

立法會
Legislative Council

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(These minutes have been seen by
the Administration)

**Bills Committee on Construction Industry Levy
(Miscellaneous Amendments) Bill 2003**

**Minutes of the second meeting
held on Friday, 18 July 2003 at 9:00 am
in Conference Room A of the Legislative Council Building**

Members present : Hon LAU Ping-cheung (Chairman)
Ir Dr Hon Raymond Chung-tai, JP
Hon CHAN Kwok-keung, JP
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, JP
Hon LEUNG Fu-wah, MH, JP

Members absent : Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon Abraham SHEK Lai-him, JP

Public Officers attending : Mr Byron LAM
Principal Assistant Secretary for Education and Manpower

Miss Shirley LAU
Assistant Secretary for Education and Manpower

Ms Vicki LEE
Senior Government Counsel

Mrs Jenny CHAN, JP
Assistant Commissioner for Labour (Employees' Rights and Benefits)

Mr LAI Ka-tong
Senior Labour Officer (Employees' Compensation) (Central
Services)
Labour Department

Mr Paul CHONG
Hon Secretary
The Hong Kong Electrical and Mechanical Contractors'
Association

Mr Albert TONG
Executive Director
The Construction Industry Training Authority

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2)1

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mrs Eleanor CHOW
Senior Assistant Secretary (2)4

I. Meeting with the Administration

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. Members agreed that the following bodies be invited to give views on the Construction Industry Levy (Miscellaneous Amendments) Bill 2003 -

- (a) The Real Estate Developers Association of Hong Kong;
- (b) Hong Kong Construction Association Limited;
- (c) Hong Kong E&M Contractors' Association Limited; and
- (d) electrical and mechanical (E & M) trade unions.

3. The Bills Committee requested the Administration to provide a written response on the following -

- (a) to review if "建造工程" was the appropriate Chinese rendition for "construction operations";
- (b) to consider specifying that one of the members referred to in the proposed new section 7(1)(j) of the Industrial Training (Construction Industry) Ordinance (ITCIO) would be a representative of an E&M trade union in the construction industry;
- (c) to consider if the existing section 7(1)(g) should be amended having regard to the views of members; and
- (d) to explain how the existing threshold of \$1,000,000 in the value of construction works for charging a levy was set and consider the need to revise the threshold.

II. Date of next meeting

- 4. Members agreed that the next meeting would be held on 17 October 2003 at 10:45 am to receive deputations, if any, and to meet with the Administration.
- 5. The meeting ended at 10:20 am.

Council Business Division 2
Legislative Council Secretariat
4 August 2003

**Proceedings of the meeting of the
Bills Committee on Construction Industry Levy
(Miscellaneous Amendments) Bill 2003
on Friday, 18 July 2003 at 9:00 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000037	Chairman	Opening remarks	
000038 - 000426	Hon LEUNG Fu-wah Chairman Hon LI Fung-ying	Whether to consult the public on the Bill	Clerk to invite submissions from relevant organizations
000427 - 001057	Admin	Briefing on the Bill	
001058 - 001939	Chairman Admin Hon LEUNG Fu-wah	Reasons for the construction levy not applicable to electrical and mechanical (E&M) works under the Industrial Training (Construction Industry) Ordinance (ITCIO) Financial position of the Pneumoconiosis Compensation Fund Usage of the income to be derived from the levy imposed on E&M works in the construction industry	

Time marker	Speaker	Subject(s)	Action Required
001940 - 003236	Hon LI Fung-ying Admin Chairman	<p>Composition of the Construction Industry Training Authority (CITA)</p> <p>Subsidy offered and fees charged by CITA for E&M training</p> <p>Financial burden on E&M workers for paying course fees, examination fees and registration fees</p> <p>Arrangements between CITA and Vocational Training Council (VTC) in respect of the provision of courses and fees charged on E&M training</p>	
003227 - 005613	Chairman Ir Dr Hon Raymond HO Admin ALA5	<p>Reasons for retaining the Chinese term "建造工程" having regard to the proposed change of the English term from "construction works" to "construction operations"</p> <p>Reasons for not lowering the threshold for charging a levy on construction operations in view of the slowdown in construction activities and price cuts in construction works in recent years</p> <p>New administrative arrangements for charging a levy on construction operations under a term contract</p>	<p>Admin to review if "建造工程" is the appropriate Chinese rendition for "construction operations"</p> <p>Admin to explain how the existing threshold of \$1,000,000 in the value of construction works for charging a levy was set and consider the need to revise the threshold</p>
005614 - 005834	Chairman Admin	<p>Whether a levy would be charged on E&M works not related to construction</p> <p>Difference between the E&M training provided by VTC and CITA</p>	

Time marker	Speaker	Subject(s)	Action Required
005835 - 010700	Hon LEUNG Fu-wah Admin Chairman	<p>Composition of CITA</p> <p>The need to include one of the members referred to in the proposed new section 7(1)(j) of ITCIO to be a representative of an E&M trade union in the construction industry</p> <p>The need to specify that the person referred to in section 7(1)(g) of ITCIO should hold office as an official of a trade union representing workers employed in the construction industry</p>	<p>Admin to consider including one of the members referred to in the proposed new section 7(1)(j) of ITCIO would be a representative of E&M trade union in the construction industry</p> <p>Admin to consider if the existing section 7(1)(g) should be amended having regard to the views of members</p>
010701 - 010815	Chairman Admin	Whether the provisional sum in a construction contract would be liable to a levy charge	
010816 - 011150	Chairman Hon LEUNG Fu-wah Admin Hon LI Fung-ying	Date of next meeting	