

Second Reading debate on Employment (Amendment) Bill 2019 to resume on June 24

The Employment (Amendment) Bill 2019 (Bill) would resume its Second Reading debate at the meeting of the Legislative Council (LegCo) on June 24, 2020.

"The Bill proposes that the maternity leave (ML) under the Employment Ordinance (EO) (Cap. 57) be increased by four weeks and be taken by the employee continuously after the 10 weeks' ML, if so entitled. The current statutory rate of maternity leave pay (MLP) (i.e. four-fifths of the employee's average daily wages) will be maintained for calculating the additional MLP in respect of the extension of ML, subject to a cap of \$36,822 (Note) per employee," a spokesman for the Government said today (June 15).

"The Bill also proposes two technical amendments which include updating the definition of 'miscarriage' under EO from 'before 28 weeks of pregnancy' to 'before 24 weeks of pregnancy' to entitle a female employee whose child is incapable of survival after being born at or after 24 weeks of pregnancy to ML if other conditions are met; and accepting a certificate of attendance issued by professionally trained persons as documentary proof for entitling an eligible employee to sickness allowance for any day on which the employee has attended a medical examination in relation to her pregnancy.

"The Government has committed that for the amount of additional MLP that is required to be paid under the Bill and has been paid by the employers, the latter may apply to the Government for full reimbursement which will be done by way of an administrative scheme."

Taking account of the views of the community and to further enhance the protection to pregnant employees, the Government has given notice to LegCo today that the Government will move an amendment to uplift the cap of the additional four weeks' MLP (i.e. \$36,822) in the Bill to \$80,000. This amount already exceeds the four weeks' MLP based on a monthly wage of \$100,000. Employees with a monthly wage of \$100,000 or below account for over 99% of female employees in Hong Kong, with reference to 2018 statistics.

If the amendment is passed by LegCo, the cap of the additional MLP that employers may apply to the Government for reimbursement would correspondingly be \$80,000 per employee.

"All along, the Government has publicly pledged that its aim is to implement the reimbursement regime for the additional MLP by end-2021. In light of the expectation of the community at large to benefit pregnant employees as early as possible, we have re-visited the implementation timetable. The Government would explore the feasibility of earlier implementation of the Amendment Ordinance and consult the Labour Advisory

Board accordingly. We hope to advance the implementation of the Amendment Ordinance by one year, i.e., towards the end of this year," the spokesman added.

Note : The cap of \$36,822 is equivalent to four-fifths of the wages of an employee with a monthly wage of \$50,000 in four weeks. According to 2016 statistics, employees with a monthly wage of \$50,000 or below accounted for about 95% of female employees in Hong Kong.

Police warn crowds participating in unauthorised assembly in Admiralty to leave immediately

Attention duty announcers, radio and TV stations:

Please broadcast the following message as soon as possible and repeat it at suitable intervals:

At around 6pm today (June 15), some crowds gathered and behaved in a disorderly manner in the vicinity of Pacific Place, Admiralty. Participating in such events may contravene "taking part in an unauthorised assembly" in accordance with the Public Order Ordinance, and may commit certain offences under the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation. Police at scene have repeatedly warned participants to stop gathering and leave.

Police are now stepping up patrols and conducting stop-and-searches on suspicious persons in order to prevent and stop crime. Police call upon members of the public to refrain from taking part in unauthorised assemblies and prohibited group gatherings, and to avoid close contact to reduce the risk of spreading the virus.

LegCo to debate proposed resolution on appointment of Chief Justice of Court of Final Appeal

The following is issued on behalf of the Legislative Council Secretariat:

The Legislative Council (LegCo) will hold a meeting on Wednesday (June 17) at 11am in the Chamber of the LegCo Complex. During the meeting, Members will debate the proposed resolution moved by the Chief Secretary for Administration under Article 73 (7) of the Basic Law and section 7A of the Hong Kong Court of Final Appeal Ordinance on appointment of the Chief Justice of the Court of Final Appeal. The proposed resolution is set out in Appendix 1.

The Chief Secretary for Administration will also move three proposed resolutions under the Legal Aid Ordinance and the Criminal Procedure Ordinance. The Secretary for Justice will move a proposed resolution under the Fatal Accidents Ordinance. The proposed resolutions are set out in Appendices 2-5 respectively.

Meanwhile, the Second Reading debate on the Occupational Retirement Schemes (Amendment) Bill 2019, the Copyright (Amendment) Bill 2019 and the Supplementary Appropriation (2018-2019) Bill will resume. If the Bills are supported by Members and receive their Second Reading, they will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bills and their reports are adopted by the Council, the Bills will be set down for the Third Reading.

On Member's Bill, the Second Reading debate on the St. John's College (Amendment) Bill 2019 will resume. If the Bill is supported by Members and receives its Second Reading, it will stand committed to the committee of the whole Council. After the committee of the whole Council has completed consideration of the Bill and its report is adopted by the Council, the Bill will be set down for the Third Reading.

On Members' motions, Ms Yung Hoi-yan and Ms Alice Mak will move separate motions under Rule 49B (1A) of the Rules of Procedure to censure Ms Claudia Mo and Mr Dennis Kwok. The motions are set out in Appendices 6 and 7 respectively.

Mr Lam Cheuk-ting and Ms Mo will move two separate motions under the Legislative Council (Powers and Privileges) Ordinance, in relation to the incident of assaults occurred in Yuen Long Station of West Rail Line of the MTR Corporation Limited on July 21, 2019. The motions are set out in Appendices 8 and 9 respectively.

Mr Alvin Yeung, Dr Kwok Ka-ki and Mr Kwong Chun-yu will move three separate motions under Article 73 (5) and (10) of the Basic Law and the Legislative Council (Powers and Privileges) Ordinance, in relation to the incident of assaults occurred in Prince Edward Station of the MTR Corporation Limited on August 31, 2019. The motions are set out in Appendices 10-12 respectively.

Ms Tanya Chan, Dr Kwok, Dr Fernando Cheung and Mr Kenneth Leung will move seven separate motions under Article 73 (5) and (10) of the Basic Law and the Legislative Council (Powers and Privileges) Ordinance, in relation to

the Police's handling of protesters and persons performing duties in the protests during the "anti-extradition to China" movement. The motions are set out in Appendices 13-19 respectively.

Mr Chung Kwok-pan and Dr Priscilla Leung will move two separate motions under the Legislative Council (Powers and Privileges) Ordinance, in relation to the causes and consequences of the social conflicts or disturbances arising from the amendments to the Fugitive Offenders Ordinance and related matters. The motions are set out in Appendices 20 and 21 respectively. Mr James To will move an amendment to Dr Leung's motion.

Mr Charles Mok, Mr Jeremy Tam and Dr Kwok will also move four separate motions under Article 73 (5) and (10) of the Basic Law to summon persons concerned to produce papers and testify. The motions are set out in Appendices 22-25 respectively.

Meanwhile, Mr Kwok will move a motion on no confidence in the Fifth Term Government of the Hong Kong Special Administrative Region as set out in Appendix 26. Ms Mo will move an amendment to Mr Kwok's motion.

Mr Lam will move a motion on strengthening the combat against parallel trading activities, and tightening the arrangements for Mainland residents visiting Hong Kong. The motion is set out in Appendix 27.

During the meeting, Members will also ask the Government 21 questions on various policy areas, six of which require oral replies.

The agenda of the above meeting can be obtained via the LegCo Website (www.legco.gov.hk). Members of the public can watch or listen to the meeting via the Webcast system on the LegCo Website. To observe the proceedings of the meeting at the LegCo Complex, members of the public may call 3919 3399 during office hours to reserve seats.

First-ever conviction case of ginseng and dried seafood shop engaging in aggressive commercial practices

A director and a salesperson of a ginseng and dried seafood shop were sentenced today (June 15) after conviction for engaging in aggressive commercial practices to coerce customers into procuring Chinese medicine, in contravention of the Trade Descriptions Ordinance (TDO), at West Kowloon Magistrates' Courts. They were each sentenced to six months' immediate imprisonment. This is the first-ever conviction case of a ginseng and dried

seafood shop engaging in aggressive commercial practices since the TD0 was amended in July 2013.

Hong Kong Customs welcomes the sentences, which have achieved a deterrent effect and have also reflected the seriousness of the offence. A clear warning has been imposed on unscrupulous practitioners in the industry.

Customs earlier received information alleging that salespersons of a ginseng and dried seafood shop in Mong Kok had in the course of selling Chinese medicine engaged in aggressive commercial practices by using threatening language and physical force to coerce customers into purchasing Chinese medicine.

After investigation, Customs found that the first victim went to the above-mentioned shop in March last year and was persuaded to buy Chinese medicine. When he refused to purchase and was ready to leave the shop, the two defendants stopped him from leaving and then snatched his mobile phone. They then forcibly used the victim's fingerprint to activate the electronic wallet function for payment.

Another victim in the same month also visited the shop, where the defendants promoted Chinese medicine in an ambiguous way. The victim refused to pay for the goods after learning the price was 16 times different from expected. The defendants scolded and slapped her when she intended to leave.

Customs reminds traders to comply with the requirements of the TD0. Consumers are also reminded to procure goods from reputable shops.

Under the TD0, any trader commits an offence of engaging in aggressive commercial practices if harassment, coercion or undue influence is used to impair the consumer's freedom of choice or conduct in relation to the product concerned, causing the consumer to make a transactional decision. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected violation of the TD0 to Customs 24-hour hotline 25456182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).

[Transcript of remarks by CE in video on national security legislation in Hong Kong \(with photo/video\)](#)

The transcript of remarks by the Chief Executive, Mrs Carrie Lam, in a video on national security legislation in Hong Kong is as follows. The video

will be released in the media as Announcements in the Public Interest from tomorrow (June 16).

Chief Executive: Hong Kong is an inalienable part of the People's Republic of China. As a Special Administrative Region (SAR) directly under the Central People's Government, Hong Kong enjoys a high degree of autonomy under "One Country, Two Systems".

Over the past year, the Hong Kong community has been traumatised. Violence by rioters has escalated, with illegal firearms and explosives posing a terrorist threat. Groups and individuals advocating "Hong Kong independence" and colluding with foreign forces to interfere with Hong Kong's affairs have seriously undermined national interests and security. Hong Kong has become a gaping hole in national security, and our city's prosperity and stability are at risk.

Sadly, there is now little hope of the Hong Kong SAR enacting local laws to safeguard national security. Against this background, the Central Authorities have no option but to exercise their constitutional power to establish and improve the legal system and enforcement mechanisms for the Hong Kong SAR to safeguard national security. This is a decision not taken lightly.

The national security legislation will only target an extremely small minority of illegal and criminal acts and activities, while the life and property, basic rights and freedoms of the overwhelming majority of citizens will be protected. Above all, it will restore stability in Hong Kong.

I appeal for your full understanding and staunch support for putting in place national security legislation in Hong Kong.

