

5 November 2003

Clerk to Bills Committee
(Attn.: Ms. Rosalind Ma)
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms Ma,

**Bills Committee on
Public Officers Pay Adjustments (2004/2005) Bill
Meeting on 7 November 2003**

Thank you for your letter of 4 November 2003 attaching the Hon Margaret Ng's letter of the same date concerning clause 3(1)(b)(i)(A) of the Bill.

Clause 3(1)(b) of the Bill is intended to exclude all judicial officers, including full-time Members of the Lands Tribunal, from the scope of application of the Bill. We consider that this intention is clearly reflected in the said clause. Nonetheless, in view of the comments from the Hong Kong Bar Association and the Hon. Margaret Ng, we propose amending clause 3(1)(b)(ii) to read "appointed by the Chief Executive or by the Chief Justice". As all full-time Members of the Lands Tribunal are appointed by the Chief Executive, the proposed amendment should put it beyond any doubt that such Members are covered by clause 3 and are therefore excluded from the scope of application of the legislation.

Yours sincerely,

(Eddie Mak)
for Secretary for the Civil Service

c.c. Mr. Ian Wingfield, Department of Justice
Mr. David Morris, Department of Justice
Ms. Betty Cheung, Department of Justice