

立法會
Legislative Council

LC Paper No. CB(2)885/01-02
(These minutes have been seen
by the Administration)

Ref : CB2/SS/4/00

**Subcommittee on
Occupational Safety and Health
(Display Screen Equipment) Regulation**

**Minutes of meeting
held on Friday, 21 December 2001 at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Andrew CHENG Kar-foo (Chairman)
Hon Kenneth TING Woo-shou, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
Hon HUI Cheung-ching
Hon LI Fung-ying, JP
Hon Henry WU King-cheong, BBS
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok

Members attending : Hon James TIEN Pei-chun, GBS, JP
Hon Eric LI Ka-cheung, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, JP

Members absent : Hon Cyd HO Sau-lan
Hon SIN Chung-kai
Hon YEUNG Yiu-chung, BBS
Hon Miriam LAU Kin-ye, JP

Public Officers attending : Mr K K LAM
Principal Assistant Secretary for Education and Manpower

Mr Fred TING
Deputy Commissioner for Labour (Occupational Safety and Health)

Dr LEUNG Lai-man
Occupational Health Consultant
Labour Department

Miss Cheryl CHOW
Assistant Secretary for Education and Manpower

Ms Marie SIU
Senior Government Counsel

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2) 1

Staff in attendance : Mr Arthur CHEUNG
Assistant Legal Adviser 5

Miss Betty MA
Senior Assistant Secretary (2)1

Action

I. Meeting with the Administration

The Subcommittee deliberated (Index of proceedings attached at **Annex.**)

2. The Subcommittee requested the Administration to consider the following and provide a response -

- (a) To make clear the meaning of "user" in the proposed Regulation having regard to members' concerns and suggestions raised at the meeting, particularly the duration of using display screen equipment (DSE) for a specified continuous or cumulative period which would be within the meaning of prolonged use of DSE;
- (b) To spell out clearly the detailed qualification in relation to "user" in a code of practice to be issued by the Commissioner for Labour under section 40 of the Occupational Safety and Health Ordinance; and

Action

- (c) To provide the relevant court cases in respect of the interpretation of the term "continuous".
- 3. Members agreed that the next meeting would be scheduled for 23 January 2002 at 10:45 am.
- 4. There being no other business, the meeting ended at 12:37 pm.

Council Business Division 2
Legislative Council Secretariat
11 January 2002

**Proceedings of the meeting of the Subcommittee on
Occupational Safety and Health (Display Screen Equipment) Regulation
on Friday, 21 December 2001, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
0000 - 0205	Chairman	Welcoming remarks	
0206 - 0401	Admin	Administration's response to the concerns raised at the meeting on 28 November 2001	
0402 - 0555	Ms LI Fung-ying	Administration's proposal to revise the definition of user	
0556 - 0636	Chairman	- ditto -	
0637 - 1146	Admin	- ditto -	
1147 - 1218	Ms LI Fung-ying	- ditto -	
1219 - 1352	Chairman	Rationale for proposing the revised definition of user	
1353 - 1626	Admin	- ditto -	
1627 - 1635	Chairman	- ditto -	
1636 - 2010	Mr LEE Cheuk-yan	Definition of user	
2011 - 2329	Admin	- ditto -	
2330 - 2413	Mr LEE Cheuk-yan	- ditto -	
2414 - 2543	Chairman	- ditto -	
2544 - 2617	Admin	- ditto -	
2618 - 2810	Dr LO Wing-lok	- ditto -	
2811 - 2829	Chairman	- ditto -	
2830 - 2836	Dr LO Wing-lok	- ditto -	
2837 - 2848	Chairman	- ditto -	
2849 - 3800	Miss Margaret NG	Effectiveness of incorporating the definition of user in a code of practice, and proposal to define user in the Regulation by making reference to the nature of work	√ Admin to consider the proposal
3801 - 3836	Chairman	Proposal to define user in the Regulation by making reference to the nature of work	
3837 - 3841	Miss Margaret NG	- ditto -	

3842 - 3903	Chairman	- ditto -	
3904 - 4104	Mr Kenneth TING	Need for the Regulation	
4105 - 4111	Chairman	- ditto -	
4112 - 4138	Dr LO Wing-lok	Clarification of his point on definition of user	
4139 - 4147	Chairman	Inviting members' views	
4148 - 4431	Mr James TIEN	Meaning of continuous use of DSE	
4432 - 4439	Chairman	- ditto -	
4440 - 4923	Mr LEUNG Fu-wah	Proposal to add cumulative use of DSE to the meaning of user	√ Admin to consider the proposal
4924 - 4949	Chairman	- ditto -	
4950 - 5054	Mr LEUNG Fu-wah	- ditto -	
5055 - 5059	Chairman	- ditto -	
5100 - 5252	Mrs Selina CHOW	- ditto -	
5253 - 5737	Miss Margaret NG	Proposal to define the meaning of user in the Regulation by nature of work	
5738 - 5819	Mr LEE Cheuk-yan	Meaning of prolonged use of DSE	
5820 - 5823	Chairman	- ditto -	
5824 - 5857	Mr LEE Cheuk-yan	- ditto -	
5858 - 5912	Chairman	- ditto -	
5913 - 010016	Mr James TIEN	- ditto -	
010017 - 010019	Chairman	- ditto -	
010020 - 010150	Miss Margaret NG	Study on DSE use and reported health symptoms in different trades	
010151 - 010200	Chairman	- ditto -	
010201 - 010313	Mrs Selina CHOW	- ditto -	
010314 - 010426	Mr LEE Cheuk-yan	- ditto -	
010427 - 010434	Chairman	- ditto -	
010435 - 010604	Ms LI Fung-ying	Definition of user	
010605 - 010736	Mr LEUNG Fu-wah	Request for background information on the medical surveys cited by the Administration	
010737 - 010927	Admin	- ditto -	
010928 - 011013	Chairman	- ditto -	
011014 - 011417	Mr James TIEN	Meaning of prolonged use of DSE by making reference to cumulative use of 6 hours daily or continuous use of 4 hours daily	√ Admin to consider
011418 - 011554	Dr LO Wing-lok	Meaning of prolonged use of DSE by making reference to the daily average hours using DSE	

011555 - 011934	Miss Margaret NG	- ditto -	
011935 - 012024	Chairman	Meaning of prolonged use of DSE	
012025 - 012050	Miss Margaret NG	- ditto -	
012051 - 012251	Admin	- ditto -	
012252 - 012354	Miss Margaret NG	Judicial interpretation of the term "continuous"	√ Admin to provide a response
012355 - 012714	Mrs Selina CHOW	Meaning of prolonged use of DSE	
012715 - 012826	Dr LO Wing-lok	Meaning of continuous use of DSE	
012827 - 012900	Mr Kenneth TING	- ditto -	
012901 - 012942	Mr HUI Cheung-ching	Need for clarifying the meaning of continuous use of DSE in the proposed Regulation	
012943 - 013041	Chairman	- ditto -	
013042 - 013526	Miss Margaret NG	- ditto -	
013527 - 013628	Mr LEUNG Fu-wah	Need for clarifying the meaning of user in the proposed Regulation and detailed qualification in relation to the term in the code of practice	
013629 - 013819	Mrs Selina CHOW	- ditto -	
013820 - 013840	Miss Margaret NG	- ditto -	
013841 - 014022	Mrs Selina CHOW	- ditto -	
014023 - 014053	Chairman	- ditto -	
014054 - 014151	Dr LO Wing-lok	Meaning of prolonged use of DSE	√ Admin to provide a response
014152 - 014204	Mr HUI Cheung-ching	- ditto -	
014205 - 014444	Miss Margaret NG	- ditto -	
014445 - 014506	Chairman	Administration to provide a response to concerns raised by members at the next meeting	
014507 - 014840	Admin	- ditto -	√ Admin to provide a response
014841 - 015026	Chairman	Date of next meeting	
015027 - 015042	Miss Margaret NG	- ditto -	
015043 - 015056	Chairman	- ditto -	

Note : The audio records of the above proceedings are kept at the LegCo Library

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