

僱員補償援助基金管理局

Employees Compensation Assistance Fund Board

年報 | 2022-2023
Annual Report

目錄	頁數
1. 引言	1
2. 管理局成員	2
3. 僱員補償援助計劃	3
4. 僱員補償援助基金在2022-23財政年度的狀況	6
5. 獨立核數師報告	8
6. 財務報告	11
7. 附錄	
附錄 I 收入分析 (2018-19 至 2022-23)	28
附錄 II 援助支出分析 (2018-19 至 2022-23)	29
附錄 III 按援助金額劃分的獲援助申請人數目 (2018-19 至 2022-23)	30
附錄 IV 按經濟行業劃分的獲援助申請人數目 (2018-19 至 2022-23)	31
附錄 V 收到的訴訟通知 (2018-19 至 2022-23)	32
附錄 VI 收取的附加費 (2018-19 至 2022-23)	33

引言

僱員補償援助基金管理局（下稱「管理局」）是根據《僱員補償援助條例》（第365章）（下稱《援助條例》）於1991年7月1日成立，以管理「僱員補償援助基金」（下稱「基金」）及實施僱員補償援助計劃，向工傷僱員及其他合資格人士提供「僱員補償」及「濟助付款」等援助。

基金的經費來自僱主在投購強制性僱員補償保險時，按《僱員補償保險徵款條例》（第411章）（下稱《徵款條例》）的規定，向僱員補償保險徵款管理局（下稱「徵款局」）繳交一筆徵款率為保費的5.8%的徵款，並依據條例第7條，由徵款局將其中的3.1%分配予管理局。

管理局有下列的法定職能：

- （一）在符合《援助條例》的宗旨下，以信託方式持有基金從而加以管理；
- （二）代表基金自徵款局收取相等於依據《徵款條例》第7條分配予管理局的徵款局資源淨額的款額；
- （三）審定尋求基金付款或濟助的申請；
- （四）不時就已知或預期會針對基金提出的聲請的數額，向徵款局提供意見，

及其他根據《援助條例》委予管理局的職能。

管理局共有9名成員，由香港特別行政區行政長官根據《援助條例》第3（2）條予以委任，代表了不同的界別和專業，包括：

- 主席；
- 2名僱主代表；
- 2名僱員代表；
- 1名會計、投資或法律行業專業人士；
- 1名保險行業專業人士；及
- 2名公職人員，分別代表勞工處處長及法律援助署署長。

管理局成員

(由2022年7月1日至2024年6月30日，為期兩年)

主席

廖達賢先生

成員

僱主代表

黃若蘭女士

徐汶緯先生

僱員代表

李秀琼女士

謝宏儒先生

專業代表

何蔚雲女士

伍榮發先生

公職人員

李志聰先生，JP (代表勞工處處長)

毛旭華女士，JP (代表法律援助署署長)

(至2023年2月5日止)

李自強先生 (代表法律援助署署長)

(由2023年2月6日起)

秘書處

行政總監

麥志東先生

法律顧問

張貴能先生

行政及財務經理

吳兆麟先生

僱員補償援助計劃

因工受傷的僱員（或因工亡歿僱員的合資格家庭成員）可透過**僱員補償援助計劃**向基金申請援助。作為最後的安全網，基金保障上述人士享有工傷補償及／或損害賠償的權利。換言之，基金的援助機制只會在上述人士向僱主提出的申索在法律責任及索償額方面均已確立，並已用盡一切法律及財政上可行的途徑，但卻無法從僱主（或其承保人）處取得他們應得的款項時，才提供援助。根據計劃的條款，管理局向申請人提供援助後，可採取所需的法律途徑，向有關僱主（或其承保人）討回由基金代為支付的款項。

合資格申請人

因工受傷的僱員，或因工亡歿僱員的合資格家庭成員，如已用盡一切法律及財政上可行的途徑，仍無法從僱主（或其承保人）處取得他們應得的僱員補償及／或損害賠償，便符合向基金申請援助的資格。

援助款項的類別

基金提供以下類別的援助：

- 因工受傷或死亡，根據《僱員補償條例》(第282章)（下稱《補償條例》）應得而未獲支付的僱員補償及其相關利息；
- 因入稟法院追討僱員補償而須支付的訟費；及
- 就上述工傷意外受傷或死亡獲法院依普通法判給而未獲支付的損害賠償，但會以「濟助付款」^(備註)的方式支付。

備註：根據《援助條例》，如工傷僱員或合資格人士獲法院判定可獲損害賠償並成功向基金申請援助，基金會以「濟助付款」的方式支付。濟助付款的數額不會超過法院判定的損害賠償總額，亦不包括有關的利息及訟費。濟助付款數額如不超過訂明濟助付款600萬元（在2021年5月14日前為150萬元），管理局會一次過全數發放。若數額超過訂明濟助付款，管理局會首先發放600萬元（在2021年5月14日前為150萬元），然後再發放按月付款，數額相等於僱員遭遇意外時的每月收入或4萬元的訂明每月數額（在2021年5月14日前為1萬元）（取兩者較高的數額）（如僱員因工傷而致下身癱瘓或四肢癱瘓及於《援助條例》下被視為「重傷的有關合資格人士」，另有一筆每月4萬元的訂明每月數額（額外）（在2021年5月14日前為1萬元）），直至法院判定的損害賠償悉數發放為止。

僱員補償援助計劃（續）

訴訟通知

根據《援助條例》第25B條，任何人士為申索僱員補償或損害賠償而向僱主展開訴訟，均須於入稟後30日內以訂明的格式向管理局送達書面的「訴訟通知」，以保障管理局適時參與訴訟的權利。

管理局在收到「訴訟通知」後，會進行所需的查訊，並有權要求有關人士或與申索有關的任何人士提交下列資料或文件：

- 因工受傷的證據；
- 傷者或死者在因工受傷時的僱員身份及收入的證據；
- 有關的僱員補償保險單；
- 根據《補償條例》第16A條簽發的「補償評估證明書」／「覆檢補償評估證明書」或第6條發出的「致命個案補償評估證明書」／「致命個案補償評估審核證明書」；
- 根據《補償條例》第10B條發出的「醫療費用證明書」；
- 根據《補償條例》第6條發出的「殯殮費和醫護費證明書」／「殯殮費和醫護費審核證明書」；
- 本港法院的判決或命令；
- 訟費評核書；及
- 其他有助管理局審核的文件。

介入訴訟、參與調解及要約和解

為保障基金的利益，管理局可向法院申請加入成為訴訟的一方。在適當的情況下，管理局亦會積極與申索人進行調解及商討要約和解，以便申索人早日獲得他們應得的僱員補償及／或損害賠償，及減省與訟各方訟費的支出。

僱員補償援助計劃（續）

向管理局提出訴訟

工傷僱員（或因工亡歿僱員的合資格家庭成員）若因以下情況而未能向僱主提出聲請索討僱員補償，可以向管理局提出訴訟，猶如該局是有關僱主：

- 無法辨明僱主身份或無法尋獲僱主；或
- 僱主無力償債；或
- 僱主已經去世或（如僱主是公司）已經解散、清盤或已在公司註冊紀錄冊註銷；或
- 無法向僱主送達訴訟文件；而
- 僱主並沒有投購有效的僱員補償保險。

向基金申請援助

工傷僱員（或因工亡歿僱員的合資格家庭成員），如已用盡一切法律及財政上可行的途徑，包括申請其僱主（或其承保人）清盤／破產，仍無法從僱主（或其承保人）處取得他們應得的僱員補償及／或損害賠償，可以向基金申請援助。所有申請均須以管理局訂明的格式遞交。

任何獲管理局僱員補償援助款項或「濟助付款」的人士，均不能再向其僱主（或其承保人）追討該等款項。他們的僱員補償、損害賠償、利息及／或訟費的所有權利及補救，均會按代位權的規定移轉予及歸屬管理局，以保障基金的利益。管理局在適當的情況下會進行訴訟，向有關僱主（或其承保人）追討由基金代其支付的款項。

僱員補償援助基金在2022-23財政年度的狀況

收入

管理局在本財政年度的總收入為2億7,086萬元，較去年的2億3,681萬元增加14%，主要因為銀行存款利息增加。本年度收入的86%（2億3,298萬元）來自徵款；12%（3,271萬元）來自銀行存款利息及2%（517萬元）來自行使代位權於僱主被清盤／破產後獲發還的債款、獲發還的訟費及援助金額和向違反《補償條例》第40(1)條的僱主徵收的附加費（附錄 I）。

獲援助的個案數目

管理局在本財政年度批准了29宗「僱員補償」援助、17宗「濟助付款」及38宗訟費的申請個案。

援助金額

管理局在本財政年度批准了的援助金額合共6,077萬元，其中1,691萬元為「僱員補償」、3,327萬元為「濟助付款」及1,059萬元為訟費（附錄 II）。

管理局自成立以來，共支付了15億5,690萬元援助予2 501名申請人。在2018-19至2022-23財政年度獲援助的142名申請人當中，54人獲發少於50萬元及4人獲發多於1,000萬元的援助（附錄 III）。

申請人的行業概述

在2018-19至2022-23財政年度獲援助的142名申請人當中，69人從事建造業、25人從事運輸、倉庫、郵政及速遞服務業、18人從事住宿及膳食服務活動業，以及8人從事進出口貿易、批發及零售業（附錄 IV）。

僱員補償援助基金在2022-23財政年度的狀況（續）

收到的訴訟通知

根據《援助條例》第25B條，任何人士為申索僱員補償或損害賠償而向僱主展開訴訟，均須於入稟後30日內以訂明的格式向管理局送達書面的「訴訟通知」。在本財政年度，管理局共收到4193份訴訟通知（[附錄 V](#)）。在收到這些通知後，管理局須就每一宗個案進行條例所規定的查訊；不過，由於個別訴訟的進度會視乎其具體情況而有所不同，故並不代表所有個案最終均需管理局的援助。

收取的附加費

僱主如違反《補償條例》第40(1)條有關投購僱員補償保險的規定，即有法律責任按照《援助條例》第36A條向管理局支付附加費。管理局在本財政年度向984名僱主收取附加費共171.2萬元（[附錄 VI](#)）。

獨立核數師報告
致僱員補償援助基金管理局各成員
(據《僱員補償援助條例》(第365章)而設立)

意見

吾等已審核列載於第11至27頁有關以信託方式持有僱員補償援助基金(簡稱「基金」)的僱員補償援助基金管理局(簡稱「管理局」)的財務報表，當中包括於二零二三年三月三十一日的財務狀況表，以及截至該日止年度的盈虧及其他全面收益表、累積盈餘變動表和現金流量表，以及包括主要會計政策概要在內的財務報表附註。

吾等認為，該等財務報表已根據香港會計師公會頒佈的香港財務報告準則真實而中肯地反映了管理局於二零二三年三月三十一日之財務狀況及其截至該日止年度之財務表現及現金流量，並已遵照《僱員補償援助條例》妥為編製。

意見的基礎

吾等已根據香港會計師公會頒佈的《香港審計準則》進行審核。吾等在該等準則下承擔的責任已在本報告「核數師就審核財務報表承擔的責任」部分中作進一步闡述。根據香港會計師公會頒佈的《專業會計師道德守則》(以下簡稱「守則」)，吾等獨立於貴管理局，並已履行守則中的其他專業道德責任。吾等相信，吾等已獲取充足及適當的審核憑證，為吾等的審核意見提供基礎。

其他資訊

管理局對其他資訊負責。其他資訊包括年報內的所有資訊，但不包括財務報表及吾等的核數師報告。

吾等對財務報表的意見並不涵蓋其他資訊，吾等亦不對該等其他資訊發表任何形式的鑒證結論。

結合吾等對財務報表的審核，吾等的責任是閱讀其他資訊，在此過程中，考慮其他資訊是否與財務報表或吾等在審核過程中所瞭解的情況存在重大抵觸或者表面上存在重大錯誤陳述的情況。基於吾等已執行的工作，如果吾等認為其他資訊存在重大錯誤陳述，吾等需要報告該事實。在這方面，吾等沒有任何報告。

獨立核數師報告
致僱員補償援助基金管理局各成員
(據《僱員補償援助條例》(第365章)而設立)

管理局就財務報表須承擔的責任

管理局須負責根據香港會計師公會頒佈的香港財務報告準則及《僱員補償援助條例》編製真實而中肯的財務報表，並對其認為為使財務報表的編製不存在由於欺詐或錯誤而導致的重大錯誤陳述所需的內部控制負責。

在編製財務報表時，管理局負責評估其持續經營的能力，並在適用情況下披露與持續經營有關的事項，以及使用持續經營為會計基礎，除非管理局有意進行清盤或停止經營，或別無其他實際的替代方案。

核數師就審核財務報表承擔的責任

吾等的目標，是對財務報表整體是否不存在由於欺詐或錯誤而導致的重大錯誤陳述取得合理保證，並出具包括吾等意見的核數師報告。吾等根據《僱員補償援助條例》僅向閣下（作為整體）報告吾等的意見，除此之外本報告別無其他目的。吾等不會就本報告的內容向任何其他人士負上或承擔任何責任。

合理保證是高水準的保證，但不能保證按照《香港審計準則》進行的審核，在某一重大錯誤陳述存在時總能發現。錯誤陳述可以由欺詐或錯誤引起，如果合理預期它們單獨或滙總起來可能影響財務報表使用者依賴財務報表所作出的經濟決定，則有關的錯誤陳述可被視作重大。

在根據《香港審計準則》進行審核的過程中，吾等運用了專業判斷，保持了專業懷疑態度。吾等亦：

- 識別和評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審核程式以應對這些風險，以及獲取充足和適當的審核憑證，作為吾等意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、虛假陳述，或凌駕於內部控制之上，因此未能發現因欺詐而導致的重大錯誤陳述的風險高於未能發現因錯誤而導致的重大錯誤陳述的風險。

獨立核數師報告
致僱員補償援助基金管理局各成員
(據《僱員補償援助條例》(第365章)而設立)

核數師就審核財務報表承擔的責任 (續)

- 瞭解與審核相關的內部控制，以設計適當的審核程式，但目的並非對 貴管理局內部控制的有效性發表意見。
- 評價管理局所採用會計政策的恰當性及作出會計估計和相關披露的合理性。
- 對管理局採用持續經營會計基礎的恰當性作出結論。根據所獲取的審核憑證，確定是否存在與事項或情況有關的重大不確定性，從而可能導致對 貴管理局的持續經營能力產生重大疑慮。如果吾等認為存在重大不確定性，則有必要在核數師報告中提請使用者注意財務報表中的相關披露。假若有關的披露不足，則吾等應當發表保留意見。吾等的結論是基於核數師報告日止所取得的審核憑證。然而，未來事項或情況可能導致 貴管理局不能持續經營。
- 評價財務報表的整體列報方式、結構和內容，包括披露，以及財務報表是否中肯反映交易和事項。

連同其他事項，吾等與管理局亦溝通了計劃的審核範圍、時間安排、重大審核發現等，包括吾等在審核中識別出內部控制的任何重大缺陷。

羅申美會計師事務所
執業會計師

二零二三年七月二十七日

僱員補償援助基金管理局
 盈虧及其他全面收益表
 截至二零二三年三月三十一日止年度

	附註	2023 港元	2022 港元
收入項目			
獲分配收入	7	232,979,578	221,994,931
銀行存款利息收入		32,706,793	9,169,467
其他收入	8	5,172,622	5,645,596
		<u>270,858,993</u>	<u>236,809,994</u>
支出項目			
援助金額		60,768,198	44,695,561
申請處理及法律諮詢費用		21,095,484	23,333,519
僱員福利開支	9	7,408,574	7,113,875
折舊	10	1,415,772	1,415,772
其他營運開支		810,636	754,138
		<u>91,498,664</u>	<u>77,312,865</u>
本年度盈餘	11	179,360,329	159,497,129
年度其他全面收益		-	-
年度全面收入		<u>179,360,329</u>	<u>159,497,129</u>

僱員補償援助基金管理局
財務狀況表
於二零二三年三月三十一日

	附註	<u>2023</u> 港元	<u>2022</u> 港元
非流動資產			
物業、廠房及設備	10	48,820,950	50,236,722
流動資產			
按金及預付		554,290	509,504
應收銀行存款利息		24,635,870	3,176,197
為期三個月以上的定期存款	13	1,720,628,529	1,610,022,752
現金及現金等值項目	13	91,066,783	35,615,831
		1,836,885,472	1,649,324,284
流動負債			
援助準備	14	57,550,931	50,562,172
應付支出		848,463	1,052,135
		58,399,394	51,614,307
淨流動資產		1,778,486,078	1,597,709,977
資產淨值		1,827,307,028	1,647,946,699
累積盈餘		1,827,307,028	1,647,946,699

管理局於二零二三年七月二十七日批准，並由主席代表簽署：



廖達賢
主席

僱員補償援助基金管理局
累積盈餘變動表
截至二零二三年三月三十一日止年度

	<u>累積盈餘</u> 港元
於二零二一年四月一日結存	1,488,449,570
年度盈餘及其他全面收益	<u>159,497,129</u>
於二零二二年三月三十一日及二零二二年四月一日結存	1,647,946,699
年度盈餘及其他全面收益	<u>179,360,329</u>
於二零二三年三月三十一日結存	<u><u>1,827,307,028</u></u>

僱員補償援助基金管理局
現金流量表
截至二零二三年三月三十一日止年度

	附註	<u>2023</u> 港元	<u>2022</u> 港元
經營活動之現金流量			
本年度盈餘		179,360,329	159,497,129
調整：			
折舊	10	1,415,772	1,415,772
銀行存款利息收入		(32,706,793)	(9,169,467)
營運資金變動前之經營盈餘		148,069,308	151,743,434
預付及按金增加		(44,786)	(1,605)
援助準備增加／(減少)		6,988,759	(24,497,839)
應付支出(減少)／增加		(203,672)	399,623
經營活動產生的淨現金		154,809,609	127,643,613
投資活動之現金流量			
已收銀行存款利息		11,247,120	14,986,353
為期三個月以上的定期存款的增加		(110,605,777)	(162,972,018)
投資活動已使用淨現金		(99,358,657)	(147,985,665)
持有現金之淨增加／(減少)		55,450,952	(20,342,052)
本年開始時持有現金及現金等值項目		35,615,831	55,957,883
本年年結時持有現金及現金等值項目	13	91,066,783	35,615,831
現金及現金等值項目的結存分析			
銀行及現金結存	13	45,056,392	35,615,831
為期三個月或以下的定期存款	13	46,010,391	-
		91,066,783	35,615,831

1. 一般資料

僱員補償援助基金管理局（下稱“管理局”）乃根據《僱員補償援助條例》（第365章）（下稱“本條例”）成立，並具以下職能：

- (a) 在符合本條例的宗旨下，以信託方式持有僱員補償援助基金（下稱“基金”）從而加以管理；
- (b) 代表基金自僱員補償保險徵款管理局（下稱“徵款局”）收取相等於依據《僱員補償保險徵款條例》（第411章）（下稱“徵款條例”）第7條分配徵款的資源淨額款額；
- (c) 審定根據本條例第IV部向基金尋求付款或濟助的申請；
- (d) 不時就已知或預期會向基金提出申請的數額，向徵款局提供意見，

及其他根據本條例委予管理局的職能。

根據本條例第3(1)條，管理局是永久延續的法團及可起訴及被起訴。

管理局註冊辦事處及主要營業地點位於香港灣仔摩理臣山道9號天樂廣場33樓。

2. 編製基準

該等財務報表乃根據香港會計師公會頒佈的所有適用香港財務報告準則（「香港財務報告準則」）編製。香港財務報告準則包括香港財務報告準則、香港會計準則及詮釋。本財務報表亦符合本條例的規定。本管理局所採納之重大會計政策於財務報表附註 4 披露。

香港會計師公會頒佈若干於本管理局本會計年度首次生效或可供提早採納的新訂及經修訂香港財務報告準則。附註 3 載列因首次應用該等已於此等財務報表中反映之於目前及過往會計年度與本管理局有關之發展而導致之有關會計政策之任何變動之資料。

此財務報告是按持續經營／運作基礎下編製，管理局成員同意管理局按本條例第 26 條有關付款先後次序的條款（詳見財務報告附註 14），將可讓管理局承擔可預見將來的財務責任。由於獲徵款局分配資源淨額，管理局預計管理局將具所需財力。

這些估計及相關假設是按歷史經驗及其他相關因素作出的。

3. 採納新訂及經修訂香港財務報告準則

(a) 應用新訂及經修訂香港財務報告準則

為編製財務報表，本管理局首次應用以下由香港會計師公會頒佈之自二零二二年四月一日或之後開始之年度強制生效之香港財務報告準則修訂本：

香港會計準則第16號（修訂本）	物業、廠房及設備 — 擬定用途前之所得款項
香港會計準則第37號（修訂本）	虧損性合約 — 履行合約之成本
香港財務報告準則第3號（修訂本）	概念框架之提述
年度改進項目	香港財務報告準則二零一八年至二零二零年週期之年度改進

本管理局並未因採納上述經修訂準則或年度改進項目而改變其會計政策或作出追溯調整。

(b) 已頒佈但尚未生效的新訂及經修訂香港財務報告準則

本管理局並無應用任何已頒佈但尚未於二零二二年四月一日開始之財政年度生效之新訂準則、經修訂之準則及詮釋。該等準則及詮釋修訂本包括下列可能與本管理局相關之準則：

	於下列日期或之後 開始的會計期間生效
香港會計準則第1號及香港財務報告準則實務聲明第2號（修訂本）— 會計政策披露	二零二三年一月一日
香港會計準則第8號（修訂本）— 會計估計之定義	二零二三年一月一日
香港會計準則第1號（修訂本）— 將負債分類為流動或非流動	二零二四年一月一日

本管理局正在評估該等修訂於首次應用期間的預期影響。目前為止，其認為採納該等修訂對財務報表造成重大影響的可能性不大。

4. 重要會計政策

除下文會計政策另有所述者外，該等財務報表乃根據歷史成本常規法編製。

編製符合香港財務報告準則的財務報表須運用若干主要會計估算，其亦須管理局於應用會計政策的過程中運用判斷。涉及高度判斷或複雜性的範疇，或對財務報表而言屬重大假設及估計的範疇乃於財務報表附註5披露。

於編製此等財務報表時應用的重大會計政策載列如下：

(a) 物業、廠房及設備

物業、廠房及設備包括持作提供服務或作行政用途的樓宇及租賃土地，並於財務狀況表按成本減其後累計折舊及累計減值虧損（如有）列賬。

僅當項目有關之未來經濟利益有可能流入本管理局及項目成本能可靠計量時，其後成本方計入資產賬面值或確認為另外一項資產（如適用）。所有其他維修及維護則在產生期間於盈餘或虧損內確認。

物業、廠房及設備以直線法按足以撇銷其成本減其殘值之比率，於估計可使用年期計算折舊。主要可使用年期如下：

租賃土地及樓宇	按租賃期或 50 年（較短者為準）
租賃物業裝修	按租賃期或 5 年（較短者為準）
電腦硬體及軟件	5 年
辦公室設備	5 年
傢俱及裝置	5 年

剩餘價值、可使用年期及折舊方法會於各報告期間末進行檢討及調整（如適用）。

出售物業、廠房及設備的收益或虧損指銷售所得款項淨額與相關資產賬面值之間的差額，並於盈餘或虧損確認。

4. 重要會計政策 (續)

(b) 確認及終止確認金融工具

金融資產及金融負債於本管理局成為工具合約條文之訂約方時，於財務狀況表內確認。

金融資產及金融負債初步按公允值計量。收購或發行金融資產及金融負債直接應佔交易成本於初始確認時計入金融資產或金融負債（倘適用）之公允值或自其中扣除。

倘從資產收取現金流之合約權利到期或倘本管理局轉讓金融資產及將該資產擁有權之絕大部分風險及回報轉讓予另一實體，則本管理局方會終止確認該項金融資產。倘本管理局既無轉讓亦無保留擁有權的絕大部分風險及回報惟繼續控制所轉讓資產，則本管理局確認於該資產之保留權益並就其可能須支付之款項確認相關負債。倘本管理局保留所轉讓金融資產擁有權之絕大部分風險及回報，則本管理局會繼續確認該項金融資產，亦會就已收所得款項確認抵押借貸。

本管理局於及僅於其責任獲解除、取消或到期時終止確認金融負債。已終止確認之金融負債賬面值與已付及應付代價（包括任何已轉讓之非現金資產或所承擔之負債）之差額於盈餘或虧損內確認。

(c) 金融資產

所有以常規方式購買或銷售的金融資產均以交易日為基準確認及終止確認。以常規方式購買或銷售乃要求於市場法規或慣例設定之時限內交付資產之金融資產買賣。所有已確認之金融資產其後按攤銷成本或公允值作整項計量，視乎金融資產之分類而定。

4. 重要會計政策 (續)

(d) 其他應收款

本管理局擁有收取代價的無條件權利時，確認應收款項。倘支付代價到期日前僅是時間問題，則收取代價權利為無條件。倘本管理局在無條件有權獲得代價之前確認相關收入，該收入金額呈列為合約資產。

其他應收款初時以無條件的代價金額確認，除非當中包含重大融資組成部分則作別論，在此情況下其他應收款則按公允價值確認。本管理局持有其他應收款的目的為收取合約現金流，因此其後按以實際利率法計算的攤銷成本減信貸虧損撥備計算價值量。

(e) 現金及現金等價物

現金及現金等價物指(i)銀行存款及手頭現金、(ii)銀行及其他金融機構活期存款，以及(iii)於購入後三個月內到期、可以隨時轉換為確實數額的現金且無重大價值變動風險的短期高流通性投資。現金和現金等價物按預期信貸損失方法計值。

(f) 財務負債

根據香港財務報告準則，財務負債乃根據該財務負債所訂立合約安排性質及財務負債之定義而進行分類。具體的金融負債採用的會計政策載列如下。

(g) 援助準備

管理局於持續的基礎上會密切審查和評估各項申索；並只當申請人合乎向基金申請援助的資格及管理局作出決定後方會確認援助金額為負債。因此管理局未有對已通知或未通知而仍未確認之申索所引致之估計費用作出準備。

(h) 其他應付款

其他應付款初步按公允價值確認，其後以實際利率法按攤銷成本計量，除非貼現影響甚微，於該情況下，則按成本入賬。

4. 重要會計政策 (續)

(i) 收入確認

本管理局根據以下基礎按照預期有權獲得的承諾代價金額確認收入，惟不包括代第三方收取的金額：

(i) 獲分配收入

據徵款條例第14條規定，凡承保人於一九九零年七月一日起發出之僱員補償保險單，受保人均需據徵款條例第IV部，按其在該份保險單下應繳付的每筆保費，繳付一項名為“僱員補償保險徵款”的徵款予徵款局。

據徵款條例第7條，徵款局須將關於該期間的資源淨額，分配予指明的各團體，包括管理局在內。

於每季後三個月內，徵款局將收妥的資源交付予管理局作為收入。

(ii) 利息收入

利息收入採用實際利率法計算確認。對於以攤銷成本計量且不存在信貸減值的金融資產，則實際利率法應用於金融資產賬面值總額。

(iii) 附加費及債款發還

附加費及債款發還在應收權利已確立、金額已合理地確定及合理地查明可收回時確認為收入。

(j) 僱員福利

(i) 僱員權利

僱員應享的長期服務金於僱員可享有此金額時確認。撥備乃就僱員直至報告期間末止所提供服務可享有的長期服務金的估計責任作出。

僱員可享有的病假、年假、產假及侍产假於休假時方予確認。

(ii) 退休福利計劃

管理局為其所有員工提供定額供款退休福利計劃。管理局之供款乃基於僱員的薪金百分比計算。管理局應付部份會在盈虧表列支。

4. 重要會計政策 (續)

(j) 僱員福利 (續)

(iii) 離職福利

離職福利於本管理局不再能撤回提供該等福利或於本管理局確認重組成本及涉及支付離職福利的較早日期予以確認。

(k) 非財務資產減值

非財務資產的賬面值於各報告期間末檢討有無減值跡象，倘資產已減值，則透過盈虧表以開支撇減至其估計可收回金額。可收回金額乃就個別資產釐定，惟倘資產並無產生大部分獨立於其他資產或資產組合的現金流入。倘屬此情況，可收回金額就資產所屬的現金產生單位釐定。可收回金額為個別資產或現金產生單位的使用價值與其公平值減出售成本兩者中的較高者。

使用價值為資產／現金產生單位估計未來現金流量的現值。現值按反映貨幣時間值及資產／現金產生單位（已計量減值）的特定風險稅前貼現率計算。

隨後估計變動導致的可收回金額增加計入盈餘或虧損，直至撥回減值。

(l) 金融資產減值

本管理局對其他應收款項等按攤銷成本計量之資產，就預期信貸損失確認虧損撥備。預期信貸損失於各報告日期更新，以反映各金融工具信貸風險自初始確認以來的變化。

就所有金融工具而言，倘信貸風險自初始確認後顯著增加，本管理局確認生命週期預期信貸損失。然而，倘信貸風險自初始確認後並未顯著增加，本管理局按12個月預期信貸損失計量金融工具虧損撥備。

生命週期預期信貸損失是預計金融工具在整個存續期內所有可能發生的違約事件而導致的預期信貸損失。相比之下，12個月預期信貸損失是生命週期預期信貸損失的部分值，指報告日期後12個月內因金融工具可能發生違約事件而導致的預期信貸損失。

4. 重要會計政策 (續)

(l) 金融資產減值 (續)

撇銷政策

當有資料顯示債務人處於重大財政困難且沒有實際可收回的前景時，包括債務人已被清盤或已進入破產程式，或在以下情況下，即貿易應收款項逾期超過兩年，以較早者為準，本管理局會註銷有關的金融資產。本管理局仍會按既定程序追收已撇銷的金融資產。任何追收款項均在盈餘或虧損中確認。

預期信貸損失計量和確認

預期信貸損失的計量是一項違約機率、違約損失率（即違約時的損失大小）及違約風險承擔功能。評估違約機率及違約損失率乃基於按上述前瞻性資料作出調整的歷史數據進行。就金融資產的違約風險而言，這由該資產於報告日期的總賬面值代表。

就金融資產而言，預期信貸損失乃按根據合約應付本管理局的所有合約現金流量與本管理局預期將收取的所有現金流量的差額估計，並按原定的實際利率貼現。

倘若本管理局已經按等於前一個報告期間的生命週期預期信貸損失的金額計量一項金融工具的虧損撥備，但在當前報告日確定生命週期預期信貸損失的條件不再滿足，則本管理局會按等於當前報告日期的12個月預期信貸損失的金額計量虧損撥備，惟使用簡化方法計量的資產除外。

本管理局通過調整所有金融工具的賬面值而在損益內確認其減值盈餘或虧損，其相應調整通過虧損撥備賬戶確認。

(m) 撥備及或然負債

當本管理局因過往事件須承擔現有法律或推定責任，而履行責任時有可能導致經濟利益流出，並能可靠估計責任金額的情況下，須對產生時間或金額皆不明確的負債確認撥備。倘貨幣時值重大，則撥備按預期用於履行該責任的支出現值列賬。用以釐定現值的貼現率為反映貨幣時間價值及特定負債風險的現行市場評估的稅前貼現率。因時間流逝所產生的準備增加確認為利息支出。

當不大可能需要付出經濟利益或其金額未能可靠地估計，除非付出經濟利益之可能性極小，否則須披露該責任為或然負債。其存在僅能以一個或數個未來事項之發生或不發生來確定之潛在責任，除非其付出經濟利益之可能性極小，否則亦需披露為或然負債。

5. 重大判斷及主要估計

於應用本管理局會計政策（詳述於財務報表附註4）時，管理局需作出對所確認金額會造成重大影響的判斷（涉及估計的除外），並對未能即時從其他來源獲得其賬面值的資產與負債作出估計及假設。有關估計及相關假設乃基於過往經驗及其他被認為屬相關之因素而作出。實際結果可能有別於該等估計。

估計及相關假設會被持續檢討。倘會計估計的修訂僅對作出修訂的期間產生影響，則有關修訂會在該期間內確認；或倘會計估計的修訂對現時及未來期間均產生影響，則會在作出該修訂期間及未來期間內確認。

估計不明朗因素的主要來源

於報告期末有重大風險使下個財政年度資產及負債賬面值須作重大調整而與未來有關的主要假設及其他估計不明朗因素的主要來源如下。

物業、廠房及設備及折舊

本管理局負責釐定本管理局物業、廠房及設備的估計可使用年期、殘值及相關折舊開支。該估計乃根據性質及功能相近的物業、廠房及設備實際使用年期及殘值的過往經驗而作出。倘可使用年期及殘值與過往之估計相異，本管理局會調整折舊開支，或將已報廢的技術上過時或非戰略資產撇銷或撇減。

於二零二三年三月三十一日，物業、廠房及設備之賬面值為48,820,950港元（於二零二二年三月三十一日為50,236,722港元）。

6. 財務風險管理

管理局經營活動面臨各種金融風險：包括外匯風險、信貸風險、流動資金風險及利率風險。管理局之整體風險管理計劃著重於不可預測之金融市場及尋求降低潛在之負面因素對管理局財務表現所帶來之風險。

(a) 外匯風險

管理局並不面臨任何外幣風險，因為其全部交易、貨幣資產及貨幣負債均以港幣結計。

6. 財務風險管理 (續)

(b) 信貸風險

信貸風險為對手方無法履行金融工具或客戶合約項下之責任而造成財務損失之風險。本管理局之信貸風險源於其經營活動及融資活動（包括存放於銀行之存款）。本管理局面臨現金及現金等值物產生的信貸風險有限，原因為對手方為獲國際信貸評級機構給予高信貸評級並獲財政司司長按本條例第11條批准之銀行，就此，本管理局認為具有低信貸風險。

(c) 流動資金風險

管理局以保留充足現金去管理流動性風險，並定期進行現金流預測，以監察未來現金流。以管理局當前的財務實力，並不構成流動性威脅。

(d) 利率風險

主要市場利率水平波動只對利息收益有影響；在金融市場利率波動的情況下，管理局的利率波動風險只限於截至二零二三年三月三十一日之短期存款及儲蓄戶口的應收利息。

(e) 於二零二三年三月三十一日之財務工具種類

	<u>2023</u> 港元	<u>2022</u> 港元
財務資產:		
按攤銷成本計量之金融資產	1,836,761,060	1,649,244,658
財務負債:		
財務負債，按攤銷成本	<u>58,399,394</u>	<u>51,614,307</u>

(f) 公允值

管理局之金融資產及金融負債的賬面值與其公允值相若。

僱員補償援助基金管理局
財務報表附註
截至二零二三年三月三十一日止年度

7. 獲分配收入

徵款局向僱主收取徵款後再分配予管理局(附註4(i)(i))。分配予管理局的資源淨額比率為31/58。

8. 其他收入

	<u>2023</u> 港元	<u>2022</u> 港元
獲發還之律師費	3,142,711	1,229,540
管理局提供援助後，根據本條例第 37 條，於僱主 被破產或清盤後行使代位權獲破產管理署或 清盤人發還的債款	317,934	2,183,791
據本條例第 36A 條徵收的附加費	<u>1,711,977</u>	<u>2,232,265</u>
	<u>5,172,622</u>	<u>5,645,596</u>

9. 僱員福利開支

	<u>2023</u> 港元	<u>2022</u> 港元
薪金及約滿酬金	7,245,433	6,951,161
退休福利計劃供款	<u>163,141</u>	<u>162,714</u>
	<u>7,408,574</u>	<u>7,113,875</u>

僱員補償援助基金管理局
財務報表附註
截至二零二三年三月三十一日止年度

10. 物業、廠房及設備

	租賃土地 及樓宇 港元	租賃物業 裝修 港元	電腦硬體 及軟件 港元	辦公室設備 港元	傢俱及裝置 港元	總計 港元
成本						
於 2021 年 4 月 1 日、 2022 年 3 月 31 日及 2023 年 3 月 31 日	52,934,601	1,785,399	412,578	147,458	360,648	55,640,684
累計折舊						
於 2021 年 4 月 1 日	2,293,833	773,673	412,578	147,458	360,648	3,988,190
年內支出	1,058,692	357,080	-	-	-	1,415,772
於 2022 年 3 月 31 日	3,352,525	1,130,753	412,578	147,458	360,648	5,403,962
年內支出	1,058,692	357,080	-	-	-	1,415,772
於 2023 年 3 月 31 日	4,411,217	1,487,833	412,578	147,458	360,648	6,819,734
賬面值						
於 2023 年 3 月 31 日	<u>48,523,384</u>	<u>297,566</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>48,820,950</u>
於 2022 年 3 月 31 日	<u>49,582,076</u>	<u>654,646</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>50,236,722</u>

11. 本年度盈餘

本管理局年內盈餘乃經扣除下列各項得出：

	<u>2023</u> 港元	<u>2022</u> 港元
核數費用	66,413	63,532
折舊	<u>1,415,772</u>	<u>1,415,772</u>

12. 稅項

根據香港稅務條例第88條，管理局獲豁免不需繳付任何香港利得稅，因此，無需計提香港利得稅。

僱員補償援助基金管理局
財務報表附註
截至二零二三年三月三十一日止年度

13. 現金及現金等值項目

	<u>2023</u> 港元	<u>2022</u> 港元
定期存款	1,766,638,920	1,610,022,752
減： 為期三個月以上的定期存款	(1,720,628,529)	(1,610,022,752)
銀行及現金結存	<u>45,056,392</u>	<u>35,615,831</u>
	<u>91,066,783</u>	<u>35,615,831</u>

14. 援助準備

由於預期付款時間會受到監管或行政指令的不確定性影響，援助準備的全部金額將列報在流動負債下。

15. 或然負債

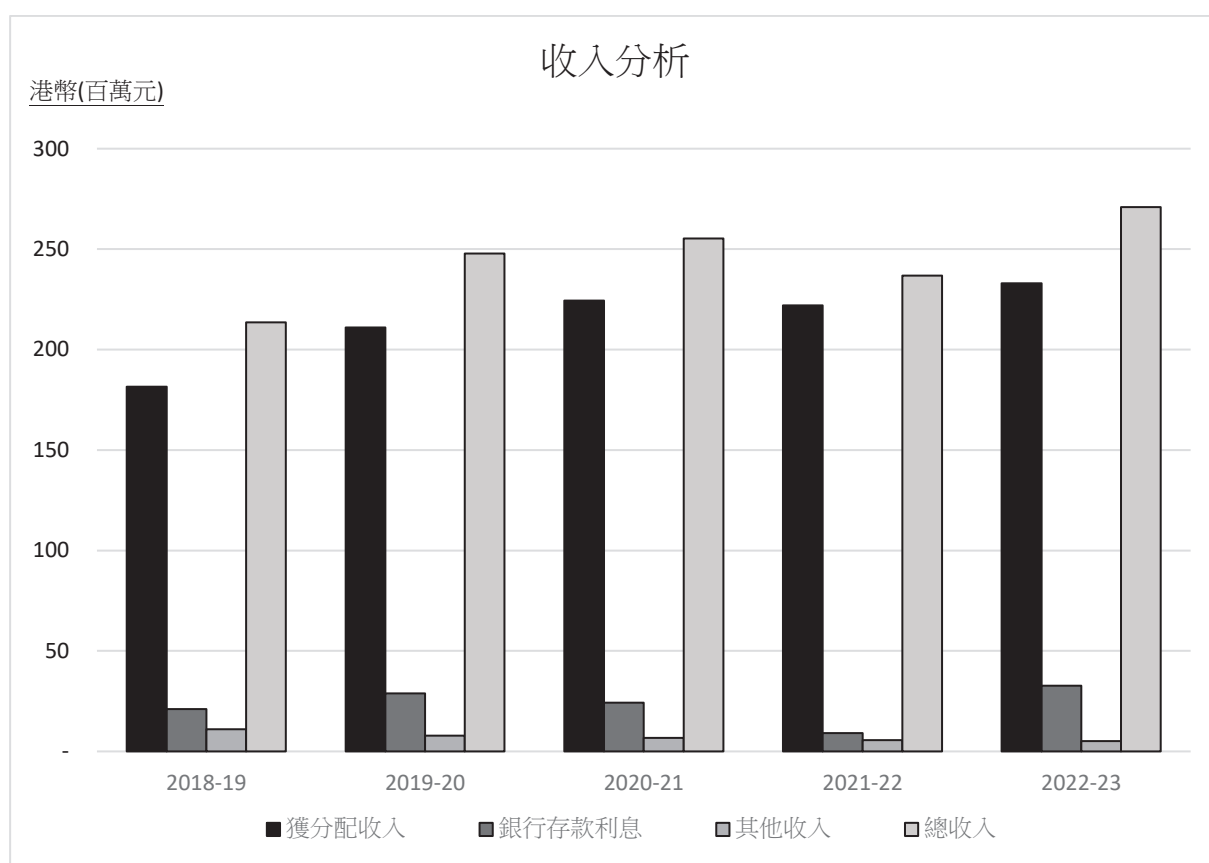
根據於二零二三年三月三十一日的所有申索通知，管理局估計或然負債約為376,037,633港元（於二零二二年三月三十一日為 378,726,897港元）。管理局認為潛在的申請人尚未符合本條例之申請援助要求，故此數額不被列入本年度之財務報告內。

本條例第26條列明，管理局之應付款額必須是基金有足夠可動用的款項予以全數支付，否則該款額均不會成為須由管理局支付的款額。

(此乃中文譯本，全文仍以英文本為準。)

附錄 I — 收入分析 (2018-19 至 2022-23)

年度	獲分配收入 ¹ (港幣(百萬元))	利息收入 ² (港幣(百萬元))	其他收入 ³ (港幣(百萬元))	總收入 (港幣(百萬元))
2018-19	181.47	21.14	11.03	213.64
2019-20	211.08	28.87	7.79	247.74
2020-21	224.40	24.25	6.71	255.36
2021-22	221.99	9.17	5.65	236.81
2022-23	232.98	32.71	5.17	270.86

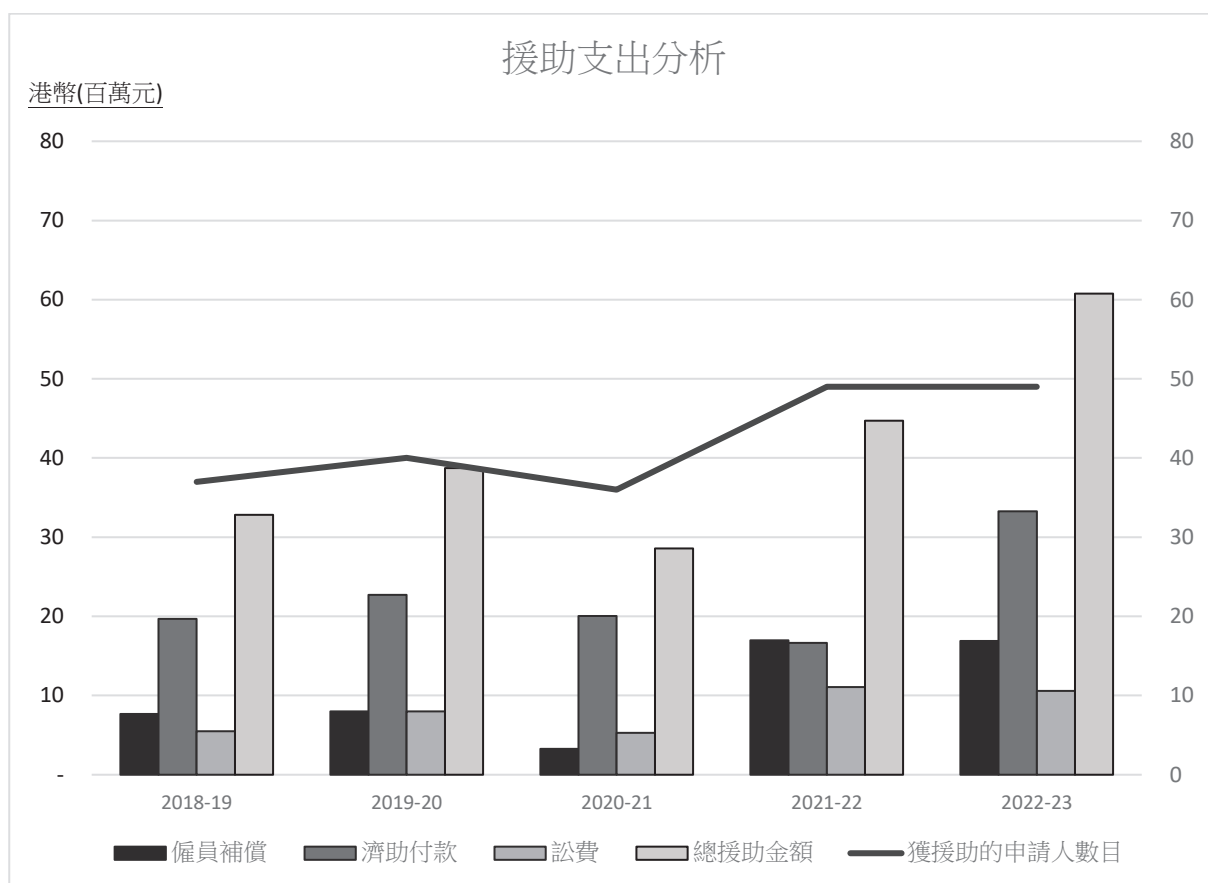


備註

- 1 基金的經費來自僱主在投購強制性僱員補償保險時，按《僱員補償保險徵款條例》的規定，向僱員補償保險徵款管理局繳交的一筆徵款。徵款率為保費的 5.8%，其中 3.1% 分配予管理局成為其獲分配收入。
- 2 利息收入為將盈餘資金存於銀行所賺取的利息。
- 3 其他收入包括提供援助後行使代位權而所獲發還的債款、獲發還的訟費及援助金額，和向違反《僱員補償條例》第 40(1) 條之僱主徵收的附加費。

附錄 II — 援助支出分析 (2018-19 至 2022-23)

年度	僱員補償 (港幣(百萬元))	濟助付款 (港幣(百萬元))	訟費 (港幣(百萬元))	總援助金額 (港幣(百萬元))	獲援助的 申請人 數目 ¹
2018-19	7.66	19.69	5.48	32.83	37
2019-20	8.00	22.73	8.00	38.73	40
2020-21	3.25	20.03	5.31	28.59	36
2021-22	16.98	16.66	11.06	44.70	49
2022-23	16.91	33.27	10.59	60.77	49
					142

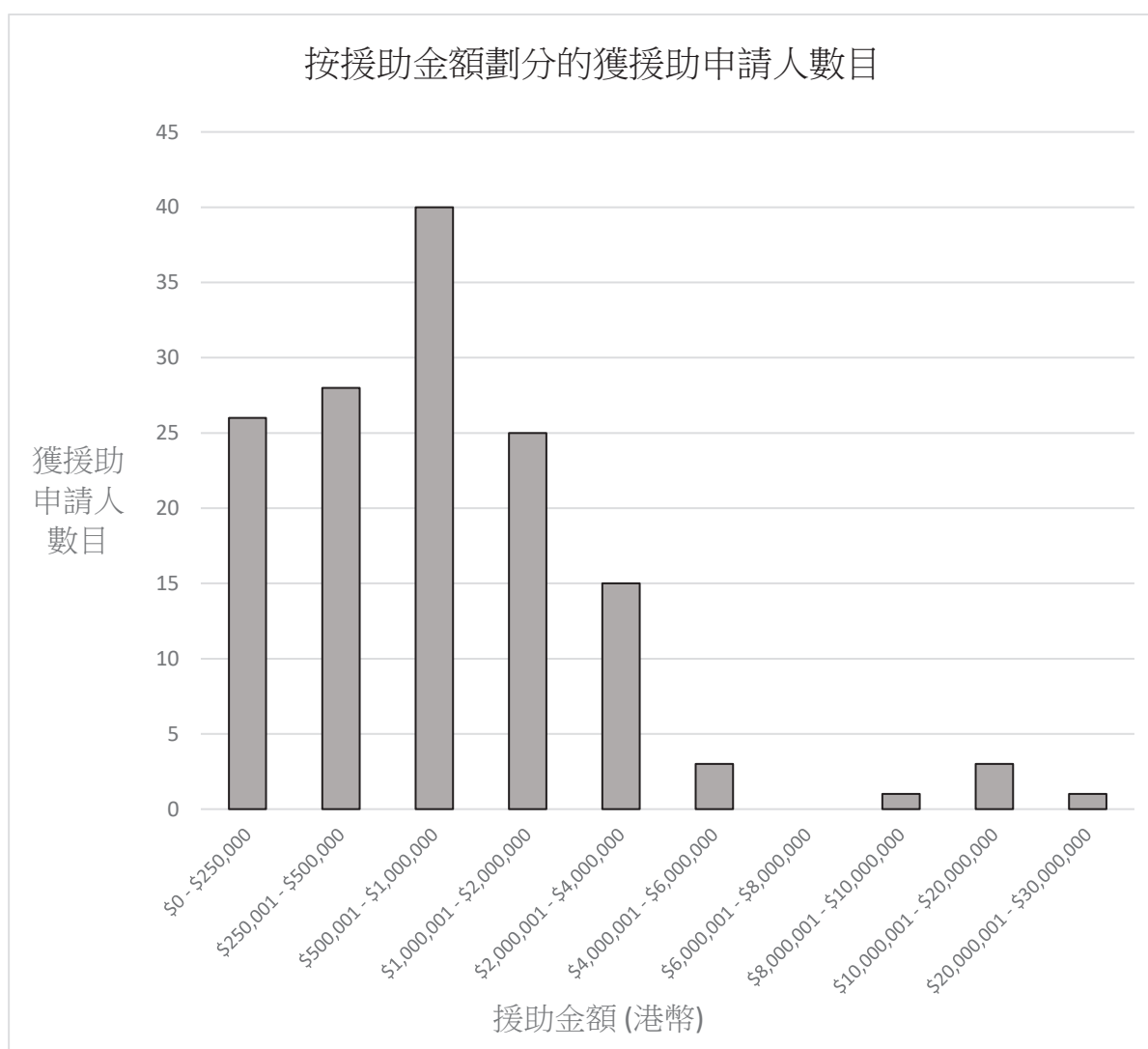


備註

- 1 某些申請人分別於不同財政年度獲審批援助僱員補償、濟助付款和／或訟費。在 2018-19 至 2022-23 期間，共有 142 名申請人獲管理局批准援助。

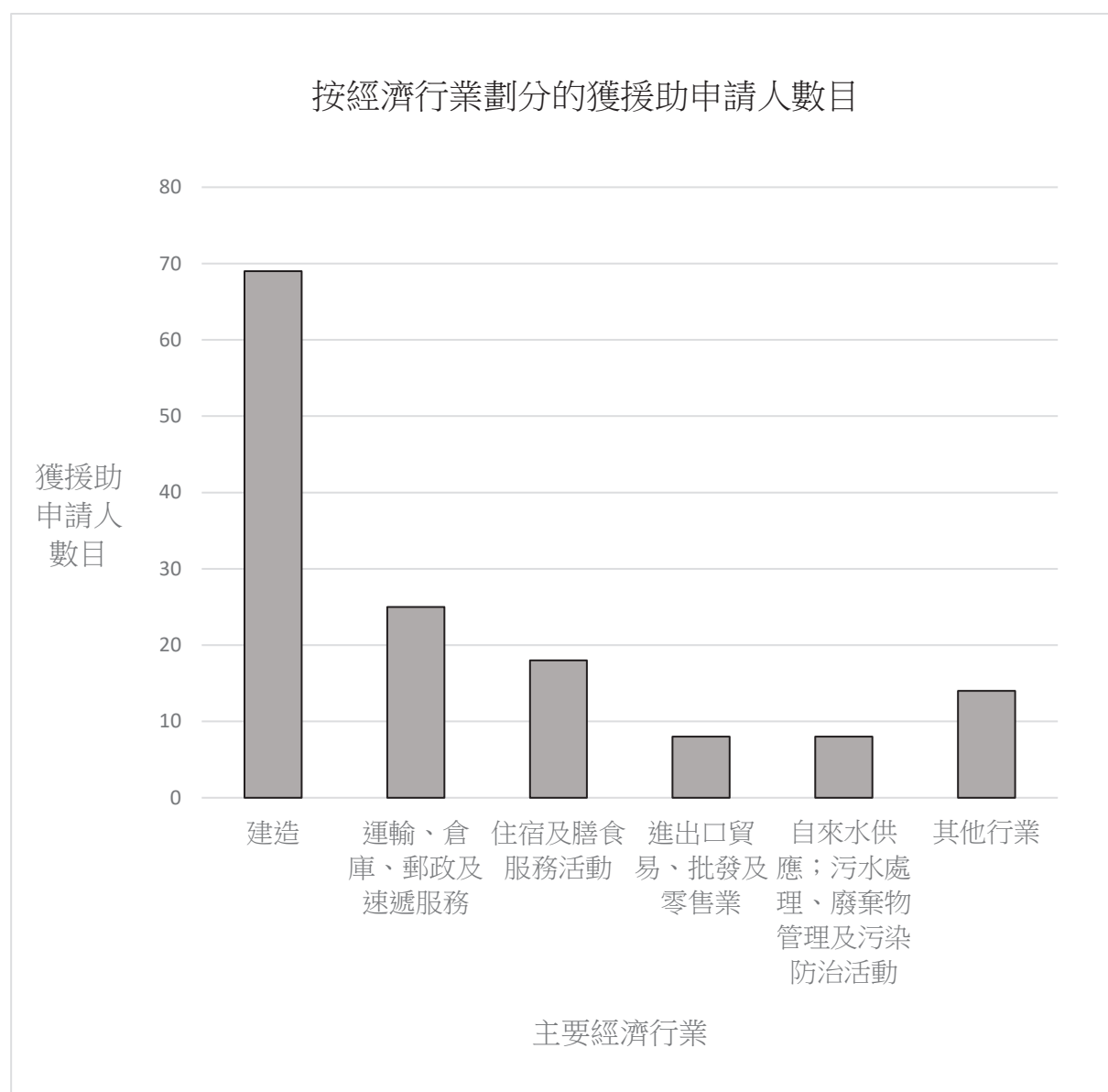
附錄 III — 按援助金額劃分的獲援助申請人數目 (2018-19 至 2022-23)

援助金額 (港幣)	獲援助申請人數目
\$0 - \$250,000	26
\$250,001 - \$500,000	28
\$500,001 - \$1,000,000	40
\$1,000,001 - \$2,000,000	25
\$2,000,001 - \$4,000,000	15
\$4,000,001 - \$6,000,000	3
\$6,000,001 - \$8,000,000	0
\$8,000,001 - \$10,000,000	1
\$10,000,001 - \$20,000,000	3
\$20,000,001 - \$30,000,000	1
總數	142



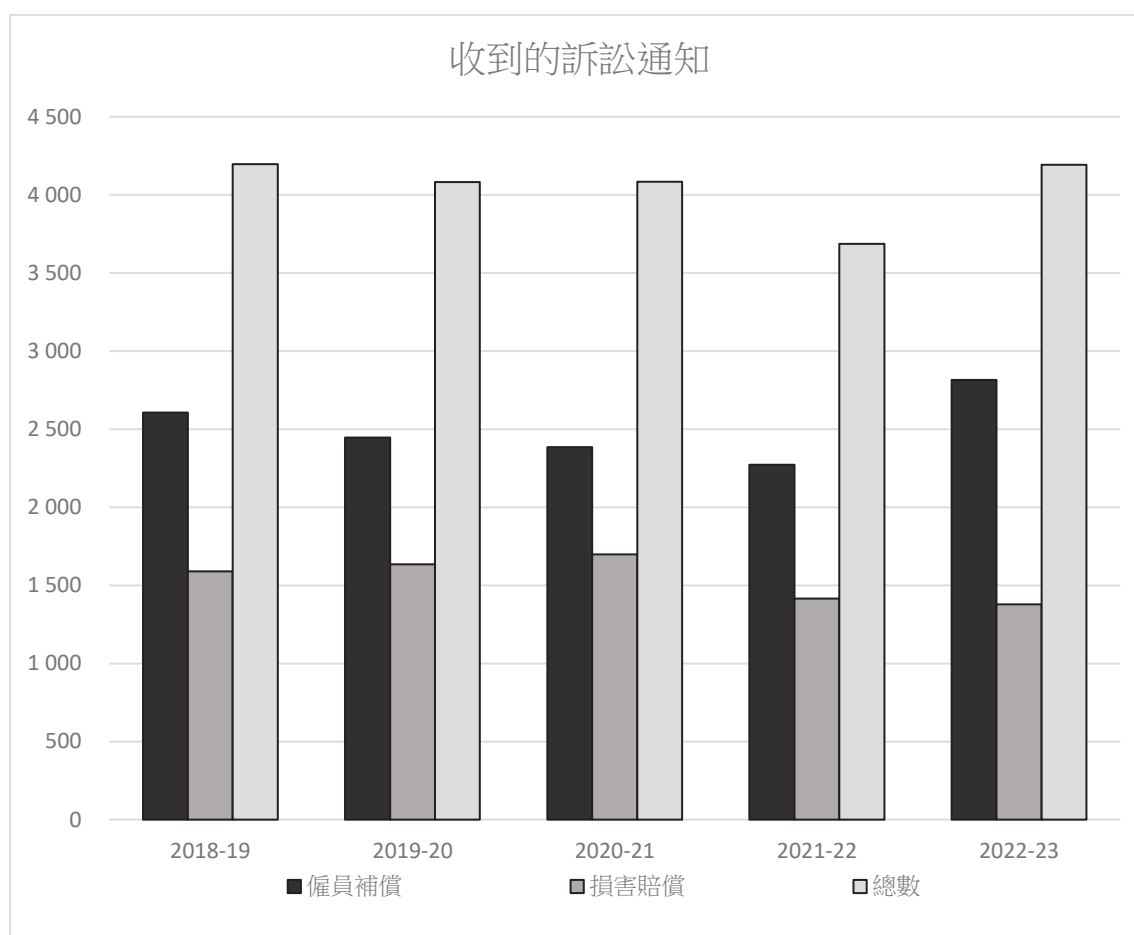
附錄 IV — 按經濟行業劃分的獲援助申請人數目 (2018-19 至 2022-23)

主要經濟行業	獲援助申請人數目
建造	69
運輸、倉庫、郵政及速遞服務	25
住宿及膳食服務活動	18
進出口貿易、批發及零售業	8
自來水供應；污水處理、廢棄物管理及污染防治活動	8
其他行業	14
總數	142



附錄 V — 收到的訴訟通知¹ (2018-19 至 2022-23)

年度	僱員補償	損害賠償	總數
2018-19	2 606	1 590	4 196
2019-20	2 447	1 634	4 081
2020-21	2 385	1 699	4 084
2021-22	2 271	1 415	3 686
2022-23	2 815	1 378	4 193

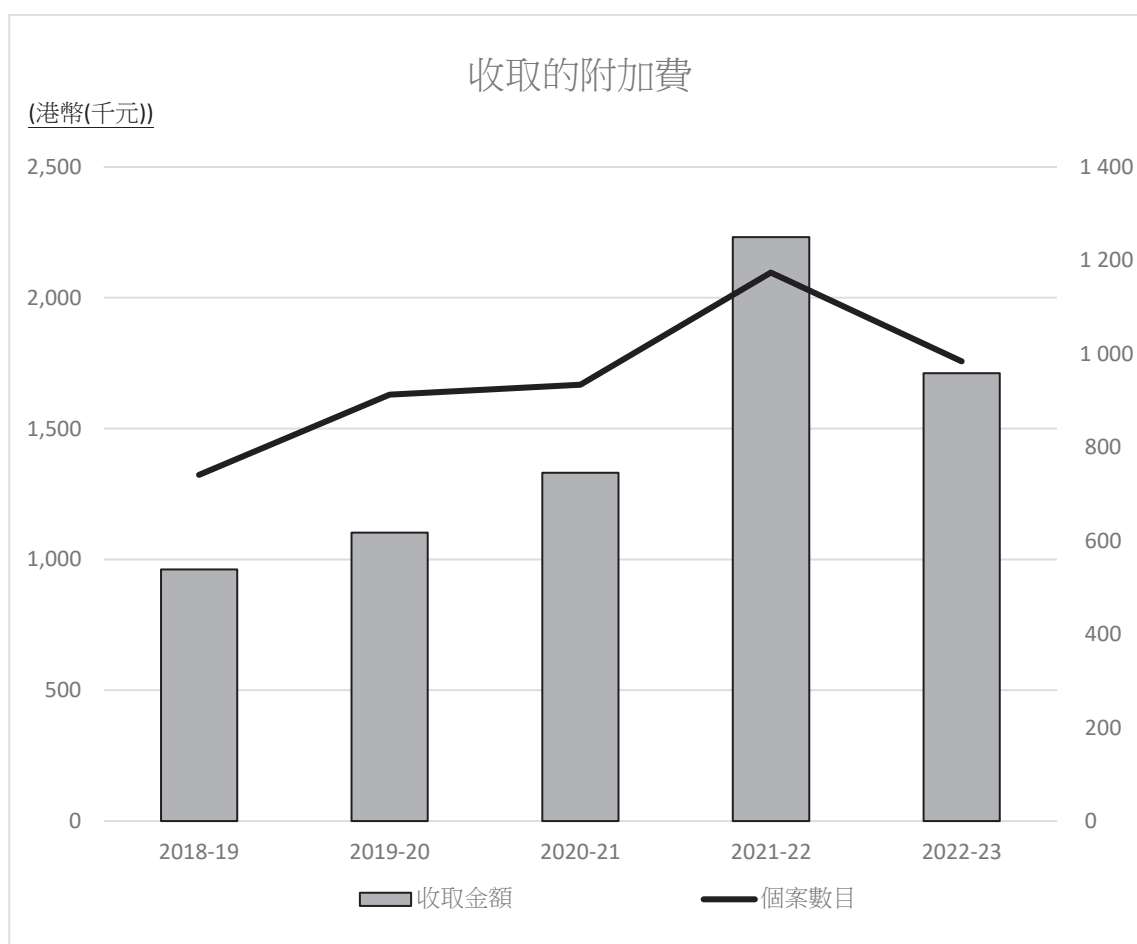


備註

- 根據《僱員補償援助條例》第 25B 條，任何人士為申索僱員補償或損害賠償而向僱主展開訴訟，均須於入稟後 30 日內以訂明的格式向管理局送達書面的「訴訟通知」。在收到這些通知後，管理局須就每一宗個案進行條例所規定的查訊；不過，由於個別訴訟的進度會視乎其具體情況而有所不同，故並不代表所有個案最終均需管理局的援助。

附錄 VI — 收取的附加費¹ (2018-19 至 2022-23)

年度	收取金額 (港幣(千元))	個案數目
2018-19	961	741
2019-20	1,102	913
2020-21	1,332	934
2021-22	2,232	1 174
2022-23	1,712	984



備註

- 1 根據《僱員補償條例》第 40(1)條，所有僱主必須就其所有僱員投購僱員補償保險，以承擔僱主就工傷意外在《僱員補償條例》及普通法方面的法律責任，否則不得僱用僱員從事任何工作。僱主如違反第 40(1)條的規定，即屬違法，一經定罪，最高可被判罰款 10 萬元及監禁兩年。同時，該僱主亦須按照《僱員補償援助條例》第 36A 條向管理局支付附加費。

Contents **Page**

1.	Introduction	1
2.	Board Membership	2
3.	The Employees Compensation Assistance Scheme	3
4.	Status of the Employees Compensation Assistance Fund in the Financial Year 2022-23	6
5.	Independent Auditor’s Report	8
6.	Financial Statements	11
7.	Appendices	
	Appendix I — Income Analysis (2018-19 to 2022-23)	30
	Appendix II — Assistance Payments Analysis (2018-19 to 2022-23)	31
	Appendix III — Number of Assisted Applicants by Amount of Assistance (2018-19 to 2022-23)	32
	Appendix IV — Number of Assisted Applicants by Economic Sector (2018-19 to 2022-23)	33
	Appendix V — Notices of Proceedings Received (2018-19 to 2022-23)	34
	Appendix VI — Surcharges Collected (2018-19 to 2022-23)	35

Introduction

The Employees Compensation Assistance Fund Board (“the Board”) was established on 1 July 1991 under the Employees Compensation Assistance Ordinance (Cap. 365) (“the ECAO”). It administers the Employees Compensation Assistance Fund (“the Fund”) set up under the ECAO and implements the Employees Compensation Assistance Scheme (“the Scheme”) for the protection of the entitlement of employees and eligible persons to compensation and relief payments for work injuries

The Fund is financed by a levy payable by employers when they take out compulsory employees’ compensation insurance policies. The levy, collected by the Employees’ Compensation Insurance Levies Management Board (“the ECILMB”), is imposed under the Employees’ Compensation Insurance Levies Ordinance (Cap. 411) (“the ECILO”) at the rate of 5.8% of which 3.1% is allotted by the ECILMB to the Board in accordance with section 7 of the ECILO.

The statutory functions of the Board are:

- (a) to hold the Fund upon trust and to administer the Fund in accordance with the objects of the ECAO;
- (b) to receive on behalf of the Fund any sum representing the net resources of the ECILMB distributed to the Board pursuant to section 7 of the ECILO;
- (c) to consider applications from persons applying for payment from or relief under the Fund;
- (d) from time to time to advise the ECILMB with respect to the amounts of known and anticipated claims against the Fund,

and such other functions as may be assigned to the Board under the ECAO.

Appointed by the Chief Executive of the HKSAR under section 3(2) of the ECAO, the nine-member Board represents various interests and professionals. It comprises:

- the chairman;
- 2 members representing employers;
- 2 members representing employees;
- 1 expert member in the practice of accounting, investment or law;
- 1 expert member in the practice of insurance; and
- 2 public officers representing the Commissioner for Labour and the Director of Legal Aid respectively.

Board Membership

(From 1 July 2022 to 30 June 2024, for the term of 2 years)

Chairman

Mr LIU Tat-yin, Kennedy

Members

Employers' Representatives

Ms WONG Yeuk-lan

Mr CHUI Man-wai, Rayman

Employees' Representatives

Ms LEE Sau-king

Mr TSE Wang-yu

Professional Representatives

Ms HO Wei-wun, Vivian

Mr NG Wing-fat, Ronnie

Public Officers

Mr LI Chi-chung, Simon, JP (representative of the Commissioner for Labour)

Ms MO Yuk-wah, JP (representative of the Director of Legal Aid)

(Up to 5 February 2023)

Mr LI Chi-keung, Ben (representative of the Director of Legal Aid)

(From 6 February 2023)

Secretariat

Executive Director

Mr MAK Chi-tung

Legal Advisor

Mr CHEUNG Kwai-nang

Administration and Finance Manager

Mr NG Siu-lun

The Employees Compensation Assistance Scheme

Employees injured at work or eligible family members of deceased employees (the “applicants”) may apply through the Scheme for assistance payments from the Fund, which serves as the safety net of last resort to provide for the protection of the entitlements of the applicants to employees’ compensation and/or common law damages. In other words, the Fund, through its assistance mechanism, would only offer assistance payments to those who have established liability and quantum of their claims but are unable to receive their entitlements from employers (or insurers) after exhausting all legal and financially viable means of recovery. Under the terms of the Scheme, the Board may take any legal action it considers necessary against the employer (or insurer) to recover the payments effected from the Fund upon offering assistance to the applicants.

Eligible Applicants

Injured employees or eligible family members of deceased employees who fail to receive employees’ compensation and/or common law damages for which the employer is liable after exhausting all legal and financially viable means of recovery from the employer (or insurer) concerned are eligible for assistance payments from the Fund.

Types of Assistance Payments from the Fund

The following types of assistance payments are payable from the Fund:

- Unpaid employees’ compensation for work-related injuries or fatalities covered by the Employees’ Compensation Ordinance (Cap. 282) (“the ECO”) and the related interests;
- Costs incurred in legal proceedings in claiming employees’ compensation; and
- Unpaid common law damages awarded in respect of such injuries or fatalities, payable in the form of relief payments (**Note**).

Note: According to the ECAO, an injured employee or eligible family member who is awarded by the court an amount of common law damages and is successful in his application for assistance from the Fund would be granted a “relief payment” in lieu. The relief payment shall not exceed the aggregate sum of damages awarded by the court and shall not cover any interest on such damages and costs arising from proceedings in respect of damages. Where the amount of relief payment does not exceed the prescribed relief payment of \$6 million (revised from \$1.5 million since 14 May 2021), it will be paid in full in a lump sum. If it exceeds the prescribed relief payment, an initial payment of \$6 million (revised from \$1.5 million since 14 May 2021) shall be paid and then followed by monthly payments calculated at the rate of the monthly earnings of the employee at the time of the accident or the prescribed monthly amount of \$40,000 (revised from \$10,000 since 14 May 2021), whichever is the higher (in the case of an employee who is suffering from paraplegia or quadriplegia and has been determined as a “severely-injured relevant eligible person” under the ECAO, an additional monthly payment of \$40,000 (revised from \$10,000 since 14 May 2021) as prescribed monthly amount (extra)), until the total amount of damages awarded by the court is paid off

The Employees Compensation Assistance Scheme (continued)

Notification of Proceedings

Under Section 25B of the ECAO, any person who commences legal proceedings for claiming compensation or damages should serve on the Board a written notice of such proceedings in a specified form not later than 30 days after the claim is filed with the court. This protects the rights of the Board to intervene in the legal proceedings timely if it considers appropriate to do so.

Upon receiving the notice of proceedings, the Board will conduct such inquiries as it considers necessary. The Board may require the parties concerned or any person connected with the claim to provide the following information or documents:

- evidence of the occurrence of the work accident;
- evidence of the injured or deceased person's employment status and earnings at the time of the accident;
- a copy of the relevant employees' compensation insurance policy;
- a Certificate of Compensation Assessment / Certificate of Review of Compensation Assessment, or a Certificate of Compensation Assessment for Fatal Case / Review Certificate of Compensation Assessment for Fatal Case issued under Section 16A and Section 6 of the ECO respectively;
- a Certificate of Medical Expenses issued under Section 10B of the ECO;
- a Certificate for Funeral and Medical Attendance Expenses / Review Certificate for Funeral and Medical Attendance Expenses issued under Section 6 of the ECO;
- Judgements or Orders issued by courts of Hong Kong;
- certificates of costs assessment; and
- other documents that will assist the Board in its investigations.

Joining in Litigation and Mediation as well as Negotiation for Settlement

To safeguard the interests of the Fund, the Board may intervene in the legal proceedings by applying to the court to be joined as a party to the litigation. Where appropriate, the Board may also actively participate in mediation or negotiate for a settlement with the claimant. This practice enables the claimant to receive compensation and/or damages earlier and saves the costs of legal proceedings of all parties concerned.

The Employees Compensation Assistance Scheme (continued)

Claims against the Board

Injured employees (or eligible family members of deceased employees) who are unable to claim against their employer for employees' compensation in the following circumstances are entitled to file with the court claims against the Board as if the Board were the employer in question:

- the employer cannot be identified or located; or
- the employer is insolvent; or
- the employer is dead or in the case of a company, has been dissolved, wound up or struck off the Company Register; or
- the employer cannot be served with a summons; and
- the employer fails to take out a valid employees' compensation insurance policy.

Application for Assistance from the Fund

Injured employees (or eligible family members of deceased employees) who have failed to receive employees' compensation and/or damages to which they are entitled to after exhausting all legal and financially viable means of recovery from the employer (or insurer) concerned (including commencing bankruptcy or winding-up proceedings against the employer (or insurer)) may apply for assistance from the Fund. Applications should be made in the form specified by the Board.

Applicants who have received assistance payments from the Board for employees' compensation or relief payments are not entitled to make further claims against their employer (or insurer). Their rights and remedies in respect of such compensation, damages, interest and/or costs are transferred to and vested in the Board for the benefit of the Fund. The Board may take such legal actions as it sees fit to recover the payments from the employer (or insurer) in question.

**Status of the Employees Compensation Assistance Fund
in the Financial Year 2022-23**

Income

The Board’s total income for the financial year was \$270.86 million, representing a 14% increase over the previous year of \$236.81 million and was resulted mainly from an increase of bank interests. Of this year’s income, 86% (\$232.98 million) came from levy distributions, 12% (\$32.71 million) from bank interests and 2% (\$5.17 million) from recovered payments for exercising subrogation rights upon the winding up or bankruptcy of employers, recovered costs and assistance payments as well as surcharges levied on employers who have contravened Section 40(1) of the ECO (**Appendix I**).

Number of Applications Approved

During the financial year, the Board approved 29 applications for employees’ compensation, 17 applications for relief payments and 38 applications for costs incurred.

Amount of Assistance Payments

The total amount of assistance payments approved during the financial year was \$60.77 million, of which \$16.91 million were for employees’ compensation, \$33.27 million for relief payments and \$10.59 million for costs (**Appendix II**).

Since the establishment of the Board, a total of \$1,556.90 million has been paid to 2 501 applicants. Out of the 142 applicants being assisted in the financial years 2018-19 to 2022-23, 54 applicants received payments of less than \$0.5 million, while 4 applicants received more than \$10 million (**Appendix III**).

Industry Profile of Applicants

Out of the 142 applicants approved in the financial years 2018-19 to 2022-23, 69 were engaged in the Construction industry, 25 were from the Transportation, storage, postal and courier services industry, 18 were from the Accommodation and food service activities industry and 8 were from the Import/export, wholesale and retail trades industry (**Appendix IV**).

Status of the Employees Compensation Assistance Fund in the Financial Year 2022-23 (continued)

Notices of Proceedings Received

Under Section 25B of the ECAO, any person who commences legal proceedings for claiming employees' compensation or damages shall serve on the Board a written notice of such proceedings in a specified form not later than 30 days after the claim is filed with the court. In the financial year, the Board has received a total of 4 193 notices of proceedings (**Appendix V**). Upon receipt of these notices, the Board shall carry out such inquiries as required by the ordinance for each and every claim. This notwithstanding, as further development of individual claims vary in light of their own circumstances, it does not necessarily mean that all these claims will ultimately require the assistance of the Board.

Surcharges Collected

Any employer who contravenes section 40(1) of the ECO in respect of the requirement of taking out employees' compensation insurance policies shall be liable to pay a surcharge to the Board under section 36A of the ECAO. During the financial year, the Board collected surcharges of \$1.712 million from 984 employers (**Appendix VI**).

**INDEPENDENT AUDITOR’S REPORT
TO THE MEMBERS OF
THE EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
(Established under the Employees Compensation Assistance Ordinance Cap. 365)**

Opinion

We have audited the financial statements of the Employees Compensation Assistance Fund Board (the “Board”) which holds the Employees Compensation Assistance Fund (the “Fund”) on trust set out on pages 11 to 29, which comprise the statement of financial position as at 31 March 2023, and the statement of surplus or deficit and other comprehensive income, statement of changes in accumulated surplus and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of the Board as at 31 March 2023, and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards (“HKFRSs”) issued by the Hong Kong Institute of Certified Public Accountants (the “HKICPA”) and have been properly prepared in compliance with the Employees Compensation Assistance Ordinance.

Basis for Opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing (“HKSAs”) issued by the HKICPA. Our responsibilities under those standards are further described in the Auditor’s Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Board in accordance with the HKICPA’s Code of Ethics for Professional Accountants (the “Code”), and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Information

The Board is responsible for the Other Information. The Other Information comprises all of the information included in the annual report other than the financial statements and our auditor’s report thereon.

Our opinion on the financial statements does not cover the Other Information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the Other Information and, in doing so, consider whether the Other Information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this Other Information, we are required to report that fact. We have nothing to report in this regard.

**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
THE EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
(Established under the Employees Compensation Assistance Ordinance Cap. 365)**

Responsibilities of the Board for the Financial Statements

The Board is responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and the Employees Compensation Assistance Ordinance, and for such internal control as the Board determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Board is responsible for assessing its ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Board either intends to liquidate or to cease operations, or has no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. We report our opinion solely to you, as a body, in accordance with the Employees Compensation Assistance Ordinance and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with HKSAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
THE EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
(Established under the Employees Compensation Assistance Ordinance Cap. 365)**

Auditor's Responsibilities for the Audit of the Financial Statements (cont'd)

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board.
- Conclude on the appropriateness of the Board's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Board's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Board to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

RSM Hong Kong
Certified Public Accountants

27 July 2023

EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
STATEMENT OF SURPLUS OR DEFICIT AND OTHER COMPREHENSIVE
INCOME
FOR THE YEAR ENDED 31 MARCH 2023

	Note	<u>2023</u> HK\$	<u>2022</u> HK\$
Income			
Distributions income	7	232,979,578	221,994,931
Bank interest income		32,706,793	9,169,467
Other income	8	<u>5,172,622</u>	<u>5,645,596</u>
		<u>270,858,993</u>	<u>236,809,994</u>
Expenditure			
Assistance payments		60,768,198	44,695,561
Claims processing expenses and professional advisory fees		21,095,484	23,333,519
Employee benefits expenses	9	7,408,574	7,113,875
Depreciation	10	1,415,772	1,415,772
Other operating expenses		<u>810,636</u>	<u>754,138</u>
		<u>91,498,664</u>	<u>77,312,865</u>
Surplus for the year	11	179,360,329	159,497,129
Other comprehensive income for the year		<u>-</u>	<u>-</u>
Total comprehensive income for the year		<u>179,360,329</u>	<u>159,497,129</u>

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
STATEMENT OF FINANCIAL POSITION
AT 31 MARCH 2023**

	Note	<u>2023</u> HK\$	<u>2022</u> HK\$
Non-current asset			
Property, plant and equipment	10	48,820,950	50,236,722
Current assets			
Deposits and prepayments		554,290	509,504
Bank interest receivables		24,635,870	3,176,197
Time deposits with original maturity over three months	13	1,720,628,529	1,610,022,752
Cash and cash equivalents	13	91,066,783	35,615,831
		1,836,885,472	1,649,324,284
Current liabilities			
Assistance payment payables	14	57,550,931	50,562,172
Accrued expenses		848,463	1,052,135
		58,399,394	51,614,307
Net current assets		<u>1,778,486,078</u>	<u>1,597,709,977</u>
NET ASSETS		<u>1,827,307,028</u>	<u>1,647,946,699</u>
ACCUMULATED SURPLUS		<u>1,827,307,028</u>	<u>1,647,946,699</u>

Approved by the Board and signed on its behalf on 27 July 2023 by:



LIU Tat-yin, Kennedy
Chairman

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
STATEMENT OF CHANGES IN ACCUMULATED SURPLUS
FOR THE YEAR ENDED 31 MARCH 2023**

	<u>Accumulated surplus</u> HK\$
Balance at 1 April 2021	1,488,449,570
Surplus and other comprehensive income for the year	<u>159,497,129</u>
Balance at 31 March 2022 and 1 April 2022	1,647,946,699
Surplus and other comprehensive income for the year	<u>179,360,329</u>
Balance at 31 March 2023	<u><u>1,827,307,028</u></u>

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31 MARCH 2023**

	Note	<u>2023</u> HK\$	<u>2022</u> HK\$
CASH FLOWS FROM OPERATING ACTIVITIES			
Surplus for the year		179,360,329	159,497,129
Adjustments for:			
Depreciation	10	1,415,772	1,415,772
Bank interest income		(32,706,793)	(9,169,467)
Operating surplus before working capital changes		148,069,308	151,743,434
Increase in deposits and prepayments		(44,786)	(1,605)
Increase/(decrease) in assistance payment payables		6,988,759	(24,497,839)
(Decrease)/increase in accrued expenses		(203,672)	399,623
Net cash generated from operating activities		154,809,609	127,643,613
CASH FLOWS FROM INVESTING ACTIVITIES			
Bank interest received		11,247,120	14,986,353
Increase in time deposits with original maturity over three months		(110,605,777)	(162,972,018)
Net cash used in investing activities		(99,358,657)	(147,985,665)
NET INCREASE/(DECREASE) IN CASH AND CASH EQUIVALENTS		55,450,952	(20,342,052)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR		35,615,831	55,957,883
CASH AND CASH EQUIVALENTS AT END OF YEAR	13	91,066,783	35,615,831
ANALYSIS OF CASH AND CASH EQUIVALENTS			
Bank and cash balances	13	45,056,392	35,615,831
Time deposits with original maturity of three months or less	13	46,010,391	-
		91,066,783	35,615,831

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

1. GENERAL INFORMATION

The Employees Compensation Assistance Fund Board (the “Board”) is established under the Employees Compensation Assistance Ordinance, Cap. 365 (the “Ordinance”) to:

- (a) hold the Employees Compensation Assistance Fund (the “Fund”) on trust and administer the Fund in accordance with the objects of the Ordinance;
- (b) receive on behalf of the Fund any sum representing the net resources of the Employees’ Compensation Insurance Levies Management Board (the “Levies Management Board”) distributed to the Board pursuant to Section 7 of the Employees’ Compensation Insurance Levies Ordinance, Cap. 411 (the “Levies Ordinance”);
- (c) consider applications from persons applying for payment from or relief under the Fund, under Part IV of the Ordinance;
- (d) advise the Levies Management Board with respect to the amounts of known and anticipated claims against the Fund,

and such other functions as may be assigned to it under the Ordinance.

According to Section 3(1) of the Ordinance, the Board has perpetual succession and capable of suing and being sued.

The address of the registered office and principal place of business of the Board is 33/F., Morrison Plaza, 9 Morrison Hill Road, Wanchai, Hong Kong.

2. BASIS OF PREPARATION

These financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards (“HKFRSs”) issued by the Hong Kong Institute of Certified Public Accountants (the “HKICPA”). HKFRSs comprise Hong Kong Financial Reporting Standards (“HKFRS”), Hong Kong Accounting Standards (“HKAS”), and Interpretations. These financial statements also comply with the requirements of the Ordinance. Significant accounting policies adopted by the Board are disclosed in Note 4.

The HKICPA has issued certain new and revised HKFRSs that are first effective or available for early adoption for the current accounting period of the Board. Note 3 provides information on any changes in accounting policies resulting from initial application of these developments to the extent that they are relevant to the Board for the current and prior accounting periods reflected in these financial statements.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

2. BASIS OF PREPARATION (CONT'D)

The financial statements have been prepared on a going concern basis since the members of the Board are satisfied that the Board will be able to meet in full its financial obligations as they fall due for foreseeable future in accordance with Section 26 of the Ordinance and as further explained in Note 14 to the financial statements. The Board is expected to have sufficient funds in view of the distributions from the Levies Management Board.

The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant.

3. ADOPTION OF NEW AND REVISED HONG KONG FINANCIAL REPORTING STANDARDS

(a) Application of new and revised HKFRSs

The Board has applied the following amendments to HKFRSs issued by the HKICPA for the first time, which are mandatorily effective for the annual period beginning on or after 1 April 2022 for the preparation of the financial statements:

Amendments to HKAS 16	Property, Plant and Equipment: Proceeds before Intended Use
Amendments to HKAS 37	Onerous Contracts - Cost of Fulfilling a Contract
Amendments to HKFRS 3 Annual Improvements Project	Reference to the Conceptual Framework Annual Improvements to HKFRS Standards 2018-2020

The Board did not change its accounting policies or make retrospective adjustments as a result of adopting the abovementioned amended standards or annual improvements.

(b) New and revised HKFRSs in issue but not yet effective

The Board has not applied any new standard, amendments to standards and interpretation that have been issued but are not yet effective for the financial year beginning on 1 April 2022. The amendments to standards and interpretation include the following which may be relevant to the Board.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
 NOTES TO THE FINANCIAL STATEMENTS
 FOR THE YEAR ENDED 31 MARCH 2023**

3. ADOPTION OF NEW AND REVISED HONG KONG FINANCIAL REPORTING STANDARDS (CONT'D)

(b) New and revised HKFRSs in issue but not yet effective (cont'd)

	Effective for accounting periods beginning on or after
Amendments to HKAS 1 and HKFRS Practice Statement 2 – Disclosure of Accounting Policies	1 January 2023
Amendments to HKAS 8 – Definition of Accounting Estimates	1 January 2023
Amendments to HKAS 1 – Classification of Liabilities as Current or Non-current	1 January 2024

The Board is in the process of making an assessment of what the impact of these amendments is expected to be in the period of initial application. So far it has concluded that the adoption of them is unlikely to have a significant impact on the financial statements.

4. SIGNIFICANT ACCOUNTING POLICIES

These financial statements have been prepared under the historical cost convention, unless mentioned otherwise in the accounting policies below.

The preparation of financial statements in conformity with HKFRS requires the use of certain critical accounting estimates. It also requires the Board to exercise its judgement in the process of applying the Board’s accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are disclosed in Note 5.

The significant accounting policies applied in the preparation of these financial statements are set out below:

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(a) Property, plant and equipment

Property, plant and equipment, including buildings and leasehold land, held for use in the supply of services, or for administrative purposes, are stated in the statement of financial position at cost, less subsequent accumulated depreciation and subsequent accumulated impairment losses, if any.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Board and the cost of the item can be measured reliably. All other repairs and maintenance are recognised in surplus or deficit during the period in which they are incurred.

Depreciation of property, plant and equipment is calculated at rates sufficient to write off their cost less their residual values over the estimated useful lives on a straight-line basis. The principal useful lives are as follows:

Leasehold land and buildings	Over the shorter of the term of the lease and 50 years
Leasehold improvements	Over the shorter of the term of the lease and 5 years
Computer hardware and software	5 years
Office equipment	5 years
Furniture and fixtures	5 years

The residual values, useful lives and depreciation method are reviewed and adjusted, if appropriate, at the end of each reporting period.

The gain or loss on disposal of property, plant and equipment is the difference between the net sales proceeds and the carrying amount of the relevant asset, and is recognised in surplus or deficit.

(b) Recognition and derecognition of financial instruments

Financial assets and financial liabilities are recognised in the statement of financial position when the Board entity becomes a party to the contractual provisions of the instrument.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(b) Recognition and derecognition of financial instruments (cont'd)

Financial assets and financial liabilities are initially measured at fair value. Transaction costs that are directly attributable to the acquisition or issue of financial assets and financial liabilities are added to or deducted from the fair value of the financial assets or financial liabilities, as appropriate, on initial recognition.

The Board derecognises a financial asset only when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another entity. If the Board neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, the Board recognises its retained interest in the asset and an associated liability for amounts it may have to pay. If the Board retains substantially all the risks and rewards of ownership of a transferred financial asset, the Board continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

The Board derecognises financial liabilities when, and only when, the Board's obligations are discharged, cancelled or have expired. The difference between the carrying amount of the financial liability derecognised and the consideration paid and payable, including any non-cash assets transferred or liabilities assumed, is recognised in surplus or deficit.

(c) Financial assets

All regular way purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace. All recognised financial assets are measured subsequently in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

(d) Other receivables

A receivable is recognised when the Board has an unconditional right to receive consideration. A right to receive consideration is unconditional if only the passage of time is required before payment of that consideration is due. If revenue has been recognised before the Board has an unconditional right to receive consideration, the amount is presented as a contract asset.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(d) Other receivables (cont'd)

Other receivables are recognised initially at the amount of consideration that is unconditional unless they contain significant financing components, when they are recognised at fair value. The Board holds the other receivables with the objective of collecting the contractual cash flows and therefore measures them subsequently at amortised cost using the effective interest method less allowance for credit losses.

(e) Cash and cash equivalents

Cash and cash equivalents comprise (i) cash at bank and on hand, (ii) demand deposits with banks and other financial institutions, and (iii) short-term, highly liquid investments that are readily convertible into known amounts of cash and, which are subject to an insignificant risk of changes in value, having been within three months of maturity at acquisition. Cash and cash equivalents are assessed for Expected Credit Losses (“ECL”).

(f) Financial liabilities

Financial liabilities are classified according to the substance of the contractual arrangements entered into and the definitions of a financial liability under HKFRSs. The accounting policies adopted for specific financial liabilities are set out below.

(g) Assistance payment payables

The Board closely reviews and assesses the status of claims on an on-going basis and recognises assistance payments as liability only when the applicant is eligible for assistance payments from the Fund and such determination has been made by the Board. Accordingly, the Board does not make any provision for the estimated costs of settling reported or unreported claims, which have been incurred but not yet determined.

(h) Other payables

Other payables are recognised initially at their fair value and subsequently measured at amortised cost using the effective interest method unless the effect of discounting would be immaterial, in which case they are stated at cost.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(i) Recognition of Income

Revenue is recognised at the following basis at the amount of promised consideration to which the Board is expected to be entitled, excluding those amounts collected on behalf of third parties:

(i) Distributions income

Pursuant to Section 14 of the Levies Ordinance, a levy known as the Employees' Compensation Insurance Levy is payable to the Levies Management Board on every premium payable by an insured in respect of any employees' compensation insurance policy issued by an insurer, for the purposes of Part IV of the Levies Ordinance, on or after 1 July 1990.

Pursuant to Section 7 of the Levies Ordinance, the Levies Management Board distributes its net resources to specified bodies, which include the Board.

Distributions from the Levies Management Board, being the revenue of the Board, are recognised as income when they are received by the Board. The Board will receive the distributions three months after the end of each quarter.

(ii) Interest income

Interest income is recognised as it accrues using the effective interest method. For financial assets measured at amortised cost that are not credit-impaired, the effective interest rate is applied to the gross carrying amount of the asset.

(iii) Surcharge and payment recovery

Surcharge and payment recovery are recognised as income when the right to receive is established, the amount is reasonably determined and the collectability is reasonably ascertained.

(j) Employee benefits

(i) Employee entitlements

Employee entitlements to long service payment are recognised when they accrue to employees. A provision is made for the estimated liability for long service payment as a result of services rendered by employees up to the end of the reporting period.

Employee entitlements to sick leave, annual leave, maternity leave and paternity leave are not recognised until the time of taking the leave.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(j) Employee benefits (cont'd)

(ii) Pension obligations

The Board contributes to defined contribution retirement schemes which are available to all employees. Contributions to the schemes by the Board are calculated as a percentage of employees' salaries. The retirement benefit scheme cost charged to surplus or deficit represents contributions payable by the Board to the scheme.

(iii) Termination benefits

Termination benefits are recognised at the earlier of the dates when the Board can no longer withdraw the offer to those benefits and when the Board recognises restructuring costs and involves the payment of termination benefits.

(k) Impairment of non-financial assets

The carrying amounts of non-financial assets are reviewed at each reporting date for indications of impairment and where an asset is impaired, it is written down as an expense through the statement of surplus or deficit to its estimated recoverable amount. The recoverable amount is determined for an individual asset, unless the asset does not generate cash inflows that are largely independent of those from other assets or groups of assets. If this is the case, recoverable amount is determined for the cash-generating unit to which the asset belongs. Recoverable amount is the higher of value in use and the fair value less costs of disposal of the individual asset or the cash-generating unit.

Value in use is the present value of the estimated future cash flows of the asset / cash-generating unit. Present values are computed using pre-tax discount rates that reflect the time value of money and the risks specific to the asset / cash-generating unit whose impairment is being measured.

Subsequent increases in the recoverable amount caused by changes in estimates are credited to surplus or deficit to the extent that they reverse the impairment.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(1) Impairment of financial assets

The Board recognises a loss allowance for ECL on its financial assets that are measured at amortised cost such as other receivables. The amount of ECL is updated at each reporting date to reflect changes in credit risk since initial recognition of the respective financial instrument.

For all financial instruments, the Board recognises lifetime ECL when there has been a significant increase in credit risk since initial recognition. However, if the credit risk on the financial instrument has not increased significantly since initial recognition, the Board measures the loss allowance for that financial instrument at an amount equal to 12-month ECL.

Lifetime ECL represents the expected credit losses that will result from all possible default events over the expected life of a financial instrument. In contrast, 12-month ECL represents the portion of lifetime ECL that is expected to result from default events on a financial instrument that are possible within 12 months after the reporting date.

Write-off policy

The Board writes off a financial asset when there is information indicating that the debtor is in severe financial difficulty and there is no realistic prospect of recovery, including when the debtor has been placed under liquidation or has entered into bankruptcy proceedings, or in the case of trade receivables, when the amounts are over two years past due, whichever occurs sooner. Financial assets written off may still be subject to enforcement activities under the Board's recovery procedures, taking into account legal advice where appropriate. Any recoveries made are recognised in surplus or deficit.

Measurement and recognition of ECL

The measurement of ECL is a function of the probability of default, loss given default (i.e. the magnitude of the loss if there is a default) and the exposure at default. The assessment of the probability of default and loss given default is based on historical data adjusted by forward-looking information as described above. As for the exposure at default, for financial assets, this is represented by the assets' gross carrying amount at the reporting date.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

4. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(l) Impairment of financial assets (cont'd)

Measurement and recognition of ECL (cont'd)

For financial assets, the ECL is estimated as the difference between all contractual cash flows that are due to the Board in accordance with the contract and all the cash flows that the Board expects to receive, discounted at the original effective interest rate.

If the Board has measured the loss allowance for a financial instrument at an amount equal to lifetime ECL in the previous reporting period, but determines at the current reporting date that the conditions for lifetime ECL are no longer met, the Board measures the loss allowance at an amount equal to 12-month ECL at the current reporting date, except for assets for which simplified approach was used.

The Board recognises an impairment gain or loss in surplus or deficit for all financial instruments with a corresponding adjustment to their carrying amount through a loss allowance account.

(m) Provisions and contingent liabilities

Provisions are recognised for liabilities of uncertain timing or amount when the Board has a present legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditures expected to settle the obligation. The discount rate used to determine the present value is a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow is remote.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

5. CRITICAL JUDGEMENT AND KEY ESTIMATES

In applying the Board's accounting policies, which are described in note 4, the Board is required to make judgements (other than those involving estimations) that have a significant impact on the amounts recognised and to make estimates and assumptions about the carrying amounts of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

Key sources of estimation uncertainty

The key assumption concerning the future, and other key sources of estimation uncertainty at the end of the reporting period, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year, is discussed below:

Property, plant and equipment and depreciation

The Board determines the estimated useful lives, residual values and related depreciation charges for the Board's property, plant and equipment. This estimate is based on the historical experience of the actual useful lives and residual values of property, plant and equipment of similar nature and functions. The Board will revise the depreciation charge where useful lives and residual values are different to those previously estimated, or will write-off or write-down technically obsolete or non-strategic assets that have been abandoned.

The carrying amount of property, plant and equipment as at 31 March 2023 was HK\$48,820,950 (HK\$50,236,722 as at 31 March 2022).

6. FINANCIAL RISK MANAGEMENT

The Board's activities expose it to a variety of financial risks: foreign currency risk, credit risk, liquidity risk and interest rate risk. The Board's overall risk management programme focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the Board's financial performance.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

6. FINANCIAL RISK MANAGEMENT (CONT'D)

(a) Foreign currency risk

The Board has no exposure to foreign currency risk as all of its business transactions, assets and liabilities are principally denominated in Hong Kong dollars.

(b) Credit risk

Credit risk is the risk that a counterparty will not meet its obligations under a financial instrument or customer contract, leading to a financial loss. The Board is exposed to credit risk from its operating activities and from its financing activities, including deposits with banks and financial institutions, foreign exchange transactions and other financial instruments. The Board's exposure to credit risk arising from cash and cash equivalents is limited because the counterparties are banks and financial institutions with high credit-rating assigned by international credit-rating agencies, and approved by the Financial Secretary under section 11 of the Ordinance, for which the Board considers to have low credit risk.

(c) Liquidity risk

The Board manages liquidity risk by maintaining adequate reserve of cash. The Board performs periodically cash flow forecasts to monitor future cash flow. The current strength of the Board poses no threat of liquidity to the Board.

(d) Interest rate risk

The Board's exposure to interest rate fluctuation is limited to interest receivables on its short term deposits and savings accounts as at 31 March 2023 given the fluctuation in interest rate in financial market.

(e) Categories of financial instruments at 31 March 2023

	<u>2023</u> HK\$	<u>2022</u> HK\$
Financial assets:		
Financial assets measured at amortised cost	1,836,761,060	1,649,244,658
Financial liabilities:		
Financial liabilities at amortised cost	<u>58,399,394</u>	<u>51,614,307</u>

(f) Fair values

The carrying amounts of the Board's financial assets and financial liabilities as reflected in the statement of financial position approximate their respective fair values.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

7. DISTRIBUTIONS INCOME

The Board received distributions from the Levies Management Board, which received the Employees' Compensation Insurance Levy (Note 4(i)(i)). The proportion of distribution of the Levy to the Board is 31/58.

8. OTHER INCOME

	<u>2023</u> HK\$	<u>2022</u> HK\$
Recovery of legal costs	3,142,711	1,229,540
Recovery of payments from Official Receiver or liquidators in the bankruptcy or winding-up proceedings after the Board rendered assistance and exercised the subrogation rights pursuant to Section 37 of the Ordinance	317,934	2,183,791
Surcharge received pursuant to Section 36A of the Ordinance	<u>1,711,977</u>	<u>2,232,265</u>
	<u>5,172,622</u>	<u>5,645,596</u>

9. EMPLOYEE BENEFITS EXPENSES

	<u>2023</u> HK\$	<u>2022</u> HK\$
Salaries and gratuity	7,245,433	6,951,161
Retirement benefit scheme contributions	<u>163,141</u>	<u>162,714</u>
	<u>7,408,574</u>	<u>7,113,875</u>

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

10. PROPERTY, PLANT AND EQUIPMENT

	Land and building HK\$	Leasehold improvements HK\$	Computer hardware and software HK\$	Office equipment HK\$	Furniture and fixtures HK\$	Total HK\$
Cost						
At 1 April 2021, 31 March 2022 and 31 March 2023	<u>52,934,601</u>	<u>1,785,399</u>	<u>412,578</u>	<u>147,458</u>	<u>360,648</u>	<u>55,640,684</u>
Accumulated depreciation						
At 1 April 2021	2,293,833	773,673	412,578	147,458	360,648	3,988,190
Charge for the year	<u>1,058,692</u>	<u>357,080</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,415,772</u>
At 31 March 2022	3,352,525	1,130,753	412,578	147,458	360,648	5,403,962
Charge for the year	<u>1,058,692</u>	<u>357,080</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,415,772</u>
At 31 March 2023	<u>4,411,217</u>	<u>1,487,833</u>	<u>412,578</u>	<u>147,458</u>	<u>360,648</u>	<u>6,819,734</u>
Carrying amount						
At 31 March 2023	<u>48,523,384</u>	<u>297,566</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>48,820,950</u>
At 31 March 2022	<u>49,582,076</u>	<u>654,646</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>50,236,722</u>

11. SURPLUS FOR THE YEAR

The Board's surplus for the year is stated after charging the following:

	<u>2023</u> HK\$	<u>2022</u> HK\$
Auditor's remuneration	66,413	63,532
Depreciation	<u>1,415,772</u>	<u>1,415,772</u>

12. INCOME TAX EXPENSE

No provision for Hong Kong Profits Tax is required since the Board has been exempted from Hong Kong Profits Tax by virtue of section 88 of the Hong Kong Inland Revenue Ordinance.

**EMPLOYEES COMPENSATION ASSISTANCE FUND BOARD
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2023**

13. CASH AND CASH EQUIVALENTS

	<u>2023</u> HK\$	<u>2022</u> HK\$
Time deposits	1,766,638,920	1,610,022,752
Less: Time deposits with original maturity over three months	(1,720,628,529)	(1,610,022,752)
Bank and cash balances	<u>45,056,392</u>	<u>35,615,831</u>
	<u>91,066,783</u>	<u>35,615,831</u>

14. ASSISTANCE PAYMENT PAYABLES

The entire amount of assistance payment payables is presented under current liabilities as the expected timing for the payments is subject to uncertain regulatory or administrative directives.

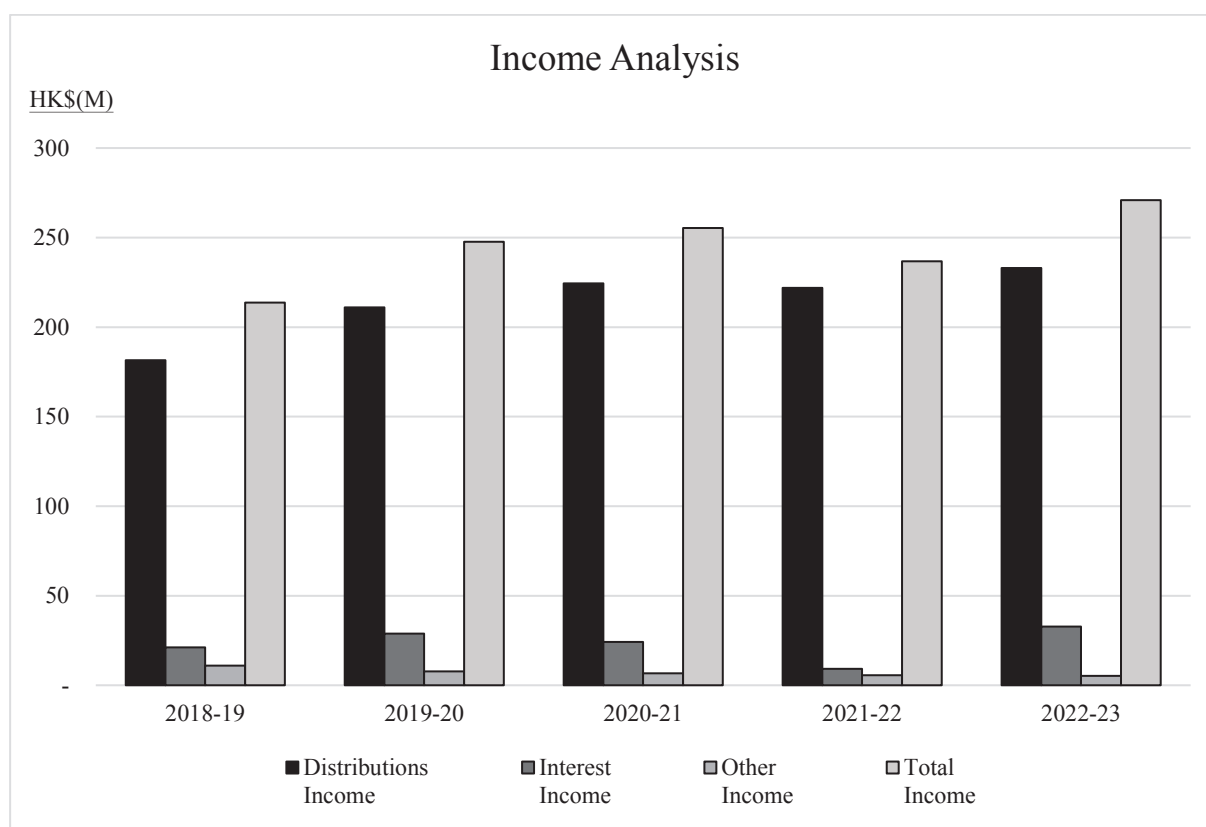
15. CONTINGENT LIABILITIES

Based on the total claims notified as at 31 March 2023, the Board estimates that the contingent liabilities amount to approximately HK\$376,037,633 (HK\$378,726,897 as at 31 March 2022). In the opinion of the Board, the potential applicants are not yet eligible to apply assistance payments under the relevant sections of the Ordinance. Accordingly, this amount has not been provided in the financial statements for the year.

Pursuant to Section 26 of the Ordinance, where an amount is liable to be paid by the Fund, no part of such amount becomes payable by the Board unless and until there are sufficient money available to the Fund to pay the whole of such amount.

Appendix I – Income Analysis (2018-19 to 2022-23)

Year	Distributions Income ¹ (HK\$(M))	Interest Income ² (HK\$(M))	Other Income ³ (HK\$(M))	Total Income (HK\$(M))
2018-19	181.47	21.14	11.03	213.64
2019-20	211.08	28.87	7.79	247.74
2020-21	224.40	24.25	6.71	255.36
2021-22	221.99	9.17	5.65	236.81
2022-23	232.98	32.71	5.17	270.86

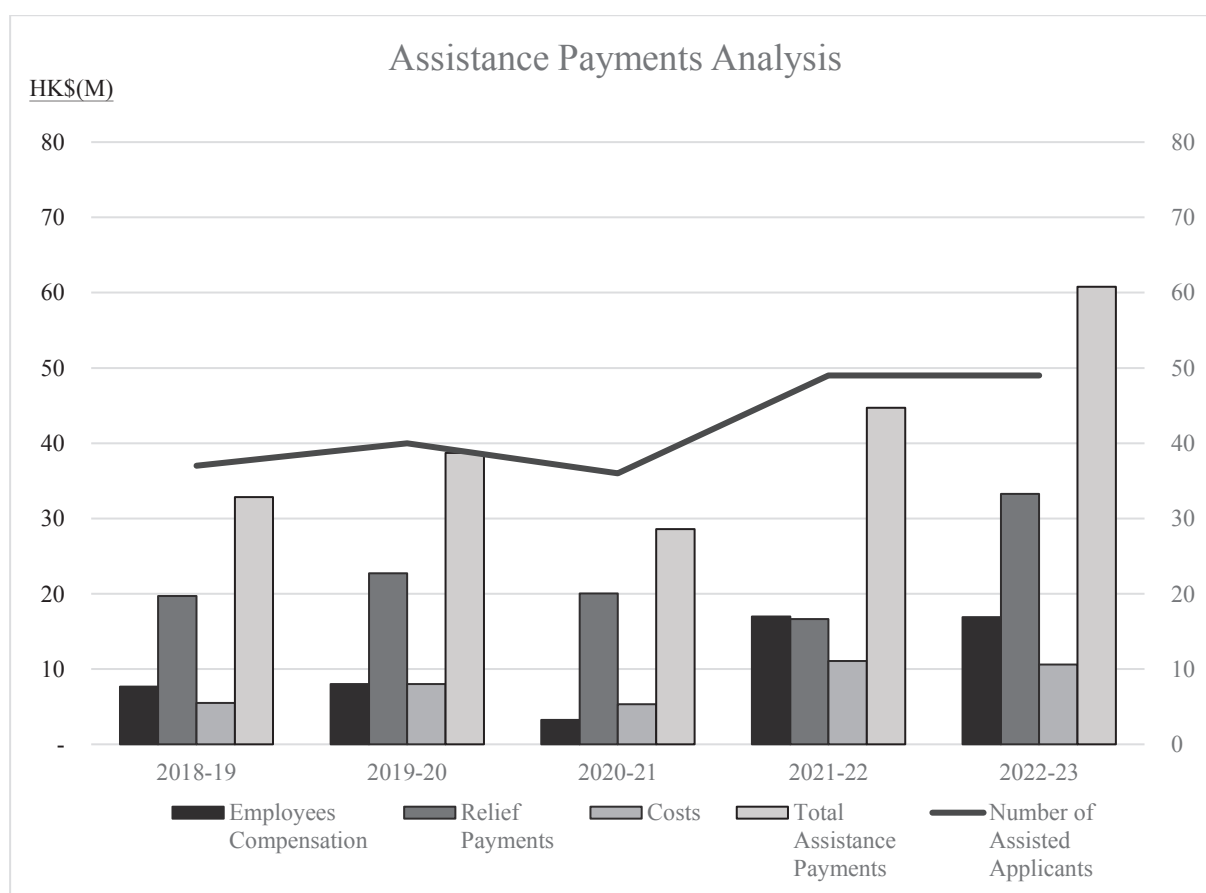


Note

- 1 The Fund is financed by a levy payable by employers when they take out employees' compensation insurance policies. The levy, imposed under the Employees' Compensation Insurance Levies Ordinance, is collected by the Employees' Compensation Insurance Levies Management Board. The levy rate is 5.8%, of which 3.1% is allotted to the Board as the Board's Distributions Income.
- 2 Interest Income represents interest earned by placing surplus fund in the banks.
- 3 Other Income represents recovered payments for exercising the subrogation rights after assistance payments, costs and assistance payments recovered, as well as surcharges levied on employers who have contravened Section 40(1) of the Employees' Compensation Ordinance.

Appendix II – Assistance Payments Analysis (2018-19 to 2022-23)

Year	Employees Compensation (HK\$(M))	Relief Payments (HK\$(M))	Costs (HK\$(M))	Total Assistance Payments (HK\$(M))	Number of Assisted Applicants ¹
2018-19	7.66	19.69	5.48	32.83	37
2019-20	8.00	22.73	8.00	38.73	40
2020-21	3.25	20.03	5.31	28.59	36
2021-22	16.98	16.66	11.06	44.70	49
2022-23	16.91	33.27	10.59	60.77	49
					142

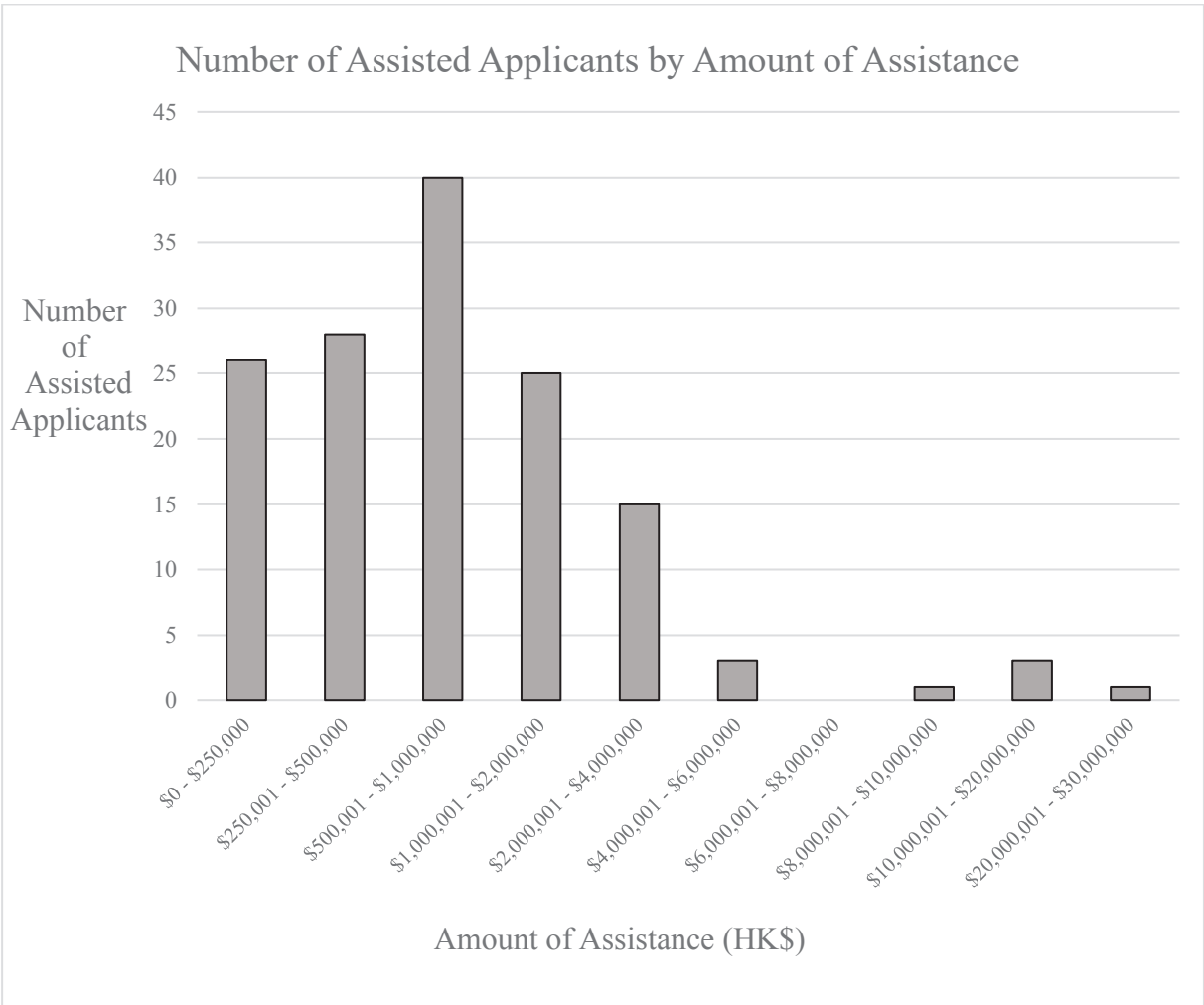


Note

- 1 Some of the assisted applicants were approved to receive assistance for employees' compensation, relief payments and/or costs in different financial years. During 2018-19 to 2022-23, the Board had assisted 142 applicants.

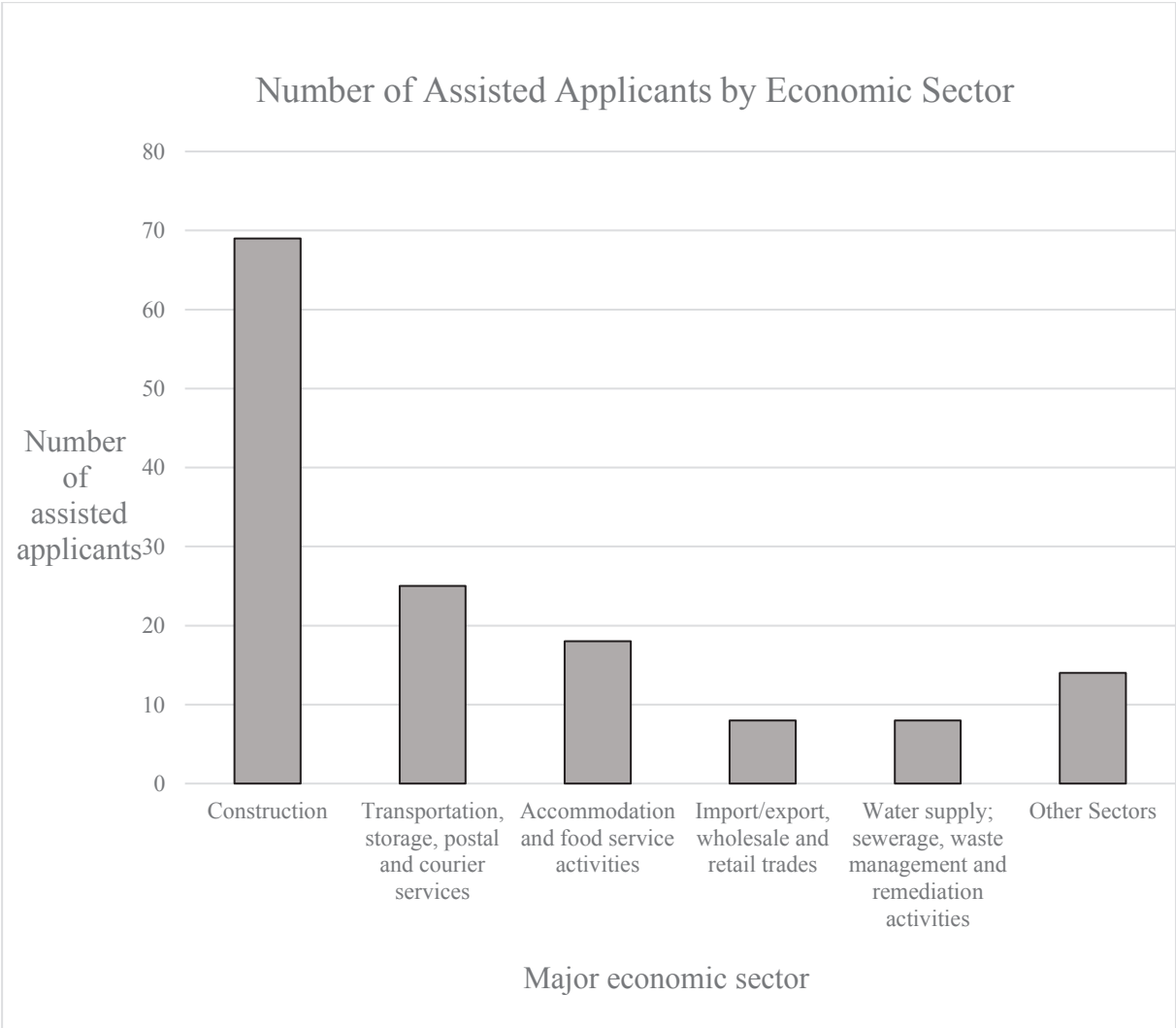
**Appendix III – Number of Assisted Applicants by Amount of Assistance
(2018-19 to 2022-23)**

Amount of Assistance (HK\$)	Number of Assisted Applicants
\$0 - \$250,000	26
\$250,001 - \$500,000	28
\$500,001 - \$1,000,000	40
\$1,000,001 - \$2,000,000	25
\$2,000,001 - \$4,000,000	15
\$4,000,001 - \$6,000,000	3
\$6,000,001 - \$8,000,000	0
\$8,000,001 - \$10,000,000	1
\$10,000,001 - \$20,000,000	3
\$20,000,001 - \$30,000,000	1
Total	142



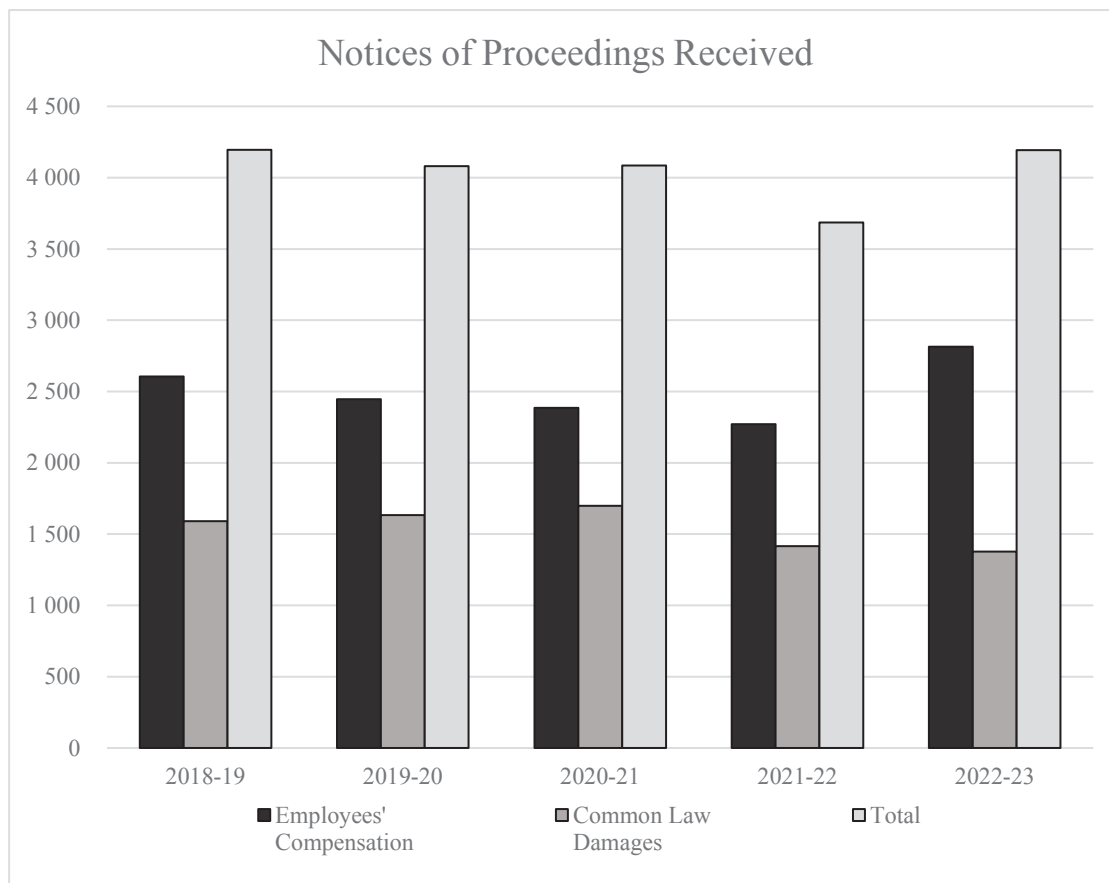
**Appendix IV – Number of Assisted Applicants by Economic Sector
(2018-19 to 2022-23)**

Major Economic Sector	Number of Assisted Applicants
Construction	69
Transportation, storage, postal and courier services	25
Accommodation and food service activities	18
Import/export, wholesale and retail trades	8
Water supply; sewerage, waste management and remediation activities	8
Other Sectors	14
Total	142



Appendix V – Notices of Proceedings¹ Received (2018-19 to 2022-23)

Year	Employees' Compensation	Common Law Damages	Total
2018-19	2 606	1 590	4 196
2019-20	2 447	1 634	4 081
2020-21	2 385	1 699	4 084
2021-22	2 271	1 415	3 686
2022-23	2 815	1 378	4 193

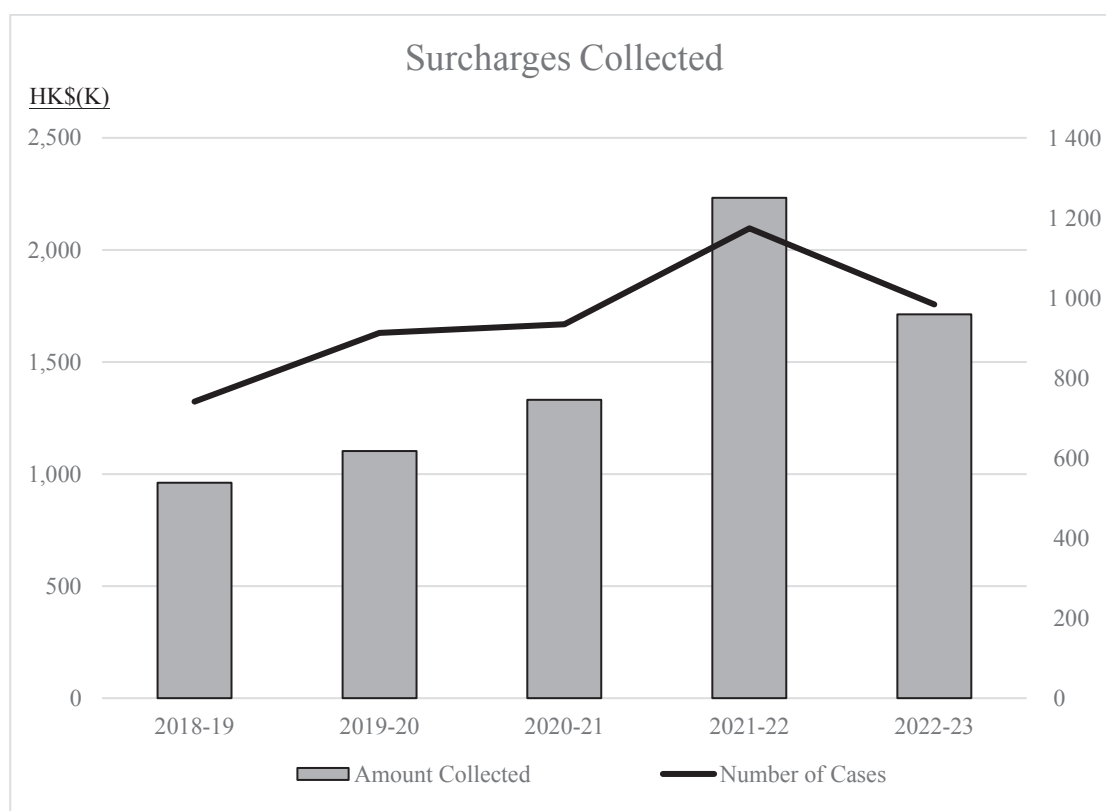


Note

- Under Section 25B of the Employees Compensation Assistance Ordinance, any person who commences legal proceedings for claiming compensation or damages shall serve on the Board a written notice of such proceedings in a specified form not later than 30 days after the claim is filed with the court. Upon receipt of such notices, the Board shall carry out such inquiries by the ordinance for each and every claim. This notwithstanding, as further development of individual claims vary in light of their own circumstances, it does not necessarily mean that all of these claims will ultimately require the assistance of the Board.

Appendix VI – Surcharges¹ Collected (2018-19 to 2022-23)

Year	Amount Collected (HK\$(K))	Number of Cases
2018-19	961	741
2019-20	1,102	913
2020-21	1,332	934
2021-22	2,232	1 174
2022-23	1,712	984



Note

- 1 According to section 40(1) of the Employees' Compensation Ordinance, all employers are required to take out employees' compensation insurance policies to cover their liabilities under the Ordinance and at common law for injuries at work in respect of all their employees or else they shall not employ any employee in any employment. An employer who fails to comply with this commits an offence and is liable on conviction to a maximum fine of \$100,000 and imprisonment for two years. In addition, such employer is also liable to pay a surcharge to the Board under section 36A of the Employees Compensation Assistance Ordinance.

僱員補償援助基金管理局
Employees Compensation Assistance Fund Board

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