



中華人民共和國香港特別行政區
Hong Kong Special Administrative Region of the People's Republic of China



立法會秘書處 法律事務部
LEGISLATIVE COUNCIL SECRETARIAT
LEGAL SERVICE DIVISION

來函編號 YOUR REF : LS/B/3/06-07

本函編號 OUR REF :

電話 TELEPHONE : 2877 5029

圖文傳真 FACSIMILE :

Miss Teresa Fong
Sr Labour Offr (Labour Relations Division)
Labour Department
12/F, Harbour Building
38 Pier Road
Central Hong Kong

By Fax (2545 2959) and By Post

14 February 2007

Dear Miss Fong,

Employment (Amendment) Bill 2006

You may recall that at the Bills Committee meeting held on 1 February 2007 the Administration was asked by some members to consider, inter alia, the following issues –

- (a) Whether there should be a ceiling placed on the amount of commission earned by an employee for the purpose of calculating his statutory entitlements under the Bill; and
- (b) Whether the mode of calculation of the statutory entitlements proposed in the Bill should be revised by taking the wages of the employee in the last month or the average of his wages during the last 12 months, whichever is higher.

I wonder if you could at this stage let me know the Administration's view on the application of Rule 57(4) of the Rules of Procedure of the Legislative Council, in particular, the requirements in relation to the scope, to the members' suggestions as in (a) and (b) above.

I look forward to your reply in bilingual form on or before on 26 February 2007.

Yours sincerely,

Kitty Cheng
Assistant Legal Adviser

c.c. LA
CCS(2)5