

立法會
Legislative Council

LC Paper No. CB(3) 82/12-13

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Tel : 3919 3300

Date : 26 October 2012

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 31 October 2012

**Amendments to motion on
“Raising the minimum wage level to \$33 or above per hour”**

Further to LC Paper No. CB(3) 55/12-13 issued on 17 October 2012, three Members (Hon Cyd HO, Dr Hon Fernando CHEUNG and Hon CHEUNG Kwok-che) have respectively given notices of their intention to move separate amendments to Hon Frederick FUNG’s motion on “Raising the minimum wage level to \$33 or above per hour” scheduled for the Council meeting of 31 October 2012. As directed by the President, the respective amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon Frederick FUNG to speak and move his motion;
- (b) the President proposes the question on Hon Frederick FUNG’s motion;
- (c) the President calls upon the three Members who intend to move amendments to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Cyd HO;
 - (ii) Dr Hon Fernando CHEUNG; and

- (iii) Hon CHEUNG Kwok-che;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon Frederick FUNG to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) to speak again;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the three Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Cyd HO to move her amendment to the motion, and forthwith proposes and puts to vote the question on Hon Cyd HO's amendment;
- (i) after Hon Cyd HO's amendment has been voted upon, the President deals with the other two amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon Frederick FUNG to reply. Thereafter, the President puts to vote the question on Hon Frederick FUNG's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Raising the minimum wage level to \$33 or above per hour”
to be held at the Council meeting of 31 October 2012**

1. Hon Frederick FUNG’s original motion

That this Council urges the Chief Executive to raise the minimum wage level to \$33 or above per hour, and shorten the frequency of review from ‘once every two years’ to ‘once every year’.

2. Motion as amended by Hon Cyd HO

That this Council urges the Chief Executive to raise the minimum wage level to \$33 or above per hour, ~~and~~ shorten the frequency of review from ‘once every two years’ to ‘once every year’, *and repeal section 16(4) of the Minimum Wage Ordinance, so that the Legislature has the power to amend the notice on a prescribed minimum hourly wage rate and its effective date.*

Note: Hon Cyd HO’s amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Dr Hon Fernando CHEUNG

That this Council urges the Chief Executive to raise the minimum wage level to \$33 or above per hour, and shorten the frequency of review from ‘once every two years’ to ‘once every year’; *when raising the minimum wage level, the Government should establish a wage subsidy system under which the Government provides subsidies to make up for the shortfalls in minimum wage for employees with disabilities, so as to enable employees with disabilities to enjoy the same wage as able-bodied people; after raising the minimum wage level, persons with disabilities who have undergone the productivity assessment under Schedule 2 to the Minimum Wage Ordinance (Cap. 608) may still be dismissed due to the corresponding wage increases, the Government should therefore amend Schedule 5 to the Disability Discrimination Ordinance to stipulate that employers who dismiss persons with disabilities on the basis of their productivity assessment results must be bound by that Ordinance.*

Note: Dr Hon Fernando CHEUNG's amendment is marked in *bold and italic type*.

4. Motion as amended by Hon CHEUNG Kwok-che

That this Council urges the Chief Executive to raise the minimum wage level to \$33 or above per hour, and shorten the frequency of review from 'once every two years' to 'once every year'; *this Council also considers that the Minimum Wage Commission should include representatives nominated by labour groups, so that the minimum wage level recommended by the Commission to the Chief Executive has greater recognition.*

Note: Hon CHEUNG Kwok-che's amendment is marked in *bold and italic type*.