

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 (“the Regulation”) was approved by the Legislative Council on 24 November 1999. It came into operation by stages from June 2000.

1.2 Under the Regulation, proprietors/contractors of certain construction sites and designated undertakings are required to develop, implement and maintain an effective safety management system to administer occupational safety and health. To ensure that the system is effectively maintained, they are also required to appoint registered safety auditors to conduct regular safety audits.

1.3 The eligibility for registration as safety officers are set out in Schedule 1 to the Regulation. The Commissioner for Labour (“the Commissioner”) has established and maintained a register of all persons who are registered as safety auditors.

1.4 This document provides guidelines on the criteria and procedure for registration as a safety auditor under the Regulation.

2. Registration Criteria

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

- (a) He/she must be a registered safety officer under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations;
- (b) In the 5 years immediately prior to application, he/she must be in a full-time managerial post for not less than 3 years (see section 2.4 below) and be responsible for industrial safety and health matters in respect of an industrial undertaking;
- (c) He/she should be occupying this post at the time of making 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 section 2.5 below for more details);

- (d) He/she must have completed a recognized safety auditor training scheme or a scheme conducted by a registered scheme operator; and
- (e) He/she must have a good understanding of the legislation in Hong Kong relating to industrial safety and health matters.

2.2 The applicants are strongly advised to read Schedule 1 of the Regulation for the detailed requirements regarding “Eligibility to be Registered as a Safety Auditor”. For easy of reference, this Schedule has been reproduced in Annex A.

2.3 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 recognized training course under the Regulation and obtain the relevant certificate before making the application.

2.4 For considering the eligibility of applicant to be registered as a safety auditor, the Commissioner will apply the following rules in relation to the criteria ***“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) also):

- (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 industrial safety and health (“ISH”) matters.
- (b) “Managerial post responsible for industrial safety and health matters” means that the applicant must be personally involved in at least one activity associated with managing ISH matters as well as the core duty of implementing ISH programmes.
- (c) The activities associated with managing ISH matters at organization and/or workplace level include:
 - Identifying ISH needs for the workplace,
 - Planning and developing ISH programmes,
 - Evaluating the effectiveness of such programmes, and
 - Implementing improvements to the overall programme.
- (d) The core duty of implementing ISH programmes include the following:

- Safety policy,
 - Safety organization,
 - Safety training,
 - In-house safety rules and regulations,
 - Safety inspection programme,
 - Hazard control programme (personal protective equipment),
 - 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.
- (e) Please note that if the working experience is **only** associated with safety audit activities (i.e. evaluating the effectiveness of ISH programmes), it will **not** be acceptable for registration as a safety auditor under the Regulation. The managerial post must also involve the **core duty of implementing ISH programmes** in addition to one or more activities associated with managing ISH programmes (e.g. planning or auditing).
- (f) The 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.
- (g) The actual name of the post is not critical. The nature of the work is more important. For example, even if the job title is ISH Manager, it may not automatically be acceptable for registration as a safety auditor unless the nature of duties meets the stipulated criteria. On the other hand, the experience of applicant may be acceptable even if his/her job title is not a safety manager (e.g. safety coordinator) but the job duties meet the required criteria.

2.5 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 Occupational Safety and Health Training Centre (“OSHTC”) of the Occupational Safety and Health Branch, the Labour Department. Please find the address of OSHTC in section 8 of this document.

3. Application Procedure

3.1 Application for registration as a safety auditor under the Regulation shall be made in a prescribed application form – FORM 1 which is given in Annex B. The prescribed application forms are downloadable from the Labour Department's homepage (<http://www.labour.gov.hk/>) and obtainable from OSHTC.

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 particulars should be immediately notified in writing to OSHTC.

3.4 The applicant should describe all essential particulars and information in the application form as required. Do not hesitate to contact the OSHTC if you need clarification on any doubtful areas. 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 enclosed.

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

- (a) affix a recent photograph (size 40mm x 50mm) to the application form; and
- (b) provide photocopies of academic certificates, certificates of service, testimonials and other documents which may cross-reference 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 and only the unused documents submitted by the applicant will be returned.

3.7 The applicant should send the completed application form to the OSHTC. The date of the application will be the date on which we receive your application if the applicant deliver 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 days, the applicant should check with the OSHTC. The OSHTC will contact the applicant directly for any subsequent communication. The average time taken for processing an application for registration is two to six months but the actual time will depend on the completeness of the information supplied.

4. Interview

4.1 The applicant may be required to attend an interview at OSHTC. When asked, 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 relevant to processing the application for registration.

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

5.1 Where necessary, the OSHTC 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 If the application for registration as a safety auditor is refused, the applicant will be notified in writing setting out the reasons for the refusal.

7. Appeals

7.1 If the applicant feel aggrieved by our refusal to register him/her as a safety auditor, he/she may, within 28 days of being notified by us of such a decision, appeal to the Administrative Appeals Board. The address of the Board is Room 140, Central Government Offices (East Wing), Lower Albert Road, Central, Hong Kong (Tel. No. 2810 2092).

8. Address of the Occupational Safety and Health Training Centre

Occupational Safety and Health Training Centre,
(Attn. Registration of Safety Auditors)
Labour Department,
13/F., City Landmark I,
68 Chung On Street,
Tsuen Wan,
New Territories.
Telephone: 2940 7050 Fax: 2940 6251

Occupational Safety and Health Training Centre
Labour Department
July 2011

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.);
 - (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.	
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

(經驗須與安全審核員職務有關 experience relevant to the duties of safety auditor)

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 (please tick either Yes or No where appropriate)

Duties	Yes	No
(a) Identifying Industrial Safety and Health needs for the workplace	<input type="checkbox"/>	<input type="checkbox"/>
(b) Planning and developing Industrial Safety and Health programmes	<input type="checkbox"/>	<input type="checkbox"/>
(c) Evaluating the effectiveness of Industrial Safety and Health programmes	<input type="checkbox"/>	<input type="checkbox"/>
(d) Implementing improvements to the overall Industrial Safety and Health programmes	<input type="checkbox"/>	<input type="checkbox"/>
(e) Implementing Industrial Safety and Health programmes in the following areas: <i>(It is not a requirement for you to have been implementing all the following elements of the safety management system. Please only tick the elements you have personal involvement with.)</i>		
(1) Safety policy	<input type="checkbox"/>	<input type="checkbox"/>
(2) Safety organisation	<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) 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) Health assurance program	<input type="checkbox"/>	<input type="checkbox"/>

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

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.: **OSTC/SO/1/** _____

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

(Application for Registration)

Purposes 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 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, N.T.

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 Occupational Safety and Health Training Centre at Tsuen Wan 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 Part II 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.