

立法會
Legislative Council

LC Paper No. CB(2)294/09-10
(These minutes have been seen
by the Administration)

Ref : CB2/BC/11/08

Bills Committee on Minimum Wage Bill

Minutes of meeting
held on Wednesday, 7 October 2009, at 9:00 am
in the Chamber of the Legislative Council Building

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon Paul CHAN Mo-po, MH, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEUNG Yiu-chung
Hon Miriam LAU Kin-ye, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, SBS, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Kin-por, JP
Hon Tanya CHAN
Dr Hon Priscilla LEUNG Mei-fun
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS
Hon WONG Yuk-man
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Dr Hon PAN Pey-chyou
Hon Paul TSE Wai-chun

- Members absent** : Hon LEE Cheuk-yan
Hon Abraham SHEK Lai-him, SBS, JP
Hon WONG Kwok-hing, MH
Hon LEUNG Kwok-hung
Hon CHIM Pui-chung
Dr Hon Samson TAM Wai-ho, JP
- Public Officers attending** : Mr Matthew CHEUNG Kin-chung, GBS, JP
Secretary for Labour and Welfare
- Mrs Cherry TSE LING Kit-ching, JP
Commissioner for Labour
- Mr Eamonn MORAN, JP
Law Draftsman
Department of Justice
- Mr Alan WONG Kwok-lun, JP
Deputy Commissioner for Labour (Labour Administration)
- Ms Zandra MOK Yee-tuen
Political Assistant to Secretary for Labour and Welfare
- Mr FONG Ngai
Assistant Commissioner for Labour (Policy Support and Strategic Planning)
- Miss Mabel LI Po-yi
Senior Labour Officer (Statutory Minimum Wage)
Labour Department
- Ms Amy CHAN Wing-yan
Senior Government Counsel
Department of Justice
- Attendance by invitation** : Individual
- Mr Albert WONG Shun-yee
Islands District Council member
- Minimum Wage Concern Group
- Mr CHAN Chung-yau
Social Assistant

Individual

Mr LUK Chung-hung
Yuen Long District Council member

Hong Kong Association for Democracy and People's Livelihood

Mr YUM Kwok-tung
District Chairman

The Hong Kong Federation of Trade Unions - Rights & Benefits
Committee

Miss Alice MAK Mei-kuen
Committee Member

Hong Kong Catering Industry Association

Mr Thomas WOO
Vice President

Chinese Cuisine Management Association

Mr Simon WONG Kit-lung
Vice Chairman

Hong Kong Institute of Human Resource Management

Mr WONG Kam-pui
President

The Law Society of Hong Kong

Mr Duncan Abate
Chairman, Employment Law Committee

The Parents' Association of Pre-School Handicapped Children

Mrs Julie LEE LAU Chu-lai
Vice Chairperson

Rehabilitation Alliance Hong Kong

Mr CHEUNG Kin-fai
Chairperson

Asian Migrants Coordinating Body

Ms Eni Lestari
Chairperson

Hong Kong Employers of Domestic Helpers Association

Mr Joseph LAW
Chairman

Individual

Mr Joseph YEUNG

Federation of Hong Kong Industries

Mr Stanley LAU
Deputy Chairman

Individual

Mr LEE Kam-wing

The Lion Rock Institute

Mr Peter WONG
Executive Director

United Filipinos in Hong Kong

Ms Dolores T Balladares
Chairperson

The Hong Kong Society for the Blind

Mrs Rachel Cartland
Chairman

Coalition of Service Providers for Ethnic Minorities in Hong Kong

Ms Cynthia Abdon Tellez
Secretary

Oxfam Hong Kong

Ms WONG Shek-hung
Advocacy Officer

The Hong Kong Council of Social Service

Mr KUO Chun-chuen
Rehabilitation Chief Officer

Association of Restaurant Managers

Mr LO Ho-wan
Chairman

Coalition for Migrants Rights

Miss Sumiati
Chairperson

Indonesian Migrant Workers Union

Miss Luluh Respati
Representative

Filipino Domestic Workers' Union

Miss Mary Jane Florendo
Administrative Secretary

Asian Migrant Centre

Mr Rex Varona
Executive Director

Filipino Community Services and Information Network

Mrs Lori Brunio
Chairperson

Hong Kong Joint Council for People with Disabilities

Ms Deborah WAN
Vice Chairperson

Hong Kong Federation of Restaurants & Related Trades

Mr LOCK Kwok-on
Chairman

Employers' Federation of Hong Kong/Hong Kong General
Chamber of Commerce

Mr Brian Renwick
Vice Chairman

Individual

Mr Raymond HO Man-kit
Sai Kung District Council member

Chao and Hak

Miss Catherine CHING
Managing Director

Hong Kong Catholic Commission for Labour Affairs

Miss LAW Pui-shan
Policy Research Officer

天主教爭取家庭工資聯盟

Mr TAM Wai-keung
Representative

天主教家庭工資關注組

Mr Dominic LEE Kin-yuen
Representative

Hong Kong Confederation of Trade Unions

Mr YIU Chung-yiu
Chairman of Hong Kong Confederation of Trade Unions Labour
Committee

Environmental Services Contractors Alliance (Hong Kong)

Miss Catherine YAN Sui-han
Convenor

Catering and Hotels Industries Employees General Union

Mr LEE Wan-lung
President

Civil Human Rights Front

Miss Jackie HUNG Ling-yu
Representative

Hong Kong Retail Management Association

Ms Lily CHAN
Representative

Thai Regional Alliance

Ms Bungon Tamasorn
Chairperson

Hong Kong Human Rights Monitor

Mr KWOK Hiu-chung
Education Officer

Caritas Community Centres - Working Group on Services
Relating Legislating Minimum Wage

Ms CHU Wai-ying
Convenor

「互助情生活易」小組

Mr AU YEUNG Kuen
Representative

Hong Kong Real Estate Agencies General Association

Mr LI Shun-hok
Chairman

Justice and Peace Commission of the Hong Kong Catholic Diocese

Miss YIP Po-lam
Project Officer

Concerning CSSA Review Alliance

Mr AU YEUNG Tat-chor
Community Organizer

Democratic Alliance for the Betterment and Progress of Hong Kong

Mr NGAN Man-yu
Policy Deputy Spokesperson

Hong Kong Women Workers' Association

Ms WU Mei-lin
Coordinator

Cleaning Workers Union

Ms LAW Wing-ka
Organizer

Women Cooperatives

Ms TAI Ying-ming
Exco-member

IUF - International Domestic Workers Network

Ms IP Pui-yu
Regional Coordinator for Domestic Workers' Campaign (Asia)

The Federation of Hong Kong and Kowloon Labour Unions

Mr LI Keung-tsang
Member of Rights Committee

Commodities Promotion and Retailing Employee General Union

Ms AU Sin-lai
Chairperson

Hong Kong Housing Management Employees Union

Mr LAW Tong-chun
Chairperson

Individual

Mr Andrew SHUEN Pak-man

Individual

Mr Hans Mahncke

Federation of Asian Domestic Workers' Unions in Hong Kong
Organizing Committee

Miss FUNG Ka-yan
Member

Hong Kong Domestic Workers General Union

Ms LI Mei-ling
Vice Chairman

Neighbourhood and Worker's Service Centre

Mr TAM Leung-ying
Labour Affairs Organizer

Unitarian Universalists Hong Kong

Ms Medeleine MOK
Vice President

Families for Domestic Workers

Ms Doris LEE
Representative

Hong Kong Buildings Management and Security Workers
General Union

Mr LI Cho-yiu
Committee Member

Hong Kong Blind Union

Mr WONG Chun-hang
Vice President

The British Chamber of Commerce in Hong Kong

Mr Tim Peirson-Smith
Chairman

The Forthright Caucus

Dr Fernando CHEUNG Chiu-hung
社長

Hong Kong Action

Ms Christine FONG
Convenor

Hong Kong Chamber of Professional Property Consultants
Limited

Mr LEE Chung-ming
Vice President

The Hong Kong Association of Property Management Companies

Mr Andrew LEE Chun-lai
Council Member

外傭僱主義工隊

Ms Kanris LEE
Member

Clerk in attendance : Mr Raymond LAM
Chief Council Secretary (2) 1

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Mrs Eleanor CHOW
Senior Council Secretary (2) 4

Miss Kiwi NG
Legislative Assistant (2) 1

Ms Camy YOONG
Clerical Assistant (2) 1

I. Meeting with deputations and the Administration

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee received oral representations from 71 organizations and individuals and a total of 89 written submissions. The Administration was requested to provide a written response to the views expressed by organizations and individuals.

3. The Bills Committee requested the Secretariat to prepare a summary of the views expressed by organizations and individuals.

II. Date of next meeting

4. The Bills Committee noted that the next meeting would be held on 13 October 2009 at 8:30 am.

5. Ms Emily LAU said that the meetings of the Bills Committee between November 2009 and January 2010 had been scheduled on Thursdays from 4:30 pm to 6:30 pm at which the Democratic Party would be holding caucus meetings. She requested the Bills Committee to consider rescheduling some of these meetings. The Chairman responded that members had agreed at the last meeting on a proposed meeting schedule between mid-October 2009 and January 2010 having regard to the availability of members and meeting rooms. The Bills Committee would take account of Ms LAU's concern when scheduling meetings subsequent to January 2010.

6. The meeting ended at 5:55 pm.

Council Business Division 2
Legislative Council Secretariat
17 November 2009

**Proceedings of meeting of the
Bills Committee on Minimum Wage Bill
on Wednesday, 7 October 2009, at 9:00 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000525	Chairman	Opening remarks	
000526 - 000838	Mr Albert WONG Shun-ye, Islands District Council member	Presentation of views (LC Paper No. CB(2)2571/08-09(01))	
000839 - 001013	Minimum Wage Concern Group	Presentation of views (LC Paper No. CB(2)2392/08-09(03))	
001014 - 001324	Mr LUK Chung-hung, Yuen Long District Council member	Presentation of views (LC Paper No. CB(2)2571/08-09(02))	
001325 - 001637	Hong Kong Association for Democracy and People's Livelihood	Presentation of views (LC Paper No. CB(2)2571/08-09(03))	
001638 - 001839	The Hong Kong Federation of Trade Unions - Rights & Benefits Committee	Presentation of views (LC Paper No. CB(2)2571/08-09(04))	
001840 - 002056	Hong Kong Catering Industry Association	Presentation of views (LC Paper No. CB(2)2571/08-09(05))	
002057 - 002415	Chinese Cuisine Management Association	Presentation of views (LC Paper No. CB(2)2571/08-09(06))	
002416 - 002725	Hong Kong Institute of Human Resource Management	Presentation of views (LC Paper No. CB(2)2571/08-09(07))	
002726 - 003016	The Law Society of Hong Kong	Presentation of views (LC Paper No. CB(2)2491/08-09(01))	
003017 - 003255	The Parents' Association of Pre-School Handicapped Children	Presentation of views (LC Paper No. CB(2)2571/08-09(08))	
003256 - 003607	Rehabilitation Alliance Hong Kong	Presentation of views (LC Paper No. CB(2)2571/08-09(09))	

Time marker	Speaker	Subject(s)	Action Required
003608 - 003919	Asian Migrants Coordinating Body	Presentation of views (LC Paper No. CB(2)2498/08-09(01))	
003920 - 004245	Hong Kong Employers of Domestic Helpers Association	Presentation of views (LC Paper No. CB(2)2498/08-09(02))	
004246 - 004620	Mr Joseph YEUNG	Presentation of views (LC Paper No. CB(2)2571/08-09(10))	
004621 - 005052	Federation of Hong Kong Industries	Presentation of views (LC Paper No. CB(2)2571/08-09(11))	
005053 - 005307	Mr LEE Kam-wing	Presentation of views (LC Paper No. CB(2)2571/08-09(12))	
005308 - 005617	The Lion Rock Institute	Presentation of views (LC Paper No. CB(2)2571/08-09(13))	
005618 - 005945	United Filipinos in Hong Kong	Presentation of views (LC Paper No. CB(2)2498/08-09(01))	
005946 - 010204	The Hong Kong Society for the Blind	Presentation of views (LC Paper No. CB(2)2571/08-09(15))	
010205 - 010445	Coalition of Service Providers for Ethnic Minorities in Hong Kong	Presentation of views (LC Paper No. CB(2)2571/08-09(16))	
010446 - 010735	Oxfam Hong Kong (Oxfam)	Presentation of views (LC Paper No. CB(2)2571/08-09(17))	
010736 - 011056	The Hong Kong Council of Social Service	Presentation of views (LC Paper No. CB(2)2571/08-09(18))	
011057 - 011146	Chairman	Discussion session for members and deputations	
011147 - 011731	Hon Tommy CHEUNG Chinese Cuisine Management Association Hong Kong Catering Industry Association Mr LEE Kam-wing	Whether the drawbacks brought about by the implementation of statutory minimum wage (SMW) would outweigh its benefits; comments on the survey conducted on less than 20 small and medium enterprises (SMEs) in the catering industry by Oxfam which indicated that wage constituted about 10% of the total operating costs; the	

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		adverse impact of SMW on the hair dressing industry	
011732 - 012341	Hon Ronny TONG The Hong Kong Society for the Blind (HKSB) Mr Albert WONG Shun-yee The Law Society of Hong Kong	The problems faced by HKSB upon the implementation of SMW; clarity of the definition of "hours worked" in clause 3 and its impact on the counting of hours worked of an employee who was on a business trip; criminal liability of employers who failed to record hours worked of high-paid employees	
012342 - 012930	Hon Albert HO Oxfam Hong Kong The Hong Kong Council of Social Service	Wage as a percentage of operating costs in the fast food industry; formula adopted by overseas countries in deriving an SMW rate which would sustain the basic living standard of a low-income worker and his family; the special arrangements for persons with disabilities (PWDs) proposed in the Bill	
012931 - 012951	Chairman	Speaking order	
012952 - 013256	Hon Jeffrey LAM Federation of Hong Kong Industries	Whether the time for receiving training and attending functions on behalf of a company and commuting to work should be counted as part of the hours worked	
013257 - 013606	Hon IP Wai-ming Oxfam Hong Kong The Hong Kong Federation of Trade Unions - Rights & Benefits Committee	Formula in deriving an SMW rate and the basket of measures adopted by overseas countries to ensure that low-income workers and their families could sustain the basic living standard; the proposed SMW rate for Hong Kong	
013607 - 014001	Hon WONG Sing-chi The Hong Kong Council of Social Service Oxfam Hong Kong	Mechanism for assessing the productivity of PWDs whose productivity was impaired by their disabilities; the setting up of a dedicated body to monitor the assessment mechanism; measures provided by the Administration to improve the working environment	

Time marker	Speaker	Subject(s)	Action Required
		of PWDs so as to improve their productivity; whether clause 23 which provided exceptions for certain acts under the Disability Discrimination Ordinance was necessary	
014002 - 014318	Hon Andrew LEUNG Hong Kong Catering Industry Association The Lion Rock Institute	Wage as a percentage of the total operating costs in the catering industry; impact of the implementation of SMW on unemployment	
014319 - 014655	Hon Miriam LAU Oxfam Hong Kong	Whether the findings of the Oxfam survey on SMEs were representative; whether Oxfam had assessed the impact of the implementation of SMW on unemployment in the catering industry	
014656 - 015013	Hon WONG Ting-kwong Oxfam Hong Kong	Whether the SMW rate, if set at \$33/hour as suggested by some deputations, would attract recipients of the Comprehensive Social Security Assistance (CSSA) to enter into employment	
015014 - 015321	Hon IP Kwok-him United Filipinos in Hong Kong	Whether the minimum allowable wage (MAW) prescribed for foreign domestic helpers (FDHs) could sustain the basic living standard of their families in the Philippines	
015322 - 015413	Chairman	Speaking order	
015414 - 015455	The Parents' Association of Pre-School Handicapped Children	Measures to minimize the adverse effect of SMW on the employment opportunities of PWDs	
015456 - 015615	The Hong Kong Society for the Blind	Mechanism for assessing the productivity of PWDs	
015616 - 015747	Mr LEE Kam-wing	Whether Oxfam, being a non-profitable organization, would understand the difficulties in running a business; adverse impact of the implementation of SMW on	

Time marker	Speaker	Subject(s)	Action Required
		employment, especially the vulnerable groups in Hong Kong	
015748 - 015907	Hong Kong Institute of Human Resource Management	Definition of "hours worked" in clause 3; counting of hours worked of an employee who was on a business trip; the need to exempt high-income employees from the keeping of records on the total number of hours worked so as to reduce the administrative costs	
015908 - 020013	Federation of Hong Kong Industries	Exclusion of apprentices from the Bill	
020014 - 020049	Chairman	Closing remarks	
BREAK			
020615 - 020847	Chairman	Opening remarks	
020848 - 021124	Association of Restaurant Manager	Presentation of views (LC Paper No. CB(2)2571/08-09(19))	
021125 - 021257	Coalition for Migrants Rights	Presentation of views (LC Paper No. CB(2)2571/08-09(20))	
021258 - 021509	Indonesian Migrant Workers' Union	Presentation of views (LC Paper No. CB(2)2571/08-09(20))	
021510 - 021628	Filipino Domestic Workers' Union	Presentation of views (LC Paper No. CB(2)2571/08-09(20))	
021629 - 021924	Asian Migrant Centre	Presentation of views (LC Paper No. CB(2)2571/08-09(20))	
021925 - 022236	Filipino Community Services and Information Network	Presentation of views (LC Paper No. CB(2)2571/08-09(20))	
022237 - 022536	Hong Kong Joint Council for People with Disabilities	Presentation of views (LC Paper No. CB(2)2571/08-09(21))	
022537 - 022903	Hong Kong Federation of Restaurants & Related Trades	Presentation of views (LC Paper No. CB(2)2571/08-09(22))	

Time marker	Speaker	Subject(s)	Action Required
022904 - 023155	Employers' Federation of Hong Kong/Hong Kong General Chamber of Commerce	Presentation of views of the Employers' Federation of Hong Kong and the Hong Kong General Chamber of Commerce (LC Paper No. CB(2)2571/08-09(23))	
023156 - 023521	Mr Raymond HO Man-kit, Sai Kung District Council member	Presentation of views (LC Paper No. CB(2)2571/08-09(24))	
023522 - 023729	Chao and Hak	Presentation of views	
023730 - 024025	Hong Kong Catholic Commission for Labour Affairs	Presentation of views (LC Paper No. CB(2)2571/08-09(27))	
024026 - 024315	天主教爭取家庭工資聯盟	Presentation of views (LC Paper No. CB(2)2571/08-09(28))	
024316 - 024609	天主教家庭工資關注組	Presentation of views (LC Paper No. CB(2)2571/08-09(29))	
024610 - 024928	Hong Kong Confederation of Trade Unions	Presentation of views (LC Paper No. CB(2)2571/08-09(30))	
024929 - 025350	Environmental Services Contractors Alliance (Hong Kong)	Presentation of views (LC Paper No. CB(2)2571/08-09(31))	
025351 - 025548	Catering and Hotels Industries Employees General Union	Presentation of views (LC Paper No. CB(2)2571/08-09(32))	
025549 - 025741	Hong Kong Retail Management Association	Presentation of views (LC Paper No. CB(2)2571/08-09(34))	
025742 - 030110	Thai Regional Alliance	Presentation of views (LC Paper No. CB(2)2498/08-09(01))	
030111 - 030352	Hong Kong Human Rights Monitor	Presentation of views (LC Paper No. CB(2)2571/08-09(36))	
030353 - 030700	Civil Human Rights Front	Presentation of views (LC Paper No. CB(2)2571/08-09(33))	

Time marker	Speaker	Subject(s)	Action Required
030701 - 030726	Chairman	Discussion session for members and deputations	
030727 - 031258	Hon Emily LAU Hong Kong Federation of Restaurants & Related Trades Catering and Hotels Industries Employees General Union	Operating environment of the catering industry; whether the wage level in the catering industry was too low at present; whether the increase in the wage level in the catering industry as a result of the implementation of SMW would lead to closure of SMEs; the need to impose statutory maximum working hours for workers in the catering industry	
031259 - 031827	Chairman Hon Wong Sing-chi Hong Kong Federation of Restaurants & Related Trades	Whether the implementation of SMW would lead to closure of SMEs in the catering industry; impact of the implementation of SMW on SMEs run by family members and on low-skill and low-income workers; measures to be introduced by the Government to improve the operating environment of the catering industry	
031828 - 032150	Chairman Dr Hon Lam Tai-fai Mr Raymond HO Man-kit, Sai Kung District Council member Civil Human Rights Front	Impact of the implementation of SMW on unemployment	
032151 - 032318	Chairman Dr Hon Lam Tai-fai Asian Migrant Centre	Whether including live-in domestic workers in the Bill would impact on their employment opportunities	
032319 - 032909	Chairman Dr Hon Leung Ka-lau Environmental Services Contractors Alliance (Hong Kong) Mr Raymond HO Man-kit, Sai Kung District Council member	Whether the implementation of SMW would lead to a reduction in job opportunities	

Time marker	Speaker	Subject(s)	Action Required
032910 - 033441	Chairman Hon Frederick FUNG Mr Raymond HO Man-kit, Sai Kung District Council member Employers' Federation of Hong Kong/Hong Kong General Chamber of Commerce	The impact of SMW and social enterprise on employment for low-skill and low-income workers; the impact of rent on business operation; the importance to set a reasonable SMW rate	
033442 - 034035	Chairman Hon Miriam LAU Hong Kong Confederation of Trade Unions Hong Kong Catholic Commission for Labour Affairs	Any assessment on the impact of an SMW rate, say at \$33/hour, on unemployment; what level of unemployment brought about by SMW was acceptable; how to strike a balance between tackling unemployment and protection for low-income workers	
034036 - 034540	Chairman Hon Wong Yuk-man	The need for implementing SMW and statutory maximum working hours to safeguard the basic living standard of low-income workers; the impact of rent on business operation	
034541 - 035114	Chairman Hon Wong Kwok-kin Environmental Services Contractors Alliance (Hong Kong)	The need for implementing SMW to prevent excessively low wages rather than alleviating poverty; negotiating power of cleaning workers on their wages; should live-in requirement be no longer mandatory for FDHs, their importation should be subject to the Supplementary Labour Scheme now applicable to other low-skilled imported workers	
035115 - 035619	Chairman Hon CHAN Kin-por Asian Migrant Centre	The need for implementing SMW to safeguard the basic living standard of low-income workers; difficulty in ascertaining the actual hours worked of FDHs; problems of not requiring FDHs to live in; whether the implementation of SMW would reduce the employment opportunities of FDHs; whether live-in domestic workers should be included in the Bill	

Time marker	Speaker	Subject(s)	Action Required
035620 - 040215	Chairman Hon Ip Wai-ming Hong Kong Federation of Restaurants & Related Trades	Measures to be introduced by the Government to improve the operating environment of business; rent as a percentage of the operating costs in the catering industry	
040216 - 040255	Chairman	Closing remarks	
LUNCH BREAK			
050205 - 050449	Chairman	Opening remarks	
050450 - 050809	Caritas Community Centres - Working Group on Services Relating Legislating Minimum Wage	Presentation of views (LC Paper No. CB(2)2571/08-09(37))	
050810 - 050937	「互助情生活易」 小組	Presentation of views (LC Paper No. CB(2)2571/08-09(38))	
050938 - 051248	Hong Kong Real Estate Agencies General Association	Presentation of views (LC Paper No. CB(2)2571/08-09(39))	
051249 - 051612	Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views (LC Paper No. CB(2)2571/08-09(43))	
051613 - 051924	Hong Kong Women Workers' Association	Presentation of views (LC Paper No. CB(2)2571/08-09(45))	
051925 - 052205	Cleaning Workers Union	Presentation of views (LC Paper No. CB(2)2571/08-09(46))	
052206 - 052519	Women Cooperatives	Presentation of views (LC Paper No. CB(2)2571/08-09(47))	
052520 - 052836	IUF - International Domestic Workers Network	Presentation of views (LC Paper No. CB(2)2571/08-09(48))	
052837 - 053152	The Federation of Hong Kong and Kowloon Labour Unions	Presentation of views (LC Paper No. CB(2)2571/08-09(50))	

Time marker	Speaker	Subject(s)	Action Required
053153 - 053246	Commodities Promotion and Retailing Employee General Union	Presentation of views (LC Paper No. CB(2)2571/08-09(50))	
053247 - 053400	Hong Kong Housing Management Employees Union	Presentation of views (LC Paper No. CB(2)2571/08-09(50))	
053401 - 053711	Mr Andrew SHUEN Pak-man	Presentation of views (LC Paper No. CB(2)2571/08-09(53))	
053712 - 054001	Mr Hans Mahncke	Presentation of views (LC Paper No. CB(2)2571/08-09(54))	
054002 - 054330	Federation of Asian Domestic Workers' Unions in Hong Kong Organizing Committee	Presentation of views (LC Paper No. CB(2)2571/08-09(55))	
054331 - 054627	Hong Kong Domestic Workers General Union	Presentation of views (LC Paper No. CB(2)2571/08-09(56))	
054628 - 054912	Neighbourhood and Worker's Service Centre	Presentation of views (LC Paper No. CB(2)2571/08-09(57))	
054913 - 055212	Unitarian Universalists Hong Kong	Presentation of views (LC Paper No. CB(2)2571/08-09(58))	
055213 - 055550	Justice and Peace Commission of the Hong Kong Catholic Diocese	Presentation of views (LC Paper No. CB(2)2571/08-09(40))	
055551 - 060114	Chairman Hon Emily LAU Mr Andrew SHUEN Pak-man IUF - International Domestic Workers Network Justice and Peace Commission of the Hong Kong Catholic Diocese	The need to strike a balance between protecting the interests of low-income workers and creating a favourable environment for doing business in Hong Kong; whether employers of FDHs could afford and should pay FDHs at the SMW rate	

Time marker	Speaker	Subject(s)	Action Required
060115 - 060652	Dr Hon PAN Pey-chyou Mr Andrew SHUEN Pak-man Justice and Peace Commission of the Hong Kong Catholic Diocese	Implementation of SMW in New Zealand; whether there was any co-relationship between SMW and the high unemployment rates of women and indigenous inhabitants in New Zealand; whether countries exporting FDHs also opened up their job market to the people of Hong Kong; whether restriction should be imposed on the importation of FDHs	
060653 - 061200	Hon Paul TSE Justice and Peace Commission of the Hong Kong Catholic Diocese Hong Kong Women Workers' Association	Whether different SMW rates should apply to different industries; whether it was acceptable to pay live-in FDHs the minimum monthly wage (\$4,200-\$4,800 as proposed by some deputations) computed on the basis of a minimum hourly wage rate, while paying workers of other industries at an hourly minimum wage rate	
061201 - 061800	Hon Cyd HO Neighbourhood and Worker's Service Centre Unitarian Universalists Hong Kong Justice and Peace Commission of the Hong Kong Catholic Diocese	How the in-kind benefits such as free food and free accommodation would be dealt with if live-in domestic workers were included in the Bill	
061801 - 062118	Chairman Concerning CSSA Review Alliance	Presentation of views (LC Paper No. CB(2)2571/08-09(41))	
062119 - 062646	Chairman Hon Miriam LAU Admin	Application of SMW on workers whose salaries were commission-based and fluctuated from month to month (e.g. real estate agents); Administration's clarification that the Bill had to apply to different trades and sectors alike and at the same time provided flexibility in respect of commission payment when determining whether the employee was paid not less than SMW	

Time marker	Speaker	Subject(s)	Action Required
062647 - 063242	Hon Cyd HO Mr Hans MAHNCKE IUF - International Domestic Workers Network	The need to impose maximum working hours for FDHs; how to count the actual hours worked of FDHs	
063243 - 063800	Hon Paul TSE Mr Andrew SHUEN Pak-man Mr Hans MAHNCKE	Whether the implementation of SMW was a reflection of Hong Kong changing from a free economy society to a socialist society	
063801 - 064315	Hon Albert HO Mr Andrew SHUEN Pak-man	Reasons for democratic countries putting an SMW regime in place; whether the absence of an SMW regime would result in exploitation of low-skill and low-income workers while forcing young people out of jobs	
064316 - 064918	Hon Frederick FUNG Hong Kong Real Estate Agencies General Association	How to reduce operating costs of businesses	
064919 - 064959	Chairman	Speaking order of deputations giving supplementary views	
065000 - 065106	Justice and Peace Commission of the Hong Kong Catholic Diocese	Inclusion of live-in domestic workers and statutory maximum working hours in the Bill	
065107 - 065236	Concerning CSSA Review Alliance	Whether the success of Hong Kong was due primarily to a free economy; whether unemployment was due to factors other than the implementation of SMW	
065237 - 065355	Mr Hans MAHNCKE	Whether all democratic countries were implementing an SMW regime; measures adopted by countries to complement the SMW regime	
065356 - 065502	The Federation of Hong Kong and Kowloon Labour Unions	Why SMW should be implemented	

Time marker	Speaker	Subject(s)	Action Required
065503 - 065606	Mr Andrew SHUEN Pak-man	Why SMW was not necessary	
065607 - 065719	Hong Kong Women Workers' Association	How the actual hours worked of FDHs could be counted	
065720 - 065824	Unitarian Universalists Hong Kong	Why SMW should be implemented	
065825 - 065944	Justice and Peace Commission of the Hong Kong Catholic Diocese Chairman	Why live-in domestic workers were excluded from the Bill; whether it was feasible to compute the in-kind benefits of live-in domestic workers	
BREAK			
070622 - 070846	Chairman	Opening remarks	
070847 - 071209	Families for Domestic Workers	Presentation of views (LC Paper No. CB(2)2571/08-09(59))	
071210 - 071519	Hong Kong Buildings Management and Security Workers General Union	Presentation of views (LC Paper No. CB(2)2571/08-09(60))	
071520 - 071826	Hong Kong Blind Union	Presentation of views (LC Paper Nos. CB(2)2571/08-09(62) and 2590/08-09(01))	
071827 - 072136	The British Chamber of Commerce in Hong Kong	Presentation of views (LC Paper No. CB(2)2571/08-09(63))	
072137 - 072457	The Forthright Caucus	Presentation of views (LC Paper No. CB(2)2571/08-09(64))	
072458 - 072811	Hong Kong Action	Presentation of views (LC Paper No. CB(2)2582/08-09(01))	
072812 - 073138	Hong Kong Chamber of Professional Property Consultants Limited	Presentation of views (LC Paper No. CB(2)2582/08-09(02))	
073139 - 073421	The Hong Kong Association of Property Management Companies	Presentation of views (LC Paper No. CB(2)2590/08-09(02))	

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073422 - 073755	外傭僱主義工隊	Presentation of views (LC Paper No. CB(2)2590/08-09(03))	
073756 - 073829	Chairman	Discussion session for members and deputations	
073830 - 073133	Hon Miriam LAU The British Chamber of Commerce in Hong Kong	The three different SMW levels for different age groups adopted by the United Kingdom	
073134 - 074541	Chairman Dr Hon Priscilla LEUNG Families for Domestic Workers	The threat of live-in FDHs seeking judicial review on their exclusion from the Bill; the need for the Administration, employers and FDHs to establish better communication to resolve differences	
074542 - 075115	Chairman Hon Emily LAU The Forthright Caucus	Background and merits of the preliminary proposal put forth by Forthright Caucus which suggested that the Administration should subsidize the difference if a PWD would be remunerated below the SMW rate after his productivity was assessed; whether the Administration would collect relevant statistics to ascertain the feasibility of such a proposal	
075116 - 075723	Chairman Hon Audrey EU The Forthright Caucus	Operation of Forthright Caucus's proposal, e.g. how the productivity of PWDs would be assessed and whether there would be a trial period of employment; whether the Minimum Wage Commission (MWC) would comprise representatives from the rehabilitation groups	
075724 - 080049	Chairman Hon Cyd HO The Forthright Caucus	Difference between a trial period and a probation period of employment; mechanism for assessing PWDs' productivity adopted by overseas countries; measures to improve the working environment of PWDs so as to improve their productivity; whether	

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		such measures should be financed by the Government or the employer by granting him tax concessions	
080050 - 080410	Hon Cyd HO Admin	Administration's clarification on the coverage of PWDs in the Bill; special arrangement for assessing the productivity of PWDs; the employer-employee relationship during the trial period of PWDs' employment; measures to encourage employment of PWDs; comments on Forthright Caucus's proposal for PWDs by relevant stakeholders	
080411 - 080910	Chairman Hon Alan LEONG 外傭僱主義工隊 The Forthright Caucus	Whether live-in FDHs should be paid a minimum monthly wage computed on the basis of the SMW rate; whether an avenue should be established to enable FDHs to negotiate with their employers on their minimum monthly wage; whether clause 23 provided sufficient safeguard to protect the interests of PWDs	
080911 - 081452	Chairman Hon Miriam LAU Admin	Whether the Administration would consider applying different SMW rates to different age groups; whether the Administration would consider excluding apprentices from the Bill; Administration's clarification that the Bill did not apply to apprentices registered under the Apprenticeship Ordinance	
081453 - 081941	Chairman Hon Andrew LEUNG Admin	The need for the Bill to provide a simple and user-friendly mechanism for assessing PWDs' productivity so as to motivate employers to hire PWDs; the need to exclude full-time students taking up summer jobs from the Bill; whether law graduates undergoing pupillage would be excluded from the Bill; Administration's clarification that whether a person was an employee engaged under a contract of employment was a	

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		mixed question of fact and law and each case had to be determined on its own facts and circumstances	
081942 - 082415	Chairman Hon Mrs Regina IP 外傭僱主義工隊	Whether employers could afford to pay live-in FDHs overtime and minimum monthly wage computed on the basis of the SMW rate if the standard working hours of live-in FDHs were set at eight hours a day	
082416 - 083019	Chairman Dr Hon Priscilla LEUNG Families for Domestic Workers	The need for employers and FDHs to resolve differences	
083020 - 085202	Chairman Admin Hon Miriam LAU Hon Emily LAU Dr Hon Priscilla LEUNG	<p>Response of the Administration to the views expressed by deputations -</p> <p>(a) the Bill sought to establish an optimal SMW regime which would maintain an appropriate balance between forestalling excessively low wages and minimizing the loss of low-paid jobs while sustaining the economic growth and competitiveness of Hong Kong;</p> <p>(b) various parts of the Bill were clarified; exclusion of registered apprentices; the definition of "hours worked" in clause 3 of the Bill and the counting of hours worked of an employee who was on a business trip; mechanism for assessing PWDs' productivity with the right to invoke such an assessment vested in the PWD rather than the employer; the need for recording the total number of hours worked of employees; and</p> <p>(c) major considerations for the exclusion of live-in domestic workers, both local and foreign, from the Bill were reiterated;</p>	

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		<p>the difficulty in recording actual hours worked of live-in domestic workers; protection of the rights and entitlements of FDHs under the existing arrangements</p> <p>Comments on Forthright Caucus' proposal for PWDs; risk of judicial review sought by FDHs for the exclusion of live-in domestic workers from the Bill</p> <p>The Administration was requested to provide a written response to the views expressed by deputations</p> <p>Preparation of summary of views expressed by organizations and individuals</p>	<p>Admin</p> <p>Clerk</p>
085203 - 085239	The British Chamber of Commerce in Hong Kong	The three SMW levels applied to different age groups in the United Kingdom	
085240 - 085426	Chairman Hon Emily LAU	<p>Closing remarks</p> <p>Date of next meeting</p> <p>Schedule of future meetings</p>	