

BOILERS AND PRESSURE VESSELS (AMENDMENT) BILL 2001

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for Education and Manpower

Clause

Amendment Proposed

2(a) By deleting the proposed section 6(1) and substituting -

"(1) The Authority may, upon application in writing, issue a certificate of competency to a person if that person -

- (a) has produced evidence that satisfies the Authority that he has adequate experience, skill and knowledge in the operation of all classes and types of boiler and steam receiver or of boilers or steam receivers, or both, of the class or type to be specified in the certificate, as the case may be; or
- (b) has, by passing an examination conducted by the Authority, satisfied the Authority that he

**ALL PASSED**

has adequate experience, skill and knowledge in the operation of all classes and types of boiler and steam receiver or of boilers or steam receivers, or both, of the class or type to be specified in the certificate, as the case may be."

2(b) By deleting the proposed section 6(3A) and substituting -

"(3A) The Authority may endorse an existing certificate of competency of, or issue a new certificate of competency to, a person under subsection (3) only if that person -

- (a) has produced evidence that satisfies the Authority that he has adequate experience, skill and knowledge in the operation of all classes and types of boiler and steam receiver or of boilers or steam receivers, or both, of the additional class or type, as the case may be; or
- (b) has, by passing an examination conducted by the Authority,

**ALL PASSED**

satisfied the Authority that he has adequate experience, skill and knowledge in the operation of all classes and types of boiler and steam receiver or of boilers or steam receivers, or both, of the additional class or type, as the case may be."

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By deleting paragraph (c) and substituting -

"(c) by repealing subsection (4) and substituting -

"(4) The Authority may -

- (a) revoke a certificate of competency if it ceases to be satisfied that the holder of the certificate has adequate skill or knowledge in the operation of all classes and types of boiler and steam receiver specified in the certificate; or
- (b) amend a certificate of competency by deleting a class or type of boiler or

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steam receiver specified in the certificate if it ceases to be satisfied that the holder of the certificate has adequate skill or knowledge in the operation of that class or type of boiler or steam receiver, as the case may be.";".

- 2(d) (a) By deleting the proposed section 6(7) and (8) and substituting -

"(7) A person who has taken an examination referred to in subsection (1)(b) or (3A)(b) may, within 28 days of being notified of his examination result, request in writing the Authority to review the result.

(8) Upon receipt of a request under subsection (7), the Authority shall review the examination result to which the request relates as soon as practicable and shall notify in writing the person of its decision within 28 days after the completion of the review.

**ALL PASSED**

(8A) The Authority shall consider any written representation submitted by the person concerned before it makes a decision under subsection (8).".

(b) In the proposed section 6(9), by deleting "(1), (3) or (4)(a)" and substituting "(1)(a), (3A)(a) or (4)(a) or (b)".

(c) By deleting the proposed section 6(10) and substituting -

"(10) A revocation or amendment of a certificate of competency by the Authority under subsection (4)(a) or (b), as the case may be, shall have immediate effect, notwithstanding any appeal lodged by the holder of the certificate against the decision under subsection (9).".

New

By adding immediately after clause 2 -

**"2A. Authority to keep certain registers, and particulars to be entered in register of boilers and pressure vessels**

Section 7(5) is amended by repealing everything after "revoked" where it first appears and substituting "under section 6(4)(a).".

**ALL PASSED**

7(b)

(a) In the proposed paragraph (b) of item 2, by deleting "6(1) or (3)" and substituting "6(1)(a) or (3A)(a)".

(b) In the proposed paragraph (c) of item 2, by deleting everything after "revoke" and substituting "or amend a certificate of competency under section 6(4)(a) or (b), as the case may be.".

**ALL PASSED**