

立法會
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Panel on Manpower

**Information note prepared by the Legislative Council Secretariat
for the meeting on 25 June 2019**

Minor Employment Claims Adjudication Board

According to the Administration, the Minor Employment Claims Adjudication Board ("MECAB") is established under the Minor Employment Claims Adjudication Board Ordinance (Cap. 453) to provide quick, simple, inexpensive and independent dispute adjudication service. Minor claims are claims:

- (a) arising from disputes of statutory or contractual rights of employment;
- (b) involving not more than 10 claimants in each case; and
- (c) not exceeding \$8,000 per claimant.

A claim may be referred to MECAB for adjudication if it cannot be resolved amicably through conciliation by the Labour Relations Division of the Labour Department.

2. MECAB does not have jurisdiction in any case where the claim is pursued for a cause of action founded in tort, or any claim submitted to proof in a bankruptcy or winding-up. In addition, MECAB shall not have jurisdiction to hear any claim arising more than 12 months before the filing date of the claim, unless the parties to the claim have agreed by signing a memorandum that MECAB shall have jurisdiction. Employment claims falling outside the jurisdiction of MECAB are heard by the Labour Tribunal.

3. Hearings of minor employment claims are conducted in public either in Chinese or English, and no legal representation is allowed. An award or order, which is legally binding, will be made as soon as possible after the conclusion of hearing by the Adjudication Officer. Parties dissatisfied with the judgment of an Adjudication Officer may apply for a review. They may also apply to the Court of First Instance for an appeal against the Adjudication Officer's decision on point of law or question of jurisdiction.

4. The Administration will brief the Panel on Manpower on the review of the jurisdictional limit for MECAB at its meeting on 18 June 2019.

Council Business Division 2
Legislative Council Secretariat
19 June 2019