

2017年5月19日
19 May 2017

2017年5月19日法案委員會會議的簡介
Briefing for Bills Committee Meeting on 19 May 2017

2017年水務設施(修訂)條例草案 WATERWORKS (AMENDMENT) BILL 2017

《水務設施條例》和《水務設施規例》的全面檢討 Holistic Review of the Waterworks Ordinance and Waterworks Regulations

審視參與水管系統設計、建造和保養相關人士，包括發展商、承建商和其他人士等的職責、參與和責任
Examine the roles, involvements and responsibilities of relevant parties including the developers, contractors and other persons, who are involved in the design, construction and maintenance, etc. of plumbing systems

審視有關負責水管系統建造等各相關人士的牌照/註冊架構，例如水喉承建商的牌照/註冊制度
Examine the licensing/registration regime for parties responsible for the construction, etc. of plumbing systems, e.g. the licensing/registration system for plumbing contractors.

檢討及優化水管系統設計、建造和批准的控制流程
Review and streamline the control process on design, construction and approval of plumbing systems

檢討及加強水管物料的規管框架
Review and strengthen the regulatory framework of plumbing materials

2017年水務設施(修訂)條例草案 Waterworks (Amendment) Bill 2017

問題 Problem

- 持牌水喉匠可由工人協助進行水管工程，一直是政策原意和業界過去幾十年的作業模式
It has been the policy intent and the industry practice over the past decades that licensed plumbers (LPs) may be assisted by workers in carrying out plumbing works
- 現時《水務設施條例》(第102章)第15(1)條並不反映政策原意和業界作業模式
The current section 15(1) of the Waterworks Ordinance (Cap. 102) (WWO) does not reflect the policy intent and the industry practice

3

2017年水務設施(修訂)條例草案 Waterworks (Amendment) Bill 2017

理據 Justifications

- 食水含鉛超標調查委員會在其報告中建議，水務監督應考慮到《建造業工人註冊條例》(第583章)中，容許按該條例註冊的工人進行水管裝置工程的相關條文，界定持牌水喉匠在《水務設施條例》下的職責
The Commission of Inquiry into Excess Lead Found in Drinking Water recommended in its report that the Water Authority (WA) should define the duties of LP under the WWO, taking into account the relevant provisions of the Construction Workers Registration Ordinance (Cap. 583) (CWRO), which allows workers registered thereunder to perform plumbing installations

4

2017年水務設施(修訂)條例草案

Waterworks (Amendment) Bill 2017

主要條文 Main Provisions

- 在持牌水喉匠和水務監督授權的公職人員之外，加入水喉工人為獲指定進行水管工程的人士
Include plumbing workers, in addition to LPs and public officers authorized by the WA, as persons designated to carry out plumbing works
- 清晰列明持牌水喉匠和水喉工人在進行水管工程時承擔的責任
Make clear the obligations of LPs and plumbing workers in carrying out plumbing works
- 把現行的行政規定納入條例，訂明所有進行水管工程許可的申請均須由持牌水喉匠提出
Formalize the current administrative requirement to stipulate that all applications for permission to carry out plumbing works have to be made by LPs

5

獲指定進行有關消防供水系統水管工程的人士 Persons Designated to Carry Out Plumbing Works on a Fire Service

- 持牌水喉匠
Licensed Plumbers
- 根據《建造業工人註冊條例》註冊為下述技工的人：
A person who is registered under the CWRO as:
 - 屬水喉工、地渠及喉管工(全科)、消防設備技工(全科)或消防機械裝配工工種分項的註冊熟練技工；或
a registered skilled worker for the plumber, drain and pipe layer (master), fire service mechanic (master) or fire service mechanical fitter trade division; or
 - 屬水喉工或消防機械裝配工工種分項的註冊半熟練技工
a registered semi-skilled worker for the plumber or fire service mechanical fitter trade division
- 根據《建造業工人註冊條例》註冊為下述技工的人：
A person who is registered under the CWRO as:
 - 屬水喉工、地渠及喉管工(全科)或消防機械裝配工工種分項的註冊熟練技工(臨時)；
a registered skilled worker (provisional) for the plumber, drain and pipe layer (master) or fire service mechanical fitter trade division;
 - 屬水喉工或消防機械裝配工工種分項的註冊半熟練技工(臨時)；或
a registered semi-skilled worker (provisional) for the plumber or fire service mechanical fitter trade division
- 在①或②所述人士的指示及督導下工作的人，或
A person who works under the instruction and supervision of a person described in ① or ②
- 水務監督授權的公職人員
A public officer authorized by the WA

獲指定進行有關內部供水系統水管工程的人士 Persons Designated to Carry Out Plumbing Works on an Inside Service

- 持牌水喉匠
Licensed Plumbers
- 根據《建造業工人註冊條例》註冊為下述技工的人：
A person who is registered under the CWRO as:
 - 屬水喉工或地渠及喉管工(全科)工種分項的註冊熟練技工；或
a registered skilled worker for the plumber or drain and pipe layer (master) trade division; or
 - 屬水喉工工種分項的註冊半熟練技工
a registered semi-skilled worker for the plumber trade division
- 根據《建造業工人註冊條例》註冊為下述技工的人：
A person who is registered under the CWRO as:
 - 屬水喉工或地渠及喉管工(全科)工種分項的註冊熟練技工(臨時)；
a registered skilled worker (provisional) for the plumber or drain and pipe layer (master) trade division;
 - 屬水喉工工種分項的註冊半熟練技工(臨時)
a registered semi-skilled worker (provisional) for the plumber trade division
- 在①或②所述人士的指示及督導下工作的人，或
A person who works under the instruction and supervision of a person described in ① or ②
- 水務監督授權的公職人員
A public officer authorized by the WA

6

2017年水務設施(修訂)條例草案 Waterworks (Amendment) Bill 2017

其他修訂 Other Amendments

- 向水務監督賦權，讓其在無需取得同意或手令的情況下，進入任何正進行水管工程的非供人居住的處所，以確定工程是否由獲指定進行水管工程的人士進行
Empower the WA to enter into any premises that is not used for human habitation, without consent or warrant, where plumbing works are being carried out to ascertain whether the works are being carried out by persons designated for carrying out the works
- 訂明檢控可於水務監督發現或知悉罪行當日起計六個月內提出
Stipulate that prosecution may be brought within a period of six months from the date on which the offence is discovered by, or comes to the notice of, the WA

7

2017年水務設施(修訂)條例草案 Waterworks (Amendment) Bill 2017

諮詢 Consultation

- **立法檢討諮詢小組 Consultative Group for Legislative Review**
 - 由專業團體、水喉業商會、水喉匠協會、職工會、建造業、發展商和消費者委員會派出20名代表
20 representatives from professional bodies, plumbing trade associations, plumbers associations, workers union, construction sector, developers and the Consumer Council
 - 大致上支持本次修訂建議
Support the proposal in general
- **公眾諮詢 Public Consultation**
 - 通過書面意見書、電話熱線和公眾諮詢會收集公眾意見
Public views are collected via written submissions, telephone hotline and public forums
 - 大致上表示支持或無反對意見
Generally support the proposal or have no adverse comment
- **立法會發展事務委員會 Legislative Council Panel on Development**
 - 我們於2017年1月24日向立法會發展事務委員會簡介建議，委員沒有提出反對意見
We briefed the LegCo Panel on Development on 24 January 2017, and panel members have no adverse comment

8



謝謝
Thank you