

Guidance Notes
on Application for Recognition of
Mandatory Safety Training Courses

(GN)



Occupational Safety and Health Branch
Labour Department

Version Control Record

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1.0	26 September 2011	26 September 2011	

Inquiry

For further inquiry on matters relating to the application for recognition of the MST courses, please contact:

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Foreword

Safety training is one of the cornerstones of the three-pronged approach — legislation and enforcement, publicity and promotion, and education and training, that the Labour Department has been adopting to improve safety and health at work in Hong Kong. For decades, the Labour Department has been investing considerable efforts in building the framework for safety training to bring about sustained improvements in occupational safety and health.

The mandatory safety training legislative framework is developed under the Factories and Industrial Undertakings Ordinance, Cap 59. Persons engaged in specified high-risk sectors/activities/machinery operations are required to hold relevant certificates. The ordinance and its subsidiary regulations, amongst others, empower the Commissioner for Labour to recognise six types of mandatory safety training courses. Through the years, the Commissioner for Labour has recognised hundreds of mandatory safety training courses run by different training course providers, thereby invoking skills, experience, flexibility and innovation from both the public and private sectors to better address the specific training needs of workers.

Prospective course providers shall go through a recognition process before they are approved to provide mandatory safety training courses. Mandatory training course providers shall commit to maintain high integrity standard and deliver quality courses. Meanwhile, the Labour Department will continue to closely monitor the quality of courses and the integrity of the course providers. Unethical acts or misconduct by the course providers will lead to withdrawal of the recognition of their courses.

The Labour Department is currently implementing two administrative measures to improve the existing system – standardisation of essential course contents and central issuance of examination papers. At present, both measures are only applicable to mandatory basic safety training but will progressively be extended to the rest of mandatory safety training.

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Table 1: Various Types of MST Courses Recognised by the CL

Annex I Application for Recognition of Mandatory Safety Training Course

1 Interpretations and Abbreviations

“*AC*” refers to the “Approval Conditions for Operating Recognised Mandatory Safety Training Courses”.

“*CL*” means the Commissioner for Labour, including his/her designated officers.

“*Course materials*” include course notes, handouts, teaching videos, presentation materials and etc.

“*Course schedule*” includes the course dates and times and the examination dates and times.

“*Examination*” includes post-course written examination and practical examination conducted at the end of a MST course.

“*Full course*” means a MST course for a first-time-trainee who aims to hold a relevant MST certificate.

“*GN*” refers to this “Guidance Notes on Application for Recognition of Mandatory Safety Training Courses”.

“*LD*” means the Labour Department.

“*MST*” means mandatory safety training.

“*Revalidation course*” means a MST course for a trainee who wants to revalidate his/her relevant certificate upon its expiry.

“*Successful completion of MST course*” means that the required attendance of the MST course is met, the practical / hands-on session is completed and the examination is passed.

“*TCP*” means training course provider.

“*Working days*” means Monday to Friday except general holidays stipulated under the General Holidays Ordinance, Cap. 149.

2 Purpose of the Guidance Notes

- 2.1 This GN is developed for applicant who wishes to become a TCP to run a recognised MST course. It aims to provide step-by-step explanations of the recognition process and establishes the procedures for a TCP to apply for recognition of a MST course. This GN should be read together with the AC.
- 2.2 A MST course should be run at a standard the CL is satisfied with and the course materials should be updated periodically to cope with the latest legislative, socio-economic or technological changes.
- 2.3 To fulfil the said standard, a TCP should strictly adhere to all the approval conditions laid down in the AC at all time when conducting a recognised MST course. The AC is divided into 2 parts, “Part I - Operation Code” and “Part II - Course Design and Specifications” which consists of various modules. Failure to follow the conditions will result in withdrawal of the recognition of the course.
- 2.4 The CL may from time to time revise this GN and will specify the effective date of the revision.
- 2.5 This GN supersedes any prior guidance notes and guidelines that had been published or issued by the CL regarding the recognition of the MST course.

3 Legislation

- 3.1 The Factories and Industrial Undertakings Ordinance and its subsidiary regulations empower the CL to recognise MST course. An applicant interested in running MST course should submit its application to the CL for recognition of its proposed MST course. Requirements for each type of MST course are stipulated in the following ordinance and regulations:
- (i) Factories and Industrial Undertakings (“FIU”) Ordinance, Cap 59;
 - (ii) Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations [“FIU(LALG) Reg.”], Cap 59 J;

- (iii) Factories and Industrial Undertakings (Suspended Working Platforms) Regulation [“FIU(SWP) Reg.”], Cap 59 AC;
- (iv) Factories and Industrial Undertakings (Confined Spaces) Regulation [“FIU(CS) Reg.”], Cap 59 AE;
- (v) Factories and Industrial Undertakings (Loadshifting Machinery) Regulation [“FIU(LSM) Reg.”], Cap 59 AG; and
- (vi) Factories and Industrial Undertakings (Gas Welding and Flame Cutting) Regulation [“FIU(GWFC) Reg.”], Cap 59 AI.

4 Recognised Course and Certificate

4.1 Under the above legislation, persons employed in certain high-risk workplaces, carrying out some high-risk activities or operating a number of high-risk machines are required to hold relevant MST certificates. Various types of MST courses recognised by the CL, and the relevant modules are tabulated in Table 1.

Table 1: Various Types of MST Courses Recognised by the CL and the relevant modules

MST courses (by legislation)	Nature of courses (by qualifications of trainees)	Relevant modules in AC Part II – Course Design and Specifications	MST courses (by industry/ machinery/ work activity)
Mandatory basic safety training (“MBST”) courses under the FIU Ordinance (Commonly known as green card courses)	Full courses	1(a)	Mandatory Basic Safety Training Course (Construction work)
		1(b)	Mandatory Basic Safety Training Course (Container handling)
	Revalidation courses	1(a)	Mandatory Basic Safety Training Revalidation Course (Construction work)
		1(b)	Mandatory Basic Safety Training Revalidation Course (Container handling)

MST courses (by legislation)	Nature of courses (by qualifications of trainees)	Relevant modules in AC Part II – Course Design and Specifications	MST courses (by industry/ machinery/ work activity)
Training courses under the FIU(CS) Reg.	Full courses	2(a)	Safety Training Course for Certified Workers of Confined Spaces Operations
		2(b)	Safety Training Course for Competent Persons of Confined Spaces Operations
	Top-up courses	2(b)	Safety Training Course for Top-up to Competent Persons
	Revalidation courses	2(a)	Safety Training Revalidation Course for Certified Workers of Confined Spaces Operations
		2(b)	Safety Training Revalidation Course for Competent Persons of Confined Spaces Operations
	Training courses under the FIU(LALG) Reg.	Full courses (New operator)	3
Full courses (Experienced operator)		3	Training Course for Experienced Operators of a particular type of crane
Revalidation courses		3	Revalidation Training Course for Operators of a particular type of crane
Training courses under the FIU(LSM) Reg.	Full courses (New Operator)	4	Training Course for New Operators of a particular type of loadshifting machine
	Full courses (Experienced Operator)	4	Training Course for Experienced Operators of a particular type of loadshifting machine

MST courses (by legislation)	Nature of courses (by qualifications of trainees)	Relevant modules in AC Part II – Course Design and Specifications	MST courses (by industry/ machinery/ work activity)
	Revalidation courses	4	Revalidation Training Course for Operators of a particular type of loadshifting machine
Training courses under the FIU(SWP) Reg.	Full courses	5	Training Course for Persons Working on Suspended Working Platform
	Revalidation courses	5	Revalidation Training Course for Persons Working on Suspended Working Platform
Training courses under the FIU(GWFC) Reg.	Full courses	6	Gas Welding Safety Training Course
	Revalidation courses	6	Gas Welding Safety Training Revalidation Course

4.2 A trainee, upon successful completion of a MST course, will be issued with a certificate by the TCP concerned. The certificate carries an expiry date. Upon expiry of the certificate, the holder should attend and successfully complete a revalidation course to revalidate his / her MST certificate before continuing to engage in the high-risk sectors / activities / machinery operations concerned.

5 Application Process

5.1 An applicant wishing to run a MST course should obtain prior recognition of the course from the CL.

5.2 An applicant should apply to run a revalidation course only if the applicant has been granted the recognition of the corresponding full course or is applying for the recognition of the corresponding full course.

5.3 The applicant should complete the application form at Annex 1 and submit it together with the required documents to the CL.

- 5.4 Before submission of the application, the applicant should ensure that the application can fully meet all the recognition requirements stipulated in this GN and the AC.
- 5.5 The AC is divided into 2 parts, i.e. Part I and II. “Part I – Operation Code” sets out the general approval conditions that all course providers should comply with. “Part II – Course Design and Specifications”, comprises six modules, stipulates the specific requirements and structures of each of the six types of mandatory safety training courses. An applicant who wishes to apply for the recognition of a MST course should refer to this GN, Part I and relevant module of Part II of the AC.
- 5.6 All information submitted to the CL by the applicant in the application and subsequent supplementary submissions should be true, accurate and complete. The applicant should notify the CL of any subsequent changes as soon as possible.

6 Site Inspection

- 6.1 In order to assess the suitability of the training venues, equipment and facilities proposed by the applicant, LD’s officer(s) will carry out inspection(s) to the proposed training venue. Whenever necessary, trials or tests will be required for the training equipment and facilities in order to ascertain their suitability. The applicant should provide all necessary assistance and support to facilitate the inspection(s).

7 Application Fee

- 7.1 Neither application fee nor any other administration charge is required. The entire process for recognition of a MST course is free of charge.

8 Course Recognition

- 8.1 The CL will issue an approval letter to the applicant to recognise the MST course when all recognition requirements are met.
- 8.2 Recognition requirements are met if the following are fulfilled:

- (i) the applicant has proved in its application that all the relevant approval conditions stipulated in the AC are met;
- (ii) the applicant has demonstrated its commitment and ability to effectively administer and assure the quality of its training course(s); and
- (iii) the past performance of the applicant in running MST course(s) is satisfactory if the applicant is already a TCP of MST course(s).

9 Termination of Application

9.1 The CL will terminate an application under the following conditions:

- (i) all the proposed trainers fail to meet the required qualifications stipulated in the AC;
- (ii) all the proposed training venues fail to meet the required conditions stipulated in the AC;
- (iii) the proposed training equipment fails to meet the required conditions stipulated in the AC; or
- (iv) the applicant fails to respond to LD's request for supplementary application information within a specified period.

9.2 The CL will inform the applicant in writing when its application is terminated.

9.3 The applicant whose application has been terminated can submit a new application to the CL by completing a fresh application form at **Annex 1** once the recognition requirements are fulfilled. The record of termination of application will not affect the new application.

9.4 An applicant may at any time withdraw its application in writing.

申請營辦認可強制性安全訓練課程
Application for Recognition of Mandatory Safety Training Course

(請在填寫申請表格前，仔細閱讀申請《申請認可強制性安全訓練課程的指引》及《營辦強制性安全訓練課程的批核條件》。每份申請表格祇限於一個課程認可的申請。)

(Please read through the “Guidance Notes on Application for Recognition of Mandatory Safety Training Courses” and the “Approval Conditions for Operating Mandatory Safety Training Courses” before completing this application form. Please only apply for recognition of **ONE** course in each application form.)

致：勞工處處長

To : The Commissioner for Labour

甲部：申請者的資料

Part A: Information on Applicant

申請者的名稱				(中文)
Name of Applicant				(English)
公司註冊地址				(中文)
Registered Address				(English)
電話 Telephone		傳真 Fax.		
電郵 Email address				

乙部：聯絡人的資料

Part B: Information on Contact Person

聯絡人的姓名				(中文)
Name of Contact Person				(English)
職位 Post			(中文)	(English)
聯絡地址				(中文)
Correspondence Address				(English)
電話 Telephone		傳真 Fax		
電郵 Email address		電郵 Email address		

丙部: 擬申辦的強制性安全訓練課程

Part C: Please indicate the mandatory safety training course applied

(請在其中一個方格加上「✓」號)(☑ Please tick only one box)

授課語言 Medium of language		
<input type="checkbox"/> 中文 Chinese	<input type="checkbox"/> 英文 English	
強制性安全訓練課程 Names of Mandatory Safety Training Courses		課程代號 Course Code
強制性基本安全訓練課程 Mandatory Basic Safety Training (MBST) Courses		
1.	<input type="checkbox"/> 強制性基本安全訓練課程 (建築工程) Mandatory basic safety training course (Construction work)	MBST/CONST/F
2.	<input type="checkbox"/> 強制性基本安全訓練重新甄審資格課程 (建築工程) Mandatory basic safety training revalidation course (Construction work)	MBST/CONST/REV
3.	<input type="checkbox"/> 強制性基本安全訓練課程 (貨櫃處理作業) Mandatory basic safety training course (Container handling)	MBST/CH/F
4.	<input type="checkbox"/> 強制性基本安全訓練重新甄審資格課程 (貨櫃處理作業) Mandatory basic safety training revalidation course (Container handling)	MBST/CH/REV
起重機操作員訓練課程 Training Courses for Crane Operators		
5.	<input type="checkbox"/> 某一特定種類起重機新手操作員訓練課程 Training course for new operators of a particular type of crane (請指明起重機的種類 : Please specify the type of crane : _____)	CRANE/F
6.	<input type="checkbox"/> 某一特定種類起重機資深操作員訓練課程 Training course for experienced operators of a particular type of crane (請指明起重機的種類 : Please specify the type of crane : _____)	CRANE/F/EXP
7.	<input type="checkbox"/> 某一特定種類起重機操作員訓練重新甄審資格課程 Revalidation training course for operators of a particular type of crane (請指明起重機的種類 Please specify the type of crane : _____)	CRANE/REV
吊船工作人員訓練課程 Training Courses for Persons Working on Suspended Working Platforms		
8.	<input type="checkbox"/> 吊船工作人員訓練課程 Training course for persons working on suspended working platforms	SWP/F

9.	<input type="checkbox"/>	吊船工作人員訓練重新甄審資格課程 Revalidation training course for persons working on suspended working platforms	SWP/REV
密閉空間安全訓練課程 Confined Spaces Safety Training Courses			
10.	<input type="checkbox"/>	密閉空間作業合資格人士安全訓練課程 Safety training course for competent persons of confined spaces operation	CS/CP/F
11.	<input type="checkbox"/>	密閉空間作業合資格人士安全訓練重新甄審資格課程 Safety training revalidation course for competent persons of confined spaces operation	CS/CP/REV
12.	<input type="checkbox"/>	密閉空間作業合資格人士銜接課程 Safety Training Course for Top-up to Competent Persons of confined spaces operation	CS/CW/TUP
13.	<input type="checkbox"/>	密閉空間作業核准工人安全訓練課程 Safety training course for certified workers of confined spaces operation	CS/CW/F
14.	<input type="checkbox"/>	密閉空間作業核准工人安全訓練重新甄審資格課程 Safety training revalidation course for certified workers of confined spaces operation	CS/CW/REV
負荷物移動機械操作員課程 Loadshifting Machinery Operator Courses			
15.	<input type="checkbox"/>	某一特定種類負荷物移動機新手操作員訓練課程 Training course for new operators of a particular type of loadshifting machine (請指明負荷物移動機的種類： Please specify the type of loadshifting machine : _____)	LSM/F
16.	<input type="checkbox"/>	某一特定種類負荷物移動機資深操作員訓練課程 Training course for experienced operators of a particular type of loadshifting machine (請指明負荷物移動機的種類： Please specify the type of loadshifting machine : _____)	LSM/F/EXP
17.	<input type="checkbox"/>	某一特定種類負荷物移動機操作員訓練重新甄審資格課程 Revalidation training course for operators of a particular type of loadshifting machine (請指明負荷物移動機的種類： Please specify the type of loadshifting machine : _____)	LSM/REV
氣體焊接安全訓練課程 Gas Welding Safety Training Courses			
18.	<input type="checkbox"/>	氣體焊接安全訓練課程 Gas welding safety training course	GW/F
19.	<input type="checkbox"/>	氣體焊接安全訓練重新甄審資格課程 Gas welding safety training revalidation course	GW/REV

丁部: 申請時須呈交的文件

Part D: Documents are required to be submitted with the application

(如果有呈交下列文件，請在有關的方塊內加上「✓」號)

(☑ Please tick the appropriate boxes if the documents are submitted)

Documents 文件	
1.	<input type="checkbox"/> 課程學員的入學標準 (強制性基本安全訓練課程毋須遞交) Admission criteria of the trainee for the course (not required for MBST courses)
2.	<input type="checkbox"/> 教案及課程材料，包括教學筆記/講義 (強制性基本安全訓練課程毋須遞交) Lesson plan and course materials including course notes/handouts (not required for MBST courses)
3.	<input type="checkbox"/> 最少 3 份試卷及其標準答案及評分標準 (強制性基本安全訓練課程毋須遞交) At least 3 sets of examination papers and their model answers and marking scheme (not required for MBST courses)
4.	<input type="checkbox"/> 課堂規則及其他課程安排，例如颱風及暴雨警告下的安排 Class rules and other course arrangements, e.g. arrangements in times of Typhoons and Rainstorms
5.	<input type="checkbox"/> 有關建議導師的資料，尤其是他們的學歷和工作經驗及證明文件等 Relevant particulars of proposed trainers, particularly their qualifications and working experience with supporting documents, etc.
6.	<input type="checkbox"/> 監考安排和為有閱讀困難學員考試的安排 Arrangements for interpretation for those illiterate trainees and examination invigilation during the post-course examination
7.	<input type="checkbox"/> 妥善保存訓練和出席記錄的安排 Arrangements for secure keeping of training and attendance records
8.	<input type="checkbox"/> 呈交課程時間表、訓練記錄及有關的訓練記錄樣本的安排(強制性基本安全訓練課程毋須遞交) Arrangements for the submission of the course schedule and training records with a sample of relevant training records (not required for MBST courses)
9.	<input type="checkbox"/> 補發遺失證明書的安排(只限強制性基本安全訓練課程/重新甄審資格課程) Arrangements for the replacement of lost certificates (for MBST full / revalidation course only)
10.	<input type="checkbox"/> 證明書格式和一張使用模擬資料的證明書樣本 The certificate format and a sample of certificate with dummy data
11.	<input type="checkbox"/> 學員投訴課程，導師和課程營辦機構等的步驟 Procedures for trainee to lodge complaint regarding the course, trainer and training course provider, etc.
12.	<input type="checkbox"/> 訓練場地的名單，包括詳細地址、有清楚顯示用途的樓層佈局圖、及場地佔用證明文件 List of proposed training venue(s) including the venue full address, the layout plan with clear indication of usages and evidences of occupancy
13.	<input type="checkbox"/> 訓練設施和訓練設備的名單、相關的測試及檢驗證明書 List of training facilities and training equipment, and their relevant test and examination certificates
14.	<input type="checkbox"/> 申請者的商業登記證和/或公司註冊證副本 A copy of Business Registration Certificate and / or Certificate of Incorporation of the applicant
15.	<input type="checkbox"/> 課程的每班學員人數上限為_____名 (請填寫) Maximum size of a class for the course is _____ persons (Please fill in)
16.	<input type="checkbox"/> 其他，請指明_____ Others, please specify _____

本人 特此聲明本申請表內及其附件所載資料均屬真實和正確。我明白在遞交申請後發生的更改必須盡快通知勞工處處長。

I hereby declare that the information provided in and attached to this application form is true and correct. I understand that I should notify the Commissioner for Labour any subsequent change as soon as possible.

(Company chop 公司印鑑)

(申請者簽名
Signature of the applicant)

日期 Date: _____

(申請者的正楷姓名
Name of the applicant in block letters)

(請注意，此申請表格必須具有申請者其公司蓋印方被接納。)
(Please note that this application will be accepted only if it is stamped with the applicant's company chop.)

**勞工處職業安全及健康部
收集個人資料之目的**

(申請營辦認可強制性安全訓練課程)

收集目的

1. 你這次所提供的個人資料會被勞工處職業安全及健康部用作以下用途：
 - (a) 有關執行工廠及工業經營條例、職業安全及健康條例及其他由勞工處執行的法例；
 - (b) 根據工廠及工業經營條例處理有關認可強制性安全訓練課程的申請表格、調查及評審申請的事宜；
 - (c) 根據工廠及工業經營條例備存有關認可強制性安全訓練課程的記錄，供公眾免費查閱；
 - (d) 方便勞工處與你聯絡有關你的認可強制性安全訓練課程申請等事宜；及
 - (e) 將有關資料用作研究及統計分析。

資料轉移

2. 為了上述第一段提到的目的，你所提供的個人資料我們或會向其他有關人士或機構（如政府部門、律師樓.....等）透露。

查閱個人資料

3. 根據個人資料（私隱）條例第 18 及 22 條及附表 1 保障原則第 6 原則的規定，你有權要求查閱及更正個人資料。要求查閱的權利包括要求獲得一份你所提供的個人資料複本。

查詢個人資料

4. 有關你個人資料的查詢，包括查閱及更正個人資料，應向下列人士提出：
勞工處職業安全及健康部
職業安全及健康訓練中心
分區職業安全主任（訓練）
新界荃灣眾安街六十八號荃灣城市中心 I 期十三樓

**STATEMENT OF PURPOSE FOR THE COLLECTION OF PERSONAL DATA
BY OCCUPATIONAL SAFETY AND HEALTH BRANCH
LABOUR DEPARTMENT**

(Application for Recognition of Mandatory Safety Training Course)

Purpose of Collection

1. The personal data provided by you by means of this form will be used by the Occupational Safety and Health Branch of the Labour Department for the following purposes:
 - (a) activities relating to the administration of the Factories and Industrial Undertakings Ordinance and Occupational Safety and Health Ordinance and other legislation administered by the Labour Department;
 - (b) facilitating processing of the applications in this form for recognition of mandatory safety training course under the Factories and Industrial Undertakings Ordinance and subsequent investigations and evaluation of recognition conditions;
 - (c) maintenance of a list of recognised mandatory safety training course for public access under the Factories and Industrial Undertakings Ordinance;
 - (d) facilitating communication between Labour Department and yourself on your application and other relevant matters; and
 - (e) carrying on research and compilation of statistical data.

Classes of Transferees

2. The personal data you provide may be disclosed to relevant parties and authorities (e.g. Government Bureaux and Departments, law firms, etc.) for the purposes mentioned in paragraph 1 above.

Access to Personal Data

3. You have a right of access and correction with respect to personal data as provided for in Sections 18 & 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your right of access includes the right to obtain a copy of your personal data provided to this department.

Enquiries

4. Enquiries concerning the personal data collected, including the making of access and corrections, should be addressed to:
Divisional Occupational Safety Officer (Training)
Occupational Safety and Health Training Centre
Occupational Safety and Health Branch
Labour Department
13/F., City Landmark I,
68 Chung On Street, Tsuen Wan