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**[By Fax: 2869 6794 (5 pages)]**

13 April 2005

Hon KWONG Chi-kin  
Chairman, Bills Committee on  
Construction Industry Council (No.2) Bill  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong

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

**Nominating Organizations for  
the Category of “Trade Unions”  
and Further Changes to Proposed Functions**

The Administration has undertaken to draw up a list of nominating organizations for the category of “trade unions” and consider further changes to the proposed functions of the Construction Industry Council (CIC).

For nominating organizations, we have conducted a brief research on those trade unions intended to be covered by clause 9(e) and suggest to base our selection criteria upon history of formation and size of membership, while taking reference from earlier feedback provided by the Bills Committee on other industry sectors as outlined below –

- (a) nominating organizations should be labour unions registered under the Trade Unions Ordinance (Cap.332) for a minimum period of four years;
- (b) nominating organizations should demonstrate both the willingness and capability to spearhead industry reforms;
- (c) nominating organizations should have a membership of not less than 100 construction workers; and
- (d) trade federations rather than their member associations should be selected, where appropriate.

Applying the above principles, seven nominating organizations have been identified at *Annex A*. To take things forward in an expedient manner, we will seek advice from the Provisional Construction Industry Co-ordination Board and other relevant parties in parallel. Subject to any refinements necessitated by this consultative process, final endorsement will be sought from Members on a consolidated list of nominating organizations in due course.

On the proposed functions of CIC, we have carefully taken stock of concerns expressed on the problems arising from multi-layer subcontracting, employment-related disputes and lack of proper insurance cover for genuine workers who took up self-employed status. Bearing in mind the need to balance different interests and to preserve overall coherence, a set of revised Committee Stage Amendments to clause 5 is set out at *Annex B*.

( Clement Cheung )  
for Secretary for the Environment,  
Transport and Works

**Nominating Organizations  
for the Category of “Trade Unions”**

Hong Kong and Kowloon Electrical Engineering and Appliances  
Trade Workers Union

Hong Kong General Union of Lift and Escalator Employees

Hong Kong Construction Industry Employees General Union

Construction Site Workers General Union

Union of Hong Kong Electrical Engineering Assistants

Consultant Engineering Firm Resident Site Staff Association

Hong Kong Electrical Engineering Professional Employees Association

CONSTRUCTION INDUSTRY COUNCIL (NO. 2) BILL

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for the  
Environment, Transport and Works

<u>Clause</u>	<u>Amendment Proposed</u>
5	<p>(a) By adding -</p> <p>“(ba) to advise and make recommendations to the Government on how to address the concerns of the construction industry regarding employment matters, multi-layer subcontracting practice, project supervision and management, and dispute resolution mechanisms;”.</p> <p>(b) In paragraph (h), by deleting “site safety” and substituting “occupational</p>

safety and health".

(c) By adding -

"(ha) to enhance the cohesiveness of the construction industry by promoting harmonious labour relations and observance of statutory requirements relating to employment, and by facilitating communication among various sectors of the industry;".