A Feasibility Study on Hong Kong Government to Set Up an Ordinance on Paternity Leave.

by

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Project Supervisor:

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Background

Nowadays, the birthrate in Hong Kong is decreasing, it is the lowest in the world that only 9.5 newborn babies in every 1000 people (Appendix 1). Our main reason to discuss this topic is because we hope the government can set up an ordinance. This can help to reduce both male and female pressure. The ordinance can also cooperate with other existing policies to encourage the couples to have babies and reduce the problem of aging population too (Appendix 2, 3 and 4).

Besides, the 2007 policy address stated that the government would provide 12-year free education for public primary and secondary schools, this can help the parents to lighten the economic burden.

From the point of custom and culture, there are majority people think that women should have the primary responsibility for the family. Many females have their careers now, they are busy in work and do not have time to attend prenatal class (Appendix 5). Regardless in the family perhaps the society, the role of male and female is also similar. That means the attendance of family's responsibility between them also equal. Unluckily, there is no such ordinance and the men do not have enough time to do prenatal visit with their wife and look after them, the women may be subject to pressure easily if lack of support. It is also unfair to male because Hong Kong is a place which emphasis sexual equality, both male
and female should enjoy the same right.

We can see that many people get marry and spawn late nowadays. Their parents do not have enough ability to help them as they are very old and do not live with their children (Appendix 6). Therefore, husbands can take care their wives if set up the ordinance to provide them parental holiday.

Recently, some organizations in Hong Kong already provided paternity leave for their employees because they agreed that male also have responsibility to look after the family. Employees not only can obtain balance between their work and family, but also increase their loyalty if carry out the policy.

A survey done in April 2007 provided that there are 80% of employees agreed to set up ordinance on paternity leave (Appendix 7). This can prove that there is a potential needs in Hong Kong now.

Both of the following countries have similar features with Hong Kong. The first country is England because Hong Kong was once a colony of England, it’s legal and economy system is very similar. The second country is Sweden. Its birthrate is very low before legislation. The number of babies was increased from 10.1% to 11.2% between 1997 and 2004 (Appendix 8). Philippine is the third country because we want to find one Asian country as an example. Because these countries carried out the ordinance successfully, it is a good support for Hong Kong
to set the ordinance because this can help to increase the birthrate, reduce the rate of aging population and enhance the "Family Friendly Policy".
Aims

Nowadays, more than 40 countries all over the world have carried out paternity leave and ordinance was set up by the government to ensure the companies to do so. These countries believed that male can have more time to look after their wife and new born babies after carried out the law. Moreover, this also can help the employees to establish the sense of belonging.

Even though some companies and bank already provided paternity leave to employees, this is still a new idea to Hong Kong. Therefore, our aims in this report are as follow:

- Discuss why the right is desirable.
- Is it suitable under Hong Kong circumstances?
- Suggest how to set up the law in Hong Kong and if there any restrictions.
Objectives

Because there are different population’s densities, cultural and economic environment among different countries, so the main objectives in our project are to study the feasibility of implementation paternity leave in Hong Kong with the public. We will show the following points in our report:

- The proportion of people on supporting and object the legislation and their opinion.

- The advantages, disadvantages and influence to different social economic classes in society after legislation.

- Result of comparing Hong Kong situation with other countries on economic, birth rate and population etc.

- The essential elements of this ordinance and beneficial suggestions on setting up the ordinance.

- Suggest the implementation and administration on the ordinance.
Methodology

In this part, we will talk about the methods we decided to use in the report. They can help us to get more information on different view to compare and as examples.

We will collect both primary and secondary data to finish our investigation. Primary data means the data will collect by face to face interview and online survey. It is for the purpose of the investigation at hand. Secondary data means the data is done by some professionals and organizations which are typical and well known by the public. They are gathered for some other purposes. The methods are shown as below:

1. Secondary data

We will read different literatures to get useful data such as newspapers, websites, law books and some survey done by other organizations.

We will read the newspapers and search the websites to understand people’s view on legislation in different strata or gender and its advantages and disadvantages. These resources also tell us the proportion of working people and their ménage status in Hong Kong.

Furthermore, some articles show the result of the survey to indicate that how many male want to have paternity leave. In addition, they also let us know the
reasons why they will support setting up paternity leave in different countries. We also can find out what organizations are providing paternity leave to their employees in Hong Kong now and their feedback.

On the other hand, because we decided to find some countries to compare with Hong Kong, we will find out their ordinance, days of paternity leave, culture and change of birthrate of these countries through websites and law books in the library. After analyzing, we can use the country which has the most suitable policy for comparison to support that setting up paternity leave in Hong Kong is feasible.

2. Primary data

We will interview some people and organizations to find out more information on the feasibility on setting up the ordinance in Hong Kong. We will choose the companies which already carried out the policy as our interviewees to support there is a need to set up the ordinance. Moreover, we will interview expert because they announced some related reports.

Interview- Experts and Organizations

We will use open-end questions to interview. We will ask them the influence to society if setting up the ordinance and the opinion of our draft ordinance. Here are two companies which carried out the policy we decided to interview, we want to find out the details on why they carried out the policy and its outcome.
- **Dai Sing Bank**

  It is one of the large banks in Hong Kong. Start from 1/5/2007, all full time employees can enjoy five days of paternity leave with salaries. They can take the holiday within two weeks before or after their babies born.

  The bank believed that the policy can make the employees have more time to look after their wife and new born babies. Secondly, they can put down their work and enjoy being parents with their families temporarily. Thirdly, the policy may also balance the employee's life and work. Moreover, the most important reason is the bank wants to provide a good environment to the employees so as to increase their loyalty.

- **China Light Power Company Limited**

  It is a well-known company in Hong Kong. The reason for the company to carry out the policy is they echo the policy of encouraging spawn. Therefore, all employees can enjoy three days of paternity leave and HK$1000 from April 2007. In conclude, we can see that the policy are welcomed and supported by most of the employees.
Because we have to find out the macroscopic social points on setting up the
ordinance, we will also interview one organization and councilor.

- **Tam Heung Man**

She is not only a councilor in Hong Kong, but also a member of Equal
Opportunities Commission and Woman Development Association. According to
the survey she asked to done on April 2007, 80% of the employees agreed to set
up ordinance. We can find from the report that most of the male want to help their
wives to look after babies, this also can help the employees to increase their
morale and loyalty.

There are also no statistics showed that the policy will increase the
company’s cost unreasonably. The question also did not appear in the countries
which already carried out the policy. Therefore, she suggested that the private
companies should try to carry out the policy first. The government should also
draw the timetable of setting up the ordinance at the same time to ensure all
employees can enjoy this benefit in future. By the way, education is also important
because this is a good chance for the employees to understand their rights
(Appendix 7).
Employers' Federation of Hong Kong

The Federation was founded in 1947. Its aims is to identify and promote effective employment practices, provide guidance and assistance to members on employment issues in Hong Kong and the Mainland, being the employers' voice to the Government and the community of Hong Kong, proactively influencing policies and legislation in Hong Kong on employment issues and liaising with overseas employers' organizations.

There are different people or experts who represent different groups in the Federation such as bank and financing, insurance, property and construction and public utilities etc. Even though we can get the employee's idea easily, it is still difficult for us to collect information from employers because the number of employers is much lesser than employees. But the Employers' Federation's prime role is as an advocate and publicist for the views of Hong Kong's employers. In particular, the Federation offers companies large and small the opportunity to make their views known collectively and anonymously. That mean we can find out what we want more conveniently.
Besides the people and organization mentioned above, we will also interview people who do not agree setting up the ordinance because we need some opposite ideas to compare.

- **Ip Shu Kwan**

He was the Secretary for Economic Development and Labour before June, 2006 and now he is one of the directors of Hong Kong Jockey Club.

He does not agree setting up the ordinance because many companies in Hong Kong are small and medium enterprise. The production cost will increase and it is difficult for the company to arrange manpower and operation if carry out the ordinance.

**Interview-Public**

Public ideas are very important to us. We will use close-end questions to interview public to find out how many people support our draft legal legislation. In our questionnaire, we will ask them some personal information such as marital status and age range and inclinations on setting up the ordinance. This can help us to find out the feasibility on set up the ordinance.

We will use quota sampling to divide the age group. In quota sampling the selection of the sample is made by the interviewer, who has been given quotas to fill from specified sub-groups of the population. For example, we may be told to
sample 70-80 people between each age group. There are similarities with stratified sampling, but in quota sampling the selection of the sample is non-random. Anyone who has had the experience of trying to interview people in the street knows how tempting it is to ask those who look most helpful, hence it is not the most representative of samples, but extremely useful.

We will divide the target population into four groups according to 2006 By-Census (Appendix 4).

The first group is 0-19. Although their psychology and physiology is developing and their personality is still building up, it is better to get their opinion because the ordinance has certain influence to them. The second group is 20 to 39, this is the most important stage in our life because there are many changing elements, for example, teenagers will become caretakers and they will start working. The ordinance will influence them if they want to build up their family, so they will even more care whether to legislate. The third group is 40 to 59. Although they will retire in the coming ten-fifteen years and the policy would have no effect to them, they will care whether the policies influence next generation. 60 or above is the last group. We think they have enough experience to understand if the policy good to society.

Even we will interview public among different age groups, the main target of
our interview is people aged 20-39. The reason is the ordinance will affect them most in short period because most of them will get marry and give birth to babies.

Two surveys we will do are mentioned below and we will compare them too.

- **Face to face interview**

  We will do the questionnaire survey by using face to face interview. We can get a high response rate immediately because interviewees are likely to reply when people ask them to do the interview. In order to get the opinion, the quota sampling will be used in this report. Our target is all Hong Kong people because they can come under the influence.

  We considered doing 300 questionnaires in several potential places. Because of not enough human resources (there are five people only) and time, we will choose three places doing our interview only and interview people who we think is suitable. For examples, we will do our interview in Causeway Bay and Tsim Sha Shui because these places gathered people in different age. We also can do the interview easily because the traffic throw available respondents in these places are very high. Besides, we will do our survey at Shum Shui Po because many people who age over 60 living there.
• Online survey

We will use online survey to collect data because doing questionnaire through internet is very popular and convenience. We can get the information within a short period. This method also can reduce our bias and provide more time to the respondents to consult any necessary information. It can enhance the accuracy of the data. Our main targets doing the online survey are people of age below 30 because they like accessing internet very much. We believed that they are more willing to fill in the questionnaire and we can get high response rate through this method.

We decided to do 200 online survey. We will send the questionnaire to all the students in Tuen Mun Campus. It is because we want to find out more opinion from teenagers of age below 25, the legal regulation may certainly affect them.


**Data Analysis**

In order to synthesize information, we will do data analysis and show the data by using different graphs after collecting the data. We will also analyze what opinions should be adopted and what conditions should be contained when the government set up the ordinance.

After collecting the data, we will group those similar questions together, then analyze and compile statistics. After that, we will use tables to display whatever features of the data needed to emphasis.

We will use different type of graphs to show the result. For example, summary tables, bar charts, grouped bar charts, pie charts and combination charts.

We will show the basic information by using summary tables and bar charts such as the number of females and males. It is more clearly and directly.

Because readers will confuse if there are lots of indisposed data, we will use grouped bar charts, pie charts and combination charts to show the data which need to compare. These charts can contrast more than one series of data values. Besides, the pie charts can depict the proportions or percentages of total quantities that correspond to several qualitative categories. Each category is depicted as a wedge of a circle or a piece of pie. This could help the readers to understand the data easily.
Anticipated Problems and Solutions

- **Problems on interview experts and organizations**

  As both experts and representatives are busy in their works, difficult for them to arrange time doing the interview is one of the problems. Besides, it is also difficult for them to give us relevant answer if the questions are indirect and ambiguous.

  Therefore, we will send the interview letter in November even we decided to do the interview in December. We will then send the questionnaire to them for prepare.

  Moreover, we will collect their background before interview. We will also give the questionnaires to our project supervisor for approval. Then we will find 10-20 people to do the interview as a pre-test.

  Finally, we will have rehearsal before interview too.

- **Problems on interview public**

  Because paternity leave is a new idea in Hong Kong, people may not know the information or misunderstand the concept. At a result, they may reject to do the questionnaire or cannot answer the questions faithfully. Actually, all Hong Kong people are our interview targets including elderly, they may not willing to do the interview because they worry we have other intention.
We will read more information about the paternity leave and prepare well before interview. We will also introduce ourselves when we do the interview and explain the aims of our interview. This can help them to understand that the interview is for study only. Moreover, we will use simple word in our questionnaire. If they don’t understand the questions, we also can explain to them.

- **Problems on online survey**

  In the online survey, there will be problems if interviewees do not understand the questions because we cannot explain to them and follow up the answers if they do not make sense. We must get accurate answers from them because their idea will affect the outcome and our analysis.

  In order to solve the problems, we will set the questions clearly and concisely. It will help the interviewees to understand and complete the questionnaire easily.

- **Problems on searching information**

  Since there are only a few countries carry out ordinance on paternity leave and the information is not shown in English, we have difficulties on searching relevant information.

  Therefore, we will ask experts or organizations to get more information because they can provide us more information on other countries and different views on carrying out the ordinance.
**Foreseeable Contributions from the Study**

Even though there are difficulties doing the project, it is still a good chance for us to learn many other things.

First of all, we can learn more skills and knowledge in doing this project. We can learn not only the knowledge on paternity leave but also how to communicate with professionals and public because good communication skill can help us to get the information more easily. It also can help us to improve personal relationship and our personal network.
Essential of Our Suggested Ordinance

● Only registered couples can enjoy the right.

● A continuous period of 7 days’ paternity leave with 80% monthly salary. He can give up the leave but the leave cannot be accumulated.

● He has been employed under a continuous contract for not less than 40 weeks immediately before the commencement of scheduled paternity leave. Otherwise, he also can enjoy the leave without payment.

● He provides his employer with a certificate of a qualified medical practitioner certifying that his wife is pregnant and certificate of marriage.

● The 1st to 3rd babies of each couple can enjoy the right under this ordinance.

● An employer who fails to grant paternity leave to employee or fails to pay paternity leave pay to the employee is liable to prosecution and, upon conviction, to a fine of $50,000.

● It is an offence for an employer to dismiss employee after provision of certificate. The employer is liable to prosecution and, on conviction, to a fine of $100,000 per each case. Besides, the employer is also required to pay the following sums of money to the dismissed employee within 7 days after the day of termination including wages in lieu of notice and a further sum equivalent to one month’s wages as compensation.
Trial of Table Content (Final Report)

CHAPTER 1  Introduction

1.1 Background of study

1.2 Aims

1.3 Objective

CHAPTER 2  The current situation of Hong Kong

CHAPTER 3  Analysis the other countries

CHAPTER 4  Essential on or suggested ordinances

CHAPTER 5  Questionnaire survey

5.1 Introduction

5.2 Research design and implementation

5.3 Data analysis

CHAPTER 6  Conclusions

CHAPTER 7  Recommendations

List of References

Bibliography

Appendices
### Time Schedule

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<tr>
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| September/07 | • Discuss and confirm the project title (including project aims, objectives and methodology)  
                  • Information searching  
                  • Planning progress of the project |
| October    | • Information searching and reading  
                  • Background reading  
                  • Writing and submit draft proposal |
| November   | • Drafting questionnaires  
                  • Set up draft ordinance and supervision measures  
                  • Send invitation letter to professionals and organizations  
                  • Writing and submit final research proposal  
                  • Prepare the presentation on final research proposal |
| December   | • Final research proposal presentation  
                  • Interview experts, organization and public  
                  • Send online questionnaires to public (IVE’s students) |
| January/08 | • Tidy up all questionnaires  
                  • Analyze all collected data |
| February   | • Analyze all collected data  
                  • Draft the draft research report |
| March      | • Writing and submit draft research report  
                  • Draft the final research report |
| April      | • Submit final research report  
                  • Prepare the presentation on final report |
| May        | • Final report presentation  
                  • Submit project deliverables on CD |
## Distribution of Work

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|      | - Decide the project title  
|      | - Information searching and reading  
|      | - Proof reading  
|      | - Put the data in order  
|      | - Proposal typing  
|      | (methodology, objectives, distribution of work and anticipated problems)  
|      | - Draft ordinance (English)  
|      | - Design questionnaires (English)  
|      | - Interview  
|      | - Analysis collected data  
|      | - Final report typing  
|      | (executive summary, analysis on other countries, data analysis)  |
|      | - Decide the project title  
|      | - Information searching and reading  
|      | - Proposal typing (trial table content, anticipated problems and solutions)  
|      | - Translation of data  
|      | - Draft ordinance (Chinese)  
|      | - Design questionnaires (Chinese)  
|      | - Interview  
|      | - Video recording  
|      | - Analysis collected data  
|      | - Final report typing  
|      | (data analysis, research design, interview result, list of reference)  |
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- City University of Hong Kong:
  es00-04.htm

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  eadlines&date=2007-06-16&id=2402142

- 大新銀行設立男士待產假:
### Appendix 1: 主要健康指标

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### 衛生署衛生防護中心:

### 年中人口、出生率、死亡率及婴儿死亡率

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<td>女性</td>
<td>83.9</td>
<td>84.6</td>
<td>84.5</td>
<td>84.3</td>
<td>84.7</td>
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</tbody>
</table>

City University of Hong Kong:
Appendix 2: Population Pyramid, 2006

2006 Population By-census:
www.bycensus2006.gov.hk/
Appendix 3: Population pyramid, 1996

2006 Population By-census:
www.bycensus2006.gov.hk/
Appendix 4: 一九九六年、二零零一年及二零零六年按年齡

組別劃分的人口

<table>
<thead>
<tr>
<th>年齡組別</th>
<th>1996</th>
<th>2001</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>佔總計的百 分比</td>
<td>佔總計的百 分比</td>
<td>佔總計的百 分比</td>
</tr>
<tr>
<td>0 - 14</td>
<td>1 151 038</td>
<td>109 178</td>
<td>939 675</td>
</tr>
<tr>
<td>15 - 24</td>
<td>869 511</td>
<td>920 445</td>
<td>909 005</td>
</tr>
<tr>
<td>25 - 34</td>
<td>1 188 424</td>
<td>1 108 529</td>
<td>1 052 126</td>
</tr>
<tr>
<td>35 - 44</td>
<td>1 178 522</td>
<td>1 360 487</td>
<td>1 248 855</td>
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<tr>
<td>45 - 54</td>
<td>683 569</td>
<td>960 417</td>
<td>1 193 788</td>
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<tr>
<td>55 - 64</td>
<td>516 937</td>
<td>502 042</td>
<td>668 101</td>
</tr>
<tr>
<td>65+</td>
<td>629 555</td>
<td>747 052</td>
<td>852 796</td>
</tr>
<tr>
<td>總計</td>
<td>6 217 556</td>
<td>6 708 389</td>
<td>6 864 346</td>
</tr>
</tbody>
</table>

Census and Statistic Department:
http://www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index_tc.jsp?htmTableID=135&excelID=&chartID=&tableID=137
Appendix 5: Labour force participation rates (Female) by Sex and Age, 1996 and 2006

2006 Population By-census:
www.bycensus2006.gov.hk/
Appendix 6: Never married population aged 15-44 by sex and age, 1996 and 2006

2006 Population By-census:
www.bycensus2006.gov.hk/
Appendix 7: 贊成公司為男性僱員提供有薪待產假的數據

<table>
<thead>
<tr>
<th>項目</th>
<th>人數</th>
<th>百分比</th>
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<tr>
<td>贊成</td>
<td>320</td>
<td>80%</td>
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<tr>
<td>不贊成</td>
<td>27</td>
<td>7%</td>
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<tr>
<td>無意見</td>
<td>52</td>
<td>13%</td>
</tr>
<tr>
<td></td>
<td>399</td>
<td>100%</td>
</tr>
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</table>

Tam Heung Man (Member of Legislative Council):
www.mandytam.com/download/b5_survey_20070429.pdf
### Appendix 8: Sweden’s birthrate crude (per 1000 people)

<table>
<thead>
<tr>
<th>Year</th>
<th>Rate</th>
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<tbody>
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</tr>
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<td>1998</td>
<td>10</td>
</tr>
<tr>
<td>1999</td>
<td>9.9</td>
</tr>
<tr>
<td>2000</td>
<td>10.2</td>
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<td>2001</td>
<td>10.4</td>
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<tr>
<td>2002</td>
<td>10.6</td>
</tr>
<tr>
<td>2003</td>
<td>11</td>
</tr>
<tr>
<td>2004</td>
<td>11.2</td>
</tr>
</tbody>
</table>

World Perspective Monde: