

## **Jurisdiction of the LegCo Redress System**

### **The existing jurisdiction**

Complaints and representations about the decisions and actions of all government bureaux and departments fall within the jurisdiction of the LegCo Redress System.

2. Matters outside the jurisdiction include :
  - (a) Court decisions, matters which are sub-judice or could involve criminal charges, and matters relating to judicial and quasi-judicial proceedings.
  - (b) Complaints against individual members of the three-tier system of representative government (i.e. LegCo, Municipal Councils and District Boards), or other Government boards and committees.
  - (c) Matters outside the jurisdiction of the Hong Kong Special Administrative Region.
  - (d) Matters relating to the administration of a non-government body.
  - (e) Private disputes.
  - (f) Labour disputes between employers and employees, including disputes between individual members of the Civil Service and Government as an employer. (If any member of the public considers that the Labour Department has not done a proper job to handle his/her labour dispute, he/she may make a complaint against the Labour Department, which is within the jurisdiction of the LegCo Redress System.)
  - (g) Complaints against Police or ICAC officers because of the existence of the ICAC Complaints Committee and the Independent Police Complaints Council to oversee investigation of complaints against these two departments.
  - (h) The System also does not provide legal advice or legal services to complainants.

### **Grey areas of the jurisdiction**

3. The relatively vague area is handling of complaints against non-government bodies, particularly the statutory organisations. The Redress System has in fact been handling complaints against those statutory bodies of wide public concern such as the Hong Kong Housing Society, the Mass Transit Railway Corporation, the Kowloon and Canton Railway Corporation, the Land Development Corporation and the Hospital Authority etc. These bodies have been co-operative in answering questions from Members.

### **For Members' consideration**

4. Members may wish to review the existing jurisdiction and draw up a schedule of government bureaux/departments and organisations to be covered by the LegCo Redress System.