

**Information on prosecution of wage offences  
under the Employment Ordinance**

**Introduction**

Further to the information note on the prosecution of wage offences in 2002 submitted to Members of the LegCo Panel on Manpower in January 2003, the Administration now provides an update on the prosecution figures for the first quarter of 2003.

**Prosecutions in the first quarter of 2003**

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 Figures on the summonses heard, convicted, dismissed or withdrawn for late payment or non-payment of wages under the Employment Ordinance in the first quarter of 2003 as compared with the same quarter in 2002 are as follows:

	<b>2003 (Q1)</b>	<b>2002 (Q1)</b>
Summonses heard	104	61
Summonses convicted	93	50
Summonses dismissed/ offered no evidence *	0	6
Summonses withdrawn	11	5

Note: \* There were incidences in which the prosecution offered no evidence on summonses issued after the defendant took plea in court. Reasons generally included the employee withdrew his willingness to testify at court or the defendant was wound up or bankrupt.

3. For the first quarter of 2003, the number of summonses convicted for late payment or non-payment of wages was 93. The figures in paragraph 2 above demonstrate that our more intensive efforts in prosecuting wage offences have resulted in an 86% increase in convictions in the first quarter of 2003 as compared with the corresponding period in 2002.

4. During the period, two successful prosecution cases were worth mentioning. In one case, an employer who had paid his Indonesian domestic helper below the minimum allowable wage was fined \$22,000 in total. In another case, the Tin Wong Sea Food Restaurant in Tsing Yi was convicted and fined \$18,000 for defaulting payment of wages.

5. The Labour Department will continue to take out prosecution whenever there is sufficient evidence to establish a wage offence under the Employment Ordinance.