

LETTERHEAD OF RYODEN ENGINEERING CO., LTD.

27 January 1999

Telephone:

Your ref:

The Honourable Ron Areulli
Member, Legislative Council of Hong Kong
for the Real Estate & Construction Constituency

Our ref: CKT/L020

By Fax: 2596-0757

Dear Ron.

Construction Site (Safety) Bill

I refer to the fax message dated 21 January addressed to Mr. James Chiu who has asked me to respond. since I am a member of the Safety Committee of the Construction Advisory Board, on behalf of EMCA.

I would refer to the Administration's response regarding fixed penalty system especially item 5.8. The subject of applying fixed penalty to workers, similar to the issue of parking tickets, has been discussed at length with the Labour Department during the many Safety Committee meetings. The wording in paragraph 5.8 points out that the fixed penalty system would create possible conflict or even confrontation between the factory inspector and the site staff and the workers. We in the industry take great exception to this statement and I feel that this is tantamount for the labour inspectorate to create evasive behaviour and not carrying properly their proper responsibilities. The Hong Kong Construction Association, with the support of EMCA, has advocated for, construction safety is a duty for all. What happens currently with such an unsatisfactory record of construction site safety in Hong Kong is the "macho" behaviour of the general construction workers (agreed by senior Government officials in many meetings) and whilst contractors had been hit severely with fines and sanctions etc, workers are almost immune to any prosecution and this will definitely jeopardize any likely progress in promoting better construction site safety.

I do urge Ron to put this case a lot stronger to the Administration requesting the fixed penalty system be instituted. Also for information to recipients of this memo, the Safety Committee of the CAB is chaired by Mr. John Loo a past president of HKCA.

Yours sincerely,

C.K. Tsang
Executive Director

c.c. Mr. James Chiu/Mr. Jimmy Tse/Ms. June Teng