

立法會
Legislative Council

LC Paper No. CB(1)1111/04-05
(These minutes have been seen
by the Administration)

Ref : CB1/PL/PS/1

Panel on Public Service

Minutes of meeting
held on Monday, 21 February 2005 at 10:00 am
in the Chamber of the Legislative Council Building

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon LI Fung-ying, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon Bernard CHAN, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon WONG Kwok-hing, MH
Hon KWONG Chi-kin

Public officers attending : **Agenda Items III and IV**

Mr Joseph W P WONG, GBS, JP
Secretary for the Civil Service

Mrs Rebecca LAI, JP
Permanent Secretary for the Civil Service

Mrs Jessie TING, JP
Deputy Secretary for the Civil Service (2)

Agenda Item III

Health, Welfare and Food Bureau

Mr Paul CHENG
Principal Assistant Secretary for Health, Welfare and Food
(Health)2 (Acting)

Mr MA Shek-lam
Chief Executive Officer (Health)

Food and Environmental Hygiene Department

Mr Donald TONG
Deputy Director (Administration and Development)

Ms Venner CHEUNG
Assistant Director (Administration)

Ms Rhonda LO
Assistant Director (Operations)3

Mr Sam HUI
Government Transport Manager

Mr Wilfred CHAN
Chief Executive Officer (Personnel Services)

Department of Health

Dr T H LEUNG
Deputy Director of Health

Mr John LEUNG
Assistant Director (Administration and Policy)

Hospital Authority

Mr Alex LEUNG
Coordinator (Human Resources)

Attendance by invitation : Model Scale I Staff Consultative Council (Staff Side)

Mr CHAN Cheung-yee
Chairman

Mr CHOW Yiu-kwong
Vice-Chairman

Hong Kong Municipal Services Staff General Association

Mr LAU Tat-ho
Secretary

Hong Kong Environmental Hygiene Staff Union
(Supervisor and Workmen)

Mr LAI Chi-lung
Chairman

Government Model Scale I Staff General Union

Ms TONG Kwai-chun
Committee Member

Mr TAM Moon-hoi
Committee Member

Food and Environmental Hygiene Department Foremen
Grade Staff General Union

Ms LI Mei-siu
Chairperson

Mr LAU Wai-tak
Executive Committee Member

Government Employees Solidarity Union

Mr WONG Wah-hing
Secretary

Mr TOO Chi-hung
Executive Committee Member

Hospital Authority Employees General Union

Mr KWOK Kam-lam
General Secretary

Mr HO Kim-fung
Chairman

Hong Kong Food and Environmental Hygiene Department
Employees Association

Ms LI Wai-yee
Vice-Chairman

Mr WONG Chung-bill
Deputy Committee Officer

Hong Kong Food and Environmental Hygiene Supervisory
Staffs Union

Mr LAI Kun-yiu
Chairman

Mr WONG Fuk-shun
Vice-Chairman

Government Employees Association

Mr LIU Wing-chee
Vice-Chairman

Mr TANG Fuk-ki
Vice-Chairman

Hong Kong Civil Servants General Union

Mr CHEUNG Kwok-biu
Chairman

Mr YAU Yan-hung
Vice-Chairman

Hong Kong Food and Environmental Hygiene Department
Management and Law Enforcement Staff Association

Mr CHOI Chun-wah
Chairman

Mr WONG Kit-sang
Committee Officer

Hong Kong Federation of Civil Service Unions

Mr LEUNG Chau-ting
Chairman

Hong Kong Chinese Civil Servants' Association

Ms LI Kwai-yin
Deputy Secretary General

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

Staff in attendance : Ms Rosalind MA
Senior Council Secretary (1)8

Ms May LEUNG
Legislative Assistant

Action

- I. Confirmation of minutes of meeting**
(LC Paper No. CB(1)901/04-05 — Minutes of meeting on
17 January 2005)

The minutes of the meeting held on 17 January 2005 were confirmed.

II. Date of next meeting and items for discussion

(LC Paper No. CB(1)900/04-05(01) — List of outstanding items for discussion

LC Paper No. CB(1)900/04-05(02) — List of follow-up actions)

2. Members agreed that the following items be discussed at the next regular meeting scheduled for 21 March 2005:

- (a) Civil service-related issues in the 2005 Budget Speech; and
- (b) Review of policy governing post-retirement employment by civil servants.

III. Progress update on review of job-related allowances for civilian grades

(LC Paper No. CB(1)900/04-05(03) — Paper provided by the Administration

Written submissions from civil service unions

LC Paper No. CB(1)900/04-05(04) — First submission from the Model Scale I Staff Consultative Council (Staff Side) (MSSCC(Staff Side))

LC Paper No. CB(1)950/04-05(01) — Second submission from MSSCC(Staff Side)

LC Paper No. CB(1)900/04-05(05) — Government Model Scale I Staff General Union

LC Paper No. CB(1)900/04-05(06) — Food and Environmental Hygiene Department Foremen Grade Staff General Union

LC Paper No. CB(1)900/04-05(07) — Government Employees Solidarity Union

LC Paper No. CB(1)900/04-05(08) — Hospital Authority Employees General Union

- LC Paper No. CB(1)900/04-05(09) — Hong Kong Food and Environmental Hygiene Supervisory Staffs Union
- LC Paper No. CB(1)900/04-05(10) — Government Employees Association
- LC Paper No. CB(1)900/04-05(11) — Hong Kong Food and Environmental Hygiene Department Management and Law Enforcement Staff Association
- LC Paper No. CB(1)900/04-05(12) — Hong Kong Chinese Civil Servants' Association)

3. The Chairman welcomed representatives of the Administration and civil service unions to the meeting.

Briefing by the Administration

Briefing by the Civil Service Bureau

4. At the invitation of the Chairman, the Secretary for the Civil Service (SCS) briefed members on the background and the development of the comprehensive review on job-related allowances (JRAs) payable to civilian grades. SCS said that the review was a positive response of the Administration to the concerns and recommendations raised by the Director of Audit (D of A) and the Public Accounts Committee (PAC) of the Legislative Council (LegCo). In response to the D of A Report No. 33 published in 1999, PAC considered that the Administration should establish a mechanism to regularly review the justifications for various allowances payable to civil servants and to take early action to abolish allowances that had become outdated or were no longer justified in present day circumstances, having regard to D of A's concerns, value-for-money considerations, accountability for public expenditure, prevailing human resource practices in the private sector, and staff reaction. The Administration invited the Standing Commission on Civil Service Salaries and Conditions of Service (the Standing Commission) and the Standing Committee on Disciplined Services Salaries and Conditions of Service to conduct a review on the system of JRAs payable to civilian and disciplined services staff. The two advisory bodies submitted their respective review reports to the Administration in June and April 2000. Following two rounds of consultation with the staff sides of the Central Consultative Councils, departmental management, as well as the Panel on Public Service, the Administration decided in November 2002 to implement the review recommendations made by the two advisory bodies subject to

certain refinements. In accordance with the recommendations of the Standing Commission, all Heads of Department (HoDs) were required to review whether the JRAs payable to the civilian grades under their purview should continue or cease, having regard to the updated JRA governing principles and other relevant circumstances.

5. SCS also pointed out that the review of JRA payable to civilian grades was conducted in phases. The phase one review was completed in May 2003. Because of circumstances relating to the Severe Acute Respiratory Syndrome (SARS), the review of Hardship Allowances payable for performing duties such as cleansing, drainage/sewer cleaning and waste/blood/dead bodies handling, etc were deferred for review under phase two. Upon the completion of the phase two review in November 2003, having regard to the changing circumstances faced by the Department of Health (DH), the Food and Environmental Hygiene Department (FEHD) and the Hospital Authority (HA) as a result of the introduction of measures to improve public health and hygiene and preparation for possible recurrence of SARS, the Administration decided to review Hardship Allowance payable in these departments/organizations under phase three. With the completion of the phase three review in early February 2005, the Administration had reviewed all JRAs payable to the civilian grades. SCS drew members' attention to the summary of the outcome of the three phases of review in Annex C to the Administration's paper and pointed out that JRA payment had been ceased for nearly 2 000 posts after the completion of the first two phases of review. SCS stressed that the primary purpose of the review was to ensure that all JRAs were justified under the updated JRA payment principles as well as present day circumstances, rather than cost-saving per se. As a matter of fact, the outcome of the phase three review had recommended the continued payment of JRA to 93% of the posts reviewed. He pointed out that the implementation of the decision arising from the phase three review had been deferred from 1 March to 1 April 2005 to allow more time for the departmental management to explain the review decisions to affected staff. He assured members that the relevant departments/organizations would continue to explain and communicate with their staff on the review recommendations before and after the implementation date.

Briefing by departmental management

6. The Deputy Director (Administration and Development), FEHD (DD/FEHD) briefed members on the phase three JRA review by FEHD. He said that as SCS had explained earlier on, the review of the payment of Hardship Allowance in FEHD had been postponed twice in view of the changing circumstances arising from SARS as well as the introduction of new public health and hygiene improvement measures. He said that in drafting recommendations for staff consultation under the phase three review in September 2004, FEHD had taken full account of the impact of the new measures to improve public health and hygiene on the daily operation and work nature of the staff concerned, as well as staff feedback received during staff consultations under the first two phases of review in 2003. A total of 27 submissions were received from the staff side of the Departmental Consultative Committee, staff

unions and individual staff members under the phase three review. FEHD then refined its recommendations having regard to staff feedback in the submissions, and passed the refined recommendations on the payment of Hardship Allowance to the Civil Service Bureau (CSB) vide the Health, Welfare and Food Bureau for consideration. Meetings and briefings were arranged by FEHD to explain to staff unions and affected staff in detail the decision arising from the review upon the announcement of the decision on 14 February 2005. Letters were also issued to the affected staff informing them of the decision. DD/FEHD assured members that FEHD was prepared to arrange more briefings to the affected staff and staff unions, where necessary.

7. DD/FEHD also drew members' attention to the following payment criteria for Hardship Allowance arising from the phase three review:

- (a) Staff had to be engaged in the JRA-attracting duties for over 50% of the working time in a month before they were eligible for the Hardship Allowance; and
- (b) Hardship Allowance would be payable at full rate for those posts which were engaged in direct handling of obnoxious matters and at half rate for those posts which were not engaged in direct handling of obnoxious matters but were subject to obnoxious work environment.

8. DD/FEHD briefly set out the recommendations of the phase three review on the 6 131 posts in FEHD, as compared with the original recommendations in 2003, as follows:

	<u>Review recommendations in 2003</u>	<u>Phase three review recommendations</u>
Payment retained	64.4% (3.2 % at full rate)	96.2% (74.7% at full rate)
Payment ceased	35.6%	3.8%

9. The Deputy Director of Health (DDH) briefed members on the work of DH in staff consultation for the JRA review. Since the phase one review in 2003, DH had consulted staff through the Departmental Consultative Committee and the sub-committees for the relevant grades. The views of civil servants working in HA (such as those working in general out-patient clinics who had been transferred to HA in 2003) were also consulted through meetings with staff representatives under the established consultative channels. DDH pointed out that DH had immediately informed and explained to the affected staff in both DH and HA the decision arising from the phase three review through issuing letters to individual staff, arranging briefings for staff representatives of Departmental Consultative Committee and sub-committees for relevant grades, and through the respective supervisors. DH was

prepared to continue its work in this respect. DDH also advised that DH adopted the same payment criterion as mentioned in paragraph 7(a) above.

Presentation of views by civil service unions

10. The Chairman reminded the representatives of civil service unions that when addressing the Panel, they would not be covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382). The Chairman then invited the key representatives of each civil service union to present their views in turn.

*Model Scale I Staff Consultative Council (Staff Side) (MSISCC (Staff Side))
(LC Paper Nos. CB(1)900/04-05(04) and CB(1)950/04-05(01))*

11. Mr CHAN Cheung-ye, Chairman of MSISCC (Staff Side), said that the Staff Side was of the view that the new payment criteria for Hardship Allowance were unfair to the staff concerned. It was doubtful as to whether the new payment criteria were consistent with the payment criteria adopted in the first two phases of the JRA review. The gist of Mr CHAN's presentation was summarized as follows:

- (a) The new payment criterion for Hardship Allowance, i.e. payable only to staff who had been engaged in the JRA-attracting duties for over 50% of the working time in a month, was inconsistent with the recommendation of the Standing Commission's Report No. 38 in 2000 that "the emphasis on JRA payments should be placed more on the HoDs' concern for service delivery than on rigidly calculating the time spent on duty". In fact, it was very difficult to calculate the exact percentage of time spent by individual staff on his/her work. Moreover, the new criterion was not in line with the principle stated in the Standing Commission's Report No. 38 that "HAs are allowances granted to officers who are subjected to work environment which would render them liable to bodily harm or physical impairment of a degree not normally expected by staff in the same grade or rank".
- (b) The payment of Hardship Allowance at half rate for posts which were not engaged in direct handling of obnoxious matters, but were subject to the same work environment, was unfair to the staff concerned.
- (c) As a good and responsible employer, the Administration should review those posts of which staff were regularly required to engage in JRA-attracting duties, and consider incorporating the rate of Hardship Allowance into the basic salary of the posts concerned. This would avoid future disputes over the payment criteria for Hardship Allowance and reduce administrative costs.

- (d) The Administration should not take the opportunity of the review to delete Model Scale I Staff posts.

Hong Kong Municipal Services Staff General Association (HKMSSGA)

12. Mr LAU Tat-ho, Secretary of HKMSSGA, supported the views expressed by MSISCC (Staff Side). They did not agree with the Administration's decision to pay Hardship Allowance at half rate for some posts, such as those supervisory posts which were subject to the same work environment in supervising subordinate staff in performing obnoxious duties. Moreover, the Administration should provide justifications for the new payment criterion under which staff had to be engaged in JRA-attracting duties for over 50% of the working time in a month before they were eligible for Hardship Allowance.

Hong Kong Environmental Hygiene Staff Union (Supervisor and Workmen) (HKEHSU(SW))

13. Mr LAI Chi-lung, Chairman of HKEHSU(SW), considered the decision arising from phase three of the JRA review unreasonable. Quoting the Workmen II working in markets as an example, he pointed out that lower rank staff of FEHD had been facing high health risks in performing obnoxious duties in recent years. The tightening up of the payment criteria for Hardship Allowance would result in the cessation or reduction of payment of the allowance for some posts. This unfair measure would affect the livelihood of the lower rank staff. Mr LAI called upon the departmental management to take full account of the risks faced by the lower rank staff by having personal experience in engaging in the obnoxious duties and working in the same work environment before taking forward any decision to cease or reduce payment of Hardship Allowance.

*Government Model Scale I Staff General Union (GMSISGU)
(LC Paper No. CB(1)900/04-05(05))*

14. Ms TONG Kwai-chun, Committee member of GMSISGU, objected to the Administration's decision to cease payment of Hardship Allowance to some Workman II posts in FEHD, including those in the Markets Section, the Cleansing and Pest Control Section and the seized goods stores of the Hawkers Section. Illustrating with examples of the bodily harm and health risks that the staff concerned in FEHD were exposed to in performing their duties, Ms TONG considered it unreasonable for the departmental management to tighten up the payment criteria for Hardship Allowance when there had not been any changes in the work nature nor improvement in the work environment for the staff concerned. She criticized the Administration's decision as inconsistent with the spirit of the recommendations in the Standing Commission's Report No. 38 and contradictory to CSB's emphasis on promoting unity in the civil service. Ms TONG pointed out that the monthly Hardship Allowance at the rate of \$619 constituted a significant portion of the income of the lower rank staff. She solicited the Panel's support in maintaining the

payment of Hardship Allowance and urged the Administration to incorporate the Hardship Allowance into the basic salary of the posts concerned.

*Food and Environmental Hygiene Department Foremen Grade Staff General Union
(FEHD Foreman Grade SGU)
(LC Paper No. CB(1)900/04-05(06))*

15. Ms LI Mei-siu, Chairperson of FEHD Foreman Grade SGU, strongly objected to the payment of Hardship Allowance at half rate to staff of the Foreman Grade. She shared the views of other civil service unions that the new payment criteria for Hardship Allowance arising from the phase three review were unreasonable and inconsistent with the recommendations of the Standing Commission's Report No. 38. The gist of Ms LI's presentation was summarized as follows:

- (a) In working out the recommendation during the phase three review, FEHD had not taken account of the fact that staff of the Foreman Grade were exposed to danger and risks of bodily harm at their work environment and in performing their duties.
- (b) The work nature of the FEHD Foreman Grade staff was different from other civilian grade staff. They were not only required to work long hours and on shift, but also to engage in performing obnoxious duties under unstable weather and in unpleasant environment.
- (c) During the outbreak of Avian Flu, Dengue Fever and SARS, staff of the FEHD Foreman Grade had to lead their teams to perform cleansing and environmental hygiene improvement duties in combating and preventing the spread of the diseases. The payment of Hardship Allowance as a recognition of and compensation for their endurance of the work environment was critical to the maintenance of staff morale. The Foreman Grade staff should be eligible for the payment of Hardship Allowance at full rate and the Administration should consider incorporating the rate of the allowance into the basic salary of the grade.

*Government Employees Solidarity Union (GESU)
(LC Paper No. CB(1)900/04-05(07))*

16. Mr WONG Wah-hing, Secretary of GESU, said that GESU disagreed with the Administration's decision to pay Hardship Allowance at half rate to Workman I posts in the Hawkers Section and cease the payment of the allowance to Workman I and Workman II posts in the seized goods stores. GESU hoped that members would urge the Administration to continue the payment of Hardship Allowance to the staff concerned at full rate. The gist of Mr WONG's presentation was summarized as follows:

- (a) FEHD conducted the review in a bias manner. In assessing the eligibility for payment of Hardship Allowance, it had only taken account of the obnoxious duties undertaken by the staff concerned and ignored other important factors, such as the fact that they were required to perform dangerous duties. This review approach was unfair to the staff concerned in the Hawkers Section as they were often exposed to high risk of bodily harm while taking enforcement actions. They were also subject to deployment for special duties during the outbreak of communicable diseases, such as SARS.
- (b) It was unreasonable to tighten up the payment criterion so that staff would only be eligible for payment of Hardship Allowance if they had been engaged in JRA-attracting duties for over 50% of the working time in a month. Hardship Allowance should not be calculated on the time spent but should be regarded as a recognition of the hardship endured by the staff concerned in the performance of their duties.

Hospital Authority Employees General Union (HAEGU)
(LC Paper No. CB(1)900/04-05(08))

17. Mr KWOK Kam-lam, General Secretary of HAEGU, urged the Administration not to cease/reduce the payment of Hardship Allowance. The gist of Mr KWOK's presentation was summarized as follows:

- (a) The new payment criteria for Hardship Allowance were improper and contradictory to the recommendations of the Standing Commission's Report No. 38. As stated in paragraphs 3.11 and 3.12 of the Report, the Standing Commission had recommended that "... the civil service JRA system should allow flexibility to cater for circumstances where important and urgent tasks have to be performed (e.g. in crisis situation), irrespective of whether the task takes up a substantial proportion of an officer's time or not..... The emphasis on JRA payments in future should be placed more on the HoDs' concern for service delivery than on rigidly calculating the time spent on duty".
- (b) The Administration should not cease the payment of Hardship Allowance to the civilian grade staff in general out-patient clinics. The staff concerned were subject to high risk of infection in the clinics where patients of different kinds of health problems were diagnosed before referral to specialist out-patient clinics, where necessary.
- (c) The Administration should further consider whether it was appropriate to de-link the rate of Hardship Allowance from a reference point on the Master Pay Scale (MPS).

Hong Kong Food and Environmental Hygiene Department Employees Association (HKFEHDEA)

18. Ms LI Wai-yee, Vice-Chairman of HKFEHDEA, considered the new payment criteria for Hardship Allowance unreasonable. Quoting the staff in the Markets Section of FEHD as an example, Ms LI pointed out that they were subject to obnoxious work environment such as public toilets, markets and refuse collection points in their daily operation. It was arbitrary to assess their hardship by calculating the percentage of time spent in the work environment. In this connection, it was doubtful as to how the percentage would be calculated. Ms LI urged the Administration to review its decision and not to target the current review at the frontline and lower rank staff for the purpose of cost savings.

Hong Kong Food and Environmental Hygiene Supervisory Staffs Union (HKFEHSSU)
(LC Paper No. CB(1)900/04-05(09))

19. Mr LAI Kun-yiu, Chairman of HKFEHSSU, said that the Administration had demonstrated its disrespect to civil service unions and LegCo by announcing its decision on the review of Hardship Allowance on 14 February 2005, i.e. before exchanging views with LegCo Members and civil service unions at the meeting today. Referring to the Chief Executive (CE)'s undertaking that any civil service reform involving pay and conditions of service would be carried out gradually with the consensus of civil servants, Mr LAI urged the Administration to take full account of the requests of the staff side and continue the payment of Hardship Allowance to all affected staff at full rate. The gist of Mr LAI's presentation was summarized as follows:

- (a) Given the sharp increase in the number of complaint cases from 22 489 in 2000 to 85 744 in 2003, the reduction in manpower following two rounds of voluntary retirement schemes and the increasing public expectation on service delivery, the frontline staff in FEHD had been facing increased workload and work pressure. In addition, they were subject to pay reductions in January 2004 and 2005 despite the economic recovery. Further reduction of Hardship Allowance would be detrimental to staff morale.
- (b) Payment of Hardship Allowance at reduced rate or ceased payment of the allowance was inconsistent with Article 100 of the Basic Law which provided that "Public servants serving in all Hong Kong government departments, including the police department, before the establishment of the Hong Kong Special Administrative Region, may all remain in employment and retain their seniority with pay, allowances, benefits and conditions of service no less favourable than before". The Administration's decision to reduce payment of

Hardship Allowance might be subject to legal challenges by the staff concerned.

- (c) HKFEHSSU objected to the new payment criteria for Hardship Allowance, namely, payment of the allowance at half rate for posts which were not engaged in direct handling of obnoxious matters, and only staff who had been engaged in the JRA-attracting duties for over 50% of the working time in a month would be eligible for the allowance.

Government Employees Association (GEA)
(LC Paper No. CB(1)900/04-05(10))

20. Mr LIU Wing-chee, Vice-Chairman of GEA, expressed GEA's strong dissatisfaction about the Administration's decision to cease/reduce payment of Hardship Allowance in the absence of a consensus with civil service unions. He pointed out that Hardship Allowance was a compensation for civilian grade staff who had been engaged in obnoxious duties or dangerous duties. Given the increasing expectation on public service delivery and deteriorating work environment, the Administration's decision to tighten up the payment criteria was unjustified and was detrimental to staff morale. GEA disagreed with the new payment criteria for Hardship Allowance. Mr LIU requested the Administration to take forward the issue in a practical and prudent manner, taking full account of staff concerns and making site visits to experience the work environment that the staff concerned were subject to.

Hong Kong Civil Servants General Union (HKCSGU)

21. Mr CHEUNG Kwok-biu, Chairman of HKCSGU, pointed out that despite the views expressed by civil service unions on the review of the Hardship Allowance, the Administration had ignored their views and made a decision on its own. The gist of Mr CHEUNG's presentation was summarized as follows:

- (a) As mentioned in the paper provided by the Administration, the estimated annual savings to be achieved by the phase three review was \$8.6 million (16% of the estimated annual expenditure of the JRAs covered by the phase three review). It was obvious that the Administration's objective of conducting the review was to reduce expenditure on civil service allowances. The staff consultation conducted was therefore not genuine consultation. Indeed, the Administration had announced its decision on the phase three review despite staff objection.
- (b) All along, the Administration stressed that any proposed changes to the payment of allowances would be lawful, reasonable and fair. However, the Administration's decision arising from the phase three

review was inconsistent with the recommendations of the Standing Commission's Report No. 38.

- (c) As a good employer, the Government, in particular SCS, should care for civil servants and protect their rights and benefits. Civil servants had been facing increased workload and work pressure in recent years. It was unjustified and unfair to cease or reduce the payment of Hardship Allowance with the job nature remained unchanged.
- (d) The new payment criterion for Hardship Allowance, i.e. staff had to be engaged in the JRA-attracting duties for over 50% of the working time in a month, was unfair to the staff concerned and would invite queries on how the percentage could be calculated in a fair manner. It was also not fair to assess the eligibility for Hardship Allowance on the percentage of time spent on the work.
- (e) HKCSGU solicited the Panel's support to urge the Administration to maintain the existing payment of Hardship Allowance to the staff concerned.

Hong Kong Food and Environmental Hygiene Department Management and Law Enforcement Staff Association (HKFEHDMLESA)
(LC Paper No. CB(1)900/04-05(11))

22. Mr CHOI Chun-wah, Chairman of HKFEHDMLESA, expressed strong objection to the Administration's decision to cease/reduce payment of Hardship Allowance. It was not proper for the Administration to make a decision on the phase three review on its own without reaching a consensus with the staff side. With the job nature remained unchanged, the Administration should continue payment of Hardship Allowance to the staff concerned at full rate. The gist of Mr CHOI's presentation was summarized as follows:

- (a) Management and law enforcement staff in FEHD, such as those working in the Cleansing and Pest Control Sections, had to endure obnoxious work environment in their daily operations in handling complaints and in law enforcement. Moreover, they had been facing immense work pressure and increased workload with the reduction in manpower in recent years.
- (b) The payment of Hardship Allowance should not be calculated on the percentage of time spent in obnoxious duties as the staff concerned were often exposed to danger and risks of bodily harm during the performance of their duties and the risks could not be quantified in terms of the time spent.

- (c) The Administration should incorporate the rate of the Hardship Allowance into the basic salary of the staff concerned instead of conducting regular review every two years on the continued payment of the allowance.

Hong Kong Federation of Civil Service Unions (HKFCSU)

23. Mr LEUNG Chau-ting, Chairman of HKFCSU, protested against the Administration's decision to cease/reduce payment of Hardship Allowance to certain posts under the phase three review. He criticized the Administration for making such a decision to achieve its objective of cost saving, thus affecting the livelihood of the frontline and lower rank staff. Mr LEUNG pointed out that the payment of Hardship Allowance had been made to compensate the staff concerned of the obnoxious duties they had to be engaged in, which could not be reflected in the pay scale under the pay structure of their respective grades. It was unreasonable for the Administration to cease or reduce the payment of the allowance when the job nature of the staff concerned remained unchanged. He urged the Administration to stop the implementation of its decision arising from the phase three review, and to set up special working groups within the relevant departments with the participation of civil service unions to conduct detailed grade reviews with a view to incorporating the Hardship Allowance into the basic salary of specific posts in the grades in the long run.

Hong Kong Chinese Civil Servants' Association (HKCCSA)
(LC Paper No. CB(1)900/04-05(12))

24. Ms LI Kwai-yin, Deputy Secretary General of HKCCSA, drew members' attention to the written submission of HKCCSA on the principles for the JRA review. The gist of Ms LI's presentation on phase three of the review was summarized as follows:

- (a) The Administration had announced its decision of ceasing/reducing payment of Hardship Allowance without consulting the central consultative councils. This approach was inconsistent with the policy initiative of "continuing to maintain and enhance the morale of the civil service through wider consultation between management and staff at all levels" in the 2005 Policy Agenda. The Administration should be mindful of the importance of partnership between the management and staff, and make good use of the internal communication and consultative machinery in achieving consensus with staff sides on issues of concern.
- (b) On the payment of Hardship Allowance, HKCCSA shared the views of other civil service unions that the continued payment of Hardship Allowance to all posts concerned at full rate should be made. The management should appreciate the hardship of the staff concerned for

their endurance of the obnoxious environment and dedication to work despite health risks during the outbreak of communicable diseases such as SARS. The continued payment of Hardship Allowance would be an incentive for the staff concerned. It would also facilitate the provision of effective and timely service to the public both under normal and emergency circumstances.

- (c) In any case, the Administration should defer the implementation of its decision on the phase three review so that it could take into account the legal implications of the judgment of the Court of Final Appeal (CFA) in relation to judicial reviews of the Public Officers Pay Adjustment Ordinance (POPA Ordinance) (Cap. 574) and the Public Officers Pay Adjustments (2004/2005) Ordinance (POPA (04/05) Ordinance) (Cap. 580) scheduled for June 2005.

(Post-meeting note: The Administration's written response to the submissions from the above civil service unions was circulated to members for information vide LC Paper No. CB(1)1114/04-05(01) on 15 March 2005.)

Discussion

Payment criteria for Hardship Allowance

25. Mr WONG Kwok-hing opined that the criterion for Hardship Allowance to be payable only to staff who had been engaged in the JRA-attracting duties for over 50% of the working time in a month was unreasonable and non-scientific. In his view, not only was such a payment criterion contradictory to the recommendation of the Standing Commission's Report No. 38, it also reflected the Administration's ignorance of occupational safety as the possibility of causing bodily harm or physical impairment to the staff concerned could not be calculated on the amount of time spent in the work environment. Mr WONG also pointed out that the Administration's decision to cease/reduce payment of Hardship Allowance for some posts would have adverse impact on staff morale.

26. Mr KWONG Chi-kin and Ms LI Fung-ying shared Mr WONG Kwok-hing's views. Ms LI pointed out that it would be difficult to quantify the percentage of time spent by any staff member on JRA-attracting duties. Moreover, any controversies over the calculation method would create problems in staff management and would not be conducive to the unity of the civil service.

27. In reply, the Deputy Secretary for the Civil Service (2) (DSCS2) explained that before the administration in the payment of JRAs was decentralized in 1993, CSB had assessed the eligibility for payment of Hardship Allowances on the principle that the staff concerned should be engaged in the JRA-attracting duties for over 50% of their working time. CSB had requested departments to adhere to the principle of "substantial time" as affirmed by the Standing Commission in the

payment of JRAs since 1993. In considering the recommendation of the Standing Commission's Report No. 38 on the deletion of the principle "JRAs should not be paid to officers unless the extra or unusual duties take up a substantial part of their time", the Administration had taken account of the feedback from staff and departmental management during two rounds of consultation that deletion of the principle might result in ambiguity and arguments over whether a minor ad hoc duty should attract JRA. In view of the foregoing, the Administration had modified the principle to read "JRAs should not be payable unless the officers are required to deliver the extra or unusual duties for such duration and frequency as considered appropriate by the management in the light of service need and operational efficiency" (item (b) of Annex A to the paper provided by the Administration). The Administration had informed the Standing Commission of this modification. The same criterion had been applied in the first two phases of the review.

28. Referring to the differences in the payment of Hardship Allowance to the civilian staff in general out-patient clinics and specialist out-patient clinics, Mr LEE Cheuk-yan requested DH to clarify the rationale behind. He also sought clarification from FEHD on the justifications for applying the new payment criteria, i.e. direct handling of obnoxious matters and engagement in JRA-attracting duties for over 50% of working time in a month, to staff in the Markets Section and seized goods stores of the Hawkers Section. Mr LEE doubted whether the Administration had given due consideration to the health and safety risks that staff working in clinics, markets and seized goods stores were exposed to in the course of the review.

29. DDH explained that the eligibility for JRA payment was assessed on the nature of work and amount of time spent on JRA-attracting duties. The JRA-attracting duties included collection and dispatch of specimens, cleaning of contaminated equipment, etc. Having reviewed the nature of work and the amount of time spent on JRA-attracting duties, DH recommended in 2003 to cease payment of Hardship Allowance to staff working in general out-patient clinics. DDH further advised that the Administration attached importance to making improvements to the environment of clinics. In this connection, the Administration had issued guidelines on the prevention and control of communicable diseases, including the maintenance of good air circulation and provision of protective facilities. The establishment of the Centre for Health Protection in 2004 would facilitate the work in this regard.

30. The Principal Assistant Secretary for Health, Welfare and Food (Health)2 (Acting) supplemented that there were inherent differences in the work of staff in the general out-patient clinics and specialist out-patient clinics. There was a higher concentration in specialist out-patient clinics of patients who required a higher level of medical care, and minor operations would be carried out in these clinics. As such, staff working in specialist out-patient clinics were more likely to come into contact with obnoxious matters, such as blood or bodily fluids, in the course of performing their duties. He further explained that there were measures in place, for example on infection control, to provide a safe environment for both the staff and the patients at the out-patient clinics.

31. DD/FEHD explained that Workman II staff in the Markets Section could draw JRA if they had to undertake market cleansing and drainage/sewer cleaning. With the arrangement to contract-out the cleansing services for some markets, these cleansing duties were taken up by employees of the government contractors. FEHD therefore recommended ceasing the payment of Hardship Allowance for Workman II staff in these markets, while continuing payment of the allowance at full rate to staff in markets where no contracting out arrangements had been made. As regards the staff working in the seized goods stores, DD/FEHD pointed out that with the decrease in volume of seized goods and the physical separation of the store rooms from the staff offices, the staff concerned would not be engaged in JRA-attracting duties or subject to obnoxious work environment for over 50% of their working time in a month. He said that while appreciating the dedicated and hard work of FEHD staff, the departmental management had to consider payment of Hardship Allowance in accordance with the established principles and criteria. He pointed out that FEHD had made the recommendation after full consideration of all the relevant factors. As a matter of fact, about 95% of the Workman II posts reviewed would continue to be eligible for payment of Hardship Allowance at full rate. About 96% of the Foreman posts reviewed would be eligible for payment of the allowance at half rate since the post-holders would continue to be subject to obnoxious environment over 50% of their working time in a month.

32. Mr Howard YOUNG pointed out that as LegCo was accountable to the public, it had to take into account not only the views of civil service unions but also the views of the public. He opined that when considering the payment criteria for Hardship Allowance, reference could be made to those adopted in the private sector. Mr YOUNG also sought clarification from HKFEHSSU on whether supervisory staff in FEHD had to be engaged in direct handling of obnoxious matters in their daily operations. In reply, Mr LAI Kun-yiu, Chairman of HKFEHSSU explained that upon receipt of complaints from the public, supervisory staff had to take immediate follow-up actions to identify the source of the problem and carry out inspection of the markets or streets before and after cleansing by their subordinates. They were therefore subject to obnoxious work environment during their daily operations though they would not be directly engaged in performing the cleansing duties.

33. Mr WONG Kwok-hing and Mr LEE Cheuk-yan shared the views of some civil service unions that Hardship Allowance should be incorporated into the basic salary of the civilian grades concerned. Mr LEE urged the Administration to follow up the proposal. In response, SCS said that the Administration would take this into consideration at a later stage when grade reviews would be conducted after the completion of the pay level survey to ascertain whether there was any disparity in the pay levels of the civil service and the private sector.

Rate of Hardship Allowance

34. Noting that JRA rates were de-linked from a reference point on MPS, Mr LEE Cheuk-yan was concerned whether there were any principles governing future adjustments of JRA rates. In response, DSCS2 advised that the arrangement to de-link JRA rates from any reference point on MPS was one of the recommendations of the Standing Commission's Report No. 38. The Standing Commission was concerned that while MPS 1 (as it represented the bottom point on MPS) had been chosen as the point of reference in determining JRA rates, the lowering of the bottom point to MPS 0 after the 1999 Civil Service Starting Salaries Review had given rise to the question that future surveys of starting salaries might make the bottom point of MPS rather unstable and hence resulting in frequent fluctuations of the rates and staff dissatisfaction over such changes. After consulting staff and departmental management on the recommendation and receiving no objection from these parties, the Administration had decided to take forward the recommendation of the Standing Commission. As recommended by the Standing Commission, the dollar value of the JRA rates would be adjusted in accordance with the rate of annual civil service adjustment for the lower pay band. DSCS2 explained that the delinking was a technical issue and would not by itself have any material impact on the allowance rate.

Basic Law implications

35. Mr WONG Kwok-hing requested the Administration to confirm whether the cessation of or reduction in the payment of Hardship Allowance would contravene Article 100 of the Basic Law. SCS explained that according to the legal advice obtained by the Administration, unlike fringe benefits type of allowances which were offered to eligible officers as part of their conditions of service, JRAs were subject to change in the light of operational needs, even before the reunification in 1997. As such, changes in JRA payments would not be in contravention of Article 100. He pointed out that the JRA review and the legal proceedings relating to the POPA Ordinance and the POPA 04/05 Ordinance were two separate issues. While civil service unions mentioned the possibility of legal challenges against the Administration's decision arising from the JRA review, it would be impractical for the Administration to refrain from implementing any changes to the payment of JRAs to avoid such a possibility.

36. Mr KWONG Chi-kin said that he was surprised to hear the legal advice obtained by the Administration on the Basic Law implications of the JRA review. In his view, JRAs payable to the staff concerned on a monthly basis should be part of their conditions of service, irrespective of whether changes had been made to the payment of the allowances before 1997. He sought clarification on the legal advice obtained by the Administration in this regard. Moreover, referring to the legal proceedings in respect of the POPA Ordinance and the POPA 04/05 Ordinance, Mr KWONG considered it more prudent for the Administration to defer the

implementation of the decision of the phase three review until after the judgment of CFA was available, which might shed some light on the application of Article 100 of the Basic Law to the pay and allowances of the civil service.

37. Mr LEE Cheuk-yan opined that in conducting the review of civil service allowances, the Administration had targeted at the lower rank staff by implementing its decision arising from the JRA review while withholding the review of fringe benefit types of allowances. This was unfair to the lower rank staff who had been subject to pay reductions in recent years. The Administration's decision to cease/reduce payment of Hardship Allowance would further reduce their monthly income.

38. In response, SCS said that while the views of different legal practitioners might differ, the legal advice of the Department of Justice was clear that JRAs were not part of the conditions of service, and variation in the payment of these allowances would not contravene Article 100 of the Basic Law. He explained that the Administration's decision to take forward the review of fringe benefit type of allowances when the CFA judgment was available had been made in a prudent manner having regard to the legal advice it obtained. He assured members that the Administration would not target any review, whether on JRA or fringe benefit type of allowances, at any group of civil servants. As far as fairness was concerned, SCS pointed out that it would be unfair to the staff affected by the first two phases of the JRA review if the date for implementing the decision on the phase three review were to be further deferred.

39. Mr LEE Cheuk-yan maintained his view that the JRA review was targeted at the lower rank staff.

40. Mr CHEUNG Man-kwong said that he looked forward to the Administration's review of the fringe benefit type of allowances as the payment of some of these allowances were no longer in line with present day circumstance, such as Air-conditioning Allowance, Sea Passage Allowance, and Furniture and Domestic Appliances Allowances. Moreover, the payment of some fringe benefit type of allowances should be reviewed to enhance control over Government expenditure, such as Overseas Education Allowance.

Approach adopted by the Administration in the JRA review

41. Mr WONG Kwok-hing and Mr KWONG Chi-kin shared the concerns expressed by civil service unions on the approach adopted by the Administration in the JRA review. Mr WONG pointed out that at a meeting with Members of the Hong Kong Federation of Trade Unions in 2004, CE had undertaken that the Administration would reach a consensus with civil service unions before implementing civil service reform measures, including changes in civil service pay and allowances. In the light of the objection raised by the representatives of the civil service unions present at this meeting, Mr WONG and Mr KWONG doubted

whether a consensus had been reached on the decision arising from the phase three review, and whether the Administration had consulted the relevant civil service unions in a proper manner. Noting that the Administration had already issued letters to the affected staff notifying them of the implementation of its decision with effect from 1 April 2005, Mr WONG queried why the Administration did not defer making a decision to a later stage after taking into account of the views of the Panel at this meeting. He considered that this approach demonstrated that the Administration did not respect LegCo.

42. In response, SCS stressed that this was the third and the final phase of the review of JRA payable to the civilian grades and the Administration had adopted a consistent approach in taking forward the three phases of the review. The Administration had in fact deferred the implementation of the decision arising from the phase three review from 1 March to 1 April 2005 having regard to the arrangement for communicating the review decisions to staff. SCS pointed out that in implementing reform measures relating to civil service management, the Administration attached importance to consultation with LegCo on the policy and principles. He hoped that members would appreciate the need for the Administration to exercise discretion in working out the implementation details. SCS also pointed out that the decision arising from the phase three review only affected payment of Hardship Allowance to a limited number of staff, i.e. 7% of the total posts reviewed would cease to be eligible for Hardship Allowance and 19% of the posts would be eligible for payment of the allowance at half rate. Referring to the figures provided by DD/FEHD earlier at the meeting, SCS said that the number of posts affected under the current decision had been greatly reduced compared with the previous proposal in 2003 and the department had taken account of the staff response in adjusting its review recommendations. Given that there was still time before the scheduled implementation date on 1 April 2005, SCS assured members that CSB and departmental management would exchange views with the staff concerned and explain to them the decision arising from the phase three review in further detail.

43. Mr WONG Kwok-hing and Mr KWONG Chi-kin were dissatisfied with SCS's response. Mr KWONG opined that SCS's decision to implement the changes in payment of Hardship Allowance without reaching a consensus with the civil service unions concerned was contradictory to CE's undertaking. Mr KWONG requested SCS to explain whether he would honour CE's undertaking in implementing reform measures under the JRA review.

44. In response, SCS reiterated that the Administration would endeavour to reach a consensus with civil service unions on the general principles and policy of reform measures. He however did not think that CE's undertaking should be interpreted to such an extreme that civil service reform measures could not be implemented if there was objection from some civil servants.

45. Mr CHEUNG Man-kwong considered civil service unions' objection to the cessation/reduction in payment of Hardship Allowance justified as the staff

concerned had been subject to high risk work environment, which had become more risky with the outbreak of different kinds of communicable diseases in recent years, in addition to the obnoxious nature of the duties. Mr CHEUNG urged the Administration to adopt a pragmatic approach in handling the outcome of the phase three review by deferring the implementation of its decision and conducting further consultation with the staff side. Mr LEE Cheuk-yan supported Mr CHEUNG's request.

46. Ms LI Fung-ying supported the views expressed by civil service unions and other members of the Panel. She pointed out that Hardship Allowance had been part of the monthly income of the staff concerned. As a good employer, the Government should not cease or reduce payment of the allowance unilaterally.

47. In response, SCS reiterated that before the scheduled implementation date of 1 April 2005, the departmental management would be willing to explain and exchange views with the staff concerned on the changes in payment of Hardship Allowance. If any staff member considered that the departmental management had not assessed the eligibility of his or her post for Hardship Allowance in a reasonable and fair manner or that the staff member had justifications for the payment of the allowance, there would be channels for him or her to put forward his or her views to the departmental management, both before and after the implementation date. SCS pointed out that even with the payment of Hardship Allowance the Administration would continue to place emphasis on the provision of proper facilities and implementation of necessary measures to ensure occupational safety and health protection for its staff at work. Nevertheless, SCS said that he could not accede to the request of deferring the implementation of the Administration's decision arising from the phase three JRA review any further.

Motion proposed by Mr WONG Kwok-hing

48. Mr WONG Kwok-hing reiterated that he did not agree with the new payment criteria for Hardship Allowance arising from the review. He considered that the Administration had not conducted staff consultation for the review in a genuine manner. He requested the Administration to defer the implementation of its decision on the phase three review. In this connection, Mr WONG put forward the following motion for the Panel's consideration, a copy of which was tabled at the meeting:

“本事務委員會要求政府押後實施削減1321個職位的半額辛勞津貼及停止發放503個職位的全額辛勞津貼，並敦促政府重新就發放辛勞津貼詳細諮詢公務員團體的意見。”

(English translation)

“That this Panel requests the Government to defer the implementation of payment of Hardship Allowance at half rate to

1 321 posts and the cessation of payment of Hardship Allowance at full rate to 503 posts, and urges the Government to consult afresh civil service organizations on the payment of Hardship Allowance thoroughly.”

49. The Chairman considered that the proposed motion was directly related to the agenda item under discussion and it was appropriate for the Panel to deal with the motion. All members present agreed that the motion should be proceeded with. The Chairman put the motion to vote. The six members present voted for the motion. The Chairman declared the motion passed. He invited the Administration to provide a written response to the Panel in due course.

50. SCS said that he had made clear to the Panel earlier at the meeting the stance of the Administration on the implementation of the decision arising from the phase three review. Nevertheless, SCS undertook to provide a written response to the Panel in respect of the above motion. He then apologized for having to leave the meeting at this juncture for an important appointment scheduled at 1:00 pm and assured members that the Administration would take account of all the views and concerns of civil service unions.

(Post-meeting note: The Administration’s written response to the motion was circulated to members vide LC Paper No. CB(1)1114/04-05(01) on 15 March 2005.)

Further views of civil service unions

51. As a number of representatives of the civil service unions had indicated their wish to present further views to the Panel, the Chairman invited them to give brief presentation in turn.

52. Mr CHEUNG Kwok-biu, Chairman of HKCSGU, urged the Administration to give further thoughts on the requirement for payment of Hardship Allowance only when the staff concerned had been engaged in JRA-attracting duties for over 50% of the working time in a month. In his view, this might have adverse impact on the efficiency of service delivery if some staff tried to meet the eligibility criterion by spending more time intentionally when performing JRA-attracting duties.

53. Mr KWOK Kam-lam, General Secretary of HAEGU, considered that the Administration’s responses on the payment criteria for Hardship Allowance had confused the issue of work safety with the real purpose for payment of the allowance. Mr KWOK pointed out that while it was the Administration’s responsibility to promote and ensure work safety by improving the work environment, the payment of Hardship Allowance, as clearly stated in the Standing Commission’s Report No. 38, was for compensating staff who were subject to work environment which would render them liable to bodily harm or physical impairment of a degree not normally expected by staff in the same grade or rank. Hence, the payment of Hardship

Allowance, unlike other JRAs, should be considered on the work environment that staff were subject to instead of the time spent on the relevant duties.

54. Mr CHAN Cheung-ye, Chairman of MSISCC (Staff Side), stressed that staff objection to the changes in payment of Hardship Allowance was justified. Referring to the examples of staff working in general out-patient clinics and supervisory staff working in markets with contracting out arrangements, Mr CHAN pointed out that they were still subject to work environment which was obnoxious or would render them liable to bodily harm. He said that the Administration had not taken full account of the factors in the review of Hardship Allowance and requested the Administration to appreciate staff concerns instead of targeting at cost saving in the review. Mr CHOW Yiu-kwong, Vice-Chairman of MSISCC (Staff Side), drew members' attention to the views of the Council in its second submission dated 18 February 2005 (LC Paper No. 950/04-05(01)).

55. Ms LI Kwai-yin, Deputy Secretary General of HKCCSA, opined that the decision of the phase three JRA review had not been made in a lawful, reasonable and fair manner. Ms LI pointed out that the Administration had failed to use the established consultative machinery in the review and had not consulted the Senior Civil Service Council (Staff Side) on the phase three review. Moreover, the new payment criteria for Hardship Allowance were unreasonable. Given the small amount of savings involved in the implementation of the Administration's decision arising from the phase three review decision and the approaching CFA hearing in June 2005, Ms LI considered it unfair for the Administration to decline the request of staff and LegCo for deferring the implementation date.

56. Mr LAU Wai-tak, Executive Committee Member of FEHD Foreman Grade SGU, commented that FEHD had not taken full account of the health risks and possibility of bodily harm that staff were subject to in their work environment but had put the focus on the need for direct handling of obnoxious matters in the review of Hardship Allowance.

57. Mr LAI Kan-yiu, Chairman of HKFEHSSU, reiterated that with the sharp increase in the number of complaints received by FEHD since 2000, it was logical to expect that in taking follow-up actions on complaints, FEHD staff would spend more time in the handling of obnoxious matters and in obnoxious work environment. Mr LAI supported the motion passed by the Panel. In his view, the Panel might consider moving a motion for SCS to step down from office in view of his lack of respect to LegCo and civil service unions in the handling of the phase three review. Mr LAI also considered that SCS should clarify with CE the interpretation of reaching consensus with staff on civil service reform measures and make known to the public the real meaning of "consensus with staff" in CE's undertaking.

58. Mr TANG Fuk-ki, Vice-Chairman of GEA, referred to item (f) of Appendix A to the paper provided by the Administration and pointed out that according to this principle governing JRA payable to civilian grades, where officers were regularly

required to spend more than 50% of their time on extra duties for which allowances were paid, the posts concerned should be reviewed to determine whether it would be appropriate and practicable to regrade them, to revise the job descriptions of the posts, to schedule staff to fill these posts in rotation or to continue to pay the allowances. Mr TANG considered that as the Administration had not reviewed the posts concerned and considered the possibility of regrading them, it had not followed in full this principle in the review of Hardship Allowance.

IV. Outcome of the consultation on the proposals for the pay level survey and the way forward

(LC Paper No. CB(1)900/04-05(13) — Paper provided by the Administration

LC Paper No. CB(1)900/04-05(14) — Submission from the Association of Expatriate Civil Servants of Hong Kong

LC Paper No. CB(1)950/04-05(02) — Submission from the Hong Kong Chinese Civil Servants' Association)

59. Owing to time constraints, the Chairman proposed and members agreed that the discussion of the subject under Agenda Item IV be deferred.

(Post-meeting note: With the concurrence of the Chairman, the subject was deferred to the next regular meeting scheduled for Monday, 21 March 2005. To allow sufficient time for discussion, the Chairman directed that the starting time of the meeting be advanced to 9:30 am. Members were informed of the meeting arrangements vide LC Paper No. CB(1)1037/04-05 on 3 March 2005.)

V. Any other business

60. There being no other business, the meeting ended at 1:25 pm.