

How to Apply for Registration as a Safety Auditor under the Factories and Industrial Undertakings (Safety Management) Regulation

1. Background

1.1 The Factories and Industrial Undertakings (Safety Management) Regulation (Cap. 59AF) (“the Regulation”) was approved by the Legislative Council on 24 November 1999. It has come into operation by stages since June 2000.

1.2 Under the Regulation, contractors/proprietors of certain construction sites and designated undertakings are required to develop, implement and maintain an effective safety management system (“SMS”) consisting of 14 elements as stipulated in the Regulation¹ and the “Code of Practice on Safety Management” (“CoP”) issued by the Commissioner for Labour (“Commissioner”) to administer industrial safety and health (“ISH”) matters. To ensure effective maintenance of the system, they are also required to appoint registered safety auditors to conduct regular safety audits.

1.3 The Commissioner shall not register a person as a safety auditor unless the Commissioner is satisfied that the person is eligible, competent, and fit and proper to be so registered as required under the Regulation. The eligibility requirements for registration as a safety auditor are set out in Schedule 1 to the Regulation, as shown in Annex A.

1.4 This document provides guidelines on the criteria and procedure for registration as a safety auditor under the Regulation. Reference should also be made to the Regulation for all the relevant statutory criteria.

2. Registration Requirements

2.1 Pursuant to Schedule 1 of the Regulation, the registration requirements for a person to be registered as a safety auditor are as follows:

¹ The 14 elements of SMS of the Regulation are: safety policy; safety organization; safety training; in-house safety rules and regulations; safety inspection programme; hazard control programme; accident/incident investigation; emergency preparedness; evaluation, selection and control of sub-contractors; safety committee; job hazard analysis; safety and health promotion; process control programme; and occupational health assurance programme.

- (a) He/she must be a registered safety officer under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations (Cap. 59Z);
- (b) In the 5 years immediately preceding the application, he/she must be in a full-time managerial post for not less than 3 years and be responsible for ISH matters in respect of an industrial undertaking (see paragraph 2.3 below);
- (c) He/she must occupy this managerial post or a like post at the time of the application (*Note: if he/she is unable to satisfy this requirement, he/she may apply to the Commissioner for a special exemption in writing. Refer to paragraph 2.6 below for more details*);
- (d) He/she must have successfully completed a safety auditor training scheme conducted by a registered scheme operator; or before the commencement of Schedule 1 of the Regulation, a scheme recognized by the Commissioner for this purpose; and
- (e) He/she must understand the requirements under legislation in Hong Kong relating to industrial safety and health matters.

Applicants are strongly advised to read Schedule 1 of the Regulation, as shown in Annex A, for the detailed requirements regarding “Eligibility to be Registered as Safety Auditor”.

2.2 If the applicant has completed a safety auditor training course before the commencement of Schedule 1 of the Regulation, he/she should ascertain from the course provider that the course is a training course recognized by the Commissioner under the Regulation and obtain the relevant certificate before making the application.

2.3 In considering the eligibility of applicant to be registered as a safety auditor, the Commissioner will apply the following rules in relation to the requirement “***full-time experience in a managerial post responsible for industrial safety and health matters in respect of an industrial undertaking***”, as required in Schedule 1 of the Regulation (see paragraph 2.1(b)):

- (a) “Full-time” means full-time employment in the post. The applicant should spend a greater proportion of working time, i.e. over 50%, for ISH matters.
- (b) “Managerial post responsible for industrial safety and health

matters” means that the applicant must have normal duties with hands-on experience for ISH matters in:

- (i) at least one activity associated with the managing of ISH matters as stated in paragraph 2.3(c); and
 - (ii) implementing elements of SMS of the Regulation as stated at the footnote of page 1.
- (c) The following are activities associated with the managing of ISH matters. These activities should be conducted at organization and/or workplace level covering all the elements of SMS as a whole, where applicable:
- Identifying ISH needs for the workplace (e.g. planning of SMS including the identification of safety and health objectives; conducting initial status analysis and periodic status analyses etc.);
 - Planning and developing SMS (e.g. preparing safety plans and safety manuals etc.);
 - Evaluating the effectiveness of such SMS (e.g. conducting safety audit/review, periodic revision of SMS etc.); and
 - Improving the overall SMS (e.g. taking follow-up actions, drawing up action plans after safety audit/review, periodic revision of the SMS etc.).
- (d) “In respect of an industrial undertaking” means that the managerial post must involve the management of ISH matters in respect of an industrial undertaking. The actual post need not be a designated staff position, or physically located in an industrial undertaking and the actual name of the post is not critical. The nature of the work is more important. For example, even if the job title of an applicant is ISH Manager, it may not automatically be acceptable for registration as a safety auditor unless the nature of his/her duties meets the stipulated criteria. On the other hand, if the job title of an applicant is not a Safety Manager (e.g. Safety Coordinator) but his/her job duties meet the required criteria, his/her experience may be acceptable

2.4 Please note that if the working experience is **only** associated with safety audit activities (i.e. evaluating the effectiveness of SMS), it will **not** be acceptable for registration as a safety auditor under the Regulation. The managerial post must involve duties on the implementation of elements of SMS of the Regulation in addition to one or more activities associated with the managing of ISH matters (e.g. planning and developing SMS). The activities as well as the implementation of elements of SMS must constitute a major part of

the applicant's normal duties for not less than 36 months, and not be undertaken on an intermittent or ad hoc basis.

2.5 The applicant is required to submit sufficient and appropriate documentary proof to show his/her experience in a managerial post and competence required for registration as follows:

- (a) the applicant should provide at least one relevant document for each of the 36 months showing his/her experience in the managerial post;
- (b) it is not a requirement for the documents to show the applicant's involvement in implementing all the 14 elements of SMS. However, the documents should show the applicant's substantial involvement and competence in at least "accident/incident investigation", "emergency preparedness", and any one of "hazard control programme" or "job hazard analysis";
- (c) the applicant should be involved in carrying out ISH activities in a direct and substantive manner. Reports prepared solely by the applicant and showing his/her relevant experience are normally accepted as valid documentary proof. Joint reports (i.e. reports produced jointly with others) and documents not personally prepared by the applicant (e.g. comments made on other's safety plans, method statements etc.) are generally **not** accepted as sufficient proof unless they are supported by other proof showing the applicant's personal involvement in the activities;
- (d) the documentary proof provided by the applicant should be able to show that he/she has the experience and competence in managing ISH matters and implementing elements of SMS satisfying the requirements under the legislation relating to managing ISH matters and implementing elements of SMS. The Labour Department would generally rely on the compliance with the CoP to assess whether the applicant has the relevant competence; and
- (e) the Commissioner will consider the totality of the information provided by the applicant.

2.6 If the applicant is not in a managerial post (responsible for industrial safety and health matters) **at the time of application**, he/she will require a special exemption in writing from the Commissioner. Application for exemption should be made in writing and sent to the Registration and Staff Training Division ("RSTD") of the Occupational Safety and Health Branch, the Labour Department. Please see the address of RSTD in paragraph 8 below.

3. Application Procedure

3.1 Application for registration as a safety auditor under the Regulation shall be made in an approved application form – FORM 1 which is given in Annex B. The approved application form can be downloaded from the Labour Department’s homepage (<http://www.labour.gov.hk/>) or obtained from RSTD.

3.2 No registration fee or any other fees are payable. The entire process of registration is **free of charge**.

3.3 The application form (FORM 1) should be completed by typing or hand-writing clearly and legibly either in English or Chinese. The applicant should ensure that the correspondence address and telephone number(s) are correct as he/she may be contacted for more details regarding the application. Any subsequent changes in the particulars should be immediately notified in writing to RSTD.

3.4 The applicant should fill in all essential particulars and information in the application form as required. Do not hesitate to contact RSTD in case of doubt. Relevant employment particulars and duties should be elaborated in accordance with the preferred format as set out in Annex C. Please read the Statement of Purpose for the collection of your personal data in Annex D. Before submitting the application, the applicant is advised to use the Checklist of Supporting Documents in Annex E to ensure all necessary documents/information are enclosed.

3.5 To help us speed up the screening process, the applicant should:

- (i) affix a recent photograph (size 40mm x 50mm) to the application form; and
- (ii) provide photocopies of academic certificates, certificates of service, testimonials and other documents which may make cross-reference to or support the particulars in the application form.

3.6 **DO NOT SEND THE ORIGINAL DOCUMENTS.** The Labour Department will not be responsible for any loss of the documents. All documents submitted by the applicant will be disposed of by the Labour Department and will **NOT** be returned.

3.7 The applicant should send the completed application form to RSTD. The

date of the application will be the date on which we receive your application if the applicant delivers it to us by hand, or the date of the postal chop on the envelope containing the application form if it is sent to us by post.

3.8 The application will be acknowledged in writing. If an acknowledgement is not received within 10 working days, the applicant should check with RSTD. The RSTD will contact the applicant directly for any subsequent communication. The processing of an application for registration may take several months and the actual time will depend on the date of receipt by RSTD of all the information required for the application.

4. Interview

4.1 The applicant may be required to attend an interview at RSTD. If the applicant is invited to attend an interview, he/she should bring along the original certificates, testimonials and other documents in support of the application. The main purpose of such an interview is to enable us to clarify or find out more information about the submitted documents relevant to processing the application for registration.

5. Communication with Applicant's Employer(s) and Relevant Parties

5.1 Where necessary, RSTD will contact the present and/or previous employers of the applicant and other relevant parties to obtain information and/or make verification as are necessary for the purpose of the registration.

6. Registration

6.1 If the application for registration is successful, the applicant will be notified in writing. The Commissioner may impose specific conditions for the registration.

6.2 The Commissioner maintains a register keeping particulars of the names, addresses of all the persons who are registered as safety auditors and such other matters the Commissioner thinks fit.

6.3 If any information entered in the register which was supplied by a registered safety auditor ceases to be accurate, the registered safety auditor shall, not later than 21 days after the day on which the inaccuracy occurs, give notice in writing to the Commissioner of the inaccuracy together with such particulars as will enable the Commissioner to amend the register to remove the inaccuracy.

6.4 If the application for registration as a safety auditor is refused, the applicant will be notified in writing with reason(s) for the refusal.

7. Appeals

7.1 If the applicant feels aggrieved by the Commissioner's refusal to register him/her as a safety auditor, he/she may, within 28 days of being notified of such a decision, appeal to the Administrative Appeals Board.

8. Address of the Registration and Staff Training Division

Registration and Staff Training Division
(Re. Registration of Safety Auditors)
Labour Department
Units 815-816, 8/F
Grand City Plaza
1-17 Sai Lau Kok Road, Tsuen Wan
New Territories

Telephone : 2151 8046
Fax : 2151 4796
E-mail : dso_rst_1@labour.gov.hk

Registration and Staff Training Division
Occupational Safety and Health Branch
Labour Department
14 December 2020

Schedule 1

Eligibility to be registered as safety auditor

1. Subject to section 3, the person shall -
 - (a) be a registered safety officer under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations (Cap. 59 sub. leg. Z);
 - (b) have not less than 3 years' full-time experience, in the 5 years period immediately preceding the application concerned under section 5 of this Regulation, in a managerial post responsible for industrial safety and health matters in respect of an industrial undertaking;
 - (c) subject to section 2, occupy, at the time of the application concerned under section 5 of this Regulation, the managerial post referred to in paragraph (b), or a like post;
 - (d) have successfully completed-
 - (i) a scheme conducted by a registered scheme operator; or
 - (ii) before the commencement of this Schedule, a scheme recognized by the Commissioner for the purposes of this Schedule; and
 - (e) understand the requirements under legislation in Hong Kong relating to industrial safety and health matters.
2. The Commissioner may, by written notice, exempt a person from the requirement of section 1(c).
3. In the case, but only in the case, of an application under section 5 of this Regulation made before the expiration of 6 months immediately following the commencement of this Schedule, the person shall-
 - (a) have not less than 18 month's full-time experience, in the 3 years immediately preceding that commencement, in a managerial post responsible for industrial safety and health matters in respect of an industrial undertaking; and
 - (b) have successfully completed a scheme recognized by the Commissioner for the purposes of this Schedule.

表格 1
FORM 1

工廠及工業經營(安全管理)規例
FACTORIES AND INDUSTRIAL UNDERTAKINGS (SAFETY MANAGEMENT) REGULATION
安全審核員註冊申請書
APPLICATION FOR REGISTRATION AS A SAFETY AUDITOR

由勞工處處長就工廠及工業經營(安全管理)規例第 5 條指明的認可格式
*Approved Form specified by the Commissioner for Labour for the purposes of section 5 of
the Factories and Industrial Undertakings (Safety Management) Regulation*

個人資料 Personal Particulars

英文姓名(姓氏先行, 名字隨後) Name in English — Surname first, then Other Name	*中文姓名 Name in Chinese Characters	
出生日期 Date of Birth _____日 Day _____月 Month _____年 Year	*中文姓名電碼 Chinese Name Code _____	
香港身份證號碼或護照號碼 HK Identity Card No. or Passport No.	性別 Sex	
住址 Residential Address	聯絡電話號碼 Contact Telephone No.	
電郵戶口 E-mail Account		
通信地址 (如與上述住址不同者) Correspondence Address (if different from above)		
職業 Occupation		
僱主姓名 Name of Employer		
僱主地址 Address of Employer	聯絡電話號碼 Contact Telephone No.	

#教育、學歷或專業資格 (按接受教育的日期順序列出)
Education, Academic Attainment or Professional Qualifications (in chronological order)

學校、學院、大學、頒發機構 (例:考試局、大學或專業機構) School, Colleges, Universities, Issuing Authorities (e.g. Examination Authority, University or Professional Institution)	修畢班級及 學歷資格 Courses Completed and Qualifications	日期 Date (月 Month / 年 Year)	
		由 From	至 To

#已完成由註冊計劃營辦人主辦或獲勞工處處長承認的安全審核員訓練計劃

Completion of a Scheme Conducted by Registered Scheme Operator or Recognized by the Commissioner for Labour

安全審核員訓練計劃名稱 Scheme Title	計劃營辦人 Scheme Operator	日期 Date (月 Month / 年 Year)	
		由 From	至 To

#工作經驗/就業詳情 Working Experience/Employment Record

(經驗須為全職擔任管理職位的經驗，而該職位是負責某工業經營的工業安全及健康事宜的 full-time experience in a managerial post responsible for industrial safety and health matters in respect of an industrial undertaking)

僱主 Employer (姓名、地址及電話號碼 Name, Address & Telephone No.)	職位 Position	職務簡述 Brief Description of Duties	日期 Date (月 Month / 年 Year)	
			由 From	至 To

本人謹此聲明，本表格內所載詳情是盡本人所知所信屬真實和正確。我明白，如果我以欺詐手段或基於不準確或具誤導性的資料而獲註冊為安全審核員，根據上述規例的第 29(2)(b)條，該註冊可被取消。現隨本申請書附上我的照片一張。

I hereby declare that the particulars contained in this form are true and correct to the best of my knowledge and belief. I understand that if I obtain registration as a safety auditor by fraud or on the basis of inaccurate or misleading information, the registration is liable to cancellation under section 29(2)(b) of the aforesaid Regulation. I attach a photograph of myself.



簽署 Signature : _____

日期 Date : _____

附註 Note:

- (1) 如表格內所載的資料有所更改，請以書面通知勞工處處長。
Please give notice in writing to the Commissioner for Labour of any change in particulars contained in this form.
- (2) 請注意附帶的‘收集個人資料之目的’。 Please note the attached ‘Statement of Purpose for the Collection of Personal Data’.
- (3) * 如適用者，請填寫這項。 Please complete this part if applicable.
- (4) # 如果空位不足夠，請使用附加紙張填寫。 Please use separate sheets in case of insufficient space.

Elaboration Form

Annex C

Please use a **separate** sheet for **each** period of employment during which safety-related duties were discharged. You may make photocopies of this form for use where necessary. (* Please delete where inappropriate)

Part I Employment particulars

Applicant's name _____ HKID _____ ()		
Contact details: E-mail _____ Fax _____ Phone no. (M) _____		
Employer's name _____		
Period of employment	Managerial Post	Project titles and/or locations of workplace
	(* Full time / Part time)	

Part II Normal duties with hands-on experience on at least one of the following activities associated with the managing of Industrial Safety and Health (ISH) matters in paragraph 2.3(c) of the Guidelines of "How to Apply for Registration as a Safety Auditor under the Factories and Industrial Undertakings (Safety Management) Regulation" ("Guidelines") (please tick either Yes or No where appropriate)

	Yes	No
(a) Identifying Industrial Safety and Health needs for the workplace	<input type="checkbox"/>	<input type="checkbox"/>
(b) Planning and developing safety management system	<input type="checkbox"/>	<input type="checkbox"/>
(c) Evaluating the effectiveness of such safety management system	<input type="checkbox"/>	<input type="checkbox"/>
(d) Improving the overall safety management system	<input type="checkbox"/>	<input type="checkbox"/>

Part III Normal duties with hands-on experience on implementing elements of a safety management system in the footnote at page 1 of the Guidelines (please tick either Yes or No where appropriate)

	Yes	No
(1) Safety policy	<input type="checkbox"/>	<input type="checkbox"/>
(2) Safety organization	<input type="checkbox"/>	<input type="checkbox"/>
(3) Safety training	<input type="checkbox"/>	<input type="checkbox"/>
(4) In-house safety rules & regulations	<input type="checkbox"/>	<input type="checkbox"/>
(5) Safety inspection program	<input type="checkbox"/>	<input type="checkbox"/>
(6) Hazard control programme (personal protective equipment)	<input type="checkbox"/>	<input type="checkbox"/>
(7) Accident/incident investigation	<input type="checkbox"/>	<input type="checkbox"/>
(8) Emergency preparedness	<input type="checkbox"/>	<input type="checkbox"/>
(9) Evaluation, selection and control of sub-contractors	<input type="checkbox"/>	<input type="checkbox"/>
(10) Safety committee	<input type="checkbox"/>	<input type="checkbox"/>
(11) Job hazard analysis	<input type="checkbox"/>	<input type="checkbox"/>
(12) Safety and health promotion	<input type="checkbox"/>	<input type="checkbox"/>
(13) Process control program	<input type="checkbox"/>	<input type="checkbox"/>
(14) Occupational health assurance program	<input type="checkbox"/>	<input type="checkbox"/>

Part IV Employer's representative

To facilitate the processing of the application, please provide details of the employer or the employer's representative who has the appropriate personal knowledge and/or authority to verify the employment particulars given in this Form:

Name : _____
Position : _____
Department : _____
Address : _____

Name : _____
Position : _____
Department : _____
Address : _____

Part V

Declaration

I, the applicant, hereby certify that the above particulars are true and correct. I understand that if I willfully give any false information I shall render myself liable to cancellation of registration as a safety auditor under the provisions of the Factories and Industrial Undertakings (Safety Management) Regulation. I understand that the personal data, which I have provided, may be disclosed to other relevant parties for the purpose of administering the aforesaid Regulation.

Applicant's Signature : _____

Name in BLOCK letters : _____

Date : _____

Registered Safety Officer Ref. No.: _____

**勞工處職業安全及健康部
收集個人資料之目的**

(申請註冊)

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) 處理有關申請表格、調查及評審申請註冊的事宜；
 - (c) 根據工廠及工業經營(安全主任及安全督導員)規例第 6 條或工廠及工業經營(安全管理)規例第 3 條，備存有關安全主任、安全審核員及計劃營辦人的註冊紀錄冊，供公眾免費查閱；
 - (d) 方便勞工處與你聯絡有關你申請註冊等事宜；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
註冊及職員培訓科
分區職業安全主任(註冊及職員培訓)
新界荃灣西樓角路1-17號新領域廣場8樓815-816室

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

(Application for Registration)

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 your applications in this form and subsequent investigations and evaluation of registration conditions;
 - (c) maintenance of a register of Registered Safety Officer or a register of Registered Safety Auditor and Registered Scheme Operator for public access under regulation 6 of the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations or; under section 3 of the Factories and Industrial Undertakings (Safety Management) Regulation;
 - (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 provided 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 (Registration and Staff Training)
Registration and Staff Training Division
Occupational Safety and Health Branch Labour Department
Units 815-816, 8/F, Grand City Plaza, 1-17 Sai Lau Kok Road,
Tsuen Wan, New Territories

Checklist of Supporting Documents

Before submitting your application for registration as a safety auditor, please make sure you have enclosed the following documents or information:

<input type="checkbox"/>	Application Form (FORM 1) affixed with a recent photo of yourself
<input type="checkbox"/>	Annex C (Elaboration Form) Please use a separate sheet for each period of employment during which safety-related duties were discharged.
<input type="checkbox"/>	A copy (not the original) of HKID <i>(If, for privacy reasons, you prefer not to submit a copy of your identity card, you may choose to come to the Registration and Staff Training Division for officers to sight the card and verify your identity.)</i>
<input type="checkbox"/>	A copy (not the original) of certificate of safety auditor training scheme
<input type="checkbox"/>	A copy (not the original) of contract/letter of employment, promotion letter (if any), detailed job specification and organizational chart for each employment period covered in your application.
<input type="checkbox"/>	Copy (not the original) of documents that show your actual involvement in safety and health, as indicated in Parts II and III of Annex C It will greatly simplify the verification process if you: <ul style="list-style-type: none"> ✓ organize these documents under the respective elements of the safety management system, ✓ include a short summary to describe the extent of your involvement with each of the elements, ✓ make appropriate reference to the submitted documents in your summary, and ✓ submit only the documents that show your involvement with the safety management process.

Notes:

1. Failure to provide these documents may result in **delay** in processing your application.
2. The Labour Department reserves the right to verify your documents with the appropriate authority.
3. You may be asked to come to this office for producing the genuine documents you have submitted.