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Replies to supplementary questions raised by Finance Committee Members in examining the Estimates of Expenditure 2017-18

Director of Bureau : Secretary for Labour and Welfare

Session No. : 20

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CONTROLLING OFFICER'S REPLY

S-LWB(L)01

(Question Serial No. SV035)

Head: (90) Labour Department
Subhead (No. & title): (-) Not Specified
Programme: (3) Safety and Health at Work
Controlling Officer: Commissioner for Labour (Carlson CHAN)
Director of Bureau: Secretary for Labour and Welfare

Question:

This is a follow-up question on Reply Serial No. LWB(L)052:

Would the Labour Department (LD), in coordination with the Transport and Housing Bureau (THB) and Highways Department (HyD), provide information on:

- (a) the respective numbers of industrial accidents and injuries/fatalities related to the Hong Kong-Zhuhai-Macao Bridge (HZMB) in the works area outside Hong Kong (including the HZMB Main Bridge, Macao Boundary Crossing Facilities and Zhuhai Boundary Crossing Facilities); and
- (b) the investigation/review reports on industrial fatalities related to HZMB?

Asked by: Hon CHU Hoi-dick (Member Question No.)

(Time of asking the question: 1:07 pm, 7 April 2017)

Reply:

- (a) According to the information provided by THB and HyD, the entire HZMB project comprises two main parts: (i) the Main Bridge (i.e. a 22.9 km long bridge and the associated 6.7 km long subsea tunnel) being constructed within the Mainland waters by the HZMB Authority; and (ii) the respective link roads and boundary crossing facilities undertaken by the Guangdong, Hong Kong and Macao Governments. The HZMB Authority is directly overseeing the construction and management of the Main Bridge. In the event of industrial accidents and injuries of workers in the course of construction of the Main Bridge, the concerned contractors should report to the HZMB Authority in a timely manner and the relevant local government departments. We do not have readily available information on the industrial accidents of the Main Bridge. As for the project works within Zhuhai and Macao, we do not have the concerned information since the corresponding governments are responsible for the works within their areas.

- (b) Under the Occupational Safety and Health Ordinance (OSHO), LD requires lawful authority to disclose to another person information relating to working processes that was obtained through the exercise or performance of a function under OSHO or the Factories and Industrial Undertakings Ordinance (FIUO). OSHO also stipulates the circumstances under which LD has lawful authority to disclose such information, including disclosure for the purposes of administration of OSHO or FIUO, under a court order or in compliance with a requirement of another Ordinance. LD has, in accordance with the above provisions, provided information to The Ombudsman of Hong Kong as requested under the Ombudsman Ordinance, and to injured workers and their families for instituting civil proceedings. LD is seeking the advice of the Department of Justice on how the investigation reports on fatal accidents related to HZMB can be made public subject to the above legislation.

According to the information of HyD, if a fatal accident has unfortunately happened, the contractor shall submit a detailed incident report to HyD pursuant to the conditions of the contract signed between HyD and the contractor. However, owing to the confidentiality provisions under the contract, HyD cannot disclose the concerned report to any persons not involved in the contract without the consent of the contractor. In response to the Member's request, HyD is seeking the consent of the concerned contractors to submit the reports to the Legislative Council.

For the fatal industrial accident happened on 29 March 2017 under the HZMB Hong Kong Link Road project, HyD set up an Independent Investigation Task Force (Task Force) on 30 March 2017 led by the Deputy Director of Highways to investigate the cause of the accident, to look into measures to improve site safety and to prevent recurrence of similar accidents. The Task Force will submit an investigation report to the Director of Highways in three months. HyD will make the investigation findings public at an opportune time and take appropriate follow-up actions.

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CONTROLLING OFFICER'S REPLY

S-LWB(L)02

(Question Serial No. S0075)

Head: (90) Labour Department
Subhead (No. & title): ()
Programme: (2) Employment Services
Controlling Officer: Commissioner for Labour (Carlson CHAN)
Director of Bureau: Secretary for Labour and Welfare

Question:

Subsequent to Reply Serial No. LWB(L)043, would the Government provide further information on the following:

- (a) In the past 3 years, the Labour Department referred hundreds of Supplementary Labour Scheme (SLS) applications to the Employees Retraining Board (ERB), but eventually no tailor-made training courses were successfully organised for the applied posts under SLS. What are the reasons for that?
- (b) Every year, thousands of imported elderly service care workers are approved to work in Hong Kong. In this connection, has the Government critically reviewed the reasons why this job title is not so popular among local workers? Has the Government devised any specific measures and improved such conditions as the working environment and remuneration packages, so as to encourage more local workers to take up the job rather than relying on importation of workers?

Asked by: Hon HO Kai-ming (Member Question No.)

Reply:

The information sought is provided as follows:

- (a) No tailor-made training courses were organised by ERB for the applied posts under SLS in the past 3 years, possibly because the job nature and working environment of the related applications under SLS were less appealing to local workers.
- (b) To encourage young persons to join the care services, the Government has earmarked approximately \$147 million to implement the Navigation Scheme for Young Persons in Care Services, providing a total of 1 000 training places in several years starting from 2015-16. The 5 non-governmental operating agencies selected by the Social Welfare Department started recruitment of trainees in July 2015 and April 2016 respectively. As at end-December 2016, a total of 555 trainees had been recruited by

these 5 operating agencies, and 424 of these trainees had been arranged to work in elderly or rehabilitation service units.

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CONTROLLING OFFICER'S REPLY**S-LWB(L)03****(Question Serial No. S0087)**

Head: (90) Labour Department

Subhead (No. & title): (-) Not Specified

Programme: (3) Safety and Health at Work

Controlling Officer: Commissioner for Labour (Carlson CHAN)

Director of Bureau: Secretary for Labour and Welfare

Question:

As stated in Reply Serial No. LWB(L)052, a total of 253 suspension/improvement notices had been issued since the commencement of work in 2011 and up to 3 March 2017. In this connection, please list in chronological order the information on all suspension notices issued in the course of works (up to 7 April) in the table below:

Reason for issue	Location/Name of suspended works project	Date of suspension	Number of work injuries and fatalities involved in the works project concerned (please list the numbers of work injuries and fatalities separately)

Asked by: Hon LAU Siu-lai (Member Question No.)

(Time of asking the question: 7 April 2017)

Reply:

The information on suspension notices issued by the Labour Department in respect of the Hong Kong-Zhuhai-Macao Bridge (HZMB) project as at 7 April 2017 is set out in the following table:

Reason for issue	Location/Name of suspended works project	Date of suspension	Number of work injuries and fatalities involved in the works project concerned (please list the numbers of work injuries and fatalities separately)	Number of suspension notices involved
To eliminate the risk of workers falling from height	HZMB Hong Kong Boundary Crossing Facilities - Reclamation Works (HY/2010/02)	25 October 2012 to 16 January 2013	1 fatality and 14 injuries	6
To eliminate the risk of workers falling into the sea and drowning	HZMB Hong Kong Boundary Crossing Facilities - Reclamation Works (HY/2010/02)	24 July 2014 to 17 October 2014	No injury	2
To eliminate the risk of workers falling from height	HZMB Hong Kong Link Road – Section between Scenic Hill and Hong Kong Boundary Crossing Facilities (HY/2011/09)	19 October 2014 to 12 December 2014	1 fatality and 4 injuries	4
To eliminate the risk of workers falling into the sea and being drowned	HZMB Hong Kong Link Road – Section between Scenic Hill and Hong Kong Boundary Crossing Facilities (HY/2011/09)	21 November 2014 to 30 January 2015	No injury	2
To eliminate the risk of electrocution of workers	Tuen Mun-Chek Lap Kok Link – Section between HZMB Hong Kong Boundary Crossing Facilities and North Lantau Highway (HY/2012/07)	15 December 2014 to 21 January 2015	No injury	2
To eliminate the risk of workers falling into the sea and being drowned	HZMB Hong Kong Link Road – Section between Scenic Hill and Hong Kong Boundary Crossing Facilities (HY/2011/09)	19 January 2015 to 18 February 2015	No injury	2
To eliminate the risk of workers being struck by falling object	Tuen Mun-Chek Lap Kok Link – Section between Tuen Mun Area 40 and HZMB Hong Kong Boundary Crossing Facilities (HY/2012/08)	7 April 2015 to 24 July 2015	1 fatality	4

Started at : 24/4/2017 9:57:40 Ended at : 24/4/2017 9:58:02 File(s) that not found in the document folder: Reason for issue	Location/Name of suspended works project	Date of suspension	Number of work injuries and fatalities involved in the works project concerned (please list the numbers of work injuries and fatalities separately)	Number of suspension notices involved
To eliminate the risks arising from inadequate emergency response measures	HZMB Hong Kong Link Road – Section between Scenic Hill and Hong Kong Boundary Crossing Facilities (HY/2011/09)	29 April 2015 to 30 July 2015	No injury	3
To eliminate the risk of workers being struck by moving object	HZMB Hong Kong Link Road – Section between Scenic Hill and Hong Kong Boundary Crossing Facilities (HY/2011/09)	27 October 2015 to 5 February 2016	1 fatality	4
To eliminate the risk of workers falling into the sea and being drowned	Tuen Mun-Chek Lap Kok Link – Section between HZMB Hong Kong Boundary Crossing Facilities and North Lantau Highway (HY/2012/07)	23 April 2016 to 2 June 2016	1 fatality	2
To eliminate the risk of workers falling into the sea and being drowned	HZMB Hong Kong Link Road – Section between Scenic Hill and Hong Kong Boundary Crossing Facilities (HY/2011/09)	29 March 2017 up to the present	2 fatalities and 3 injuries	20

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