

立法會
Legislative Council

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Date : 6 July 2017

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 12 July 2017

**Proposed resolution under
the Interpretation and General Clauses Ordinance**

The Secretary for Development will move the proposed resolution in **Appendix 1** under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the Waterworks (Amendment) Regulation 2017, published in the Gazette as Legal Notice No. 81 of 2017, at the above meeting. The President has directed that the proposed resolution be printed in the terms in which it was handed in on the Agenda of the Council.

2. The speech (Chinese version only) which the Secretary will deliver when moving the proposed resolution is in **Appendix 2**.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1))

Waterworks (Amendment) Regulation 2017

Resolved that the Waterworks (Amendment) Regulation 2017, published in the Gazette as Legal Notice No. 81 of 2017 and laid on the table of the Legislative Council on 24 May 2017, be amended as set out in the Schedule.

Schedule

Amendments to Waterworks (Amendment) Regulation 2017

1. **Section 7 amended (regulation 20 amended (pipes and fittings to be of British Standard))**
Section 7(2), new regulation 20(2), after “if”—
Add
“(and only if)”.
2. **Section 9 amended (regulation 25 amended (power to relax regulations))**
Section 9, after new regulation 25(2)—
Add
“(2A) The Water Authority may approve the installation of a pipe or fitting under subregulation (2) only if the installation does not, in the opinion of the Water Authority, adversely affect—
(a) the efficiency of the fire service or inside service in which the pipe or fitting is installed in providing a reliable and adequate supply of water; and
(b) the quality of the water.”.
3. **Section 10 amended (Schedule 2 amended)**
 - (1) Section 10(2), new Part 1, paragraphs 1, 3 and 4—
Repeal
“cast iron,”.
 - (2) Section 10(2), new Part 1, paragraph 21—

Repeal

“cast iron or”.

- (3) Section 10(2), new Part 1, paragraph 23—

Repeal

“for use in”

Substitute

“that, when used, may come into”.

- (4) Section 10(2), new Part 1, at the end of paragraph 23—

Add

“Note—

The products described in this paragraph include, but are not limited to, taps, valves and cold water cisterns mentioned in Parts 2 and 3 of this Schedule.”.

- (5) Section 10(2), new Part 2—

Repeal paragraph 1.

- (6) Section 10(7), new Part 4, before paragraph 1—

Add

“1A. This Part applies to—

- (a) a water heater used for heating water not intended for human consumption; and
- (b) a pipe or fitting that, when used, may come into contact with water heated by the water heater.”.

- (7) Section 10(7), new Part 4, paragraph 9—

Repeal

everything after “material.”.

發展局局長動議修訂

《2017年水務設施(修訂)規例》講辭

主席，各位議員，早晨。我謹動議修訂《2017年水務設施(修訂)規例》(簡稱《修訂規例》)，以進一步列明適用於消防供水系統或內部供水系統(統稱為「水管系統」)的技術規定和水管物料標準要求，並更清晰地規範水務監督按有關規例行使權力時的考慮。修訂內容已載於議程內。

2. 首先，我衷心感謝主席梁志祥議員領導的小組委員會在審議《修訂規例》期間提出的寶貴意見。我們已因應小組委員會的若干意見提出修正案，並得到小組委員會對修訂的支持。

3. 根據《水務設施條例》第14(3)條規定，水管系統的建造或安裝須按照在《水務設施條例》和《水務設施規例》訂明的要求進行。現時，《水務設施規例》第20條規定所有喉管或裝置須符合英國標準，而英國標準按《水務設施規例》第2條的定義為「由英國標準協會發出的最新修訂版的規格說明」，但是載於《水務設施規例》附表2的一些英國標準已經過時或被其他標準取代。

4. 儘管水務署已在其網站發布了水管物料最新適用標準的列表以供業界參考，我們考慮到食水含鉛超標調查委員會在其報告中的建議，認為水務監督應清楚列明所有適用於水管系統內水管物料的最新標準，並不時予以更新。為提供明確的法律依據，我們建議優先修訂《水務設施規例》，更新當中所訂明的適用標準，並清楚訂明適用的技術規定和水管物料標準。

通過行政上的安排，現時水務署及水喉行業已採用《修訂規例》中訂明的標準處理相關水喉工程的申請，當《修訂規例》於今年七月十四日生效後，我們預期行業不會為符合建議修訂的要求面對任何困難。

5. 我們已就《修訂規例》的建議諮詢專業團體、水喉業商會、水喉匠協會、職工會、建造業、發展商和消費者委員會，並得到普遍支持。我們亦已在二零一六年九月至十一月進行公眾諮詢工作，聽取市民對建議的意見。回應的市民對修訂建議大致上表示支持或無反對意見。我們亦於今年一月二十四日，向立法會發展事務委員會簡介建議，委員對建議沒有提出反對意見。《修訂規例》的建議已妥善考慮諮詢工作所收集的意見和建議。

6. 政府於今年五月二十四日，循先訂立後審議的程序，向立法會提交根據《水務設施條例》（第102章）第37條訂立的《修訂規例》。立法會就有關《修訂規例》成立了小組委員會。

7. 我們注意到在小組委員會會議上，業界團體代表在公聽會提出的寶貴意見和有委員對《修訂規例》的各種關注，經詳細考慮後，政府現提出若干修正案，以更清晰地列明相關條文的適用範圍和避免引起混淆。而其他尚未在《修訂規例》處理的建議，我們會於《水務設施條例》和《水務設施規例》的全面檢討時處理。

8. 《修訂規例》連同上述修正案獲小組委員會支持。主席，我希望各位議員同樣支持《修訂規例》連同上述修正案，使適用於水管系統的技術規定和水管物料最新的標準和要求能有效地落實，並再次多謝小組委員會。多謝主席。