

DRAFT

**Report of
the Subcommittee on Members' Remuneration
and Operating Expenses Reimbursement
of the House Committee of the Legislative Council**

on the

**Review of Members' Remuneration
and Operating Expenses Reimbursement**

May 2015

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PART I – Introduction and Background

This Report sets out the findings of a review of the remuneration and operating expenses reimbursement ("OER") for Members of the Legislative Council ("LegCo") recently conducted by the Subcommittee on Members' Remuneration and Operating Expenses Reimbursement ("the Subcommittee"). The Subcommittee was formed by the House Committee in October 2012¹ to examine issues relating to the level of remuneration and OER for LegCo Members. The membership of the Subcommittee is in **Appendix I**.

2. It is an established practice for the remuneration package and expenses reimbursement arrangements for LegCo Members to be reviewed at least 1 year before the start of a new LegCo term. After the review, any proposals to change the level of remuneration and OER for Members of the new term will be put forward to the Administration for consideration by the Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the HKSAR ("the Independent Commission").

3. To ascertain whether any proposals to change the level of remuneration and OER for Members of the Sixth LegCo should be put forward to the Administration, the Subcommittee conducted a survey seeking views from all Members ("the survey"). The questionnaire for the survey is in **Appendix II**. Of the 70 Members, 41 responded to the survey. The findings of the survey are provided in Parts II and III of this Report.

4. In addition to Members' views collected through the questionnaire, the Councillors' Workers Association made a submission to all Members on 26 March 2015 expressing their views on issues relating to Members' OER. A copy of the submission is in **Appendix III**. In gist, the Association appeals for Members' support to provide information and views sought in the survey and to follow up the matter with the Administration with a view to striving for a reasonable remuneration package for Members' assistants.

¹ A subcommittee was set up under the House Committee in every term since the Second LegCo to study issues relating to Members' remuneration and OER.

PART II – Operating Expenses Reimbursement

(A) Nine outstanding proposals carried forward from the Fourth LegCo

5. In March 2011, the House Committee of the Fourth LegCo endorsed the report of the Subcommittee of the Fourth LegCo on the "Review of the Operating Expenses Reimbursement for Legislative Council Members" ("the previous Review Report"). The report was subsequently forwarded to the Administration for consideration by the Independent Commission. Some recommendations in the report were taken on board and reflected in the new rates of Members' remuneration and reimbursement ceilings for operating expenses effective from the Fifth LegCo. There are 9 proposals which the Administration did not support, which are summarized in **Appendix IV**. The Councillors' Workers Association appeals to Members to follow up these proposals. All the 41 Members who responded to the survey consider that these 9 proposals should continue to be pursued with the Administration. Details of these proposals will be further explained in the relevant parts of this Report.

(B) Office operation expenses reimbursement ("OOER") – staff expenses

Funds for meeting staff expenses

6. Under the reimbursement arrangement, the salary portion accounts for 70% (i.e. \$130,790 per month during the survey period in 2013-2014²) of OOER. Members may also deploy not more than 50% (i.e. \$7,984 per month) of the Entertainment and Travelling Expenses Reimbursement ("ETER") for employing staff. In other words, the total amount of OER available to Members for meeting staff expenses in 2013-2014 is \$138,774 per month. This amount has been increased to \$144,048 per month, i.e. \$135,761 (70% of OOER) plus \$8,287 (50% of ETER), in 2014-2015 following the annual adjustment made in accordance with the movement of the Consumer Price Index (C) ("CPI(C)"). To ascertain whether the funding provided is sufficient to meet Members' staff expenses, Members have been invited to provide the relevant information for analysis.

² 2013-2014 refers to the second reimbursement year of the Fifth LegCo, covering 1 October 2013 to 30 September 2014. All the years cited in this Report refer to reimbursement years covering the period from 1 October to 30 September in the following year.

Staffing complement during the survey period

7. Thirty-six of the 41 responding Members provided information and views regarding staff expenses. These 36 Members employed a total of 415 staff (320 full-time and 95 part-time³) in 2013-2014. Each Member on average employed 9 full-time staff and 2 part-time staff. The number of full-time and part-time staff employed by Members ranged from 3 to 20 and 0 to 11 respectively. A breakdown of the number of staff employed by each of these 36 Members is provided in **Appendix V**.

8. Of the 320 full-time staff employed by Members, about 50% (157 staff) received a monthly salary between \$10,000 and less than \$15,000, and 21% (67 staff) received a monthly salary between \$15,000 and less than \$20,000. About 60% (200 staff) received an annual pay increase of less than 10%. Among these 60%, about 35% (117 staff) were given a pay increase of less than 5%, and about 25% (83 staff) had a pay increase between 5% and 10%. The salary range of all the 320 full-time staff is summarized in the table below:

| Salary range | Full-time staff | % |
|--------------------------------|------------------------|---------------|
| \$5,000 to less than \$10,000 | 34 | 10.6% |
| \$10,000 to less than \$15,000 | 157 | 49.1% |
| \$15,000 to less than \$20,000 | 67 | 20.9% |
| \$20,000 to less than \$25,000 | 30 | 9.4% |
| \$25,000 to less than \$30,000 | 13 | 4.1% |
| \$30,000 to less than \$35,000 | 9 | 2.8% |
| \$35,000 to less than \$40,000 | 7 | 2.2% |
| \$40,000 or above | 3 | 0.9% |
| Total | 320 | 100.0% |

9. The majority of the full-time staff (180 out of 320 or 56%) possessed university education or above but only 20% (63 staff) had over 10 years' working experience. As regards working experience in Members' offices, the majority (187 staff or 58%) had less than 3 years of service in Members' offices, 29% (93 staff) had between 3 years and 10 years, and only 7% (21 staff) had more than 10 years of service in Members' offices⁴.

³ Part-time staff in this context refer to those who work less than 30 hours per week or who work for the Member on a temporary basis.

⁴ These percentages do not add up to 100% as some of the responding Members did not provide relevant information for analysis.

Optimal staffing complement

10. As regards optimal staffing complement, based on the returns of 35 Members, there is no majority view among Members. About 29% (10 Members) consider that in order for Members to be more effectively assisted in discharging their role and responsibilities as a LegCo Member, a total of 10 full-time staff are required. As for part-time staff, 31% (11 Members) consider that a total of 2 part-time staff are required. Furthermore, 26% (9 of the 34 responding Members) consider that at least 7 of the full-time staff should possess university education or above, but Members' views on the working experience required in respect of this group of staff varied. About 24% (8 Members) consider that full-time staff who possess university education or above should also have 2 to 3 years of working experience, while 21% (7 Members) consider that full-time staff who possess university education or above should also have 10 to 13 years of working experience.

11. On remuneration package, 44% (16 of the 36 responding Members) consider that to ensure the salary is competitive enough to retain the service of staff, the salary of their full-time staff with university education or above should be in the range of \$13,000 to \$15,000. All but one of these 36 Members consider that in addition to salary, it is necessary to provide other cash benefits to this group of staff. The types of cash benefits suggested⁵ include:

- (a) double pay (24 Members);
- (b) gratuity (18 Members);
- (c) medical benefits (2 Members); and
- (d) study allowance (2 Members).

12. Of the above 36 Members, the majority (27 Members or 75%) consider it necessary to introduce a salary scale (covering a period of 4 years to tie in with the duration of a LegCo term) for full-time staff with university education or above. About 43% (6 of the 14 responding Members) have expressed the view that the starting salary in the first year should be \$13,000. The views received from 7 responding Members regarding the salary in the fourth year varied, ranging from \$18,000 to \$33,000. A total of 18 Members consider that adjustment of salaries should be based on:

- (a) civil service pay adjustments (8 Members);
- (b) inflation and/or performance of staff (7 Members); and
- (c) qualification and/or experience of staff (3 Members).

⁵ Some Members have suggested more than one type of cash benefits.

13. Based on the returns of 33 Members, in addition to the amount required for employing full-time staff with university education or above, 27% (9 of the 33 responding Members) consider that they require \$10,000 to less than \$20,000 per month for employing other full-time staff without university education as well as part-time staff irrespective of their education level, while 18% (6 Members) consider that they require \$30,000 to less than \$40,000 per month for this purpose.

14. As mentioned in paragraph 6 above, the total amount of OER available to Members for meeting staff expenses in 2014-2015 is \$144,048 per month. Based on this level of financial provision and the views of the 33 responding Members about optimal staffing complement, the majority (20 Members or 61%) consider that the current financial provision is insufficient to meet the expenses required for maintaining an optimal staffing complement. Views of individual Members on the optimal level of staffing complement and the funding required are summarized in **Appendix VI**. Further details of the findings relating to optimal staffing complement as reported in paragraphs 10 to 13 are provided in **Appendix VII**.

Outstanding proposals carried forward from the Fourth LegCo

15. Of the 9 outstanding proposals (Appendix IV) in the previous Review Report, items (1) to (6) sought to peg the remuneration of certain posts in Members' offices to those of the civil service. The rationale is that as the work of Members' staff is related to public administration and is public service in nature, it is considered appropriate and fair for the ranking of Members' staff to be pitched at a level which is commensurate with their counterparts in the civil service, having regard to their job duties, qualifications and experience requirements.

16. According to the proposals in items (1) and (2) in Appendix IV, each Member should have at least 1 staff pitched at Executive Officer I level to co-ordinate the core support services in the central office. This staff should be assisted by 2 staff who are at Assistant Clerical Officer level to provide secretarial and clerical support. Furthermore, assuming that 2 district offices are operated by each Member, there should be 2 staff working in each district office, with 1 post pitched at Executive Officer II level and the other at Assistant Clerical Officer level. Hence, there should be a total of 7 full-time staff in the above mix for each Member. Two other proposals (items (3) and (4) in Appendix IV) related to the method for calculating the financial provision for the salary portion of OOER. Relevant extracts from the previous Review Report with details of these 4 proposals are in **Appendix VIII**.

17. Item (5) in Appendix IV proposed to provide end-of-service gratuity to Members' full-time staff to ensure continuity of service as well as to attract and retain a pool of high quality staff. According to the proposal in the previous Review Report, OOER should be increased for providing a 10% to 15% gratuity, in line with that for comparable ranks in the civil service, for staff engaged by Members for taking up the 7 full-time posts mentioned above. It was also proposed that the funding earmarked for the payment of gratuities to Members' staff should be kept and maintained by the LegCo Secretariat and all gratuities are to be paid directly by the Secretariat to individual staff on instructions given by Members upon completion of employment contract by their staff.

18. In addition, the Subcommittee of the Fourth LegCo considered that the salary portion of OOER (i.e. 70% of OOER) should be adjusted annually based on the civil service pay adjustments as the movement of CPI(C) could not reflect the rate of salary increase in the labour market, while the remaining 30% of OOER should be adjusted in accordance with the movement of CPI(C) (item (6) in Appendix IV).

Options

19. While all 41 Members who responded to the survey agree that the 9 outstanding proposals should continue to be pursued, there had previously been a suggestion that the level of OOER should be increased directly without the need to peg with the civil service pay structure, etc, so that Members could have maximum flexibility in employing their staff. Depending on the review to be conducted by the Independent Commission, increasing the level of OOER directly by a certain percentage can be one of the options to ensure the provision of adequate resources for Members to recruit and retain a pool of experienced and quality staff.

(C) Staff turnover in Members' offices

20. Notwithstanding the 20% increase in OOER in the Fifth LegCo, some Members consider that the present salary levels of Members' staff are still not attractive enough for Members to retain a pool of experienced and quality staff. Of the 320 full-time staff employed by Members in 2013-2014, 52 left during the period which represents an average turnover rate of 16%⁶. Although this is lower than the average turnover rate of 21% in 2012-2013, the turnover rate of 16% is still on the high side. The turnover rates of full-time staff in each of the

⁶ For part-time staff, the average turnover rate in 2013-2014 is 36% (34 out of the 95 part-time staff left during the period).

offices of the 36 Members who responded to this part of the survey are set out in **Appendix V**.

21. Among the 52 full-time staff who left:
- (a) 62% (32 staff) received a salary between \$10,000 and less than \$15,000, and 21% (11 staff) received a salary between \$15,000 and less than \$20,000;
 - (b) 12% (6 staff) received an annual pay adjustment of 5% to 10%, and 4% (2 staff) received an annual pay adjustment of over 10%;
 - (c) 54% (28 staff) possessed university education or above;
 - (d) 23% (12 staff) had 1 to 5 years of working experience;
 - (e) 10% (5 staff) left within 1 year, 54% (28 staff) left between 1 and 3 years, and 8% (4 staff) left after 5 years; and
 - (f) 27% (14 staff) found a job with better pay, and 17% (9 staff) found another job with better prospects.

Details of the above findings are provided in **Appendix IX**.

22. The Councillors' Workers Association considers that the current remuneration package of Members' assistants is unable to provide adequate employment protection to assistants, resulting in their high turnover and hindrance to developing their career in this field.

23. As a matter of fact, some Members still encounter difficulties in recruiting and retaining a pool of experienced and quality staff. While these difficulties are attributed to a number of factors, including job nature and the level of work pressure, etc, the findings indicate that the lack of a competitive remuneration package and good career prospects are the major reasons leading to the staff retention problem. To enable Members to better discharge their functions, it is essential that they be provided with adequate resources to recruit and retain a pool of competent staff.

(D) Long service payment and severance payment

24. At present, long service payment and severance payment made by a Member to his staff who left in the middle of a LegCo term are not reimbursable under the Winding Up Expenses Reimbursement ("WUER") and may only be reimbursed under OOER. According to the Administration, the intent of WUER is to help Members wind up their business by covering severance payment and other expenses arising from the cessation of office when Members choose not to stand for election or for reasons over which they have no control.

25. All the 41 Members who responded to the survey consider that flexibility should be given in using WUER for long service payment or severance payment made in the middle of a term so that Members do not have to bear such payments out of their own pockets. Alternatively, a separate provision may be provided for Members to fulfil obligations of this kind as required by the Employment Ordinance.

26. Another view given by 7 of these 41 Members is that the arrangement where an employer can offset the Long Service Payment or Severance Payment paid/payable to an eligible employee with the accrued benefits derived from the employer's Mandatory Provident Fund contributions should be abolished, and Members should be provided with funds for making such payments to their staff. The Councillors' Workers Association has also expressed concern about the offsetting arrangement, as the severance payment to be received by them upon cessation of Members' offices at the end of a LegCo term will also be affected by this arrangement.

(E) Research needs of Members

27. One of the 9 outstanding proposals (item (7) in Appendix IV) carried forward from the Fourth LegCo which Members of the Fifth LegCo wish to follow up with the Administration is to create a new accountable allowance of \$239,096⁷ per annum, to be claimed on a reimbursement basis, to enable Members to engage outside parties (including the political parties to which they are affiliated) to conduct research.

⁷ This amount has been adjusted to \$239,096 to take into account the movements of CPI(C) in the 4 years from 2011-2012 to 2014-2015 which took effect after the publication of the previous Review Report. The original amount in the previous Review Report was \$204,000 (\$17,000 X 12 months).

28. The Subcommittee of the Fourth LegCo noted that the outside parties which are most commonly engaged by Members to carry out public and social policies research are external consultants, such as academics, and the political parties, trade unions and constituency associations to which they are affiliated. There was a general comment by Members that the restriction which Members cannot engage their own political parties or associations to carry out research work is outdated and not conducive to the political and constitutional development in Hong Kong, and should therefore be removed.

29. It was also proposed that the additional funding should be kept as a separate fund administered by the LegCo Secretariat and be drawn for research purpose only. To ensure that the findings of research can be shared by all other Members and also members of the public, all research studies conducted with this funding should be made public on the Members' websites as and when feasible and no later than the end of the relevant LegCo term.

(F) Setting Up Expenses Reimbursement ("SUER") and Information Technology and Communication Equipment Expenses Reimbursement ("ITER")

30. Another outstanding proposal (item (8) in Appendix IV) carried forward from the Fourth LegCo which Members of the Fifth LegCo wish to follow up with the Administration is to increase the total provision for SUER and ITER⁸ to \$482,500⁹ per term to enable Members to operate 2 district offices.

31. On the non-staff portion of OOER (i.e. 30% of OOER), it is mainly used to cover office accommodation expenses, consultancy service, publicity items, and expenses on activities. The original sum of this 30%, together with SUER and ITER, were worked out on the basis of 1 central office and 1 district office. Having reviewed the actual needs of Members, the Subcommittee of the Fourth LegCo found that the provision was not adequate to cover the resources needed for the operation of the second district office. A survey conducted on the requirement of office furniture and equipment indicated that for setting up 1 central office and 2 district offices, each Member would require a total of \$482,500 per term.

⁸ As from the Fifth LegCo, SUER and ITER have been combined into one single provision. The total amount of the provision is \$250,000.

⁹ This is the original amount in the previous Review Report. This amount has not been adjusted having regard to the fact that the provision for SUER and ITER is not subject to adjustments in accordance with the movements of CPI(C).

(G) Revision to the level of OER during a term

32. One of the 9 outstanding proposals (item (9) in Appendix IV) carried forward from the Fourth LegCo which Members of the Fifth LegCo wish to follow up with the Administration is that any revision to the level of OER to suit the actual needs of Members should take effect during a LegCo term.

PART III – Members' Remuneration

(A) Remuneration of Chairman of the Finance Committee ("FC")

33. The President of LegCo receives a monthly remuneration twice that of other Members, and the President's Deputy (who is also the Chairman of the House Committee) receives a monthly payment one and a half times that of other Members. This arrangement has been in place since 1993 and was made in recognition of their higher status and heavier responsibilities. LegCo Members who also serve on the Executive Council receive two-thirds of the remuneration of other LegCo Members.

34. Among the 41 Members who responded to the survey, 41% (17 Members) agree that in view of the increased complexity and volume of business dealt with by FC, the Chairman of FC should be remunerated on the same basis of the Chairman of the House Committee (i.e. receives a monthly payment one and a half times that of other Members) with effect from the Sixth LegCo.

(B) Remuneration of other Members

35. Among the 35 Members who responded to this part of the survey, 46% (16 Members) provided views on this issue. Fifteen of these 16 Members consider that the remuneration of LegCo Members should be increased, while 1 Member considers that Members' remuneration should not be increased drastically. Among the 15 Members, 40% (6 Members) consider that Members' remuneration should be increased and linked to that of Government officials, and another 40% consider that Members' remuneration should be adjusted according to inflation. Other views include:

- (a) the remuneration of Members returned by geographical constituencies should be 50% more than that of those returned by functional constituencies (1 Member);

- (b) Members' remuneration should be increased in view of the heavy workload (1 Member); and
- (c) Members' remuneration should be increased to avoid giving an impression to the public that the work of a LegCo Member is a part-time job (1 Member).

PART IV – Recommendations and Way Forward

36. It is clear from the survey that all the 41 Members who responded to the survey, which constitute a majority of all Members of LegCo, agree that:

- (a) flexibility should be given in using WUER for long service payment or severance payment made in the middle of a LegCo term, or alternatively a separate provision should be provided for Members to fulfil obligations of this kind as required by the Employment Ordinance (paragraph 25); and
- (b) the 9 outstanding proposals carried forward from the Fourth LegCo should continue to be pursued with the Administration (paragraphs 5, 15 to 18 and 27 to 32).

37. The Subcommittee therefore recommends that the Administration should be invited to consider the proposed arrangements set out in paragraph 25 and to re-consider the 9 outstanding proposals set out in paragraphs 15 to 18 and 27 to 32.

38. The Subcommittee invites the House Committee to:

- (a) note this Report; and
- (b) agree to forward this Report to the Administration for consideration by the Independent Commission.

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

Membership List

2012-2016

| | |
|-----------------|------------------------------|
| Chairman | Hon Emily LAU Wai-hing, JP |
| Members | Hon LEE Cheuk-yan |
| | Hon WONG Ting-kwong, SBS, JP |
| | Hon IP Kwok-him, GBS, JP |
| | Hon WONG Yuk-man |
| | Hon Claudia MO |
| | (Total : 6 members) |
| Clerk | Ms Dora WAI |

QUESTIONNAIRE
(to be completed by all Members)

Review of Members' Remuneration and
Operating Expenses Reimbursement for
Members of the Sixth Legislative Council ("LegCo")

(please return on or before 1 April 2015)

Ref : AM 12/01/19 (B) (12-16)

To : Ms Dora WAI

Clerk to Subcommittee on Members' Remuneration
and Operating Expenses Reimbursement
Legislative Council Secretariat
(Fax No. 2521 7518)

Part I – Operating Expenses Reimbursement ("OER")

(A) Nine outstanding proposals

In March 2011, the House Committee of the Fourth Legislative Council ("LegCo") endorsed the report of the Subcommittee on Members' Remuneration and Operating Expenses Reimbursement ("the Subcommittee") on the "Review of the Operating Expenses Reimbursement for Legislative Council Members". The report was subsequently forwarded to the Administration for consideration¹. Only some of the recommendations contained in the report were taken on board by the Administration and reflected in the new rates of Members' remuneration and reimbursement ceilings for operating expenses effective from the Fifth LegCo. The nine proposals which the Administration did not support are summarized in the **Annex** to this questionnaire.

According to the findings of a survey with all Members conducted in January 2013, the majority of Members supported the nine outstanding proposals. After taking into account such findings, the Subcommittee agreed at its meeting on 7 June 2013 that these proposals should continue to be pursued in the Fifth LegCo. This survey is conducted to ascertain whether these proposals should still continue to be pursued with the Administration in the current review of Members' remuneration and operating expenses reimbursement for Members of the Sixth LegCo. **QUESTION 1:** You are invited to indicate whether you agree that the nine outstanding proposals set out in the Annex to this questionnaire should continue to be pursued in the review for the Sixth LegCo.

I agree.

I do not agree.

¹ The Administration submitted the report to the Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the HKSAR as it is tasked, among others, to advise the Administration on the remuneration package for LegCo Members.

I have the following comments on the outstanding proposals:

(if space is insufficient, please provide the information in a separate sheet)

(B) Office operation expenses reimbursement ("OOER") – staff expenses

The first four and the sixth outstanding proposals set out in the Annex to this questionnaire relate to the proposed pegging of the salaries of Members' staff and certain posts in Members' offices to those of the civil service. In the consultation exercise conducted in January 2013, some Members expressed reservation about the proposed pegging arrangement and considered it more appropriate for OOER to be increased directly without the need to peg with the civil service pay structure, etc so that Members could have maximum flexibility in employing their staff. Depending on the outcome of this survey, a proposal to increase the level of OOER by a certain percentage may be one of the options to be put forward to the Administration for consideration.

Under the reimbursement arrangements, the salary portion accounts for 70% (i.e. \$130,790 per month during the survey period in 2013-2014²) of OOER. Members may also deploy not more than 50% (i.e. \$7,984 per month) of the Entertainment and Travelling Expenses Reimbursement ("ETER") for employing staff. In other words, the total amount of OER available to Members for paying staff expenses during the survey period in 2013-2014 is \$138,774³ per month. According to the findings of the survey conducted in October 2013, each Member on average employed six full-time staff and one part-time staff in the first reimbursement year (i.e. from 1 October 2012 to 30 September 2013) of the Fifth LegCo. To ascertain whether this amount is sufficient to meet Members' staff expenses, Members are invited to provide the relevant information covering the second reimbursement year (i.e. from 1 October 2013 to 30 September 2014). **QUESTION 2:** The average number of staff employed by me during the period from 1 October 2013 to 30 September 2014 is:

_____ full-time staff⁴; and

_____ part-time staff⁵.

QUESTION 3: Details of the staff employed by me during the period from 1 October 2013 to 30 September 2014 are provided in the two tables below.

² 2013-2014 refers to the reimbursement year covering 1 October 2013 to 30 September 2014. All the years cited in this questionnaire refer to reimbursement years covering the period from 1 October to 30 September in the following year.

³ The total amount of OER available to Members for paying staff expenses in 2014-2015 has been increased to \$144,048 per month, i.e. \$135,761 (70% of OOER) plus \$8,287 (50% of ETER).

⁴ Full-time staff refer to those who work 30 hours or more per week.

⁵ Part-time staff refer to those who work less than 30 hours per week.

Full-time staff employed by me for the period from 1 October 2013 to 30 September 2014

| Staff employed during the period | Post title | Remuneration | | | | Education | | Total years of working experience | Years of service in Member's office |
|----------------------------------|------------|----------------------|------------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|--------------------------------|-----------------------------------|-------------------------------------|
| | | Monthly salary \$ | Annual pay adjustment, if any % | Year-end bonus / double pay \$ | End-of-service gratuity, if any % | University or above (pls tick) | Below university (pls tick) | | |
| 1 | | | | | | | | | |
| 2 | | | | | | | | | |
| 3 | | | | | | | | | |
| 4 | | | | | | | | | |
| 5 | | | | | | | | | |
| 6 | | | | | | | | | |
| 7 | | | | | | | | | |
| 8 | | | | | | | | | |
| 9 | | | | | | | | | |
| 10 | | | | | | | | | |

(if space is insufficient, please provide the information in a separate sheet)

Part-time staff employed by me for the period from 1 October 2013 to 30 September 2014

| Staff employed during the period | Post title | Remuneration | | | | Education | | Total years of working experience | Years of service in Member's office |
|----------------------------------|------------|----------------------|------------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|--------------------------------|-----------------------------------|-------------------------------------|
| | | Monthly salary \$ | Annual pay adjustment, if any % | Year-end bonus / double pay \$ | End-of-service gratuity, if any % | University or above (pls tick) | Below university (pls tick) | | |
| 1 | | | | | | | | | |
| 2 | | | | | | | | | |
| 3 | | | | | | | | | |

(if space is insufficient, please provide the information in a separate sheet)

QUESTION 4: I consider that the optimal staffing complement which could more effectively assist me in discharging my role and responsibilities as a LegCo Member should comprise:

_____ full-time staff; and
_____ part-time staff (can be zero).

QUESTION 5: I consider that out of the total number of full-time staff required by me (as indicated in my answer to question 4 above), at least _____ of them should possess university education or above. They should also have a total of _____ years of working experience in which _____ years should be gained from _____ (please specify which field or sector, or any other relevant experience required).

QUESTION 6: In order to ensure that the level of remuneration is competitive enough to retain the service of full-time staff with university education or above, I consider that their salary should be no less than \$ _____ per month.

QUESTION 7: In addition to monthly salary, please indicate whether you consider it necessary to provide other cash benefits to full-time staff with university education or above.

- Yes, I consider it necessary. My view is that the following cash benefits (e.g. year-end double pay, or end-of-service gratuity at a certain percentage - please specify the percentage) should be provided to these staff:

- No, I do not consider it necessary.

QUESTION 8: Please indicate whether you consider it necessary to introduce a salary scale (covering a period of four years which will tie in with the duration of a LegCo term) for full-time staff with university education or above.

- Yes, I consider it necessary. My view is that the starting salary should be \$ _____ in the first year rising to \$ _____ in the fourth year; or I have other suggestions as follows:

- No, I do not consider it necessary.

QUESTION 9: In addition to the amount required for employing full-time staff with university education or above (as indicated in my answers to questions 5 to 7 above), I also require a total of \$ _____ for employing other full-time staff who do not possess university education or above as well as part-time staff irrespective of whether they possess university education or not.

(C) Staff turnover in Members' offices

Members of the Subcommittee generally consider that despite the 20% increase in OOER in the Fifth LegCo, the present salary levels of Members' assistants are still not attractive enough for Members to retain a pool of experienced and quality staff. The survey conducted in October 2013 revealed that the average turnover rate of Members' full-time staff in 2012-2013 at 21% was still on the high side. In order to ascertain the latest staff turnover information, Members are invited to provide the relevant information covering the second reimbursement year (i.e. from 1 October 2013 to 30 September 2014).

QUESTION 10: In my office, the total number of staff who left during the period from 1 October 2013 to 30 September 2014 is:

_____ full-time staff; and

_____ part-time staff.

QUESTION 11: Details of the staff who left during the period from 1 October 2013 to 30 September 2014 are provided in the two tables below.

Full-time staff who left during the period from 1 October 2013 to 30 September 2014

| Staff left during the period | Post title | Remuneration | | | | Education | | Total years of working experience | Years of service in Member's office | Reasons for leaving (*pls mark the relevant numbers) |
|------------------------------|------------|----------------------|------------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|--------------------------------|-----------------------------------|-------------------------------------|------------------------------------------------------|
| | | Monthly salary \$ | Annual pay adjustment, if any % | Year-end bonus / double pay \$ | End-of-service gratuity, if any % | University or above (pls tick) | Below university (pls tick) | | | |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |
| 4 | | | | | | | | | | |
| 5 | | | | | | | | | | |
| 6 | | | | | | | | | | |
| 7 | | | | | | | | | | |

| Staff left during the period | Post title | Remuneration | | | | Education | | Total years of working experience | Years of service in Member's office | Reasons for leaving (*pls mark the relevant numbers) |
|------------------------------|------------|----------------------|------------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|--------------------------------|-----------------------------------|-------------------------------------|------------------------------------------------------|
| | | Monthly salary \$ | Annual pay adjustment, if any % | Year-end bonus / double pay \$ | End-of-service gratuity, if any % | University or above (pls tick) | Below university (pls tick) | | | |
| 8 | | | | | | | | | | |
| 9 | | | | | | | | | | |
| 10 | | | | | | | | | | |

(if space is insufficient, please provide the information in a separate sheet)

- * Reasons for leaving :
- (1) find a job with better pay
 - (2) find a job with better prospect
 - (3) find a job with better working hours
 - (4) find a job with different job nature
 - (5) long working hours
 - (6) great work pressure
 - (7) undesirable working environment
 - (8) lack of job security
 - (9) pursue further study
 - (10) family reason
 - (11) work for another Member
 - (12) dismissal due to performance, misconduct, etc
 - (13) other reasons (pls specify)

Part-time staff who left during the period from 1 October 2013 to 30 September 2014

| Staff left during the period | Post title | Remuneration | | | | Education | | Total years of working experience | Years of service in Member's office | Reasons for leaving (*pls mark the relevant numbers) |
|------------------------------|------------|----------------------|------------------------------------|-----------------------------------|--------------------------------------|-----------------------------------|--------------------------------|-----------------------------------|-------------------------------------|------------------------------------------------------|
| | | Monthly salary \$ | Annual pay adjustment, if any % | Year-end bonus / double pay \$ | End-of-service gratuity, if any % | University or above (pls tick) | Below university (pls tick) | | | |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |

(if space is insufficient, please provide the information in a separate sheet)

- * Reasons for leaving :
- (1) find a job with better pay
 - (2) find a job with better prospect
 - (3) find a job with better working hours
 - (4) find a job with different job nature
 - (5) long working hours
 - (6) great work pressure
 - (7) undesirable working environment
 - (8) lack of job security
 - (9) pursue further study
 - (10) family reason
 - (11) work for another Member
 - (12) dismissal due to performance, misconduct, etc
 - (13) other reasons (pls specify)

(D) Long service payment and severance payment

At present, long service payment and severance payment made by a Member to his staff who left in the middle of a LegCo term are not reimbursable under the Winding Up Expenses Reimbursement ("WUER") and may only be reimbursed under OOER. According to the Administration, the intent of WUER is to help Members wind up their business by covering severance payment and other expenses arising from the cessation of office when Members choose not to stand for election or for reasons over which they have no control.

Some members of the Subcommittee have suggested that as the current level of OOER is already insufficient to meet their office operation expenses, flexibility should be given in using WUER for long service payment or severance payment made in the middle of a LegCo term so that Members do not have to bear such payments out of their own pockets. Alternatively, a separate provision may be provided for Members to fulfil obligations of this kind as required by the Employment Ordinance. **QUESTION 12:** You are invited to indicate whether you agree to the above suggestions.

- I agree.
- I do not agree.

Part II – Members' remuneration

(A) Remuneration of Chairman of the Finance Committee

It has been an established arrangement that the President receives a monthly remuneration twice that of other Members and the President's Deputy (who is also the Chairman of the House Committee) receives a monthly payment one and a half times that of other Members. This arrangement was made in recognition of their higher status and heavier responsibilities. Members who also serve on the Executive Council only receive two-thirds of the remuneration of their fellow Members.

QUESTION 13: Given the increased complexity and volume of business dealt with by the Finance Committee, you are invited to indicate whether you agree that the Chairman of the Finance Committee should be remunerated on the same basis of the Chairman of the House Committee (i.e. receives a monthly payment one and a half times that of other Members) with effect from the Sixth LegCo.

- I agree.
- I do not agree.

(B) Remuneration of other Members

QUESTION 14: You are invited to indicate whether you have any views on the level of remuneration of other Members.

I have no specific view.

I have the following views on the level of remuneration of other Members:

(if space is insufficient, please provide the information in a separate sheet)

I understand that the above information will be used for the conduct of the review of Members' Remuneration and Operating Expenses Reimbursement for Members of the Sixth LegCo. The Secretariat may contact _____ (name of responsible officer) at _____ (telephone number) for enquiries on the information provided in this questionnaire.

Signature : _____

Name of Member : _____

Name of contact person
and telephone number : _____

Date : _____

**Nine outstanding proposals¹ to be pursued
in the Fifth Legislative Council**

- (1) There should be at least one Personal Assistant ("PA") pitched at Executive Officer ("EO") I level to co-ordinate the core support services provided to the Member in the central office. That PA should be assisted by two staff members who are at Assistant Clerical Officers ("ACOs") level to provide secretarial and clerical support (*paragraph 3.27 of the Review Report*²).
- (2) There should be two staff members working in each district office, with at least one staff member being a degree-holder. The two posts in each district office should be pitched at EO II level and ACO level respectively (*paragraph 3.28 of the Review Report*).
- (3) The financial provision of the proposed staffing complement in proposals (1) and (2) above should be calculated on the average of the first four salary points of the comparable ranks in the Civil Service (i.e. to cover a Legislative Council ("LegCo") term of four years) and that the annual accountable allowance for Office Operation Expenses Reimbursement ("OOER") be revised from \$1,805,250 to \$2,267,663 (+25.6%) for effecting the proposed staffing complement (*paragraph 3.35 of the Review Report*).
- (4) A further review of the salary provision in the OOER should be conducted in two to three years' time to evaluate its effectiveness in retaining quality staff. Where there is evidence that the average length of service of Members' staff reaches four years and beyond, mid-point salaries (instead of the average of the first four salary points) should be adopted for computing the salary portion of the OOER. Similar reviews should be conducted once every four years (*paragraph 3.36 of the Review Report*).
- (5) An end-of-service gratuity should be provided to full-time staff engaged by Members to ensure continuity of service as well as to attract and retain a pool of high quality staff. The provision for gratuity, which is \$229,348 per annum, may form part of the OOER (+12.7%) but will be

¹ All figures quoted in the proposals are based on the price level in 2010-2011 presented in the Review Report plus the Consumer Price Index (C) adjustments of 3.9% and 5% in 2011-2012 and 2012-2013 respectively.

² Report of the "Review of the Operating Expenses Reimbursement for Legislative Council Members" conducted in the Fourth LegCo.

kept and maintained by the LegCo Secretariat for the sole purpose of paying gratuities to Members' staff (*paragraph 3.37 of the Review Report*).

- (6) Annual adjustment of the salary portion of the OOER (i.e. 70% of the OOER) should be based on Civil Service pay adjustments whereas the remaining 30% should be adjusted in accordance with the movement of the Hang Seng Consumer Price Index (*paragraph 3.39 of the Review Report*).
- (7) There should be a new and separate accountable allowance of \$222,554 per annum to enable Members to engage outside parties (including the political parties to which the Members are affiliated) to undertake research work. The additional funding should also be kept as a separate fund administered by the LegCo Secretariat and be drawn for research purposes only. All research studies conducted with this funding should be made public on the Members' websites as and when feasible and no later than the end of the relevant LegCo term (*paragraphs 4.9 and 4.10 of the Review Report*).
- (8) The total amount of the Setting Up Expenses Reimbursement ("SUER") and the Information Technology and Communication Equipment Expenses Reimbursement ("ITER")³ should be increased to \$526,383 per term to enable Members to operate two district offices (instead of one) if there is a need to do so (*paragraph 6.13 of the Review Report*).
- (9) The Operating Expenses Reimbursement level should be revised to suit the actual needs of Members and changes should take effect during a term (*paragraph 6.16 of the Review Report*).

³ SUER and ITER are already combined into one provision since October 2012, and the total amount is \$250,000 at 2012-2013 price level.



議員工作人員協會

Councillors' Workers Association

香港特別行政區立法會議員：

協助你議會的工作伙伴 跟進議員酬金及工作開支償還款額檢討

本會是由一群為議會及議員工作的助理組成，並一直致力爭取改善議員助理的行業權益。本會得悉立法會秘書處正進行第六屆立法會議員的議員酬金及工作開支償還款額的檢討，我們希望各位議員以助理的職業保障為優先，通力合作，跟進上屆“立法會議員工作開支償還款額的檢討報告”中仍未落實的9項建議，同時就未來第六屆立法會議員的工作開支償還款額提供資料及意見，讓議員助理行業獲得合理而平等的待遇。

各位議員，在過去數屆的立法會，本會及業界的同工都持續地跟進立法會議員工作開支償還款額的檢討工作。事關有關款項不僅涉及議員助理的薪酬福利及職業保障，同時影響行業前景及議政質素。可是多年以來，政府對各項爭取及建議充耳不聞，我們議員助理的待遇仍然遭「物化」，將之與租金、水電費等「雜項開支」同等處理，這種待遇既令助理缺乏生活及職業保障，增加流失率，同時也令行業難以發展。議員助理的強積金，也往往因換屆遣散而遭對沖，長遠連我們的退休保障都不保。

據悉，秘書處目前收回《有關第六屆立法會議員的議員酬金及工作開支償還款額的檢討》問卷，不足十份，本會希望各位議員關注你們議會工作伙伴的權益，在4月1日前交回該份問卷，讓秘書處收集整理有關資料，讓業界同工可詳作分析，了解業界的需要，以及為我們的發展前景謀求福利。同時也謹請各位立法會議員，為了議員助理應有的職業保障及權益發聲，向政府當局爭取我們應有的待遇。

順祝
政安！



議員工作人員協會
2015年3月26日

副本致立法會秘書長

通訊地址：九龍尖沙咀漆咸道南111-113號美華閣2字樓

聯絡電話：2384 2026

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**Nine outstanding proposals carried forward from
the Fourth Legislative Council**

- (1) There should be at least one Personal Assistant ("PA") pitched at Executive Officer ("EO") I¹ level to co-ordinate the core support services provided to the Member in the central office. This PA should be assisted by two staff members who are at Assistant Clerical Officer¹ ("ACO") level to provide secretarial and clerical support (*paragraph 3.27 of the previous Review Report*²).
- (2) There should be two staff members working in each district office, with at least one staff member being a degree-holder. The two posts in each district office should be pitched at EO II¹ level and ACO level respectively (*paragraph 3.28 of the previous Review Report*).
- (3) The financial provision of the proposed staffing complement in proposals (1) and (2) above should be calculated on the average of the first four salary points of the comparable ranks in the Civil Service (i.e. to cover a Legislative Council ("LegCo") term of four years) and that the annual accountable allowance for Office Operation Expenses Reimbursement ("OOER") be revised from \$2,327,330³ to \$2,632,611⁴ (+13.1%) for effecting the proposed staffing complement (*paragraph 3.35 of the previous Review Report*).
- (4) A further review of the salary provision in OOER should be conducted in two to three years' time to evaluate its effectiveness in retaining quality staff. Where there is evidence that the average length of service of Members' staff reaches four years and beyond, mid-point salaries (instead of the average of the first four salary points) should be adopted for computing the salary portion of OOER. Similar reviews should be conducted once every four years (*paragraph 3.36 of the previous Review Report*).
- (5) An end-of-service gratuity should be provided to full-time staff engaged by Members to ensure continuity of service as well as to attract and retain a pool of high quality staff. The provision for gratuity, which is

¹ Salaries of Executive Officer I, Executive Officer II and Assistant Clerical Officer are pitched at Master Pay Scale Point 28 to 33 (\$47,280 to \$59,485), 15 to 27 (\$25,600 to \$45,150) and 3 to 15 (\$12,540 to \$25,600) respectively.

² Report of the "Review of the Operating Expenses Reimbursement for Legislative Council Members" conducted in the Fourth LegCo – March 2011.

³ This is the current rate applicable in 2014-2015.

⁴ Figures have been adjusted to reflect the pay level in 2014-2015.

\$256,994⁴ per annum, may form part of the OOER (+11.0%) but will be kept and maintained by the LegCo Secretariat for the sole purpose of paying gratuities to Members' staff (*paragraph 3.37 of the previous Review Report*).

- (6) Annual adjustment of the salary portion of OOER (i.e. 70% of the OOER) should be based on Civil Service pay adjustments whereas the remaining 30% should be adjusted in accordance with the movement of the Consumer Price Index (C) (*paragraph 3.39 of the previous Review Report*).
- (7) There should be a new and separate accountable allowance of \$239,096⁵ per annum to enable Members to engage outside parties (including the political parties to which the Members are affiliated) to undertake research work. The additional funding should also be kept as a separate fund administered by the LegCo Secretariat and be drawn for research purpose only. All research studies conducted with this funding should be made public on the Members' websites as and when feasible and no later than the end of the relevant LegCo term (*paragraphs 4.9 and 4.10 of the previous Review Report*).
- (8) The total amount of the Setting Up Expenses Reimbursement ("SUER") and the Information Technology and Communication Equipment Expenses Reimbursement ("ITER") should be increased to \$482,500⁶ per term to enable Members to operate two district offices (instead of one) if there is a need to do so (*paragraph 6.13 of the previous Review Report*).
- (9) The Operating Expenses Reimbursement level should be revised to suit the actual needs of Members and changes should take effect during a term (*paragraph 6.16 of the previous Review Report*).

⁵ This amount has been adjusted to take into account the movements of Consumer Price Index (C) in the 4 years from 2011-2012 to 2014-2015 which took effect after the publication of the previous Review Report.

⁶ This is the original amount in the previous Review Report. This amount has not been adjusted having regard to the fact that the provisions for SUER and ITER were not subject to adjustments in accordance with the movements of CPI(C). As from the Fifth LegCo, SUER and ITER have been combined into one single provision. The total amount of provision is \$250,000.

**Staff employed by Members and
turnover rates of Members' staff – 2013-2014**

| Member | Number of staff employed by Members | | | Number of Members' staff left | | | Turnover rate of full-time staff | Turnover rate of part-time staff |
|------------------------------------|-------------------------------------|------------------|-------------------|-------------------------------|------------------|------------------|----------------------------------|----------------------------------|
| | Full-time | Part-time | Total | Full-time | Part-time | Total | | |
| Geographical Constituencies | | | | | | | | |
| (1) | 5 | 2 | 7 | 0 | 0 | 0 | 0% | 0% |
| (2) | 7 | 0 | 7 | 0 | 0 | 0 | 0% | N/A |
| (3) | 8 | 0 | 8 | 0 | 0 | 0 | 0% | N/A |
| (4) | 12 | 1 | 13 | 0 | 0 | 0 | 0% | 0% |
| (5) | 9 | 5 | 14 | 0 | 1 | 1 | 0% | 20.0% |
| (6) | 16 | 1 | 17 | 0 | 0 | 0 | 0% | 0% |
| (7) | 10 | 1 | 11 | 1 | 0 | 1 | 10.0% | 0% |
| (8) | 9 | 1 | 10 | 1 | 0 | 1 | 11.1% | 0% |
| (9) | 9 | 2 | 11 | 1 | 2 | 3 | 11.1% | 100.0% |
| (10) | 9 | 5 | 14 | 1 | 2 | 3 | 11.1% | 40.0% |
| (11) | 8 | 1 | 9 | 1 | 0 | 1 | 12.5% | 0% |
| (12) | 7 | 0 | 7 | 1 | 0 | 1 | 14.3% | N/A |
| (13) | 11 | 3 | 14 | 2 | 1 | 3 | 18.2% | 33.3% |
| (14) | 11 | 4 | 15 | 2 | 2 | 4 | 18.2% | 50.0% |
| (15) | 5 | 11 | 16 | 1 | 7 | 8 | 20.0% | 63.6% |
| (16) | 9 | 5 | 14 | 2 | 2 | 4 | 22.2% | 40.0% |
| (17) | 22 | 6 | 28 | 5 | 0 | 5 | 22.7% | 0% |
| (18) | 8 | 3 | 11 | 2 | 2 | 4 | 25.0% | 66.7% |
| (19) | 10 | 1 | 11 | 3 | 1 | 4 | 30.0% | 100.0% |
| (20) | 10 | 7 | 17 | 3 | 0 | 3 | 30.0% | 0% |
| (21) | 8 | 4 | 12 | 3 | 3 | 6 | 37.5% | 75.0% |
| (22) | 13 | 7 | 20 | 8 | 2 | 10 | 61.5% | 28.6% |
| Functional Constituencies | | | | | | | | |
| (23) | 3 | 0 | 3 | 0 | 0 | 0 | 0% | N/A |
| (24) | 5 | 0 | 5 | 0 | 0 | 0 | 0% | N/A |
| (25) | 3 | 2 | 5 | 0 | 1 | 1 | 0% | 50.0% |
| (26) | 6 | 1 | 7 | 0 | 1 | 1 | 0% | 100.0% |
| (27) | 9 | 5 | 14 | 0 | 5 | 5 | 0% | 100.0% |
| (28) | 14 | 0 | 14 | 1 | 0 | 1 | 7.1% | N/A |
| (29) | 9 | 5 | 14 | 1 | 1 | 2 | 11.1% | 20.0% |
| (30) | 8 | 3 | 11 | 1 | 0 | 1 | 12.5% | 0% |
| (31) | 7 | 6 | 13 | 1 | 0 | 1 | 14.3% | 0% |
| (32) | 6 | 1 | 7 | 1 | 0 | 1 | 16.7% | 0% |
| (33) | 5 | 0 | 5 | 1 | 0 | 1 | 20.0% | N/A |
| (34) | 8 | 0 | 8 | 2 | 0 | 2 | 25.0% | N/A |
| (35) | 8 | 1 | 9 | 2 | 0 | 2 | 25.0% | 0% |
| (36) | 13 | 1 | 14 | 5 | 1 | 6 | 38.5% | 100.0% |
| | Total: 320 | Total: 95 | Total: 415 | Total: 52 | Total: 34 | Total: 86 | Average: 16.3% | Average: 35.8% |

Optimal staffing complement in Members' offices and funding required

| Member | Full-time staff required | Part-time staff required | Full-time staff who should possess university education or above | Monthly salary of (C) should be no less than | Other cash benefits that should be provided to (C) | Amount required per month for full-time staff with university education or above | Amount required per month for full-time staff without university education and part-time staff irrespective of their education level | Total amount required per month for maintaining an optimal staffing complement |
|------------------------------------|--------------------------|--------------------------|------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| | (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
| Geographical Constituencies | | | | | | | | |
| (1) | 10 | 4 | 5 | 12,000 | Double pay | 65,000 | 33,500 | 98,500 |
| (2) | 10 | 2 | 7 | 13,000 | Double pay | 98,583 | 16,000 | 114,583 |
| (3) | 10 | 2 | 7 | 13,000 | Double pay | 98,583 | 16,000 | 114,583 |
| (4) | 10 | 2 | 7 | 13,000 | Double pay | 98,583 | 16,000 | 114,583 |
| (5) | 10 | 4 | 5 | 12,000 | Double pay | 65,000 | 70,700 | 135,700 |
| (6) | 16 | 1 | 8 | 13,000 | Study allowance | 104,000 | 60,000 | 164,000 |
| (7) | 8 | 4.5 | 8 | 15,000 | Double pay | 130,000 | 35,000 | 165,000 |
| (8) | 9 | 2 | 6 | 15,000 | Gratuity 10-25% | 105,750 | 60,000 | 165,750 |
| (9) | 7 | 3 | 7 | 17,000 | Double pay and gratuity 15% | 146,767 | 24,000 | 170,767 |
| (10) | 10 | 2 | 8 | 15,000 | Gratuity 10% and study allowance | 132,000 | 50,000 | 182,000 |
| (11) | 12 | 0 | 7 | 17,000 | Double pay and gratuity 15% | 146,767 | 65,000 | 211,767 |
| (12) | 14 | 6 | 8 | 16,000 | Double pay | 138,667 | 75,000 | 213,667 |
| (13) | 12 | 0 | 7 | 17,000 | Double pay and gratuity 15% | 146,767 | 70,000 | 216,767 |
| (14) | 10 | 3 | 8 | 20,000 | Double pay and gratuity 15% | 197,333 | 30,000 | 227,333 |
| (15) | 9 | 10 | 10 | 17,000 | Double pay and gratuity 15% | 209,667 | 38,000 | 247,667 |
| (16) | 16 | 4 | 10 | 13,000 | Gratuity 15% | 149,500 | 104,000 | 253,500 |
| (17) | 15 | 5 | 12 | 20,000 | Gratuity 10-15% | 270,000 | 30,000 | 300,000 |
| (18) | 11 | 8 | 11 | 25,000 | Double pay | 297,917 | 25,000 | 322,917 |
| (19) | 15 | 0 | 12 | 20,000 | Double pay and gratuity 15% | 296,000 | 35,000 | 331,000 |
| (20) | 15 | 10 | 5 | 20,000 | Double pay | 108,333 | 250,000 | 358,333 |
| Functional Constituencies | | | | | | | | |
| (21) | 4 | 0 | 4 | 19,000 | | 76,000 | 0 | 76,000 |
| (22) | 6 | 1 | 5 | 14,000 | | 70,000 | 10,000 | 80,000 |
| (23) | 6 | 0 | 6 | 15,000 | Double pay | 97,500 | 0 | 97,500 |
| (24) | 9 | 2.5 | 6 | 15,000 | Gratuity 5% and medical allowance | 94,500 | 10,000 | 104,500 |
| (25) | 10 | 2 | 7 | 13,000 | Double pay | 98,583 | 16,000 | 114,583 |
| (26) | 10 | 2 | 7 | 13,000 | Double pay | 98,583 | 16,000 | 114,583 |
| (27) | 6 | 2 | 6 | 16,000 | Double pay and medical allowance | 104,000 | 16,000 | 120,000 |
| (28) | 12 | 5 | 9 | 13,000 | Double pay | 126,750 | 16,000 | 142,750 |
| (29) | 8 | 2 | 5 | 25,000 | Double pay and gratuity 15% | 154,167 | 20,000 | 174,167 |
| (30) | 7 | 3 | 5 | 25,000 | Double pay and gratuity 10% | 147,917 | 66,410 | 214,327 |
| (31) | 16 | 8 | 4 | 18,000 | Gratuity 20% | 86,400 | 160,000 | 246,400 |
| (32) | 9 | 4 | 10 | 20,000 | Double pay | 216,667 | 40,000 | 256,667 |
| (33) | 16 | 0 | 12 | 16,000 | Gratuity 15-20% | 225,600 | 48,000 | 273,600 |
| Average | | | | | | | | 185,560 |

■ This amount exceeds the monthly financial provision of \$144,048 provided to Members in 2014-2015 for meeting staff expenses.

Further details of findings relating to optimal staffing complement

| Number of full-time staff required | Number of Members |
|-------------------------------------------|--------------------------|
| 4 | 1 |
| 6 | 3 |
| 7 | 3 |
| 8 | 2 |
| 9 | 4 |
| 10 | 10 |
| 11 | 1 |
| 12 | 3 |
| 14 | 1 |
| 15 | 3 |
| 16 | 4 |
| Total | 35 |

| Number of part-time staff required | Number of Members |
|-------------------------------------------|--------------------------|
| 0 | 6 |
| 1 | 2 |
| 2 | 11 |
| 2.5 | 1 |
| 3 | 3 |
| 4 | 4 |
| 4.5 | 1 |
| 5 | 2 |
| 6 | 1 |
| 8 | 2 |
| 10 | 2 |
| Total | 35 |

| Total number of full-time staff who should possess university education or above | Number of Members |
|-----------------------------------------------------------------------------------------|--------------------------|
| 4 | 2 |
| 5 | 6 |
| 6 | 4 |
| 7 | 9 |
| 8 | 5 |
| 9 | 1 |
| 10 | 3 |
| 11 | 1 |
| 12 | 3 |
| Total | 34 |

| Years of experience required | Number of Members |
|-------------------------------------|--------------------------|
| Less than 2 | 0 |
| 2 to less than 3 | 8 |
| 3 to less than 4 | 3 |
| 4 to less than 5 | 3 |
| 5 to less than 10 | 2 |
| 10 to less than 13 | 7 |
| Not specified | 11 |
| Total | 34 |

| Monthly salary of full-time staff who possess university education or above should be no less than | Number of Members |
|-----------------------------------------------------------------------------------------------------------|--------------------------|
| \$12,000 | 2 |
| \$13,000 | 8 |
| \$14,000 | 1 |
| \$15,000 | 7 |
| \$16,000 | 3 |
| \$17,000 | 4 |
| \$18,000 | 1 |
| \$19,000 | 1 |
| \$20,000 | 6 |
| \$25,000 | 3 |
| Total | 36 |

| Starting salary in first year | Number of Members |
|--------------------------------------|--------------------------|
| \$12,000 | 2 |
| \$13,000 | 6 |
| \$15,000 | 2 |
| \$19,000 | 1 |
| \$25,000 | 3 |
| Total | 14 |

| Salary in fourth year | Number of Members |
|------------------------------|--------------------------|
| \$18,000 | 1 |
| \$23,000 | 1 |
| \$24,000 | 1 |
| \$25,000 | 1 |
| \$28,940 | 1 |
| \$29,500 | 1 |
| \$33,000 | 1 |
| Total | 7 |

| Total amount required per month for employing full-time staff without university education and part-time staff irrespective of their education level | Number of Members |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Less than \$10,000 | 2 |
| \$10,000 to less than \$20,000 | 9 |
| \$20,000 to less than \$30,000 | 3 |
| \$30,000 to less than \$40,000 | 6 |
| \$40,000 to less than \$50,000 | 2 |
| \$50,000 to less than \$60,000 | 1 |
| \$60,000 to less than \$70,000 | 4 |
| \$70,000 to less than \$100,000 | 3 |
| \$100,000 to less than \$150,000 | 1 |
| \$150,000 to less than \$200,000 | 1 |
| \$200,000 to less than \$250,000 | 0 |
| \$250,000 to less than \$300,000 | 1 |
| Total | 33 |

**Extracts from the report on
"Review of the Operating Expenses Reimbursement
for Legislative Council Members"**

March 2011

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Analysis

Staffing complement

3.27 Having regard to the nature of core LegCo duties, the Subcommittee considers that there should be at least one PA pitched at the level of an Executive Officer I ("EO I") to co-ordinate the core support services provided to the Member. That PA should be assisted by 2 staff members who are basically Assistant Clerical Officers ("ACOs") to provide secretarial and clerical support. This is consistent with the findings of the Administration in 1993 when the mid-point salaries of 1 EO I, 1 Personal Secretary and 1 Clerical Officer (both equivalent to ACOs) were included in the OER.

3.28 As regards the staffing for two district offices, the Subcommittee notes that the district staff need to assist a Member in handling complaints from members of the public, conduct site visits, organize activities, prepare reports, draft press releases, etc., and they need to work long hours. It is considered that there should be two staff members working in each district office, with at least 1 staff member being a degree-holder. The Subcommittee considers it appropriate to pitch the 2 posts in each district office at EO II level and ACO level respectively.

3.35 To effect the change, the annual accountable component of the OOER will have to be increased by 25.6% from the current \$1,654,750 to \$2,078,613 per annum. In order that Members can retain part of the funding for the payment of increments in subsequent years of a four-year term, the Subcommittee proposes that the surplus from the funding for a Member's annual OOER entitlements each year can be rolled-over to the next year until the end of a LegCo term. Since Members' claims of OOER are processed on the basis of actual amounts

of expenditure incurred with documented proof and are open to public scrutiny, there are sufficient safeguards for ensuring the proper and prudent use of public funds.

3.36 The Subcommittee notes that there is concern among Members' PAs that the present proposal may not allow staff members who have served more than four years to continue to have increments after the fourth year. To address this concern, the Subcommittee considers that if the above proposal is accepted by the Independent Commission, another review should be conducted in two to three years' time to evaluate the effectiveness of the present package of proposals in retaining quality staff. When there is evidence that the average length of service of Members' staff has reached four years and beyond, consideration may be given to adopting the use of mid-point salaries in the long-run.

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Appendix IX

Details of findings relating to Members' full-time staff who left in 2013-2014

| Salary range | Full-time staff | % | Part-time staff | % |
|--------------------------------|------------------------|---------------|------------------------|---------------|
| Less than \$5,000 | 0 | 0.0% | 14 | 41.2% |
| \$5,000 to less than \$10,000 | 6 | 11.6% | 15 | 44.1% |
| \$10,000 to less than \$15,000 | 32 | 61.5% | 1 | 2.9% |
| \$15,000 to less than \$20,000 | 11 | 21.2% | 0 | 0.0% |
| \$20,000 to less than \$25,000 | 1 | 1.9% | 0 | 0.0% |
| \$25,000 to less than \$30,000 | 2 | 3.8% | 0 | 0.0% |
| Hourly rate | 0 | 0.0% | 4 | 11.8% |
| Not specified | 0 | 0.0% | 0 | 0.0% |
| Total | 52 | 100.0% | 34 | 100.0% |

| Annual pay adjustment | Full-time staff | % | Part-time staff | % |
|------------------------------|------------------------|---------------|------------------------|---------------|
| Less than 5% | 2 | 3.8% | 3 | 8.8% |
| 5% to less than 10% | 6 | 11.6% | 1 | 2.9% |
| 10% to less than 15% | 1 | 1.9% | 0 | 0.0% |
| 15% or above | 1 | 1.9% | 0 | 0.0% |
| Not specified | 42 | 80.8% | 30 | 88.3% |
| Total | 52 | 100.0% | 34 | 100.0% |

| Education | Full-time staff | % | Part-time staff | % |
|---------------------|------------------------|---------------|------------------------|---------------|
| University or above | 28 | 53.8% | 6 | 17.6% |
| Below university | 11 | 21.2% | 14 | 41.2% |
| Not specified | 13 | 25.0% | 14 | 41.2% |
| Total | 52 | 100.0% | 34 | 100.0% |

| Total years of working experience | Full-time staff | % | Part-time staff | % |
|------------------------------------------|------------------------|---------------|------------------------|---------------|
| Less than 1 | 1 | 1.9% | 4 | 11.8% |
| 1 to less than 5 | 12 | 23.1% | 2 | 5.9% |
| 5 to less than 10 | 6 | 11.5% | 2 | 5.9% |
| 10 to less than 15 | 3 | 5.8% | 0 | 0.0% |
| 15 to less than 20 | 1 | 1.9% | 0 | 0.0% |
| 20 or above | 1 | 1.9% | 6 | 17.6% |
| Not specified | 28 | 53.9% | 20 | 58.8% |
| Total | 52 | 100.0% | 34 | 100.0% |

| Years of service in Member's office | Full-time staff | % | Part-time staff | % |
|--------------------------------------------|------------------------|---------------|------------------------|---------------|
| Less than 1 | 5 | 9.6% | 16 | 47.1% |
| 1 to less than 3 | 28 | 53.9% | 6 | 17.6% |
| 3 to less than 5 | 5 | 9.6% | 0 | 0.0% |
| 5 to less than 8 | 2 | 3.9% | 1 | 2.9% |
| 8 to less than 10 | 1 | 1.9% | 0 | 0.0% |
| 10 or above | 1 | 1.9% | 0 | 0.0% |
| Not specified | 10 | 19.2% | 11 | 32.4% |
| Total | 52 | 100.0% | 34 | 100.0% |

| Reasons for leaving | Full-time staff | Part-time staff |
|---------------------------------------------------|------------------------|------------------------|
| (1) find a job with better pay | 14 | 4 |
| (2) find a job with better prospect | 9 | 2 |
| (3) find a job with different job nature | 5 | 1 |
| (4) great work pressure | 5 | 1 |
| (5) undesirable working environment | 1 | 0 |
| (6) pursue further study | 3 | 6 |
| (7) family reason | 1 | 1 |
| (8) work for another Member | 2 | 0 |
| (9) dismissal due to performance, misconduct, etc | 3 | 0 |
| (10) other reasons | 5 | 10 |
| Not specified | 9 | 9 |
| Total | 57¹ | 34¹ |

¹ Some Members' staff have more than one reason for leaving.