

**Labour Department (Headquarters)**

Your reference 來函編號 : CB2/PL/MP
Our reference 本處檔案編號 : LD CR 1/814 Pt. 101
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勞工處 (總處)

16 December 2013

Miss Betty MA
Clerk to Panel
Panel on Manpower
Legislative Council
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong

(Fax : 2185 7845)

Dear Miss MA,

**Panel on Manpower
Legislative proposal on
compulsory reinstatement and re-engagement**

Thank you for your separate letters of 21 November 2013 to the Secretary for Justice and the Secretary for Labour and Welfare, requesting the Administration to expedite the drafting of the above-mentioned legislative proposal and enquiring on behalf of Members of the Panel on Manpower the progress of the proposal. I am authorised to reply on their behalf.

The Labour and Welfare Bureau (LWB), Labour Department (LD), the Law Drafting Division and other relevant divisions of the Department of Justice (DoJ) have been actively working together in preparing a Bill which seeks to amend the Employment Ordinance to provide that the Labour Tribunal/the Court may make a compulsory reinstatement/re-engagement order in cases of unreasonable and unlawful dismissal. The proposed

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Amendment Bill contains a number of new elements, which carry implications on certain legal principles and court procedures, and which we have been striving to sort out. With our continued concerted effort, we hope that we shall soon be in a position to resolve the outstanding issues, with a view to finalising the Amendment Bill for introduction into the Legislative Council at the earliest possible time.

We would wish to reassure Members of the Panel that LWB and LD will continue to coordinate work on this Amendment Bill earnestly. DoJ has asked us to also convey to Members its commitment to continue providing drafting assistance and legal advice to this exercise expeditiously.

Yours sincerely,



(Charles Hui)
for Commissioner for Labour

c.c. Hon LEE Cheuk-yan (Chairman)
(Fax : 2332 3584)

Secretary for Justice
(Fax No.: 3579 2431)

Judiciary Administrator
(Fax No.: 2530 2648)

Secretary for Labour and Welfare
(Fax : 2537 2751)