

S/F(2) in HAB/CR/1/2/34 Pt. 6
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Dear Miss Tang,

Family Status Discrimination (Amendment) Bill 2000

We have the following comments on the proposed CSAs to the Bill.

New section 8(10) excludes the application of, amongst other things, subsection (2)(c) (i.e. dismissing an employee or subjecting him to any other detriment) to any arrangement under which an employer affords, or omits to afford, any immediate family member of the person concerned direct or indirect access to benefits, facilities or services.

However, sections 9(2)(b) and 16(2)(b) which are related to dismissal of contract workers and commission agents, and therefore not dissimilar to dismissal of an employee under section 8(2)(c), are not excluded from application to new section 9(4) and (5), and section 16(4) and (5) respectively. Does the Administration consider it appropriate to extend the exclusion of sections 9(2)(b) and 16(2)(b) from application to the aforesaid provisions? If no, why not?

It is appreciated that your reply, in both languages, could reach us before the next Bills Committee meeting to be held on 18 May 2000.

Yours sincerely,

(Stephen Lam)
Assistant Legal Adviser

c.c. Miss Flora Tai, CAS(2)6 (Temp)