

LEGISLATIVE COUNCIL BRIEF

Volunteer and Naval Volunteer Pensions Ordinance (Chapter 202)

VOLUNTEER AND NAVAL VOLUNTEER PENSIONS ORDINANCE (AMENDMENT OF SCHEDULES) ORDER 2020

INTRODUCTION

Pursuant to section 35 of the Volunteer and Naval Volunteer Pensions Ordinance (Cap. 202) (*Ordinance*), the Secretary for Labour and Welfare (SLW) has made the Volunteer and Naval Volunteer Pensions Ordinance (Amendment of Schedules) Order 2020 (*Order*) at Annex to amend Schedules 3 to 8 to the Ordinance to adjust the rates and amounts of the pensions, gratuities and other allowances for eligible recipients.

JUSTIFICATIONS

2. Under section 35(2) of the Ordinance, SLW may by order amend the monthly rates and amounts set out in Schedules 3 to 8 to the Ordinance in accordance with the percentage of increase as declared in a notice made under section 4(1C) of the Pensions (Increase) Ordinance (Cap. 305). The percentage of increase for the basic pension as declared in the Declaration of Increase in Pensions Notice 2020 (L.N. 127 of 2020) (*Notice*) is 2.9%.

THE ORDER

3. A copy of the Order is at Annex. The Order amends Schedules 3 to 8 to the Ordinance to set out the adjusted monthly payment rates to eligible recipients.

LEGISLATIVE TIMEABLE

4. The Order will be gazetted on 4 September 2020. Pursuant to section 35(4) of the Ordinance, the Order is deemed to have taken effect on the effective date for the increase in pensions as declared in the Notice, i.e. 1 April 2020.

IMPLICATIONS OF THE ORDER

5. The Order is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. It has no productivity, civil service, economic, environmental, sustainability, gender and family implications.

FINANCIAL IMPLICATIONS

6. At present, there are three recipients eligible for pensions and allowances payable under the Ordinance. Since the total number of recipients is the same as that of last year, the adjustment of the payment rates will not incur additional expenditure over and above the original estimates. The total expenditure under this Ordinance will amount to about \$106,000 in 2020-21.

PUBLIC CONSULTATION

7. Since this is a routine updating exercise, public consultation on the Order is considered not necessary.

PUBLICITY

8. The Administration will inform eligible recipients in writing of the adjusted rates and amounts of the pensions and allowances.

BACKGROUND

9. The Ordinance provides for the payment of pensions, gratuities and other allowances in connection with the disablement or death of officers and volunteers of the Hong Kong Volunteer Defence Corps and members of the Hong Kong Naval Volunteer Force, who were called out on actual military service or actual service during the 1939 World War.

ENQUIRY

10. Any enquiries on this brief should be addressed to Mr Andrew TSANG, Principal Assistant Secretary for Labour and Welfare (Welfare) 1, at 2810 3931.

Labour and Welfare Bureau
2 September 2020

Volunteer and Naval Volunteer Pensions Ordinance (Amendment of Schedules)
Order 2020

Section 1

1

**Volunteer and Naval Volunteer Pensions Ordinance
(Amendment of Schedules) Order 2020**

(Made by the Secretary for Labour and Welfare under section 35(2) of the
Volunteer and Naval Volunteer Pensions Ordinance (Cap. 202))

1. Commencement

This Order is deemed to have come into operation on 1 April 2020.

2. Volunteer and Naval Volunteer Pensions Ordinance amended

The Volunteer and Naval Volunteer Pensions Ordinance (Cap. 202)
is amended as set out in sections 3 to 8.

3. Schedule 3 amended (rates of disablement pension)

Schedule 3—

Repeal column 2

Substitute

“Column 2

Monthly rate
(HK\$)

Officer rank	Member rank
10,150.95	10,144.60
9,138.04	9,130.15
8,122.04	8,115.68
7,105.97	7,101.20
6,091.52	6,086.77
5,077.04	5,072.30

Volunteer and Naval Volunteer Pensions Ordinance (Amendment of Schedules)
Order 2020

Section 4

2

Column 2

Monthly rate
(HK\$)

Officer rank	Member rank
4,062.58	4,057.83
3,046.58	3,043.40
2,030.51	2,028.92”.

4. Schedule 4 amended (rates of minor disablement gratuity)

(1) Schedule 4, Part 1—

Repeal column 3

Substitute

“Column 3

Amount
(HK\$)

Officer rank	Member rank
111,064.35	110,395.44
88,895.20	88,340.44
74,042.90	73,599.08
44,338.23	44,113.14
96,212.02	95,654.11
74,042.90	73,599.08
59,190.59	58,857.70
37,021.43	36,799.53
59,190.59	58,857.70
51,873.79	51,540.92

Column 3	
Amount (HK\$)	
Officer rank	Member rank
44,338.23	44,113.14
22,169.14	22,058.18
111,064.35	110,395.44
29,482.75	29,371.79
29,482.75	29,371.79
14,852.33	14,741.38
44,338.23	44,113.14
22,169.14	22,058.18
51,873.79	51,540.92
29,482.75	29,371.79
74,042.90	73,599.08
29,482.75	29,371.79".

(2) Schedule 4, Part 2—

Repeal column 3

Substitute

"Column 3	
Amount (HK\$)	
Officer rank	Member rank
6,248.45	6,113.71
13,918.71	13,608.01
24,347.02	23,790.69

Column 3	
Amount (HK\$)	
Officer rank	Member rank
12,495.29	12,252.78
27,748.64	27,149.50
48,583.11	47,516.36
37,509.66	36,598.27
83,336.31	81,289.94
145,839.74	142,148.04".

5. Schedule 5 amended (rates of other allowances)

Schedule 5—

Repeal column 2

Substitute

"Column 2

Monthly rate
(HK\$)

7,676.61
(maximum)

3,839.12
(maximum)

1,643.73
(maximum)

676.84

1,046.16

1,493.18

Column 2
Monthly rate
(HK\$)
2,087.58”.

6. Schedule 6 amended (rates of pension for surviving spouses)

Schedule 6—

Repeal columns 2 and 3

Substitute

“Column 2	Column 3
Monthly rate (HK\$)	Monthly rate (HK\$)
7,950.86	7,950.86
7,690.86	1,800.66”.

7. Schedule 7 amended (rates of age allowance for elderly surviving spouses)

Schedule 7—

Repeal column 2

Substitute

“Column 2
Monthly rate
(HK\$)
873.37
1,681.80
2,501.26”.

8. Schedule 8 amended (adjusted rates of payment)

Schedule 8—

Repeal column 2

Substitute

“Column 2
Monthly rate
(HK\$)
6,270.64
3,824.82
3,645.74”.



Secretary for Labour and Welfare

26 August 2020

Explanatory Note

This Order amends Schedules 3 to 8 to the Volunteer and Naval Volunteer Pensions Ordinance (Cap. 202) (*Ordinance*) to adjust the rates for the payment of pensions, gratuities and other allowances under the Ordinance in connection with the disablement or death of the officers and volunteers of the Hong Kong Volunteer Defence Corps and members of the Hong Kong Naval Volunteer Force who fought in defence of Hong Kong during the Second World War.

2. The rates are adjusted in accordance with the percentage of increase for the basic pension as declared in the Declaration of Increase in Pensions Notice 2020 (L.N. 127 of 2020) (*Notice*).
3. Under section 35(4) of the Ordinance, the Order is deemed to have taken effect on 1 April 2020 (the effective date for the increase declared in the Notice).