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**Report of the Subcommittee on
Apprenticeship (Designation of Trades) Order 2003 and
Apprenticeship (Periods of Apprenticeship) Notice 2003**

Purpose

This paper reports on the deliberations of the Subcommittee on the Apprenticeship (Designation of Trades) Order 2003 and Apprenticeship (Periods of Apprenticeship) Notice 2003.

Background

2. Under section 6(1)(f) of the Vocational Training Council Ordinance (Cap. 1130), the Vocational Training Council (VTC) shall consider and recommend which trades should be specified by the Chief Executive (CE) to be designated trades under section 45 of the Apprenticeship Ordinance (Cap. 47). CE may exercise his power under section 45 to designate any trade or occupation to be a designated trade by order. The Director of Apprenticeship may specify the periods of apprenticeship required for each designated trade by notice in the Gazette in accordance with section 46(1)(c) of the Apprenticeship Ordinance.

3. Under section 7 of the Apprenticeship Ordinance, any person aged between 14 and 18 who is employed in a designated trade and who has not completed an apprenticeship must enter into an apprenticeship contract with the employer. The contract must be registered with the Director of Apprenticeship who is currently the Executive Director of VTC. Voluntary registration is also open to apprentices over 18 years of age in designated trades or apprentices in non-designated trades.

4. At present, a total of 43 trades have been specified as designated trades under the Apprenticeship Ordinance. As at February 2003, 4 001 apprentices were registered under the apprenticeship scheme, covering 3 003 craft apprentices, 986 technician apprentices and 12 trainees.

The Order and the Notice

5. The Apprenticeship (Designation of Trades) Order 2003 specifies the trades of audio-visual and radio-frequency (AV/RF) mechanics, and building services (BS) mechanic to be designated trades referred to in the Apprenticeship Ordinance.

6. The Apprenticeship (Periods of Apprenticeship) Notice 2003 specified the period of apprenticeship for the trade of audio-visual and radio-frequency mechanic to be three years, and building services mechanic to be four years.

7. The Order and the Notice will come into operation on 17 October 2003.

The Subcommittee

8. At the meeting of the House Committee on 13 June 2003, Members formed a Subcommittee to study the Order and the Notice. Chaired by Hon CHAN Kwok-keung, the Subcommittee has held one meeting with the Administration. The membership list of the Subcommittee is in the **Appendix**.

Deliberations of the Subcommittee

Purpose of the designation of the trades

9. The Administration has informed the Subcommittee that VTC regularly reviews the list of designated trades to bring it up-to-date. In recommending trades for CE's designation, VTC takes into consideration whether the designation will enhance job safety, develop proper training and skill standards and establish a steady pool of skilled labour to meet the need of the industry.

10. The Subcommittee has noted that given the popularity and affordability of audio-visual equipment in recent years, there is demand for AV/RF mechanics even under the present economic situation. According to a VTC manpower survey, there are currently about 1 400 workers in such trade. As the works involve exposure to potential hazard of high voltage and radiation, there is a need to provide for proper training for those who are in this trade, on industrial and public safety grounds.

11. The Subcommittee has also noted that with the growing awareness of the importance of building management, there is an increasing need for quality building services and increasing demand for skilled workers in the trade. As such works involve exposure to various hazards such as fixing electrical and wiring systems and workers are required to master a wide range of skills, there is also a need to provide them with systematic training.

12. In response to Hon LI Fung-ying's enquiry, the Administration has advised that the proposal was originated from the Electronics and Telecommunications Training Board and the Electrical and Mechanical Training Board of VTC and these two Boards comprised representatives of the relevant industries. The VTC has also consulted the two trades on the proposed designation and the proposal was well received.

Training for young apprentices

13. Members of the Subcommittee have enquired about the content of training provided to apprentices registered under the Apprenticeship Ordinance. Hon Abraham SHEK has also asked how employers will benefit from the designation of trades and the training provided to workers in these trades

14. The Administration has informed members that the training embraces theoretical and on-the-job training in the trades, and the training programmes are designed specifically to cater for the needs of the employers and to promote industrial safety. With the systematic training provided to the apprentices, their practical skills will be standardised and their productivity and work safety enhanced. The employers will also benefit as it will help provide a stable supply of competent skilled labour for the industry.

15. Dr Hon LUI Ming-wah has expressed concern that there should be sufficient theoretical training, and not lopsided training emphasizing only on skills, for apprentices in the audio-visual trades. He opines that building services mechanics also require systematic training on a wide range of knowledge and skills covering water supply and drainage systems, and lighting and electrical distribution systems, etc. He has stressed that the training provided to apprentices should be of a high standard comparable to similar courses offered overseas.

16. The Administration has explained that the training programmes will be well balanced and drawn up in consultation with the employers concerned to suit their special needs and the capability of apprentices. VTC will periodically review the progress of the apprentices under training and make necessary adjustments to the training programmes.

Impact on existing apprentices

17. Hon LI Fung-ying has asked about the transitional arrangements and the impact of the Order and the Notice on the existing employees in the trades.

18. The Administration has advised that upon commencement of the Order and the Notice, young persons aged between 14 and 18 who have been employed in these two trades will be affected in one of the following ways -

- (a) if these young persons are already employed as apprentices under the voluntary registration of the Apprenticeship Ordinance, the employers may continue to employ them under section 7(1) of the Ordinance. In other words, the designation will have no impact on both the apprentices and their employers in this category;
- (b) if they are employed under a contract of apprenticeship which is not registered voluntarily under the Ordinance, the contracts shall be registered under section 7(2) within 60 days after the commencement of the Order and the Notice. Exemption from registration may be granted if the Director of Apprenticeship is satisfied that the young persons concerned have undergone the major part of their apprenticeship training; and
- (c) if they are not employed under a contract of apprenticeship, the employers will have to enter into a contract of apprenticeship under section 7(3) of the Ordinance with them within 60 days after commencement of the Order and the Notice, unless exemption is granted by the Director of Apprenticeship.

19. The Administration has advised that as at 31 May 2003, there is no voluntary registration of apprenticeship contracts in the AV/RF mechanics, although there are 71 contracts in the BS mechanics trade. However, the Administration does not have accurate statistics on the number of young persons who are currently employed in the trades but not under a contract of apprenticeship. According to two surveys conducted by VTC in 2001 and 2002, it was estimated that there were about 75 apprentices (i.e. 25 V/RF mechanics and 50 BS mechanics). Some of these apprentices may have already voluntarily registered under the Ordinance. However, the ages of these 75 apprentices are not known and some of them may fall outside the age range of 14 to 18. The Office of the Director of Apprenticeship will soon compile an exhaustive list of firms in the trades and conduct visit to each of them to ascertain the number of young people employed in these trades.

20. Hon LI Fung-ying and other members have expressed concern that the specification of the AV/RF and BS mechanics as the designated trades may result in early termination of contracts of young people who are currently employed under the Youth Work Experience and Training Scheme (YWETS), as employers may no longer be eligible for the monthly training subsidy of \$2,000 under YWETS. These members have asked whether the Administration will consider granting exemption of registration under the

Apprenticeship Ordinance to those young workers in these designated trades during the term of their existing contracts employed under YWETS.

21. At the request of the Subcommittee, the Administration has subsequently provided a written response on 25 June 2003 that as confirmed with the Office of apprenticeship, no young person aged between 14 and 18 is currently employed in the two trades under YWETS. Therefore, the designation of the two trades will not affect existing contracts under YWETS.

Recommendations

22. The Subcommittee supports the Order and the Notice. No amendment will be proposed by the Subcommittee.

Advice sought

23. Hon CHAN Kwok-keung, Chairman of the Subcommittee, made a verbal report on the deliberations of the Subcommittee at the House Committee meeting on 27 June 2003. Members are invited to note this written report of the Subcommittee.

Council Business Division 2
Legislative Council Secretariat
2 July 2003

**Subcommittee on
Apprenticeship (Designation of Trades) Order 2003 and
Apprenticeship (Periods of Apprenticeship) Notice 2003**

Membership list

Chairman	Hon CHAN Kwok-keung, JP
Members	Dr Hon LUI Ming-wah, JP Hon Andrew CHENG Kar-foo Hon Abraham SHEK Lai-him, JP Hon LI Fung-ying, JP Hon LEUNG Fu-wah, MH, JP (Total : 6 members)
Clerk	Mrs Constance LI
Legal Adviser	Miss Kitty CHENG
Date	2 July 2003