

Construction Workers Registration (Amendment) Bill 2014

Committee Stage

Amendments to be moved by the Secretary for Development

<u>Clause</u>	<u>Amendment Proposed</u>
5(1)	<p>In the Chinese text, by deleting the proposed section 3(2) and substituting—</p> <p>“(2) 除第 3A 及 4 條另有規定外，凡某建造工作涉及的技能，是附表 1 第 3 欄中與某指定工種分項相對之處所描述的技能，則除非某人是該工種分項的—</p> <p>(a) 註冊熟練技工；</p> <p>(b) 註冊熟練技工(臨時)；</p> <p>(c) 註冊半熟練技工；或</p> <p>(d) 註冊半熟練技工(臨時)，</p> <p>否則該人不得親自在建造工地，進行該建造工作。”。</p>
6	<p>In the Chinese text, by deleting the proposed section 3A(1) and substituting—</p> <p>“(1) 凡某建造工作涉及的技能，是附表 1A 第 2 欄所指明的某指定工種分項的規定技能，則任何人如屬該附表第 1 欄中與該工種分項相對之處所指明的指定工種分項(主要工種分項)的註冊熟練技工，即可親自在建造工地，進行該建造工作。”。</p>
7	<p>In the Chinese text, by deleting the proposed section 4(1) and substituting—</p> <p>“(1) 凡某建造工作涉及的技能，是附表 1 第 3 欄中與某指定工種分項相對之處所描述的技能，則在符合第(2)款的規定下，任何屬註冊建造業工人的</p>

人，即使並非該工種分項的註冊熟練技工、註冊熟練技工(臨時)、註冊半熟練技工或註冊半熟練技工(臨時)，該人仍可親自在建造工地，進行該建造工作。”。

- 8 In the proposed section 4A(1)(a), in the Chinese text, by deleting “，進行涉及以下技能的建造工作：” and substituting “進行建造工作，而該建造工作涉及的技能，是”。
- 23(2) In the English text, by adding “designated” before “trade”.
- 26(2) In the Chinese text, by deleting the proposed section 48(1)(b) and substituting—
- “(b) 該工人是某指定工種分項的 —
- (i) 註冊熟練技工；
- (ii) 註冊熟練技工(臨時)；
- (iii) 註冊半熟練技工；或
- (iv) 註冊半熟練技工(臨時)，
- 並親自在建造工地進行建造工作，而該建造工作涉及的技能，是附表 1 第 3 欄中與該工種分項相對之處所描述的技能。”。
- 33 In the proposed section 63A(2)(b), in the Chinese text, by adding “的” before “價值”。
- 33 In the proposed section 63A(4)(b), by deleting “and”.
- 33 In the proposed section 63A(4), by adding—
- “(ba) may impose obligations on any person concerned in any construction work exempted under the regulation;
- (bb) may prescribe an offence for contravening the regulation which is punishable by a fine not exceeding level 3; and”.
- 36 In the proposed Schedule 1A, in column 1, in the heading, by

adding “trade” after “Major”.

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In the proposed Schedule 5, by deleting sections 6 and 7 and substituting—

“6. Application, request for review and appeal under pre-amended Ordinance

- (1) If an application under section 39, 44 or 45A of the pre-amended Ordinance remained pending immediately before the commencement date, the application is to be regarded as an application under section 39, 44 or 45A respectively.
- (2) If a request for review under section 51 of the pre-amended Ordinance remained pending immediately before the commencement date, the request is to be regarded as a request under section 51.
- (3) If an appeal under section 52 of the pre-amended Ordinance remained pending immediately before the commencement date, the appeal is to be regarded as an appeal under section 52.
- (4) For the purposes of subsections (1), (2) and (3), section 2 or 3 of this Schedule applies to the registration to which the application, request or appeal relates, as if—
 - (a) the registration were a pre-existing registration; and
 - (b) each reference to “has effect” in that section were a reference to “is to be regarded”.
- (5) If—
 - (a) an application is, under subsection (1), to be regarded as an application under section 45A; and
 - (b) the Registrar is satisfied that a specified ground within the meaning of section 45A(8) or (9) of the pre-amended

Ordinance existed before the commencement date in relation to the application,

a specified ground within the meaning of section 45A(8) or (9) is to be regarded as existing in relation to the application.”.