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13 November 2007

Mrs Sharon TONG LEE Yin-ping
 Clerk to the Legislative Council Panel on Manpower
 Legislative Council Building
 8 Jackson Road
 Central
 Hong Kong

Dear Mrs TONG

**Administration's Response to Items 5(a) and (b) on the
 List of Follow-up Actions (Position as at 15 June 2007)
Legislative Council Panel on Manpower**

The following is the current position regarding Items 5(a) and (b) on the above List of Follow-up Actions for the Legislative Council Panel on Manpower:-

Item 5(a): The Administration was requested at the meeting of the Panel on Manpower on 28 April 2006 to look into the various issues raised by members in conjunction with the relevant parties and revert to the Panel.

(i) Financial assistance for trainees

The Occupational Safety and Health Council ("OSHC") is running a subsidy scheme for basic safety training courses for the loadshifting

machines in the second phase. Under the scheme, OSHC subsidises 70% of the course fees subject to a ceiling of \$2,000. As at 30 September 2007, 609 trainees have benefited from the scheme with a total subsidy of \$1,147,965 granted.

(ii) Organising training courses outside working hours

The Construction Industry Training Authority is providing training courses in the evenings and during holidays to facilitate workers in active employment to attend such courses. The Labour Department ("LD") has encouraged commercial course providers to follow suit.

(iii) Requisite requirements for existing operators to attend refresher courses

The Administration raised the issue for discussion at a meeting of the Advisory Committee on Certification of Operators of Specified Plants and Equipment on 8 June 2006. After a thorough discussion, the Committee decided to relax the requirements and accept the following as meeting the pre-requisite for attending refresher courses:-

- (a) current employer's certification showing that the operator has operated the type of loadshifting machinery in question for at least six working days; or
- (b) one and a half years' experience in operating the type of loadshifting machinery in question in the past five years; or
- (c) six months' experience in operating the type of loadshifting machinery in question in the preceding year.

Item 5(b): The Administration was requested on 13 June 2006 at the meeting of the Subcommittee on Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Commencement) Notice 2006 -

- (i) to revert to the Panel on the issue of extending the proposed subsidy scheme of OSHC to refresher courses for the loadshifting machines in the second phase*

With the OSHC's scheme to subsidise 70% of the course fees, trainees have to pay about \$800 on average to attend a basic safety training course for loadshifting machines in the second phase.

The course fees for the refresher courses are estimated to be \$110 to \$370. The Administration considers that it should be affordable to the operators, especially when they are only required to attend the relevant refresher courses every five years for the renewal of their certificates.

- (ii) *to provide the revised timetable for conducting the consultancy study on introducing a smart card to replace the various certificates relating to industrial safety training*

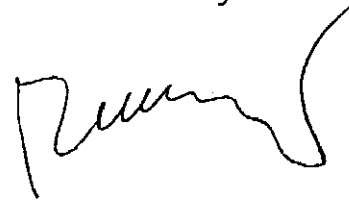
At the request of the Subcommittee, the Administration expedited the process in conducting the feasibility study. In December 2006, the Administration commissioned IBM Global Business Services ("IBM") to carry out a consultancy study on the feasibility of introducing a smart card to replace the various industrial safety training certificates. The study was completed at the end of February 2007.

The study revealed that employees were generally in favour of introducing a smart card, while the majority of employers and safety training course providers were not supportive of the idea. The study also found that the costs incurred by introducing a smart card system would far outweigh the perceived benefits. Therefore, IBM concluded that albeit technically feasible, it would be very costly to introduce a smart card to replace the various industrial safety training certificates. Added to this would be the institutional and legal complexity relating to the setting up of a central agency, data privacy, the necessity of timely updating and verification/enforcement measures to guard against fraudulent practices and cope with loss of card and/or data.

On 29 June 2007, IBM gave a presentation on the major findings and conclusion of their study at a meeting of the Committee on Occupational Safety and Health ("COSH") of the Labour Advisory Board. All COSH members attending the meeting agreed with IBM's recommendations. The Administration shares COSH's views and is of the view that there is not enough justification for introducing a smart card to replace the various industrial safety training certificates.

In order to address the inconvenience of some workers carrying a number of industrial safety training certificates at work, the Administration plans to provide multi-compartment card holders free of charge to workers so that all such certificates in a worker's possession could be carried conveniently in one card holder.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Erika Hui', with a long, sweeping flourish extending to the right.

(Mrs Erika HUI)

for Secretary for Labour and Welfare