

立法會
Legislative Council

LC Paper No. CB(2)1646/02-03

(These minutes have been
seen by the Administration)

Ref : CB2/BC/10/01

**Bills Committee on Occupational Deafness
(Compensation) (Amendment) Bill 2002**

**Minutes of the 6th meeting
held on Thursday, 20 March 2003 at 8:30 am
in the Chamber of the Legislative Council Building**

Members Present : Dr Hon LO Wing-lok (Chairman)
Hon Kenneth TING Woo-shou, JP
Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon CHAN Kwok-keung
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung

Members Absent : Hon Albert HO Chun-yan
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon YEUNG Yiu-chung, BBS
Hon Frederick FUNG Kin-kee
Hon Audrey EU Yuet-mee, SC, JP

Member Attending : Hon Tommy CHEUNG Yu-yan, JP

Public Officers Attending : Mrs Jenny CHAN, JP
Assistant Commissioner for Labour
(Employees' Rights and Benefits)

Dr LO Wai-kee
Occupational Health Consultant
Labour Department

Mrs Bernadette LAI
Senior Labour Officer
Labour Department

Mr Sunny CHAN
Senior Government Counsel

Miss Amy CHAN
Government Counsel

Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Ms Dora WAI
Senior Assistant Secretary (2) 4

I. Confirmation of minutes
(LC Paper No. CB(2)1539/02-03)

The minutes of the meeting held on 11 March 2003 were confirmed.

II. Meeting with the Administration
(LC Paper Nos. CB(2)1413/02-03(01) to (04))

2. The Bills Committee noted the submissions from the Hong Kong Occupational Deafness Association and the Hong Kong College of Community Medicine.

3. The Bills Committee deliberated (Index of proceedings attached at **Annex**).

4. At the request of some members, the Administration agreed to provide details of the results of measurement conducted by the Labour Department on the daily

personal noise exposure of workers engaged in different work processes in a discotheque.

5. A majority of members, namely Ms LI Fung-ying, Ms Cyd HO, Mr LEE Cheuk-yan and Mr CHAN Kwok-keung, expressed support for Mr Andrew CHENG's proposal that the Bills Committee should move amendments to expand the scope of protection to cover all employees working in slaughterhouses, mahjong parlours and discotheques. Mr Kenneth TING, Mr Tommy CHEUNG, who was a non-Bills Committee Member, and the Administration opposed the proposal. They considered that only those in the four new noisy occupations who were exposed to a daily noise level at or above 90dB(A) should be covered as proposed in the Bill. Based on the majority view, Assistant Legal Adviser 5 (ALA5) would prepare the draft Committee Stage amendments (CSAs) to be moved by the Bills Committee.

6. The Bills Committee examined and accepted the CSAs proposed by the Administration as set out in LC Paper No. CB(2)1413/02-03(02)). The Administration indicated that it was prepared to narrow the scope of paragraph (zb) of Schedule 3 if members were concerned that the present version was not sufficiently clear.

7. The Chairman enquired whether there was a need to amend the scope of protection in respect of the existing 25 specified noisy occupations in Schedule 3 to ensure their consistency with the Bills Committee's proposal in respect of the four new noisy occupations. ALA5 advised that such amendments might not be necessary but she would further examine the issue and provide the Bills Committee with her views if such amendments were necessary.

8. The Bills Committee agreed that the draft CSAs to be moved by the Bills Committee as well as the additional information and CSAs to be provided by the Administration as mentioned in paragraphs 4 and 6 above would be circulated to members for their consideration and comments, if any. No further meeting was required unless requested by members.

III. Any other business

9. There being no other business, the meeting ended at 10:00 am.

**Proceedings of the 6th meeting of the
Bills Committee on Occupational Deafness
(Compensation) (Amendment) Bill 2002
on Thursday, 20 March 2003 at 8:30 am
in the Chamber of the Legislative Council Building**

| Time marker | Speaker | Subject(s) | Action required |
|--------------------|---|---|---|
| 000000 - 000203 | Chairman | (a) Confirmation of minutes (b) Submissions from Hong Kong Occupational Deafness Association and Hong Kong College of Community Medicine (LC Paper Nos. CB(2)1413/02-03(03) and (04)) | |
| 000204 - 001049 | Administration | Measurement of daily personal noise exposure of mahjong parlour workers (LC Paper No. CB(2)1413/02-03(01)) | |
| 001050 - 003217 | Ms LI Fung-ying Chairman Administration Mr LEE Cheuk-yan Mr Tommy CHEUNG Ms Cyd HO Mr Kenneth TING Mr Andrew CHENG | Proposal to expand the scope of protection to cover all employees working in mahjong parlours | |
| 003218 - 003552 | Mr LEE Cheuk-yan | Proposal to expand the scope of protection to cover employees exposing to a daily noise level slightly below 90dB(A) | |
| 003553 - 004857 | Chairman Mr Andrew CHENG ALA5 Ms LI Fung-ying Ms Cyd HO Mr LEE Cheuk-yan Mr Kenneth TING Mr Tommy CHEUNG Administration | Proposal to expand the scope of protection to cover all employees working in slaughterhouses, mahjong parlours and discotheques | |
| 004858 - 010244 | Mr Andrew CHENG Administration Chairman ALA5 Mr Tommy CHEUNG | (a) Details of the results of measurement conducted by Labour Department on the daily personal noise exposure of workers engaged in different work processes in a discotheque (b) Reasons for not specifying the work processes to be protected in respect of a discotheque as in the case of mahjong parlours | Admin to provide a response to (a) [see paragraphs 4 and 6 of minutes] |
| 010245 - 011106 | Mr CHAN Kwok-keung Administration Chairman Mr LEE Cheuk-yan | Compensation system for occupational deafness in Singapore | |
| 011107 - 011229 | Chairman | Whether there was a need to amend the scope of protection in respect of the existing 25 specified noisy occupations in Schedule 3 to ensure their consistency with the Bills Committee's proposal in respect of the four new noisy occupations | |

| Time marker | Speaker | Subject(s) | Action required |
|--------------------|----------------------------|--|---|
| 011230 - 011447 | Administration Chairman | CSAs proposed by the Administration (LC Paper No. CB(2)1413/02-03(02)) | |
| 011448 - 011815 | Chairman ALA5 | (a) CSAs proposed by the Bills Committee (b) Whether there was a need to amend the scope of protection in respect of the existing 25 specified noisy occupations in Schedule 3 to ensure their consistency with the Bills Committee's proposal in respect of the four new noisy occupations | ALA5 to follow up on (a) and (b) [see paragraphs 5 and 7 of minutes] |

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

Council Business Division 2
Legislative Council Secretariat
2 April 2003