

立法會
Legislative Council

LC Paper No. LS89/11-12

**Legal Service Division Report on
Proposed Resolutions under the Employees' Compensation Ordinance,
the Pneumoconiosis and Mesothelioma (Compensation) Ordinance
and the Occupational Deafness (Compensation) Ordinance**

The Secretary for Labour and Welfare (the Secretary) has given the notices to move three motions at the Legislative Council meeting of 11 July 2012 respectively under section 48A of the Employees' Compensation Ordinance (Cap. 282), section 40 of the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360) and section 39(2) of the Occupational Deafness (Compensation) Ordinance (Cap. 469) (the Ordinances). The proposed resolutions seek to increase the amounts of 15 items of compensation/surcharge with effect from 21 July 2012.

2. Members may recall that the Secretary gave notices to move three motions at the Legislative Council meeting of 13 June 2012 under the same Ordinances to increase the amounts of 15 items of compensation/surcharge with effect from 14 July 2012. At the meeting of the House Committee held on 1 June 2012, the report of Legal Service Division on the proposed resolutions (LC Paper No. LS71/11-12) was considered. Members raised no objection to the Administration moving the proposed resolutions at the Council meeting of 13 June 2012. Members may wish to refer to the minutes of the meeting (LC Paper No. CB(2)2273/11-12). Due to unfinished business of the previous Council meetings, the proposed resolutions have not yet been moved at a Council meeting. The Secretary has now withdrawn the previous notices moving the three motions.

3. No difficulties in relation to the legal and drafting aspects of the proposed resolutions or the proposed amendments to be effected have been identified. The Legal Service Division has also compared the present proposed resolutions with the previous ones and notes that except that the effective date is deferred from 14 July 2012 to 21 July 2012, there is no change to the contents of the proposed resolutions.

4. For details of the proposed amendments and other background information, Members may wish to refer to the report made by Legal Service Division to the House Committee on 29 May 2012.

Prepared by

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