

立法會
Legislative Council

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Tel : 2869 9205

Date : 6 November 2003

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 26 November 2003

**Proposed resolution under
the Factories and Industrial Undertakings Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Economic Development and Labour will move at the Council meeting of 26 November 2003 under the Factories and Industrial Undertakings Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The draft speech, in both English and Chinese versions, which the Secretary for Economic Development and Labour will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE

RESOLUTION

(Under section 7 of the Factories and Industrial Undertakings Ordinance (Cap. 59))

RESOLVED that -

- (a) the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear)(Amendment) Regulation 2003;
- (b) the Factories and Industrial Undertakings (Suspended Working Platforms)(Amendment) Regulation 2003; and
- (c) the Factories and Industrial Undertakings (Loadshifting Machinery)(Amendment) Regulation 2003, made by the Commissioner for Labour on 28 May 2003, be approved.

**FACTORIES AND INDUSTRIAL UNDERTAKINGS (LIFTING APPLIANCES
AND LIFTING GEAR)(AMENDMENT) REGULATION 2003**

(Made under section 7 of the Factories and
Industrial Undertakings Ordinance
(Cap. 59) subject to the approval
of the Legislative Council)

1. Interpretation

Regulation 3(1) of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap. 59 sub. leg. J) is amended, in the definition of "owner", by repealing "and, in the case of a lifting appliance" and substituting ", and the contractor who has control over the way any construction work which involves the use of the lifting appliance or lifting gear is carried out and, in the case of a lifting appliance or lifting gear".

Fred TING

Commissioner for Labour

28 May 2003

Explanatory Note

The purpose of this Regulation is to amend the definition of "owner" in the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap. 59 sub. leg. J) to extend the duties imposed on the owner to the contractor who has control over the way any construction work which involves the use of a lifting appliance or lifting gear is carried out.

**FACTORIES AND INDUSTRIAL UNDERTAKINGS (SUSPENDED WORKING
PLATFORMS)(AMENDMENT) REGULATION 2003**

(Made under section 7 of the Factories and
Industrial Undertakings Ordinance
(Cap. 59) subject to the approval
of the Legislative Council)

1. Interpretation

Section 3(1) of the Factories and Industrial Undertakings (Suspended Working Platforms) Regulation (Cap. 59 sub. leg. AC) is amended, in the definition of "owner", by adding ", and the contractor who has control over the way any construction work which involves the use of the suspended working platform is carried out" before "and, in the case of".

Fred TING

Commissioner for Labour

28 May 2003

Explanatory Note

The purpose of this Regulation is to amend the definition of "owner" in the Factories and Industrial Undertakings (Suspended Working Platforms) Regulation (Cap. 59 sub. leg. AC) to extend the duties imposed on the owner to the contractor who has control over the way any construction work which involves the use of a suspended working platform is carried out.

**FACTORIES AND INDUSTRIAL UNDERTAKINGS (LOADSHIFTING
MACHINERY)(AMENDMENT) REGULATION 2003**

(Made under section 7 of the Factories and
Industrial Undertakings Ordinance
(Cap. 59) subject to the approval
of the Legislative Council)

1. Interpretation

Section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG) is amended, in the definition of "responsible person", by adding ", and the contractor who has control over the way any construction work which involves the use of the machine is carried out" before "and, in the case of".

Fred TING

Commissioner for Labour

28 May 2003

Explanatory Note

The purpose of this Regulation is to amend the definition of "responsible person" in the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG) to extend the duties imposed on a responsible person to the contractor who has control over the way any construction work which involves the use of a loadshifting machine is carried out.