



**Labour Department (Headquarters)**

**勞工處（總處）**

Your reference 來函編號：  
 Our reference 本處檔案編號：  
 Tel. number 電話號碼： 2852 4083  
 Fax number 傳真機號碼： 2117 0875

5 July 2013

Clerk to Subcommittee on  
 Business Registration Ordinance  
 (Amendment of Schedule 2) Order 2013  
 Legislative Council  
 Legislative Council Complex  
 1 Legislative Council Road Central  
 Hong Kong  
 (Attn: Ms Betty Ma)

Dear Ms Ma,

**Legislative Council Subcommittee meeting of 13 June 2013 on  
 Business Registration Ordinance (Amendment of Schedule 2) Order  
 2013**

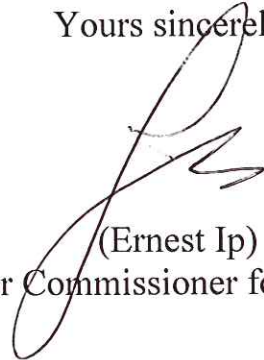
At the meeting held on 13 June 2013, the Administration was requested to provide the number of applications in the past five years in which the severance payment (SP) claimed were not fully covered by the ex gratia payment from the Protection of Wages on Insolvency Fund (PWIF), where the applicant had received partial SP with the accrued benefits from employers' contribution of the Mandatory Provident Fund (MPF) and the maximum amount of ex gratia payment of SP from PWIF, and to provide the respective amount of unpaid SP involved. Our reply is as follows:

Among the applications approved for ex gratia payment of SP in the past five years, the numbers of applications in which the SP claimed were not fully covered by PWIF are given below:

	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>
No. of applications	691	855	649	546	350

The applicants did not fully receive their SP claimed from PWIF for various reasons. In some cases, the claims exceeded the statutory ceiling of SP covered by PWIF and/or involved partial SP received by the applicants from their employers direct or in the form of accrued benefits from employers' MPF contribution, occupational retirement schemes benefits or gratuities relating to length of service. In others, a lesser amount of SP was approved on the basis of the relevant documents and information acquired during the verification process, which revealed a different date of employment or wage rate from the application or because the applicant had once left the service. We however do not keep count of the breakdown of the above mentioned cases and the amount of unpaid SP involved.

Yours sincerely,



(Ernest Ip)  
for Commissioner for Labour