

立法會
Legislative Council

LC Paper No. CB(2) 541/12-13

Ref : CB2/PL/WS

Paper for the House Committee meeting on 25 January 2013

**Proposal for activation of the Subcommittee on Retirement
Protection under the Panel on Welfare Services**

Purpose

This paper invites the House Committee to consider the proposal of the Panel on Welfare Services ("the Panel") to activate its Subcommittee on Retirement Protection ("the Subcommittee").

Background

2. In the Fourth Legislative Council ("LegCo"), the Panel appointed the Subcommittee on Retirement Protection ("the former Subcommittee") in January 2011 to study issues relating to the protection of retirement, and to follow up the proposal for implementation of a universal retirement protection scheme for all people in Hong Kong. The former Subcommittee completed its work and reported to the Panel in May 2012. The former Subcommittee recommended that the Government should make public all the findings of the studies conducted by the Central Policy Unit on the subject of retirement protection to facilitate public discussions; the next Government should set up a dedicated task force to study the subject matter, with a view to drawing up a concrete timetable for the launch of an extensive public consultation on the options and implementation details, and formulating concrete execution plans in the first year of tenure; and the Panel should follow up the matter in the next term.

3. Upon the commencement of the Fifth LegCo, the House Committee appointed the Subcommittee on Poverty in October 2012 to study policies and issues relating to poverty alleviation and to follow up the work of the Government's Commission on Poverty.

Appointment of Subcommittee on Retirement Protection

4. The Panel is very concerned about the provision of retirement protection for the public at large, particularly for the elderly as they cannot benefit from the Mandatory Provident Fund ("MPF") system which was launched in 2000. Members are of the view that the MPF system should be enhanced, and the provision of the Old Age Living Allowance should not be regarded as a form of retirement protection. In light of the ageing population, the Panel considers that the Government should establish a universal retirement protection system for all people in Hong Kong.

5. Noting that the Commission on Poverty has set up a Social Security and Retirement Protection Task Force, the Panel has considered whether the issues relating to retirement protection should be left to the Subcommittee on Poverty for follow-up or the Panel should form another subcommittee to study the issues. Having considered that the former Subcommittee had made useful recommendations for the Administration's consideration and also recommended that the Panel should follow up with the Administration on the matter in the current term, members agreed at the Panel meeting on 14 January 2013 to appoint the Subcommittee. The terms of reference, work plan and time frame of the Subcommittee is in **Appendix I**.

6. Members of the Panel have noted that the number of subcommittees on policy issues in operation has reached the maximum number of eight and the Subcommittee will be placed on the waiting list. They are concerned that the Subcommittee is unable to commence its work until a vacant slot arises upon the completion of work of any one of these eight subcommittees. In anticipation that fewer bills would normally be introduced into the Council during the first and second legislative sessions and the Secretariat should have the capacity to absorb the work arising from the early activation of the Subcommittee, members of the Panel have decided that the approval of the House Committee should be sought for the activation of the Subcommittee.

Consideration for activation of subcommittees

7. In accordance with rule 26(b) of the House Rules, if the number of Bills Committees in operation is less than 16, the House Committee may activate subcommittees on the waiting list after having considered the following:

- (a) the number of vacant slots for Bills Committees;
- (b) the number of bills likely to be introduced to the Council in the next three months;
- (c) the number of subcommittees on subsidiary legislation already or likely to be appointed by the House Committee and by Bills Committees; and
- (d) the availability of resources in the Secretariat.

Latest position on Bills Committees and subcommittees

Bills Committees

8. At present, two Bills Committees are in operation. Based on the 2012-2013 Legislative Programme, 13 more bills will be introduced into the Council in the current session, including five in the first half of the session. Furthermore, eight bills not on the Legislative Programme are expected to be introduced within the current session, about three of which may be introduced in the next three months. Details of the existing Bills Committees and the bills expected to be introduced into the Council in the current session are given in **Appendix II**.

Subcommittees on subsidiary legislation

9. A total of three subcommittees on subsidiary legislation are currently in operation, including one which will report its work to the House Committee at its meeting on 25 January 2013. As no ceiling is set for the formation of subcommittees to study subsidiary legislation, it is expected that at least seven such subcommittees will be formed in the next three months, including one to study the 13 sets of subsidiary legislation for the implementation of the new Companies Ordinance (28 of 2012). Of these 13 sets of subsidiary legislation, 12 sets are subject to the negative vetting procedure to be introduced into the Council in three batches in February, March and May 2013 respectively, and one set subject to the positive vetting procedure to be introduced when ready. Details of the existing and anticipated subcommittees on subsidiary legislation are in **Appendix III**.

Subcommittees on policy issues and other Council business

10. Currently, there are one subcommittee on policy issues and two subcommittees on other Council business^{Note} formed under the House Committee, and seven subcommittees on policy issues formed under Panels in operation. Two subcommittees on policy issues formed under the Panel, including the Subcommittee, are on the waiting list. A proposal has also been made for the appointment of a subcommittee under the Panel on Food Safety and Environmental Hygiene to study issues relating to public markets. Details of the subcommittees on policy issues in operation and on the waiting list and the proposed subcommittee on policy issues are in **Appendix IV**.

Advice sought

11. The House Committee is invited to consider the Panel's proposal to activate the Subcommittee.

Council Business Division 2
Legislative Council Secretariat
24 January 2013

^{Note} The two subcommittees on other Council business are the Subcommittee to Examine the implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions and the Subcommittee on Members' Remuneration and Operating Expenses Reimbursement.

Panel on Welfare Services

Subcommittee on Retirement Protection

Terms of reference

To study issues relating to the retirement life of all people, and to follow up on the proposal of setting up and implementation of universal retirement protection for all people in Hong Kong.

Work plan

The Subcommittee will focus its work on the following areas –

- (a) to review the existing model for retirement protection;
- (b) to study the feasibility of setting up and implementation of universal retirement protection for all people in Hong Kong; and
- (c) to formulate, in the light of Hong Kong's ageing population, the way forward on retirement protection and issues related to their livelihood.

Time frame

The Subcommittee will, in accordance with rule 26(c) of the House Rules, complete its work within 12 months of its commencement and report to the Panel. Should the Subcommittee consider it necessary to work beyond that 12 months, it should, after obtaining the endorsement of the Panel, report to the House Committee and give justifications for an extension of the 12-month period.

**Existing Bills Committees and bills expected to be introduced
in the current session**
(position as at 23 January 2013)

Bills Committees in action	Date of first meeting
1. Stamp Duty (Amendment) Bill 2012	18 January 2013
2. Inland Revenue and Stamp Duty Legislation (Alternative Bond Schemes) (Amendment) Bill 2012	29 January 2013

Bills expected to be introduced in the current session	Expected timing for introduction to the Council
(A) : Bills on the Administration's Legislative Programme 2012-2013	
1. Arbitration (Amendment) Bill	1 st half of the 2012-2013 session
2. Air Pollution Control (Amendment) Bill	
3. Pesticides (Amendment) Bill 2013 (<i>The Bill will be introduced into the Council on 6 February 2013.</i>)	
4. Trust Law (Amendment) Bill	
5. Merchant Shipping (Seafarers) (Amendment) Bill	
6. Toys and Children's Product Safety (Amendment) Bill	2 nd half of the 2012-2013 session
7. Contracts (Rights of Third Parties) Bill	
8. Product Eco-responsibility (Plastic Shopping Bags) (Amendment) Bill	
9. Waste Disposal (Amendment) Bill	
10. Inland Revenue (Amendment) Bill	
11. Child Abduction and Custody (Amendment) Bill	
12. Employment (Amendment) Bill	
13. Pilotage (Amendment) Bill	

Bills expected to be introduced in the current session	Expected timing for introduction to the Council
(B) : Bills <u>not</u> on the Administration's Legislative Programme 2012-2013	
14. The Bill concerning the abolition of the appointed seats of District Councils	First quarter of 2013
15. Amendments to the Hong Kong Arts Development Council Ordinance (Cap. 472)	First half of 2013
16. Amendments to the Betting Duty Ordinance (Cap. 108) <i>(The Panel on Home Affairs will be briefed on the legislative proposal in February 2013.)</i>	Second half of the 2012-2013 session
17. Education (Amendment) Bill 2013 and its subsidiary legislation (i.e. the Grant Schools Provident Fund Rules and the Subsidized Schools Provident Fund Rules)	Second half of the 2012-2013 session
18. Amendments to Post Secondary Colleges Ordinance (Cap. 320) and Post Secondary Colleges Regulations (Cap. 320A)	Second half of the 2012-2013 session
19. Land (Miscellaneous Provisions) (Amendment) Bill 2013	Second quarter of 2013
20. Property Management Services Bill	Mid 2013
21. Professional Accountants (Amendment) Bill <i>(Member's Bill)</i>	---

Existing and anticipated subcommittees on subsidiary legislation
(*position as at 23 January 2013*)

Subcommittees on subsidiary legislation in action	Date of first meeting
1. Subcommittee on Minimum Wage Ordinance (Amendment of Schedule 3) Notice 2012 and Employment Ordinance (Amendment of Ninth Schedule) Notice 2012	11 January 2013 <i>(Reporting to the House Committee at its meeting on 25 January 2013)</i>
2. Subcommittee on Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) (Amendment) Order 2012	16 January 2013 <i>(Reporting to the House Committee at its meeting on 8 February 2013)</i>
3. Subcommittee on Three Proposed Resolutions under Section 5(3)(b) of the Public Bus Services Ordinance (Cap. 230) <i>(subject to positive vetting procedure)</i>	25 January 2013

Subcommittees may be formed on the following subsidiary legislation	Estimated timing for formation
1. Subsidiary legislation for implementing the new Companies Ordinance (covering 12 sets of subsidiary legislation subject to the negative vetting procedure to be tabled in 3 batches in February, March and May 2013; and one set subject to the positive vetting procedure to be introduced when ready)	House Committee meeting on 8 February 2013
2. Amendments to the Schedule to the Road Traffic (Driving-offence Points) Ordinance (Cap. 375)	February 2013
3. Building (Minor works) (Amendment) Regulation 2013	March 2013
4. Personal Data (Privacy) (Amendment) Ordinance 2012 (Commencement) Notice	First quarter of 2013

Subcommittees may be formed on the following subsidiary legislation	Estimated timing for formation
5. Building (Administration) (Amendment) Regulations 2013	April 2013
6. Tate's Cairn Tunnel Ordinance (Amendment of Schedule) Notice	First half of 2013
7. Amendments to the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) regarding the issuance of the Certificate of Particulars of Motor Vehicle	First half of 2013

Council Business Division 2
Legislative Council Secretariat
24 January 2013

**Subcommittees on policy issues in action and on the waiting list
and a proposed subcommittee on policy issues**

(position as at 23 January 2013)

Subcommittees on policy issues in action	Date of first meeting
1. Subcommittee on Poverty under the House Committee	5 November 2012
2. Subcommittee on Matters Relating to Railways under the Panel on Transport	30 November 2012
3. Subcommittee on the Health Protection Scheme under the Panel on Health Services	12 December 2012
4. Subcommittee on Issues Relating to Air, Noise and Light Pollution under the Panel on Environmental Affairs	12 December 2012
5. Joint Subcommittee on Long-term Care Policy under the Panel on Welfare Services and Panel on Health Services	14 December 2012
6. Subcommittee on the Long Term Housing Strategy under the Panel on Housing	18 December 2012
7. Subcommittee on Integrated Education under the Panel on Education	8 January 2013
8. Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Home Affairs and Panel on Development	29 January 2013

Subcommittees on policy issues on the waiting list

1. Subcommittee on Retirement Protection under the Panel on Welfare Services
2. Subcommittee on Strategy and Measures to Tackle Family Violence under the Panel on Welfare Services

Subcommittee on policy issues proposed to be formed

1. Subcommittee on Issues Relating to Public Markets under the Panel on Food Safety and Environmental Hygiene
(The proposal for setting up the subcommittee will be discussed at the Panel meeting on 5 February 2013.)