

Decisions taken by the Labour Advisory Board

I. Meeting on 16 August 2000:

Mandatory safety training for workers undertaking gas welding and flame cutting work

The Labour Advisory Board (LAB) considered a proposal at the meeting on 16 August 2000 to introduce new legislation on mandatory safety training for workers undertaking gas welding and flame cutting work. Under the proposed legislation, a worker undertaking such work should have attained the age of 18 years, completed a recognised safety training course and obtained a certificate issued by approved training bodies upon passing a test. The relevant certificate will be valid for a specified period and can be renewed after the holder has attended a refresher course and passed a test. A proprietor who fails to ensure that gas welding and flame cutting work is undertaken by the certificate-holders will be liable to a fine. The new legislation will come into operation 18 months after it has been enacted in order to allow sufficient time for the affected workers to receive the necessary training.

Members endorsed the proposal and recommended that the certificate should be valid for five years.

A review of the Trade Unions Ordinance

The Labour Department has, earlier on, conducted a review of the Trade Unions Ordinance and consulted the Labour Advisory Board on 30 November 1999 on the following proposals:

- (a) To relax the occupational requirement for union officers such that a trade union might elect officers without work experience in the concerned trade but the number of such officers should not exceed one-third of the total number of officers;
- (b) To allow trade unions to make charitable donations to lawful organisations outside Hong Kong in accordance with their registered rules; and
- (c) To maintain the current restriction on the application of union

funds for political purposes other than for local elections.

The employee Members of the LAB reported at the meeting on 16 August 2000 that they had sought the views of trade unions on proposals (a) and (b). They found that most of the respondents supported proposal (b) but objected to proposal (a).

After deliberations, the LAB endorsed proposals (b) and (c) and advised that proposal (a) should not be pursued.

II. Meeting on 24 October 2000:

Amendments to the Women and Young Persons (Industry) Regulations and the Factories and Industrial Undertakings (Woodworking Machinery) Regulations

At the meeting on 24 October 2000, the LAB considered a proposal to amend the statutory minimum age of employment for work in specific trades, as follows:

- (a) The Women and Young Persons (Industry) Regulations currently allows young persons aged 16 or above to be employed in dangerous trades as defined under the Factories and Industrial Undertakings Ordinance. Moreover, it allows young persons of 15 years of age to be so employed after obtaining the written permission of the Commissioner for Labour. The Labour Department proposes that the regulations be amended to prohibit the employment of young persons under 18 years of age in any dangerous trade.
- (b) The Factories and Industrial Undertakings (Woodworking Machinery) Regulations currently allows young persons aged 15 to be employed on a woodworking machine with the written permission of the Commissioner for Labour. The Labour Department proposes that the regulations be amended to prohibit employment of young persons under 16 years of age on any woodworking machine.

The amendments would further protect the safety and health of young persons at work and improve the application of the International Labour Convention No. 138 on the Minimum Age for Admission to Employment in the HKSAR.

Members supported the proposed amendments.

Review of the levels of compensation under the Employees' Compensation Ordinance and the Pneumoconiosis (Compensation) Ordinance

After conducting a review of the levels of compensation under the Employees' Compensation Ordinance and the Pneumoconiosis (Compensation) Ordinance, the Labour Department proposes that:

- (a) In view that the maximum amount of funeral expenses payable under the Employees' Compensation Ordinance has already been raised from \$16,000 to \$35,000, the maximum amount of funeral expenses under the Pneumoconiosis (Compensation) Ordinance should also be increased to the same level; and
- (b) As the wage and price levels and other expenses relevant to the compensation items have either decreased or remain static in recent years, the amount of various compensation items under the Employees' Compensation Ordinance and the Pneumoconiosis (Compensation) Ordinance (save for the funeral expenses) should be maintained at their existing levels. The negative wage and price movements for 1999 and 2000 as well as the over-projected movement for 1998 should be taken into account in the future review of the levels of compensation.

Members accepted the recommendations of the review at the meeting.