

**立法會**  
**Legislative Council**

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LC Paper No. CB(2) 886/04-05  
(These minutes have been seen  
by the Administration)

**Panel on Manpower**

**Minutes of meeting**  
**held on Thursday, 20 January 2005 at 2:30 pm**  
**in Conference Room A of the Legislative Council Building**

**Members present** : Hon LAU Chin-shek, JP (Chairman)  
Hon KWONG Chi-kin (Deputy Chairman)  
Hon LEE Cheuk-yan  
Hon CHAN Yuen-han, JP  
Hon LEUNG Yiu-chung  
Hon Andrew CHENG Kar-foo  
Hon Abraham SHEK Lai-him, JP  
Hon LI Fung-ying, BBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Vincent FANG Kang, JP  
Hon WONG Kwok-hing, MH  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon LEUNG Kwok-hung

**Members absent** : Hon Albert HO Chun-yan  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Frederick FUNG Kin-kee, JP

**Public Officers attending** : Item I  
  
Prof Arthur K C LI  
Secretary for Education and Manpower  
  
Mrs Fanny LAW  
Permanent Secretary for Education and Manpower  
  
Mr Edward YAU  
Deputy Secretary for Education and Manpower

Item II

Mr Stephen IP  
Secretary for Economic Development and Labour

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

Mrs Jennie CHOR  
Deputy Commissioner for Labour (Labour Administration)

Mr K W TSANG  
Assistant Commissioner for Labour (Employment Services)

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

**Staff in attendance** : Mr Raymond LAM  
Senior Council Secretary (2) 5

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Members noted a letter dated 18 January 2005 from Mr Andrew CHENG and a reply dated 20 January 2005 from the Secretary for Economic Development and Manpower, which were tabled at the meeting.

*(Post-meeting note : The papers tabled at the meeting were circulated to members vide LC Paper No. CB(2)731/04-05 on 21 January 2005.)*

**I. Briefing by Secretary for Education and Manpower on the Chief Executive's 2005 Policy Address relating to manpower portfolio**  
(LC Paper No. CB(2)655/04-05(01))

2. At the invitation of the Chairman, Secretary for Education and Manpower (SEM) briefed members on the key policy initiatives of the Education and Manpower Bureau on manpower training and development in the 2005 Policy Agenda and the coming year, as set out in the Administration's paper.

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Project Yi Jin

3. Mr Andrew CHENG asked whether the Administration would, in view of the success of Project Yi Jin (PYJ), consider incorporating the non-academic elements of PYJ, such as training in communication skills, into the curriculum of secondary schools.
4. SEM responded that, having regard to the success of PYJ, the Administration had introduced the Yi Jin/Secondary Schools Collaboration Project, as a pilot scheme in 10 secondary schools in the 2004-05 academic year. The incorporation of the elements of PYJ into the curriculum of schools was being examined in the context of the proposed reform of the academic structure for senior secondary education and higher education.
5. Mr Andrew CHENG asked about the financial implications of incorporating the elements of PYJ into the curriculum of secondary schools before the implementation of the proposed reform of academic structure for senior secondary education and higher education.
6. SEM responded that, with the economy of scale resulting from the improved level of student enrolment, the Federation for Continuing Education in Tertiary Institutions had indicated that the course fee could be reduced from \$30,000 to \$28,000 in the 2005-06 academic year. The Administration would continue to explore with FCE whether the course fee for PYJ could be further reduced.

Establishment of a qualifications framework

7. Mr WONG Kwok-hing enquired about the progress of the establishment of Industry Training Advisory Committees (ITACs). He asked whether relevant experience would be recognised in the qualifications framework (QF) to be established.
8. SEM responded that ITACs had so far been formed in six industries. Deputy Secretary for Education and Manpower (DSEM) added that ITACs would mainly be involved in the development of Industry Training Specifications (ITSs) and formulation of the Recognition of Prior Learning (RPL) mechanism. The RPL mechanism would be developed on the basis of ITSs to recognise the skills, knowledge and relevant experience of workers so that they would not need to start from scratch when they pursued further training.
9. Mr WONG Kwok-hing asked why the Administration had entrusted the Hong Kong Council for Academic Accreditation (HKCAA) to administer the Qualifications Register (QR) before the introduction of the legislative amendments to HKCAA Ordinance (Cap. 1150).

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10. SEM responded that HKCAA had only been entrusted to administer QR on behalf of the Administration, whereas the legislative amendments to be introduced were related to empowering HKCAA to perform the quality assurance role under QF.

11. Mr LEUNG Yiu-chung said that in formulating the RPL mechanism, the Administration should have regard to the difficulties experienced in the registration assessment of Chinese medicine practitioners. Referring to paragraphs 7 and 8 of the Administration's paper, he asked about the quality assurance role of HKCAA under QF. He expressed concern that there might be a substantial increase in the study time and costs of students, if the quality required was high.

12. Permanent Secretary for Education and Manpower (PSEM) responded that there were representatives of employees in the relevant industries in ITACs. She added that HKCAA would be involved in the accreditation of training programmes but not individual employees.

Skills Upgrading Scheme

13. Ms LI Fung-ying said that the establishment of a QF would not enhance the quality of the workforce. She asked about the Administration's initiatives, such as those in training and continuing education, to address the problem of mismatch of human resources.

14. SEM responded that the Administration was aware of the problem and had launched the Skills Upgrading Scheme (SUS) to provide focussed skills training for in-service workers with lower education attainment to enhance their skills and competitiveness in the labour market. A survey conducted on SUS indicated that it was widely supported by both employers and employees.

15. Ms LI Fung-ying asked whether the eligibility for participation in SUS would be relaxed to cover the unemployed. She also asked whether in-service workers, the working hours of whom were long, could be provided with training leave for attending SUS programmes or other training courses.

16. SEM responded that SUS was mainly provided for in-service workers. The unemployed could take employees retraining courses.

Training opportunities for low-income workers

17. Miss CHAN Yuen-han asked whether there were measures, such as the offering of subsidy, to assist low income workers who could not afford to enrol in training courses and continued education. She said that some workers had not even received elementary education.

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18. PSEM responded that employees retraining courses were not restricted to the unemployed. Many of the courses were part-time courses and the fees would be waived if the income of an applicant was less than \$6,000 per month. She said that once the judicial review regarding the levy on employers of foreign domestic helpers (FDHs) was settled, more funds might be made available for training and retraining of workers.

Long working hours

19. Mr WONG Kwok-hing considered that long working hours had prevented some workers from undergoing training. He asked whether the Administration had any plans to review the long working hours of workers.

20. SEM responded that the subject matter was being studied by the Labour Department (LD).

Employees retraining

21. Mr LEUNG Yiu-chung said that the retraining programmes offered by the Employees Retraining Board (ERB) should be expanded to cover more employees.

22. SEM noted Mr LEUNG Yiu-chung's view. He said that the future funding for ERB would depend on factors such as the outcome of the judicial review regarding the levy on employers of FDHs.

23. Mr LEE Cheuk-yan said that employees retraining programmes should be extended to cover the youth. He considered that such programmes should be expanded without waiting for the outcome of the judicial review regarding the levy on employers of FDHs.

24. SEM responded that if the levy was used before the court case was concluded and if the appellants succeeded in the judicial review, the Administration might face the problem of having to return the funds used.

Training for non-engaged youth

25. Mr Vincent FANG said that most employers would provide time for employees to take training courses. Referring to paragraph 20(e) of the Administration's paper, he enquired about the training and employment programmes in the Mainland and the costs involved.

26. DSEM responded that the Task Force on Continuing Development and Employment-related Training for Youth (the Task Force) had invited the submission of creative proposals on training programmes which provided young people with the opportunity to undergo training in the Mainland. Such programmes were introduced in view of the increasingly close ties between the economy of Hong Kong and that of the

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Mainland. Among the \$50 million allocated for the work of the Task Force, \$40 million had been set aside for five programme areas and training in the Mainland was one of them as listed in paragraph 20 of the Administration's paper. So far, a number of proposals to engage youth through training in the Mainland had been received and some had been funded among the 11 items approved by the Task Force.

27. Mr Tommy CHEUNG said that although the Administration had allocated much resources in the training of the youth, the catering industry had been continuously facing the staff shortage problem and most young people were reluctant to join the industry. He asked whether reviews would be conducted to gather information on the percentage of trainees who were employed after graduation and the duration of such employment.

28. PSEM responded that the training programmes, which were intended for assisting non-engaged youth, would enhance their understanding of self and the demands of the workplace. She said that the Administration would rigorously review the effectiveness of the programmes. It was hoped that the programmes would change the attitude of non-engaged youth.

Continuing Education Fund

29. Mr LEE Cheuk-yan said that in the examination of the staff shortage problem, the catering industry might wish to review the long working hours of employees in the industry. He pointed out that it would be very difficult for employees to take training courses, if their working hours were too long. Noting that the number of applicants under the Continuing Education Fund (CEF) had grown from 63 000 to over 160 000 upon relaxation of the eligibility criteria to cover degree holders to be registered, he asked about the breakdown in terms of the education level of applicants under CEF. He asked how the Administration would encourage workers with low education attainment to register under CEF.

30. PSEM responded that as there was no quota under CEF, there was no question of employees with higher academic qualifications squeezing out workers with low education attainment. She said that since 2002, the Administration had done a lot in providing opportunities for low-skilled workers to upgrade themselves. There were opportunities for people with junior secondary education to further their studies up to the degree level. There were also opportunities for secondary five graduates to receive tertiary education.

31. DSEM added that SUS and employees retraining programmes, which had benefited more than 100 000 and 800 000 workers respectively, had successfully assisted workers with low education attainment.

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**II. Briefing by Secretary for Economic Development and Labour on the Chief Executive's 2005 Policy Address relating to labour portfolio**  
(LC Paper No. CB(2)655/04-05(02))

Extension of temporary jobs in the public sector

32. Referring to paragraph 2(a) and the Annex to the Administration's paper, Mr WONG Kwok-hing pointed out that about 1 900 temporary jobs in the public sector, which amounted to more than 10% of the total of 11 700 temporary jobs, would not be extended. He considered that the Administration should not take the lead to reduce jobs. He hoped that the Administration would extend all temporary jobs.

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33. Secretary for Economic Development and Labour (SEDL) responded that the Economic Development and Labour Bureau (EDLB) was involved in the job extension exercise as an overall coordinator. It was for individual departments/agencies concerned to decide whether or not to extend any of the jobs on the basis of their respective operational needs. He undertook to convey members' concerns to the relevant government departments.

34. Mr LEE Cheuk-yan requested the Administration to provide members with information on the distribution of the 1 900 temporary jobs which would not be extended. He said that many non-civil service contract staff of the Water Supplies Department had also expressed worries that their contracts would not be renewed.

35. Mr WONG Kwok-hing expressed concern that the temporary staff of the Hospital Authority (HA) had also expressed worries that their employment might not be extended. Miss CHAN Yuen-han considered that adequate resources should be provided for HA for the employment of temporary staff. Mr LEUNG Yiu-chung shared the same view.

Admin

36. PSL responded that to his knowledge, about 2 200 out of 2 400 temporary jobs under HA would be renewed. The reduction of about 200 temporary staff arose apparently from the actual manpower needs of HA. Nevertheless, he would raise the matter with HA.

Work Trial Scheme

37. Mr WONG Kwok-hing asked whether persons employed under the Work Trial Scheme (WTS) would receive any wage in addition to the allowance of \$4,500. He expressed concern that some employers might abuse WTS, if they were not required to make any form of payment under WTS.

38. SEDL responded that WTS was intended for enhancing the employability of job-seekers who had special difficulty in finding jobs. LD would pay the scheme participant an allowance of \$4,500 upon completing the work trial. The Administration

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was aware of the concern about possible abuse by employers and was considering proposals to prevent such abuse. One of the proposals was that if a participating organisation did not offer employment to a scheme participant after satisfactory completion of the work trial, no further participant would be provided to the participating organisation. Another proposal was that some form of allowance should be paid by participating organisations to scheme participants. He stressed that LD would carry out inspections on the work trials.

39. Mr LEUNG Yiu-chung asked how a participant of WTS would be compensated in the event of injury during work, given that there would be no employment relationship between the participant and the participating organisation.

Admin

40. SDEL responded that the Administration was considering requiring participating organisations to pay some form of allowance to scheme participants so that there would be an employment relationship. He said that the Administration would provide a paper setting out members' concerns and the Administration's response. PSL added that both accident insurance and public liability insurance would be taken out by LD.

Coordination of training schemes and programmes

41. Miss CHAN Yuen-han said that although the Administration had launched many training schemes and programmes, the unemployment problem still persisted. She considered that the crux of the problem was a lack of adequate jobs in the labour market. She added that there was a lack of coordination among training schemes and programmes.

42. SEDL noted the views of Miss CHAN Yuen-han. He said that the schemes and programmes launched to provide training and employment opportunities for the youth and the middle-aged unemployed had enhanced the employability of these people. Nevertheless, the Administration was willing to listen to views, if any, on the improvement of such programmes and schemes. He shared the view that adequate jobs had to be created to address the unemployment problem. The ultimate solution to the problem was the encouragement of more investment so that more jobs would be created.

Implications of Administration's policies on employment

43. Mr LEE Cheuk-yan said that the Chief Executive (CE) had stressed in his Policy Address 2005 that the prime consideration of his governance was the promotion of employment. He considered that the Administration should establish a mechanism to assess the employment implications of different policies being implemented by various bureaux and government departments. He added that the Administration should also review its procurement policy, such as whether uniforms for the disciplined services should be manufactured in Hong Kong, with a view to creating more jobs.



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Admin 44. SEDL responded that the creation of jobs required not only the efforts of EDLB but also many other bureaux. As CE had said that the promotion of employment would be a main objective, he believed that all bureaux would seek to achieve the objective. Nevertheless, he would convey Mr LEE's suggestions to the Economic and Employment Council.

Workers engaged in services outsourced by the Government

45. Ms LI Fung-ying said that there were complaints from some workers engaged in services contracted out by the Government being required to return part of their wages to employers. She asked whether the Administration would consider revising its policy that a tender offer for services contracted out by the Government would not be considered only when the tender had a total of three or more convictions under the relevant Ordinances within the 12-month period prior to the tender closing date.

46. SEDL responded that the Administration would not tolerate any acts requiring employees to return their wages. The Administration was drawing up standard provisions for the employment terms-related provisions in tender documents for outsourced service contracts. Procuring departments would also strengthen their monitoring of service contracts.

Issues relating to minimum wages and maximum working hours

47. Mr LEE Cheuk-yan asked whether public consultation would be conducted on the issues of minimum wage and maximum working hours.

48. SEDL responded that the issues of minimum wage and maximum working hours were being discussed by the Labour Advisory Board (LAB). As there were divided views on the issues, the issues had to be studied in detail. After LAB had reached conclusions on the issues, public consultation might be launched on the way forward.

49. Ms LI Fung-ying asked about the timetable for LAB's discussions on the subject of minimum wage. She asked how the Administration would proceed with the matter if LAB could not come to a conclusion on the issue. Mr Andrew CHENG considered that there should be a timetable for LAB's discussions on minimum wage and maximum working hours. He said that as the subject of minimum wage was more controversial, the subject of maximum working hours might be examined first. Mr LEUNG Kwok-hung said that the Administration should take the lead to introduce minimum wage and maximum working hours instead of referring the issues to LAB for discussion.

50. SEDL responded that LAB was the recognised and proven tripartite consultative mechanism for labour matters. There was no timetable for LAB's

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discussions on the subjects of minimum wage and maximum working hours. He considered it inappropriate to draw any premature conclusion on the discussions of LAB at this stage. He added that for security guards and bus drivers, their working hours should be considered in the context of public interest and public safety.

51. Mr LEUNG Kwok-hung said that LAB was only a rubber stamp and would not reach a conclusion on the subjects of minimum wage and maximum working hours. He considered that the introduction of maximum working hours would result in the creation of more jobs. The introduction of minimum wage would help protecting the income of workers, especially after maximum working hours were introduced.

52. SEDL disagreed that LAB, in which there were union representatives, was a rubber stamp. He pointed out that many controversial issues had been resolved by LAB through negotiation and compromises in the past.

53. Mr Tommy CHEUNG said that the catering industry disagreed with the establishment of a minimum wage and maximum working hours. He said that the existing wages of workers corresponded to their existing working hours. If their working hours were reduced, their wages should be adjusted correspondingly.

Proposed total smoking ban in workplaces and restaurants

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54. Mr Tommy CHEUNG said that the Administration should assess the impact of a total smoking ban in workplaces and restaurants on employment. He considered that the proposed ban would result in many employees in the catering industry losing their jobs. SEDL agreed to convey Mr CHEUNG's views to the Secretary for Health, Welfare and Food.

Youth Pre-employment Training Programme

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55. Referring to paragraph 3(d) of the Administration's paper, Mr Tommy CHEUNG asked about the length of employment of young persons who had secured employment after completing the Youth Pre-employment Training Programme. SEDL agreed to provide a written response.

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