



Elizabeth Lam

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To bc_61_08@legco.gov.hk

cc

bcc

Subject Minimum Wage Bill

Dear Sir/Madam,

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I have a question about Section 5 of the Bill:

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Section 5(1) states that "A deduction from the wages of an employee made under section 25(3) or 32(2)(b), (c), (d), (e), (f), (g), (h) or (i) of the Employment Ordinance in respect of any wage period **must be counted** as part of the wages payable in respect of that period".- Section 32(2)(e) of the Employment Ordinance refers to "deductions for the recovery of any advance or over-payment of wages made by the employer to the employee".

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However, under Section 5(3), "an advance or over-payment of wages made to an employee in any wage period must **not** be counted as part of the wages payable in respect of that period".

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Section 5(3) and 5(1) appear to be contradictory to each other.- Please clarify.

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Thanks and regards,
Elizabeth Lam