

Land (Miscellaneous Provisions) (Amendment) Bill 2001

Chairman of Bills Committee, Mr. Lau, members of Legislative Council, press representatives, good morning. I am Chan Cheung, the president of Hong Kong General Building Contractors Association. I want to take this opportunity to discuss with you my views about the Charging and Punishment System of excavation works.

I would divide my views into six points:

(i) Simplifying the application procedures of applying for excavation license

Contractors have to lodge their application to the Highways Department, the Transport Department, the Police Force and The Environmental Protection Department before the actual start of excavation work. The application process is tediously long and complicated. As the communication between government departments are expected to be dense, the application for excavation license could be simplified. The highways department could consider being responsible for planning and arranging application procedures, while other departments at the same time sending representatives to assist the running. The efficiency would be promoted.

(ii) Improving the working progress

Before starting excavation work, a correct drawing of underground facilities should be prepared and trial of pits be done. Besides, the material, location, size and the

organization being responsible should be determined.

If the excavation work requires an alternation of underground facilities, departments involved should book and negotiate the number of days they need to occupy the site and the total number of days the excavation works takes. The name of the company or department responsible would be posted on the apologized/notice signage board.

Different parties should cooperate with each other. If any one of the parties were not able to return the site on time, a fine would be imposed.

According to the past experiences, excavation works are always delayed due to the lack of coordination between contractors. If the Bill were passed, those contractors responsible for excavation work would speed up their progress, being more responsible and reduce the possibility of making errors to minimum.

(iii) Working Arrangements

Excavation works could mainly be divided into 2 parts: Complementary works and supplementary works.

It is easier to estimate the completion date of supplementary works. Even if a work is delayed, the effect is not serious.

Examples of supplementary works are:

- (1) Paving of bricks and kerbs

- (2) Replacing of roadside gratings
- (3) Removal or Rewrite of Signs on Road surface.
- (4) Changing of pouts and lampposts.

For complementary works digging beyond 3 meters from the ground, problems from alternation of underground facilities would be much serious. As many parties are involved and they could not perform the alternation work at the same time, arrangements should be made to let different parties do their jobs respectively. Disputes would be stirred up and thus the completion date of the construction work could not be expected.

In fact, everybody should cooperate with each other. The government should consider improving the supervision of excavation works and avoid imposing fines.

(iv) **Relaxing restrictions of noise level**

The usual thickness of concrete on the surface of the road is 300mm to 400mm and they are very hard. Therefore, the noises produced while breaking down the road surface are exceeding the noise limit. We do hope that the authority would loosen the restrictions so that the work in period between 19:00 to 23:00 so that road works could be done as soon as possible and the effects to the public would be reduced to minimum.

(v) **Cancellation of Inspection Fee**

The idea that the government includes inspection fee into the administration expenses is

unreasonable, and could not be accepted, Let's try to imagine: The labor department and the fire services charges inspection fee while performing their inspection duties, and the Police force might charge people whom they are inspecting the identifications. Is this fair?

(vi) **Alternation of charges**

The government should explain how economic charges are calculated. If the calculations are based on the losses raised due to the delay of Road users, the government should then consider returning this money to those who are affected, but not putting the money directly into government's revenue. Moreover, the charging standard was calculated according to 2000's standard, after 2 years' economic deflation, should these charges be adjusted? Is there any mechanism that decides when economic charges are adjusted regularly?

Lastly, I do hope that members of Legislative council could understand the unprecedented tough situation we are experiencing. As more and more regulations are introduced, the chance of survival of employers and well as construction workers is greatly reduced. We hope very much that the regulations could be simplified, or even be repealed. Only a free trading environment could help the future development of construction industry.

For and behalf of
Hong Kong General Building Contractors Association

Chan Cheung, President