



立法會秘書處 法律事務部  
LEGAL SERVICE DIVISION  
LEGISLATIVE COUNCIL SECRETARIAT

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By Fax (2801 5034)

14 June 2017

Mr Vitus NG  
Prin AS (Works)3  
Development Bureau  
15/F, West Wing  
Central Government Offices  
2 Tim Mei Avenue, Tamar  
Hong Kong

Dear Mr NG,

### **Waterworks (Amendment) Bill 2017**

We refer to our telephone conversations with your colleague, Mr CHENG, on 13 June 2017 and earlier today.

As spoken, we would like to seek your further clarification regarding some of the Administration's responses to our letter of 9 May 2017 (LC Paper No. CB(1)962/16-17(03)) in the Administration's paper (LC Paper No. CB(1)1115/16-17(01)) dated 9 June 2017 ("the Paper") as set out in the ensuing paragraphs.

#### Response to Question 2

With reference to paragraph 5 of the Paper, since "compliance with this Ordinance" in the new section 14(6) of the Waterworks Ordinance (Cap. 102) may cover compliance of requirements wider than those under the existing section 14(3) of Cap. 102, please consider to make appropriate amendments to the new section 14(6) to reflect the policy intention.

Response to Question 6

To assist Members' scrutiny of the relevant provisions in the Bill, please let us have the proposed contents of the guidelines mentioned in paragraph 10 of the Paper. Please also advise whether the guidelines would also be addressed and issued to a person ("the Worker") who carries out specified plumbing works under the instruction and supervision of a licensed plumber or registered plumbing worker ("Instructing Supervisor").

As to the proposed contents of the guidelines:

- (a) What would be the steps required to be taken by the Worker in order to ascertain whether the Worker's Instructing Supervisor is in fact a licensed plumber or registered plumbing worker during the relevant time?
- (b) Would the Worker be required to check the Register of Construction Workers made available to the public under the Construction Workers Registration Ordinance (Cap. 583)?
- (c) Would a list of licensed plumbers be compiled and made available to the Worker, and if so, would the Worker be required to check such a list for the said purpose?

Please also explain how the Worker should have knowledge on the relevant qualification of the Instructing Supervisor as mentioned in paragraph 12 of the Paper. With respect to paragraph 14 of the Paper, please also let us have your response with respect to the situation where the plumber's licence or registration card has expired pending renewal.

Response to Question 8

With respect to the justification argued in paragraph 15 of the Paper, please elaborate on "given the overriding societal interests in the quality of waterworks and drinking water in Hong Kong" and "the insignificant inroads made to the rights of the person affected".

Response to Question 9

Please clarify whether, and if so, the time upon which, a person found on the premises who is reasonably suspected to be contravening or have contravened the proposed section 15 of Cap. 102 would be cautioned.

Response to Question 14

Please explain the need to provide for the installation of a meter in the new Schedule to Cap. 102, given that installation of a meter is a different category of work from the construction, installation, maintenance, alteration, repair or removal of a fire service or inside service as explained in paragraph 27 of the Paper.

Please consider to make provisions for the installation of a meter in a separate section in both Parts 1 and 2 of the new Schedule to Cap. 102. The purpose is to avoid the ambiguities that the references to the installation of a meter as currently provided in section 1 of both Parts 1 and 2 of the new Schedule only refer to the installation of a meter on a fire service only.

We would be grateful if you could let us have your reply in bilingual form as soon as possible, preferably before close of play on 16 June 2017.

Yours sincerely,



(Wendy KAN)  
Assistant Legal Adviser

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Clerk to Bills Committee  
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