

Information Sheet
for Submission of Cartridge-operated Fixing Tool for Approval under
the Factories and Industrial Undertakings (Cartridge-operated Fixing Tools) Regulations, Cap. 59R

In accordance with regulation 4 of the Factories and Industrial Undertakings (Cartridge-operated Fixing Tools) Regulations, Chapter 59R (the Regulations), no cartridge-operated fixing tools (COFT) other than the COFT approved by the Commissioner for Labour (CL) shall be used in an industrial undertaking. Proprietors or contractors providing non-approved COFT for workers' use may contravene the aforementioned Regulations.

2. A manufacturer / authorised local agent can submit an application for approval of a COFT to Occupational Safety and Health Training Centre, Occupational Safety and Health Branch, Labour Department (LD). This **Information Sheet (IS-COFT)** sets out the procedures and processes required for an application. For efficient processing an application, the applicants are advised to read and follow all instructions in this entire documentation before submitting the application form.

Application Procedures

3. The procedures of an application for approval of a COFT under the Regulations are as follows:

(a) To obtain an Application Form

The application form [AF-COFT] can be downloaded from the homepage of LD (www.labour.gov.hk) or also obtained by emailing to: ssd-oshtc-accred@labour.gov.hk or calling us at: 3586 2115.

(b) To ensure a unique identification of the COFT

The COFT submitted for approval should have a product trade name and model number(s) to distinguish it from other similar COFTs. A description of the COFT, including the product trade name and model number(s), will be published in the Gazette after it has been approved by CL

(c) To complete the Application Form and submit associated documentation

For a local manufacturer, its authorised representative has to complete and submit the Application Form together with the associated documents to LD as listed below.

For a non-local manufacturer, it should first issue an **authorisation letter** authorising a local agent registered in Hong Kong to act on its behalf in processing the application of the COFT for approval. The authorised representative of the local agent then has to complete and submit the application form to LD together with the associated documents as listed below.

Associated Documents:

- (i) ***Business Registration Certificate & Authorisation Letter*** (in case of non-local manufacturer) – The Business Registration Certificate (certified true copy) of the local manufacturer or the authorised local agent should be submitted. The local agent should also submit the authorisation letter (original) mentioned at paragraph 3(c).

P.T.O.

Applicants and their employees, agents and contractors must not offer an advantage as defined in the Prevention of Bribery Ordinance, Cap. 201 to any government officer in connection with their applications or while having dealings of any kind with government departments.

(ii) **Product Information** –

The COFT's specification and performance data sheet, operation and maintenance manual, assembly manual, catalogue, user instructions and quality assurance documentation of manufacturing, etc. (e.g. valid ISO 9001 certification documentation) should be included in the submission. Consistent product trade name and model number(s) should be clearly stated in the COFT's specification, catalogue with data sheet and reference information. The COFT and its major components should have permanent marking of model number(s) or other means of unique identification.

(iii) **Copy of Examination Certificate / Report / Declaration of the COFT** –

The manufacturer should provide documentation certifying that the COFT has met the requirements of current international standard(s) or compliance standard(s) that relates to the specification and performance of the product. Examples of documentation include EC-Type Examination Certificate, EU-Type Examination Certificate, EU Declaration of Conformity, Certificate of Approval issued by NIOSH, test report issued by an accredited testing body, etc. where appropriate. The documentation copy to be submitted should be certified as a true copy of the original by an appropriate authority such as the documentation issuing body, a government agency or a lawyer.

(iv) **Training Course for COFT Operators** –

Design and administrative procedures for the training course (e.g. course content, lesson plan, class size, course duration, trainer and trainees ratio, appeal procedures, etc.), information of the training venue and facilities, qualification of trainers, examination arrangements (written and practical) and a sample of competency certificate should be included in the submission.

(v) **Others** –

If documentation is not written in English or Chinese, the applicant is required to provide translated versions in English or Chinese. If there is a need to submit other relevant documentation and information, LD will contact the applicant.

(d) **To submit the Application Form and documentation**

A duly completed Application Form and associated documentation should be delivered or mailed to:

Occupational Safety and Health Training Centre
Occupational Safety and Health Branch
Labour Department
13/F., KOLOUR • Tsuen Wan I, 68 Chung On Street, Tsuen Wan, N.T.

or emailed to: ssd-oshtc-accred@labour.gov.hk

Processing of an Application

4. The following outlines the handling process after receiving an application.

- (a) LD will send an acknowledgment to the applicant upon receipt of the Application Form / associated documentation / COFT sample.

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- (b) LD will vet and verify the submitted information / documentation. LD may contact the applicant to provide further information / documentation as required.
- (c) At a later stage, LD will notify the applicant in writing to submit a COFT sample for examination. The COFT sample should be properly packed in its original state from the manufacturer and submitted to LD upon notification. If necessary, LD will require the applicant to make a demonstration on the proper use and/or maintenance of the COFT. LD will notify the applicant in writing if a demonstration is needed.
- (d) To facilitate the approval, LD will consider inviting the applicant for a meeting to help him / her understand LD's requirements when there is a need in processing the application. LD will notify the applicant in writing if a meeting is needed.
- (e) Approval of the COFT takes into account the information / documentation submitted by the applicant and the COFT sample for the application. In assessing an application, LD will consider various factors such as whether the requirements stated in section 3 have been met, whether the COFT has met the requirements of current international standard(s) or compliance standard(s) that relates to the specification and performance of the product, whether there is suitable quality assurance on the manufacture of the COFT and whether there is a proper training course for operators of the COFT. If LD considers that the COFT is suitable for approval after taking account of all the relevant factors, LD will approve the application.
- (f) When the approval is granted, the Commissioner for Labour will announce the approval of the COFT as an approved COFT by notice in the Gazette and allow the COFT to be used in industrial undertakings. Any change of component of the COFT or deviation from the information / documentation as provided in the course of the application will render the approval invalid. The applicant has a duty to notify LD in writing beforehand when there is any aforementioned change / deviation in future.
- (g) Upon completion of the application process, LD will keep the COFT sample and store it at Occupational Safety and Health Training Centre, Labour Department.

5. Enquiry can be made to LD by:

Email: ssd-oshtc-accred@labour.gov.hk / Telephone No.: 3586 2115 / Fax No.: 2940 6251

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

(Application for Approval of Cartridge-operated Fixing Tool under the Factories and Industrial Undertakings (Cartridge-operated Fixing Tools) Regulations, Cap 59R)

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) activities relating to checking compliance with legislative requirements and carrying on the legal proceedings;
 - (c) facilitating communication between Labour Department and yourself on your application and other relevant matters; and
 - (d) 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 purpose 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., KOLOUR • Tsuen Wan I, 68 Chung On Street, Tsuen Wan, N.T.

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