

**Minutes of 9th Meeting of
Construction Industry Council
held on 2 May 2008 at 2:30 p.m.
in Room 1201, Murray Building, Garden Road, Central**

Present

Mr Keith Kerr	Chairman
Mr Russell Black	
Mr Francis Bong	
Dr Andrew Chan	
Mr T T Cheung	
Mr James Chiu	
Mr CHOI Chun-wa	
Mr Thomas Ho	
Mr Stanley Hui	
Ir Edgar Kwan	
Prof J M Ko	
Mr W H Lam	
Mr Peter Lee	
Mr S S Lee	
Mr NG Koon-kwan	
Mr TSE Chun-yuen	
Mr WAN Koon-sun	
Mr Conrad Wong	
Mr Billy Wong	
Mr YU Wai-wai	
Mr C K Mak	Permanent Secretary for Development (Works)
Mr H W Cheung	Director of Buildings
Ms Ada Fung	Deputy Director (Development & Construction), HD
Mr Christopher To	Executive Director (designate), CIC
Mr Charles Wong	Acting Executive Director, CIC
Ms Theresa Chan	Senior Manager (Finance and eServices) (SM(F&ES)), CIC
Mr Y C Chiu	Senior Manager (Human Resources and Administration) (SM(HR&A)), CIC
Mr Alex Leung	Senior Manager (Council Services) (designate), CIC
Miss Janet Wong	Deputy Secretary for Development (Works) 1
Mr Enoch Lam	Deputy Secretary for Development (Works) 2
Mr K K Yeung	Principal Assistant Secretary for Development (Works) 1

(c) Paragraph 4

The three new Members had signed up for CIC Committees. The work plans for the Committees would be discussed in subsequent agenda items; and

(d) Paragraphs 8 and 10

The Bills Committee of the Buildings (Amendments) Bill 2007 for introducing the proposed Minor Works Control System had held nine meetings thus far and was conducting clause-by-clause examination on the bill.

Agenda Item 3: CIC Guidelines on Safety of Tower Cranes, Site Safety Measures for Working in Hot Weather and Safety of Site Vehicles and Mobile Plant
[Paper No. CIC/066]

3. The Committee on Construction Site Safety recommended at its 5th meeting held on 2 April 2008 that, subject to the approval of CIC, the following guidelines on construction site safety be published as CIC publications to promote voluntary adoption of the good practices set out in the guidelines by the industry -

- (a) Publication No. 1 - Guidelines on Safety of Tower Cranes;
- (b) Publication No. 2 - Guidelines on Site Safety Measures for Working in Hot Weather; and
- (c) Publication No. 3 - Guidelines on Safety of Site Vehicles and Mobile Plant.

4. Members endorsed the guidelines subject to the following comments on the Guidelines on Safety of Tower Cranes –

- (a) paragraph 6 of main text - given their voluntary nature, it would not be appropriate to state that LD would take non-compliance with the guidelines into account in issuing Suspension Notices under section 10 of the Occupational Safety and Health Ordinance; and
- (b) paragraph 11 of main text - Members doubted whether it would be practicable for the Technically Competent Person to obtain information from the Registered Structural Engineer (RSE) in checking the structural integrity of the building structure for supporting and anchoring the tower crane. Such checking could also duplicate the work done by the RSE under the current system.

5. Members also agreed that, in addition to posting of the guidelines to the CIC website, printed copies would be circulated to concerned government departments, employers, professional institutions and associations, association of contractors and subcontractors, trade unions and individual contractors on the various approved lists administered by Government as well as subcontractors registered on the Voluntary Subcontractor Registration Scheme. The guidelines would be publicized through seminars and talks. However, high-profile publicity should be avoided before the guidelines were fully tested through practical applications.

Secretariat

Agenda Item 4: 5th Progress Report of Committee on Construction Site Safety [Paper No. CIC/067]

6. Apart from endorsing the three sets of guidelines, the Committee was briefed on the deliberation of the Informal Task Force on Permanent Safety Features on the provision of gondolas, service platforms and cast-in anchorage points for new buildings. While gondolas were found to be technically feasible and affordable for residential buildings, industry support would be

limited if their enclosures were not exempted from height restrictions. Similarly, industry support would also be limited for service platforms if they were not exempted from the calculations of accountable gross floor areas (GFA). As such, the Committee requested CIC to write to BD, Lands D and Plan D supporting the exemption of gondola enclosures and service platforms from height restriction and GFA calculations respectively so as to strengthen the position of the Task Force in subsequent discussions with the three departments.

7. Members anticipated that the suggested letters would not help in securing any fruitful results given the very general nature of the exemptions suggested. As such, the Committee was requested to further investigate into the matter and devise specific proposals on the way forward before bringing up the matter for consideration by CIC.

Secretariat

8. Since the launch of the Safety Partnering Programme by REDA and HKCA in June 2005 to promote the adoption of PFSS in private sector projects, only 38 sites had joined the scheme. In view of the limited response, the Committee explored ways for mandating the adoption of PFSS through statutory provisions and was advised that the Buildings Ordinance was primarily concerned with the planning, design and construction of buildings to ensure safety to occupants of the buildings and members of the public in the vicinity and would not be a suitable platform for mandating the features of the PFSS. On the other hand, under the Factories and Industrial Undertakings (Safety Management) Regulation of the Factories and Industrial Undertakings Ordinance, contractors were required to develop, implement and maintain a safety management system in accordance with the provisions of the regulation and the Code of Practice on Safety Management issued by the Commissioner of Labour in April 2002. The Secretariat would discuss with LD whether the features of PFSS could be enforced through incorporation into the code of practice.

Secretariat

9. DEVB had started dialogues with the Financial Services and the Treasury Bureau and the concerned client bureaux on the possibility of requiring the adoption of PFSS in projects subvented by Government (such as subvented schools and hospitals).

DEVB

10. Members endorsed the work plan of the Committee at Appendix E of the progress report.

Agenda Item 5: 6th Progress Report of Committee on Environment and Technology
[Paper No. CIC/068]

11. At the meeting held on 10 March 2008, the Committee received a briefing from Dr Raymond Yau of OAP on the recent development in carbon assessment and reduction for buildings in various economies and another briefing from HD on environmentally friendly designs and green measures implemented in public rental housing estates.

12. As directed by CIC at its 6th meeting held 15 November 2007, the Chairman and Members of the Committee had informal discussions with the representatives of the HK-BEAM Society, Business Environment Council (BEC) and the Professional Green Building Council (PGBC) (to be referred to collectively as the Key Stakeholders) on 12 December 2007, 25 January 2008 and 13 March 2008 on the formation of an independent entity for promotion of green buildings in Hong Kong. The Key Stakeholders expressed support in principle for the independent entity and would put forward their proposal on the way forward for consideration by the Committee.

13. Members endorsed the work plan of the Committee at Annex B of the Progress Report noting that the Committee would aim to complete the major task of reviewing local construction standards before moving to other agenda items related to the development of construction technology.

Agenda Item 6: 4th Progress Report of Committee on Subcontracting
[Paper No. CIC/069]

14. The 4th meeting of the Committee was held on 7 April 2008 to discuss the security of payment, proposal for enhanced ethical commitment by subcontractors registered on Voluntary Subcontractor Registration Scheme (VSRS), Stage 2 of VSRS, administration charges for accident report as well as measures to

control and monitor payment of wages to workers engaged in public housing contracts.

15. On security of payment, HKCA briefed Members on the major cash flow problems affecting the local construction supply chain caused by the forms of contract in use in Hong Kong being generally not as equitable as they should be. HKCA put forward security of payment legislations similar to those enacted in UK, Australia and Singapore as possible solutions to the problem. Committee Members had preliminary discussions on the merits and drawback of security of payment legislation and agreed that, given the complexity of the subject, the Secretariat should draw up a framework for conducting further deliberations.

Secretariat

Agenda Item 7: 4th Progress Report of Committee on Procurement [Paper No. CIC/070]

16. At the 4th meeting held on 24 April 2008, the Committee was briefed by Mr Colin Jesse on the recent development in partnering in Hong Kong and other economies.

17. The Committee also discussed HKCA's proposal to reimburse part of the tendering cost to the unsuccessful tenderers of design and build (D&B) contracts. The Committee supported the proposal in view of the significant cost of preparing design submissions for such tenders. Members concurred with the conclusion of the Committee and agreed to convey the view to DEVB in writing.

Secretariat

18. DEVB noted the view of Members and advised that financial reimbursement to unsuccessful tenderers would be examined under a consultancy scheduled to start in May 2008 and for completion by the end of 2008. The consultancy would also examine other aspects such as improving the marking scheme for tender evaluation.

DEVB

19. Members endorsed the work plan of the Committee at Annex B of the Progress Report.

**Agenda Item 8: 2nd Progress Report of Construction Industry Training Board (CITB)
[Paper No. CIC/071]**

20. At the 2nd meeting held on 28 March 2008, CITB agreed to form four subcommittees for discharging its functions, namely Subcommittee on Training, Subcommittee on Trade Testing, Subcommittee on Employers Subsidy Scheme and Subcommittee on Audit.

21. CITB also examined a preliminary proposal for restructuring the curriculum of CICTA courses to address the introduction of the 3+3+4 secondary and tertiary curriculum in the 2009/2010 school year, the manpower demand that would be generated by the 10 major infrastructure projects announced in the 2007-08 Policy Address, changes of the skill demands in the construction industry and the aging of the construction workforce. The proposed strategy for tackling these issues would involve integration of training courses with the Qualification Framework to pave the way for continuous career development and earlier work opportunities as well as broadening the basis of recruitment through measures such as attracting new migrants by offering training courses in districts like Tin Shui Wai.

**Agenda Item 9: 4th Progress Report of Committee on Manpower Training and Development
[Paper No. CIC/072]**

22. At the 4th meeting held on 25 April 2008, the Committee reviewed the progress made on the study commissioned by DEVB to devise a strategy for developing professional resources and the study on the manpower supply and demand for construction technicians and workers being taken forward by CICTA.

23. CICTA was conducting consultant selection for the latter and aimed to start the study in mid-2008 and deliver the final report by end of 2008. The study would take into account the development in other economies including the effects of construction personnel returning to Hong Kong after the completion of the casino and resort projects in Macau. The study would not duplicate the manpower survey undertaken every two years by the Building and Civil Engineering Training Board of

VTC. While the VTC survey aimed to take snapshots of the number of construction personnel working on a particular day, the CICTA study would attempt to develop reusable models for making manpower forecast.

24. A Member observed that the major railway projects and public works projects would generate surges in demand on construction manpower in the coming years and urged taking quick actions to address the anticipated problems in a co-ordinated manner. In this regard, MTRC had assessed the manpower demand for the railway projects and shared the findings with HKCA. On other hand, the workload for private sector building projects would remain relatively stable and might decline steadily. As such, in addition to tackling the manpower issues in the coming, efforts should also be made to develop a workforce possessing skill sets that were flexible and exportable to other markets so as to sustain the development of the construction industry in the long-term.

25. Members endorsed the work plan at Annex A of the Progress Report.

Agenda Item 10: Any Other Business

26. The Secretariat was asked to monitor the implementation of the work plan of the Committees and submit reports to CIC on the progress highlighting any deliverables achieved and changes in the milestone dates.

Secretariat

27. There being no other business, the open-door session was declared closed.

******End of Open-Door Session******

**CIC Secretariat
June 2008**