

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1051/02-03

(These minutes have been  
seen by the Administration)

Ref : CB2/BC/10/01

**Bills Committee on Occupational Deafness  
(Compensation) (Amendment) Bill 2002**

**Minutes of the 2<sup>nd</sup> meeting  
held on Monday, 20 January 2003 at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members Present** : Dr Hon LO Wing-lok (Chairman)  
Hon Kenneth TING Woo-shou, JP  
Hon LEE Cheuk-yan  
Hon CHAN Kwok-keung  
Hon CHAN Yuen-han, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon Ambrose LAU Hon-chuen, GBS, JP  
Hon Andrew CHENG Kar-foo  
Hon LI Fung-ying, JP  
Hon Michael MAK Kwok-fung  
Hon Frederick FUNG Kin-kee  
Hon Audrey EU Yuet-mee, SC, JP

**Members Absent** : Hon Cyd HO Sau-lan  
Hon Albert HO Chun-yan  
Hon Bernard CHAN, JP  
Hon LEUNG Yiu-chung  
Hon YEUNG Yiu-chung, BBS

**Public Officers Attending** : Mrs Jenny CHAN, JP  
Assistant Commissioner for Labour  
(Employees' Rights and Benefits)

Dr LO Wai-kee  
Occupational Health Consultant  
Labour Department

Mrs Bernadette LAI  
Senior Labour Officer  
Labour Department

Mr Sunny CHAN  
Senior Government Counsel

**Deputations by Invitation** : Department of Community and Family Medicine,  
The Chinese University of Hong Kong

Professor Ignatius YU  
Associate Professor

The Hong Kong Construction Association Ltd

Mr Patrick W T CHAN  
Secretary General

Mr Peter C C CHEUNG  
Technical Secretary

The Hong Kong Federation of Trade Unions /  
Hong Kong Construction Industry Employees General Union

Mr CHOI Chun-wa  
Director, Occupational Safety & Health Committee

Mr TO Who  
Secretary

Hong Kong Workers' Health Centre

Ms HUI Yu-ling  
Senior Program Coordinator

The Hong Kong Occupational Deafness Association

Mr WONG Tam-kwai  
Vice President

Alliance of Self-Help Groups for the Occupational Injuries & Diseases

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Mr WAN Chi-ching  
Chairman

The Federation of Hong Kong & Kowloon Labour Unions

Mr SIN Kai-ming  
Member of Right Committee

Mr CHAN Kam-yau  
Committee Member

Association for the Rights of Industrial Accident Victims

Mr CHAN Kam-hong  
Chief Executive

**Clerk in Attendance** : Ms Doris CHAN  
Chief Assistant Secretary (2) 4

**Staff in Attendance** : Miss Kitty CHENG  
Assistant Legal Adviser 5

Ms Dora WAI  
Senior Assistant Secretary (2) 4

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**I. Meeting with Deputations**  
(LC Paper Nos. CB(2)908/02-03(01) to (06) and (09) to (12))

The Bills Committee received views on the Bill from eight deputations. It also noted the submissions from the Hong Kong College of Community Medicine and Hong Kong & Kowloon Trades Union Council.

**II. Meeting with the Administration**  
(LC Paper Nos. CB(2)908/02-03(07) and (08))

2. The Bills Committee deliberated (Index of proceedings attached at **Annex**).
3. The Bills Committee noted that the Administration would provide information on the price levels of prevailing models of hearing assistive devices recommended by audiologists prior to the next meeting. The Bills Committee agreed that the Hong Kong Society of Audiology should be invited to give views on the subject.
4. The Administration would provide a written response to the views made by the deputations in their submissions and at the meeting.

**III. Date of next meeting**

5. The next meeting of the Bills Committee would be held on 27 January 2003 at 8:30 am.
6. There being no other business, the meeting ended at 10:45 am.

Council Business Division 2  
Legislative Council Secretariat  
27 January 2003

**Proceedings of the 2<sup>nd</sup> meeting of the  
Bills Committee on Occupational Deafness  
(Compensation) (Amendment) Bill 2002  
on Monday, 20 January 2003 at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time Marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000000 - 000302	Chairman	Introductory remarks	
000303 - 001403	Department of Community and Family Medicine, The Chinese University of Hong Kong (CUHK)	Views as set out in LC Paper No. CB(2)908/02-03(10)	
001404 - 001600	The Hong Kong Construction Association Ltd (HKCA)	Views as set out in LC Paper No. CB(2)908/02-03(01)	
001601 - 001803	The Hong Kong Federation of Trade Unions / Hong Kong Construction Industry Employees General Union	Views as set out in LC Paper No. CB(2)908/02-03(02)	
001804 - 002141	Hong Kong Workers' Health Centre (HKWHC)	Views as set out in LC Paper No. CB(2)908/02-03(06)	
002142 - 002605	The Hong Kong Occupational Deafness Association	Views as set out in LC Paper No. CB(2)908/02-03(03)	
002606 - 003422	Alliance of Self-Help Groups for the Occupational Injuries & Diseases (ASHGOID)	Views as set out in LC Paper No. CB(2)908/02-03(04)	
003423 - 003853	Association for the Rights of Industrial Accident Victims (ARIAV)	Views as set out in LC Paper No. CB(2)908/02-03(12)	
003854 - 004031	The Federation of Hong Kong & Kowloon Labour Unions	Views as set out in LC Paper No. CB(2)908/02-03(09)	
004032 - 005532	Chairman Ms Audrey EU CUHK ARIAV HKWHC ASHGOID	(a) Existing requirement of a minimum of 40dB hearing loss in the better ear under the Occupational Deafness Compensation Scheme (the Scheme); (b) Anticipated increase in the number of claimants if the Scheme was extended to cover all industries and/or if the proposed improvements were to be made with retrospective effect; and (c) Current price levels of hearing assistive devices	
005533 - 010730	Mr Andrew CHENG CUHK Chairman	Merits and demerits of having the existing occupational requirements under the Scheme	
010731 - 010953	Mr Kenneth TING	Importance of promoting hearing conservation at work	

<b>Time Marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
010954 - 011749	Mr LEE Cheuk-yan CUHK	(a) Proposal to extend the scope of the Scheme to cover workers not engaged in specified noisy occupations; and (b) Eligibility criteria for compensation against marginal hearing loss in one ear	
011750 - 012404	Ms LI Fung-ying CUHK	Way of measuring the mean daily personal noise exposure for defining specified noisy occupations	
012405 - 013235	Miss CHAN Yuen-han CUHK ASHGOID	(a) Proposal to extend the scope of the Scheme to cover all industries; (b) Ways to help workers suffering from employment-related noise-induced deafness not covered under the Scheme; (c) Requirement of 12 months' continuous employment in specified noisy occupations immediately prior to application for assistance under the Scheme; and (d) Eligibility criteria for compensation against marginal hearing loss in one ear	
013236 - 013920	Mr Michael MAK ARIAV HKCA	Difficulties encountered by workers seeking compensation under the Scheme	
013921 - 014051	Mrs Sophie LEUNG	Basis for fixing the maximum permanent incapacity at 60% under the Scheme	
014052 - 020223	Chairman Administration	Consolidated response to issues and concerns raised by members and deputations	
020224 - 020312	Ms Audrey EU	Price levels of prevailing models of hearing assistive devices	
020313 - 020554	Mrs Sophie LEUNG Administration	(a) Causes for sensorineural hearing loss; and (b) Employers' collective liability for the Scheme	
020555 - 020841	Chairman Mr Kenneth TING Administration	Consultation and promotion of hearing conservation at work with employers and employees of the four newly proposed specified noisy occupations	
020842 - 021040	Mr LEE Cheuk-yan	Proposal to enhance the maximum permanent incapacity to 100% and extend the scope of the Scheme to cover workers with marginal hearing loss in one ear	
021041 - 021127	Miss CHAN Yuen-han	Requirement of 12 months' continuous employment in specified noisy occupations immediately prior to application for assistance under the Scheme	
021128 - 021413	Administration	(a) Proposal to extend the scope of the Scheme to cover workers with marginal hearing loss in one ear; and (b) Number of cases assisted by the Occupational Deafness Compensation Board since its inception and the average amount of compensation made by the Board	
021414 - 021436	Chairman	Views to be invited from Hong Kong Society of Audiology on hearing assistive devices	<b>Clerk to follow up [see paragraph 3 of minutes]</b>

**Note : The audio records of the above proceedings are kept at the LegCo Library**

Council Business Division 2  
Legislative Council Secretariat  
27 January 2003