



28 MAR 2011

Our Ref. : SWD/S/207/1  
Tel. No. : 2892 5101  
Fax No. : 2575 5632

24 March 2011

Chairpersons of Subvented  
Non-governmental Organisations

*c.g.*  
→ *directors.*

Dear Sir / Madam,

### **Implementation of the Statutory Minimum Wage**

The Minimum Wage Ordinance (MWO) seeks to establish a statutory minimum wage (SMW) regime which strikes an appropriate balance between forestalling excessively low wages and minimising the loss of low-paid jobs while sustaining Hong Kong's economic growth and competitiveness. The SMW is expressed as an hourly rate, and is set at \$28 with effect from 1 May 2011. In essence, wages payable to an employee in respect of any wage period should be no less than the SMW rate on average for the total number of hours worked in the wage period.

Non-governmental organisations (NGOs) receiving subventions from the Social Welfare Department (SWD) are advised to refer to the original text of the MWO and to the guidelines issued by the Labour Department from time to time for the interpretation and application of the provisions of the MWO. Enquiries on the MWO should be made to Offices of the Labour Relations Division of the Labour Department (please see Annex).

We have been assessing the impact of the SMW on all services subvented by SWD, including such posts as Programme Assistant, Programme Worker and Care Assistant, services with long operation hours (such as small group homes), etc.. In assessing the impact of the SMW, we are making reference to relevant documents and information, in particular Funding and Service Agreements, service specifications, notional staffing, etc., and are consulting the Labour Department on some specific SMW requirements. In the light of the assessment, we will consider if there is a need to provide additional resources for NGOs to comply with the SMW requirement in respect of services subvented by SWD.



While we trust that your organisation will make every effort to comply with the provisions of the MWO in respect of all your employees, we will work in partnership with the sector to facilitate NGOs' compliance with this statutory requirement in respect of services subvented by SWD. In the meantime, we will continue with our assessment of the impact of the SMW on subvented welfare services and will keep in touch with the sector on this. We will write to you again to provide you with details as soon as we have completed the assessment.

Yours faithfully,

( LAM Ka-tai )  
for Director of Social Welfare

c.c. Chief Executive Officers/Directors of NGOs

**Enquiry on the Minimum Wage Ordinance**

Enquiry Hotline: 2717 1771 (the hotline is handled by the 1823 Call Centre)

Enquiry in person to Offices of the Labour Relations Division of the Labour Department

**Hong Kong**

Hong Kong East Office  
34/F, Revenue Tower,  
5 Gloucester Road,  
Hong Kong.

Hong Kong West Office  
3/F, Western Magistracy Building,  
2A Pokfulam Road,  
Hong Kong.

**Kowloon**

Kowloon East Office  
Room 1206, 12/F, Stelux House,  
698 Prince Edward Road East,  
San Po Kong, Kowloon.

Kowloon West Office  
Room 1009, 10/F,  
Cheung Sha Wan Government Offices,  
303 Cheung Sha Wan Road,  
Shamshuipo, Kowloon.

Kowloon South Office  
2/F, Mongkok Government Offices.  
30 Luen Wan Street,  
Mongkok, Kowloon.

Kwun Tong Office  
6/F, Kowloon East Government Offices,  
12 Lei Yue Mun Road,  
Kwun Tong, Kowloon.

**New Territories**

Tsuen Wan Office  
5/F, Tsuen Wan Government Offices,  
38 Sai Lau Kok Road,  
Tsuen Wan, New Territories.

Kwai Chung Office  
6/F, Kwai Hing Government Offices,  
166 - 174 Hing Fong Road,  
Kwai Chung, New Territories.

Tuen Mun Office  
Room 2720, 27/F,  
Tuen Mun Parklane Square,  
2 Tuen Hi Road, Tuen Mun,  
New Territories.

Sha Tin & Tai Po Office  
Rooms 304-313, 3/F,  
Sha Tin Government Offices,  
1 Sheung Wo Che Road,  
Sha Tin, New Territories.