

立法會
Legislative Council

LC Paper No. AS 231/11-12

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

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

**Minutes of meeting
held on Tuesday, 14 February 2012 at 4:30 pm
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Emily LAU Wai-hing, JP (Chairman)
Hon CHEUNG Man-kwong
Hon WONG Ting-kwong, BBS, JP
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

Non-Subcommittee Member

Hon CHIM Pui-chung

Members absent : Hon LEE Cheuk-yan
Hon Abraham SHEK Lai-him, SBS, JP
Hon Ronny TONG Ka-wah, SC
Prof Hon Patrick LAU Sau-shing, SBS, JP

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

Staff in attendance : Ms Pauline NG
Secretary General

Mr Joseph KWONG
Accountant

Mr Michael YU
Head (Research) (Atg)

Ms Debbie YAU
Chief Council Secretary (Administration)

I. Review of Members' remuneration

LC Paper Nos. AS 103/11-12, AS 108/11-12 and AS 114/11-12

The Chairman referred to her letter addressing to all Members in respect of the review of Members' remuneration (AS 114/11-12 issued on 10 February 2012). She reiterated that a majority of Members urged for the introduction of a new mechanism for adjustment of Members' remuneration which, in some Members' view, should be pegged to that of a Director of Bureau (DoB). She noted that Members' assistants were very disappointed about the Administration's slow response to the Subcommittee's submission about the increase in the level of Members' Operating Expenses Reimbursement ("OER").

Review of the OER

2. Mrs Regina IP said that Members were mainly concerned about the early implementation of the proposed increase in OER so that quality staff could be sufficiently retained and deployed to assist Members to carry out their duties and serve the general public. She expressed concern that the focus seemed to have shifted to raising Members' own remuneration. Mr CHEUNG Man-kwong believed that there was no dispute among Members and within the community about revising the OER to enhance Members' services in their respective community.

3. The Chairman explained that the Subcommittee submitted its proposal to the Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the Hong Kong Special Administrative Region ("the Independent Commission") to increase the OER in March 2011 and expected that the revision could take effect as from 1 October 2011. However, the Administration indicated in December 2011 that the OER would be considered in the context of the total remuneration package for Members of the Fifth term Legislative Council ("LegCo"). The Chairman said that subject to Members' consent, she would write to the Independent Commission urging it to speed up the review of the OER for LegCo Members.

4. Mr IP Kwok-him reiterated his support for the proposed increase in OER to, among others, retain a team of quality and

experienced assistants to help discharge their LegCo duties. The Subcommittee had a duty to reflect any operational difficulties encountered by Members who had to maintain their services at a reasonable level.

Members' remuneration

5. Mr CHEUNG Man-kwong noted that despite the various viewpoints on Members' remuneration, Members in general agreed to the need for a long-term mechanism for determining LegCo Members' remuneration to save unnecessary arguments over the subject once every four years and to avoid giving the public an impression that there existed a conflict of interests amongst Members as they were deciding on their own remuneration package. He believed that a reasonable mechanism should be worked out which would be generally accepted by Members.

6. Mrs Regina IP agreed that a pay determination and adjustment mechanism for LegCo Members should be in place. While acknowledging the entirely different roles and responsibilities between Members and DoBs and they could not be compared directly, she however considered that the determination mechanism for Members' remuneration should be able to reflect the important role of the Legislature and the constitutional status of LegCo Members under the Basic Law.

7. Mr IP Kwok-him appreciated the study conducted by the Secretariat on the practices of some overseas parliaments in respect of their mechanism to set and adjust their legislators' remuneration. While agreeing that a mechanism should be in place to adjust Members' remuneration, he considered it more appropriate for the mechanism to "make reference to", rather than to "peg to", the remuneration of a DoB.

8. Mr CHEUNG Man-kwong however considered it sufficient to urge for the introduction of a mechanism for subsequent adjustments of Members' remuneration, without making reference to the remuneration of a DoB or any salary scale. In reply to Mr CHEUNG as to whether it was necessary to report back to the House Committee before a proposal was put to the Independent Commission for consideration, SG advised that it was only when the subcommittee had a specific proposal which required the support of the House Committee that a report to the House Committee was necessary. As

Action

the view of the Subcommittee that there should be a mechanism to determine and adjust Members' remuneration had already been included in the previous submission of the Subcommittee of the Third LegCo and was endorsed by the House Committee, there should not be any need to seek further endorsement by the House Committee.

9. Mr CHIM Pui-chung referred to his written views tabled at the meeting. He proposed that Members should be paid a basic monthly salary of about \$50,000 plus a variable sum of up to \$40,000 per month based on the number of meetings attended.

Conclusion

10. After deliberation, members agreed that the Subcommittee should not put forward any concrete proposal to the Independent Commission in respect of Members' remuneration. However, it would draw the attention of the Independent Commission that a proper mechanism should be in place for the purposes of determining and adjusting Members' remuneration which would be able to reflect the important role of the Legislature and the constitutional status of LegCo Members under the Basic Law. The Subcommittee agreed that a letter should be sent to the Independent Commission to reflect their views on Members' remuneration whilst urging it to complete its consideration of the Subcommittee's submission on the enhancement of the level of Members' OER expeditiously for retrospective implementation from 1 October 2011.

(Post-meeting note: The draft letter was circulated to members vide LC Paper AS122/11-12 on 16 February 2012. The letter was subsequently issued to the Independent Commission on 16 February 2012.)

II. Any other business

11. There being no other business, the meeting ended at 4:57 pm.