

According to the information provided by the Labour Department, Labour Inspectors visited 158 public toilets in February and March 2001 to check if the provisions of the Employment Ordinance had been compiled. 469 summonses were subsequently issued on seven cleansing contractors for breach of statutory holiday provisions. So far, 246 convictions were recorded and 211 summonses were either withdrawn or dismissed. The remaining 12 summonses are still pending hearing in court.

2. In order to prevent contractors providing cleansing services for the Food and Environmental Hygiene Department (FEHD) from exploiting their staff, starting from June 2001, a new clause has been incorporated in the tender document. The new clause stipulates that conviction records of breaches of the Employment Ordinance and the Immigration Ordinance arising from the performance of the relevant contract or any other FEHD contracts will be a sufficient ground for the Director of Food and Environmental Hygiene to suspend the contractor from tendering for FEHD contracts in future. The duration of suspension will depend on the seriousness of the offence(s) and other relevant considerations in connection with the performance of the contractor.

3. No contractor has so far been disqualified from bidding in FEHD's tendering exercises. However, tenderers' past performance and conviction records under the Employment Ordinance and the Immigration Ordinance will be taken into account under the marking schemes used in the evaluation of tenders.