

**Bills Committee on
Employees Compensation Assistance (Amendment) Bill 2002**

Long Term Care and Attention to Injured Employees

Introduction

This paper provides the response of the Administration to the views of some Members of the Bills Committee on providing further assistance to employees who have been seriously injured and require long term care and attention by others.

Background

2. At the meeting held on 14 May 2002, Members expressed concern that the amount of the monthly payment of the relief payment might not be sufficient to meet the needs of those employees who have been seriously injured and require long term care and attention by another person. The Administration was requested to consider suitable means to help such employees to defray the on-going expenses incurred for the care and attention required.

Views of the Labour Advisory Board (LAB)

3. Taking note of Members' views, we have consulted the LAB on the provision of further assistance to those seriously injured employee who require long term care and attention. There is no majority view among the LAB members on the issue.

4. Some LAB members pointed out that in reaching a consensus on the overall proposal concerning the relief payment, consideration had already been given to the assistance to seriously injured employees for care and attention. Whereas the monthly payments provide on-going financial assistance to the injured employee and his/her family members, the initial payment of \$1.5 million should provide some cover if the injured employee needs the care and attention by another person.

The Administration's response

5. It has been our policy that the Administration will not take on a proposal that is not agreed by the LAB. The LAB is the most well-established consultative body on labour matters with equal representation of employers and employees in Hong Kong.

6. It should be noted that section 8 of the Employees' Compensation Ordinance (ECO) provides that where an injured employee suffers from permanent incapacity and is unable to perform the essential actions of life without the attention of another person, the employer shall be liable to pay the compensation for attention. The maximum amount of this compensation shall be \$412,000.

7. Under the Amendment Bill, the Employees' Compensation Assistance Scheme will continue to pay the compensation under the ECO. Therefore, the compensation for attention under the ECO and the initial payment of the relief payment should be able to meet the needs of seriously injured employee for care and attention to a certain extent.

8. Given the above considerations, we do not intend to propose increasing the assistance to injured employees in relation to long term care and attention by others.