

立法會
Legislative Council

LC Paper No. AS 141/10-11

Ref : AM 12/01/19 (08-12)

**Subcommittee on Members' Remuneration and
Operating Expenses Reimbursement**

**Minutes of meeting
held on Tuesday, 14 September 2010 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Emily LAU Wai-hing, JP (Chairman)
Hon CHEUNG Man-kwong
Hon Abraham SHEK Lai-him, SBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Prof Hon Patrick LAU Sau-shing, SBS, JP

Members absent : Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP

Clerk in attendance : Mr Andy LAU
Principal Council Secretary (Administration)

Staff in attendance : Ms Pauline NG
Secretary General

Mr Joseph KWONG
Accountant

Ms Macy NG
Senior Council Secretary (Special Duties)² (Atg)

Ms Ivy CHENG
Research Officer 6

I. Confirmation of minutes of meeting on 25 June 2009 and matters arising

[LC Paper No. AS 321/09-10]

The minutes of the last meeting held on 25 June 2009 were confirmed.

2. Mr Ronny TONG remarked that efforts should be made to avoid scheduling two meetings within the same time slot.

II. Report on the Survey on Members' Operating Expenses Reimbursement

[LC Paper Nos. AS 307/09-10 and AS 322/09-10]

3. With the aid of PowerPoint, the Clerk briefed members on the salient points of LC Paper No. AS 307/09-10 on the statistics on the utilization of Members' operating expenses reimbursement ("OER").

4. The Clerk also briefed members on the Report on the Survey on Members' OER as set out in LC Paper No. AS 322/09-10 ("the Report"). He said that at its first meeting held on 18 November 2008, the Subcommittee agreed that as a first step, a survey should be conducted to assess the amount of resources required for employing and retaining a team of good quality staff to support the work of Members. This was additional to the regular survey on the utilization of OER conducted on an annual basis by the Legislative Council ("LegCo") Secretariat. In late January/early February 2009, 25 re-elected Members, representing a mix of Members returned by geographical constituencies and functional constituencies were invited to complete a questionnaire vide LC Paper Nos. AS 157/08-09 and 161/08-09. Sixteen Members, including 7 Members returned by functional constituencies and 9 Members returned by geographical constituencies, completed the questionnaire by the deadline in March 2009, representing a response rate of 64%. In addition, 116 completed questionnaires on job conditions were received from the staff of these 16 Members.

5. The Clerk then highlighted the findings relating to the nature of work undertaken by these 16 Members' staff, the staffing complement, the academic and working background of these staff,

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their remuneration package and the aspirations of these staff on their conditions of service and job satisfaction. The survey revealed that the number of staff required depended very much on the number of offices to be operated by each Member. The average number of offices operated by Members was 3, while the number of full-time staff to support each office was about 2.1.

6. The Clerk said that the Secretariat had conducted an analysis of the staffing requirements based on Members' views and the difficulties encountered by these Members in the engagement of staff. As the survey revealed that Members on average hired 6.3 full-time staff for running 3 offices including the central office, it was considered appropriate to work on the basis of 7 full-time staff per Member as the majority of Members had found their current staffing complement inadequate to support their work.

7. On the basis of the survey findings, the Secretariat had drawn up a proposal which set out the staffing complement and the computation of the salaries portion which should be included in the OER to enable LegCo Members to have the necessary resources to recruit and retain a team of good quality staff to assist them in carrying out their LegCo duties. The team comprised the following:

- (a) one staff member pitched at the rank of Executive Officer I ("EO I") with a starting salary of \$38,685 (i.e. Master Pay Scale ("MPS") 28) to head the central and district offices operated by a Member and to perform core LegCo duties;
- (b) two staff members pitched at the rank of EO II with a starting salary of \$20,950 (i.e. MPS 15) to work in the central or district offices to perform core LegCo duties and other LegCo-related duties; and
- (c) four staff members pitched at the rank of Assistant Clerical Officer with a starting salary of \$10,250 (i.e. MPS 3) to work in the central or district offices to perform mainly other LegCo-related duties.

8. The Clerk said that the grading of the proposed staffing complement and the levels of remuneration had been worked out having regard to the nature of work and level of responsibilities of

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the respective posts and the grading and levels of remuneration of those undertaking similar levels of responsibility in the civil service. To ensure continuity of service as well as to attract and retain a pool of high quality staff, end-of-service gratuity was proposed to be provided to full-time staff engaged by Members, similar to the arrangement in the civil service.

9. To effect the above, the Clerk said that the annual accountable component of the OER would need to be increased by about 31% from the current \$1,631,900 to \$2,140,388.

10. Members noted the submission from Councillors' Workers Association which was tabled at the meeting and issued to members vide LC Paper No. AS 333/09-10 on 17 September 2010.

11. Echoing Mr Ronny TONG, Mr CHEUNG Man-kwong supported the Secretariat's proposals in the Report but said that there remained a lack of a proper mechanism for recognizing the length of service of Members' personal assistants. He explained that with resources only allowing a minimal increase in salary each year, Members were unable to retain their staff members. After working for Members for a few years, Members' staff often switched to other better-paid jobs for coping with their growing financial needs in supporting their families. Members, therefore, had to hire and train new recruits in place of the vacancies left by experienced staff, resulting in their weakened capability in monitoring the performance of the Government. Mr CHEUNG requested that a mechanism be worked out and included in the Subcommittee's proposal to the Administration to recognize the number of years for which a Member's personal assistant had continuously served for the same Member. Mr CHEUNG said that reference could be made to the schools operating under the Direct Subsidy Scheme where teachers with long service were paid salaries at higher rates than their less experienced colleagues.

12. Mr WONG Ting-kwong opined that the work of a Legislative Councillor should be regarded as a public service for a fixed term of office and inevitably, the length of employment of a Member's personal assistant had to be tied to the term of a Member. Mr WONG pointed out that there was a lack of a standard in determining the levels of salary among Members' personal assistants. Secretary General said that from the findings of the Survey on Members' OER, there were variations in the pay level of Members'

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staff as Members faced different resource situations. She said that the approach of providing resources for Members in hiring personal assistants as proposed in the Report was based on the minimum entry qualifications required for the job of a Member's personal assistant. An objective for this approach was to provide flexibility so that Members might wish to employ very experienced people who were also familiar with the work of a Member's personal assistant but lacked formal qualifications such as a university degree.

13. Mr Abraham SHEK expressed his support for the proposals as set out in Report. He said that Hong Kong was in need of political talents as it was progressing towards universal suffrage for the election of LegCo Members. He said that remuneration package offered by the Government to its political assistants was attractive, and with more instances like this, more people with capabilities would be encouraged to start a career in politics. Indeed, people hoping to develop a career in politics should be sufficiently remunerated to meet their practical financial needs such as providing support for their families, despite the fact that they were strongly motivated by their passion for serving the public. Mr SHEK also pointed out that independent Members often relied on their personal assistants for the research support they needed. As such, sufficient resources should be provided to Members for the purpose.

14. Prof Patrick LAU supported the establishment of a system whereby Members could have a standard reference for Members in determining the pay of their personal assistants. He commented that in the last review of Members' OER, the Administration's approach in dealing with the Subcommittee's recommended increase in the provision of Members' resources was inappropriate and was not backed up by convincing rationale. He also pointed out that staff who provided public policy research were important to the work of Members. Mr Abraham SHEK shared Prof LAU's view and added that the Secretariat should study Members' resource needs for social policy research.

15. In addressing the resource needs of Members, the Chairman opined that Members should be given sufficient resources to hire people with capabilities in both Chinese and English writing which were skills Members generally needed. In addition, she suggested that the Secretariat should also study the feasibility of providing

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offices in public housing estates for use as district offices by Members from geographical constituencies.

16. In conclusion, the Chairman requested the Secretariat to look into the level of resources required for Members to operate district offices in order that comprehensive information of Members' funding requirements for Members' OER could be reflected to the Administration as early as possible. She also remarked that the new package of Members' remuneration should be made known to the potential candidates of LegCo well before the next round of election. As regards the revised level of OER, it should be implemented in the 2011-2012 legislative session.

17. Members also agreed that a meeting should be held to receive public views on Members' OER-related matters.

(Post meeting note: Invitations to the public and to Members' personal assistants for submission of views were made on 15 September 2010 and 16 September 2010, respectively. A Subcommittee meeting was scheduled for 4 October 2010 at 2:30 pm to receive public views.)

III. Any other business

18. There being no other business, the meeting ended at 3:28 pm.

Administration Division
Legislative Council Secretariat
February 2011