

立法會
Legislative Council

LC Paper No. CB(1)250/17-18
(These minutes have been seen
by the Administration)

Ref : CB1/BC/4/16

Bills Committee on Waterworks (Amendment) Bill 2017

Minutes of second meeting
on Monday, 12 June 2017, at 9:00 am
in Conference Room 2 of the Legislative Council Complex

Members present : Ir Dr Hon LO Wai-kwok, SBS, MH, JP (Chairman)
Dr Hon Helena WONG Pik-wan (Deputy Chairman)
Hon LEUNG Kwok-hung
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon POON Siu-ping, BBS, MH
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai
Hon LAU Kwok-fan, MH
Dr Hon YIU Chung-yim

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

Public officers attending : Agenda item I
Development Bureau

Mr Vincent MAK
Deputy Secretary (Works) 2

Water Supplies Department

Mr Bobby NG, BBS
Team Leader/ Legislative Review

Mr Horace LEE
Senior Engineer/ Legislative Review (2)

Department of Justice

Miss Selina LAU
Senior Assistant Law Draftsman

Miss Wendy HO
Government Counsel

Attendance by invitation : Agenda item I

Mr WONG Ping-fai
Chairman
Plumbing Technology Student Association

Mr WONG Wing-wah
Chairman
Registered Minor Works Contractor Signatory
Association Ltd.

Mr David LAU
Vice Chairman
Hong Kong Plumbing and Sanitary Ware Trade
Association Ltd.

Mr TSANG Kwai-yin
Chairman
Hong Kong Licensed Plumbers Union Limited

Mr William CHAN Lee-shing
Council Member & Chairman of Government
Liaison Committee
The Hong Kong Federation of Electrical and
Mechanical Contractors Limited

Mr LEE Chun-keung
Vice Party Chair
Liberal Party

Mr CHENG Wai-cheong
Chairman
Hong Kong Water Works Professionals Association
Ltd.

Miss LI Miu-lee
Frontline Tech Workers Concern Group

Dr CHENG Shing-kwong
Vice Chairman
The Hong Kong Institution of Plumbing and
Drainage Ltd.

Dr WONG Siu-wing
Chairman
The Chartered Institute of Plumbing and Heating
Engineering – Hong Kong Branch

Miss Senia NG Sze-nok
Barrister
Progressive Lawyers Group

Mr TANG Kwong-yiu
Chairman
Hong Kong Licensed Plumbing Professionals
Association Ltd

Clerk in attendance : Mr Derek LO
Chief Council Secretary (1)5

Staff in attendance : Ms Wendy KAN
Assistant Legal Adviser 6

Mr Fred PANG
Senior Council Secretary (1)5

Ms Michelle NIEN
Legislative Assistant (1)5

Action

I. Meeting with deputations and the Administration

Matters arising from previous meeting

(LC Paper No. CB(1)1093/16-17(01) — List of follow-up actions arising from the meeting on 19 May 2017

LC Paper No. CB(1)1093/16-17(02) — Administration's response to the issues raised at the meeting on 19 May 2017

LC Paper No. CB(1)1115/16-17(01) — Administration's response to Assistant Legal Adviser's letter dated 9 May 2017

LC Paper No. CB(1)962/16-17(03) — Assistant Legal Adviser's letter dated 9 May 2017 to the Administration

(Post meeting note: Five submissions which were tabled at the meeting were circulated to members vide LC Paper Nos. CB(1)1121/16-17(01) to (05) on 12 June 2017 in electronic form.)

Presentation of views by deputations/individuals

12 deputations attending the meeting presented their views on the Waterworks (Amendment) Bill 2017 ("the Bill"). The Administration provided a consolidated response to the views expressed by the deputations as follows –

- (a) the Administration was conducting a holistic review on the Waterworks Ordinance (Cap. 102) ("WVO") and Waterworks Regulations (Cap. 102A) ("WWR") ("the Review") with a view to revamping the legislation to cater for the latest development of the plumbing trade, technologies and practices. Amendments to WVO and WWR would be carried out in phases. The first phase legislative amendments would deal with the duties of licensed plumbers ("LPs") and plumbing workers in carrying out the plumbing works and the standards of plumbing materials respectively;

- (b) the current section 15(1) of WWO specified that the construction, installation, maintenance, alteration, repair or removal of fire services or inside services must be carried out by an LP or a public officer authorized by the Water Authority ("WA"), and the Bill would amend the section as it did not reflect the industry practice that LPs might be assisted by workers in carrying out plumbing works and was not in line with the relevant provisions of the Construction Workers Registration Ordinance (Cap. 583);
 - (c) the Bill did not seek to impose any additional liability on a worker in respect of the works. In contrast, the Bill would include a new statutory defence provision for a person designated for carrying out the plumbing works who contravened section 14(3) of WWO in reasonable circumstances; and
 - (d) as part of the Review, the Administration was examining the roles, involvements and responsibilities of developers, contractors and other persons involved in works related to plumbing systems, and expected to put forth a relevant proposal for consultation in 2018 before proceeding to the next phase legislative amendments.
2. The Bills Committee deliberated (Index of proceedings in the **Appendix**).
3. Mr SHIU Ka-fai declared that he was a supplier of construction materials.
4. During the deliberations of the Bills Committee, the Chairman suspended the meeting at 11:31 am and resumed at 11:40 am.

Follow-up actions to be taken by the Administration

5. The Administration was requested to provide the following information –
- (a) detailed written response to the views expressed by deputations at the meeting, as well as the questions and concerns raised in their written submissions; and

- (b) details of the training programmes and examinations/tests available for the plumbing industry, the institutions providing such programmes/examinations/tests, the types/areas of plumbing works that the persons who had completed/passed such programmes/examinations/tests would be qualified to carry out, and how such programmes/examinations/tests could help the new entrants to/practitioners of the plumbing industry to move up the career ladder.

(Post-meeting note: The Administration's supplementary information was issued to members vide LC Paper No. CB(1)1150/16-17(02) on 16 June 2017.)

Date of next meeting

6. The Chairman reminded members that the next meeting would be held on Monday, 19 June 2017 at 10:45 am.

II. Any other business

7. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 1
Legislative Council Secretariat
22 November 2017

**Proceedings of the second meeting of
the Bills Committee on Waterworks (Amendment) Bill 2017
on Monday, 12 June 2017, at 9:00 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda item I – Meeting with deputations and the Administration			
000524 – 000826	Chairman	Opening remarks	
000827 – 001039	Registered Minor Works Contractor Signatory Association Ltd.	Presentation of views [LC Paper No. CB(1)1093/16-17(05)]	
001040 – 001555	Hong Kong Plumbing and Sanitary Ware Trade Association Ltd.	Presentation of views [LC Paper No. CB(1)1093/16-17(06)]	
001556 – 002028	Plumbing Technology Student Association	Presentation of views	
002029 – 002538	Hong Kong Licensed Plumbers Union Limited	Presentation of views [LC Paper No. CB(1)1093/16-17(04)]	
002539 – 003043	The Hong Kong Federation of Electrical and Mechanical Contractors Limited	Presentation of views [LC Paper No. CB(1)1093/16-17(03)]	
003044 – 003512	Liberal Party	Presentation of views	
003513 – 003616	Hong Kong Water Works Professionals Association Ltd.	Presentation of views	
003617 – 004123	Frontline Tech Workers Concern Group	Presentation of views	
004124 – 004636	The Hong Kong Institution of Plumbing and Drainage Ltd.	Presentation of views [LC Paper No. CB(1)1121/16-17(01)]	

Time marker	Speaker	Subject(s)	Action required
004637 – 005011	The Chartered Institute of Plumbing and Heating Engineering – Hong Kong Branch	Presentation of views	
005012 – 005515	Progressive Lawyers Group	Presentation of views [LC Paper No. CB(1)1121/16-17(02)]	
005516 – 005655	Hong Kong Licensed Plumbing Professionals Association Ltd.	Presentation of views [LC Paper No. CB(1)1121/16-17(03)]	
005656 – 010319	Administration	Consolidated response to deputations' views	
010320 – 012744	<p>Chairman</p> <p>Dr Helena WONG</p> <p>Administration</p> <p>Hong Kong Licensed Plumbers Union Limited</p> <p>The Hong Kong Federation of Electrical and Mechanical Contractors Limited</p> <p>Registered Minor Works Contractor Signatory Association Ltd.</p> <p>Frontline Tech Workers Concern Group</p> <p>Plumbing Technology Student Association</p> <p>Progressive Lawyers Group</p>	<p>Dr Helena WONG opined that –</p> <p>(a) the Administration should introduce legislation on drinking water safety;</p> <p>(b) all the parties involved in plumbing works should be regulated; and</p> <p>(c) the Administration should consider carefully whether it was appropriate to allow registered general workers to carry out plumbing works.</p> <p>The Administration advised that –</p> <p>(a) plumbing works covered a lot of menial or repetitive tasks, which were generally expected to be carried out by persons under instruction and supervision; and</p> <p>(b) allowing a qualified person to be assisted by a person who might not be qualified in carrying out the works, such as a registered general worker, had been a decades-long practice in the plumbing trade, and this arrangement was in line with the relevant arrangement under the Construction Workers Registration Ordinance (Cap. 583)("CWRO").</p>	

Time marker	Speaker	Subject(s)	Action required
	<p>The Chartered Institute of Plumbing and Heating Engineering – Hong Kong Branch</p> <p>Hong Kong Plumbing and Sanitary Ware Trade Association Ltd.</p>	<p>In response to Dr Helena WONG, Hong Kong Licensed Plumbers Union Limited, The Hong Kong Federation of Electrical and Mechanical Contractors Limited, Registered Minor Works Contractor Signatory Association Ltd., Frontline Tech Workers Concern Group, Plumbing Technology Student Association, Progressive Lawyers Group, The Chartered Institute of Plumbing and Heating Engineering – Hong Kong Branch, and Hong Kong Plumbing and Sanitary Ware Trade Association Ltd. expressed views on the proposal under the Bill to allow registered general workers to carry out plumbing works under the instruction and supervision of a licensed plumber ("LP") or a worker registered for the trade division of plumber.</p> <p>In response to the Chairman, the Administration explained the difference between registered general workers and registered plumbing workers (provisional).</p>	
<p>012745 – 013323</p>	<p>Chairman</p> <p>Mr LEUNG Che-cheung</p> <p>Administration</p>	<p>Mr LEUNG Che-cheung opined that it was reasonable to allow a person who was under proper instruction and supervision to assist a qualified person in carrying out plumbing works.</p> <p>Mr LEUNG Che-cheung enquired about the time taken by the Administration to process applications for plumbing works, and whether the relevant legislation would specify the timeframe for processing such applications. The Chairman enquired about the measures to address the concern of the industry about the processing time for such applications.</p> <p>The Administration replied that –</p> <p>(a) approval of an application for plumbing works would normally be granted within 30 days upon the receipt of the application and all the relevant documents; and the process might take longer time if clarifications from the applicant were required;</p> <p>(b) the Water Supplies Department ("WSD") had been reviewing the processing of such applications with a view to working out measures to speed up the vetting process; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) the Administration would give consideration to the suggestion of specifying in the relevant legislation the target processing timeframe when working out the proposal for the next phase of the review of the Waterworks Ordinance (Cap. 102) ("WWO") and Waterworks Regulations (Cap. 102A) ("WWR").</p>	
<p>013324 – 014725</p>	<p>Chairman Mr POON Siu-ping Mr SHIU Ka-fai Administration</p>	<p>Mr POON Siu-ping enquired –</p> <p>(a) whether the meaning of "works of a minor nature" would be provided under WWO;</p> <p>(b) about the Administration's position in respect of the concern on the proposal under the Bill that any prosecution under WWO might be brought within a period of six months from the date on which the offence was discovered by, or came to the notice of, the Water Authority ("WA"); and</p> <p>(c) whether the Administration had assessed the impact of the proposed amendments under the Bill on persons who wished to enter the plumbing industry.</p> <p>The Chairman relayed the plumbing workers' concern about the risk of being charged with offences under the amended WWO if the plumbing materials they used were found to be substandard but they had been informed otherwise by the person in charge of the project concerned.</p> <p>Mr SHIU Ka-fai said that –</p> <p>(a) it was the existing WSD's practice to inspect plumbing works upon its completion, and the department should identify any non-compliances during the inspection;</p> <p>(b) the proposal that a prosecution under WWO might be brought within a period of six months from the date on which the offence was discovered by, or came to the notice of, WA might be unfair to plumbing practitioners, as it would allow the Administration to institute prosecution against them for a non-compliance if the</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>non-compliance could not be identified during the inspection of the plumbing works concerned but was discovered after a very long time; and</p> <p>(c) in case where the plumbing materials used in a project were found substandard, it might be difficult to find out whether or not the workers concerned had been instructed to use such materials.</p> <p>The Administration replied that –</p> <p>(a) WSD had been promulgating the general principles and examples for "works of a minor nature" via publications on its website. This practice had been effective and retained flexibility for WA to give prompt response in catering for changes in the plumbing trade;</p> <p>(b) the proposal regarding the time limit for prosecution under the Bill was introduced to ensure that any prosecution under WWO would not be time-barred due to the lapse of a period of time between the time the offence was committed and the subsequent discovery of the offence; and similar arrangement could be found under section 142 of the Lifts and Escalator Ordinance (Cap. 618) and section 57 of the Electricity Ordinance (Cap. 406);</p> <p>(c) under the Bill, it would be the responsibility of an LP who was acting as a Responsible LP for a plumbing project to ensure the plumbing materials used were in compliance with the relevant requirements/standards; and</p> <p>(d) the Bill had introduced a new statutory defence provision to provide protection to a person, including a worker, from being convicted of an offence under WWO due to reasons out of their control.</p> <p>Mr SHIU Ka-fai remarked that the Responsible LP for a project might have practical difficulties to control the materials actually used by workers at the project site.</p>	

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014726 – 015340	Chairman Dr YIU Chung-yim Administration	<p>Dr YIU Chung-yim enquired –</p> <p>(a) about how the Bill would deal with the plumbing works carried out in domestic premises;</p> <p>(b) about the Administration's position regarding some deputations' suggestion that the Bill should set out the roles and responsibilities of plumbing professional relevant to plumbing works;</p> <p>(c) apart from "construction" and "installation", whether the words such as "maintenance" and "repair" should be included in the proposed section 14(4) of WWO; and</p> <p>(d) whether the Administration would accept The Hong Kong Institution of Plumbing and Drainage Ltd.'s suggestion in its submission (LC Paper No. CB(1)1121/16-17(01)) to amend the statutory defence provision in the Bill.</p> <p>The Administration replied that –</p> <p>(a) the plumbing works carried out in domestic premises, such as replacement of a water tap, were usually "works of a minor nature" which did not require the approval of WA;</p> <p>(b) the Administration had been studying the suggestion about the involvement of plumbing professional as part of its next phase review of WWO/WWR;</p> <p>(c) the maintenance and repair works, which were of minor nature, for fire services or inside services were not regulated under WWO unless such works involved large-scale replumbing, and the Administration would consider amending the proposed section 14(4) of WWO when the Bills Committee examined the relevant provision; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(d) the Administration would consider The Hong Kong Institution of Plumbing and Drainage Ltd.'s suggestion to amend the statutory defence provision under the Bill when the Bills Committee examined the relevant provision.</p> <p>In response to Dr YIU Chung-yim, the Administration advised that the view of Progressive Lawyers Group had been noted, and the Administration would consider revising the wording in the proposed section 15(4) of WWO to clarify that the Bill did not intend to impose the offence under the section on a person who employed or permitted a person other than a designated person to carry out works of a minor nature.</p>	
015341 – 015936	<p>Chairman</p> <p>Dr Helena WONG</p> <p>Administration</p> <p>ALA6</p>	<p>Discussion on the legal effect of setting out the principles for "works of a minor nature" via publications on the WSD's website, and whether the meaning of "works of a minor nature" should be added to the Bill.</p> <p>In response to Dr Helena WONG's enquiry about whether the Bill would set out the roles and responsibilities of other parties involved in works related to plumbing systems such as developers, contractors, suppliers of plumbing materials and professionals, the Administration advised that a proposal to regulate these parties was expected to be worked out for consultation in early next year.</p>	
015937 – 020836	<p>Chairman</p> <p>Mr SHIU Ka-fai</p> <p>Administration</p>	<p>Mr SHIU Ka-fai opined that –</p> <p>(a) the proposed provision that any prosecution under WWO might be brought within a period of six months from the date on which the offence was discovered by, or came to the notice of, WA would pose an additional burden on plumbing practitioners;</p> <p>(b) the Administration should consider the suggestion from deputations to amend the Bill to the effect that any prosecution under WWO might be brought within six years from the date on which the offence was committed; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) the Administration should increase manpower to support the WSD's work in inspecting the completed plumbing works so that the department could identify all non-compliances during the inspection.</p> <p>The Administration replied that –</p> <p>(a) the proposed provision regarding the time limit for prosecution should not be a burden to industry practitioners if they had taken all reasonable steps to comply with the relevant requirements when carrying out plumbing works;</p> <p>(b) the Administration was open to further discussion regarding the proposed time limit for prosecution; and</p> <p>(c) WSD's inspection was to conduct spot check for compliance on completed plumbing works, and it might not be practicable to conduct a full compliance checking.</p> <p>In response to Mr SHIU Ka-fai, Hong Kong Licensed Plumbers Union Limited expressed view on the possible problems arising from the arrangement of allowing workers other than registered plumbing workers to carry out plumbing works, and the measures to address the problems.</p>	
020837 – 021131	<p>Chairman</p> <p>Dr Helena WONG</p>	<p>Dr Helena WONG opined that –</p> <p>(a) it was appropriate for the Administration to amend WWO to the effect that any prosecution under WWO might be brought within a specific period from the date on which the offence was discovered by, or came to the notice of, WA; and</p> <p>(b) it was important for the Administration to arrange timely inspection of plumbing works with a view to identifying any non-compliances as early as possible.</p>	

Time marker	Speaker	Subject(s)	Action required
021132 – 023439	<p>Chairman</p> <p>Mr SHIU Ka-fai</p> <p>Dr Helena WONG</p> <p>Administration</p> <p>Registered Minor Works Contractor Signatory Association Ltd.</p> <p>The Hong Kong Federation of Electrical and Mechanical Contractors Limited</p> <p>Hong Kong Licensed Plumbers Union Limited</p> <p>The Hong Kong Institution of Plumbing and Drainage Limited</p> <p>Frontline Tech Workers Concern Group</p> <p>Hong Kong Plumbing and Sanitary Ware Trade Association Ltd</p> <p>Progressive Lawyers Group</p>	<p>Mr SHIU Ka-fai enquired whether Hong Kong Licensed Plumbers Union Limited had been consulted in the course of the review of WWO.</p> <p>The Administration replied that –</p> <p>(a) there were more than one organization representing the interests of LPs in Hong Kong, and the Administration had maintained communications with five of these organizations on matters relating to plumbing; and</p> <p>(b) Hong Kong Licensed Plumbers Union Limited was recently established, and its representative had taken part in the public forums on the proposed amendments to WWO organized by the Administration.</p> <p>In response to Mr SHIU Ka-fai, Registered Minor Works Contractor Signatory Association Ltd., The Hong Kong Federation of Electrical and Mechanical Contractors Limited and The Hong Kong Institution of Plumbing and Drainage Limited expressed views on whether the cost of plumbing works would increase after the implementation of the new requirements under the Bill.</p> <p>Mr SHIU Ka-fai opined that the additional cost of plumbing works brought by the implementation of the new requirements under the Bill would eventually be passed on to the consumers and taxpayers in Hong Kong.</p> <p>In response to Mr SHIU Ka-fai, The Hong Kong Federation of Electrical and Mechanical Contractors Limited expressed view on the provision of training for registered general workers engaging in plumbing works.</p> <p>The Chairman remarked that there were various progression pathways that might meet the needs of workers in the plumbing trade.</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>Dr Helena WONG requested the Administration to provide information on the training programmes and examinations/tests available for the plumbing industry, the institutions providing such programmes/examinations/tests, the types/areas of plumbing works that the persons who had completed/passed such programmes/examinations/tests would be qualified to carry out, and how such programmes/examinations/tests could help the new entrants to/practitioners of the plumbing industry to move up the career ladder.</p> <p>Hong Kong Licensed Plumbers Union Limited and Frontline Tech Workers Concern Group expressed views on whether the public officers concerned should be held legally liable for failing to identify non-compliances when inspecting plumbing works.</p> <p>In response to Dr Helena WONG's enquiry on how the Administration could ensure that the plumbing materials procured and delivered to sites for installation were those reported in the applications for WSD's approvals, the Administration advised that –</p> <p>(a) prior to the commencement of a plumbing project, the LP concerned was required to submit a full list of plumbing materials to be used in the project for the WA's approval; and during the interim/final inspections, WSD would conduct random check to ensure that the plumbing materials used in the project were those approved by WA;</p> <p>(b) to strengthen the control of plumbing materials after the "excess lead in drinking water in public rental housing estates" incident, WSD had enhanced the final inspections of plumbing works by testing lead in solders; and</p> <p>(c) while the Administration was determined to ensure that drinking water safety would not be compromised, it would also be mindful of not over-regulating the industry resulting in a disproportionate burden on the stakeholders and additional compliance cost.</p>	<p>The Administration to follow up as stated in paragraph 5(b) of the minutes.</p>

Time marker	Speaker	Subject(s)	Action required
		<p>Mr SHIU Ka-fai declared that he was a supplier of construction materials, and opined that the Administration should make clear to workers their responsibilities with respect to plumbing works under the amended WWO.</p> <p>In response to Mr SHIU Ka-fai, Hong Kong Plumbing and Sanitary Ware Trade Association Ltd. and Hong Kong Licensed Plumbers Union Limited expressed views on whether the Bill would impose additional liabilities on plumbing workers and LPs in respect of plumbing works.</p> <p>Progressive Lawyers Group expressed view on the proposal under the Bill that any prosecution under WWO might be brought within a period of six months from the date on which the offence was discovered by, or came to the notice of, WA.</p> <p>The Chairman requested the Administration to provide detailed written response to the views expressed by deputations at the meeting, as well as the questions and concerns raised in their written submissions.</p>	<p>The Administration to follow up as stated in paragraph 5(a) of the minutes.</p>
023440 – 024428	<p>Chairman</p> <p>All members present</p>	<p>Expressed thanks to deputations</p> <p>The meeting suspended at 11:31 am and resumed at 11:40 am.</p>	
024429 – 034909	<p>Chairman</p> <p>Dr Helena WONG</p> <p>Mr SHIU Ka-fai</p> <p>Administration</p> <p>ALA6</p>	<p>Briefing by the Administration on LC Paper No. CB(1)1093/16-17(02)</p> <p>The Chairman enquired about the Administration's timetable for submitting to the Legislative Council the proposal with respect to the next phase of the review of WWO/WWR to regulate the other relevant parties involved in plumbing works such as developers, professionals and contractors and to strengthen the regulatory framework for plumbing materials.</p> <p>Dr Helena WONG enquired whether the proposal with respect to the next phase of the review of WWO/WWR would be part of the Administration's plan to legislate for drinking water safety.</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>The Administration replied that –</p> <ul style="list-style-type: none"> (a) the Administration expected that the proposal would be made available for trade consultation in 2018; (b) legislation on drinking water safety was not covered under the next phase of the review of WWO/WWR; (c) the Development Bureau ("DEVB") had engaged consultants to study the water safety regimes of leading jurisdictions, and DEVB and other relevant bureaux/departments were considering the consultant studies; and (d) with respect to the control of the plumbing materials for sale in the retail market, the Administration had as the first step introduced a voluntary labelling scheme to help consumers to identify approved products, and the experience obtained from the implementation of the scheme would form part of the Administration's review on WWO/WWR. <p>Discussion on the causes of the "excess lead in drinking water in public rental housing estates" incident.</p> <p>Dr Helena WONG opined that –</p> <ul style="list-style-type: none"> (a) the Administration should ensure that inspection and testing procedures were in place for plumbing materials for use in drinking water service installations; (b) the Administration should legislate for the labelling scheme for control of plumbing materials; and (c) persons who provided instruction and supervision for other persons in carrying out plumbing works such as registered plumbing workers were concerned that they were at risk of being charged with offences if the plumbing materials provided by contractors/developers for use in the works were found to be substandard. 	

Time marker	Speaker	Subject(s)	Action required
		<p>The Administration responded that –</p> <ul style="list-style-type: none"> (a) WSD currently conducted random testing of plumbing materials used in plumbing works to ensure that they were those approved by WA; (b) the Administration considered it prudent to consult the industry and other relevant stakeholders before deciding on whether it should legislate on the labelling scheme for plumbing materials for sale in the retail market; and (c) under the Bill, the LP who was acting in the capacity of a Responsible LP for a plumbing project would have an obligation to ensure that the plumbing materials used in the project were in compliance with the relevant requirements/standards. <p>Dr Helena WONG opined that –</p> <ul style="list-style-type: none"> (a) the Administration should regulate the quality of drinking water from source to taps; and (b) drinking water safety should not be compromised by other considerations such as the interests of the industry, and the Administration should accord top priority to the public interest in ensuring the quality of water supply in Hong Kong. <p>Discussion on Dr Helena WONG's suggestion of adding provisions to the Bill setting out the roles and responsibilities of the parties supplying plumbing materials with a view to ensuring that the plumbing materials for use in projects were in compliance with the relevant requirements/standards.</p> <p>Mr SHIU Ka-fai opined that –</p> <ul style="list-style-type: none"> (a) it was appropriate for the Administration to step up inspection of plumbing materials, such as drinking water taps for sale in the retail market; 	

Time marker	Speaker	Subject(s)	Action required
		<p>(b) the Administration should consider carefully which of the parties involving in plumbing works should assume the responsibility to determine whether the materials to be used in the works were in compliance with the relevant requirements/standards; and</p> <p>(c) the Administration should consider measures to ensure that the plumbing materials actually delivered to the works sites were those in compliance with the relevant requirements/standards.</p> <p>The Administration advised that compared to the offence of strict liability in the current WWO, the proposed statutory defence provision would give a more comprehensive protection to plumbing workers as it would shift the onus of proof from the workers to the prosecution.</p> <p>The Chairman said that –</p> <p>(a) the Bills Committee might further consider the deputations' concerns in relation to the proposed statutory defence and time limit for prosecution when examining the relevant provisions of the Bill;</p> <p>(b) the Administration had advised in its paper that it was considering a proposal to empower WA to issue a Code of Practice and/or Technical Memorandum for material standards and requirements for plumbing materials to be used in plumbing systems; and</p> <p>(c) it was appropriate for the Administration to adopt a holistic approach in enhancing water safety.</p> <p>The Chairman referred to the Administration's written response to ALA6's letter dated 9 May 2017 (LC Paper No. CB(1)1115/16-17(01)), and advised that the Bills Committee might consider the response when examining the relevant provisions of the Bill at future meetings.</p>	

Time marker	Speaker	Subject(s)	Action required
		In response to Dr Helena WONG, the Administration advised that the training programmes and examinations/tests available for the plumbing industry were under the purview of DEVB.	
Agenda item II – Any other business			
034910 – 034928	Chairman	Meeting arrangement	

Council Business Division 1
Legislative Council Secretariat
22 November 2017