

**Information on prosecution of wage offences
under the Employment Ordinance
(For the third quarter and first nine months of 2003)**

Introduction

Further to the information note on the prosecution of wage offences submitted to Members of the LegCo Panel on Manpower in July 2003, the Administration now provides an update on the prosecution figures for the third quarter as well as the first nine months of 2003.

Prosecution Figures

2. Figures on the summonses heard, convicted, dismissed or withdrawn for late payment or non-payment of wages under the Employment Ordinance in the third quarter of 2003, as compared with the same quarter in 2002, are as follows:

	2003 (Q3)	2002 (Q3)
Summonses heard	165	47
Summonses convicted	126	33
Summonses dismissed/ offered no evidence *	7	3
Summonses withdrawn	32	11

3. Figures for the first nine months of 2003 as compared with the same period in 2002 are as follows:

	2003 (first 9 months)	2002 (first 9 months)
Summonses heard	441	137
Summonses resulting in conviction	351	96
Summonses dismissed/ offered no evidence *	34	22
Summonses withdrawn	56	19

Note: * There were incidences in which the prosecution offered no evidence on summonses issued after the defendants took plea in court. The reasons generally included the employee withdrawing his willingness to testify in court or the defendant being declared insolvent or bankrupt.

Analysis

4. For the third quarter of 2003, the number of summonses resulting in conviction for late payment or non-payment of wages was 126. This represented a substantial 282 % increase over the corresponding period in 2002. For the first nine months of 2003, the number of successful convictions, at 351, amounted to a significant 266% increase over the same period last year, and far exceeded the full-year figure of 139 in 2002. The hefty increase in successful convictions shows that the Labour Department attaches great importance to tackling wage offences.

Labour Department
Economic Development and Labour Bureau
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