

DRAFT

1999年1月20日（星期三）

立法會會議席上

陳榮燦議員就“香港居民享有罷工的權利和自由”
提出的議案

議案措辭

“鑑於《基本法》第二十七條訂明香港居民享有罷工的權利和自由，但現時僱主卻可根據《僱傭條例》（第57章）第9條解僱罷工或採取工業行動的僱員，並且無須給予通知或代通知金，該條文明顯抵觸了《基本法》第二十七條的規定，本會促請政府從速修訂《僱傭條例》，以落實《基本法》賦予香港居民罷工的權利和自由。”

(Translation)

**Motion on "Right and freedom of Hong Kong residents to strike"
to be moved by Hon CHAN Wing-chan
at the Legislative Council meeting
on Wednesday, 20 January 1999**

Wording of the Motion

"That, whereas Article 27 of the Basic Law provides that Hong Kong residents shall have the right and freedom to strike, but employers can now dismiss their employees who go on strike or take industrial action without notice or payment in lieu of notice under section 9 of the Employment Ordinance (Cap. 57), and thus that provision is clearly in contravention of Article 27 of the Basic Law, this Council urges the Government to expeditiously amend the Employment Ordinance to give effect to the right and freedom of Hong Kong residents to strike conferred by the Basic Law."

(Draft as at 7.1.99)