

立法會
Legislative Council

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Tel : 2869 9205

Date : 25 March 2003

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting commencing on 2 April 2003

**Proposed resolution under
the Employees' Compensation Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Economic Development and Labour will move at the Council meeting commencing on 2 April 2003 under the Employees' Compensation Ordinance. The President has waived the required notice of the proposed resolution and directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Economic Development and Labour will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

EMPLOYEES' COMPENSATION ORDINANCE

RESOLUTION

(Under section 48A of the Employees' Compensation Ordinance (Cap. 282))

RESOLVED that the Third Schedule to the Employees'

Compensation Ordinance be amended -

- (a) in paragraph 1(b), by repealing "\$175" and substituting "\$200";
- (b) in paragraph 2(b), by repealing "\$175" and substituting "\$200";
- (c) in paragraph 3, by repealing "\$175" and substituting "\$280".

**Speech by the
Secretary for Economic Development and Labour
in moving the Resolution under Section 48A
of the Employees' Compensation Ordinance
in the Legislative Council on 2 April 2003**

(This is a draft; please check against actual delivery.)

Madam President,

I move the motion standing in my name on the Agenda.

2. I would like to thank the Honourable Kenneth TING and members of the Subcommittee for their support when they examined the resolution to be moved under section 48A of the Employees' Compensation Ordinance.

3. The purpose of the resolution is to revise the maximum daily rates of reimbursement for medical expenses under the Employees' Compensation Ordinance. Under the Ordinance, an employee who has received medical treatment in respect of an injury suffered as a result of work accident may claim from his employer reimbursement of the actual amount of medical expenses incurred. The reimbursement is subject to daily maximum rates for in-patient and out-patient treatment. The current levels have been effective since August 1998.

4. In November 2002, the Executive Council approved a revision of the fee structure of public health care services. This involved the introduction of a charge for accident and emergency service, as well as an increase in the existing fees and charges for other services. The latter was brought into operation as from 1 April 2003. As a result, the current maximum levels of claims for medical expenses under the Employees' Compensation Ordinance would be inadequate to cover the expenses which injured employees might incur in seeking treatment in public clinics or hospitals.

5. To take into account the increase in charges in public clinics and hospitals, we propose that the daily maximum rate be raised from \$175 to \$200 for a worker receiving in-patient or out-patient treatment, and to \$280 for a worker receiving both in-patient treatment and out-patient treatment

on the same day. Subject to Members' approval, the revised rates will take effect from 4 April, when the resolution is published in the gazette.

6. Our original intention was to move this resolution at the meeting of the Legislative Council (LegCo) on 19 March 2003 so that the revised levels would take effect on 1 April 2003 to coincide with the implementation of the new fee structure. However, the LegCo House Committee decided at its meeting on 7 March to form a subcommittee to examine the resolution. The subcommittee completed its examination promptly on 14 March and endorsed the proposal. I am grateful to the support of the subcommittee and to you, Madam President, for agreeing to waive the usual notice period requirement to enable me to move this resolution today.

7. Apart from the Subcommittee set up to examine the resolution, the Panel on Manpower of this Council and the Labour Advisory Board also supported the proposal. I recommend it to this Council for Members' approval.

8. Madam President, I beg to move.

- End -