



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

香港中區立法會道1號
立法會綜合大樓
立法會秘書處議會事務部1
羅英偉先生

羅先生：

關於：私營骨灰安置所上訴委員會酬金方案

謝謝你在2018年4月13日的電郵，就朱凱迪議員在2018年4月12日晚上約9時以電郵送達的來函以紅色方格顯示財務委員會主席裁定為與上述議程相關的事項。我們現就該些事項回覆如下：

政府委員會酬金事宜

請參閱以下資料：

- (i) **附件一**：財務委員會1980及1993年的相關文件；
- (ii) 政府委員會數目眾多，職能和責任各有不同，工作量也有分別，因此酬金應視乎個別情況而定，不可能逐一比較。

上訴委員會已完成及正進行的個案數字

截至 2018 年 3 月 29 日完結時為止，發牌委員會共收到 144 間骨灰安置所提交的指明文書申請。據了解，發牌委員會現正處理指明文書申請；現時上訴委員會並未接獲任何個案的上訴通知書。

上訴委員會的工作與區議會有否任何關係及又會否容納任何形式的公眾聽證空間

在接獲轉介後，上訴委員會作出夾附在附件二的回覆。

總結

煩請將此信件提交給財務委員會主席審閱。

食物及衛生局局長
(黃淑嫻  代行)

副本送：財經事務及庫務局局長

2018年4月13日

ITEM FOR FINANCE COMMITTEE

REMUNERATION OF NON-OFFICIAL MEMBERS OF BOARDS AND COMMITTEES

Members are invited -

- (a) to approve an increase in the ceiling of remuneration, payable to non-official members serving on boards and committees set up by the Government, from \$200 by \$370 to \$570 per member per attendance with effect from 1 April 1993; and
- (b) to delegate to the Secretary for the Treasury the authority to approve future revisions of the ceiling by reference to the movement in the Hang Seng Consumer Price Index.

Introduction

The principles for remunerating non-officials serving on boards and committees set up by the Government were reviewed in 1980 and approved by Members on 9 July 1980. A copy of the agenda item is at the

Encl.

Enclosure.

2. Briefly, service of non-official members serving on boards and committees should be voluntary and normally unremunerated. Out of pocket expenses to cover travel and related expenses may be considered and the approved ceiling for compensation for these expenses was \$200 per attendance per member. Remuneration should be determined having regard to merits of each individual case, subject to -

/(a)

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- (a) the Chairman (official or non-official), or the person who makes the appointments to the boards and committees, having indicated that remuneration is appropriate; and
 - (b) remuneration should normally be in respect of payment of expenses and/or for compensation for earnings foregone.

3. While it was intended that these honoraria should be determined administratively (see paragraph 6(b) of the Enclosure), in most cases, they have been submitted to Finance Committee for approval as the honoraria sought were higher than the equivalent ceiling of \$200 per attendance. Details of honoraria so approved by Members were set out in information note FCRI(91-92)21 issued on 13 February 1992.

4. Administrative approval under the terms of paragraph 6(b) of the Enclosure has so far been given in respect of only two cases. In April 1991, the Secretary for the Treasury approved the payment of an honorarium at \$200 per member per attendance to non-official members of the Broadcasting Authority and its Complaints Committee and Working Group on the Review of Codes of Practice to cover the costs of travelling and other expenses incurred in attending meetings. In December 1992, the Secretary for the Treasury approved the payment of an honorarium at \$150 per member per attendance to non-official members of the Labour Advisory Board for similar purposes.

5. Recently, the Commissioner for Television and Entertainment Licensing has proposed that the rate of honorarium of \$200 should be increased in line with inflation so that the real value of the honorarium could be maintained. This has prompted the Administration to conduct a review.

The review

6. The review concluded that the principles for remunerating non-officials serving on boards and committees set up by the Government were still appropriate in all aspects except that the ceiling of remuneration at \$200 per attendance per member should be revised to reflect price increases since 1980.

/Proposal

Proposal

7. It is proposed that the principles governing the remuneration of non-official members serving on boards and committees set up by the Government, as approved by Members in July 1980, should continue to apply, but that the ceiling of remuneration should be updated by reference to the movement in the Hang Seng Consumer Price Index (CPI) since July 1980. The Hang Seng CPI is selected because it is likely to be more representative of the monthly expenditure of households of non-official members serving on boards and committees. Members may wish to note that, for example, the annual revision of the level of honorarium for District Board members is also based on the movement in the Hang Seng CPI.

8. Based on the 184.5% increase in the Hang Seng CPI (October 1989 to September 1990 = 100) from 45.7 in July 1980 to 130.0 in December 1992, the ceiling of honorarium for non-official members should be increased from \$200 to \$568.9. Accordingly, it is proposed that the ceiling be revised to \$570 per attendance per member with effect from 1 April 1993.

Delegation of authority

9. If the revision method proposed in paragraph 7 above is agreed, future revisions of the ceiling for remuneration will be straight-forward and routine in nature. It is therefore proposed that the Secretary for the Treasury be delegated the authority to approve future revisions on the same basis.

(FIN 96/2/1 II)

Item B.54
(FIN B1/1/20)

REMUNERATION OF UNOFFICIAL MEMBERS OF
BOARDS AND COMMITTEES

Members are invited to approve
principles governing the
remuneration of unofficial
members serving on all boards
and committees set up by the
Government.

Introduction

On 2nd August 1978, following comments made by Members, an item seeking approval in principle for the remuneration of members of the Inland Revenue Board of Review was withdrawn, for a review to be conducted to establish principles upon which remuneration should be considered.

The review

2. Boards and committees are established, by statute or otherwise, to -

- (a) advise the Government on specific topics; or
- (b) provide advice or arbitration; or
- (c) provide regulation or discipline, for example in respect of certain professional groups.

3. The current (1st July 1978) Civil and Miscellaneous Lists show 78 statutory and 45 permanent but non-statutory boards and committees, with membership which includes unofficials. A review of unofficial participation on boards and committees carried out in late 1978 identified an additional 184 boards and committees not included in the Civil and Miscellaneous Lists. The functions, scope and constitutions of these bodies are varied, making it impossible to categorise them. The total number of

/unofficial ...

unofficial 'seats' on all 307 bodies is about 3,500. An unofficial member can be, and frequently is, a member of more than one body. At present, 12 bodies offer remuneration to their unofficial members, in the form of honoraria or expenses, or both, though in many cases members do not claim it. No common pattern exists.

4. It is considered that it should be a basic principle of unofficial service on government boards and committees that such service is voluntary and, as a general rule, unremunerated. But, at the same time, no individual should suffer pecuniary embarrassment through public service, especially if he is a co-opted member. Nor should the Government be obtaining the services of highly qualified, professional persons "on the cheap". Members of bodies canvassed during the review overwhelmingly endorsed the principle of voluntary unpaid public service.

Proposals

5. Having regard to the suggested principle that service should be voluntary and normally unremunerated, it is proposed that no action should be taken by the Government to consider remuneration of unofficial members unless the Chairman (whether an official or an unofficial), or the person responsible for making appointments to the committee or board concerned, has indicated that remuneration would be appropriate.

6. In broad terms, the nature and extent of remuneration would be considered along the following lines -

(a) an allowance might be considered to cover travel, out-of-pocket and related expenses incurred by unofficial members in connection with their duties. The provision of official transport when available and secretarial support when required should be taken into account;

(b) remuneration might be considered as compensation for earnings forgone arising from -

/(i) resignation ...

- (i) resignation from substantive employment in order to serve on a government board or committee; or
- (ii) membership of a committee which requires substantial and regular work by the member to the extent that it occupies a significant part of the member's working day.

The ceiling for compensation should be set relatively low, the intention being to recompense the less well paid who can least afford to forgo their earnings. It is therefore proposed to set the maximum at \$200 per attendance if the number of attendances is small, e.g. four to five times monthly. If attendances are more frequent e.g. Public Service Commission which involves members in official file work almost daily, a monthly honorarium based on the \$200 per attendance rate would be more appropriate. Such honoraria would be determined administratively; and

- (c) Unofficial advice which is of an expert or professional nature should not constitute a claim for remuneration.

7. Remuneration of unofficial members of boards and committees set up by the Government would therefore be considered on the merits of each individual case, subject to the following provisions -

- (a) remuneration should only be considered when the chairman, official or unofficial, or the person responsible for making appointments to committees and boards, has indicated that remuneration would be appropriate (paragraph 5); and

/(b) remuneration ...

- (b) remuneration should normally be in respect of payment of expenses and/or compensation for earnings forgone (paragraph 6).

8. If Members approve the principles of remuneration set out in paragraph 7 above, each individual case would be considered in accordance with these principles.

私營骨灰安置所上訴委員會
PRIVATE COLUMBARIA APPEAL BOARD

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私營骨灰安置所上訴委員會

在接獲轉介後，本秘書處就電郵中要求就第(四)(iii)段事宜(私營骨灰安置所上訴委員會(上訴委員會)與區議會有否有任何關係及會否容納任何形式的公眾聽證空間)作出回應一事，現回覆如下。

上訴委員會根據《私營骨灰安置所條例》(第630章)成立，須公平公正及客觀持平地處理每宗上訴，秉持程序公義，作出合法合理合情的裁決。其運作是獨立的，上訴委員會與任何機構、組織或團體(包括區議會)並沒有任何關係。

根據上訴委員會的《實務及程序規則》第24條，除非審裁官或上訴委員會另有指示或命令，否則上訴聆訊須公開進行，公眾人士可按先到先得方式旁聽聆訊，但以該場地所能容納的人數為限。

私營骨灰安置所上訴委員會秘書

(岑嘉寶



代行)

2018 年 4 月 13 日