

# 立法會 *Legislative Council*

LC Paper No. CB(3) 52/15-16

## **Paper for the House Committee meeting of 23 October 2015**

### **Questions scheduled for the Legislative Council meeting of 28 October 2015**

Questions by:

- |      |  |                            |
|------|--|----------------------------|
| (1)  | Hon Paul TSE                             | (Oral reply)               |
| (2)  | Dr Hon Priscilla LEUNG                   | (Oral reply)               |
| (3)  | Hon Michael TIEN                         | (Oral reply)               |
| (4)  | Hon TANG Ka-piu                          | (Oral reply)(New question) |
|      | <i>(Replacing his previous question)</i> |                            |
| (5)  | Dr Hon Elizabeth QUAT                    | (Oral reply)               |
| (6)  | Hon CHAN Han-pan                         | (Oral reply)               |
| (7)  | Hon Steven HO                            | (Written reply)            |
| (8)  | Hon CHAN Hak-kan                         | (Written reply)            |
| (9)  | Hon WU Chi-wai                           | (Written reply)            |
| (10) | Hon Charles Peter MOK                    | (Written reply)            |
| (11) | Hon Alice MAK                            | (Written reply)            |
| (12) | Hon IP Kwok-him                          | (Written reply)            |
| (13) | Hon James TIEN                           | (Written reply)            |
| (14) | Hon WONG Ting-kwong                      | (Written reply)            |
| (15) | Prof Hon Joseph LEE                      | (Written reply)            |
| (16) | Dr Hon LEUNG Ka-lau                      | (Written reply)            |
| (17) | Hon MA Fung-kwok                         | (Written reply)            |
| (18) | Dr Hon KWOK Ka-ki                        | (Written reply)            |
| (19) | Hon Claudia MO                           | (Written reply)            |
| (20) | Hon KWOK Wai-keung                       | (Written reply)            |
| (21) | Hon IP Kin-yuen                          | (Written reply)            |
| (22) | Hon Kenneth LEUNG                        | (Written reply)            |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

Abolition of the arrangement for  
offsetting severance payments and long service payments

(4) Hon TANG Ka-piu (Oral reply)

Under the Mandatory Provident Fund Schemes Ordinance, an employer may use the accrued benefits derived from the contributions he made for an employee to a Mandatory Provident Fund (“MPF”) scheme to offset the severance payment (“SP”) or long service payment (“LSP”) payable to the employee under the Employment Ordinance (“the offsetting arrangement”). Although the Chief Executive indicated in his election manifesto in as early as 2012 that he would progressively reduce the proportion of the offsetting amount, the Government has not put forward any specific proposal for fulfilling that pledge, and the offsetting arrangement has been incessantly gnawing the accrued benefits payable to employees. On the other hand, a number of employer groups have reacted strongly to the reports that the Government intends to propose the abolition of the offsetting arrangement in the 2016 Policy Address. In this connection, will the Government inform this Council:

- (1) whether the authorities have conducted studies on the abolition of the offsetting arrangement; if they have, of the details; if not, the reasons for that; whether the authorities will consider drawing up a timetable for the abolition of the offsetting arrangement;
- (2) whether the authorities have approached employer groups and labour organizations to gain an understanding of their specific views on the abolition of the offsetting arrangement; if so, of the views of both sides, the efforts made by the authorities to reduce the differences between them, and whether they have put forward any proposal acceptable to both sides; if not, whether they will make efforts to gain an understanding of the views of both sides; and
- (3) given that some academics have proposed that when introducing legislative amendments to abolish the offsetting arrangement, the Government should impose a five-year transitional period in which employers are allowed to claim reimbursements from the Government for the extra amounts which originally could have been withdrawn from employees’ MPF accounts for settling SPs or LSPs, whether the authorities will study the feasibility of that proposal?