

L.N. 109 of 2021

**Minor Employment Claims Adjudication Board
Ordinance (Amendment of Schedule) Notice 2021**

(Made by the Commissioner for Labour under section 6 of the Minor Employment Claims Adjudication Board Ordinance (Cap. 453))

1. Commencement

This Notice comes into operation on 17 September 2021.

2. Minor Employment Claims Adjudication Board Ordinance amended

The Minor Employment Claims Adjudication Board Ordinance (Cap. 453) is amended as set out in section 3.

3. Schedule amended (jurisdiction of the Minor Employment Claims Adjudication Board)

(1) The Schedule, paragraph (a)(iii)—

Repeal

“the provisions of”.

(2) The Schedule, English text, paragraph (a)(v)—

Repeal

“his”

Substitute

“the employee’s”.

(3) The Schedule, paragraph (a)(v)—

Repeal

“; or”

Substitute a semicolon.

- (4) The Schedule, paragraph (b)—

Repeal

“on or after 25 June 1997, or partly before and partly on or after that date”

Substitute

“wholly before 17 September 2021 (but not wholly before 25 June 1997)”.

- (5) The Schedule, paragraph (b)(i) and (ii)—

Repeal

“(if relevant)”

Substitute

“(if applicable)”.

- (6) The Schedule, paragraph (b)(iii)—

Repeal

“the provisions of”.

- (7) The Schedule, English text, paragraph (b)(v)—

Repeal

“his”

Substitute

“the employee’s”.

- (8) The Schedule, paragraph (b)(v)—

Repeal

“payment.”

Substitute

“payment; or”.

(9) The Schedule, after paragraph (b)—

Add

- “(c) the right of action of which arose on or after 17 September 2021, or not wholly before that date, and made by not more than 10 claimants for a sum of money not exceeding \$15,000 per claimant, which arises from—
- (i) the breach of a term, whether express or implied or (if applicable) arising by force of section 10(1) of the Minimum Wage Ordinance (Cap. 608), of a contract of employment, whether for performance in Hong Kong or under a contract to which the Contracts for Employment Outside Hong Kong Ordinance (Cap. 78) applies;
 - (ii) the breach of a term, whether express or implied or (if applicable) arising by force of section 10(1) of the Minimum Wage Ordinance (Cap. 608), of a contract of apprenticeship;
 - (iii) the failure of a person to comply with the Employment Ordinance (Cap. 57), the Minimum Wage Ordinance (Cap. 608) or the Apprenticeship Ordinance (Cap. 47);
 - (iv) any question as to the right of an employee to a severance payment under Part VA of the Employment Ordinance (Cap. 57) or the amount of such payment; or
 - (v) any question as to the right of an employee to payment of wages by a person other than the employee’s employer under Part IXA of the Employment Ordinance (Cap. 57) or the amount of such payment.”.

Minor Employment Claims Adjudication Board Ordinance (Amendment of Schedule)
Notice 2021

L.N. 109 of 2021
B4459

SUN Yuk-han, Chris
Commissioner for Labour

29 June 2021

Minor Employment Claims Adjudication Board Ordinance (Amendment of Schedule)
Notice 2021

Explanatory Note
Paragraph 1

L.N. 109 of 2021
B4461

Explanatory Note

This Notice amends the Schedule to the Minor Employment Claims Adjudication Board Ordinance (Cap. 453) to expand the jurisdiction of the Minor Employment Claims Adjudication Board.