

**立法會**  
**Legislative Council**

LC Paper No. CB(1)675/03-04  
(These minutes have been seen  
by the Administration)

Ref: CB1/BC/6/02

**Bills Committee on  
Construction Workers Registration Bill**

**Third meeting on  
Thursday, 13 November 2003, at 4:30 pm  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon CHAN Kwok-keung, JP (Chairman)  
Hon LEE Cheuk-yan  
Hon Andrew CHENG Kar-foo  
Hon Abraham SHEK Lai-him, JP  
Hon LI Fung-ying, JP  
Hon LEUNG Fu-wah, MH, JP
- Members absent** : Hon Cyd HO Sau-lan  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon CHAN Yuen-han, JP  
Hon LEUNG Yiu-chung  
Hon LAU Ping-cheung
- 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

Miss Selina LAU  
Government Counsel

**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 Confirmation of minutes of meeting and matters arising**

(LC Paper No. CB(1)168/03-04 - Minutes of meeting held on 24 June 2003)

The minutes of second meeting held on 24 June 2003 were confirmed.

**II Meeting with the Administration**

(LC Paper No. CB(1)1996/02-03(05) - The Administration's response to comments raised by the Bills Committee at the first meeting on 2 June 2003;

LC Paper No. CB(1)2294/02-03(01) - The Administration's response to comments raised by the Bills Committee at the second meeting on 24 June 2003;

LC Paper No. CB(1)2294/02-03(02) - The Administration's response to comments raised by deputations at the second meeting on 24 June 2003; and

LC Paper No. CB(1)184/03-04(01) - Information paper provided by the Administration on 21 October 2003 setting out the discussions and the latest stands of the workers unions and the trade associations on the proposed qualifying period for senior workers to seek exemption from trade tests and be registered as "skilled workers")

Action

2. The Bills Committee deliberated (Index of proceedings attached at **Annex A**).
3. The Administration was requested to take follow-up actions on the following:
  - (a) Regarding the Administration's proposal to delete specific reference to the names of workers unions and trade associations in relevant provisions on the composition of the Qualifications Committee, Review Committee and Appeal Board panel (i.e. point (e) in LC Paper No. CB(1)1996/02-03(05)), members generally considered the approach acceptable. However, the Administration should consider further refining the drafting to the effect that members appointed to these committees and panel were representatives of major workers unions and trade associations of the construction industry.
  - (b) Regarding the qualifying period for senior workers to seek exemption from trade tests and be registered as "skilled workers", members noted from LC Paper No. CB(1)184/03-04 that a new proposal on the qualifying period, i.e. eight years, had been discussed. While a consensus view had yet to be reached, the Administration should conduct another round of discussions with all the stakeholders of the construction industry with a view to narrowing down their differences on the exemption requirement.
4. Members agreed that the Bills Committee would hold its next meeting when the Administration was ready to revert on the outcome of such discussions. Having resolved this key issue, the Bills Committee would proceed to clause-by-clause examination of the Bill.

**III Any other business**

5. There being no other business, the meeting ended at 5:35 pm.

**Proceedings of third meeting of the Bills Committee on  
Construction Workers Registration Bill  
on Thursday, 13 November 2003, at 4:30 pm  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<i>Agenda Item I – Confirmation of minutes of meeting and matters arising</i>			
000000 – 000109	Chairman	- Confirmation of minutes of the meeting held on 24 June 2003 [LC Paper No. CB(1)168/03-04]	
<i>Agenda Item II – Meeting with the Administration</i>			
000110-001125	Chairman Admin	- Admin's response to matters raised at previous meetings [LC Paper Nos. CB(1)1996/02-03(05), CB(1)2294/02-03(01) and (02), and CB(1)184/03-04(01)]	
001126-001708	Mr Abraham SHEK Admin Chairman	<ul style="list-style-type: none"> <li>- Latest stances of trade associations and workers unions on the new 8-year proposal as the qualifying period for senior workers to seek exemption from trade tests and be registered as "skilled workers"</li> <li>- Ways to take the discussion forward so as to bring about the early establishment of the construction workers registration system to the benefit of the construction industry as well as the community as a whole</li> <li>- Justification for adopting a more stringent exemption requirement in the Bill as compared with the 6-year requirement for exemption from registration as electrical workers under the Electricity Ordinance (Cap. 406)</li> </ul>	
001709-002903	Ms LI Fung-ying Admin	<ul style="list-style-type: none"> <li>- Request for Admin to further refine the drafting of the relevant provisions to the effect that members appointed to the Qualifications Committee, Review Committee and Appeal Board panel were "representatives of workers unions of the construction industry"</li> <li>- Different exemption requirements for different designated trades to reflect the existing level of skills required for "skilled workers"</li> <li>- Stance of the trade associations on the new 8-year proposal</li> </ul>	Admin to consider

Time marker	Speaker	Subject(s)	Action required
		<ul style="list-style-type: none"> <li>- Support for Admin to hold further discussions with all stakeholders so as to bring about the proposed registration system</li> </ul>	
002904-003212	Mr LEUNG Fu-wah Admin	<ul style="list-style-type: none"> <li>- Stance of the trade associations on the new 8-year proposal</li> <li>- Support for Admin to hold further discussions with all stakeholders on the new 8-year proposal to ensure implementation of the proposed registration system</li> </ul>	
003213-003356	Mr Abraham SHEK Admin Chairman	<ul style="list-style-type: none"> <li>- Admin's stance on the new 8-year proposal</li> </ul>	
003357-004710	Ms LI Fung-ying Admin	<ul style="list-style-type: none"> <li>- Declaration of interest as the Chairman of The Federation of Hong Kong and Kowloon Labour Unions with association to the Federation of Hong Kong Electrical &amp; Mechanical Industries Trade Unions named in clause 12 of the Bill on "Qualifications Committee"</li> <li>- Need to refine drafting of the relevant provisions in relation to the composition of the Qualifications Committee, Review Committee and Appeal Board panel</li> </ul>	
004711-005407	Chairman Ms LI Fung-ying Admin	<ul style="list-style-type: none"> <li>- Alternative proposals put forward by members on exemption requirement:               <ul style="list-style-type: none"> <li>(a) adoption of a 6-year qualifying period subject to the passing of sample trade tests by representatives of existing senior workers in respective designated trades and the agreement of trade associations; or</li> <li>(b) exemption granted to construction workers concerned upon production of certification from their employers that they were being remunerated as "skilled workers"</li> </ul> </li> <li>- Admin's stance on the exemption requirement taking into account the</li> </ul>	

Time marker	Speaker	Subject(s)	Action required
		<p>need to safeguard the interest of those who had passed the relevant trade tests whilst maintaining the standard of exempted workers</p> <ul style="list-style-type: none"> <li>- Existing requirement in public works contracts on the engagement of a certain proportion of workers with trade test certificates</li> </ul>	
005408-005609	Mr Abraham SHEK Admin	<ul style="list-style-type: none"> <li>- Support for the proposed registration system to bring about benefits to the community at large</li> <li>- Admin to make further effort to ensure a consensus view within the construction industry on the exemption requirement</li> </ul>	
005610-010159	Mr LEUNG Fu-wah Admin Chairman Ms LI Fung-ying Clerk	<ul style="list-style-type: none"> <li>- Admin to make further effort to ensure a consensus view within the construction industry on the exemption requirement</li> <li>- Request for Admin to further refine the drafting of the relevant provisions to the effect that members appointed to the Qualifications Committee, Review Committee and Appeal Board panel were "representatives of major workers unions of the construction industry"</li> <li>- Clause-by-clause examination of the Bill to proceed after the key issue of exemption requirement was resolved</li> </ul>	Admin to consider by making reference to the drafting of similar legislation
010200-010358	Mr LEUNG Fu-wah Admin	<ul style="list-style-type: none"> <li>- Membership of the Appeal Board panel</li> </ul>	
<i>Agenda Item III – Any other business</i>			
010358-010425	Chairman	<ul style="list-style-type: none"> <li>- Next meeting to be convened when Admin was ready to revert to the Bills Committee on the outcome of further discussions on exemption requirement</li> </ul>	