

**立法會**  
***Legislative Council***

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Tel : 2869 9205

Date : 6 May 2010

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 19 May 2010**

**Motion on  
“Reviewing occupational safety and health and  
employees’ compensation system”**

Hon IP Wai-ming has given notice to move the attached motion on “Reviewing occupational safety and health and employees’ compensation system” at the Council meeting of 19 May 2010. The President has directed that “it be printed in the terms in which it was handed in” on the Agenda of the Council.

( Mrs Justina LAM )  
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion on  
“Reviewing occupational safety and health and  
employees’ compensation system”  
to be moved by Hon IP Wai-ming  
at the Legislative Council meeting  
of Wednesday, 19 May 2010**

**Wording of the Motion**

That, in view of the frequent occurrence of industrial accidents in recent years and a number of fatal industrial accidents that happened recently, which is unfortunate for the families, this Council urges that the Government must:

- (a) comprehensively review the policy on occupational safety and health to reverse the existing policy of relying on the trades to exercise self-regulation on occupational safety and health;
- (b) step up regular monitoring and inspection of industrial establishments, impose severe penalties on law-breaking employers, and make public the items in respect of which prosecutions have been instituted by the Labour Department during inspection;
- (c) enact dedicated legislation to provide for the work procedures, safety measures and criminal liabilities for work-at-height activities, so as to reduce the occurrence of accidents involving fall of persons from height, which cause the largest number of fatal cases in the construction industry;
- (d) motivate employers to faithfully shoulder the responsibility for safeguarding employees’ occupational safety and health, allocate resources for employees’ training, and provide facilities and a work environment that safeguard employees’ occupational safety and health;
- (e) stipulate that in the event of occurrence of accidents and occupational diseases in workplaces, including those involving subcontractors and self-employed persons, employers, contractors or persons in charge of the construction sites, etc. have to report such cases to the Government, so as to improve the reporting system for work injuries and occupational diseases, thereby enabling the authorities to obtain more accurate statistics on work injuries and occupational diseases;
- (f) comprehensively review the Employees’ Compensation Ordinance, including the inclusion of mental impairment under the category of injury in Schedule 1

and the classification of repetitive strain injury as a prescribed occupational disease under Schedule 2, so as to provide more comprehensive protection for employees who suffer work-related mental disorders and physical injuries; and apart from providing employees with financial compensation, improve the mechanisms for preventing work injuries and occupational diseases as well as rehabilitation, so as to assist the recovery of injured employees and their reintegration into the society; and

- (g) set up a ‘central employees’ compensation fund’ to centralize the management of work injuries, which is currently undertaken in a fragmented manner, to provide employees with a comprehensive compensation system.