

Resolution of the Legislative Council

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Factories and Industrial Undertakings Ordinance

Resolution

(Under section 7 of the Factories and Industrial Undertakings Ordinance
(Cap. 59))

Resolved that the Construction Sites (Safety) (Amendment) Regulation 2026, made by the Commissioner for Labour on 8 May 2026, be approved.

Construction Sites (Safety) (Amendment) Regulation 2026

(Made by the Commissioner for Labour under section 7 of the Factories and Industrial Undertakings Ordinance (Cap. 59) subject to the approval of the Legislative Council)

1. Construction Sites (Safety) Regulations amended

The Construction Sites (Safety) Regulations (Cap. 59 sub. leg. I) are amended as set out in sections 2, 3 and 4.

2. Regulation 53 substituted

Regulation 53—

Repeal the regulation

Substitute

“53. Prohibition of smoking etc. in construction sites

(1) The contractor responsible for a construction site and a contractor who has direct control over any construction work in the site must take all reasonable steps to ensure that—

- (a) no person smokes or carries a lighted specified smoking product in the site; and
- (b) no person uses a naked light for lighting a specified smoking product in the site.

(2) In this regulation—

smoking product (吸煙產品) has the meaning given by section 2(1) of the Smoking (Public Health) Ordinance (Cap. 371);

specified smoking product (指明吸煙產品) means a smoking product that can be smoked by lighting the product.”.

3. Regulation 68 amended (offences and penalties relating to contractors)

(1) Regulation 68(1)(a)—

Repeal

“53(2)”

Substitute

“53(1)”.

(2) Regulation 68(2)(b)—

Repeal

“53(2)”

Substitute

“53(1)”.

4. Regulation 71 amended (offences by other persons)

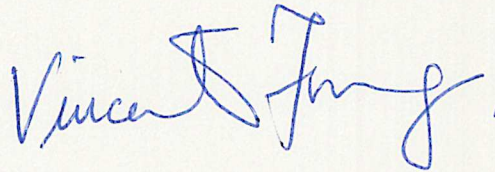
Regulation 71(2)—

Repeal

“any order made under regulation 53(1), or who contravenes regulation 54(2),”

Substitute

“regulation 54(2)”.



Acting Commissioner for Labour

8th May 2026

Explanatory Note

This Regulation amends the Construction Sites (Safety) Regulations (Cap. 59 sub. leg. I) to require a contractor responsible for a construction site and a contractor who has direct control over any construction work in the site to take all reasonable steps to ensure that—

- (a) no person smokes or carries a lighted specified smoking product (as defined by the new regulation 53(2)) in the site; and
 - (b) no person uses a naked light for lighting such a product in the site.
2. A contractor who contravenes this requirement commits an offence and is liable on conviction to a fine of \$400,000.