

HKCA 香港建造商會

newsletter 快訊

April & May 2002

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www.hkca.com.hk

會員查詢專線 Members' Hotline: 2572 4452



Cover Story

屋宇署放寬註冊及續牌要求

Buildings Department relaxes contractors registration renewal requirements

黃永灝會長、高雲華副會長和陳永桐秘書長於4月9日與屋宇署梁展文署長會面，討論有關續牌要求的細節。

高雲華副會長表示，屋宇署界定承建商於三年內有為工務部門、房委會、九鐵、地鐵、民政署、地政署及其政府部門的承建商或分判商為活躍的承建商 (active contractor)，沒有從事建築活動的承建商 (inactive contractor) 可以修讀 60 小時的進修課程 (CPD Course) 取代面試要求。有關屋宇署回函的全文，請瀏覽商會網頁 www.hkca.com.hk/govtinfo/may1002building.doc。

President Billy Wong, Vice-President Ric Grosvenor and Secretary General Patrick Chan met with director of Buildings Mr CM Leung on 9 April regarding the contractors registration renewal requirements.

Vice-President Ric Grosvenor reported that the Buildings Department would recognise contractors which worked for the Works Bureau, Housing Authority, KCRC, MTRC, Home Affairs Department, Lands Department and other government departments as either main or subcontractors as 'active contractors'. Buildings Department also agreed that an inactive contractor can have a choice of attending a 60-hour CPD course or attending an interview to renew their registration status.

Members can read the BD's reply in full at www.hkca.com.hk/govtinfo/may1002building.doc

Factories and Industrial Undertakings (Loadshifting Machinery) Regulation commencement date postponed

Following the continuous effort of the HKCA, the Labour Department has finally agreed to postpone the commencement date of the above regulation from 1 June 2002 to 1 September 2002. Members can visit the HKCA website to read the letter from the Labour Department.



何文田南第四期
總承建商：瑞安承建有限公司
Homantin South Phase IV
Main Contractor: Shui On Building Contractors Ltd.

香港建造商會 HONG KONG CONSTRUCTION ASSOCIATION

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Web Site: <http://www.hkca.com.hk> E-mail: admin@hkca.com.hk

HKCA strategic and business plans posted online

The HKCA Strategic Plan, the Executive Committee's Business Plan and the Secretariat's Business Plan are now posted on the HKCA's web site. HKCA members can read the plans and the progress report at the Member's Page of the web site. They can get the password for entering the Member's Page from the Secretariat. The Secretariat is also following up on the actions mentioned in the plans.

Meeting held on the end of the "Grandfather" clause

The Secretariat held a meeting with members who were affected by the abolition of the "Grandfather" clause in the HKCA Articles of Association on 2 May. The Honorary Secretary who chaired the meeting explained to members the reasons for the change and the assistance that the HKCA would give to them to acquire the necessary qualification. These members have been given three years to acquire the qualification to continue their Regular Membership.

Legco meeting on road opening works charging and penalties held

The Legco Panel on Planning Lands and Works held a meeting on 8 March 2002 to review the Works Bureau's proposed Charging and Penalty System for Road Opening Works for the last time before WB formally submits the Bill. President Billy Wong,

Secretary General Patrick Chan and Council Member David Westwood* were present in the meeting and they insisted that apart from excavation without a permit, all violations of permit conditions should not attract imprisonment penalties. Some Legislative Councillors still insisted that the same criminal penalty must also apply to Government officials who breach the law. WB submitted the Bill to Legco in April this year.

Three contractors called for WB Panel of Enquiry

Three contractors and the Government's E&M Services Trading Fund were called to attend the Works Bureau Panel of Enquiry held in March 2002 for the reason of incurring serious incidents or having incurred five convictions in six months. One contractor was given a warning letter and the others were suspended from tendering for two months.

HKCA attends Noise Control Bill Meeting

Environmental Committee Chairman Joseph Shek and the Secretary General Patrick Chan attended the Legislative Council's

Bills Committee on Noise Control (Amendment) Bill meeting on 22 April to present the HKCA's objection to the Bill. The Bill proposes to hold directors and senior officers of a corporation criminally liable when the corporation has committed consecutive offences. After the meeting, the HKCA made a further submission to the Bills Committee pointing out that it is unfair and unreasonable to exempt "public officers" of government departments and "Trading Funds". The Association submitted that unless the SAR Government obeys the same law as the private sector the Amendment Bill should be dismissed. The Bills Committee met again on 22 April in which HKCA's opinion was discussed. From their discussion in the meeting, it seems that the Committee may recommend that public officers will have to bear some penalty, although a limited one, and that the warning letter issued to the senior management of a corporation may carry a validity period. The HKCA's representative in the Legislative Council, Abraham Razack, is helping in lobbying his member colleagues.

Members are encouraged to submit e-mail addresses

To keep close contact with members, the Secretariat would like members to send in their e-mail addresses. The Secretariat will then send the HKCA weekly bulletin and notices to inform members via e-mail. Members should submit their e-mail address to admin@hkca.com.hk

For enquiries, please contact Ms Winnie Ho at the Secretariat on 2572 4414.

Meeting held on employees compensation bill

Secretary General Patrick Chan, Chairman of the HKCA's Working Group on Construction Insurance James Graham and HKCA Member James Lau attended the Legislative Council's Bills Committee on the Employees Compensation Assistance (Amendment) Bill 2002 on 23 April. The Bill is about arranging additional financial resources to the Assistance Fund to tie-over the financial difficulty caused by the liquidation of HIH Insurance and clarifying unclear areas of the present Ordinance. The HKCA team made use of the occasion to brief on the difficulty that many contractors face because of HIH's liquidation and demanded the government to conduct an overall review of the employee's compensation insurance arrangement and the assistance scheme.

HKCA to lead preparations for HK-mainland construction conference

The Organising Committee of the Works Bureau Annual Conference with the Ministry of Construction has elected the HKCA as the Chairman. The Ministry of Construction decided that the Annual Conference with the Works Bureau will be held in Nanjing on 21 October. As the Chairman of the Organising Committee, the HKCA is responsible for leading the organising works. Planning and preparations for the event are now underway.

商會策略及會務計劃書已上網

商會的策略計劃書、幹事會和秘書處的會務計劃書現已上載於商會網頁的會員專區內。會員可於專區內閱覽上述的計劃書和進展報告，而專區密碼可向秘書處查詢。秘書處正在密切跟進在計劃書上提及的事項。

「延續會籍權」會章條文改動

一些會員因為有關「延續會籍權」的會章條文被取消而受影響，所以秘書處於5月2日與受影響的會員會面，向會員解釋取消上述條文的原因及商會將怎樣協助他們獲得所須資格。受影響會員將可在商會給予的3年寬限期內考獲所須資格，以便繼續為商會正式會員。

挖掘道路工程收費及罰款制度議案最後檢討

立法會規劃地政及工程事務委員會已於2002年3月8日舉行，這是在工務局正式落實有關議案前，最後一次檢討工務局提議的挖掘道路工程的收費及罰款制度建議。黃永灝會長、陳永桐秘書長及西木大偉先生出席了有關的會議。他們向政府強烈表明除了非法挖掘外，其他違例的條件都不應被判監禁的刑罰。一些立法會議員仍強調同樣的刑事處罰應同時可用於違法的政府職員。議案的詳細內容有待工務局於4月在立法會上作正式公布。

三間承建商接受工務局研訊

三間承建商及政府的機電工程營運基金於2002年3月被傳召出席工務局就招致近6個月內發生的嚴重事故的原因進行研訊，其中包括五項已被定罪的。其中一間公司被發予警告信，其他則罰暫停投標兩個月。

商會出席噪音管制(修訂)條例會議

環保小組主席石雨明先生和陳永桐秘書長於4月22日出席了立法會法案委員會的噪音管制(修訂)條例會議，向委員會反映商會反對的立場。此法案建議如公司曾多次觸犯噪音條例，其董事及高級行政人員將要負上刑事責任。會後，商會向法案委員會表達法例中免除政府官員及營運基金負責人負上刑事責任的條文是不公平的。商會提出除非政府機構亦需要與私人機構遵守同樣法例，否則此修訂條例將不生效。法案委員會於4月22日討論商會的意見。根據當天的討論結果，法案委員會可能建議政府官員亦要負上有限度的刑事責任，而向觸犯條例的公司高級職員發出的警告信需具有有效期限。石禮謙議員現正游說其他立法會議員同意上述建議。

僱員補償援助(修訂)條例草案會議

商會的建造業保險工作小組主席 James Graham 先生、小組成員劉志宏先生及陳永桐秘書長於4月23日出席了立法會法案委員會的2002年僱員補償援助(修訂)條例草案會議。此條例是關於安排額外的財政資源於援助基金委員會，以應付因澳洲興業保險有限公司清盤所導致的財政問題及澄清現時條例中的不清楚之處。商會透過上述會議的機會向政府反映因澳洲興業保險清盤，承建商需要面對的困難，並促請政府去改革整套的僱員賠償保險計劃。

商會出任工務局與中國建設部周年會議籌委會主席

工務局與中國建設部周年會議籌委會已委任商會為籌委會主席，而會議已定於今年10月21日在南京舉行。商會作為籌委會主席，將負責統籌會議工作，現階段商會已開始進行有關工作。

財政報告 Financial Report

商會 2002 年 1 月至 3 月財政報告如下：

The HKCA's financial status from January to March 2002 is shown below:

收入 Income	: 3,562,534 元
支出 Expenditure	: 2,694,401 元
盈餘 Surplus	: 868,133 元

WB Technical Circulars on the Internet

以下由工務局發出的《技術函件》，會員可於該局網址瀏覽及下載：

<http://www.wb.gov.hk/circular>

Please note that the following Technical Circulars issued by the Works Bureau are now available for download on its website: <http://www.wb.gov.hk/circular>

函件編號 Circular Number	題目 Topic
10/2002	Professional Indemnity Insurance for Consultancy Service, Works Contract Involving Contractor's Design or Independent Checking Engineer's Service and Design and Build Contract
13/2002	Employment of Qualified Tradesmen and Intermediate Tradesmen by Contractors of Public Works Contracts
15/2002	Contract Advisers and Technical Audits on Works Contracts
16/2002	General Conditions of Contract for Term Contracts for Civil Engineering Works, 2002 Edition
17/2002	Interim Arrangements for Expediting Resolution of Objections under Statutory Gazettals

秘書處已成立熱線 以改善會員的查詢服務

商會了解到會員常有一些關於行業或商會的問題，希望通過商會的協助尋求答案。有見及此，理事會通過了在秘書處成立熱線以改善會員的查詢服務的建議。此熱線的電話號碼是：2572 4452，由楊汶妮小姐接聽。楊小姐將竭力為會員解答問題，但如她未能解答，她將諮詢其他商會職員。會員如對此新措施有任何提議，請與秘書處鄧小姐聯絡。

Secretariat sets up hotline to improve members' enquiry service

The August 2001 Council meeting approved the setting up of a hotline at the Secretariat to improve responses to members' enquiries. The HKCA is aware that members may have questions and enquiries related to the HKCA or the industry, for which they may want to contact the HKCA for advice and assistance. The hotline number is 2572 4452 and it will be answered by Miss Liza Yeung. Liza will address the question first and, in cases when she does not know the answer, she will get assistance from other Secretariat staff. Members who have any suggestions on how to improve this hotline system should contact Ms Candy Tang of the Secretariat.

HKIE Innovation Awards for Construction Industry 2001/02 Luncheon Prize Presentation Ceremony

The above ceremony will be held on 29 May 2002. To register for the presentation ceremony and make reservations for the luncheon, please contact Ms Ellen Lee on Tel: 2895 4446 before 15 May 2002.