

立法會
Legislative Council

LC Paper No. CB(1)2190/02-03
(These minutes have been seen
by the Administration)

Ref : CB1/BC/13/02

**Bills Committee on
Public Officers Pay Adjustments (2004/2005) Bill**

**Minutes of first meeting held on
Wednesday, 2 July 2003 at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon NG Leung-sing, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching, JP
Hon Andrew WONG Wang-fat, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon YEUNG Yiu-chung, BBS
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok, JP
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Ir Dr Hon Raymond HO Chung-tai, JP
Hon CHAN Kwok-keung, JP
Hon Bernard CHAN, JP
Hon Emily LAU Wai-hing, JP

Public officers attending : Mrs Jessie TING, JP
Deputy Secretary for the Civil Service (2)

Mr Ian WINGFIELD, GBS, JP
Law Officer
Department of Justice

Mr David MORRIS
Deputy Law Draftsman
Department of Justice

Mr Eddie MAK
Principal Assistant Secretary for the Civil Service
(Pay & Leave)

Ms Betty CHEUNG
Senior Government Counsel
Department of Justice

Clerk in attendance : Miss Salumi CHAN
Chief Assistant Secretary (1)5

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Ms Rosalind MA
Senior Assistant Secretary (1)8

I. Election of Chairman

Mr TAM Yiu-chung was elected Chairman of the Bills Committee.

II. Meeting with the Administration

(LC Paper No. CB(3)648/02-03

— The Bill

Ref: CSB CR PG/4-085-001/33

— The Legislative Council Brief on “Public Officers Pay Adjustments (2004/2005) Bill” issued by the Civil Service Bureau on 8 April 2003

Ref: CSB CR PG/4-085-001/33

— The Legislative Council Brief on “Public Officers Pay Adjustments (2004/2005) Bill” issued by the Civil Service Bureau on 13 May 2003

LC Paper No. LS 111/02-03

— The Legal Service Division Report

LC Paper No. CB(1)2116/02-03(01)

— Background brief prepared by the Legislative Council Secretariat

LC Paper No. CB(1)2116/02-03(02)

— Letter dated 20 June 2003 from the Assistant Legal Adviser to the Administration

LC Paper No. CB(1)2116/02-03(03)

— A comparison table on the provisions of the Bill and the provisions of the Public Officers Pay Adjustment Ordinance (Cap. 574) provided by the Administration)

2. The Bills Committee deliberated (Index of proceedings attached at **Appendix**).

Follow-up actions to be taken by the Administration

Admin

3. At the request of the Bills Committee, the Administration agreed to take the following actions:

- (a) To provide a paper on how the pay reduction decision would apply to different categories of public officers who were not civil servants or ICAC officers; and

- (b) To provide a paper on the impact of the pay reduction decision on civil servants on delinked starting salary, highlighting the difference between those who were offered appointment before 26 February 2003 and those who were offered appointment from that date and illustrating with examples.

Follow-up action to be taken by the Assistant Legal Adviser

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4. At the request of the Bills Committee, Assistant Legal Adviser 5 agreed to provide a paper on the legal implications of clause 14 on future civil service pay adjustments.

Arrangements for next meeting

5. The Bills Committee agreed that the next meeting be held on Wednesday, 17 September 2003 at 10:45 am to receive deputations and meet with the Administration.

6. The Bills Committee also agreed that in line with the practice adopted by the Bills Committee on Public Officers Pay Adjustment Bill last year, the following organizations would be invited to attend the next meeting and to provide the Bills Committee with written submissions:

- (a) staff side of the four central consultative councils and major civil service unions;
- (b) Law Society of Hong Kong;
- (c) Hong Kong Bar Association; and
- (d) staff unions of subvented organizations to be proposed by members.

(Post-meeting note: As directed by the Chairman, the next meeting of the Bills Committee was re-scheduled to 17 September 2003 at 2:30 pm.)

II. Any other business

7. There being no other business, the meeting ended at 11:45 am.

10 July 2003

**Proceedings of the first meeting of the
Bills Committee on Public Officers Pay Adjustments (2004/2005) Bill
on Wednesday, 2 July 2003 at 10:45 am
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000000-000050	Dr David CHU Mr HUI Cheung-ching Mr NG Leung-sing	Election of Chairman	
000051-000329	Chairman	Opening remarks	
000330-000930	Administration	Briefing by the Administration	
000931-001903	Mr Michael MAK Administration	(a) The need and appropriateness of implementing civil service pay reduction by legislation (b) Extent and implementation dates of the pay reduction	
001904-002326	Mr Michael MAK Administration	Staff consultation conducted by the Administration before making the pay reduction decision	
002327-002703	Miss Margaret NG Administration	Justifications for introducing a piece of one-off legislation to implement the pay reduction decision instead of a general enabling legislation on civil service pay adjustment mechanism, providing the legal framework for implementing upward and downward pay adjustments	

Time	Speaker	Subject(s)	Action required
002704-003129	Miss Margaret NG Administration	The Administration's planned schedule for introducing the general enabling legislation on civil service pay adjustment mechanism	
003130-003758	Ms Cyd HO Assistant Legal Adviser 5 Administration Chairman	Implication of clause 14 on future civil service pay adjustments	Assistant Legal Adviser 5 to provide the required information under paragraph 4 of the minutes
003759-004814	Ms LI Fung-ying Administration	(a) Impact of the pay reduction on public officers who were not civil servants or ICAC officers (b) Implementation of the pay reduction for civil servants on delinked starting salaries	Administration to provide the required information under paragraph 3(a) and (b) of the minutes
004815-005410	Chairman Mr LEUNG Fu-wah Mr Michael MAK	(a) Legislative timetable (b) Meeting with deputations and invitation of written submissions	

Time	Speaker	Subject(s)	Action required
		(c) Arrangements for next meeting	

Council Business Division 1
Legislative Council Secretariat
10 July 2003