

立法會
Legislative Council

LC Paper No. CB(1)600/04-05
(These minutes have been seen
by the Administration)

Ref : CB1/BC/1/04

Bills Committee on Construction Industry Council (No. 2) Bill

**Minutes of second meeting held on
Thursday, 2 December 2004, at 9:00 am
in the Chamber of the Legislative Council Building**

- Members present** : Hon KWONG Chi-kin (Chairman)
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHAN Yuen-han, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, SBS, JP
Hon Patrick LAU Sau-shing, SBS, JP
- Public officers attending** : Mr Clement CHEUNG
Deputy Secretary for Environment, Transport and
Works (Works) 1
- Miss Agnes KWAN
Assistant Secretary for Environment, Transport and
Works (Industry Review)
- Ms Frances HUI
Senior Government Counsel
Department of Justice
- Miss Selina LAU
Government Counsel
Department of Justice

Attendance by invitation : Provisional Construction Industry Co-ordination Board

Mr Keith KERR
Chairman

Construction Industry Training Authority

Mr Gordon W F CHO
Executive Director

Mr Tony K L YAU
Accounting Manager

Hong Kong Construction Sub-Contractors Association

Mr Eric TSE
Chairman

Mr Lawrence NG
Vice-Chairman

Hong Kong Marble & Granite Merchants Association

Ms Jackie TSANG
Chairman

Mr Joe TSIEH
Vice-Chairman

Construction Site Staff Association (建築地盤職工總會)

Mr CHAN Che-leung
Chairman

Mr POON Man-hon
Organizing Secretary

Mixer Truck Drivers Association

Mr CHAN Sam-choi
Secretary

Mr CHEUNG Sheung-yee
Vice-Chairman

Hong Kong Dumper Truck Drivers Association

Mr HO Hung-fai
Secretary

Hong Kong & Kowloon Bamboo Scaffolders General Merchants Association

Mr CHOI Chi-ming
Chairman

Mr LAI Kwok-hung
Council Member

Hong Kong General Building Contractors Association Ltd.

Mr Teddy TO
Vice President

Clerk in attendance : Miss Odelia LEUNG
Chief Council Secretary (1)4

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Ms Sarah YUEN
Senior Council Secretary (1)6

Action

I Confirmation of minutes

(LC Paper No. CB(1)347/04-05 -- Minutes of meeting on
5 November 2004)

The minutes of the first meeting held on 5 November 2004 were confirmed.

II Meeting with deputations and the Administration

(LC Paper No. CB(1)374/04-05(01) -- Submission dated
30 November 2004 from
Provisional Construction
Industry Co-ordination Board
LC Paper No. CB(1)306/04-05(04) -- Submission from
Construction Industry

- LC Paper No. CB(1)306/04-05(01) -- Training Authority Submission dated 18 November 2004 from Hong Kong Construction Sub-Contractors Association
- LC Paper No. CB(1)306/04-05(02) -- Submission dated 18 November 2004 from Hong Kong Marble & Granite Merchants Association
- LC Paper No. CB(1)306/04-05(03) -- Submission from Construction Site Staff Association (建築地盤職工總會)
- LC Paper No. CB(1)306/04-05(05) -- Submission from Mixer Truck Drivers Association
- LC Paper No. CB(1)306/04-05(06) -- Submission from Hong Kong Dumper Truck Drivers Association
- LC Paper No. CB(1)306/04-05(13) -- Submission from Hong Kong Housing Society
- LC Paper No. CB(1)306/04-05(14) -- Submission from The Real Estate Developers Association of Hong Kong
- LC Paper No. CB(1)306/04-05(15) -- Submission from MTR Corporation
- LC Paper No. CB(1)374/04-05(02) -- Submission from The Hong Kong Institution of Engineers
- LC Paper No. CB(1)374/04-05(03) -- Submission from Hong Kong Institute of Real Estate Administration
- LC Paper No. CB(1)346/04-05(01) -- List of follow-up actions arising from discussion at the meeting on 5 November 2004
- LC Paper No. CB(1)346/04-05(02) -- Administration's response to the list of follow-up actions arising from discussion at the meeting on 5 November 2004
- LC Paper No. CB(1)346/04-05(03) -- Information paper provided by the Administration on "Progress in Taking Forward Recommendations of the Construction Industry Review Committee
- LC Paper No. CB(1)374/04-05(04) -- Summary of concerns/views raised by organizations (as at 29 November 2004))

2. Mr Patrick LAU Sau-shing declared interests as member of the Construction Industry Training Authority.

3. Members noted that the meeting would last until 11:30 am to facilitate their attendance at the special meeting of the Panel on Manpower scheduled for 11:30 am. They also noted that as agreed at the first meeting, the Clerk had issued a press release and 56 invitation letters to organizations and district councils, and placed an advertisement in one local Chinese newspaper and one local English newspaper and a notice on the website of the Legislative Council on 10 November 2004.

4. The Bills Committee deliberated (Index of proceedings attached at the **Appendix**).

Admin 5. The Administration was requested to provide a written response to deputations' views in due course.

III Any other business

6. Members noted that ten deputations would attend the next meeting to be held on Thursday, 9 December 2004, at 9:00 am.

7. The meeting ended at 11:35 am.

**Proceedings of the second meeting of the
Bills Committee on Construction Industry Council (No. 2) Bill
on Thursday, 2 December 2004, at 9:00 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 – 000454	Chairman	Confirmation of minutes of the meeting held on 5 November 2004 (LC Paper No. CB(1)347/04-05) Opening remarks	
000455 – 002247	Provisional Construction Industry Co-ordination Board (PCICB)	Presentation of views (LC Paper No. CB(1)374/04-05(01))	
002248 – 002719	Construction Industry Training Authority (CITA)	Presentation of views (LC Paper No. CB(1)306/04-05(04))	
002720 – 002919	Hong Kong Construction Sub-Contractors Association (HKCSCA)	Presentation of views (LC Paper No. CB(1)306/04-05(01))	
002920 – 003009	Hong Kong Marble & Granite Merchants Association (HKMGMA)	Presentation of views (LC Paper No. CB(1)306/04-05(02))	
003010 – 003124	Construction Site Staff Association (建築地盤職工總會) (CSSA)	Presentation of views (LC Paper No. CB(1)306/04-05(03))	
003125 – 003241	Mixer Truck Drivers Association (MTDA)	Presentation of views (LC Paper No. CB(1)306/04-05(05))	
003242 – 003429	Hong Kong Dumper Truck Drivers Association (HKDTDA)	Presentation of views (LC Paper No. CB(1)306/04-05(06))	

Time marker	Speaker	Subject(s)	Action required
003430 – 003524	Hong Kong & Kowloon Bamboo Scaffolders General Merchants Association (HKKBSGMA)	Presentation of views	
003525 – 003644	Hong Kong General Building Contractors Association Ltd. (HKGBCA)	Presentation of views	
003645 – 004912	Ms Emily LAU PCICB CITA HKDTDA MTDA	<p>Discussion on the composition of the Construction Industry Council (CIC) –</p> <p>(a) Rationale behind PCICB’s comment that a prescriptive approach whereby professional bodies and trade associations were allowed to nominate their own candidates would narrow down the scope of representation, and the reasons why appointment of members to CIC in personal capacity was better</p> <p>(b) Merits of appointing CIC members from nominees by professional bodies and trade associations</p> <p>(c) Query of how HKDTDA could be represented in CIC</p> <p>(d) How energy and enthusiasm required of future CIC members could be secured</p> <p>MTDA’s allegation that they had not been able to convey their views to PCICB despite the latter’s emphasis on the importance of consultation</p>	
004913 – 005417	Mr Howard YOUNG PCICB	Elaboration of PCICB’s view that it might be worthwhile to explore the flexibility of providing for a systematic consultation process before appointments to CIC were confirmed	

Time marker	Speaker	Subject(s)	Action required
005418 – 010818	Ms LI Fung-ying PCICB CSSA HKCSCA	<p>Need to appoint CIC members as representatives of industry stakeholders to ensure proper representation, acceptability and accountability which would enable CIC to spearhead reforms</p> <p>The need for balanced representation in CIC and how this could be achieved</p> <p>Views on the optimal number of members representing construction workers in CIC to ensure proper reflection of their views</p>	
010819 – 011805	Mr LEE Cheuk-yan CITA	<p>A member's indication of support for the following –</p> <ul style="list-style-type: none"> (a) appointing CIC members from nominees by professional bodies and trade associations; (b) representation of subcontractors in CIC; and (c) increasing the number of members representing construction workers in CIC to five. <p>Discussion on how the long established salary scale and employment terms of existing staff in CITA would be preserved in full upon transfer to CIC (clause 82)</p>	
011806 – 013337	Mr Patrick LAU PCICB	<p>Pros and cons of appointing CIC members from nominees by professional bodies and trade associations and of appointing CIC members in personal capacity</p> <p>Need to consider a mixed mode of composition of CIC</p> <p>Work of PCICB and its present system of industry consultation</p>	
013338 – 020529	Mrs Selina CHOW MTDA	Need to achieve a balanced sectoral representation on CIC to safeguard	

Time marker	Speaker	Subject(s)	Action required
	HKMGMA HKDTDA CSSA Ir Dr Raymond HO PCICB CITA	industry interests at large How CIC could enhance good communication with the industry Need to have objective criteria for the appointment of members of CIC by the Secretary for the Environment, Transport and Works (the Secretary) A member's emphasis on effective representation of engineers in CIC, and his strong objection to appointment of CIC members in personal capacity	
020530 – 022023	Mr Alan LEONG HKDTDA HKCSCA CSSA PCICB	Need to consider the composition of CIC (clause 9) in light of its functions (clauses 5 and 6) Need to identify all principal sectors involved in construction and the best formula for ensuring balanced representation of all such sectors in CIC Composition and operation of PCICB, and how its members were selected Participation of subcontractors in the future Construction Industry Training Board	
022024 – 022912	Miss CHAN Yuen-han PCICB CITA	Rationale behind appointing CIC members in personal capacity (clauses 9(3)(b) and 9(3)(e)) Views on how to improve the representation of construction workers in CIC How continuance of employment for staff in CITA could be ensured (clause 82)	
022913 – 022959	Chairman	Date of next meeting	

Council Business Division 1
Legislative Council Secretariat
31 December 2004