

## iGlobal Law 2021 Annual Alert : Hong Kong

Legal Change	Effective Date	Action required
<p><b>Statutory Minimum Wage Review</b></p> <p>HK's Minimum Wage Commission is statutorily required to review and recommend the amount of the statutory minimum hourly wage rate at least once every two years. The current minimum wage is HK\$37.5 per hour and the next review of the statutory minimum wage will be no later than 2021.</p>	Review scheduled for 2021	Nothing at this stage but keep an eye out for updates in this area.
<p><b>Abolition of MPF Offsetting Mechanism</b></p> <p>The HK government has proposed to abolish the Mandatory Provident Fund (MPF) offsetting mechanism by the end of 2021, and secure the passage of legislative amendments by the end of 2022. It is expected that the MPF offsetting mechanism will be fully abolished two years after the legislative amendments.</p>	Amendment bill expected to be introduced within 2021 and legislative process expected to complete within 2022.	Nothing at this stage but keep an eye out for the amendment bill.
<p><b>Alignment of Statutory Holidays with General Holidays</b></p> <p>The HK government has proposed to increase statutory holidays (currently 12 days) by one day in every two years until the total number of statutory holidays matches that of general holidays.</p> <p>The government will discuss with stakeholders and consult the Legislative Council to work towards introducing the legislation within 2021. It aims to designate the first additional statutory holiday in 2022 and achieve alignment of statutory holidays and general holidays by 2030.</p>	Legislative process expected to complete within 2021.	Nothing at this stage but keep an eye out for updates in this area.
<p><b>Proposed Amendments to Privacy Rules</b></p> <p>The HK government has put forward a proposal to reform the Personal Data (Privacy) Ordinance (Cap. 486) which if passed, would require employers to review their HR processes/policies in handling employees' data. Key proposals include:</p> <ul style="list-style-type: none"> <li>- implementing mandatory data breach notification;</li> <li>- strengthening obligations on personal data retention;</li> <li>- increasing the enforcement powers of the Privacy Commissioner;</li> <li>- introducing direct regulation of data processors;</li> </ul> <p>amending and expanding the definition of 'personal data'; and</p> <ul style="list-style-type: none"> <li>- strengthening the regulation of improper disclosure of personal data of other data subjects.</li> </ul>	Publication date for amendment bill has not yet been announced but is expected to be within 2021 or 2022.	Nothing at this stage but keep an eye out for the amendment bill.