

立法會
Legislative Council

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From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 4 February 2009

**Proposed amendments to motion on
“Assisting grassroots workers in counteracting economic adversities”**

Further to LC Paper No. CB(3) 294/08-09 issued on 20 January 2009, four Members (Hon Frederick FUNG Kin-kee, Hon Vincent FANG Kang, Hon CHEUNG Kwok-che and Hon Albert HO Chun-yan) have respectively given notice of their intention to move separate amendments to Hon IP Wai-ming’s motion on “Assisting grassroots workers in counteracting economic adversities” scheduled for the Council meeting of 4 February 2009. As directed by the President, the respective proposed amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. To assist Members in debating the above motion and amendments, I set out below the procedure to be followed during the debate:

- (a) Hon IP Wai-ming moves his motion;
- (b) the President proposes the question on Hon IP Wai-ming’s motion, and orders a joint debate;
- (c) the President calls on the four Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Frederick FUNG Kin-kee;
 - (ii) Hon Vincent FANG Kang;

- (iii) Hon CHEUNG Kwok-che; and
- (iv) Hon Albert HO Chun-yan;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) joint debate on the motion and the amendments follows thereafter;
- (f) the President gives leave to Hon IP Wai-ming to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the four Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Frederick FUNG Kin-kee to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon Frederick FUNG Kin-kee's amendment;
- (i) after Hon Frederick FUNG Kin-kee's amendment has been voted upon, the President deals with the other three amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon IP Wai-ming to reply. Thereafter, the President puts to vote the question on Hon IP Wai-ming's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Assisting grassroots workers in counteracting economic adversities”
to be held at the Legislative Council meeting
of Wednesday, 4 February 2009**

1. Hon IP Wai-ming’s original motion

That the economic outlook for Hong Kong is not optimistic, employees lose their jobs as a result of economic slowdown and closure of enterprises, some enterprises use the financial tsunami as the pretext to effect pay cuts and layoffs even when they are making profits, resulting in an increase in the unemployment rate, and employees are the first ones to be hard hit, this Council calls on employers to undertake not to effect pay cuts and layoffs and urges the Government to:

- (a) immediately promote collective bargaining between employers and employees, formulate collective agreements, study overseas experience in implementing collective bargaining, as well as legislate on the right to collective bargaining on the central, trade and enterprise levels, so as to strive for employees a bargaining position which is on an equal footing with their employers;
- (b) subsidize the Mandatory Provident Fund contributions of low-income employees to relieve their burden;
- (c) improve the mode of developing social enterprises to allow more bodies and organizations to establish social enterprises;
- (d) promote local community culture economy in various districts, such as morning and night markets, holiday flea markets and art fairs, etc, to bring into play the local community culture and create employment opportunities;
- (e) allocate suitable spaces in various districts to set up commercial and household waste recycling points, so as to promote the transaction of second-hand products and recycling of wastes;
- (f) develop diversified industrial structures to create positions in more trades and at more levels; and
- (g) establish an unemployment assistance system with integrated measures of financial assistance, employment training, employment placement, etc, so as to obviate the need for the unemployed to apply for Comprehensive Social Security Assistance to tackle imminent financial problems.

2. Motion as amended by Hon Frederick FUNG Kin-kee

That *the latest unemployment rate has risen to 4.1%*, the economic outlook for Hong Kong is not optimistic, employees lose their jobs as a result of economic slowdown and closure of enterprises, some enterprises use the financial tsunami as the pretext to effect pay cuts and layoffs even when they are making profits, resulting in an increase in the unemployment rate, and employees are the first ones to be hard hit, this Council calls on employers to undertake not to effect pay cuts and layoffs and urges the Government to:

- (a) immediately promote collective bargaining between employers and employees, formulate collective agreements, study overseas experience in implementing collective bargaining, as well as legislate on the right to collective bargaining on the central, trade and enterprise levels, so as to strive for employees a bargaining position which is on an equal footing with their employers;
- (b) subsidize the Mandatory Provident Fund contributions of low-income employees to relieve their burden;
- (c) improve the mode of developing social enterprises to allow more bodies and organizations to establish social enterprises;
- (d) promote local community culture economy in various districts, such as morning and night markets, holiday flea markets and art fairs, etc, to bring into play the local community culture and create employment opportunities;
- (e) allocate suitable spaces in various districts to set up commercial and household waste recycling points, so as to promote the transaction of second-hand products and recycling of wastes;
- (f) develop diversified industrial structures to create positions in more trades and at more levels; ~~and~~
- (g) ~~establish an unemployment assistance system~~ ***a short-term unemployment financial assistance scheme*** with integrated measures of financial assistance, employment training, employment placement, etc, ~~so as to obviate the need for the unemployed to serve as a second safety net, so that unemployed persons who are not eligible to apply for Comprehensive Social Security Assistance to tackle~~ ***can still tackle their*** imminent financial problems; ~~and~~
- (h) ***expeditiously implement the recommendations made by the Legislative Council Subcommittee to Study the Subject of Combating Poverty in its Report on Working Poverty and the recommendations on issues concerning the unemployed and the working poor put forward in the Report of the Commission on Poverty.***

Note: Hon Frederick FUNG Kin-kee's amendment is marked in ***bold and italic type*** or with deletion line.

3. Motion as amended by Hon Vincent FANG Kang

That, *as the impact of the financial tsunami on the economy will gradually surface*, the economic outlook for Hong Kong is not optimistic, employees lose their jobs as a result of economic slowdown, *increasing difficulties in operating businesses* and *even* closure of enterprises, some enterprises use the financial tsunami as the pretext to effect pay cuts and layoffs even when they are making profits *at the present stage*, resulting in an increase in the unemployment rate, and employees are the first ones to be hard hit, this Council calls on employers to undertake *to make every effort* not to effect pay cuts and layoffs *so long as the business environment does not further deteriorate significantly* and urges the Government to:

- (a) ~~immediately promote collective bargaining between employers and employees, formulate collective agreements, study overseas experience in implementing collective bargaining, as well as legislate on the right to collective bargaining on the central, trade and enterprise levels, so as to strive for employees a bargaining position which is on an equal footing with their employers~~ *make reference to the practice of our country in boosting the economy and stimulating internal demand and, in accordance with this principle, distribute consumption vouchers to each Hong Kong citizen, so as to stimulate the local economy through promoting consumption, so that enterprises can continue their operations, thereby achieving the effects of protecting employment and assisting the grassroots;*
- (b) *study how to strengthen the existing mechanism for mediating labour disputes to reduce conflicts between employers and employees, thereby enabling both parties to focus their strengths on counteracting the financial tsunami together;*
- ~~(b)~~(c) subsidize the Mandatory Provident Fund contributions of low-income employees to relieve their burden;
- ~~(e)~~(d) improve the mode of developing social enterprises to allow more bodies and organizations to establish social enterprises;
- (e) *waive the licence fees of grassroots hawkers for one year to relieve their burden under the current economic predicament;*
- ~~(d)~~(f) *retain as far as possible all existing open-air bazaars and suspend temporarily the Voluntary Surrender Scheme for hawkers so that they can continue to earn a living and, according to market demand,* promote local

community culture economy in various districts, such as morning and night markets, holiday flea markets and art fairs, etc, to bring into play the local community culture and create employment opportunities;

- (e)(g) allocate suitable spaces in various districts to set up commercial and household waste recycling points, so as to promote the transaction of second-hand products and recycling of wastes;
- (f)(h) develop diversified industrial structures to create positions in more trades and at more levels; and
- (g)(i) establish an unemployment assistance system with integrated measures of financial assistance, employment training, employment placement, etc, so as to obviate the need for the unemployed to apply for Comprehensive Social Security Assistance to tackle imminent financial problems.

Note: Hon Vincent FANG Kang's amendment is marked in *bold and italic type* or with deletion line.

4. Motion as amended by Hon CHEUNG Kwok-che

That *as the unemployment rate has reached 4.1% and* the economic outlook for Hong Kong is not optimistic, employees lose their jobs as a result of economic slowdown and closure of enterprises, some enterprises use the financial tsunami as the pretext to effect pay cuts and layoffs even when they are making profits, ~~resulting in an increase in the unemployment rate,~~ and employees are the first ones to be hard hit, this Council calls on employers to undertake not to effect pay cuts and layoffs and urges the Government to:

- (a) immediately promote collective bargaining between employers and employees, formulate collective agreements, study overseas experience in implementing collective bargaining, as well as legislate on the right to collective bargaining on the central, trade and enterprise levels, so as to strive for employees a bargaining position which is on an equal footing with their employers;
- (b) subsidize the Mandatory Provident Fund contributions of low-income employees to relieve their burden; *pay the Mandatory Provident Fund contributions for employees with monthly earnings between \$5,000 and \$10,000 until the economy has recovered;*
- (c) improve the mode of developing social enterprises to allow more bodies and organizations to establish social enterprises;

- (d) promote local community culture economy in various districts, such as morning and night markets, holiday flea markets and art fairs, etc, to bring into play the local community culture and create employment opportunities;
- (e) allocate suitable spaces in various districts to set up commercial and household waste recycling points, so as to promote the transaction of second-hand products and recycling of wastes;
- (f) develop diversified industrial structures to create positions in more trades and at more levels; and
- (g) establish an unemployment assistance system with integrated measures of financial assistance, employment training, employment placement, etc, so as to obviate the need for the unemployed to apply for Comprehensive Social Security Assistance to tackle imminent financial problems.

Note: Hon CHEUNG Kwok-che's amendment is marked in *bold and italic type* or with deletion line.

5. Motion as amended by Hon Albert HO Chun-yan

That the economic outlook for Hong Kong is not optimistic, employees lose their jobs as a result of economic slowdown and closure of enterprises, some enterprises use the financial tsunami as the pretext to effect pay cuts and layoffs even when they are making profits, resulting in an increase in the unemployment rate, and employees are the first ones to be hard hit, this Council calls on employers to undertake not to effect pay cuts and layoffs and urges the Government to:

- (a) immediately promote collective bargaining between employers and employees, formulate collective agreements, study overseas experience in implementing collective bargaining, as well as legislate on the right to collective bargaining on the central, trade and enterprise levels, so as to strive for employees a bargaining position which is on an equal footing with their employers;
- (b) subsidize the Mandatory Provident Fund contributions of low-income employees to relieve their burden;
- (c) improve the mode of developing social enterprises to allow more bodies and organizations to establish social enterprises;
- (d) promote local community culture economy in various districts, such as morning and night markets, holiday flea markets and art fairs, etc, to bring into play the local community culture and create employment opportunities;

- (e) allocate suitable spaces in various districts to set up commercial and household waste recycling points, so as to promote the transaction of second-hand products and recycling of wastes;
- (f) develop diversified industrial structures to create positions in more trades and at more levels; ~~and~~
- (g) establish an unemployment assistance system with integrated measures of financial assistance, employment training, employment placement, etc, so as to obviate the need for the unemployed to apply for Comprehensive Social Security Assistance to tackle imminent financial problems;
- (h) provide subsidies to employers to encourage them to employ secondary school students graduating this year as trainees, so as to help the graduates enter the labour market; and***
- (i) study the employment situation of graduates of the Employees Retraining Board and enhance the employment counselling service, so as to increase the success rate of trainees in securing employment and help those with low skills and low educational attainment to re-enter the employment market.***

Note: Hon Albert Ho Chun-yan's amendment is marked in ***bold and italic type*** or with deletion line.