

立法會
Legislative Council

LC Paper No. CB(1)962/16-17(02)

Ref: CB1/BC/4/16

Bills Committee on Waterworks (Amendment) Bill 2017

Background brief

Purpose

This paper provides background information on the Administration's proposal to amend the Waterworks Ordinance (Cap. 102) ("WVO") and the Waterworks Regulations (Cap. 102A) ("WVR") to revise the requirements relating to the carrying out of works on fire services and inside services (collectively referred to as "plumbing systems"). It also summarizes the major views and concerns expressed by members of the Panel on Development ("DEV Panel") on the proposed legislative amendments.

Background

2. Under section 15(1) of WVO, the construction, installation, maintenance, alteration, repair or removal (collectively referred to as "construction, etc.") of plumbing systems must be carried out by a licensed plumber ("LP") or a public officer authorized by the Water Authority ("WA"). Despite the language of the legislation, it has been the policy intent and the industry practice over the past decades that LPs may be assisted by workers in carrying out the construction, etc. of plumbing systems.

3. Moreover, the Commission of Inquiry into Excess Lead found in Drinking Water ("CoI") recommended in its report that WA should define the duties of LPs under WVO, taking into account the relevant provisions of the Construction Workers Registration Ordinance (Cap. 583) ("CWRO")

which allows workers registered thereunder¹ to perform plumbing installations.

Waterworks (Amendment) Bill 2017

4. Against the above background, the Administration has proposed to introduce into the Legislative Council ("LegCo") the Waterworks (Amendment) Bill 2017 ("the Bill") for amending WWO and WWR, so that the following persons other than LPs and public officers authorized by WA can carry out the construction, etc. of plumbing systems as well:

- (a) skilled or semi-skilled workers for the relevant designated trade divisions registered under CWRO; and
- (b) other persons working under the instruction and supervision of LPs, skilled workers or semi-skilled workers for the relevant designated trade divisions (collectively referred to as "supervisors").

5. Through the proposed amendments, the requirements on the persons designated for carrying out the construction, etc. of plumbing systems under WWO can be aligned with those under CWRO.

6. Moreover, the Bill seeks to specify the obligations of responsible LPs, supervisors and designated persons in carrying out the construction, etc. of plumbing systems, and make other associated amendments to WWO and WWR.²

Major views and concerns expressed by members

7. The Administration briefed DEV Panel on the legislative proposal at the latter's meeting on 24 January 2017. Members generally supported the proposal.

8. Noting that the proposal had been put forward as a response to one of the recommendations made in CoI's Report, members urged the

¹ These workers include registered skilled workers or semi-skilled workers for the relevant designated trade divisions and other registered construction workers working under their instruction and supervision.

² Details are available in the [Legislative Council Brief on "Waterworks \(Amendment\) Bill 2017"](#).

Administration to speed up its follow-up actions on CoI's other recommendations, such as completing a holistic review on the legislative framework and regulatory regime for safeguarding the quality of drinking water in Hong Kong.

9. The Administration advised that it had been following up the recommendations of CoI and had decided to give priority to introducing legislative amendments to WWO to designate the persons for carrying out the plumbing works and stipulate clearly the duties of LPs.

Latest development

10. The Administration introduced the Bill into LegCo for first reading on 26 April 2017. At the House Committee meeting held on 28 April 2017, Members agreed that a Bills Committee should be formed to scrutinize the Bill.

Relevant papers

11. A list of relevant papers with their hyperlinks is in **Appendix**.

Council Business Division 1
Legislative Council Secretariat
18 May 2017

Waterworks (Amendment) Bill 2017

List of relevant papers

Council/Committee	Date of meeting	Paper
Panel on Development	24 January 2017	<p>Administration's paper on "Proposed Amendments to the Waterworks Ordinance (Cap. 102) and the Waterworks Regulations (Cap. 102A)" [LC Paper No. CB(1)439/16-17(05)]</p> <p>Minutes of policy briefing cum meeting [LC Paper No. CB(1)700/16-17]</p>
Council meeting	26 April 2017 (First reading of the Bill)	Legislative Council Brief on "Waterworks (Amendment) Bill 2017" [File Ref: DEVB(CR)(W)1-10/49]
House Committee	28 April 2017	Legal Service Division Report on "Waterworks (Amendment) Bill 2017" [LC Paper No. LS56/16-17]