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**CityU SCOPE OSH Alumni Association**

**香港城市大學專業進修學院職安健耆生會**

20 September 1999

COSHAA99014

Clerk to Subcommittee  
Legislative Council Subcommittee  
on Regulations relating to Occupational Safety and Health  
3/F Citibank Tower  
3 Garden Road  
Hong Kong

Dear Sir/Madam,

**Proposed Factories and Industrial Undertakings  
(Medical Examination) Regulations**

Our organisation, the CityU SCOPE OSH Alumni Association, is an alliance of graduates of occupational safety and health courses run by the City University of Hong Kong. Our members represent a wide spectrum of trades in Hong Kong, such as container terminal operators, construction companies, property development companies, banking institutes, lift companies, etc. The Association's aim is to promote safety and health in the workplace, working in the interests of workers and management in order to benefit society as a whole.

We are writing to express our views on the captioned proposed Regulation. We hope that the Chairman of the Subcommittee will give due consideration to our views when he/she examines the proposed Regulation.

We generally support the captioned proposed Regulation requiring medical examinations of employees at the pre-employment stage and periodic medical examinations during the course of their employment. The reasons for our support are as follows:

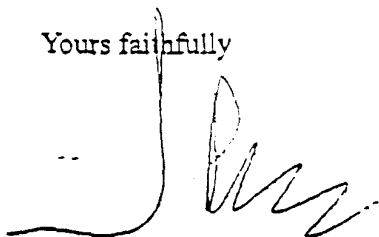
1. A number of occupational diseases are latent and non-accreting. Only by periodic medical examinations can these occupational diseases be detected and treated. We believe that periodic medical examinations would be an effective preventive measure to protect the health of employees and would promote safety at work.
2. We support the concept of requiring Appointed Medical Practitioners to deal with occupational diseases. Occupational health is a special field in medicine, and only special qualified medical practitioners should be empowered to conduct the examinations.
3. We believe that the administrative arrangement for the enforcement of medical examinations for the construction industry (major sector) is a viable approach and would resolve a lot of administrative problems and errors by individuals.

4. The existing legislation only provides limited coverage of harmful exposures. We believe this is inadequate. The proposed Regulation has made an effort to expand the coverage to a wider range of situations and to clearly define the responsibility of parties concerned and the sharing of expenses incurred. It also elaborates in detail the medical examination requirements.
5. We strongly believe that the reduction in medical claims the proposed legislation will bring about will be an economic benefit to the industries involved when compared with the cost of medical examinations for the employees.

However, we see that some refinements are required in the proposed Regulation itself and its subsequent implementation. At present, there is only a limited number of qualified medical practitioners in Hong Kong—about 20, in fact. Even though, there will soon be an increase in the number of qualified medical practitioners, they still will not be able to cope with the sudden surge in demand when the proposed regulation is enacted. Therefore, the proposed Regulation should allow a grace period of, say, one year after its enactment. Those who have taken the medical examination under the current legislation before the enactment of the proposed should be accepted and tolerated until its expiry, say, one year after the new Regulation comes into affect. The new Regulation would require a concerted effort with the medical profession to train a sufficient number of qualified medical practitioners. We feel that implementation under the proposed phases, without a rigid timetable, is reasonable and would be more acceptable to industries. We believe that recruitment of qualified medical practitioners would become easier after the enactment of the proposed legislation.

We hope that the above opinions and recommendations will be duly considered by the Chairman of the Subcommittee and adopted in finalising the proposed Regulation. We urge the early enactment of the Regulation so as to enhance the occupational safety of Hong Kong's workers and benefit Hong Kong society as a whole.

Yours faithfully



Lawrence HO  
Chairman of the Executive Committee  
CityU SCOPE OSH Alumni Association