

立法會
Legislative Council

Ref : CB2/BC/7/02

LC Paper No. CB(2) 229/03-04
(These minutes have been seen by
the Administration)

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

**Minutes of the third meeting
held on Friday, 17 October 2003 at 10:45 am
in Conference Room A of the Legislative Council Building**

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

Member absent : Hon LEE Cheuk-yan

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

Miss Shirley LAU
Assistant Secretary for Education and Manpower

Mrs Jenny CHAN, JP
Assistant Commissioner for Labour

Mr LAI Ka-tong
Senior Labour Officer (Compensation)
Labour Department

Ms Vicki LEE
Senior Government Counsel

Ms Grace LEUNG
Government Counsel

Mr Albert TONG
Executive Director
The Construction Industry Training Authority

Mr Paul CHONG
Hon Secretary
The Hong Kong Federation of Electrical and Mechanical
Contractors Ltd

Attendance by invitation : The Hong Kong Construction Association

Mr Patrick W T CHAN
Secretary General

Hong Kong & Kowloon Electrical Engineering & Appliances
Trade Workers Union

Mr WAN Koon-sun
Director

Hong Kong Air-Conditioning and Refrigerating Trades Workers
General Union

Mr KWOK Chi-keung
Director

Neosign Advertising Employees' Association

Mr NG Kam-shing
Secretary

Hong Kong Electrical and Mechanical Management and
Professional Association

Mr LAU Chi-keung
Commercial and Education Secretary

Union of Hong Kong Electrical Engineering Assistants

Mr CHAN Chi-hung
Public Executive Officer
The Federation of Hong Kong Electrical & Mechanical Industries

Trade Unions

Miss LEE Sau-king
Finance Officer

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

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Miss Betty MA
Senior Assistant Secretary (2)1

I. Meeting with deputations and the Administration

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

2. The Bills Committee received the views of the following deputations on the Bill
-

- (a) The Hong Kong Construction Association;
- (b) Hong Kong & Kowloon Electrical Engineering & Appliances Trade Workers Union;
- (c) Hong Kong Air-Conditioning and Refrigerating Trades Workers General Union;
- (d) Neonsign Advertising Employees' Association;
- (e) Hong Kong Electrical and Mechanical Management and Professional Association;
- (f) Union of Hong Kong Electrical Engineering Assistants; and
- (g) The Federation of Hong Kong Electrical & Mechanical Industries Trade Unions.

3. The Bills Committee noted that having considered members' views, the Administration would propose a Committee Stage amendment to the proposed new section 7(1)(j) of the Industry Training (Construction Industry) Ordinance (ITCIO) to specify that one of the Construction Industry Training Authority (CITA) Board

members would be a representative of an electrical and mechanical (E&M) trade union in the construction industry.

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

- (a) to consider providing an undertaking by the Secretary for Education and Manpower in his speech delivered during the resumption of Second Reading debate on the Bill that the fee charging principle adopted by CITA for determining the test fee for E&M trade tests would be the same as that for the fees of the construction trade tests;
- (b) to consult the Hong Kong Institution of Engineers on the proposed revision of the composition of the CITA Board i.e. proposed amendments to section 7(1)(e) and (f) of ITCIO;
- (c) to review the drafting of paragraph 2 of the proposed schedule 1 to ITCIO to reflect more clearly the policy intent; and
- (d) to respond to the issues raised by the legal adviser to the Bills Committee in her letter dated 6 October 2003 to the Administration.

5. The Bills Committee agreed that it would start the clause-by-clause examination of the Bill at the next meeting.

II. Any other business

6. Members agreed that the next two meetings would be held on 30 October 2003 at 10:45 am and 10 November 2003 at 4:30 pm.

7. There being no other business, the meeting ended at 12:20 pm.

Council Business Division 2
Legislative Council Secretariat
3 November 2003

**Proceedings of the meeting of the
Bills Committee on Construction Industry Levy
(Miscellaneous Amendments) Bill 2003
on Friday, 17 October 2003 at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000409	Chairman	Opening remarks	
000410 - 000840	Representative of The Hong Kong Construction Association	Presentation of views (LC Paper No. CB(2)32/03- 04(01))	
000841 - 001427	Representative of Hong Kong & Kowloon Electrical Engineering & Appliances Trade Workers Union	Presentation of joint views from six trade unions (LC Paper Nos. CB(2)32/03- 04(02)-(07))	
001428 - 001553	Chairman	Other written submissions (LC Paper No. CB(2)3090/02- 03(01))	
001554 - 002946	Admin Hon Abraham SHEK Hon LEUNG Fu-wah	Administration's response to views and submissions from deputations (LC Paper Nos. CB(2)129/03- 04(01) and (02))	
002947 - 003305	Hon LEUNG Fu-wah Admin Ir Dr Hon Raymond HO Chairman	Lead time for promulgation of the new legislation	
003306 - 003841	Hon LI Fung-ying Admin	Fee charging principle for the electrical and mechanical (E&M) trade tests	Admin to consider providing an undertaking during the resumption of Second Reading debate on the Bill that the fee charging principle for E&M trade tests would be the same as that for setting the fees of the construction trade tests

Time marker	Speaker	Subject(s)	Action Required
003842 - 003951	Hon Abraham SHEK Admin	The inclusion of an E&M trade union representative in the Construction Industry Training Authority (CITA) Board	Admin to move a CSA to the proposed new section 7(1)(j) of the Industry Training (Construction Industry) Ordinance (ITCIO)
003952 - 004806	Hon LEUNG Fu-wah Admin Ir Dr Hon Raymond HO	Subsidy for trade tests	
004807 - 010308	Hon LEUNG Fu-wah Admin ALA5 Hon Abraham SHEK Chairman Representative of Hong Kong & Kowloon Electrical Engineering & Appliances Trade Workers Union Hon LI Fung-ying	Interpretation of section 7(1)(g) of ITCIO	
010309 - 011145	Ir Dr Hon Raymond HO Admin Hon Abraham SHEK Chairman	Views of the Hong Kong Institution of Engineers (HKIE) on the proposed revision of the composition of CITA i.e. amendments proposed to section 7(e) and (f) of ITCIO	Admin to consult HKIE and revert to the Bills Committee
011146 - 012004	Representative of The Hong Kong Construction Association Admin Chairman	Interpretation of how design, advice and consultation work would be regarded as incidental to a construction operation under paragraph 2 of the proposed schedule 1 to ITCIO	Admin to review the drafting of paragraph 2 of the proposed schedule 1 to ITCIO
012005 - 012218	Chairman Ir Dr Hon Raymond HO Admin	Administration's response to issues raised by members at the meeting on 18 July 2003 (LC Paper No. CB(2)88/03-04(01))	
012219 - 012704	Chairman Admin	New definitions proposed to ITCIO	

Time marker	Speaker	Subject(s)	Action Required
012705 - 013004	Hon Cyd HO Chairman ALA5 Admin	Adaptation of reference to "the Crown" in ITCIO and the Pneumoconiosis (Compensation) Ordinance	Admin to provide a written response to issues raised in ALA's letter dated 6 October 2003
013005 - 013216	Chairman Hon Abraham SHEK	Date of next meeting	

Council Business Division 2
Legislative Council Secretariat
3 November 2003