

**立法會**  
***Legislative Council***

LC Paper No. LS52/98-99

**Paper for the Subcommittee on Regulations  
Relating to Occupation Safety and Health**

**Legal Service Division Report on  
a Motion under Section 7 of  
the Factories and Industrial Undertakings Ordinance (Cap. 59)**

The Secretary for Education and Manpower gave notice on 22 September 1998 to move a motion on 14 October 1998 to approve the Construction Sites (Safety) (Amendment) Regulation 1998, made by the Commissioner for Labour on 22 September, 1998. At the request of the House Committee, the notice for the motion has been withdrawn in order to allow the Subcommittee more time to study the amending regulation.

2. The amending regulation will revamp Part VA (Scaffolds, Working Platforms and Ladders, etc.) of the Construction Sites (Safety) Regulations under the Factories and Industrial Undertakings Ordinance (Cap. 59).

3. The amendments are intended, as explained in the LegCo Brief, to :-

- (a) require the use of working platform as much as possible in preference to safety net and safety belt/harness to enhance the safety of working at height;
- (b) reduce the difficulties of the prosecution having to prove whether a particular safety requirement for working at height is practicable; and
- (c) simplify and streamline the existing provisions.

4. To achieve them, the following amendments are made :-

- (a) the safety requirements are targeted at preventing falling from a height of 2 metres or more at a construction site;
- (b) re-defining the means of support for working at height and re-

formulating the safety standards of these supports;

- (c) requiring a scaffold to be erected by trained workers; and
- (d) requiring a suspected offender to prove in his defence that a particular means of support is impracticable.

5. For more background materials, Members may refer to LegCo Brief EMBCR 4/2961/93 issued by the Education and Manpower Bureau and dated 23 September 1998.

6. The Panel on Manpower was briefed about the new Regulation on 24 September 1998.

Prepared by

CHEUNG Ping-kam, Arthur  
Assistant Legal Adviser  
Legislative Council Secretariat  
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