

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1983/02-03  
(These minutes have been seen  
by the Administration)

Ref: CB1/BC/6/02

**Bills Committee on  
Construction Workers Registration Bill**

**Meeting on  
Monday, 2 June 2003, at 8:30 am  
in Conference Room B of the Legislative Council Building**

- Members present** : Hon CHAN Kwok-keung (Chairman)  
Hon Cyd HO Sau-lan  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon LEE Cheuk-yan  
Hon LEUNG Yiu-chung  
Hon LI Fung-ying, JP  
Hon LEUNG Fu-wah, MH, JP  
Hon LAU Ping-cheung
- Members absent** : Hon CHAN Yuen-han, JP  
Hon Andrew CHENG Kar-foo  
Hon Abraham SHEK Lai-him, JP
- Public Officers attending** : Environment, Transport and Works Bureau  
  
Mr W S CHAN  
Deputy Secretary for the Environment, Transport and  
Works (Works)  
  
Mr Helius K M NG  
Principal Assistant Secretary for the Environment,  
Transport and Works (Works)

Department of Justice

Mr Lawrence S Y PENG  
Senior Assistant Law Draftsman

**Clerk in attendance** : Mr Andy LAU  
Chief Assistant Secretary (1)2

**Staff in attendance** : Miss Monna LAI  
Assistant Legal Adviser 7

Ms Alice AU  
Senior Assistant Secretary (1)5

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Action

**I Election of Chairman**

1 Ms Cyd HO, the member who had the highest precedence among members of the Bills Committee, presided over the election of Chairman. Mr CHAN Kwok-keung was nominated by Ms LI Fung-ying and the nomination was seconded by Mr LEE Cheuk-yan. Mr CHAN accepted the nomination. There being no other nominations, Mr CHAN Kwok-keung was elected Chairman of the Bills Committee. He then took over the chair.

**II Meeting with the Administration**

- (LC Paper No. CB(3)464/02-03 - The Bill;
- Ref: ETWB(CR)(W)150/101 - Legislative Council Brief;
- LC Paper No. LS67/02-03 - Legal Service Division Report;
- LC Paper No. CB(1)1811/02-03 - Background brief on the Bill prepared by the Legislative Council Secretariat;
- LC Paper No. CB(1)1805/02-03(01) - Letter dated 21 May 2003 from Assistant Legal Adviser to the Administration; and
- LC Paper No. CB(1)1805/02-03(02) - The Administration's reply dated 27 May 2003 to the Assistant Legal Adviser)

2. The Bills Committee deliberated (Index of proceedings attached at **Annex A**).

Admin 3. The Bills Committee requested the Administration to consider and provide further information on the following issues to facilitate their consideration of the Bill:

Action

- (a) to provide information on various means to facilitate the workers in having their past experience certified;
- (b) to provide information on the development of trade unions in the past ten years, including a breakdown of the number of trade unions and their membership numbers;
- (c) to provide information on the scope of "construction work" for the purpose of the construction workers registration system and whether non-structural works such as alteration of drainage systems or decoration works in existing buildings fell within the scope of "construction work";
- (d) to provide information on cost estimate of an appeal lodged under the Bill with reference to the costs of other similar appeals lodged under other ordinances;
- (e) to consider refining the composition of the Qualifications Committee, Review Committee and Appeal Board panel without making specific reference to the names of the trade associations or trade unions; and
- (f) to consider expanding the composition of the Construction Workers Registration Authority (the Authority) and Qualifications Committee to include professional bodies with a view to balancing the interest of trade associations and trade unions.

**III Any other business**

4. The Bills Committee agreed to invite public views on the Bill. Apart from posting a notice of invitation for public views on the LegCo website, invitation letters would be sent to interested parties including trade associations, trade unions and professional bodies. Members were requested to propose deputations to be invited to give views on the Bill.

5. The Bills Committee further agreed that the next meeting would be held on Tuesday, 24 June 2003, at 10:45 am to receive public views and continue discussion with the Administration.

6. There being no other business, the meeting ended at 10:30 am.

**Proceedings of the meeting of the Bills Committee on  
Construction Workers Registration Bill  
Monday, 2 June 2003, at 8:30 am  
in Conference Room B of the Legislative Council Building**

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<i>Agenda Item I – Election of Chairman</i>			
000000 – 000024	Ms Cyd HO	Election of Chairman	
<i>Agenda Item II – Meeting with the Administration</i>			
000025 – 000943	Administration	Introduction of the Bill	
000944 – 002140	Ms LI Fung-ying Administration Chairman	<ul style="list-style-type: none"> <li>- Relaxation of qualifying period for proposed exemption from registration as "skilled worker"</li> <li>- Viable means to facilitate the workers in having their past experience certified with reference to the practical difficulties encountered by practising Chinese medicine practitioners in respect of certification of past experience</li> <li>- Representation of trade unions under the Working Group on the Registration of Construction Workers</li> <li>- Reference to the qualifying period of 6 years for exemption from registration as electrical workers under the Electricity Ordinance (Cap. 406) and the resulting safety concern expressed by the trade associations</li> </ul>	Administration to provide further information on means to facilitate certification of workers' past experience
002141 – 003454	Mr LEE Cheuk-yan Administration	<ul style="list-style-type: none"> <li>- Relaxation of qualifying period for proposed exemption from registration as "skilled worker"</li> <li>- Lack of consultation with trade unions</li> <li>- Impact on salary level of construction workers</li> <li>- Effectiveness of the proposed registration system in ensuring the quality of construction works</li> </ul>	
003455 – 005324	Mr LEUNG Yiu-chung Administration	<ul style="list-style-type: none"> <li>- Stance of trade associations on 10-year qualifying period for exemption</li> <li>- Impact on the salary level of construction workers</li> <li>- Criteria for determining the exemption qualifying period</li> <li>- Viable means to facilitate the workers in having their past experience certified with reference to the practical difficulties encountered by practising Chinese medicine practitioners in respect of certification of past experience</li> </ul>	Administration to provide information on the development of trade unions in the past ten years

Time	Speaker	Subject(s)	Action required
005325 – 010453	Ms Cyd HO Administration	<ul style="list-style-type: none"> <li>- Effectiveness of the proposed registration system in ensuring the quality of construction works</li> <li>- Specific references to trade associations and trade unions in clause 12 of the Bill</li> </ul>	Administration to consider refining the way in stipulating the composition of the Qualifications Committee, Review Committee and Appeal Board panel
010454 – 011359	Mr LEUNG Fu-wah Administration	<ul style="list-style-type: none"> <li>- Disagreement with the safety concern expressed by the trade associations on the exemption granted to the electrical workers</li> </ul>	
011400 – 012518	Hon LAU Ping-cheung Administration	<ul style="list-style-type: none"> <li>- Representation of professional bodies in the composition of the Authority and Qualifications Committee</li> <li>- Definition of "construction works"</li> </ul>	Administration to consider expanding the composition of the Authority and Qualifications Committee to include professional bodies Administration to clarify the intended scope of "construction work"
012519 – 013829	Ir Raymond HO Administration	<ul style="list-style-type: none"> <li>- Progress of trade testing and its interface with the implementation timetable of the registration system</li> <li>- Enforcement of offences under clauses 3 and 5 of the Bill</li> <li>- Coordination between the Construction Industry Training Authority (CITA) and Vocational Training Council (VTC) on the implementation of trade testing</li> <li>- Charging of levy to CITA and VTC for trade testing</li> </ul>	
013830 – 014601	Ms Cyd HO Administration	<ul style="list-style-type: none"> <li>- Specific references to trade associations and trade unions in clauses 12, 16 and 54 of the Bill</li> <li>- Cost of appeal under Part 7 of the Bill</li> </ul>	Administration to consider refining the drafting of relevant provisions Administration to provide information on cost estimate of an appeal lodged under the Bill
<i>Agenda Item III – Any other business</i>			
014602 - 015310	Chairman	<ul style="list-style-type: none"> <li>- Invitation of public views on the Bill</li> <li>- Date of next meeting</li> </ul>	