

AP/P350/163

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13 May 2000

Clerk to the LegCo Panel on Manpower
Legislative Council Building
8 Jackson Road
Central
Hong Kong
(Attn: Mrs Sharon Tong)

Dear Mrs Tong,

**LegCo Panel on Manpower
Follow up action required of the Administration**

At the Manpower Panel meeting on 27 January 2000, Members requested the Administration to provide more details on the legal advice regarding the jurisdiction of the Labour Tribunal in adjudicating labour disputes involving government employees on non-civil service contract terms. I am writing to provide the information requested.

The Labour Tribunal Ordinance does not contain an express provision stating that it binds the Government. So far there has also been no definitive ruling by the Court upon whether the Labour Tribunal has jurisdiction to determine disputes involving employment contracts between the Government and its employees.

Yours sincerely,

(Thomas Chan)
for Secretary for the Civil Service

c.c. SEM (Attn: Mrs Do Pang Wai-yee)
C for L (Attn: Mrs Jennie Chor)
D of J (Attn: Ms Olivia Wan)