



CONSTRUCTION
INDUSTRY COUNCIL
建造業議會

意外發生了，究竟是誰的 責任？

Accident has happened, who should
be responsible?

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An accident has happened, **WHO** should be responsible?

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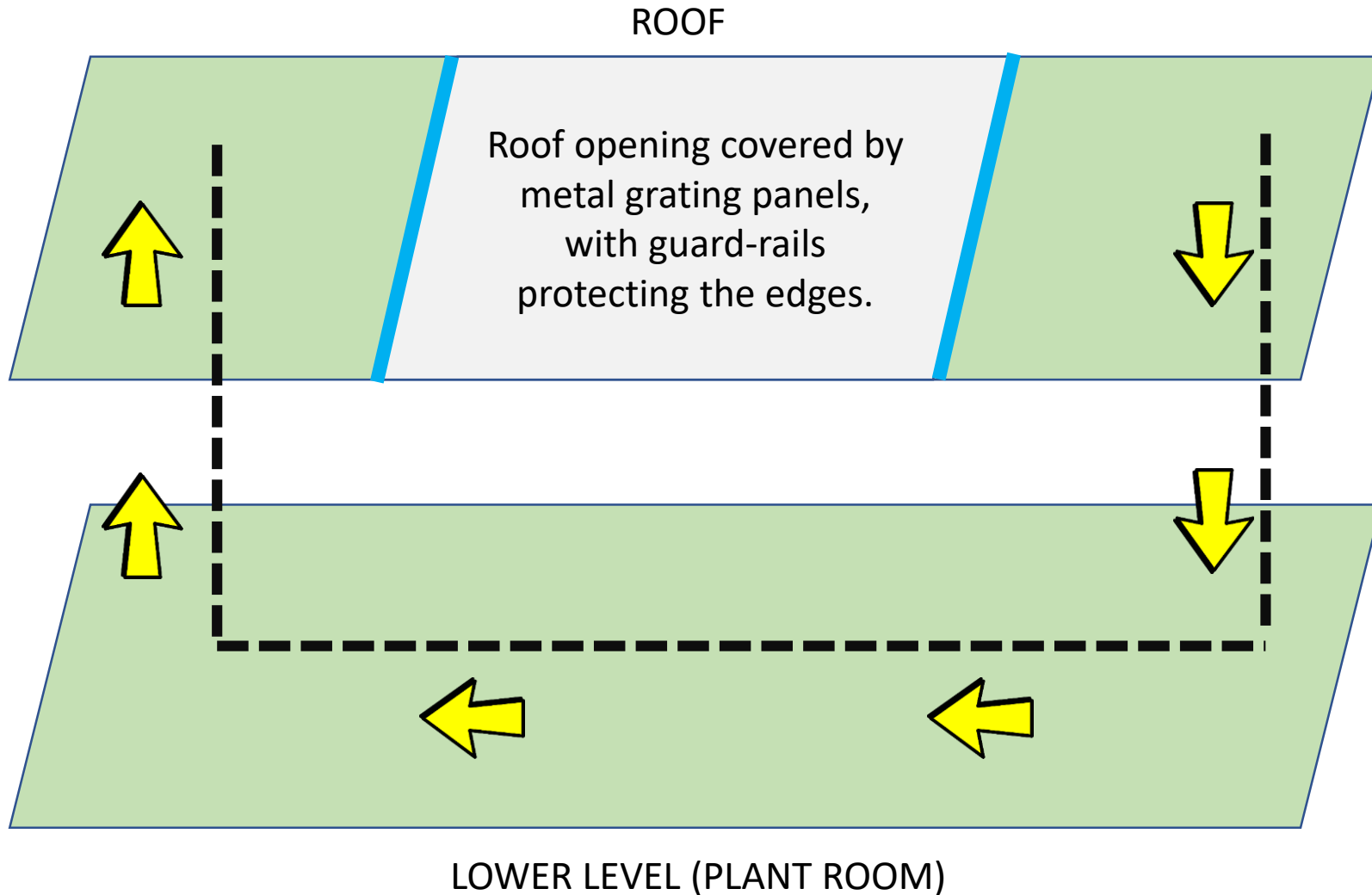
Imagine this is a building structure and there is a plant room below the roof.

On and off, there will be large plant needs to go inside the plant room or get out from it.

HOW?

A large opening on the roof was made.

It was covered with steel grating panels when the opening is not used. Panels can be taken away for plant delivery when needed.

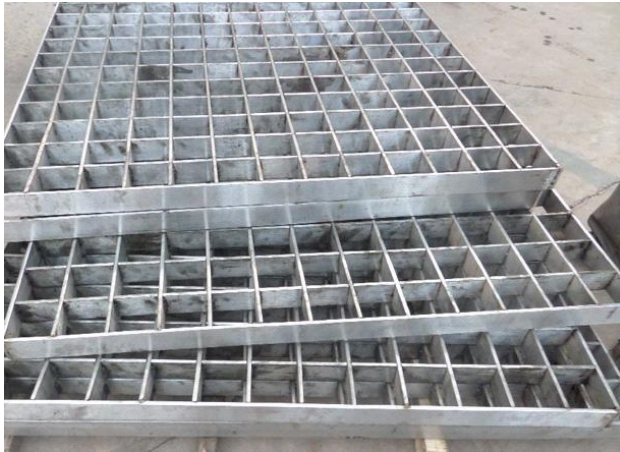


One day, workers needed to do some maintenance work on the roof.

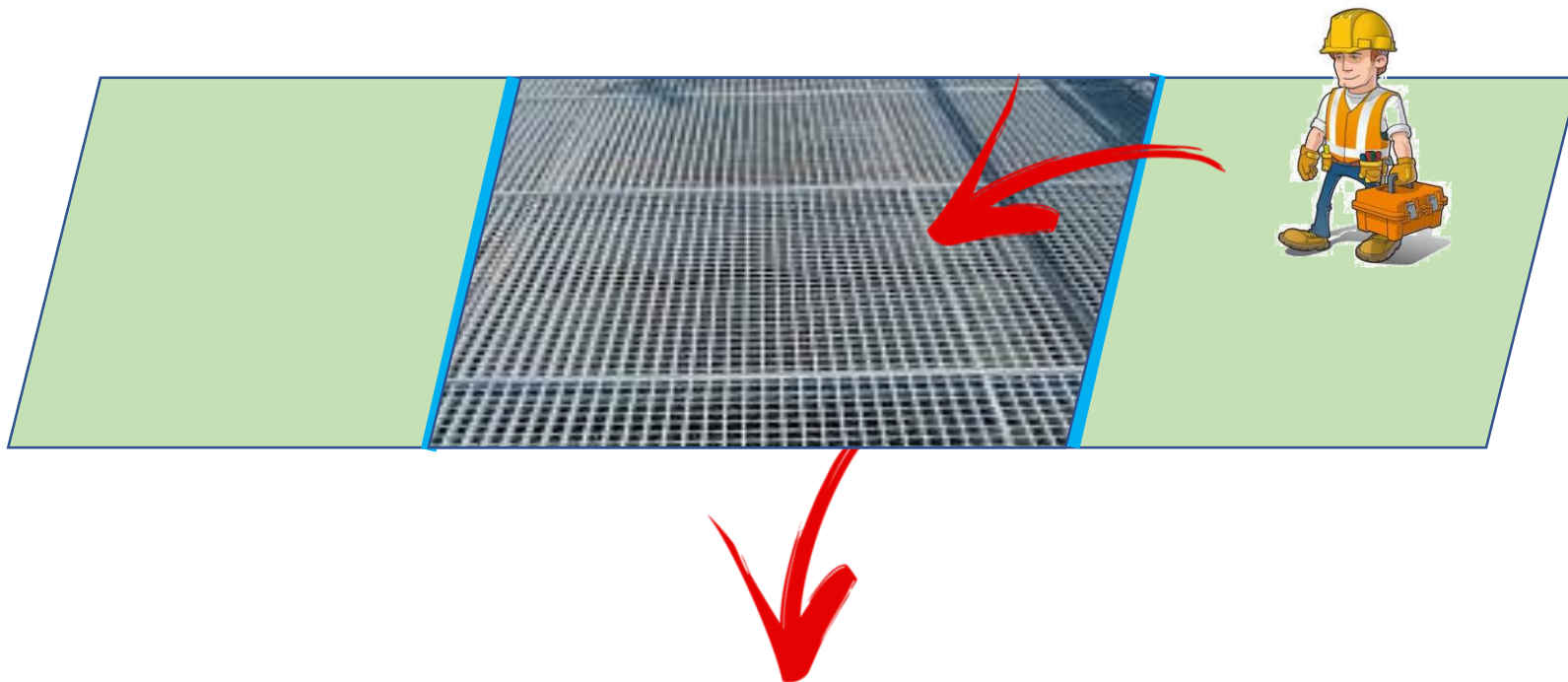
To move from one end of the roof to the other end, workers should take the stairs, go to the lower level, walk to the other end and take another stairs to get back to the roof.

Both edges were installed with guard-rails to prevent unauthorized entering.

ROOF



Roof opening was covered with steel grating panels.



At some point, the worker working on the roof wanted to go to the other side of the roof.

He did not take the stairs as usual.

He climbed over the guard-rails, hoping to walk across the steel grating panels to get to the other side of the roof to finish his work.

One of the panels suddenly moved.

The panel together with the worker fell to the lower level

WHO should be responsible?



There were guard-rails. The **WORKER** should not climb over it.

The **WORKER**:

- How do I know the grating panels is not good for walking?
- Last time when I opened the panels for material delivery, I did walk on the panels.
- I am carrying a lot of materials. I cannot take the stairs.



WHO should be responsible?



The **SUPERVISOR** should instruct the worker what to do and what not to do. He should instruct the worker not to climb over the guard-rails.

The **SUPERVISOR**:

How do I know the grating panels are not good for walking? There is no warning sign there.

I have already told the worker to take the stairs.



WHO should be responsible?



The **EMPLOYER** should have a method statement, a risk assessment, a safety system of work,

The **EMPLOYER**:

How far should I go in these MS, RA, SMS Are you telling me that I need to tell the worker how to walk?

Every worker has undertaken the mandatory basic safety training. Should they know what is safe and what is unsafe? Would it be common sense not to climb over a guard-rail?



WHO should be responsible?



The **LANDLORD** should warn people not to enter the grating area. He should know whether the grating panels are or are not good for walking.

The **LANDLORD**:

How do I know people will climb over the guard-rails?

There are stairs. They should take the stairs. I do not employ the workers, the contractor does. Should it be the contractor to look after the safety of his workers? As the landlord, how can I control the workers?



WHO should be responsible?



The **ENGINEER** who supervise the construction of this grating deck should make sure that these grating panels are installed properly to avoid accidental displacement.

The **ENGINEER**:

I built this roof and this grating deck as per design drawing. I have checked when it was built, and it was good at the time when it was built.



WHO should be responsible?



The **DESIGN ENGINEER** should consider the purpose of this deck and design it strong enough to take the load for persons walking on it.

The **DESIGN ENGINEER**:

I take instruction from the Landlord to design this deck so that panels can be removed for future loading and unloading of materials. The design intent of these panels are to cover the opening, not for persons to walk on it.



WHO should be responsible?

- The WORKER?
- The SUPERVISOR?
- The EMPLOYER?
- The LANDLORD?
- The ENGINEER?
- The DESIGN ENGINEER?



Or, is it just the worker who killed himself?

謝謝

THANK YOU