortly after having regard to the latest market information.

56. Chief Industrial Training Officer of VTC said that VTC would design complementary courses for each of the designated trades of a duration not more than the apprenticeship periods required to be served by apprentices. Under normal circumstances, the situation where an apprentice was unable to complete the complementary courses before the completion of the respective apprenticeship training should not arise.

Action

VII. Any other business

57. There being no other business, the meeting ended at 4:35 pm.

Council Business Division 2
Legislative Council Secretariat
30 May 2003