



Labour Department (Headquarters)

勞工處（總處）

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30 May 2016

Clerk to the Bills Committee
(Attn: Ms Betty MA)
Legislative Council
1 Legislative Council Road
Central
Hong Kong

(Fax: 2185 7845)

Dear Ms MA,

Bills Committee on Employment (Amendment) Bill 2016

I refer to your letter of 11 May 2016.

As requested by the Bills Committee on the Employment (Amendment) Bill 2016 (“the Bill”) in scrutinizing the Bill, the Labour Department already reported to the Labour Advisory Board (“LAB”) in full the detailed views expressed, including various views and suggestions on the amount of the further sum, by Members at the four Bills Committee meetings held thus far.

LAB members noted the proposals put forth by Members of the Bills Committee and discussed the matter at great length. LAB members reached a consensus that the non-compliance of a compulsory reinstatement or re-engagement order should not be criminalised. They did not support the other proposals as suggested by Members of the Bills Committee. However, LAB agreed that the ceiling for the further sum might be increased though no consensus could be reached on the increased ceiling of the further sum.

As a matter of fact, the current proposed ceiling of the further sum (of \$50,000) as stipulated in the Bill is a consensus reached in LAB after detailed discussions by LAB members as well as the major employers' associations and employee unions which they represent. LAB members now advise that they would need time to further consult their respective organisations before they could discuss the subject of increased ceiling further at LAB. The Labour Department will inform the Bills Committee if and when LAB has reached a new consensual view on this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Melody Luk', written in a cursive style. The signature is positioned above the printed name and title.

(Ms Melody Luk)
for Commissioner for Labour