

HOW TO APPLY FOR REGISTRATION AS A SAFETY OFFICER

Under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations

Application

1. Application for registration as a safety officer under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations shall be made in a prescribed application form - FORM 1.
2. The prescribed application forms are downloadable from the Labour Department's homepage (<http://www.labour.gov.hk/>) and obtainable free of charge from every branch office of the Occupational Safety and Health Branch of the Labour Department. Please ring up telephone no. 2559 2297 for addresses of the branch offices.
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 later be contacted for the purpose of the registration. Any subsequent change in particulars should be immediately notified in writing to the Occupational Safety and Health Training Centre of the Occupational Safety and Health Branch.
4. The applicant should describe all essential particulars and information in the application form as required. Where necessary, he/she should continue the description on a separate sheet of paper elaborating the relevant employment particulars and duties according to the format as at Appendix A.
5. It is the duty of the applicant to give all information and particulars that would help determine his/her qualification for the purposes of the registration, and provide documentary proof of such information and particulars. Relevant documentary evidence, showing the applicant's actual duties which he/she has carried out and which are equivalent to the duties of a safety officer stipulated under regulation 15(1)(a) to (k) of the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations may be required upon the request of this Department for assessment.
6. A photo-copy of each of the academic certificate(s), certificate(s) of service, testimonial(s) and other document(s) in support of the particulars and information entered in the application form should be sent to the Occupational Safety and Health Training Centre of the Occupational Safety and Health Branch together with the application. Please refer to Appendix E for details. **DO NOT SEND THE ORIGINAL DOCUMENTS.** The Labour Department will not be responsible for any loss of the documents.
7. A recent photograph (40mm x 50mm) of the applicant should be affixed to the application form.
8. Completed application form should be sent to the Occupational Safety and Health Training Centre of the Occupational Safety and Health Branch, Labour Department at 13/F, City Landmark I, 68 Chung On Street, Tsuen Wan, N.T. (Tel. No. 2940 7072, 2940 7051 and 2940 7075).
9. The application will be acknowledged in writing and subsequent communication will be made with the applicant.

Important:

- **No registration fee or any other fees are payable. The entire process of registration is free of charge.**
- **Qualifications for registration as safety officer are stipulated in regulation 5 of the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations. (Please see Appendix B)**
- **Statutory duties of a safety officer are stipulated in regulation 15(1) (a) to (k) of the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations. (Please see Appendix C)**
- **A Checklist showing supporting documents required for the application is at Appendix E.**
- **A Statement of purpose for the collection of personal data is at Appendix F.**

Interview

10. The applicant may be asked to attend an interview at the Occupational Safety and Health Training Centre of the Occupational Safety and Health Branch. When asked, he/she has to bring along the original certificates, testimonials and other documents in support of the particulars and information entered in the application form. The documents will be checked and matters pertinent to the registration will be discussed. Verification on the authenticity of certificates, testimonials or other documents will be made if required.

Communication with Employer(s) of Applicant and Relevant Parties

11. Where necessary, the Occupational Safety and Health Training Centre will write to the employer(s) of the applicant and other relevant parties to obtain information and/or make verification as are necessary for the purpose of the registration. Verification with employer(s) of the applicant and relevant parties may take time.

Registration

12. An applicant who is qualified, competent, fit and proper will be registered as a safety officer. He/she will be notified of the registration in writing and the conditions as may be imposed by the Commissioner for Labour in relation to the registration.
13. If the qualification, competency, fitness or properness of an applicant for registration as a safety officer is in doubt, his/her application may be referred to the Safety Officer Advisory Committee for advice before a decision on his/her application is made. The process may take some time.
14. An applicant who is unsuitable for registration as a safety officer will be refused of registration. He/she will be notified in writing of the refusal and the reasons for the refusal.

Appeals

15. If an applicant feels aggrieved by the refusal to register him/her as a safety officer, he/she may, within 28 days of being notified by the Commissioner for Labour of such decision, appeal to the Administrative Appeals Board whose address is at Room 140, Central Government Offices (East Wing), Lower Albert Road, Central, Hong Kong (Tel. No. 2810 2092). The relevant regulation is at Appendix D.

Note:

- (a) The time taken for processing an application for registration will depend upon the adequacy of information an applicant has supplied to this Department and the promptness of response to this Department's requests from other parties concerned. The more accurate and relevant information an applicant has supplied, the shorter will be the processing time. The processing time will normally take 2 to 6 months.**
- (b) If the registration as a safety officer is obtained by fraudulent means, the registration is liable to cancellation under regulation 9(a) of the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations, and the case may be referred to the Commissioner of Police for criminal investigation.**

CAP. 59 *Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations*

5. Qualifications for registration as safety officer

- (1) A person who holds a scheduled qualification specified in the first column of the Second Schedule is qualified to be registered as a safety officer for the purposes of employment at the class of industrial undertaking indicated opposite thereto in the second column of the Second Schedule.
- (2) For the purposes of paragraph (1) and the Second Schedule, "scheduled qualification" (附表所列資格) means any of the qualifications set out in the Third Schedule.
- (3) Notwithstanding paragraph (1) and the Second Schedule, a person who satisfies the Commissioner for Labour that
 - (a) immediately before these regulations become applicable to a class of industrial undertaking, he was employed as a full time safety officer in that class of industrial undertaking; and
 - (b) by reason of his education, training, professional experience and skill in industrial safety he is a fit and proper person to be registered as a safety officer,
 shall be deemed to be qualified to be registered as a safety officer for the purposes of employment in that class of industrial undertaking.

SECOND SCHEDULE

[reg. 5 &
Third Sch.]

QUALIFICATIONS FOR REGISTRATION AS SAFETY OFFICER

Scheduled qualification	Industrial undertaking
A, B, C or D	Construction sites
A, B or C	Industrial undertakings to which these regulations apply except construction sites

THIRD SCHEDULE

[reg. 5(2)]

SCHEDULED QUALIFICATIONS

1. For the purposes of regulation 5 and the Second Schedule, the qualifications for registration as a safety officer are as follows
 - A. A recognized degree or post-graduate diploma in occupational safety and health, or equivalent, and relevant experience of not less than 1 year.
 - B. A degree in Science or Engineering, or equivalent, and a recognized certificate, diploma or higher diploma in occupational safety and health, and relevant experience of not less than 1 year.
 - C. A recognized certificate, diploma or higher diploma in occupational safety and health, and relevant experience of not less than 2 years, of which one year must be obtained after the academic qualification.
 - D. A recognized certificate in construction safety and relevant experience of not less than 2 years, of which one year must be obtained after the academic qualification.
2. In paragraph 1
"relevant" (有關) means such experience as may from time to time be recognized as being relevant to the duties of a safety officer under these regulations.
3. In paragraphs 1 and 2—
"recognized" (獲承認) means recognized for the purposes of these regulations by the Commissioner for Labour.

CAP. 59 ***Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations***

12. Appeals

- (1) A person-
 - (a) whom the Commissioner for Labour refuses to register under regulation 7;
 - (aa) whose registration as a safety officer the Commissioner for Labour refuses to renew or revalidate under regulation 7B;
 - (b) whose registration is cancelled under regulation 9; or
 - (c) whose registration is suspended under regulation 10,may, within 28 days of being notified by the Commissioner for Labour of any such decision, appeal to the Administrative Appeals Board.
- (2) A decision cancelling registration under regulation 9 or suspending registration under regulation 10 that is appealed against under subsection (1) shall be suspended in its operation as from the day on which the appeal is made until such appeal is disposed of, withdrawn or abandoned unless such suspension would, in the opinion of the Commissioner for Labour, be contrary to the public interest and the notice of the decision contains a statement to that effect.
- (3) The Commissioner for Labour shall cause notice of the determination of the appeal by the Administrative Appeals Boards, together with a statement of the decision, to be served on the proprietor of the industrial undertaking where the appellant is employed as soon as practicable after that determination.

Note : Application form for appeal can be obtained from the Administrative Appeals Board at Room 140, Central Government Offices (East Wing), Lower Albert Road, Central, Hong Kong (Tel No. 2810 2092)

Checklist of Supporting Documents

Before submitting your application for registration as a safety officer, 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"/>	Appendix A (Elaboration Form) Please use a separate sheet for each post, employer or period of employment during which safety-related duties were discharged.
<input type="checkbox"/>	A copy (not the original) of Hong Kong Identity Card <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 each of the relevant qualifications.
<input type="checkbox"/>	A copy (not necessary 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 items (1) to (5) of Appendix A. It will greatly simplify the verification process if you: <ul style="list-style-type: none"> ✓ organize these documents under the respective items of Appendix A; ✓ include a short summary to describe the extent of your involvement with each of the items; ✓ make appropriate reference to the submitted documents in your summary; and ✓ submit only the documents that show your involvement in safety and health with employers covered in your application.

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 the Labour Department personally for producing the original of the documents you have submitted.

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.