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**Labour Department  
(Headquarters)**

勞工處 (總處)

Your reference 來函編號 : Y06-HKIUS-GEN-111x

Our reference 本處檔案編號 : (23) in OSTC/COUR/MBST/145

Tel. number 電話號碼 : 2852 4963

Fax number 傳真機號碼 : 2541 9952

27 July 2009

Ir Dr King Wong  
Honorary Secretary  
Hong Kong Institute of Utility Specialists  
Room 909, 9/F, Favor Industrial Centre,  
2-6 Kin Hong Street,  
Kwai Chung, N.T., Hong Kong

Dear Sir,

**Mandatory Basic Safety Training under Section 6BA(4)  
of the Factories and Industrial Undertakings Ordinance, Cap. 59**

I refer to your letter dated 19 March 2007 concerning the above subject. Since then, you have provided this Department with further information on 9 November 2007, 7 March 2008, 29 May 2008, 16 June 2008, 21 June 2008, 3 July 2008, 31 October 2008, 22 December 2008, 12 January 2009 and 17 March 2009. A finalised proposal was also submitted on 25 June 2009, together with supplementary information provided on 8 July 2009 and 20 July 2009, in support of your application.

2. I am pleased to inform you that **Fellow Members, Manager Members and Operative Members** of the Hong Kong Institute of Utility Specialists ("HKIUS") may be issued with a relevant certificate for the construction industry under section 6BA(4) of the Factories and Industrial Undertakings Ordinance ("the Ordinance") as the Commissioner for Labour is satisfied that the safety training ("the training") required for qualifying for such membership is of a standard not less than the relevant safety training course required under section 6BA of the Ordinance.

3. The recognition of the training is based on the following understanding reached after discussions between representatives of your Institute and officers of this Department:

- (a) The above classes of members of HKIUS hold qualifications not lower than that of a Higher Certificate in Building Studies or a Higher Certificate in Civil Engineering from the Hong Kong Institute of Vocational Education, or a Higher Diploma in Building Technology and Management, a Higher Diploma in Civil Engineering, a Higher Diploma in Mechanical Engineering, a Higher Diploma in Manufacturing Engineering or a Higher Diploma in Electrical Engineering from The Hong Kong Polytechnic University or equivalent;
- (b) HKIUS will require its members to undertake 35 hours of continuous professional development (“CPD”) programmes each year in order to qualify for renewal of their membership. Such CPD programmes will include 10 hours on occupational safety and health issues each year; and
- (c) HKIUS will provide any relevant information concerning the recognition of the training of their members for the purpose of section 6BA of the Ordinance to the Commissioner for Labour when requested.

4. On the above understanding, HKIUS is hereby authorised to issue the relevant certificate under section 6BA(4) of the Ordinance to the aforementioned classes of members. They may renew the certificate when they renew their annual membership. To obviate the need for your members to carry the certificate, you may incorporate the following statement(s) into the HKIUS membership card so that this card will be equivalent to the relevant certificate:

***“This member of the Hong Kong Institute of Utility Specialists has satisfied the Commissioner for Labour in respect of Section 6BA(4), Cap. 59”***

and/or

***“此香港管綫專業學會會員，已符合勞工處處長就香港法例第59章6BA(4)條款之要求”。***

5. If you do not intend to incorporate this statement into your membership cards, you may issue a separate certificate. The format requirements of the relevant certificate are at Appendix A.

6. The authority for HKIUS to issue certificates under section 6BA(4) of the Ordinance is subject to the following conditions:

- (a) All eligible persons are members of the classes of the HKIUS mentioned in paragraph 2 above;
- (b) The recognition of the training is based on the understanding reached after discussions between representatives of your Institute and officers of this Department mentioned in paragraph 3 above;
- (c) The HKIUS will require its members to update their knowledge on occupational safety and health through CPD programmes;
- (d) You shall issue the certificates in strict conformity with the finalised proposal and any amendments thereto submitted to the Commissioner for Labour;
- (e) Any change in the particulars of your finalised proposal, including the change of the requirements for renewal of the membership of HKIUS, shall be submitted to the Commissioner for Labour for prior approval;
- (f) Particulars of the certificates issued shall be submitted to the Commissioner for Labour in both soft and hard copies within 10 calendar days of a month in a format as specified in Appendix B giving the position as at the end of the immediately preceding month;
- (g) All records in connection with the training, including academic qualification of individual members, CPD programmes and their contents, and the issue of the certificates shall be kept in a safe place and shall be made available for inspection at all reasonable times by an Occupational Safety Officer of this Department. The records shall be kept for a minimum period of 4 years;
- (h) All information provided by you or on your behalf in your application and subsequent submissions to the Commissioner for Labour for recognition of the training and from time to time after the recognition of the training shall be true, accurate and complete;

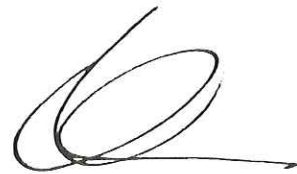
- (i) You shall comply with such other instructions and directions as the Commissioner for Labour may from time to time issue in connection with the recognition of the training; and
- (j) You shall take all necessary steps to ensure the proper issuing of the certificates, in particular to prevent your employees from committing any improprieties in connection with the issue of the certificates.

7. To facilitate on-site enforcement, you should advise those members to whom you have issued a certificate to carry the certificate or the membership card if the certificate has been incorporated into the card when carrying out construction work on site.

8. You are required to observe the above conditions in issuing certificates. Failure to observe any of the conditions may result in the immediate withdrawal of the recognition of the training and the authorisation to issue certificates without prior notice. You may also wish to note that the recognition of the training is given without prejudice to statutory requirement administered by other government departments applicable to the training.

9. If you have any questions regarding this letter, please feel free to contact Mr LEE See-ming, Acting Senior Divisional Occupational Safety Officer of this Department, on 2940 7042.

Yours faithfully,



(YAM Kim-cheung)  
for Commissioner for Labour

Encl.