

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

**Summary of concerns/views raised by organizations
(as at 29 November 2004)**

Issue/Clause	Organization	Concern/view
Establishment of Construction Industry Council (CIC) Clause 4	REDA CITA HKMGMA HKHS PGBC MTR HKIA HKCA HKCSCA HKIE	Support the establishment of CIC
	CITASA	Support industry reform
	HKCIEGU	In principle does not oppose to the establishment of CIC but doubt whether the CIC can meet the industry's expectations in consideration of the work done by Provisional Construction Industry Co-ordination Board over the past years
Composition of CIC Clause 9	REDA	Support proposed composition of CIC
	HKCSCA	Support proposed composition of CIC and hope to be represented in CIC
	HKMGMA	Support representation of subcontractors in CIC

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	MTR	Support appointment of members to CIC on individual capacity to provide members with autonomy to contribute actively. Industry bodies may suggest candidates for appointment but the selection must be based on personal capability
	HKHS HKCA HKIA CITA PGBC HKIE	Object appointment of members on individual capacity. Suggest that members of CIC other than public officers should be appointed from nominees by professional bodies, trade associations and labour unions. Reasons given include: <ul style="list-style-type: none"> - nominees will be accepted by the representing professions; - nominees will reflect the views of the representing professions; - nominees representing the profession will have a duty to report back to the professions; and - appointment on individual capacity may lead to empire building and cronyism.
	PGBC	Suggest PGBC being one of the professional bodies to make nominations
	CEFRSSA	Suggest to expressly provide in clause 9(3)(e) that site supervisory staff be represented
	CSSA HKDTDA	Suggest to increase the number of members representing construction workers in CIC
	MTDA	Suggest to increase the number of members representing construction workers in CIC to three

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	HKIA	<p>Support the CIC Chairman not being a public officer</p> <p>Suggest:</p> <ul style="list-style-type: none"> - to increase membership of CIC to allow greater representation; and - to increase members of CIC representing professions and lay members representing consumers.
	HKCA	<p>Suggest:</p> <ul style="list-style-type: none"> - nominees of organizations need to meet qualifications prescribed by CIC; - organizations to nominate more than one candidate to allow CIC to choose; - the nominating organizations to delegate full authority to their representative and stand by their views; and - members of other key CIC committees be nominated by key industry associations and professional institutions.
	HKIE	Suggest that HKIE nominate two representatives for appointment to CIC
<p>Establishment and composition of Construction Industry Training Board (CITB)</p> <p>Clause 31 and section 2 in Schedule 3</p>	HKHS	Support CITB taking over the functions of CITA
	REDA	Support the proposed composition of CITB
	CITA HKCA	Suggest members of CITB be nominated by professional bodies and trade associations
	HKCA	The Chairman of CITB should be appointed from one of the representatives of HKCA as is traditionally the case.

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	HKIE	Suggest that HKIE nominate two members for appointment to CITB
Continuance of employment Clause 82	CITA	Support continuance of employment of CITA staff by CIC
	CITASA	The long-existing salary scale and employment terms of staff in the CITA should be preserved in full upon transfer to CIC. The remuneration and benefits of the staff concerned should not be cut to meet additional expenses arising from the expanded roles of CITB. Industry reform should not adversely affect the rights of CITA staff. Communication between CITA and its staff need to be improved.
Funding matters and imposition of levy	CITA	Suggest the Administration to provide fund or an interest-free loan for the setting up of CIC. The levy collected under the Industry Training (Construction Industry) Ordinance (Cap. 317) is for training and trade-testing and should not be deployed for other purposes.
	CITA HKCA	Need to work out financial arrangement early. Owing to the big drop in the value of construction operations subject to levy since 2002 and the expanded functions of CIC, the levy could not sustain the operation of CIC.
	HKCA	The financial resources for training should not be substantially reduced, especially during the first three years after the transition
	HKIE	Not oppose imposition of levy but the money must be used for the discharge of functions of CIC for the benefits of the industry. Should the levy be increased in future, thorough consultation with the industry is necessary

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Provision of information Clause 61	CITA	Relevant Government departments and utility companies should be required to provide information relating to engineering and mechanical works in order that works subject to levy could be traced. A new Part 3 under Schedule 4 should be added for the purpose.
Production documents Clause 62	HKIA	Definition of “any document ... that relates to the construction ...” in clause 62(1) is too wide and should be narrowed because most of the documentation in construction projects does not relate directly to the functions of CIC. The clause is about levy and should be in Part 5.
Others	HKCA	CIC should inherit privileges presently enjoyed by CITA, such as free land grant for training centres
	HKCIEGU	Suggest to form a select committee to map out measures to address the problems in the industry such as subcontracting, illegal employment, unemployment, wage cuts, wage arrears, and lack of insurance coverage for genuine construction workers who take up self-employed status.
	MTR	Strongly support the initiatives pursued by the Construction Industry Review Committee (CIRC) and the Provisional Construction Industry Co-ordination Board (PCICB) to achieve improvements in the construction industry

Submissions from organizations

Name of Organization	Reference No.
Hong Kong Construction Sub-Contractors Association (HKCSCA)	LC Paper No. CB(1) 306/04-05(01)
Hong Kong Marble & Granite Merchants Association (HKMGMA)	LC Paper No. CB(1) 306/04-05(02)
Construction Site Staff Association (建築地盤職工總會) (CSSA)	LC Paper No. CB(1) 306/04-05(03)
Construction Industry Training Authority (CITA)	LC Paper No. CB(1) 306/04-05(04)
Mixer Truck Drivers Association (MTDA)	LC Paper No. CB(1) 306/04-05(05)
Hong Kong Dumper Truck Drivers Association (HKDTDA)	LC Paper No. CB(1) 306/04-05(06)
Construction Industry Training Authority Staff Association (CITASA)	LC Paper No. CB(1) 306/04-05(07)
Consultant Engineering Firm Resident Site Staff Association (CEFRSSA)	LC Paper No. CB(1) 306/04-05(08)
Hong Kong Construction Industry Employees General Union (HKCIEGU)	LC Paper No. CB(1) 306/04-05(09)
The Hong Kong Institute of Architects (HKIA)	LC Paper No. CB(1) 306/04-05(10)
The Hong Kong Construction Association Ltd. (HKCA)	LC Paper No. CB(1) 306/04-05(11)
Professional Green Building Council (PGBC)	LC Paper No. CB(1) 306/04-05(12)
Hong Kong Housing Society (HKHS)	LC Paper No. CB(1) 306/04-05(13)

The Real Estate Developers Association of Hong Kong (REDA)	LC Paper No. CB(1) 306/04-05(14)
MTR Corporation (MTR)	LC Paper No. CB(1) 306/04-05(15)
The Hong Kong Institution of Engineers (HKIE)	LC Paper No. CB(1) 374/04-05(02)