

Bills Committee on Construction Industry Council (No. 2) Bill

**List of follow-up actions arising from discussion
at the meeting on 5 November 2004**

The Administration is requested:

Composition of the Construction Industry Council (clause 9)

- (a) to review the proposed composition of the Construction Industry Council (CIC) in clause 9. In this respect, members expressed different views as follows –
- (i) appointment of members of CIC by the Secretary for the Environment, Transport and Works (Secretary) is appropriate but objective criteria should be drawn up for the appointment;
 - (ii) members of CIC should be nominated by professional bodies or trade associations and should not be appointed by the Secretary;
 - (iii) mixed mode of composition of CIC should be explored. Depending on the nature of the trade/sector, some members may be nominated by the relevant professional bodies or trade associations and some appointed by the Secretary;
 - (iv) the number of representatives for construction workers in CIC should be increased from two to five;
 - (v) architects and engineers should be represented in CIC by persons nominated by their respective professional bodies;
 - (vi) the meaning of “employers” in clause 9(3)(a) is unclear and should be reviewed; and
 - (vii) clause 9(3)(f) provides the Secretary with excessive flexibility for appointment of members and should be reviewed;

Continuance of employment (clause 82)

- (b) to make reference to the case of the Hong Kong Sports Development Board in dealing with the employment matters of the Construction Industry Training Authority (CITA). Some members feel strongly that no staff should be adversely affected because of the dissolution of the CITA;

- (c) to review the adequacy of the present drafting of clause 82 in reflecting the policy intention of protecting continued employment of staff of the CITA upon its dissolution. A suggested version is to add at the end of clause 82(1) “provided that no employment of any employee of the CITA should be terminated by reason only of and in anticipation of the dissolution.”;

Subcontracting

- (d) to elaborate how the problems associated with management of subcontracting in the construction industry could be addressed upon the establishment of CIC;

Consultation with stakeholders

- (e) to liaise with stakeholders with a view to agreeing on ways to resolve their concerns; and

Provisional Construction Industry Co-ordination Board

- (f) to provide a progress report on the work of the Provisional Construction Industry Co-ordination Board.

Council Business Division 1
Legislative Council Secretariat
26 November 2004