

立法會
Legislative Council

LC Paper No. CB(1)470/17-18
(These minutes have been seen
by the Administration)

Ref : CB1/SS/1/17

Subcommittee on Waterworks (Amendment) (No. 2) Regulation 2017

**Minutes of first meeting held on
Monday, 30 October 2017, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon Tommy CHEUNG Yu-yan, GBS, JP (Chairman)
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai
Hon CHAN Chun-ying
Hon LAU Kwok-fan, MH

**Public Officers
attending** : Agenda item II

Water Supplies Department

Mr Bobby NG, BBS
Team Leader/ Legislative Review

Mr Horace LEE
Senior Engineer/ Legislative Review (2)

Development Bureau

Mr Vitus NG
Principal Assistant Secretary (Works) 3

Department of Justice

Miss Selina LAU
Senior Government Counsel

Miss Wendy HO
Government Counsel

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. Election of Chairman

Election of Chairman

Mr Tommy CHEUNG Yu-yan, the member who had the highest precedence in the Council among members of the Subcommittee present at the meeting, presided over the election of Chairman of the Subcommittee. He invited nominations for the chairmanship.

2. Mr Jeffrey LAM Kin-fung nominated Mr Tommy CHEUNG Yu-yan and the nomination was seconded by Mr CHAN Chun-ying. Mr CHEUNG accepted the nomination. There being no other nomination, Mr Tommy CHEUNG Yu-yan was elected Chairman of the Subcommittee. Mr CHEUNG then took over the chair.

II. Meeting with the Administration

(L.N. 165 of 2017 — Waterworks (Amendment)
(No. 2) Regulation 2017

File Ref: DEVB(CR)(W)1-10/49 — Legislative Council Brief

LC Paper No. LS3/17-18 — Legal Service Division Report

LC Paper No. CB(1)119/17-18(01) — Marked-up copy of the
Waterworks (Amendment)
(No. 2) Regulation 2017
prepared by the Legal Service
Division
(*Restricted to members*)

LC Paper No. CB(1)119/17-18(02) — Information note prepared by
the Legislative Council
Secretariat)

3. The Subcommittee deliberated (index of proceedings in the **Appendix**).

Follow-up actions to be taken by the Administration

4. The Administration was requested to provide information/take actions as follows:

- (a) list of views/suggestions raised by Legislative Council Members and other relevant parties when considering the Waterworks (Amendment) Regulation 2017, stating whether the proposed amendments under the Waterworks (Amendment) (No. 2) Regulation 2017 ("the Amendment (No. 2) Regulation") had incorporated the views/suggestions, and for those which had not, whether and how the Administration would address them and the relevant timetable(s);

- (b) with respect to the initiative of the Development Bureau in the 2017 Policy Address and Policy Agenda about the production and use of prefabricated modules in public building projects (such as Modular Integrated Construction) and the Administration's advice that such prefabricated modules would be pre-installed with water pipes/plumbing installations before they were transported to construction sites for installation, (i) details on how the Administration would regulate the pre-installed water pipes/plumbing installations given that the prefabricated modules were usually manufactured outside Hong Kong; (ii) whether the Hong Kong Housing Authority ("HA")/Housing Department ("HD") would use the above approach in the prefabricated modules for use in public housing units; if yes, when HA/HD would start adopting such approach; and
- (c) in view of members' concern on the issues in (b) above, invite the representative(s) of HA/HD to attend the next meeting (i.e. the second meeting) of the Subcommittee.

(Post-meeting note: The Administration's supplementary information was issued to members vide LC Paper No. CB(1)209/17-18(02) on 14 November 2017.)

Invitation of views

5. Members agreed to invite views on the Amendment (No. 2) Regulation from interested parties.

(Post-meeting note: An invitation for public submissions on the Amendment (No. 2) Regulation was uploaded onto the Legislative Council website on 1 November 2017. Invitation letters for views on the Amendment (No. 2) Regulation from the District Councils and relevant organizations were also issued.)

Legislative timetable and extension of scrutiny period

6. The Subcommittee noted that the scrutiny period of the Amendment (No. 2) Regulation would expire at the Council meeting of 15 November 2017. To allow more time for the Subcommittee to study the Amendment (No. 2) Regulation, members agreed that the Chairman would move a motion at a Council meeting to extend the scrutiny period to the Council meeting of 6 December 2017. Members noted that, upon extension of the scrutiny period, the deadline for giving notice of motion to amend the Amendment (No. 2)

Regulation would be 29 November 2017. The Chairman would report the deliberations of the Subcommittee to the House Committee at its meeting on 24 November 2017.

(Post-meeting note: As the resolution proposed by the Chairman to extend the scrutiny period could not be dealt with by the Council before the expiry of the scrutiny period, the scrutiny period of the Amendment (No. 2) Regulation had expired at the Council meeting of 15 November 2017. The Chairman reported the deliberations of the Subcommittee to the House Committee on 1 December 2017.)

Date of next meeting

7. The Chairman said that he would work out the date of the next meeting with the Clerk and inform members in due course.

(Post-meeting note: As directed by the Chairman, the next meeting of the Subcommittee was held on Friday, 17 November 2017 at 10:45 am. The notice and agenda of the meeting were issued to members vide LC Paper No. CB(1)162/17-18 on 1 November 2017.)

III. Any other business

8. There being no other business, the meeting ended at 11:26 am.

Council Business Division 1
Legislative Council Secretariat
12 January 2018

**Proceedings of first meeting of the
Subcommittee on Waterworks (Amendment) (No. 2) Regulation 2017
on Monday, 30 October 2017, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Election of Chairman			
000433 – 000540	All members present	Election of Chairman	
Meeting with the Administration			
000541 – 000901	Chairman Administration	Briefing by the Administration	
000902 – 002408	Chairman Dr Helena WONG Mr LEUNG Che-cheung Dr KWOK Ka-ki Administration	<p>Dr Helena WONG enquired, apart from the proposed amendments under the Waterworks (Amendment) (No. 2) Regulation 2017 (L.N. 165) ("the Amendment (No. 2) Regulation"), whether the Administration would address the view raised by members of the Subcommittee on Waterworks (Amendment) Regulation 2017 ("the Amendment Regulation") about regulating wall-mounted dispensers and booster pumps under the Amendment (No. 2) Regulation.</p> <p>Mr LEUNG Che-cheung enquired why the Administration did not introduce the proposed amendments under the Amendment (No. 2) Regulation and other amendments for the next phase of the review of the Waterworks Regulations (Cap. 102A) ("WWR") in one go.</p> <p>Dr KWOK Ka-ki said that he did not object to the proposed amendments under the Amendment (No. 2) Regulation, and enquired about the Administration's progress in working out proposals to regulate plumbing contractors.</p> <p>The Administration advised that –</p> <p>(a) the Administration considered it appropriate to put into effect the proposed amendments under the Amendment (No. 2) Regulation as early as possible;</p> <p>(b) it was expected that the proposal to regulate the booster pumps would be worked out for consulting the trade in 2018, and subject to the outcome of the consultation, the Administration would incorporate the proposal in the amendments for the next phase of the review of WWR; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) the Administration had been communicating with the trade on issues about the regulation of plumbing contractors, and would in the second/third quarter of 2018 consult the trade on a proposal for setting up a registration system for plumbing contractors with a view to submitting the proposal to the Legislative Council ("LegCo") by 2018 or early 2019.</p> <p>The Chairman requested the Administration to provide a list of views/suggestions raised by LegCo Members and other relevant parties when considering the Amendment Regulation, stating whether the proposed amendments under the Amendment (No. 2) Regulation had incorporated the views/suggestions, and for those which had not, whether and how the Administration would address them and the relevant timetable(s).</p> <p>Invitation for public views</p>	<p>The Administration to follow up as stated in paragraph 4(a) of the minutes.</p>
<p>002409 – 003449</p>	<p>Chairman Dr Helena WONG Administration</p>	<p>Dr Helena WONG referred to the initiative of the Development Bureau ("DEVB") in the 2017 Policy Address and Policy Agenda about the production and use of prefabricated modules in public building projects, and enquired whether such prefabricated modules would be pre-installed with water pipes.</p> <p>The Administration replied that DEVB would collaborate with the construction industry to promote Modular Integrated Construction, and under the approach, prefabricated modules would be pre-installed with water pipes and other plumbing installations before they were transported to construction sites for installation.</p> <p>The Chairman enquired how the Administration would regulate the pipes/plumbing fittings installed in the prefabricated modules manufactured outside Hong Kong.</p> <p>Dr Helena WONG opined that –</p> <p>(a) she did not agree to the approach of installing water pipes and other plumbing fittings in prefabricated modules outside Hong Kong as it might not be practicable for the Administration to regulate such installations;</p> <p>(b) the approach would adversely affect the job opportunities of plumbing workers in Hong Kong; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) the Administration and the Hong Kong Housing Authority ("HA")/Housing Department ("HD") should make clear whether the approach would be adopted in prefabricated modules for use in public housing units.</p> <p>The Administration undertook to provide supplementary information on how it would regulate pre-installed water pipes and other plumbing fittings in prefabricated modules which were manufactured outside Hong Kong to ensure compliance of these installations with the relevant legislation in Hong Kong.</p> <p>The Chairman requested the Administration to—</p> <p>(a) provide information on whether HA/HD would adopt the approach of pre-installing water pipes and other plumbing fittings in the prefabricated modules for use in public housing units, and when HA/HD would start adopting the approach; and</p> <p>(b) invite the representative(s) of HA/HD to attend the next meeting.</p>	<p>The Administration to follow up as stated in paragraph 4(b) and (c) of the minutes.</p>
<p>003450 – 004213</p>	<p>Chairman Mr LEUNG Che-cheung Dr Helena WONG Dr KWOK Ka-ki Assistant Legal Adviser 6</p>	<p>Mr LEUNG Che-cheung asked about the possibility of introducing the proposed amendments under the Amendment (No. 2) Regulation and other amendments for the next phase of the review of WWR in one go.</p> <p>Assistant Legal Advisor 6 advised that –</p> <p>(a) the Amendment (No. 2) Regulation which would come into operation on 8 December 2017 had been published in the Gazette on 13 October 2017 for negative vetting by LegCo; and</p> <p>(b) upon extension of the scrutiny period of the Amendment (No. 2) Regulation, the deadline for giving notice of motion to amend the subsidiary legislation would be 29 November 2017.</p> <p>Dr Helena WONG and Dr KWOK Ka-ki said that they supported the timely implementation of the proposed amendments under the Amendment (No. 2) Regulation.</p> <p>Dr Helena WONG highlighted the importance for DEVB to make reference to the Report of the Commission of Inquiry into Excess Lead Found in Drinking Water, the relevant investigation findings of the "excess lead in drinking water in public rental housing estates" incident regarding the use of precast components, and the lessons</p>	

Time marker	Speaker	Subject(s)	Action required
		learned from the incident.	
004214 – 004536	Chairman All members present	Legislative timetable and extension of scrutiny period Meeting arrangement	

Council Business Division 1
Legislative Council Secretariat
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