

立法會
Legislative Council

LC Paper No. CB(4)772/12-13
(These minutes have been seen
by the Administration)

Ref : CB4/PL/PS

Panel on Public Service

**Minutes of meeting held on
Monday, 15 April 2013, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)
Hon POON Siu-ping, BBS, MH (Deputy Chairman)
Hon LEE Cheuk-yan
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon LEUNG Ka-lau
Hon LEUNG Kwok-hung
Hon LEUNG Che-cheung, BBS, MH, JP
Hon KWOK Wai-keung
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, JP
Hon TANG Ka-piu
Hon Tony TSE Wai-chuen
- Members attending** : Hon WONG Kwok-hing, MH
Dr Hon Fernando CHEUNG Chiu-hung
- Members absent** : Hon Claudia MO
Hon SIN Chung-kai, SBS, JP

Public Officers attending : Agenda item III

Mr Paul TANG, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Ms May CHAN, JP
Deputy Secretary for the Civil Service 2

Agenda item IV

Mr Paul TANG, JP
Secretary for the Civil Service

Mr Raymond H C WONG, JP
Permanent Secretary for the Civil Service

Mr Eddie MAK, JP
Deputy Secretary for the Civil Service 1

Clerk in attendance : Ms Anita SIT
Chief Council Secretary (4)1

Staff in attendance : Ms Shirley CHAN
Senior Council Secretary (4)1

Ms Angela CHU
Council Secretary (4)1

Ms LAM Yuen-kwan
Legislative Assistant (4)1

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I. Confirmation of minutes

(LC Paper No. CB(4)546/12-13 -- Minutes of meeting on 18 February 2013)

The minutes of the meeting held on 18 February 2013 were confirmed.

II. Date of next meeting and items for discussion

(LC Paper No. CB(4)545/12-13(01) -- List of outstanding items for discussion

LC Paper No. CB(4)545/12-13(02) -- List of follow-up actions

LC Paper No. CB(4)522/12-13(01) -- Letter from Hon TANG Ka-piu and Hon KWOK Wai-keung on "Manpower situation of the Hongkong Post" dated 18 March 2013

LC Paper No. CB(4)522/12-13(02) -- Letter from Hon TANG Ka-piu and Hon KWOK Wai-keung on "Provision of Chinese medicine out-patient service to civil servants" dated 18 March 2013)

2. The Chairman said that the next regular Panel meeting would be held on 20 May 2013, and the Administration proposed that the following two items which had been included in the Panel's "List of outstanding items for discussion" be discussed at the next meeting –

- (a) Use of agency workers by government bureaux/departments; and
- (b) An overview of the civil service establishment, strength, retirement, resignation and age profile.

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3. Ms Emily LAU suggested that the discussion on item (b) above should include the retirement age of civil servants. The Chairman said that although the extension of retirement age involved the Government's population policy, the Civil Service Bureau ("CSB") could provide information on the retirement situation in the civil service together with the special considerations of the Administration on the issue of extending the retirement age of civil servants.

4. The Secretary for the Civil Service ("SCS") agreed to include relevant information in the Administration's discussion paper on item (b) above. He pointed out that there was a mechanism to offer on a case by case basis further employment to existing civil servants beyond their retirement age so as to help bureaux/departments ("B/Ds") meet specific operational or succession needs. As regards the overall issue of how to extend the service of civil servants who had reached retirement, the Administration would need to study carefully taking into account the impact on public finance, promotion prospects of serving civil servants, operational needs of B/Ds and employment prospects of job seekers in the labour market.

5. The Chairman referred members to two joint letters dated 18 March 2013 from Mr TANG Ka-piu and Mr KWOK Wai-keung. She said that the two members requested the Panel to discuss issues relating to the manpower situation of the Hongkong Post ("PO") and the provision of Chinese medicine out-patient service to civil servants. Ms Emily LAU suggested and members agreed that the issues should be included in the Panel's "List of outstanding items for discussion". Mr TANG Ka-piu requested that the issues be discussed within the 2012-2013 legislative session.

6. SCS advised that the issue on provision of Chinese medicine out-patient service to civil servants was discussed at the meeting on 18 March 2013. The Administration was preparing a written response on the motion passed by the Panel at the meeting. On the manpower situation of PO, SCS explained that the issue would touch on the policy of PO as a trading fund, which fell outside CSB's purview.

7. The Chairman suggested that advice from the Director of Administration should be sought on the appropriate Government bureau/unit, in addition to CSB and PO, to attend the Panel's discussion of the issue. Members agreed.

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(*Post-meeting note:* The Director of Administration advised in her letter dated 23 April 2013 that the Panel might approach the Commerce and Economic Development Bureau for attending the Panel discussion.)

III. 2012 Starting Salaries Survey: application to the civil service

(File Ref.: CSBCR/PG/4-085-001/71 -- Legislative Council Brief on "2012 Starting Salaries Survey: Application to the Civil Service"

LC Paper No. CB(4)545/12-13(03) -- Updated background brief on Starting Salaries Surveys for the civil service prepared by the Legislative Council Secretariat)

8. SCS briefed members on the salient points of the Legislative Council Brief on the 2012 Starting Salaries Survey ("SSS") conducted by the Standing Commission on Civil Service Salaries and Conditions of Service ("the Standing Commission"). He said that the findings of the 2012 SSS indicated that existing benchmark entry pays of most Qualification Groups ("QGs") with sufficient market data for analysis closely reflected the market third quartile ("P75") pay levels. The only two exceptions were QG 9 (Degree and Related Grades) and QG10 (Model Scale 1 Grades) whose benchmark entry pays were higher than the respective P75 pay levels by 8.8% and 5.7% respectively. Having considered various factors including the policy objective of the civil service pay was to maintain broad comparability with private sector pay and the need to maintain a stable and permanent civil service, the Standing Commission recommended that a holistic approach be adopted in considering how the survey findings should be applied to civil service basic ranks. Based on this approach, the Standing Commission recommended maintaining the status quo for the benchmark pays for all QGs, including QGs 9 and 10.

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9. As regards the disciplined services grades which were not covered in the 2012 SSS because of the lack of market comparators, SCS advised that the Administration had sought the advice of the Standing Committee on Disciplined Services Salaries and Conditions of Service ("SCDS") on how the 2012 SSS findings should be applied to the disciplined services. SCDS recommended no change to the starting salaries for the basic ranks of disciplined services grades. The Administration had conducted consultation with stakeholders, including the Staff Sides and departmental managements. Upon considering the stakeholders' views, the Acting Chief Executive-in-Council decided that the recommendations of the Standing Commission and SCDS be accepted.

Attractiveness of civil service pay

10. Pointing out the emergence of succession and staff retention problems encountered in the civil service in recent years, Mr KWOK Wai-keung queried whether the terms and conditions of civil service could still attract candidates of high calibre, especially after the replacement of pension benefits by the Civil Service Provident Fund Scheme and reduction of fringe benefits for civil servants appointed on or after 1 June 2000. He was concerned that some of the young civil servants might give up their civil service posts and opted for jobs in the private sector because of better promotion prospects. Stressing the need to maintain the stability and vigorousness of the civil service, Mr KWOK enquired if the Administration would consider reviewing its civil service pay policy.

11. SCS agreed that it was important to offer sufficient and attractive remuneration to civil servants so as to maintain a stable and highly efficient civil service. It was under this consideration that the Standing Commission had recommended maintaining the benchmark entry pays of QGs 9 and 10 although they were higher than the market P75 pay levels. SCS considered that civil service jobs in general were still attractive to young people in terms of pay and benefits in comparison with comparable jobs in the private sector requiring similar qualifications and experience. In general, the Administration did not encounter difficulties in recruitment and the staff turnover rate was relatively low over the past years. Based on the relevant figures, no obvious correlation was identified between the introduction of the Civil Service Provident Fund Scheme and the staff turnover.

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12. Noting that there was insufficient market data for pay comparison for QG 4 (Technical Inspector and Related Grades: Higher Certificate plus experience) in the 2012 SSS, Mr TANG Ka-piu pointed out that there had been notable wage increase of technical workers in the construction industry in recent years due to the increasing number of construction projects. He urged the Administration to consider an upward pay adjustment for civil servants of technical grades/ranks.

13. SCS acknowledged that a few individual technical departments might encounter short-term difficulties in staff recruitment. B/Ds had the responsibility to conduct regular reviews on their manpower situations and take remedial actions to cope with service needs. In some special circumstances, such as a sudden increase in workload, B/Ds might exceptionally consider employing existing civil servants beyond their retirement age to help meet the short-term operational needs.

14. Mr TANG Ka-piu opined that the Administration should not rely solely on the extension of service of existing civil servants beyond the retirement age to solve the manpower shortage problem of the technical grades/ranks, as the jobs of these grades/ranks required much physical labour.

15. Mr WONG Kwok-hing considered that in conducting the 2012 SSS, the Standing Commission might not have taken into account a number of factors which had contributed to the increasing pressure on civil servants. Such factors included the rising public expectations and demand for public services, and the presence of different types of staff in the civil service (e.g. agency workers and staff of contractors) which increased the difficulty for civil servants to monitor the service quality. Furthermore, the time gap between the triennial SSS and the adjustment of the statutory minimum wage might lead to under-estimation of pays for certain grades/ranks in the job market. Taking into account the job complexity and level of responsibilities of civil service and the fact that the benchmark pays of QGs 1, 2 Group I, 3 Group II, 5, 6 and 8 were lower than the market P75 levels, Mr WONG enquired whether the Administration would adjust upward the starting salaries of the related grades/ranks.

16. In reply, SCS explained that the 2012 SSS focused on the comparison of the starting salaries of non-directorate civilian civil service grades with the entry pay of jobs requiring similar qualifications in the private sector. The current civil service pay was sufficient to attract and retain staff of the right caliber. This could be illustrated by the relatively

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low staff turnover rate and large number of applications received in the recruitment exercises conducted in recent years.

Recruitment policy

17. Mr TANG Ka-piu noticed that for some civil service positions, candidates who met the specified minimum qualification requirements had not been invited for interview because of fierce competition. He was of the view that this group of people would be devoted and loyal to their jobs if being appointed, and that the appointment of over-qualified candidates might have negative impact on staff retention and morale. He called on the Administration to include those applicants who met the minimum qualification requirements for consideration in the recruitment selection process.

18. SCS said that it was the Government's recruitment policy to set the minimum entry requirements of a civil service post according to its duties and responsibilities. He agreed that academic qualifications should not be the only criterion for selection of candidates. Other factors such as relevant experience, suitability and ability to perform the jobs should also be assessed, while at the same time maintaining the fairness of the recruitment process.

Impact on the private sector

19. Mr LEUNG Che-cheung was worried that the Standing Commission's recommendations on maintaining the status quo for the benchmark pays of all QGs, including those QGs whose benchmark pays were higher than the market pays, would exert pressure on the private sector for wage increase. This might cause adverse impact on the small and medium enterprises.

20. SCS replied that the purpose of conducting SSS every three years was to maintain broad comparability between civil service and private sector pays. To ensure prudent use of public funds, civil service pay should not deviate greatly from the market pay. For QG 9, due consideration had been given to the differences in the salary structures of degree jobs in the civil service and the private sector. In general, jobs requiring degree qualifications in the private sector could enjoy a larger jump than those in the civil service after the first few years. It was important to maintain the competitiveness of degree jobs in the civil service beyond the entry level, as they formed the backbone of the civil service.

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For QG 10, the Standing Commission noted that there had been shortages of labour for jobs covered by this QG in the market upon the implementation of the statutory minimum wage, and the market pay level for these jobs might be further pushed up.

21. In response to the Chairman's enquiry on whether the salaries offered by the small and medium enterprises had been taken into account in conducting the 2012 SSS, the Deputy Secretary for the Civil Service 2 ("DSCS2") explained that in order to ensure the credibility and representativeness of the survey, a series of criteria were adopted for selection of private sector organizations for participation in the survey. The criteria included the organizations' steadiness, reputation, number of employees, number of jobs that were reasonably comparable in terms of entry requirements of the respective QGs covered in the survey, etc. Therefore, only private sector organizations of a reasonable size had been selected to give data.

Recognition of qualifications for civil service appointment

22. Noting that some sub-degree holders had encountered difficulties in employment, the Deputy Chairman was concerned about the eligibility of sub-degree holders to apply for civil service positions. He was of the view that the Administration should take the lead in recognizing sub-degree qualifications.

23. In response to the Deputy Chairman's enquiry on whether a separate QG would be assigned for sub-degree holders, DSCS2 confirmed that the grades/ranks which accepted sub-degree qualifications were currently grouped under QG 3 Group I (Higher Diploma Grades). SCS explained that the benchmark pay for a specific QG was set in the light of the entry pay in the private sector for jobs requiring similar educational qualification as ascertained by the previous SSSs. Since the market could not provide sufficient data on the entry pay of sub-degree holders, it would be difficult to assign a new QG for sub-degree holders. At the moment, sub-degree holders could apply for civil service positions listed under QG 3 Group I. As requested by members, he agreed to provide information on civil service positions which accepted sub-degree qualifications.

24. DSCS2 further explained that in conducting the 2012 SSS, the Standing Commission recognized that the emergence of various post-secondary education programmes, the entry of graduates from the 3-3-4 new academic structure into the job market, and the development of

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the Qualifications Framework might change the landscape of the private sector. In view of the fact that it would take some time for the effect of the new education system to be fully felt in the labour market and that the current qualification benchmark system had been long-established in determining the civil service starting salaries, the Standing Commission recommended that the Administration should keep in view the private sector practice in the acceptance of the newly developed qualifications, and consider reviewing the QG system taking into account all relevant factors at an appropriate time.

25. Mr IP Kin-yuen said that a variety of sub-degree programmes were being operated by both self-financing and publicly-funded education institutions. Those sub-degree programmes provided by the University Grants Committee-funded institutions were self-accredited, whereas those programmes provided by non-self-accrediting institutions were subject to quality assurance by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications ("HKCAAVQ"). The entry requirements and qualifications attained varied among the various programmes. The Administration should devise a mechanism to peg different sub-degree qualifications with appropriate civil service grades/ranks and should not rely on SSS which was conducted on a triennial basis for such task.

26. The Chairman echoed Mr IP's observation. She was particularly concerned about the prospect of young people who had pursued and were pursuing self-financing sub-degree studies. She believed that many sub-degree holders would like to join the civil service, and urged the Administration to devise a mechanism to recognize the qualifications attained from different sub-degree programmes for civil service appointments. To facilitate Members to pursue the matter, she suggested

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(Post-meeting note: The relevant information provided by the Administration was issued to members vide LC Paper No. CB(4)665/12-13(01) on 20 May 2013.)

27. The Permanent Secretary for the Civil Service ("PCSC") advised that for civil service appointment purposes, the Administration adopted the accreditation reports/assessments of HKCAAVQ with regard to sub-degree qualifications conferred by non-self-accrediting institutions.

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IV. Employment of ethnic minorities in the civil service and government-funded public bodies

LC Paper No. CB(4)545/12-13(04) -- Paper provided by the Administration

LC Paper No. CB(4)557/12-13(01) -- Letter from the Administration on employment of ethnic minorities in government-funded public bodies

LC Paper No. CB(4)545/12-13(05) -- Background brief on employment of ethnic minorities in the civil service prepared by the Legislative Council Secretariat

LC Paper No. CB(4)563/12-13(01) -- Submission from the Hong Kong Unison Limited)

28. SCS briefed members on the salient points in the Administration's paper on the employment of ethnic minorities in the civil service.

29. Dr Fernando CHEUNG opined that the racial composition of the civil service should be broadly comparable to that of the Hong Kong general population. As far as he knew, ethnic minorities constituted some 5% of the population in Hong Kong including the domestic helpers. He noted with concern that according to the results of the survey on the racial profile of the civil service conducted by the Administration in 2011, only 0.8% of the civil servants were ethnic minorities. He urged the Administration to adopt a proactive approach in promoting the employment of more ethnic minorities in the civil service.

30. SCS responded that while the permanent resident status was relevant to civil service appointments, the race of individual candidates was not a pertinent consideration in the recruitment process. Having regard to the principles of fair competition and meritocracy, the Administration did not

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impose any prescribed ratio of ethnic minorities in the civil service. As regards the ratio of ethnic minority respondents in the civil service survey conducted in 2011, the figure should be put in perspective in view that the survey was conducted on a voluntary and anonymous basis. To obtain up-to-date information on the racial profile of the civil service, CSB recently launched another similar survey on the racial profile of the civil service, the results of which would be available in the third quarter of 2013.

31. The Chairman said that she did not support imposing a prescribed ratio of ethnic minorities in the civil service as the selection of civil servants should be based on merit. She asked if the Administration had collected information on the policy of overseas countries on the language proficiency requirements ("LPRs") on ethnic minorities for civil servant appointments. SCS replied that he did not have detailed information in this regard. That said, he understood that the United Kingdom and Singapore, like Hong Kong, did not impose a prescribed ratio of ethnic minorities in the civil service.

32. Noting that the Administration had launched a survey on the racial profile of the civil service, the Chairman requested the Administration to take into account the views of relevant concern groups in determining the scope and other aspects of the survey. She requested the Administration to report to the Panel on the results of the survey when available.

33. Highlighting the increase in the population of ethnic minorities in Hong Kong, Mr TANG Ka-piu considered that there was a need for the Administration to recruit more ethnic minorities to assist in the daily operations of B/Ds. Mr TANG noticed that at the moment, most of the ethnic minority civil servants were serving in the Police Force and the Correctional Services Department ("CSD") as these two departments had introduced measures, such as adjustments to the tests of language ability in the selection process, to facilitate ethnic minorities in applying for related job vacancies. He asked whether other B/Ds, such as EDB and the Social Welfare Department ("SWD"), which also provided services to many ethnic minorities, could follow suit.

34. Ms Emily LAU pointed out that in addition to EDB and SWD, the Hospital Authority should also recruit ethnic minority staff to facilitate communication with ethnic minority patients. She requested the Administration to take heed of the views contained in the submission from the Hong Kong Unison Limited, which asked for a review of the LPRs for

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civil service appointments. Dr Fernando CHEUNG urged the Administration to speed up the pace of reviewing LPRs.

35. Mr IP Kin-yuen opined that the Administration should adopt a new mindset in the employment of ethnic minorities in the civil service. He stressed that the Administration should not look at the issue simply from the perspective of relaxing LPRs to cater for ethnic minorities who were less proficient in the Chinese language. Instead, the Administration should recognize the need to employ a certain ratio/number of ethnic minorities to deliver public services to the ethnic minority communities more effectively. By way of illustration, he considered that EDB should have staff conversant with the dialects/languages of ethnic minorities so that the Bureau could handle matters involving ethnic minority students and their parents effectively. On the review of LPRs for appointments to the civil service, Mr IP was of the view that a lot of ethnic minorities still could not meet the Chinese LPRs set by the Administration although such requirements had been relaxed to a certain extent. To facilitate ethnic minorities in applying for civil service jobs, the Administration should consider further relaxing the Chinese LPRs. To solve the problem at root, the Administration should enhance the Chinese language education for ethnic minority children.

36. SCS said in order to ensure that public services could be provided effectively and efficiently to the public, the Administration had to specify appropriate Chinese and English LPRs as part of the entry requirements for appointment to individual grades having regard to the operational needs and job requirements of the concerned grades. Heads of department/grade ("HoDs/HoGs") were responsible for stipulating the LPRs for each of the grades under their management and making suitable adjustments in response to changes in the community and operational needs. He pointed out that review of LPRs was an ongoing process. CSB had issued guidelines to HoDs/HoGs reminding them to review LPRs from time to time. Following a comprehensive review of LPRs by all HoDs/HoGs in 2010, actions had been taken to adjust the Chinese LPRs of certain grades. For example, apart from the adjustments to the selection processes for relevant disciplined services grades, the Chinese LPR for the Motor Driver grade had been relaxed having regard to the operational needs of the grade. Over the past years, efforts had been made to facilitate the recruitment of candidates whose first language was not Chinese without affecting the work and operational needs of the concerned grades.

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37. Ms Emily LAU urged the Administration to adopt a proactive approach in the employment of ethnic minorities in the civil service. Referring to paragraphs 10 to 11 of the Administration's paper, Ms LAU enquired about the reasons for non-appointment of non-ethnic Chinese ("NECs") applicants in the previous recruitment exercises conducted by the Police Force and CSD. She remarked that such information was useful for the Administration to review if there was any unfair arrangement putting ethnic minorities at a disadvantaged position during the selection process. SCS assured members that there was no question of discrimination in the selection process. Regarding the enquiry on the reasons for non-appointment as well as the number of vacancies in past recruitment exercises, the number of applications received from NECs and their success rate, SCS agreed to provide further information after the meeting.

38. Mr TAM Yiu-chung recalled that a motion was passed at the Council meeting on 14 November 2012 on alleviating poverty which called on the Government to, among others, strengthen the assistance for ethnic minorities in securing employment and resolving their livelihood difficulties, including reviewing the Chinese LPRs for appointment to civil service posts, and employing more ethnic minorities as civil servants. He said that a lot of ethnic minorities could speak fluent Chinese and they had strong aspirations to joining the civil service. He urged the Administration to provide appropriate assistance to this group of people to facilitate their joining of the civil service. He shared other members' views that some B/Ds had genuine operational needs to employ staff conversant with the dialects /languages of ethnic minorities so that the services could be better delivered to this group of people.

39. SCS said that through the existing review of the LPRs for all civil service grades, HoDs/HoGs would see whether there would be room for adjusting the Chinese LPRs of relevant grades, on the basis that the operational needs would not be affected. HoDs/HoGs were responsible for stipulating the LPRs for each of the grades under their charge, as they were best placed to determine the work and operational needs of those grades. CSB would continue to work with HoDs/HoGs in making suitable adjustments in LPRs, taking into account the changing operational needs of the grades concerned.

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40. Regarding members' suggestion of employing ethnic minorities in the civil service to serve the respective ethnic communities, SCS explained that where appropriate, B/Ds might employ ethnic minorities to meet specific operational needs. In this connection, the Police Force had launched a scheme to hire NECs as Police Community Liaison Assistants. He would convey members' suggestion to relevant B/Ds for consideration. He further pointed out that it was not advisable to appoint NECs not possessing the required level of Chinese language proficiency to fill a limited number of special posts for serving the ethnic communities as it would limit their posting and promotion prospects. Like other civil servants, it would be in the interest of the departments and officers themselves if NEC appointees could be deployed to perform the full range of duties of the grades concerned. For the translation or interpretation services to ethnic minorities as raised by some Members, he said that consideration might be given to creating non-civil service contract ("NCSC") positions or engaging non-government organisations for providing such services.

41. Mr TAM Yiu-chung agreed that NCSC positions could be created for jobs which involved only the provision of translation or interpretation services. However, to achieve racial integration and enhance better communication with ethnic minorities, the Administration should engage more ethnic minorities in the civil service.

42. Ms Emily LAU noted with concern that the Hong Kong Unison Limited had mentioned in its submission that although CSB had the policy of accepting overseas Chinese language qualifications as meeting the stipulated LPRs, in practice, some individual B/Ds had their own internal language assessments.

43. PSCS clarified that for the purpose of appointment to the civil service, all B/Ds had to accept the Chinese language results of specified non-local public examinations, in addition to local qualifications. Such non-local examinations included the United Kingdom International General Certificate of Secondary Education ("IGCSE"), General Certificate of Secondary Education ("GCSE"), General Certificate of Education Ordinary Level ("GCEO") as well as GCE Advanced/Advanced Subsidiary Levels ("GCE A/AS"). During the selection process, some B/Ds might arrange other job-related tests or interviews to further assess the suitability of the candidates. For example, he understood from the Police Force that during the selection process, applicants of Police Constable would be arranged to watch videos on Police-related incidents and then give a simple account of

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the incidents in written English and Chinese. Such arrangement could help to assess the applicants' job-related communication ability and judgment, and should not be regarded as additional Chinese language tests imposed on the ethnic minority applicants.

44. Ms Emily LAU opined that it was important to maintain fairness in the selection process. The Administration should ensure that internal assessments for appointment to civil service posts were compliant with the prevailing recruitment policy. In order to avoid misunderstanding, the Administration should enhance communication with the Hong Kong Unison Limited and other relevant concern groups.

V. Any other business

45. There being no other business, the meeting ended at 12:21 pm.

Council Business Division 4
Legislative Council Secretariat
11 June 2013