(cleared for publication)

# Minutes of the One Hundred and Fifth Meeting of The Equal Opportunities Commission held on 20 March 2014 (Thursday) at 2:30 p.m. in the Equal Opportunities Commission's Conference/Training Room

#### **Present**

Dr. CHOW Yat-ngok, York Chairperson

Ms CHIU Lai-kuen, Susanna, M.H. (via telephone conference)

Ms CHOI Hing-shi, M.H.

Dr. KOONG May-kay, Maggie, B.B.S.

Dr. Trisha LEAHY

Mr. LUI Tim-leung, Tim, B.B.S., J.P.

Mr. Amirali Bakirali NASIR, J.P.

Ms NG Wing-mui, Winnie

Mr. Zaman Minhas QAMAR

Ms Su-Mei THOMPSON

Dr. TSE Wing-ling, John, M.H.

Ms WONG Ka-ling, Garling

Mr. YIP Siu-hong, Nelson, M.H.

Mr. Michael CHAN Yick-man Secretary

Director, Planning & Administration [DPA]

## **Absent with apologies**

Mr. CHOW Ho-ding, Holden

Prof. Hon LEE Kok-long, Joseph, S.B.S., J.P.

Dr. TSANG Kit-man, Sandra, J.P. The Hon TSE Wai-chun, Paul, J.P.

#### In attendance

Mr. Joseph LI Siu-kwai Director, Operations [D(Ops)]
Mr. Herman POON Lik-hang Chief Legal Counsel [CLC]

Dr. Ferrick CHU Chung-man Head, Policy and Research Officer [HPR]

Ms Shana WONG Shan-nar Head, Corporate Communications &

Training [HCCT]

Miss Kerrie TENG Yee-san Accountant [ACCT]

Miss Gloria YU Wai-ling Senior Equal Opportunities Officer,

Administration & Personnel [SAP]

Mr. Peter Charles READING Legal Counsel [LC4]

(cleared for publication)

#### I. Introduction

- 1. The <u>Chairperson</u> (C/EOC) welcomed all Commission Members (Members), particularly Mr. Z M QAMAR, who had recuperated from an injury to the 105<sup>th</sup> Meeting. He hoped that nothing like what Mr QAMAR had gone through would ever happen again. Ms Susanna CHIU who was currently not in Hong Kong would join the meeting via telephone conference. Mr A B NASIR and Dr. Trisha LEAHY would join the meeting later. Apologies for absence were received from Mr. Holden CHOW, Prof. Hon Joseph LEE, Dr. Sandra TSANG and The Hon Paul TSE due to clash of meeting schedules/other business engagements/out of town business.
- 2. <u>C/EOC</u> said that a press briefing would be held after the meeting in accordance with the usual practice.

### **II.** Confirmation of Minutes (Agenda Item No. 1)

3. The Minutes of the 104<sup>th</sup> EOC Meeting issued to Members on 17 January 2014 were confirmed without amendment.

### III. Matters Arising (Agenda Item No. 2)

4. <u>Members</u> noted that the progress on the Discrimination Law Review would be reported under Agenda Item 3 via EOC Paper No. 1/2014.

#### IV. New Agenda Items

#### **Progress on The Discrimination Law Review**

(EOC Paper No. 1/2014; Agenda Item No. 3)

5. EOC Paper No. 1/2014 reported on the progress of the Discrimination Law Review (DLR). C/EOC said that several briefings for Members had been

(cleared for publication)

conducted earlier to explain the details contained in the lengthy DLR consultation document. If there was a need, further explanation to Members could be arranged. He also said that a special meeting might be arranged before the document was to go public.

- 6. CLC informed Members that the draft DLR document now appended to the paper had been revised after small groups briefing for Members and discussion among senior management. Subject to Members' advice, the public consultation would be launched in June/July 2014 on the basis of the draft. said that the major purpose of the review was to modernize, harmonize and simplify the discrimination law to meet Hong Kong's needs. He highlighted the potential debatable issues in the public consultation which included whether discrimination protection should be extended to de facto marital status, whether there should be law to address the discrimination against Mainland visitors/new migrants/different nationality/residency status and whether it was appropriate to clearly spell out employer's legal duty to provide reasonable accommodation to persons with disabilities. It was also noted that there were/would be other public consultations being conducted at the same time which might affect the DLR consultation responses. To address these issues and per Members' request in the last meeting, a DLR Public Consultation Publicity Strategy and Activities Plan had been prepared at Appendix 2 of the paper and a List of Stakeholders for consultation had been attached at the Annex.
- 7. <u>CLC</u> said that much discussion had been made on the draft DLR consultation document. The draft document would be available in English and Chinese. In view of the time constraint, the full consultation document might not be translated into EM languages but the executive summary would be. The Public Consultation would last for 3 months to about September 2014. <u>C/EOC</u> added that apart from time constraint, it was also difficult to vet and ensure the quality of the translation. In addition, detailed explanation could be provided during the consultation process; hence, it might be sufficient to translate the executive summary but not the full document. In response, <u>Mr Z M QAMAR</u> said that it was important that there were documents, like the key arguments and a brief summary of the subject matter be made available in EM languages for communication with the EM groups. <u>C/EOC</u> confirmed that this would be the

(cleared for publication)

case.

- 8. In response to a question raised by <u>Dr Maggie KOONG</u>, <u>C/EOC</u> said that a comprehensive list of stakeholders to be consulted was at Annex of Appendix 2 to the paper. Nevertheless, if a particular group of stakeholders would like to know more or had queries in particular areas of the DLR, face-to-face explanations could be arranged upon request.
- 9. In response to Mr Tim LUI's concern on the timing of the consultation, which would fall in the summer vacation period when some people would be away, C/EOC said that it would be difficult to find a time this year that was completely free of any adverse factors. In addition, there was a need to proceed with the subject as soon as possible. Hence, the EOC could inform stakeholders as early as possible about its consultation plan and work schedule to facilitate their participation.

(Dr John TSE joined the meeting at this juncture.)

- 10. Regarding the suggestions from Ms Susanna CHIU on the communication plan of the DLR, C/EOC confirmed that it would include public forums and stakeholders' meetings. Also, timeslots would be reserved for meeting requests from stakeholders that were most concerned with EOC's work such as employers' groups, unions and associations to discuss the subject.
- 11. In response to Ms Su-Mei THOMPSON's questions of how to measure the success of the DLR and what Members could do to help, CLC said that the main objective of the exercise was to collect views from the public on the current discrimination law. Additionally, the exercise was an educational process. As such, the quality and quantity of views collected and the extent of the message in the DLR reaching out to the public were important considerations. As regards what Members could do, CLC suggested that they could endeavour to understand the main issues in the subject matter and encourage the public to actively participate in the discussion. C/EOC added that Members could participate in the consultation meetings, hear and exchange views with the public. He said that this exercise could be viewed as successful

(cleared for publication)

if it aroused more public awareness on EO issues, the EOC's proposed legislative amendments could address the public's major concerns and the Government could support and take actions to make changes accordingly.

- 12. In response to <u>Ms Su-Mei THOMPSON</u>'s suggestion of using a form with closed-end questions similar to the structure of the consultation papers used by for example, the Hong Kong Stock Exchange in its consultation exercises which would facilitate members of the public in expressing their views and the EOC in collating, analyzing and summarizing the results of its public consultation on the DLR, <u>CLC</u> said that questions had already been designed to facilitate responses. However, the views and comments to be solicited on the DLR might not be the kind that could be put into check boxes. Nevertheless, he would structure the questions in the most organized way to facilitate public feedback and the EOC's analysis and summary of the same.
- 13. <u>C/EOC</u> thanked Members for their inputs to this matter. The progress on the DLR would be reported to Members again in the next meeting.

#### **EOC's Thematic Work Plan for 2014/15**

(EOC Paper No. 2/2014; Agenda Item No. 4)

14. <u>C/EOC</u> said that following Members Retreat held in September 2013, the EOC's major strategic work areas had been confirmed. After taking into account operational experience, new initiatives identified and discussions in the committees and the Board, the Work Plan for 2014/15 was now formulated. He highlighted to Members the major work areas in the EOC's Thematic Work Plan for 2014/15, which included, inter alia, the work related to EM Education and Employment Issues, Integrated Education for SEN Students, the LGBTI Symposium and Review of the EOC Organizational Structure. Full details of the work areas were contained in the Appendix to EOC Paper No. 2/2014. On the Review of the Organizational Structure for enhancing EOC's overall efficiency and effectiveness targeted to be completed within this year, C/EOC invited interested Members to join and form a small work group to take this important subject forward.

(cleared for publication)

15. In respect of the Integrated Education for SEN Students, <u>Dr Maggie KOONG</u> remarked that nothing had been mentioned in the Government's 2014 Policy Address on the support for pre-school SEN Students. In response, <u>C/EOC</u> said that the EOC had reflected many times to the relevant government officials the imminent need of early support to be provided for SEN Students, particularly at or before their kindergarten stage. He said that this matter should not only be the responsibility of officials from the Education Department as collaboration from the Social Welfare Department was also required. The EOC would continue to speak out and follow up on this in the coming year.

(Mr A B NASIR joined the meeting at this juncture.)

16. <u>Member</u> noted EOC's Thematic Work Plan for 2014/15 as contained in EOC Paper No. 2/2014. <u>C/EOC</u> thanked Members for their continued support to EOC's work.

#### LGBTI Symposium held on 28 – 29 August 2014

(EOC Paper No. 3/2014; Agenda Item No. 5)

- 17. <u>C/EOC</u> said that the EOC, the European Union Office (EUO) to Hong Kong and Macau and the Gender Research Centre, Hong Kong Institute of Asia Pacific Studies, The Chinese University of Hong Kong and a local business partner planned to work together to share experiences on promoting LGBTI rights by holding an international symposium tentatively scheduled for 28 29 August 2014.
- 18. <u>DPA</u> said that the EU with 28 Member States had a diversity of experience in LGBTI matters. The EU actively promotes non-discrimination on ground of sexual orientation in its foreign policy, including through the European Instrument for Democracy and Human Rights (EIDHR). Through co-organizing the international symposium with various partners, the EOC hoped to gain a better understanding of the introduction of legislation in overseas countries and the impact on business, religious organizations and the wider society. The target audience was approximately 200 300 persons from major stakeholders in the Hong Kong society. The EUO would invite foreign

(cleared for publication)

speakers to share their experiences, achievements and challenges in this area. Potential overseas speakers would be drawn from Legislatures (Members of European and/or National Parliaments), Executive (Government bodies), Academics, Business, Religious organizations and Media representatives. Some local speakers conversant with the subject would also be included.

- 19. <u>Members</u> noted that the tentative rundown of the Symposium would include a half day non-public meeting on 28<sup>th</sup> August afternoon to be followed by a full day conference the next day on 29<sup>th</sup> August. The half day meeting would target an exclusive audience including EOC Board Members and staff, CMAB, the Advisory Group on Eliminating Discrimination against Sexual Minorities and Legislative Councilors in the main. The expert speakers would address concerns which were most relevant to the audience. For the full day conference, invitation would be extended to different stakeholders of the wider community. Two of the main focuses of the Symposium would be non-discrimination and same sex marriage.
- 20. Regarding the budget for the Symposium, <u>Members</u> noted that the EOC had set aside HK\$300,000 for this event. The other co-organizers of this Symposium, like the EUO would also make a monetary contribution and sponsor representatives from European Parliament and European Commission to support the event. EU Consulates-Generals could propose individual speakers to share legislative and advocacy experiences. Cost would be covered by individual Consulate-General. Apart from the EOC, the Gender Research Centre and the business partner would also make contributions either in money or in kind.
- 21. In response to questions raised by <u>Dr John TSE</u> on EOC's approach to take forward the advocacy work on providing legal protection for sexual minorities on the grounds of Sexual Orientation, Gender Identity and Intersex Status (SOGI), <u>C/EOC</u> said that following the Board's endorsement on the EOC's strategic direction of advocating legal protection for Sexual Minorities from discrimination on the basis of SOGI, the Office was now in the process of commissioning a research project aimed to obtain an overview on discrimination encountered by people with different sexual orientation and gender identity.

(cleared for publication)

Moreover, views from stakeholders would be solicited through this project on the feasibility of legislation to outlaw discrimination on the ground of SOGI. The research report was expected to be ready early next year for submission to the Government for their consideration. Per invitation by C/EOC, <u>HPR</u> briefed Members verbally on the latest progress of the research project on SOGI now being conducted.

- 22. In response to a further question from <u>Dr John TSE</u>, <u>C/EOC</u> said that the overseas expert speakers should be the main focus of the Symposium. <u>DPA</u> said that some Hong Kong speakers conversant with the subject would also be invited to talk about the Hong Kong situation to facilitate participants' understanding.
- 23. <u>Members</u> endorsed the holding of the LGBTI Symposium with details contained in EOC Paper No. 3/2014.

# <u>Proposed Extension of the Research Funding Programme on Equal Opportunities</u>

(EOC Paper No. 4/2014; Agenda Item No. 6)

24. <u>HPR</u> briefed Members on the salient points contained in EOC Paper No. 4/2014 which provided an account of the applications received by the EOC under the "Funding Programme of Research Projects on Equal Opportunities 2013/14 (the Funding Programme). The paper was also prepared for seeking Members' approval to write to the CMAB to request for extending the Funding Programme in the financial year of 2014/15.

(Dr. Trisha LEAHY joined the meeting at this juncture.)

25. <u>Members</u> noted that approval had been sought from the Secretary for Constitutional and Mainland Affairs (SCMA) for the EOC to conduct the Funding Programme 2013/14 with an original budget of HK\$1.2M. In his approval given, the SCMA added that if the EOC wished to operate future cycles of the Funding Programme, it should submit its plan in detail for approval for each cycle. Members also noted that in the Funding Programme 2013/14, a

(cleared for publication)

total of 14 applications were received in two batches. The applicants comprised NGOs, academia in universities/tertiary institutions, which had applied independently or as a joint venture. 8 out of the 14 applicants had submitted their research proposals to the EOC for the first time, a reflection that the Programme was very much welcomed. After careful assessment by the PARC, 11 applications were approved and the total funding amount was HK\$431,680. Details were at Annex to EOC Paper No. 4/2014. The research topics covered a wide spectrum of studies on discrimination and harassment experienced by disadvantaged groups protected under the current discrimination ordinances.

- Members noted that at the 23<sup>rd</sup> PARC Meeting held on 20 February 2014, PARC Members considered it was essential to sustain the momentum of EOC's strive through the Funding Programme in establishing a social capital to capture a wide pool of academia and organizations with inspiring ideas to undertake innovative research projects which aimed at promoting equal opportunities. Hence, they had unanimously supported seeking the Government's approval for continuing the Funding Programme in 2014/15. Members also noted that given the experience in the Funding Programme in 2013/14, an amount of HK\$600,000 to be set aside for the Funding Programme 2014/15 would be sufficient and the budget would come from EOC's reserve.
- 27. <u>Members</u> endorsed the proposed undertaking as detailed in EOC Paper No. 4/2014.

# <u>Discrimination Complaint against Legal and Complaints Committee</u>

(EOC Paper No. 5/2014; Agenda Item No. 7)

28. EOC Paper No. 5/2014 contained information related to the disability discrimination complaints lodged by an Applicant for legal assistance against the Legal & Complaints Committee (LCC) and the handling lawyer, for seeking Members' views and decision on how it should be handled. <u>D(Ops) and CLC</u> briefed Members on the gist of the case and the options available for Members' advice. <u>DPA</u> reported that the Complainant had expressed that Members who were also LCC Members should not participate in considering this case due to

(cleared for publication)

possible conflict of interests.

(Mr Nelson YIP joined the meeting at this juncture.)

- 29. <u>Members</u> deliberated on the most appropriate way to handle the case. It was noted that there were two levels of conflict of interests, i.e. the real and the perceived conflict of interests. In this case, there was no real conflict of interests; the major concern was on the perceived conflict of interests. As the EOC is the only statutory body to handle discrimination complaints in Hong Kong, the EOC has a statutory duty to handle the complaints lodged against LCC. Since the complaints concerned the EOC, its committee and staff, even if the EOC was to appoint an external investigator to handle the case, the EOC could still be seen as having conflict of interest.
- 30. After deliberations, the Meeting decided that the EOC should carry out its statutory duty to handle the discrimination complaints lodged in this case and non-LCC EOC Members would form a Panel to consider the complaints. The decision of the Panel on this case shall be EOC's final decision. External investigator(s) would not be considered as the perceived conflict of interests would still exist if the appointment was on a fee-for-service basis. Nonetheless, if the appointment was on a voluntary basis, it would be difficult to find suitable person(s) to take up the duty in view of the large volume of work that would be involved.

# 52<sup>nd</sup> Session of the Committee on Economic, Social and Cultural Rights in Geneva/Switzerland, 28 April 2014 – 23 May 2014

(EOC Paper No. 6/2014; Agenda Item No. 8)

- 31. EOC Paper No. 6/2014 sought Members' approval for 1 EOC Member supported by a staff member to attend the 52<sup>nd</sup> Session of the Committee on Economic, Social and Cultural Rights (CESCR) in Geneva, Switzerland in May 2014.
- 32. The International Covenant on Economic, Social and Cultural Rights (the Covenant) entered into effect in China on 27 June 2001. China submitted

(cleared for publication)

its second report on the status of implementation of the Covenant. The report comprised three parts in which Part 2 was the implementation of the Covenant in the HKSAR. <u>C/EOC</u> said that in accordance with past practices, the HKSAR Government would provide a report on the implementation of the Covenant in Hong Kong after conducting wide consultation with key stakeholders. EOC would submit an alternative report to the UN in advance to present its views on the implementation of the Covenant and give alternative views to enhance the full realization of the economic, social and cultural rights of persons in Hong Kong.

- 33. <u>Members</u> noted that as part of the China delegation, there would be a HKSAR Government delegation team attending the hearing of its reports for the 52<sup>nd</sup> Session of the CESCR. The EOC would not be included in the HKSAR Government's delegation team as it is an independent statutory body and not a Government department. The EOC's representatives could join other Hong Kong NGOs in the NGO meetings with UN Officials to voice out matters of concern. If opportunity arose, the attending EOC Member could address the Committee on EOC's alternative report and provide views on areas where more efforts needed to be exerted by the Government. A number of Members had earlier expressed an interest to attend this meeting. Following consultation with the Members concerned, it was proposed that Dr John TSE and HPR would attend the meeting on behalf of the EOC. The estimated budget for their duty visit was in the Appendix to the said paper.
- 34. The Meeting endorsed Dr John TSE and HPR as EOC representatives to attend the 52<sup>nd</sup> Session of the CESCR in Geneva in May 2014 with the estimated budget as detailed in EOC Paper No. 6/2014.

# **Guidelines on School Uniforms under the Race Discrimination Ordinance**

(EOC Paper No. 7/2014; Agenda Item No. 9, Draft Copy of the Booklet "Equal Opportunities and School Uniform" tabled)

35. <u>CLC</u> briefed Members on the details contained in EOC Paper No. 7/2014 and presented to Members the draft guideline on school uniform under the Race Discrimination Ordinance (RDO) as contained in the booklet "Equal

(cleared for publication)

Opportunities and School Uniform" tabled.

- 36. Members noted that since the implementation of the RDO, the EOC had received enquiries and complaints from EM communities, schools and NGOs on various aspects relating to EM education; religion-based concerns against school uniforms in particular had come as an area that needed attention. the complexity of the issue, the EOC had conducted researches into the topic, looking into practices and case law of other common law jurisdictions. guideline contained in the booklet "Equal Opportunities and School Uniform" was prepared for issuing to all primary and secondary schools in Hong Kong through the Education Bureau with a view to suggesting successful school uniform strategies under the RDO. The guideline explained the right of an individual student to manifest his or her religious belief in the midst of the wider school community. Two case illustrations were also included to enhance readers' understanding of the issues. The cases also served to bring out the important message for the schools to adopt a more flexible school uniform policy and to give reasonable consideration to individual requests. were on the other hand reminded of the best interest of their children to receive education against parental preferences. Subject to Members' advice, the guideline would be issued. When the guideline was issued, complimentary seminars on this topic would be provided to school administrators and interested C/EOC added that the crux of the matter was to take care of the educational needs of students without undermining their individual rights and cultural needs.
- 37. <u>Members</u> deliberated on the draft guideline and expressed their views on the draft copy of the booklet "Equal Opportunities and School Uniform" tabled. <u>Mr A B NASIR</u> expressed that on the subject of school uniform, the EOC should be neutral and allow flexibility. <u>Ms Susanna CHIU</u> said that schools should be encouraged to draw up their uniform rules with due regard to different cultural, religious and racial practices so as to achieve a reasonable and acceptable standard. <u>Dr Trisha LEAHY and Dr Maggie KOONG</u> made comments on some of the wordings in the draft copy of the booklet tabled. Some Members thought the guideline should focus on race issues while other Members thought factors like those related to gender and disability equality

(cleared for publication)

were useful in the guideline. Members also made some suggestions on the graphic design and pictorial figures used in the draft booklet for showing more examples of diversity and inclusion. Dr John TSE suggested the Office to revise the guideline for Members' comments again before it was to go public. Dr Trisha LEAHY expressed appreciation to the EOC management for their hard work in drafting the guideline which was an important piece of work and she would be very happy to assist to refine it before it was issued.

(Ms Su-Mei THOMPSON left the meeting at this juncture.)

38. <u>C/EOC</u> thanked Members' views expressed and said that the Office would refine the draft guideline in a few weeks. Members' advice would be sought again when the revised version was ready.

[<u>Post-meeting note</u>: Taking into account Members' suggestions expressed, the draft guideline was revised. The revised guideline has been circulated to Members for advice on 28 March 2014.]

### **Review of Work of the EOC in 2013**

(EOC Paper No. 8/2014; Agenda Item No. 10)

39. <u>Members</u> noted EOC Paper No. 8/2014.

Reports of the Legal & Complaints Committee (LCC), Community Participation & Publicity Committee (CPPC), Policy and Research Committee (PARC) and Administration & Finance Committee (A&FC) (EOC Paper No. 9/2014; Agenda Item No. 11)

40. EOC Paper No. 9/2014 presented important matters raised and decisions made at the meetings of the 4 Committees established under the EOC. In respect of the Administration and Finance Committee (A&FC), <u>DPA</u> reported that Ms Su-Mei THOMPSON had informed the A&FC Convener earlier about her decision to step down from the A&FC due to her other heavy commitments. <u>Members</u> noted the paper and endorsed Ms THOMPSON's resignation from the A&FC.

(cleared for publication)

#### **Proposed New Budget Plan for 2014/15**

(EOC Paper No. 10/2014; Agenda Item No. 12)

- 41. <u>ACCT</u> briefed Members on the salient points in the proposed new budget plan for 2014/15 as contained in EOC No. 10/2014
- 42. <u>Members</u> noted that in respect of the Resource Allocation Exercise (RAE) bids submitted to the Government for 2014/15, an additional recurrent subvention of \$4.698M would be provided to the EOC to set up a dedicated EM taskforce to enhance EOC's work in the areas of public education, training, community outreach and research to promote inclusion and diversity and to facilitate EMs to understand their rights. The EOC would set up a multi-ethnic team for this purpose. Separately, a one-off subvention of \$0.24M would also be provided for replacement of two computer servers. After taking into account the additional recurrent subvention of \$4.698M, the Government's envelope allocation to the EOC for 2014/15 is \$101.11M, of which \$2.21M would be withheld by the CMAB for the COO post until it was filled.
- 43. <u>ACCT</u> highlighted to Members the reasons and the major variances in the comparison of income and recurrent expenditure in 2014/15 against 2013/14. <u>Members</u> noted that there would be an estimated deficit of \$5.84M in 2014/15 mainly because the Government had not provided sufficient funds for EOC to meet the increase in office rental. Subject to Members' approval, the deficit was proposed to be funded by the EOC's reserves for items listed in paragraph 10 of EOC Paper No. 10/2014. An additional amount of \$1.66M was therefore proposed to be set aside from the General Reserve to cover the increase in rental and the cost in development of the HR and Payroll System. Taking into account the above proposed use of reserve fund for 2014/15, the estimated balance of Reserve as at 31 March 2015 would be reduced to \$12.85M.
- 44. <u>Members</u> also noted that the Administration and Finance Committee (A&FC) had at its 68<sup>th</sup> Meeting held on 21 February 2014, considered and endorsed the draft budget for 2014/15. In view that the Government did not provide sufficient funds for the EOC to meet the increase in office rental,

(cleared for publication)

structural deficit in EOC's budget for 2013/14, 2014/15 and beyond would be expected. As such, the A&FC had also advised the Office to continue to urge the CMAB to provide additional recurrent subvention to meet the increase in office rental.

45. The Meeting approved the EOC's new budget plan for 2014/15 and the setting aside of reserve funds for use as listed in paragraph 10 of EOC Paper No. 10/2014.

# Approving Authority for Staff Undertaking Overseas Work-related Activities (EOC Paper No. 11/2014; Agenda Item No. 13)

- 46. EOC Paper No. 11/2014 sought Members' advice on changing the Chairperson's financial approving authority for EOC staff undertaking overseas work-related activities.
- 47. DPA informed the Meeting that since 2010, the Chairperson has the authority to approve up to two staff with total costs not exceeding HK\$30K to undertake overseas work-related activities. The EOC's policy on the rates of subsistence allowance provided for accommodation and other non-accountable daily expenses for staff undertaking overseas work-related activities followed Such rates had been revised respectively in March those of the Government. 2011 and July 2013 by the Government to provide a realistic rate for covering accommodation cost. With these upward revisions, it was found that for two staff with accommodation for 4 nights, estimated costs for visit/training in nearby Asian cities such as Seoul and Singapore had exceeded the Chairperson's existing financial approving authority of \$30K. In view of this, it was recommended to increase the Chairperson's financial approving authority from \$30K to \$50K. Members noted that the proposed change was for administrative convenience as a result of upward revision in the subsistence allowance. The EOC Board's approval was still required if the overseas work-related activities involved Members or over two staff members or exceeded the Chairperson's financial approving limit.
- 48. <u>Members</u> endorsed the increase of the Chairperson's financial approving

(cleared for publication)

limit of overseas work-related activities from \$30K to \$50K with immediate effect.

#### V. Any Other Business

#### **EOC's Office Lease**

- 49. C/EOC informed Members that the Office intended to start the discussion process with the Landlord to renew the office lease when it was due to expire in mid December 2014. Normally, the lease period would be 3 years. However, given EOC's current financial situation and projected rental increase, there might not be sufficient funding to cover a 3-year lease. Hence, the Office would also be writing to the Government to request for provision of additional recurrent funding to cover the rental increase or as a better option to provide a permanent office premises for the EOC. The Meeting noted and agreed to the Office's intended actions. In support of EOC's request, Ms Susanna CHIU suggested the Office to include the costs and benefits analysis review considered by the A&FC in the last renewal exercise with the relevant figures updated as an annex to the submission. The Office would follow up on Ms CHIU's suggestion.
- 50. There being no other business, the meeting was adjourned at 5:25 p.m.

## VI. Date of Next Meeting

51. The next regular EOC meeting has been scheduled for <u>19 June 2014</u> (Thursday) at 2:30 p.m.

Equal Opportunities Commission April 2014