

立法會
Legislative Council

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Tel : 3919 3309

Date : 10 December 2014

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 17 December 2014

Construction Workers Registration (Amendment) Bill 2014

Committee stage amendments

The Second Reading debate on the above Bill will be resumed at the Council meeting of 17 December 2014. Subject to the Bill receiving Second Reading, the President has given permission for the Secretary for Development to move proposed amendments to the Bill at its Committee stage.

2. As directed by the President, the proposed amendments are attached for Members' consideration.

(Ms Judy TING)
for Clerk to the Legislative Council

Encl.

Construction Workers Registration (Amendment) Bill 2014

Committee Stage

Amendments to be moved by the Secretary for Development

<u>Clause</u>	<u>Amendment Proposed</u>
5(1)	<p>In the Chinese text, by deleting the proposed section 3(2) and substituting—</p> <p>“(2) 除第 3A 及 4 條另有規定外，凡某建造工作涉及的技能，是附表 1 第 3 欄中與某指定工種分項相對之處所描述的技能，則除非某人是該工種分項的 —</p> <p>(a) 註冊熟練技工；</p> <p>(b) 註冊熟練技工(臨時)；</p> <p>(c) 註冊半熟練技工；或</p> <p>(d) 註冊半熟練技工(臨時)，</p> <p>否則該人不得親自在建造工地，進行該建造工作。”.</p>
6	<p>In the Chinese text, by deleting the proposed section 3A(1) and substituting—</p> <p>“(1) 凡某建造工作涉及的技能，是附表 1A 第 2 欄所指明的某指定工種分項的規定技能，則任何人如屬該附表第 1 欄中與該工種分項相對之處所指明的指定工種分項(主要工種分項)的註冊熟練技工，即可親自在建造工地，進行該建造工作。”.</p>
7	<p>In the Chinese text, by deleting the proposed section 4(1) and substituting—</p> <p>“(1) 凡某建造工作涉及的技能，是附表 1 第 3 欄中與某指定工種分項相對之處所描述的技能，則在符合第(2)款的規定下，任何屬註冊建造業工人的</p>

人，即使並非該工種分項的註冊熟練技工、註冊熟練技工(臨時)、註冊半熟練技工或註冊半熟練技工(臨時)，該人仍可親自在建造工地，進行該建造工作。”。

- 8 In the proposed section 4A(1)(a), in the Chinese text, by deleting “，進行涉及以下技能的建造工作：” and substituting “進行建造工作，而該建造工作涉及的技能，是”。
- 23(2) In the English text, by adding “designated” before “trade”.
- 26(2) In the Chinese text, by deleting the proposed section 48(1)(b) and substituting—
- “(b) 該工人是某指定工種分項的 —
- (i) 註冊熟練技工；
- (ii) 註冊熟練技工(臨時)；
- (iii) 註冊半熟練技工；或
- (iv) 註冊半熟練技工(臨時)，
- 並親自在建造工地進行建造工作，而該建造工作涉及的技能，是附表 1 第 3 欄中與該工種分項相對之處所描述的技能。”。
- 33 In the proposed section 63A(2)(b), in the Chinese text, by adding “的” before “價值”。
- 33 In the proposed section 63A(4)(b), by deleting “and”.
- 33 In the proposed section 63A(4), by adding—
- “(ba) may impose obligations on any person concerned in any construction work exempted under the regulation;
- (bb) may prescribe an offence for contravening the regulation which is punishable by a fine not exceeding level 3; and”.
- 36 In the proposed Schedule 1A, in column 1, in the heading, by

adding “trade” after “Major”.

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In the proposed Schedule 5, by deleting sections 6 and 7 and substituting—

“6. Application, request for review and appeal under pre-amended Ordinance

- (1) If an application under section 39, 44 or 45A of the pre-amended Ordinance remained pending immediately before the commencement date, the application is to be regarded as an application under section 39, 44 or 45A respectively.
- (2) If a request for review under section 51 of the pre-amended Ordinance remained pending immediately before the commencement date, the request is to be regarded as a request under section 51.
- (3) If an appeal under section 52 of the pre-amended Ordinance remained pending immediately before the commencement date, the appeal is to be regarded as an appeal under section 52.
- (4) For the purposes of subsections (1), (2) and (3), section 2 or 3 of this Schedule applies to the registration to which the application, request or appeal relates, as if—
 - (a) the registration were a pre-existing registration; and
 - (b) each reference to “has effect” in that section were a reference to “is to be regarded”.
- (5) If—
 - (a) an application is, under subsection (1), to be regarded as an application under section 45A; and
 - (b) the Registrar is satisfied that a specified ground within the meaning of section 45A(8) or (9) of the pre-amended

Ordinance existed before the commencement date in relation to the application,

a specified ground within the meaning of section 45A(8) or (9) is to be regarded as existing in relation to the application.”.