

Employment (Amendment) Bill 2018
Debate and voting arrangements

Object of the Bill : To amend the Employment Ordinance (Cap. 57) to increase paternity leave (“PL”) entitlement under that Ordinance as in force on 15 June 2018 from 3 days to 5 days in respect of a child born on or after the commencement date appointed by the Secretary for Labour and Welfare (“SLW”) for this Ordinance; and to replace a reference to a date in section 15E(5) of that Ordinance.

First debate	: Clauses with no amendment – Clauses 1 and 2
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Voting	: To vote on the above clauses standing part of the Bill together
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Second debate	: Clause and long title with amendments proposed by SLW, Dr Hon Helena WONG, Hon LEUNG Yiu-chung, Dr Hon Fernando CHEUNG, Hon Gary FAN and Hon HUI Chi-fung – Clause 3 and long title
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Joint debate on the original clause, the amendments thereto and the long title

Debate theme: Increase in PL duration and other textual amendment

Clause 3 and long title

Amendment of SLW

- To make textual amendment to the English version of the proposed section 15E(2)(b)(i) in clause 3(1) of the Bill to align the English version with the Chinese version.

Amendments of Dr Hon Helena WONG, Hon LEUNG Yiu-chung, Dr Hon Fernando CHEUNG, Hon Gary FAN and Hon HUI Chi-fung

- All the first amendments of the above five Members seek to amend the proposed section 15E(2)(b) in clause 3(1) of the Bill to increase the statutory PL duration. Details are as follows:

	Existing duration	Proposal in the Bill	Dr Hon Helena WONG	Hon LEUNG Yiu-chung, Dr Hon Fernando CHEUNG, Hon Gary FAN and Hon HUI Chi-fung
Statutory PL duration	3 days	Increase to 5 days	Increase PL duration progressively with employees being entitled to: (a) 5 days (for a child born on or after the commencement date of the Employment (Amendment) Ordinance 2018 but before the expiry of the period of 1 year from that commencement date); or (b) 7 days (for a child born on or after the expiry of the period of 1 year from that commencement date).	Increase to 7 days
- Consequent upon their first amendments, the above five Members all propose second amendments to amend the long title.				
Order of voting	Mover and amendment	Amendment(s) may not be moved under the following circumstances		Amendment(s)
The following amendments (Nos. 1 to 6) seek to amend clause 3				
1	SLW's amendment	/		LC Paper No. CB(3) 24/18-19
2	Dr Hon Helena WONG's first amendment	If Dr WONG's amendment is passed , Hon LEUNG Yiu-chung, Dr Hon Fernando CHEUNG, Hon Gary FAN and Hon HUI chi-fung may not move their first amendments.		LC Paper No. CB(3) 56/18-19
3	Hon LEUNG Yiu-chung's first amendment	After voting on Mr LEUNG's amendment, irrespective of whether it is passed or not , Dr Hon Fernando CHEUNG, Hon Gary FAN and Hon HUI Chi-fung may not move their first amendments.		

Order of voting	Mover and amendment	Amendment(s) may not be moved under the following circumstances	Amendment(s)
4	Dr Hon Fernando CHEUNG's first amendment	After voting on Dr CHEUNG's amendment, <u>irrespective of whether</u> it is <u>passed or not</u> , Hon Gary FAN and Hon HUI Chi-fung <u>may not move</u> their first amendments.	
5	Hon Gary FAN's first amendment	After voting on Mr FAN's amendment, <u>irrespective of whether</u> it is <u>passed or not</u> , Hon HUI Chi-fung <u>may not move</u> his first amendment.	
6	Hon HUI Chi-fung's first amendment	/	
The following amendments (Nos. 7 to 11) seek to amend the long title			
7	Dr Hon Helena WONG's second amendment	If the first amendment of any of such Members <u>is not passed</u> , the Member concerned <u>may not move</u> his/her second amendment.	LC Paper No. CB(3) 56/18-19
8	Hon LEUNG Yiu-chung's second amendment		
9	Dr Hon Fernando CHEUNG's second amendment		
10	Hon Gary FAN's second amendment		
11	Hon HUI Chi-fung's second amendment		

SLW's amendment

(set out in LC Paper No. CB(3) 24/18-19 issued on 11 October 2018)

Amendments of Hon LEUNG Yiu-chung, Dr Hon Fernando CHEUNG, Hon Gary FAN, Hon HUI Chi-fung and Dr Hon Helena WONG

(set out in LC Paper No. CB(3) 56/18-19 issued on 22 October 2018)

Council Business Division 3
Legislative Council Secretariat
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