

A BILL

To

Amend the Employment Ordinance to raise the maximum penalty for the offences under section 63C of the Ordinance to a fine of \$350,000 and imprisonment for 3 years.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Employment (Increase in Penalty for Offences under Section 63C) Ordinance 2005.

2. Commencement

This Ordinance shall come into operation on a day to be appointed by the Secretary for Economic Development and Labour by notice published in the Gazette.

3. Offences relating to time and payment of wages

Section 63C of the Employment Ordinance (Cap. 57) is amended—

- (a) by repealing “\$200,000” and substituting “\$350,000”;
- (b) by repealing “1 year” and substituting “3 years”.

Explanatory Memorandum

Sections 23, 24 and 25 of the Employment Ordinance (Cap. 57) (“the Ordinance”) stipulate the time of payment of wages, etc. by employers. Under section 63C of the Ordinance, contravention of those sections wilfully and without reasonable excuse is an offence.

2. The object of this Bill is to amend section 63C of the Ordinance to increase the maximum penalty for the offences (clause 3).
3. Offences committed on or after the commencement date appointed by the Secretary for Economic Development and Labour (clause 2) will be subject to the new maximum penalty.