

立法會
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Paper for the House Committee meeting on 10 July 2001

**Report of the Panel on Manpower on
the proposed Factories and Industrial Undertakings
(Gas Welding and Flame Cutting) Regulation**

Purpose

This paper reports on the deliberations of the Panel on Manpower on the proposed Factories and Industrial Undertakings (Gas Welding and Flame Cutting) Regulation.

Background

2. The Secretary for Education and Manpower (SEM) gave notice to move a motion at the meeting of the Legislative Council on 11 July 2001 to seek the Council's approval for the Factories and Industrial Undertakings (Gas Welding and Flame Cutting) Regulation made by the Commissioner for Labour under section 7 of the Factories and Industrial Undertakings Ordinance (Cap. 59) on 21 June 2001.
3. The proposed Regulation seeks to introduce the requirement for mandatory safety training for operators of gas welding and flame cutting equipment.
4. At the meeting of the House Committee on 29 June 2001, Members agreed that the proposed Regulation should first be discussed by the Panel on Manpower at its meeting on 10 July 2001, and that SEM should withdraw the notice for moving the motion.
5. Hon LAU Chin-shek, Chairman of the Panel, subsequently decided that the proposed Regulation should be discussed at the meeting of the Panel on 4 July 2001 as the meeting scheduled for 10 July 2001 would not be held.

Deliberations of the Panel

6. The main deliberations of the Panel are summarised below.
7. The Panel notes that the proposed Regulation requires a proprietor to ensure that gas welding and flame cutting work is only performed by -
 - (a) a person who has attained the age of 18 years and holds a valid certificate issued by the organiser of a relevant training course ; or
 - (b) a person who is undergoing training in performing gas welding and flame cutting work, and the performance of such work is supervised by a person who has attained the age of 18 years and holds a valid certificate.
8. The Panel also notes that after the proposed Regulation has come into operation, operators of gas welding and flame cutting equipment have to be a holder of a valid certificate issued by training bodies or organisations approved by the Commissioner for Labour to run the relevant training course, before they can perform the gas welding and flame cutting work.
9. In response to members' question concerning the provision of training in operating gas welding and flame cutting equipment, the Administration has advised that under section 4 of the proposed Regulation, a proprietor is required to provide the relevant training course to employees who are instructed to perform gas welding and flame cutting work.
10. The Panel has also discussed a submission from the Welding Industry Employees Association in relation to the proposed Regulation. The Administration has clarified that electrical welding work is not covered by the proposed Regulation. The Administration has explained that gas welding and flame cutting work is common in various trades and industries. Despite the relative ease of operations, gas welding and flame cutting equipment is prone to cause fire or explosion if not handled properly. Following the tragic explosion in Yuen Long in early 2000 arising from gas welding and flame cutting work, the Administration has consulted the relevant employers' associations, trade unions and training bodies on safety training for employees undertaking such work. The general consensus is that given the high risk involved, priority should be given to regulating the safety of gas welding and flame cutting work through introducing mandatory safety training for operators of gas welding and gas cutting equipment, and that the Administration should consider whether there is a need to introduce mandatory safety training for the operators of electrical welding equipment at a later stage.
11. A member has suggested that the Government should consider providing subsidy to employees who undergo the relevant training courses. The Administration has explained that the proprietor concerned has the responsibility to provide safety training

courses to ensure that his employees are adequately trained and competent to perform gas welding and flame cutting work. It is also the responsibility of the proprietor concerned to provide the relevant training in other similar mandatory safety training regulations. The Administration, therefore, has reservations about the member's suggestion.

12. Regarding the fee for the training courses, the Administration has advised that the Vocational Training Council, the Construction Industry Training Authority and the Occupational Safety and Health Council have pledged their support for running the training courses required under the proposed Regulation. The training providers will run the mandatory safety training courses on a cost-recovery basis. The fee for each participant is estimated to be about \$400 to \$500.

13. Members of the Panel express support for the proposed Regulation.

Advice Sought

14. Members are invited to note the deliberations of the Panel.

Council Business Division 2
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