

立法會
Legislative Council

Ref : CB2/SS/2/04

LC Paper No. CB(2)584/04-05
(These minutes have been seen by
the Administration)

**Subcommittee on
Employees' Compensation Ordinance
(Amendment of Second Schedule) Order 2004 and
Occupational Safety and Health Ordinance
(Amendment of Schedule 2) Order 2004**

**Minutes of the first meeting
held on Wednesday, 22 December 2004 at 10:45 am
in Conference Room B of the Legislative Council Building**

Members present : Hon LEE Cheuk-yan (Chairman)
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon KWONG Chi-kin

Members absent : Dr Hon LUI Ming-wah, JP
Hon Bernard CHAN, JP
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, BBS, JP

Public Officers attending : Mrs Jenny CHAN
Assistant Commissioner for Labour
(Employees' Rights and Benefits)

Dr WAN Yuen-kong
Acting Occupational Health Consultant
Labour Department

Mrs Bernadette LAI
Senior Labour Officer (Compensation)
Labour Department

Ms Phyllis POON
Government Counsel
Department of Justice

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

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Raymond LAM
Senior Council Secretary (2)5

I. Election of Chairman

Mr LEE Cheuk-yan was elected Chairman of the Subcommittee.

II. Meeting with the Administration

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).
3. The Subcommittee requested the Administration -
 - (a) to review the drafting of the proposed item B12 of the Second Schedule to the Employees' Compensation Ordinance (ECO) and the proposed item 51 of Schedule 2 to the Occupational Safety and Health Ordinance (OSHO) to clearly reflect the Administration's intent of safeguarding the interests of the groups of employees referred to in paragraph 14 of the Administration's paper and its intent of covering workers engaged in handling live or uncooked poultry or birds, remains, residues or untreated products, but not cooked poultry;
 - (b) to consider amending the Chinese counterpart of "frequent" as "經常" in the proposed item B12 of the Second Schedule to ECO and the proposed item 51 of Schedule 2 to OSHO; and
 - (c) to explain whether avian influenza A viruses could be transmitted through undercooked poultry, for example, those with traces of residual blood.
4. In response to Mr KWONG Chi-kin, the Administration agreed to step up

publicity on the two Orders in question, in particular, how the prescribed employment period would work.

III. Date of next meeting

5. Members agreed that the next meeting would be held on 13 January 2005 at 10:45 am.
6. The meeting ended at 11:55 am.

Council Business Division 2
Legislative Council Secretariat
7 January 2005

**Proceedings of the meeting of the
Subcommittee on
Employees' Compensation Ordinance
(Amendment of Second Schedule) Order 2004 and
Occupational Safety and Health Ordinance
(Amendment of Schedule 2) Order 2004
on Wednesday, 22 December 2004 at 10:45 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 – 000213	Hon LEE Cheuk-yan Hon KWONG Chi-kin Hon Tommy CHEUNG	Election of Chairman	
000214 - 000740	Admin	Briefing on the Employees' Compensation Ordinance (ECO) (Amendment of Second Schedule) Order 2004 and Occupational Safety and Health Ordinance (OSHO) (Amendment of Schedule 2) Order 2004	
000741 - 003223	Hon Tommy CHEUNG Chairman Hon KWONG Chi-kin Admin	Interpretation of the expression "close and frequent"; whether the drafting of the proposed item B12 of the Second Schedule to ECO and the proposed item 51 of Schedule 2 to OSHO could reflect the Administration's intent of safeguarding the interests of the groups of employees referred to in paragraph 14 of the Administration's paper and its intent of covering workers engaged in handling live or uncooked poultry or birds, remains, residues or untreated products, but not cooked poultry; whether avian influenza A viruses could be transmitted through undercooked poultry.	Admin to provide a response on the drafting and whether avian influenza A viruses could be transmitted through undercooked poultry

Time marker	Speaker	Subject(s)	Action Required
003224 - 004312	Hon KWONG Chi-kin Chairman Hon Tommy CHEUNG Admin	Amending the Chinese counterpart of “frequent” as “經常” in the proposed item B12 of the Second Schedule to ECO and the proposed item 51 of Schedule 2 to OSHO;	Admin to consider the suggestion
004313 - 004625	Chairman Hon Tommy CHEUNG Hon KWONG Chi-kin Admin	Meaning of the prescribed employment period; publicity on the prescribed employment period	
004626 - 005639	Hon Tommy CHEUNG Hon KWONG Chi-kin Chairman Admin	Liability of employers in cases where an employee was employed by more than one employer during the prescribed employment period; impact of the proposed additions to the Second Schedule of ECO on employees’ compensation insurance premium	
005640 – 005954	Chairman Hon TSANG Yok-sing Hon KWONG Chi-kin	Date of next meeting	