

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 29 April 2015

**Amendments to motion on
“Enacting legislation on standard working hours”**

Further to LC Paper No. CB(3) 594/14-15 issued on 16 April 2015, five Members (Hon LEE Cheuk-yan, Hon IP Kin-yuen, Hon YIU Si-wing, Dr Hon CHIANG Lai-wan and Dr Hon LEUNG Ka-lau) have respectively given notice of their intention to move separate amendments to Hon CHAN Yuen-han’s motion on “Enacting legislation on standard working hours” scheduled for the Council meeting of 29 April 2015. 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 the five amendments. To assist Members in debating the motion and the amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon CHAN Yuen-han to speak and move her motion;
- (b) the President proposes the question on Hon CHAN Yuen-han’s motion;
- (c) the President calls upon the five Members who wish to move amendments to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon LEE Cheuk-yan;

- (ii) Hon IP Kin-yuen;
 - (iii) Hon YIU Si-wing;
 - (iv) Dr Hon CHIANG Lai-wan; and
 - (v) Dr Hon LEUNG Ka-lau;
- (d) the President calls upon the public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon CHAN Yuen-han to speak for the second time on the amendments;
- (g) the President calls upon the 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 five Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon LEE Cheuk-yan to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon LEE Cheuk-yan's amendment;
- (i) after Hon LEE Cheuk-yan's amendment has been voted upon, the President deals with the other four amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon CHAN Yuen-han to reply. Thereafter, the President puts to vote the question on Hon CHAN Yuen-han's motion, or her motion as amended, as the case may be.

3. For Members' 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
“Enacting legislation on standard working hours”
to be held at the Council meeting of 29 April 2015**

1. Hon CHAN Yuen-han’s original motion

That this Council urges the Government to expeditiously enact legislation on standard working hours, the contents of which must set the number of standard working hours at 44 per week and the rates of overtime pay.

2. Motion as amended by Hon LEE Cheuk-yan

That *the Standard Working Hours Committee earlier proposed to enact legislation to stipulate in employment contracts the hours of work, rest periods and meal breaks, as well as the method of overtime compensation, etc.; this Council strongly opposes the Government’s attempt to use ‘contractual working hours’ proposal in lieu of enactment of legislation to regulate working hours, and expresses deep regret that the Chief Executive fails to honour his pledge to ‘examine legislative proposals on standard working hours’ as set out in his election manifesto; this Council urges the Government to expeditiously enact legislation on standard working hours and endeavour to complete the relevant legislative procedures within the current term of the Legislative Council*, the contents of which must set the number of standard working hours at 44 per week and the rates of overtime pay.

Note: Hon LEE Cheuk-yan’s amendment is marked in *bold and italic type*.

3. Motion as amended by Hon IP Kin-yuen

That, *as the problem of overtime work is serious among employees in Hong Kong and the weekly working hours of some job types, such as teachers, can be as long as 60 hours*, this Council urges the Government to expeditiously enact legislation on standard working hours, the contents of which must set the number of standard working hours at 44 per week and the rates of overtime pay; *in setting standard working hours, the Government must take into account the situation of different trades and industries, and particularly in respect of education, it should conduct a study on the regulation of the teaching hours or periods of school teachers modelled on the practices in other countries, so*

as to maintain a reasonable workload for teachers and prevent them from being fatigued at work, thereby enhancing the quality of teaching.

Note: Hon IP Kin-yuen's amendment is marked in *bold and italic type*.

4. Motion as amended by Hon YIU Si-wing

That, *given the differences in the job nature of various trades and industries*, this Council urges the Government to ~~expeditiously enact legislation on standard working hours, the contents of which must~~, *when conducting studies on enacting legislation to set the number of standard working hours at 44 per week and the rates of overtime pay, fully consult various trades and industries (including the tourism industry) and assess the impact of the legislation on the relevant trades and industries, so as to avoid creating negative and far-reaching impact on society and the economy as a result of hasty enactment of legislation.*

Note: Hon YIU Si-wing's amendment is marked in *bold and italic type* or with deletion line.

5. Motion as amended by Dr Hon CHIANG Lai-wan

That this Council ~~urges the Government to expeditiously enact legislation on standard working hours, the contents of which must set the number of standard working hours at 44 per week and the rates of overtime pay~~ *requests the Standard Working Hours Committee to continue to promote in-depth discussion in society on matters relating to the regulation of working hours, and make recommendations to the Government after forging a consensus on enacting legislation on standard working hours or other proposals for regulating working hours, and the Government must adopt appropriate measures to implement the relevant recommendations.*

Note: Dr Hon CHIANG Lai-wan's amendment is marked in *bold and italic type* or with deletion line.

6. Motion as amended by Dr Hon LEUNG Ka-lau

That this Council urges the Government to expeditiously enact legislation on standard working hours, the contents of which must set the number of standard working hours at ~~44~~ per week and the rates of overtime pay.

Note: Dr Hon LEUNG Ka-lau's amendment is marked with deletion line.