



LABOUR DEPARTMENT (Headquarters)

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16 February 2007

Clerk to the LegCo Panel on Manpower
Legislative Council Building
8 Jackson Road, Central
Hong Kong

(Attn: Mrs Sharon TONG LEE Yin-ping)

Dear Mrs TONG,

LegCo Manpower Panel Meeting

I refer to the discussion on the Construction (Design and Management) Regulations (CDM Regulations) of the United Kingdom (UK) at the meeting of the Panel on Manpower held on 21 December 2006. This letter sets out the information on the issue requested by Members.

Construction Industry Review Committee

In 2000, the then Chief Executive appointed the Construction Industry Review Committee (CIRC) to examine the state of the construction industry and to recommend measures to improve its overall performance in respect of quality, efficiency, productivity, site safety, environmental sustainability and customer satisfaction.

In 2001, CIRC issued a report entitled “Construct for Excellence” and put forward a package of recommendations. The then Works Bureau (now the Environment, Transport and Works Bureau (ETWB)) was appointed as the lead agency to co-ordinate the implementation of the CIRC recommendations. Among other things, CIRC recommended (Recommendation No. 81) that the Government should consider, within a time frame of five years, whether there would be a need for introducing legislation similar to the UK’s CDM Regulations. The Labour Department (LD) was tasked to undertake a review on the issue.

The Review

In taking forward Recommendation No. 81, LD studied the CDM concept, the UK’s CDM Regulations and the application of CDM in the UK and other countries. LD critically examined the effects of CDM legislation on site safety performance and reviewed the local legislation governing construction safety, our strategy for promoting construction safety and the safety performance of the construction industry in Hong Kong.

It was observed that in the UK as well as in other European countries, the impact of their CDM legislation on their safety performance had not been apparent. Indeed, there was evidence to suggest that even compliance with CDM legislation had no effect on physical site safety conditions. Although Hong Kong had no CDM legislation, our safety performance had improved significantly over the years. It was, therefore, concluded that there was no evidence to suggest that there was any need at the present stage for the Administration to introduce legislation similar to the UK’s CDM Regulations to improve the safety performance of the construction industry in Hong Kong. However, implementation of CDM on a voluntary basis should be encouraged to enable the construction industry to accumulate relevant experience.

The Industry Review Steering Committee, chaired by ETWB and with membership from relevant bureaux and departments, endorsed the findings of the review at its meeting on 7 February 2006.

The Provisional Construction Industry Co-ordination Board discussed the matter at its meeting on 4 May 2006 and Members agreed with the findings of the review.

Yours sincerely,



(Fred TING)

for Permanent Secretary for Economic
Development and Labour (Labour)