

in EMB 3/3/3231/95

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21 January, 2002

Clerk to Subcommittee
Legislative Council
Legislative Council Building
8 Jackson Road, Central
(Attn: Miss Betty MA)

Dear Miss Ma,

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

I refer to the Hon Sin Chung-kai's letter dated 4 January 2002 expressing concerns and suggestions from the information technology industry on the captioned Regulation. We would like to offer our comments on the points raised therein.

Suggestion 1: employee to sign on the risk assessment checklist upon completion

The industry suggests that the employee concerned should sign on the risk assessment checklist on completion of the assessment to show that he is aware of the assessment and the necessary follow-up actions. We agree that the employee should be informed of the findings of risk assessments and the follow-up actions taken. Since the responsible person is required, under section 6 of the Regulation, to make available to users the record of risk assessments and actions taken after the assessment, we do not consider it necessary to require the employee concerned to sign on the completed risk

assessment checklist.

Suggestion 2: providing a mechanism for reviewing a risk assessment

A mechanism for reviewing a risk assessment is already provided under section 4(4) of the Regulation, whereby the responsible person shall review the risk assessment performed in respect of a workstation if there has been a significant change in the workstation or he has reason to believe that there has been a significant change in the conditions of the previous assessment. The user of a workstation may report a significant change in the conditions of the previous assessment, e.g. marked deterioration in the quality of screen image because of aging display screen equipment. The responsible person should review the risk assessment when such a circumstance arises.

Does the Regulation apply to a portable system (notebook/laptop)?

For this Regulation to apply, a workstation in a workplace must be provided by a person responsible for the workplace to be used by users for work. Workstation, under section 2, means an assembly comprising the display screen equipment (DSE), chair, desk and peripheral items, and the immediate working environment around the DSE. Section 3(2) further provides that the Regulation does not apply to portable systems not in prolonged use. In other words, if a portable system, which forms part of a workstation to which this Regulation applies, is used for long periods, the Regulation applies and the responsible person is required, among other things, to perform a risk assessment of the workstation concerned before it is first used by users.

It would not be necessary, however, for the responsible person to perform a risk assessment of the workstation every day even if the workstation is used by different users on different days. As explained above, the risk assessment would need to be reviewed only when there has been a significant change in the conditions of the previous assessment or in the workstation in respect of which the assessment has been performed. Use of the workstation by different users every day would unlikely cause a significant change in the

conditions or in the workstation.

The Hon Sin has rightly pointed out that prolonged use of portable systems (notebooks and laptops) could cause safety and health risks. If a portable system is for prolonged use, the responsible person should reduce the associated risks to the lowest extent as is reasonably practicable. One practical measure to reduce these risks is by positioning the portable system at such a height that the top of its display screen is at about the eye level, and connecting it to an external keyboard positioned at about the elbow level, thus allowing the user to adopt a proper working posture.

I hope the above would help clarify the concerns raised by the information technology industry.

Yours sincerely,

(K K Lam)

for Secretary for Education & Manpower