

立法會
Legislative Council

LC Paper No. CB(3) 264/17-18

Ref. : CB(3)/M/OR

Tel : 3919 3300

Date : 15 January 2018

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 31 January 2018

**Two proposed resolutions to be moved by
the Secretary for Labour and Welfare**

The Secretary for Labour and Welfare will move the attached two proposed resolutions under the following two Ordinances at the above meeting:

- (a) Employees' Compensation Ordinance (Cap. 282) (**Appendix 1**); and
- (b) Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360) (**Appendix 2**).

The President has directed that the proposed resolutions be printed in the terms in which they were handed in on the Agenda of the Council.

2. The speeches, in both Chinese and English, which the Secretary will deliver when moving the two proposed resolutions are in **Appendices 3 and 4** respectively.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

Employees' Compensation Ordinance

Resolution

(Under section 48A of the Employees' Compensation Ordinance (Cap. 282))

Resolved that the Employees' Compensation Ordinance (Cap. 282) be amended as set out in the Schedule.

Schedule

Amendments to Employees' Compensation Ordinance

1. **Third Schedule amended (medical expenses payable by an employer in respect of an injury due to accident arising out of and in the course of employment)**
 - (1) Third Schedule, paragraph 1(b)—
Repeal
"\$200"
Substitute
"\$300".
 - (2) Third Schedule, paragraph 2(b)—
Repeal
"\$200"
Substitute
"\$300".
 - (3) Third Schedule, paragraph 3—
Repeal
"\$280"
Substitute
"\$370".

**Pneumoconiosis and Mesothelioma (Compensation)
Ordinance**

Resolution

(Under section 40 of the Pneumoconiosis and Mesothelioma
(Compensation) Ordinance (Cap. 360))

Resolved that the Pneumoconiosis and Mesothelioma (Compensation)
Ordinance (Cap. 360) be amended as set out in the Schedule.

Schedule

**Amendments to Pneumoconiosis and Mesothelioma
(Compensation) Ordinance**

1. **Second Schedule amended (medical expenses and expenses for medical appliances)**
 - (1) Second Schedule, Part I, paragraph 1(b)—
Repeal
“\$200”
Substitute
“\$300”.
 - (2) Second Schedule, Part I, paragraph 2(b)—
Repeal
“\$200”
Substitute
“\$300”.
 - (3) Second Schedule, Part I, paragraph 3—
Repeal
“\$280”
Substitute
“\$370”.

DRAFT

Speech by the Secretary for Labour and Welfare
in moving the Resolution under Section 48A
of the Employees' Compensation Ordinance
at the Legislative Council sitting on 31 January 2018

(This is a draft; please check against actual delivery.)

President,

I move that the resolution, as printed on the Agenda, be passed.

2. The purpose of this resolution is to increase the maximum daily rates of medical expenses under the Employees' Compensation Ordinance (ECO). Under ECO, an injured employee or a prescribed occupational disease sufferer who has received medical treatment in respect of a work injury or a prescribed occupational disease may claim reimbursement of the actual amount of medical expenses incurred, subject to the maximum daily rates specified in the Ordinance. According to the established mechanism, the maximum rates of medical expenses under ECO are linked to public healthcare service fees and charges. Currently, the maximum daily rate for in-patient or out-patient treatment is both set at \$200, whereas the maximum daily rate for in-patient and out-patient treatment

received on the same day is set at \$280.

3. The new fees and charges for public healthcare services have taken effect since 18 June 2017. Based on the new fees and charges for public healthcare services, we propose to correspondingly increase the maximum daily rate of medical expenses for in-patient or out-patient treatment under ECO from \$200 to \$300, and that for in-patient and out-patient treatment received on the same day from \$280 to \$370, in accordance with the established mechanism.

4. The Labour Advisory Board has endorsed the above proposal. Moreover, the Legislative Council Panel on Manpower has supported in principle the Government's proposal to increase the maximum daily rates of medical expenses under ECO as soon as practicable. We propose that the revised maximum daily rates of medical expenses should become effective from 2 February 2018.

5. I hope that Members will support and pass this resolution so as to enhance the protection of injured employees and prescribed occupational disease sufferers in terms of their medical expenses as early as possible.

6. Thank you, President.

- End -

DRAFT

Speech by the Secretary for Labour and Welfare
in moving the Resolution under Section 40
of the Pneumoconiosis and Mesothelioma (Compensation) Ordinance
at the Legislative Council sitting on 31 January 2018

(This is a draft; please check against actual delivery.)

President,

I move that the resolution, as printed on the Agenda, be passed.

2. The purpose of this resolution is to increase the maximum daily rates of medical expenses under the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (PMCO). Under PMCO, a pneumoconiosis and/or mesothelioma sufferer who has received medical treatment in respect of the above disease(s) may claim reimbursement of the actual amount of medical expenses incurred, subject to the maximum daily rates specified in the Ordinance. According to the established mechanism, the maximum rates of medical expenses under PMCO are linked to public healthcare service fees and charges. Currently, the maximum daily rate for in-patient or out-patient treatment is both set at \$200, whereas the maximum daily rate for in-patient and out-patient treatment received on the same day is set at \$280.

3. The new fees and charges for public healthcare services have taken effect since 18 June 2017. Based on the new fees and charges for public healthcare services, we propose to correspondingly increase the maximum daily rate of medical expenses for in-patient or out-patient treatment under PMCO from \$200 to \$300, and that for in-patient and out-patient treatment received on the same day from \$280 to \$370, in accordance with the established mechanism.

4. The Pneumoconiosis Compensation Fund Board and the Labour Advisory Board have endorsed the above proposal. Moreover, the Legislative Council Panel on Manpower has supported in principle the Government's proposal to increase the maximum daily rates of medical expenses under PMCO as soon as practicable. We propose that the revised maximum daily rates of medical expenses should become effective from 2 February 2018.

5. I hope that Members will support and pass this resolution so as to enhance the protection of persons suffering from pneumoconiosis and/or mesothelioma in terms of their medical expenses as early as possible.

6. Thank you, President.

- End -