

**立法會**  
**Legislative Council**

LC Paper No. CB(2) 1466/99-00

(These minutes have been  
seen by the Administration)

Ref : CB2/PL/MP/1

**LegCo Panel on Manpower**

**Minutes of meeting**  
**held on Thursday, 24 February 2000 at 2:30 pm**  
**in the Chamber of the Legislative Council Building**

- Members present** :
- Hon LAU Chin-shek, JP (Chairman)
  - Hon LEE Kai-ming, SBS, JP (Deputy Chairman)
  - Hon Kenneth TING Woo-shou, JP
  - Hon James TIEN Pei-chun, JP
  - Hon David CHU Yu-lin
  - Hon HO Sai-chu, SBS, JP
  - Hon Cyd HO Sau-lan
  - Hon LEE Cheuk-yan
  - Hon CHAN Kwok-keung
  - Hon CHAN Yuen-han
  - Hon CHAN Wing-chan
  - Hon LEUNG Yiu-chung
  - Hon SIN Chung-kai
  - Hon YEUNG Yiu-chung
  - Hon Andrew CHENG Kar-foo
  - Hon SZETO Wah
- Members absent** :
- Hon Michael HO Mun-ka
  - Dr Hon LUI Ming-wah, JP
  - Hon Ronald ARCULLI, JP
  - Dr Hon LEONG Che-hung, JP

**Public Officers :** Item III  
**attending**

Mr Joseph WONG, GBS, JP  
Secretary for Education and Manpower

Mr Philip K F CHOK, JP  
Deputy Secretary for Education and Manpower

Mr Paul WONG  
Principal Assistant Secretary for Education  
and Manpower 11

Mr Matthew K C CHEUNG, JP  
Commissioner for Labour

Item IV

Mr Philip K F CHOK, JP  
Deputy Secretary for Education and Manpower

Ms Michelle LI  
Principal Assistant Secretary for Education  
and Manpower 1

Mr Paul WONG  
Principal Assistant Secretary for Education  
and Manpower 11

Mr Ivan LEE  
Principal Assistant Secretary for Education  
and Manpower 5

Item V

Mr Philip K F CHOK, JP  
Deputy Secretary for Education and Manpower

Mr LAM Kam-kwong  
Principal Assistant Secretary for Education  
and Manpower 7

Mrs Jennie CHOR  
Assistant Commissioner for Labour

**Clerk in attendance** : Mrs Sharon TONG  
Chief Assistant Secretary (2)1

**Staff in attendance** : Mr Raymond LAM  
Senior Assistant Secretary (2) 5

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**I. Confirmation of minutes of meetings held on 21 December 1999 and 27 January 2000 and matters arising**  
(LC Paper Nos. CB(2) 1131/99-00, CB(2) 1143/99-00 and CB(2) 1140/99-00(01))

The minutes of the meetings held on 21 December 1999 and 27 January 2000 were confirmed.

List of follow-up actions required of the Administration

2. Members noted the list of follow-up actions required of the Administration.

Special arrangement on driving duties by foreign domestic helpers (FDHs)

3. The Chairman informed members that in response to his request at the joint meeting of the Panels on Manpower and Security on 21 December 1999 for the Administration to issue letters to remind Executive Council (ExCo) Members, Legislative Council (LegCo) Members and senior government officials of the restrictions on driving duties by FDHs, the Administration had replied that it had not indicated agreement to do so. However, a reminder in the form of a press release would be issued by the Administration in due course. The Chairman said that although the Administration had not explicitly agreed to his suggestion at the joint Panel meeting on 21 December 1999, it had not objected to the suggestion. The Chairman, Mr LEE Cheuk-yan and Mr CHAN Wing-chan requested the Administration to reconsider the request of issuing letters to the persons suggested. Secretary for Education and Manpower (SEM) said that it would be difficult to issue the letters suggested by the Chairman. Wide publicity had been given to the restrictions and the new arrangement for individual employers to apply for exceptional permission. Press releases of the Administration were provided to the LegCo Secretariat and the Secretariat of ExCo. It would be quite inappropriate to single out certain classes of people for special notification. All FDH employers, regardless of whether he was a member of the public, an ExCo or LegCo Member, or a senior government official, had to comply with the policy laid down by the Administration. Any person who noticed or suspected that an FDH employer had breached the Administration's policy should report the case to the enforcement agency for follow-up. The Chairman suggested members to refer cases of suspected full-time driving by FDHs to the Administration for follow-up.

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**II. Date of next meeting and items for discussion**

(LC Paper No. CB(2) 1140/99-00(02))

4. Members agreed to discuss the following items at the next regular meeting rescheduled for 30 March 2000 at 10:45 am -

- (a) Protection of employees' retirement benefits after the implementation of the Mandatory Provident Fund Scheme;
- (b) Consultancy review on the Employees Compensation Assistance Scheme; and
- (c) Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) (Amendment) Regulation.

On item (b), Deputy Secretary for Education and Manpower (DSEM) said that the results of the consultancy review on the Employees Compensation Assistance Scheme was still being consulted with the relevant parties. He would inform the LegCo Secretariat about whether the item would be ready for discussion at the meeting in March.

Equal pay for work of equal value

5. Mr LEE Cheuk-yan said that a forum on the issue of equal pay for work of equal value could be convened by the Equal Opportunities Commission (EOC) on 18 March 2000. He suggested that the issue of equal pay for work of equal value under the Sex Discrimination Ordinance be discussed at the Panel meeting in March or April 2000. The Chairman asked the Clerk to seek the view of EOC regarding the timing for discussion of the issue.

*(Post-meeting note : EOC has suggested that the issue be discussed at the meeting to be held on 25 May 2000.)*

Reinstatement

6. Mr LEE Cheuk-yan said that to his knowledge, the Labour Advisory Board (LAB) would discuss the issue of reinstatement at its meeting in March 2000. He asked whether the issue would be ready for discussion by the Panel in March. Commissioner for Labour (C for L) responded that the meetings of LAB were usually held towards the end of a month. He undertook to inform the LegCo Secretariat about whether the item would be ready for discussion by the Panel in March 2000.

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Panel's overseas duty visit to Singapore

7. Members noted that the Clerk had written to the relevant ministry in Singapore regarding the Panel's proposed duty visit and a reply was still awaited.

**III. Impact on local employment of the recent economic transformation and China's accession to World Trade Organizations (WTO)**  
(LC Paper No. CB(2) 1140/99-00(03))

8. At the invitation of the Chairman, SEM introduced the Administration's paper on the impact of China's accession to WTO on local economy and employment.

9. Mr CHAN Wing-chan asked whether the study on the impact of China's accession to WTO on local employment could be expedited. Noting that there were massive demonstrations when the last conference of WTO was held in the United States, he asked about the past experience of other countries following their accession to WTO. He also asked whether experts in the relevant field would be appointed to the inter-departmental Steering Committee as referred to in paragraph 4 of the Administration's paper. SEM responded that the study was scheduled to be completed within six months, which was already a very short period. As China was still holding talks with the European Union, which was one of its major trade partners, it was difficult to estimate the extent to which the China market would be opened at this stage. He assured members that the Administration would try its best to complete the study within the earliest possible time. He said that consideration had been given to inviting academics to participate in the study so as to share their professional knowledge and experience on the subject.

10. Miss Cyd HO expressed concern that the follow-up actions on the study might take the form of high investment and low output, as in the case of retraining programmes provided by ERB. She asked whether the training plan devised from the findings of the study would be a short-term or long-term one. She considered that the low education level of some workers was hindering their self-learning ability. She added that the business environment was changing so rapidly that the results of the study might become outdated in a few years' time. She asked whether the Administration had plans to strengthen adult elementary education to equip workers with self-learning skills. As paragraph 2 of the Administration's paper had highlighted industries of potential growth, the Administration should identify the education level required of workers in these industries and develop relevant training programmes.

11. SEM said that the study sought to identify the manpower demand and training needs in the coming five years. Depending on the findings of the study, short-term, medium-term and long-term training programmes might be developed. He informed members that the study would be conducted by the Census and Statistics Department (C&SD) and academics.

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12. SEM said that besides the study, the Administration was doing a lot to meet the training needs of workers. It noted that information technology (IT) would have a strong influence on the development of Hong Kong's economy. Thus, training in IT would be strengthened without having to wait until the study was completed. Noting that Hong Kong was developing into a "knowledge-based" society, the Administration was working to strengthen the self-learning ability of workers through providing training in core skills, such as language skills and computer skills. It would create more opportunities for workers to "learn for life" and provide more training opportunities to those with Form 5 education level. As regards the study, the Administration would report the results to the Panel before mapping out its manpower training strategy for the coming three to five years. This training strategy would be adjusted annually to meet changes in the environment.

Adm

13. Mr LEE Cheuk-yan asked whether the recommendations of the consultancy study on best overseas practices in manpower forecasting would be adopted in the study on the impact of China's accession to WTO. SEM responded that the former consultancy study was not yet completed.

Adm

14. Mr LEE Cheuk-yan said that a number of overseas countries were gathering statistics on redundancies. He considered that the Administration should require employers to report the number of employees made redundant in their monthly returns to C&SD. SEM said that there was information on the number of redundancies in the breakdown of unemployment rate compiled by C&SD. He undertook to provide members with a copy of the breakdown. Mr LEE Cheuk-yan said that the breakdown of unemployment rate would not reflect the real situation. The number of workers who found another job shortly after being made redundant would not be reflected in the statistics. Incomplete information would hinder the development of a manpower training strategy which would meet the needs of the society. He requested the Education and Manpower Bureau to look into his suggestion with C&SD.

Adm

Adm

15. Referring to paragraph 5(b) of the Administration's paper, Mr James TIEN said that the Hong Kong General Chamber of Commerce and the Hong Kong Trade Development Council had published the findings of their respective studies on the impact of China's accession to WTO. He suggested the Administration to examine these reports to assess employers' perception and expectation on future manpower training and job skill requirements. Referring to paragraph 5(c) of the Administration's paper, he expressed doubt about whether the labour force would be able to give views on the impact of China's accession to WTO. SEM said that the survey on the labour force only sought to gauge views on their training needs and concerns.

16. Mr Andrew CHENG said that the Democratic Party had studied the experience of overseas countries in their accession to WTO and noted that the impact of accession to WTO on local employment was usually a negative one. He asked about the Administration's preliminary assessment of the impact of China's accession to WTO on local employment. SEM said that although the Government Economist (GE) had conducted a study of the impact of China's accession to WTO on local economy, there

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had not been any study of the impact on local employment. The Administration had thus decided to carry out the study as highlighted in paragraph 5 of its paper. The Administration's initial assessment of China's accession to WTO was that it would create more business opportunities, although some sectors might face greater competition from other economies and some manufacturing establishments might relocate to the Mainland. He said that the key to addressing these issues was the provision of suitable training and retraining.

17. Miss CHAN Yuen-han said that China's accession to WTO might cause some industries to decline at a much faster rate. It might be too late to address the problem when the results of the study were available in the third quarter of 2000. She considered that the Administration should take immediate steps to create more Job opportunities in labour-intensive trades. She said that although the Chief Executive of the Hong Kong Special Administrative Region said that there had recently been substantial economic growth, the unemployment rate had only improved slightly by 0.3%. She said that if the economic growth was in the region of 4%, about 120 000 new job opportunities should have been created. SEM reiterated that as GE had only conducted a study on the impact of China's accession to WTO on local economy, the study to assess the impact on local employment was needed. As the extent to which China's market would be opened was still unknown, it was difficult at this stage to estimate the number of workers required for each trade. The Administration had been putting in much effort in tackling unemployment and creating job opportunities. He added that the Task Force on Employment, which had launched more than 30 measures in tackling unemployment and creating job opportunities, would meet on the following day.

**IV. Manpower training in the information technology sector**  
(LC Paper No. CB(2) 1140/99-00(04))

18. At the invitation of the Chairman, DSEM briefed members on the Administration's strategy and plan to meet the manpower needs of the IT industry.

19. Miss CHAN Yuen-han asked about the entry requirements of IT courses offered by the Institute of Vocational Education (IVE). She expressed concern that there was little opportunity for persons who had only completed Secondary 3 education or who failed to achieve five passes in the Hong Kong Certificate of Education Examination (HKCEE) to further their education. Principal Assistant Secretary for Education and Manpower 5 (PAS(EM)5) said that as most of the courses offered by IVE were diploma or higher diploma courses, the minimum entry requirement was usually five passes in HKCEE. DSEM said that the new Certificate in Vocational Studies (CVS) Course organized by the Vocational Training Council (VTC) was designed for students who had completed Secondary 3 education. The new IT Assistant Course was provided for students of Form 3 standard or above. Although only 170 training places were offered initially, the number of training places could be increased to meet the high demand. Applicants who could not enrol in the course had been put on a waiting list and would be contacted if more training courses were organized in the future.

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Adm 20. Miss Cyd HO said that according to a recent survey conducted overseas, male students tended to be better in engineering and mathematics in comparison with female students. She asked whether such a situation was also found in Hong Kong. DSEM undertook to provide a breakdown in respect of the sex of students undergoing IT training by the various training providers in Hong Kong.

21. Referring to paragraph 3.5 and 4 of the Appendix to the Administration's paper, Mr Andrew CHENG expressed concern about the manpower shortfall in the IT sector. He asked whether the Administration had plans to substantially increase financial provision to universities for IT training. He expressed concern that while the growth in demand for "Consultants and Specialist" and "IT Management" were 14% and 12% respectively, the growth in the number of IT training places was substantially lower. DSEM responded that the estimates had not included returning emigrants and IT professionals recruited from other places. There were a number of graduates in the engineering field who had received considerable training in the area of IT. There would also be a substantial increase in the number of IT training places provided by VTC. Tertiary institutions were also providing IT-related programmes at various levels on a self-financing basis to meet market needs. To meet the growth in demand for IT professionals, the Administration would discuss with local universities on the redeployment of resources for organizing more IT courses. PAS(EM)1 added that the continuing and professional education units of a number of tertiary institutions were providing IT-related degree courses in collaboration with overseas universities. The number of training places of these IT-related courses could be substantially increased on a self-financing basis to meet market needs.

Adm 22. In response to Miss Cyd HO, DSEM undertook to provide information on the extent to which the training courses provided by ERB matched with the 14 678 vacancies handled by LD which required computer skills.

23. Mr LEUNG Yiu-chung asked whether the level of IT skills required had been examined in the assessment of manpower demand for IT professionals. He expressed concern that although some 44 000 IT-related training places would be provided by the Employees Retraining Board (ERB), some students of these courses considered that the basic computer training provided was inadequate for meeting their needs in work. He asked whether the Administration would allocate more resources to ERB for training in IT. DSEM responded that members of a number of committees under ERB were IT professionals who were fully aware of the latest developments and needs in the IT sector. The IT Assistant Course was developed to meet the needs of the market. He added that most participants of the courses offered by ERB were workers engaged in jobs of primary level. It was necessary for ERB to design courses that meet the needs of these persons. He added that there was a requirement that the placement rate of the graduates of a ERB training course had to meet a certain percentage for the continued financial support of a course.

24. Mr LEUNG Yiu-chung said that as the consultancy study had already identified the type of IT professionals in need, the retraining courses of ERB should be tailored to



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meet such needs. The Administration should not discriminate against the ability of students of ERB. ERB should provide higher level IT-related retraining courses for its students to develop IT skills. It would be a waste of resources if the training offered by ERB failed to meet the needs of the IT industry. To his knowledge, the requirement in respect of the placement rate was applicable to full-time courses but not part-time courses of ERB. Only Chinese characters input methods were taught in the part-time courses provided by ERB.

25. Referring to the estimated demand of 213 000 IT professionals in 2010 in paragraph 3.5 of the Appendix to the Administration's paper, Mr SIN Chung-kai said that the figure would become outdated in three to five years' time. He stressed that IT development was characterized by slow development at the initial stage followed by rapid development at a later stage. It would be inappropriate to use the manpower needs of the past to assess future training needs. All estimates of demand for IT professionals would tend to be conservative. He expressed concern about an underprovision of retraining offered by ERB due to the placement rate requirement in respect of its graduates. He added that training in programming rather than Chinese characters input methods should be provided to trainees. Training courses in programming usually lasted for eight to ten weeks. Persons aged 30 or above should not find it difficult in developing such a skill. He said that the Administration should publicize the full report of the study as soon as possible. He considered that a substantially larger number of IT training places should be provided by the training providers. DSEM noted the views of Mr SIN.

**V. Briefing on the Employees' Compensation (Amendment) (No. 2) Bill 2000**  
(LC Paper No. CB(2) 1140/99-00(05))

26. At the invitation of the Chairman, DSEM briefed members on the Administration's proposal to improve the system of settling compensation claims for fatal cases under the Employees' Compensation Ordinance (Cap. 282)(ECO).

27. As regards the proposed amendments to the levels of fine, ACL said that the maximum levels of fine related to the following were proposed to be strengthened to increase their deterrent effect on offenders -

- (a) non-payment of compensation as stated in a certificate of compensation assessment issued by C for L;
- (b) failure to comply with the requirements relating to compulsory insurance; and
- (c) failure to comply with a written demand from C for L for producing a policy of insurance for inspection.

Funeral and medical attendance expenses

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28. In response to Mr SZETO Wah, ACL said that the ceiling of \$16,000 for funeral and medical attendance expenses was set with reference to a reasonable amount which could meet burial by cremation.

29. While welcoming the legislative amendments, Mr LEE Cheuk-yan considered that the current maximum funeral and medical attendance expenses of \$16,000 was too low and should be increased. According to family members of victims, the amount required would be in the region of \$50,000 to \$100,000. He added that the legislative amendments proposed in the Bill would not bring about any improvement in the total amount of compensation for claims in which the degree of dependency was already determined as 100%.

30. Assistant Commissioner of Labour (ACL) said that a major improvement of existing legislation was the removal of the requirement to assess the degree of dependency of family members. Thus, the total amount of compensation payable would generally be increased. It would be inappropriate to consider the funeral expense in isolation from the other improvements. The maximum amount of \$16,000 for funeral and medical attendance expenses was also applicable to some other compensation-related legislation. The various levels of compensation, including the amount of funeral expense, were revised every two years. The next revision would be made in January 2001. She considered that the maximum amount of \$16,000 should be generally adequate for meeting funeral and medical attendance expenses. She added that as an additional avenue would be provided for settling straightforward cases of compensation, the processing time for apportionment of compensation would be substantially reduced by nine to 15 months. She said that a survey revealed that cases in which the degree of dependency was less than 100% amounted to about 40% of the total number of compensation claims. Hence, the proposed amendments would result in higher compensation payable in a significant proportion of fatal cases. The Chairman said that the family members in the remaining 60% of cases in which there was no improvement in the level of compensation might be those who were most in need of more assistance.

Time for processing of compensation claims

31. In response to Mr CHAN Wing-chan, ACL said that six months were allowed for LD to process compensation claims since some family members of the deceased might lodge their claims some time after other family members had lodged their claims. The verification of the information of all family members, especially those living in the Mainland, would also need time. In the event of appeals, the court would not accept the claim of a family member if his name did not appear on the certificate issued by LD on the apportionment of compensation for death. She added that the Administration would closely monitor the operation of the new settlement mechanism upon implementation to see if the six-month period was appropriate.

32. Mr Kenneth TING said that employers generally supported the shortening of time for processing claims.

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Interim payments

33. ACL informed members that interim payments payable to the spouse of the deceased employee, would comprise an initial payment and subsequent monthly payments calculated at the rate of 50% of the monthly earnings of the deceased employee. Interim payments would not be made in cases where there was doubt about the identity of the spouse.

34. Mr SZETO Wah said that as interim payments would be deductible from the total amount of compensation payable, it should be calculated at a rate of 100% of the monthly earnings of the deceased employee. ACL responded that the suggestion would need to be further studied in order to balance the interests of different parties involved.

35. Mr LEE Cheuk-yan considered that interim payments should not be deductible from the total amount of compensation payable. He asked why the amount would only be calculated at the rate of 50% of the monthly earnings of the deceased employee. He said that making the interim payments non-deductible from the total amount of compensation payable would only increase the amount of compensation by a maximum of nine months' earnings. Such an arrangement would only have a very slight effect on the insurance premium. ACL reiterated that with the removal of the requirement to assess the degree of dependency of family members, the total amount of compensation payable would generally be increased. The suggestion to make interim payments non-deductible would have implication on the insurance premium.

36. Referring to paragraph 4(c) of the Administration's paper, Mr Kenneth TING asked whether interim payments would be made in cases where the deceased employee had no spouse. ACL responded that it was proposed to make interim payments payable to the spouse only because the spouse was easy to identify and the one who looked after the family. On the other hand, making advance payments to other family members would be difficult to administer because verification of the identity of other family members would be more difficult. She added that the shortening of the settlement time should help alleviate the financial hardship of the family members of the deceased employee. Moreover, there were a number of trust funds, such as the Brewin Trust Fund, Loan Scheme for Employees Injured at Work and Dependents of Deceased Employees, and other charitable funds from which family members with financial difficulties could apply for assistance.

Adm

37. The Chairman requested the Administration to provide information on the estimated increase in insurance premium arising from making the interim payment non-deductible from the total amount of compensation payable and calculating it at a rate of 100% of the monthly earnings of the deceased employee when the relevant bill was introduced into LegCo. Mr SZETO Wah added that the Administration should also provide information on the effect of revising the interim payment from 50% to two-thirds of the monthly earnings of the deceased. In this connection, Mr Kenneth TING said that the suggested measures would result in an increase in the insurance premium.

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38. There being no other business, the meeting ended at 4:50 pm.

Legislative Council Secretariat

17 March 2000