

立法會
Legislative Council

LC Paper No. CB(1)1236/99-00

(These minutes have been seen
by the Administration)

Ref.: CB1/HS/3/99

Legislative Council
Subcommittee on payment of honoraria
to Government boards and committees

Minutes of meeting
held on Tuesday, 22 February 2000, at 4:30 pm
in Conference Room B of the Legislative Council Building

Members present : Hon Gary CHENG Kai-nam, JP (Chairman)
Hon Edward HO Sing-tin, JP
Hon CHOY So-yuk

Members absent : Dr Hon David LI Kwok-po, JP

Public officers : Mrs Carrie LAM
attending Deputy Secretary for the Treasury

Mr K K LAM
Principal Executive Officer (General),
Finance Bureau

Clerk in attendance : Ms Pauline NG
Assistant Secretary General 1

Staff in attendance : Mr Jimmy LAU
Senior Assistant Secretary (1)2

I. Election of Chairman

Proposed by Mr Edward HO sing-tin and seconded by Ms CHOY So-yuk, Mr Gary CHENG Kai-nam was elected Chairman of the Subcommittee.

II. Terms of reference

2. Members were invited to consider the proposed terms of reference of the Subcommittee tabled at the meeting. After deliberation, members endorsed the proposed terms of reference (**Appendix**) and agreed that Subcommittee should also examine the honoraria for non-officials sitting on those boards and committees not wholly funded by the Government, such as the Housing Authority, etc.

III. Meeting with the Administration

(LC Papers No. CB(1)1035/99-00(01) and CB(1)1035/99-00(02))

3. The Chairman invited members to refer to two papers submitted to the Subcommittee for consideration: CB(1)1035/99-00(01) prepared by the Administration and CB(1)1036/99-00(02) prepared by the LegCo Secretariat. The Chairman and Mr Edward HO Sing-tin declared their interests that they were non-official members of some Government boards and committees.

4. The Deputy Secretary for the Treasury (DS/Tsy) briefed members on the background and present arrangements for remunerating non-official members of Government boards and committees. She advised members that as at 1 July 1999, there were 228 statutory and 142 permanent but non-statutory boards and committees with non-official members. The Government had all along adopted the principle that the service of non-officials on boards and committees was voluntary and, as a general rule, un-remunerated. However, the Administration was aware of the need to recompense individual non-officials for the time taken to carry out the work of the boards/committees or the salary forgone. In 1980, the Finance Committee (FC) endorsed a ceiling of \$200 per attendance for the granting of honorarium to non-officials of individual boards/committees, if such was found justified by the responsible Policy Bureaux. The ceiling was raised to \$570 in 1993 by the FC, and was adjusted thereafter by reference to the movement in Consumer Price Index by the Secretary for the Treasury under delegated authority. Where it was found

necessary to grant honorarium exceeding this ceiling, approval would have to be sought from the FC on a case-by-case basis.

5. In explaining the circumstances for the granting of remuneration, DS/Tsy advised that it would be for the chairman, official or unofficial, or the person responsible for making appointments to the board/committee, normally the relevant Bureau Secretary, to decide if remuneration was warranted having regard to the nature of the work involved and the degree of earnings forgone. DS/Tsy also stressed that the Administration was aware of Members' concern about the inconsistency in the granting of remuneration, as reflected in the questions raised by FC at various meetings. The Finance Bureau had issued guidelines on the matter but she admitted that at the end of the day, the decision on whether or not to grant remuneration to the non-officials of the boards and committees rest with the Bureau Secretary concerned. Under the guidelines, the chairman of a board/committee could still initiate a remuneration proposal for consideration by the Bureau Secretary concerned, although this was no longer a prerequisite following a review in response to some Members' comment back in 1993.

6. Responding to members' questions on the different rates quoted in the two papers, DS/Tsy explained that the rate of \$570 approved by FC in 1993 was the maximum rate of the remuneration which could be approved by the Secretary for the Treasury under delegated authority. The maximum rate had since then been revised and was now set at \$785 per attendance. The rates quoted in the Administration's paper reflected the rates approved by the Secretary for the Treasury based on the recommendations of individual Bureaux. The rates quoted in the LegCo Secretariat's paper were those approved by FC at the time the proposals were considered. Some of the proposals were for a monthly honorarium as attendances were more frequent.

7. Referring to a query by Ms CHOY So-yuk on the varying rates, DS/Tsy said that \$90 per attendance was proposed and approved in the case of Education Department's Curriculum Development Council as it was considered appropriate to bring it in line with the prevailing rate of the Examination Authority for remunerating the service of persons with comparable responsibilities. Non-official members of the Independent Police Complaints Council received a monthly honorarium based on the per-attendance rate as their attendances were more frequent. As regards the Electricity Ordinance

Appeal Board, no meeting had been held after 1 August 1999. The remuneration rate for non-official members had therefore not been revised and had remained at \$775.

8. Ms CHOY So-yuk pointed out that a much higher rate was approved in the cases submitted to FC for approval. These cases mainly involved the service of non-officials with legal background. In the absence of standard guidelines, it gave Members the impression that those with legal background could be compensated at a rate equivalent to the market rate of the profession, while others would not. She opined that there might be some kind of occupational discrimination in setting out the level of honoraria.

9. In response, DS/Tsy reiterated that these cases were put to FC based on the recommendation of the Bureau Secretaries concerned. The Finance Bureau, when supporting these proposals, took note of the need to appoint persons with considerable experience of a judicial or quasi-judicial nature to deal with the work involved. For example, in the case of an Appeal Board, the chairman concerned was charged with deciding whether there was a prima facie case to support an appeal. Apart from leading the Board members to inquire into the appeal, he was also required to spend a lot of time in writing the decision on the case. As recompense for the time spent on the work involved, the remuneration was set at a level comparable to the market rates for engaging legal professionals by the Government. She assured members that there was no occupational discrimination in determining the level of honoraria.

10. Mr Edward HO Sing-tin questioned the differential treatments to Government boards and committees in the payment of honoraria. The Chairman added that different policies were adopted in the granting of honoraria and he was aware that non-official members of many Government boards and committees did not receive any honorarium at all.

11. DS/Tsy replied that under the current policy, it was up to the Bureau Secretary concerned to propose the payment of honoraria. As a result, the practice for different boards and committees under the purview of different bureaux could be different. Nevertheless, she indicated that the Finance Bureau would be happy to remind Bureau Secretaries of the general principles of remunerating non-official members of Government boards and committees and urge them to make a conscious effort to review whether granting an

honorarium was justified.

12. Members welcomed the issue of reminders to Bureau Secretaries but considered it more appropriate to do so after the Subcommittee had given its views.

13. In response to the Chairman's question on the role of the Finance Bureau in processing the requests from Bureau Secretaries, DS/Tsy explained that the Finance Bureau would only comment on the rate proposed in relation to its delegated authority. She admitted that the Finance Bureau seldom challenged the proposed rate as long as it did not exceed the approved ceiling. In the event that the honorarium proposed was higher than the maximum rate, the Bureau Secretary concerned would have to seek approval from FC and each case would have to be considered on its merits.

Admin.

14. The Chairman remarked that there was apparently a lack of consistency in the granting of honoraria. He noted that the Administration's paper only listed out those committees for which remuneration was granted. To facilitate a more comprehensive review of the subject matter, he requested the Administration to provide such details of all the boards and committees appointed by Government, including those not wholly funded by the Government and statutory boards not funded by General Revenue. As regards the extent of details to be furnished to the Subcommittee, he asked the Clerk to discuss with the Finance Bureau on the information required. DS/Tsy agreed to take it up further with the Clerk after the meeting.

Clerk

IV. Any other business

Clerk

15. The Chairman advised members that as it would take some time for the Administration to compile the information required, he would ask the Clerk to notify members of the date of the next meeting.

16. There being no other business, the meeting ended at 5:35 pm.

Legislative Council Secretariat

3 April 2000

**Subcommittee on
Payment of Honoraria to Government Boards and Committees**

Proposed Terms of Reference

1. To examine the principles adopted by the Government in remunerating non-official members serving on Government boards and committees; and
2. To examine the current mechanism for determining whether and at what rates should non-official members of a Government board or committee be remunerated.

Council Business Division 1
Legislative Council Secretariat
22 February 2000

