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Occupational Safety and Health Council

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Information on the services offered by the Occupational Safety and Health Council can be obtained through hotline 2739 9000.
Occupational Safety and Health Management in Renovation and Maintenance Works for the Property Management Industry
Foreword
by the President of Hong Kong Association of Property Management Companies Ltd.

The publication of Occupational Safety and Health Management in Renovation and Maintenance Works for the Property Management Industry marks an important step forward in the trade of property management in Hong Kong. It follows the “Construction Safety Promotional Campaign 2004” as an ongoing effort to further promote safety and health of hundreds of thousands of practitioners in the trades of renovation, maintenance works and property management, thus, to enhance their awareness to protect their own safety and health at work.

For a long time, practitioners in property management did not have any guide or code on occupational safety and health management suited to their trade and to abide by. Hence, a considerable number of accidents occurred at workplaces caused workers to suffer from physical and psychological injuries or damages in health, or even loss of lives. Also, neither owners’ corporations nor individual owners could be immuned from consequential involvement in lawsuits that may last for years and bear costs on damages that may run into tens of millions of dollars.

The Hong Kong Association of Property Management Companies Ltd. (HKAPMC) has always looked forward to publishing a guide on occupational safety and health for the reference of the practitioners in the property management industry. In view of this, the HKAPMC, the Occupational Safety and Health Council and the Labour Department have jointly formed a Committee on Occupational Safety and Health. After our extensive efforts to consult practitioners in the profession and obtained advice and comments from professionals in the field, we publish this guide, Occupational Safety and Health Management in Renovation and Maintenance Works for the Property Management Industry. We hope this would serve as an useful guide for practitioners, to reduce risks and accidents at workplaces.

This comprehensive guide covers not only informative materials on occupational safety and health necessary for practitioners, but also detailed explanation on liability issues related to accidents. Given today’s trend of the property management industry to go professionalism and in practice extended to aspects in asset management, it is essential for every professional property manager to be equipped with knowledge on the relevant laws and regulations. We hope that this guide would, as a start, enlighten concern for occupational safety and health for our colleagues in the field, and at the same time, lead them to have in-depth studies on the relevant laws and duties. It is a way to not only protect the practitioners themselves but also help them to fulfil their duties as professionals.

I would like to take this opportunity to wish all colleagues good health and look forward to collaborating with you for the betterment of our profession.

SUEN Kwok-lam
President,
Hong Kong Association of Property Management Companies Ltd.
I sincerely recommend to the property management industry this guide, Occupational Safety and Health Management in Renovation and Maintenance Works for the Property Management Industry, published by the Committee on Occupational Safety and Health formed by the Hong Kong Association of Property Management Companies Ltd. (HKAPMC), the Labour Department and the Occupational Safety and Health Council.

For years, the HKAPMC, with an objective to improve the quality of service and promote professional knowledge in property management, has been taking the lead to establish partnership within the industry, with contractors and government departments, by ways of communication and consultation. The HKAPMC has provided quality service to practitioners in the industry and demonstrated its social commitment.

This guide provides the property management industry with information on occupational safety and health management in renovation and maintenance works with a view to protecting the safety and health of practitioners and reduce the economic losses arising from accidents at workplaces and industrial accidents. I believe that it will be highly beneficial to the trade in managing occupational safety and health of renovation and maintenance works. It will also assist contractors and their employees to comply with the law and take safety measures to prevent accidents.

Lastly, I would like to take this opportunity to thank Mr. SUEN Kwok Lam, President of the HKAPMC, Mr. Alkin C. W. KWONG, Chairman of the Committee on Occupational Safety and Health, members of the Publication Working Group, and all those who have contributed to publishing this guide.

Matthew CHEUNG Kin-chung, JP
Permanent Secretary for
Economic Development and Labour (Labour)
Foreword
by Chairman of Occupational Safety and Health Council

In order to enhance the awareness of the risks in renovation, maintenance and repair works among property management practitioners, thereby improving the quality and spreading the culture of occupational safety and health within the industry, the Occupational Safety and Health Council, government departments and the industry have carried out many educational and promotional activities to arouse the concern from both employers and employees.

With the government policies implemented and legislation enacted, most property management companies and contractors have acquired a general understanding of the measures that should be taken to protect employees and other persons. However, simply coping with what the law says may not solve problems at their roots. A long-term strategy that can cultivate a safety culture and establish a safety behaviour among employers and employees, and thus practising safety as habit will be most effective to protect the safety and health of persons at work.

This guide explores the potential risks relating to occupational safety and health in renovation, maintenance and repair works, and includes the legislation currently enforced. Companies can make reference to the information and set up a management system and preventive measures vis-à-vis their specific situations, and carry them out with due diligence. This would be a major driving force to the nurturing of a safety and health culture within the industry.

Let us care for ourselves and for others by creating a safe and healthy place of work and by making it a corporate culture that would prevent accidents in renovation and maintenance works caused by negligence, protect the safety and health of individuals, and enhance the production efficiency and effectiveness of the establishments for the betterment of the industry and the community.

Dr. NG Tat-lun, BBS, JP
Chairman, Occupational Safety and Health Council
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Economic development brings improved quality of living, which in turn demands continually improved service standards and professionalism from the property management industry.

In carrying out cleaning, renovation and maintenance works, all too often workers would encounter safety and health problems. If they sustained injury from accidents at workplaces, not only they themselves but also their families would suffer the harm and pain caused by the accidents. This can also lead to delay and even suspension of works, thus incurring losses. What is more, the additional costs that arise from accidents, such as compensation, medical expenses, insurance premiums, litigation and the like, will bring losses to owners, residents, tenants and management companies.

The Committee on Occupational Safety and Health, formed jointly by the Hong Kong Association of Management Companies Ltd., the Labour Department and the Occupational Safety and Health Council, has, through consultation and discussions, gathered the views and experiences of practitioners and professionals in the trade and published this guide, Occupational Safety and Health Management in Renovation and Maintenance Works for the Property Management Industry. It is hoped that the information contained in it will help property management companies to manage renovation and maintenance works and occupational safety and health issues warranting attention, thus ensure the provision of a safe and healthy place of work to protect the interests of all parties as well as the safety of other members of the public. For membership of the Committee on Occupational Safety and Health and the Occupational Safety and Health Publication Working Group under it, see Appendix 1.

This guide focuses on helping the management companies to define the duties of the stake holders in renovation and maintenance works, ways to ensure the safety of company employees at work, and how to manage contractors (including contractors hired by the property owners) to ensure that they would carry out the works safely. On issues frequently encountered in occupational safety and health, including working at heights, external wall cleaning and general renovation and maintenance, the guide offers a brief outline for easy reading and reference of our readers.
Property management companies and owners (including owners' corporations) are often required to bear legal responsibility for accidents related to the property, including work accidents. The courts always adopt a broad interpretation on “duty holder”, particularly in respect of civil actions. In many cases of those claims, the complainant lodged claims against the property management companies and the property owners. The following legal precedent of a claim pursuant to an accident handed down by the High Court is worth noting:

**The Legal Precedent of a Claim Pursuant to an Accident**

The canopy of a Chinese restaurant together with an illegal fish tank thereon collapsed when being demolished. The incident killed one person and injured many others. The injured parties and the family of the deceased filed for civil claims against the individuals and bodies corporate concerned. The court ordered the owners' corporation, the property management company, the restaurant licence holder, the owner of the property concerned and the demolition contractor involved in the case to pay legal costs and compensation for the plaintiffs' losses over HK$33 million. The court ruled that the owners' corporation was liable to pay compensation because it failed in its management and control duties to take appropriate actions to prevent the restaurant from using the communal part of the building and to ensure that the building was properly maintained. The property management company also failed to discharge its property management responsibilities.

**The Legal Liability of a “Duty Holder”**

Although the legal interpretation of a “duty holder” is rather broad, one can always refer to the legal interpretation and liability of an “occupier” in relation to any premises in the “Occupational Safety and Health Ordinance”, Chapter 509, of the Laws of Hong Kong. In the Ordinance, “occupier” is defined as follows:

- “Occupier”, in relation to any premises or workplace, includes a person who has any degree of control over the premises or workplace and, in particular, includes a person who plays the following roles:
  - A person who, under a lease or contract, has an obligation for the maintenance or repair of premises; or the safety of, or the absence of risks to health arising from the condition or use of, any plant or substance located on premises, and
  - A person who, under a lease or contract, has an obligation to provide, maintain or repair a means of access to, or egress from, the premises.

- If an employee's workplace is located on premises that are not under the control of the employee's employer, the occupier of the premises must ensure that the premises, the means of access to and egress from the premises, and any plant or substances kept at the premises are, so far as reasonably practicable, safe and without risks to health.

- Any occupier who fails to comply with the said requirement is liable on conviction to a fine of $200,000 and to imprisonment for 6 months.
As regards the employer and employees' responsibilities at the workplace, Sections 6 and 8 of the Occupational Safety and Health Ordinance set forth the following:

- Every employer must, so far as reasonably practicable, ensure the safety and health at work of all the employer's employees, including:

  (1) to provide and maintain plant and systems of work that are, so far as reasonably practicable, safe and without risks to health;

  (2) to make arrangements for ensuring, so far as reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of plant and substances;

  (3) to provide such information, instruction, training and supervision as may be necessary to ensure, so far as reasonably practicable, the safety and health at work of the employer's employees;

  (4) as regards any workplace under the employer's control—

    (a) to maintain the workplace in a condition that is, so far as reasonably practicable, safe and without risks to health; and

    (b) to provide and maintain means of access to and egress from the workplace that are, so far as reasonably practicable, safe and without any such risks;

  (5) to provide and maintain a working environment for the employer's employees that is, so far as reasonably practicable, safe and without risks to health.

- An employer who fails to comply with the said requirements commits an offence and is liable on conviction to a fine of $200,000 and to imprisonment for 6 months.

- An employee must, so far as reasonably practicable, ensure the safety and health of himself and others, including:

  (1) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work;

  (2) at the same time, to cooperate with the employer or other persons so far as may be necessary to enable them to carry out, or comply with, the requirement imposed on them in the interests of safety or health.

- Any employee violating the relevant requirements is liable on conviction to a fine at level 5 (currently $50,000) and to imprisonment for 6 months.
Multiple Duties of Property Management Companies and Occupational Safety and Health Management

A property management company has multiple duties as regards building renovation and maintenance. It is not only in its capacity as an employer to ensure the work safety of its employees, but also as an "occupier" responsible for the safety of workers not directly employed by the company. At the same time, it, as the employer of outsourced contractors, manages the contractors that it engages; and, as an executor of the Deed of Mutual Covenant, also manages contractors employed by property owners/residents to enable the works to be conducted safely.

The table below lists the main points regarding occupational safety and health management for a property management company in its different capacities when it manages building renovations and maintenance operations:

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<tr>
<th>In the Capacity of</th>
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<tr>
<td>Employer</td>
<td>• Conduct risk assessment of building maintenance</td>
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<td>• Establish a safe system of work; devise plans and procedures, including schemes for training and supervision of workers; to seek expert advice when necessary.</td>
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<td>• Implement relevant safe systems of work, plans etc., to ensure</td>
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<td>- the workers employed have sufficient training to take care of the safety of themselves and others</td>
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<td>- the management personnel have received safety management training so as to properly instruct workers and rectify their unsafe behaviour</td>
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<td>- all workers, by their training, including knowledge in the potential hazards of working at heights, are capable of conducting inspections to the place of work and reporting hazardous situations to management personnel for taking prompt improvement measures</td>
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<td>- workers engaged in hazardous work to attend safety briefings before work everyday</td>
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<td>• according to the established monitoring system and safety code, management personnel inspect and assess workers’ safety performance and ability, and record the findings</td>
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<td>• based on the assessment records, policy-making personnel revise and renew working procedures and deployment of workers</td>
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<td>Occupier</td>
<td>• Conduct a site inspection based on the building plans and determine the areas for which it has a duty in the capacity of “occupier”</td>
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<td>• Conduct a risk assessment at sites where works are to be conducted</td>
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<td>• Take safety measures to eliminate or reduce the risks related to building maintenance, for example, fencing off the work site, putting up covered pedestrian walkways, prohibiting persons not connected with the works from entering the site, etc</td>
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<td>In the Capacity of</td>
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| Employer of outsourced contractors | • Be thoroughly acquainted with all the risks and safety issues of outsourced work, determine the scope of responsibilities, seek professional and legal advice and take out liability insurance, etc.  
• When awarding a maintenance contract, besides considering the tender price, also request the contractor to submit the following:  
  – The company's past safety record  
  – Safety plan for the work, in which a safety management system should be listed including the inspection system to ensure that his subcontractors and front-line workers will effectively implement the safety management system  
  – Information on the professional engineers and competent persons responsible for the works  
  – Quality, safety awareness, safety management system and safety record of the selected/proposed subcontractors  
• To regulate, through contractual terms, the planning and implementation of appropriate safety measures by the contractor; to manage and control the contractor and his subcontractors, for example, by stating clearly that payment would only be effected after safety measures have been implemented, and the penalties to be imposed when a serious accident leading to suspension of works occurs, etc.  
• Monitor site safety closely, making it a part of the day-to-day management functions  
• Contact relevant government departments and law enforcement agencies for assistance if a safety and health problem relating to property management and maintenance occurs  
• Appoint representatives to inspect at regular intervals the safety management system and records of the contractor and his subcontractors, and participate in their site safety meetings  
• Establish, together with the contractors, the safety rules that the subcontractors should observe, such as to ensure the subcontractors  
  – themselves, and the foremen and workers they employ have received safety training for the work being undertaken, and have the ability to identify the hazards involved and take preventive measures  
  – take all possible steps to create a safe working environment  
  – take immediate action to eliminate any identified hazardous conditions and notify the principal contractor to take suitable improvement measures  
  – arrange and attend daily safety briefings with foremen and workers undertaking hazardous operations |
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<th>In the Capacity of</th>
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<td>Property manager and executor of the Deed of Mutual Covenant</td>
<td>• Disseminate safety and health information on renovation / maintenance works to property owners/residents</td>
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<td>• Identify common areas of the building and take steps to prevent and stop any improper use of it</td>
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<td>• When works have to be carried out in the common areas or a unit of the building, find out from the persons concerned and the property owners the nature of the works and the potential hazards, and take the action to supervise and control the works accordingly</td>
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<td>• Before the works commence, arrange meeting with the parties concerned and discuss every phase of the works, their foreseeable hazards and the safety measures to be taken</td>
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<td>• Request the contractors and workers carrying out the works to submit the relevant safety training records</td>
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<td>• Request the contractors and workers to take measures to safeguard the people in the workplace as well as at adjoining premises, for instance, the preventive measures on the use of flammable substances such as “thinners” for renovation works</td>
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Safe System of Work

In order to ensure that renovation and maintenance works can proceed safely, a property management company should establish a safe system of work. By this, it generally refers to a systematic operation of a task; all the hazards should be identified and safe job methods defined for the work to be carried out.

The main steps of establishing a safe system of work:

1. Assess the following elements that affect the work
   - The training, experience and capability of the persons to perform the work
   - The safety of machinery and tools
   - The hazards of materials
   - The requirements of regulations and standards
   - The push and pull factors of the environment on the working conditions

2. Identify the hazards and determine the risks of the work, then eliminate or reduce them

3. Establish the safe working methods

4. Drive all employees to implement the safe system of work

5. Monitor the effectiveness of the system, and review for improvement
“Risk assessment” is a tool that company decision-makers use to assess risks in business operations. “Risk” is generally understood as the probability of damage to property and/or loss of life and limb. The two major considerations in assessing “risk” are the severity of the hazard and the probability of loss/injury caused by the hazard. Based on the results of the assessment, it is possible to establish the business policy with the lowest risk. The property management industry can use “risk assessment” to establish a safe system of work for property renovation and maintenance works.

The five steps to “risk assessment”

1. Identify the hazards in the workplace and in the nature of the work, estimate the severity of the hazards and the probable losses/injury that they will bring, then determine the level of the “risk”

2. Estimate the degree of probable loss of life and property

3. Evaluate whether the existing precautions are sufficient to eliminate the “risk” or reduce it to a minimum to avoid losses / injury or death, or whether safety measures should be enhanced

4. Record the results of each assessment including precautions already adopted or required to be enhanced, and inform all employees on the findings

5. Conduct regular review of the assessment and revise when necessary
Building renovation and maintenance contracts are usually undertaken by contractors by the following ways:

- The contractor is appointed by a property management company
- The contractor is appointed by an owners’ corporation
- The contractor is appointed by an individual owner/resident

The property management company may adopt special administrative measures to manage the contractors conducting renovation and maintenance inside and outside the building to ensure safety at work, reduce the occurrence of workplace accidents to as low as possible, and ensure the safety of members of the public.

I. Prior to Carrying Out the Work:

- The contractor should submit the following information which should be checked, with a copy kept, by a relevant person:
  - Valid and adequate documentary proof of third party and labour insurance policies. The insurance coverage so provided by the contractor shall comply with the requirements of the law and the contract
  - A register listing the workers at the worksite with copies of the valid Construction Industry Safety Training Certificates (“Green Card”) held by the workers and their identity cards showing that the workers in question are not “illegal workers”, and the relevant record of their vocational training received, work experience, and duties, etc.
  - Responsible person / contact person of scaffolds or plant such as suspended working platforms, etc.
  - Information on the competent person(s) for the plant and installations concerned, including the appointment letter issued by the contractor company and records of training received
  - Details in the notice of the work relating to scaffolding / working at height, which includes the duration of the work, workplaces where work would be conducted, as well as the common areas that would be affected

- The contractor should notify the management office in advance to post notices of the work concerning working at height
II. During Work:

- The management company should fence off the common areas that public would be affected and put up warning signs and notices.

- Workers entering the building to carry out works should show to the management company their personal identification for checking and registering.

- Prior to operation, all plant shall be inspected/examined and tested with certifications issued and signed by the contractor's competent examiner(s) and competent person(s). These documents should be checked by the management company or personnel concerned, with copies made.

- If there is no management staff appointed by the contractor to supervise high-risk operations on site, the property management company or personnel concerned may refuse workers to carry out the relevant work.

- The contractor should put up a sufficient number of warning signs and notices, in both English and Chinese.

- Copies of safety certificates, forms or any other documents, signed and issued periodically or as designated should be submitted to and kept by the management office or the personnel concerned.

- After inclement weather, the contractor shall be notified to assign a person to re-inspect/examine the safety conditions of the plant in question, and to further sign and issue a document to certify the plant being safe to be used with a copy kept before workers are allowed to resume work.

- The contractor shall ensure that workers comply with the statutory safety requirements and terms set forth in the tender and guide to working procedures. Any violation of rules / regulations should be stringently dealt with. If necessary, call the relevant government departments for follow-up actions.
III. If the renovation or maintenance works are carried out by a contractor appointed by the property management company or the owners’ corporation, the following suggestions/procedures apply in addition to the above:

- The property management company or the owners’ corporation should prepare a guide to the contractors on tendering/operating procedures, a sample of which is at Appendix II – Guide to contractors on Tendering/Operating Procedures for Working at Height. The guide should be given to all contractors concerned to draw their attention to take steps necessary to consider submitting a tender and in carrying out work.

- The contractor should be asked to appoint a safety representative to ensure the workers work in a safe working environment, and to promptly rectify unsafe conditions.

- The staff of management company should record the conditions of the scaffolds, working platforms, suspended working platforms etc. daily.

- If defects are found, the staff of the management company should promptly contact the safety representative on the worksite, request works to be suspended and assign relevant personnel to rectify the problem, and monitor the rectification process.

- At the end of each working day, workers should report to the management company for logging.

- At the end of each work day, the contractor’s representative, before leaving the worksite, should notify the management company, and conduct a joint inspection of the worksite area with the staff of the management company to ensure that the worksite is in good and safe order.

IV. If works are conducted by a contractor employed by individual owners / residents:

The property management company or the owners’ corporation should prepare a guide, a sample of which is at Appendix III – Guide for Working at Height on the External Wall of a Private Unit. The guide should be issued to the property owner/resident concerned to draw their attention to the relevant laws and key issues, and to cooperate with the management company in the matters concerned.
Legislation related to Property Management

The scope of property management work is rather extensive, and is therefore regulated by legislation in different fields. The property management industry shall comply with the relevant legislation and safe codes of practice, and to maintain or raise the quality of service. Where necessary, professional and legal advice should be sought from professionals of the relevant disciplines.

Appendix IV provides a list of occupational safety and health legislation that are commonly applied in property management. Before conducting the works, the employer / occupier and employees at the workplace shall take account of the occupational safety and health measures to be taken and put in place.

Appendix V provides a list of the legislation, codes of practice and guidelines on the website of various government departments and private organizations relating to property management that some of them may be downloaded for your reference.
Chapter 8

Occupational Safety and Health Issues Commonly Encountered in Building Renovation and Maintenance Works

Common issues on occupational safety and health in building renovation and maintenance – including working at height, external wall cleaning, working in confined spaces, and general renovation and maintenance – are summarized below with illustrations. You may download more reference materials for free at the Labour Department Home Page (http://www.labour.gov.hk/eng/public/content.htm) and the website of the Occupational Safety and Health Council (http://www.oshc.org.hk). Lists of publications related to building renovation and maintenance are in Appendix VI and Appendix VII.

Current legislation on occupational safety and health requires employers / proprietors to ensure that workers have received mandatory safety training with certifications before they are allowed to perform certain work in renovation and maintenance. Please refer to Appendix VIII for the information on those mandatory safety training.

I. Working at height:

Working at height in building renovation and maintenance generally include the repair and cleaning of the external and internal walls of buildings, the installation and removal of windows, the repair / replacement of water pipes and drainage pipes, the examination and repair of gas pipelines, the installation and repair of air conditioning and fire protection facilities, checking and repair of telecommunications equipment, cleaning of fresh water tanks, as well as repairing of slopes within the property. In carrying out renovation work for individual owners, jobs involving working at height such as the demolition of illegal structures, the installation and repair of split-type air conditioners, and the replacement of windows are common.

Hong Kong safety legislation has already prohibited the use of Boatswain's Chair or similar types of industrial devices or equipment that are not power operated.
Safe working platforms shall be provided to the workers working at height.
Elevated working platform

Suspended working platform undertaking curtain wall maintenance/cleaning work.

The lower ends of the independent lifelines for the workers working in suspended working platform are secured by concrete ballasts on the ground.
Safe and secure cat-ladder and temporary scaffold access.

Access ladder shall be secured.
II. Working in Confined Spaces:

The cleaning / maintenance of manholes, sewer drains and water tanks and the like are typical examples of working in confined spaces in building maintenance. Dangers commonly found in confined spaces are oxygen deficiency and the presence of methane and toxic gases such as hydrogen sulphide leading to suffocation, fire and explosion. However, some potential hazards may be overlooked, such as heat stress or cold stress, the sudden rush of liquids / sewage, or caving in of sand and gravel. Before conducting work in a confined space, the competent person(s) shall conduct a risk assessment on the work to be performed in confined space, and ensure that effective safety measures have already been taken to eliminate the risks, including signing and issuing permit-to-work, conducting tests on the quality of air and effectiveness of the ventilation, and using breathing apparatus. Only certified workers shall be allowed to enter confined spaces or work inside them.
Work Permit

Ventilation equipment

Emergency rescue tripod for work in manhole
Approved breathing apparatus, safety harness, etc.

First aid equipment and reviving apparatus.
III. General Safety:

**Safety in the Use of Electrical Apparatus** – Electrical apparatus shall be of good construction and provided with earthing / anti-shocking protections. The cables, plugs and sockets connecting the electrical apparatus to the power source shall comply with current safety standards and requirements. The Electrical Distribution Board supplying the power source shall be equipped with a Residual Current Device (RCD) to protect workers from electrical shock due to leakage of electrical current. Under general circumstances, workers should not carry out work on live conductors. If it is necessary to carry out work on live conductors owing to the special nature of a task, the work shall only be carried out by registered electrician holding licence relevant to the job with adequate safety precautions taken as required in the legislation and safe codes of practice.
Fire Protection – Smoking shall be prohibited on sites where maintenance and renovation works are conducted. Incompatible processes, such as using flammable materials (e.g., “thinner”, floor lacquer, and paint) and naked flames (e.g., welding) shall not be conducted at the same workplace and at the same time; operating machinery with intensive heat produced at the running parts and storing an excessive quantity of flammable materials may also cause a fire easily.

- Metal cupboard, containing vessels and waste bin for dangerous substance
- When using flammable substances, suitable fire protecting and fighting apparatus shall be provided, naked flame and smoking shall be prohibited
- Good ventilation for painting works
Machinery and Equipment – Mechanical moving parts of machines are dangerous to the operator and other persons if they are not guarded properly. Moreover, many accidents are caused by the selection and use of machinery not designed for the purpose and nature of operations of the work to be performed.

Bench circular saw fitted with top guard and ripping knife

Protective guard for abrasive cutter

Portable electric saw with protective guard and workpiece holder for decoration works
Tools – Of the accidents caused by tools, many occurred because incorrect tools were chosen or the tools lacked proper maintenance and repair. Workers using tools shall have received training in the safe operating procedures and skills for the tools concerned.
Personal Protective Equipment  – The fundamental principle of safety at work is to eliminate hazards from the work or to make improvement by reducing the risks to a minimum; personal protective equipment is only regarded as the last line of defence to protect the workers. If there is a need to adopt the use of personal protective equipment, workers should wear them to ensure safety. For those equipment to function effectively, the users shall be trained to enable them to rightly select, properly wear and properly maintain the personal protective equipment so provided to them.
Appendix I

The Hong Kong Association of Property Management Companies Limited (HKAPMC), the Labour Department (LD) and the Occupational Safety and Health Council (OSHC) Committee on Occupational Safety and Health

Chairman
Mr. Alkin KWONG Ching Wai
(HKAPMC)

Advisor
Mr. Peter HO Chi Kei
(HKAPMC)

Members representing HKAPMC
Mr. Simon SHAM Shek Shing
Mr. William LOO Wing Lam
Mr. KWOK Sai Ping

Members representing LD
Mr. TSO Sing Hin
Mr. PANG Kwok Lam
Mr. YAM Kin Cheung
Mr. CHAN Ho Wah
Mr. NG Lun Hoi

Members representing OSHC
Mr. TANG Wah Shing
Mr. YEUNG Koon Chuen

Committee on Occupational Safety and Health
Working Group on Occupational Safety and Health Publication

Chairman
Mr. Simon SHAM Shek Shing
(HKAPMC)

Members representing HKAPMC
Mr. William LOO Wing Lam
Mr. KWOK Sai Ping
Mr. Michael CHART Wing Fun

Members representing LD
Mr. YAM Kin Cheung
Mrs. PANG CHAN Lin Ching

Members representing OSHC
Mr. YEUNG Koon Chuen
Guide to Contractor on Tendering/Operating Procedures for Working at Height

A contractor submitting tender / conducting operations for working at height shall abide by the provisions in the laws and the code(s) of practice. In order to ensure the safety of the workers during the erection / installation, use, or removal and demolition of the plants for working at height (scaffolds and working platforms / working platforms on a metal mobile tubular scaffold / suspended working platforms / elevated working platform / __________ (state when necessary)) and other members of the public, the contractor shall adopt the following procedures.

Prior to carrying out the works:

The contractor must submit the following:

1. Valid and adequate documentary proof on third party and labour insurance policy. The insurance so provided by the contractors shall comply with the required coverage prescribed by the contract, and shall be checked by, with copies kept at the management office.

2. Submit the detail information of the competent persons responsible for the plants and installations for working at height, including the appointment letter issued by the contractor company.

3. Notify the management office in advance. Post notices to inform the public on works concerning working at height, the notice of which should describe in detail the duration of the work, workplaces at the internal or external walls where the work would be conducted, as well as the common areas that would be affected.

4. The fall arresting equipment provided and installed for each worker by the contractor shall include independent fixed anchorage and lifelines. After their installations, a surveyor shall be appointed to examine and test the equipment according to provisions in the law and the code(s) of practice, and issue such certificate, form or documentary proof, as the case may require, to ensure that they are safe to be used by the workers. Copies of the certificates, forms and any other such document are to be submitted to the management office for record keeping. (Note: common independent fixed anchorages include an eyebolt, a concrete column, a beam or a steel frame that can serve this purpose. The selection of suitable anchorage will be subject to the decisions of the competent person appointed by the contractor on the basis of practicability. For works conducted on a working platform on a metal mobile tubular scaffold, this will be decided on individual merits.)
When Beginning the Works:

1. Coordinate with the management office to fence off the affected public area and put up warning signs.
2. Appoint competent person to examine whether the fall arresting equipment provided for each worker by the contractor has been completely installed, and can be used safely.
3. Have all the workers register their valid Construction Industry Safety Training Certificates ("Green Card") at the management office before they start work everyday.
4. Supervise the erection / installation, removal or dismantling of plants for working at height by a competent person appointed by the contractor, failing which the management office may refuse to allow the contractor to conduct the works in question.
5. Post such warning notices, in Chinese and English, which say, “危 險 — 裝置未完成 — 請勿使用” “DANGER – Installation Incomplete – NOT TO BE USED” on the plant and in a prominent place if the erection / installation of the plant for working at height has not been completed, or if such erection / installation has been completed but the certificate, form, or documentary proof to certify the plant being safe to be used has not yet been signed and issued.
6. When the erection / installation of the plant for working at height has been completed, the contractor shall appoint a competent person to sign the certificate, form, or documentary proof to certify the plant being safe to be used and post it in a prominent part of the plant, and submit a copy to the management office as record.
7. The contractor's workers shall wear safety shoes, safety helmets and other personal protective equipment so provided for use in the work.
8. Workers who erect / install the plants for working at height shall have been trained, be capable and have such experience in the work, and with relevant personal data produced and recorded.

Mobile Plants for Working at Height:

1. For general mobile plants for working at height, the height (H) to the least base dimension (W) ratio is less than 3.5 (H) to 1 (W) indoors, and 3 (H) to 1 (W) outdoors, and they shall be secured by suitable anchorages with all supports fully extended, or provided with such safety measures according to the manufacturer's technical guidance.
2. When moving the mobile plants for working at height, no person shall be allowed to remain on the platforms of the plants unless the manufacturer's technical guidance indicates that it is permitted in the design of the plant.
Fixed Installations for Working at Height – Scaffolds:

1. If a scaffold is used for working at height, it shall be erected on a scaffold of a double-row design; the working platforms shall be provided with toe-boards of not less than 200 mm in height, a middle guard-rail of 450 to 600 mm in height, and a top guard-rail of 900 to 1150 mm in height.

2. For a scaffold greater than 15 metres in height, it should be designed and approved by a professional engineer. If it is a truss-out bamboo scaffold (single lift type), and the whole scaffold is totally dependent upon the existing building / structure for support, it should be designed by professional engineer, and copy of any document signed and issued by professional engineer should be submitted to the management office for record. All the bolts used on the external wall should be of stainless steel, and should be removed from the external wall with the holes properly filled after work had been completed.

During Work:

1. During work, the contractor shall appoint a competent person and competent examiners who shall carry out such examination, test and inspections required by the law on the plants for working at height periodically or under special circumstances and sign and issue the certificate, form or any document to certify them being safe to be used, and submit a copy to the management office for record.

2. After inclement weather, the contractor shall assign persons to re-inspect the safety condition of the plants installed for working at height at buildings / estates, and sign and issue after such inspection a certificate, form or any documentary to certify them being safe to be used, and submit a copy to the management office.

Remarks: (i) The above terms are not exhaustive to the requirements of the law and codes of practice. The contractor shall comply with the law and codes of practice being enacted when carrying out the work.

(ii) If the plants for working at height are found to be dangerous, but the contractor is uncooperative to rectify the situation, the management office may call the Labour Department at office hours and request for their assistance (complaint hotline: 25422172 and general enquiries: 25592297).
Guide for Working at Heights on the External Wall of a Private Unit

To: The Tenant

Dear Sir / Madam

It has come to our attention that you are inviting a contractor to carry out work at height at the external wall of your unit. In order to ensure the safety and the benefit of yourself, your neighbours and other members of the public, you are advised to ask your contractor to submit the document and pay due attention to the following matters relevant to the work to be carried out:

Before the Works:

1. Ask the contractor to submit document on valid and adequate insurance policy certificates on third party and labour for your checking and record keeping.

2. Ask the contractor to submit copies of valid certificates on mandatory basic safety training in construction industry ("Green Card") and personal identifications of his employees.

3. Ask the contractor to submit the detail information of competent persons responsible for plants and installation for working at height (scaffold and working platform / working platforms on a metal mobile tubular scaffold / suspended working platform / elevated working platform / ...................(others to be stated)) including their official appointment letters.

Contractors shall comply with the law and codes of practice in the following:

1. Besides from providing safety equipment for plants for working at height, it is necessary to set up secured anchorage and independent lifelines for the workers involved in the works.

2. When erecting / installing plants for working at height, the contractor shall appoint a competent person to supervise the entire erection / installation process on site.

3. After erecting / installing a plant for working at height, the contractor shall obtain a certificate, form, or other document to certify that the plant is safe to be used that is issued and signed by the competent person and post such document at the plant or in a prominent place, and submit a copy of such document to you for your keeping until the plant has been completely dismantled / removed from the building.

4. During work, the contractor shall, according to statutory requirements, appoint competent person and competent examiner who shall carry out such examination, test and inspection of the plant for working at height periodically and under special circumstances, sign and issue a certificate, form, or other document to certify that the plant is safe to be used, and submit a copy to you for keeping.

5. After inclement weather, you should ask the contractor to assign a person to your unit to re-inspect the safety condition of the plants for working at height, and to sign and issue a certificate, form, or other document to certify that the plant is safe to be used, and submit a copy to you for keeping.

Please notify the management office in advance of the dates when the relevant work for working at height on the external wall starts and of the dismantling / removal of the plants for working at height in order to facilitate the fencing off of the public area that would be affected by the work and the posting of warning signs and notices.

Remarks:

(i) The above terms are not exhaustive to the requirements of the law and codes of practice. The contractor shall comply with the law and codes of practice being enacted when carrying out the work.

(ii) If the plants for working at height are found to be dangerous, but the contractor is uncooperative to rectify the situation, you may call the Labour Department at office hours and request for their assistance (complaint hotline: 25422172; general enquiries: 25592297).
Common Occupational Safety and Health Legislation Applicable to Property Management:

- Chapter 59  Factories and Industrial Undertakings Ordinance
- Chapter 59A Factories and Industrial Undertakings Regulations
- Chapter 59G Factories and Industrial Undertakings (Woodworking Machinery) Regulations
- Chapter 59I Construction Sites (Safety) Regulations
- Chapter 59J Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations
- Chapter 59L Factories and Industrial Undertakings (Abrasive Wheels) Regulations
- Chapter 59N Factories and Industrial Undertakings (Spraying of Flammable Liquids) Regulations
- Chapter 59Q Factories and Industrial Undertakings (Guarding and Operation of Machinery) Regulations
- Chapter 59R Factories and Industrial Undertakings (Cartridge-Operated Fixing Tools) Regulations
- Chapter 59S Factories and Industrial Undertakings (Protection of Eyes) Regulations
- Chapter 59T Factories and Industrial Undertakings (Noise at Work) Regulation
- Chapter 59W Factories and Industrial Undertakings (Electricity) Regulations
- Chapter 59Z Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations
- Chapter 59AC Factories and Industrial Undertakings (Suspended Working Platforms) Regulation
- Chapter 59AE Factories and Industrial Undertakings (Confined Spaces) Regulation
- Chapter 59AF Factories and Industrial Undertakings (Safety Management) Regulation
- Chapter 59AI Factories and Industrial Undertakings (Gas Welding and Flame Cutting) Regulation
- Chapter 509 Occupational Safety and Health Ordinance
- Chapter 509A Occupational Safety and Health Regulation
Websites of Reference Materials relating to Property Management:

Buildings Department
- Guidelines for the Removal of Typical Unauthorized Building Works and General Maintenance of External Walls
- Guide on Erection & Maintenance of Advertising Signs
- Code of Practice for the Provision of Means of Access for Firefighting and Rescue Purposes 2004
- Fire Resisting Construction 1996
- The Provision of Means of Escape in Case of Fire 1996

Fire Services Department
(http://www.hkfsd.gov.hk/home/eng/code.html)
- Code of Practices for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment

Civil Engineering and Development Department – Civil Engineering Office
(http://www.cedd.gov.hk/eng/publications/index.htm)
- Layman's Guide to Slope Maintenance
- Guide to Slope Maintenance (Geoguide 5)
- Model Slope Maintenance Plan
- Geotechnical Manual for Slopes
- Layman's Guide to Landscape Treatment of Slopes and Retaining Walls
- What to do when you receive a Dangerous Hillside Order

Electrical & Mechanical Services Department
(http://www.emsd.gov.hk/emsd/eng/pps/oa_esg.shtml)
- Guide to Safety on Electrically Operated Sliding Gates
- Code of Practice for Installation of Electrically Operated Sliding Gates, Sliding Glass Doors and Rolling Shutters
(http://www.emsd.gov.hk/emsd/eng/pps/electricity_pub.shtml)
- Household Electrical Safety Handbook
- Outline of Electrical Products (Safety) Regulation
- Guidelines for Safety of Luminaries
- Code of Practice for the Electricity (Wiring) Regulations (2003 Edition)
- Safety Guidelines for Electrical Installations
Environmental Protection Department
- Technical Memorandum on Noise from Construction Work Other Than Percussive Piling

Office of the Telecommunications Authority
- Guidelines for Property Owners, Developers and Managers for the Provision of Facilities within Property Developments for Access to Public Telecommunications and Broadcasting Services
- Code of Practice for the Provision of Access Facilities in Buildings for the Supply of Telecommunications and Broadcasting Services
- Code of Practice for the Protection of Workers and Members of Public against Non-Ionizing Radiation Hazards from Radio Transmitting Equipment

Labour Department
(http://www.labour.gov.hk/eng/public/content2_3.htm)
- Code of Practice in Times of Typhoons and Rainstorms (Labour Relations Division)
* For publications published by Occupational Safety and Health Branch, please see Appendix VI

Others

The Hongkong Electric Co., Ltd.
- Supply Rules (The Hongkong Electric Co., Ltd.)
- Guide to the Maintenance of Communal Electrical Installations in Multi-Tenant Building (The Hongkong Electric Co., Ltd.)

China Light & Power Group
(http://www.clpgroup.com/clp/Abt/Res/Pub/?lang=en)
- Supply Rules (CLP Power)
Appendix VI


Guide to Legislation
- A Brief Guide to the Occupational Safety and Health Ordinance
- A Brief Guide to the Occupational Safety and Health Regulation
- A Guide to the Factories and Industrial Undertakings Ordinance (Section 6A) – General Duties of Proprietors
- A Guide to the Factories and Industrial Undertakings Ordinance (Section 6B) – General Duties of Persons Employed
- A Brief Guide to the Factories and Industrial Undertakings (Confined Spaces) Regulation
- A Guide to the Factories & Industrial Undertakings (Gas Welding and Flame Cutting) Regulation
- A Guide to Section 6BA of the Factories and Industrial Undertakings Ordinance Cap 59 – Mandatory Basic Safety Training
- A Guide to the Factories & Industrial Undertakings (Protection of Eyes) Regulations
- A Guide to the Factories & Industrial Undertakings (Safety Management) Regulation
- Reference Manual for Inspection Reports On Construction Sites

Codes of Practice
- Code of Practice: Safety and Health at Work for Gas Welding and Flame Cutting
- Code of Practice: Safety and Health at Work for Manual Electric Arc Welding
- Code of Practice for Bamboo Scaffolding Safety
- Code of Practice for Safe Use and Operation of Suspended Working Platforms
- Code of Practice for Safety and Health at Work in Confined Spaces
- Code of Practice for Metal Scaffolding Safety
- Code of Practice on Safety Management

Guidance Notes
- Guidance Notes on Health Hazards in Construction Work
- Guidance Notes on the Inspection, Thorough Examination and Testing of Suspended Working Platforms
- Guidance Notes for the Safe Isolation of Electricity Source at Work
- Guidance Notes on Fire Safety at Workplaces
- Guidance Notes to Renovation Safety
Accident Cases Analysis

- A Casebook of Fatal Accidents in Lift Installation, Maintenance and Repairing Work
- An Analysis on Occupational Fatalities – Casebook Volume 1
- An Analysis on Occupational Fatalities – Casebook Volume 2
- An Analysis on Occupational Fatalities – Casebook Volume 3
- Case Analysis on Construction Sites Accidents (Chinese version only)
- Series of Case Analysis on Construction Sites Accidents – Plumbing & Electric Maintenance Works (Chinese version only)
- Series of Case Analysis on Construction Sites Accidents – Painting Works (Chinese version only)
- Series of Case Analysis on Construction Sites Accidents – Oxy-acetylene Welding and Arc Welding (Chinese version only)

Guides on General Safety

- Safety Hints on Renovation Work
- Safety Handbook for Construction Workers
- Prevention Against Fall From Height
- Safety Hints on Working on Bamboo Scaffolds (Chinese version only)
- Safety at Work – A Guide to Use of Ladders and Elevated Working Platforms (Chinese version only)
- Guide on Safety of Truss-out Scaffolds (Chinese version only)
- Safety Precautions in Use of Truss-out Scaffolds (Chinese version only)
- Safety Hints on Operation of Suspended Working Platform
- Safe Use of Inflammable Substances (Chinese version only)
- General Safety in Use of Electric Equipment (Chinese version only)
- Working Safely with Hand Tools
- Safety at Work – A Guide to Personal Protective Equipment
- Safe Systems of Work
- Five Steps to Risk Assessment
Home Page on Occupational Safety and Health Publications of Occupational Safety and Health Council (http://www.oshc.org.hk/eng/media/communicate.asp)

- Construction Site Safety Hints
- Electrical & Mechanical Health & Safety Guidebook (Chinese version only)
- Safety Hints on Pesticides (Chinese version only)
- Guidelines for the Use of Personal Protective Equipment
- Safety Hints for Newcomers (Chinese version only)
- Establishing an Occupational Safety Management System
- Notes on Electrical Safety
- Safety Hints for Renovation Workers in Using Chemicals (Chinese version only)
- Working in Confined Spaces
- Risk Assessment for Manual Handling Operations (Chinese version only)
- Safety Hints for Machine Safety (Chinese version only)
- How to Prevent Occupational Musculoskeletal Disorders
- “Safe Working Cycle” Handbook
- Occupational Health for Good Business
- Safety Management on Chemical (Chinese version only)
- Hazard Identification Activity Handbook (Chinese version only)
- Fire Safety at Workplaces
- A Guide to Safety and Health for Gas Welding and Flame Cutting (Chinese version only)
- Safety Hints for Renovation Workers (Chinese version only)
- Safety Guide for Hand Tools and Power Tools (Chinese version only)
- Work Stress Management
- Safety Hints on Safety Precautions during Long Holiday (Chinese version only)
- Preventing Work-Related Upper Limb Musculoskeletal Disorders
- Prevention of Violence at Work
- Implementing Workplace Hygiene Programme
- Safety and Health Tips for Household Workers
- Safety for Renovation and Maintenance Work (Chinese version only)
Mandatory Safety Training of Workers and Certification of Workers under Occupational Safety and Health Legislation:

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* License of Electrical installation worker is issued by Electrical & Mechanical Services Department

For information of the training course providers, please visit:
Home Page of Labour Department: http://www.labour.gov.hk/eng/osh/content5.htm
Hong Kong Association of Property Management Companies Ltd.

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          2542 2172 (Complaint Hotline)
          2815 0678 (Reporting Workplace Accidents)
Fax: 2915 1410
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