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Development Bureau  
18/F, West Wing, Central Government Offices  
2 Tim Mei Avenue, Tamar, Hong Kong

[Attn: Ir Henry LAM Kai Yung, Assistant Secretary (Works Policies) 5]

Dear Ir LAM

**Development Bureau - Construction Site Safety Initiatives (2018) Relevant to Independent Checking Engineer**

Thank you for inviting the Institution to provide views on the captioned subject. We are pleased to provide herewith our views and suggestions on the subject matters for your consideration.

Thank you for your attention.

Yours sincerely

  
Monica YUEN (Mrs)  
Chief Executive & Secretary  
The Hong Kong Institution of Engineers

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MY/ML

## Enclosure

### **Views from the Hong Kong Institution of Engineers on Construction Site Safety Initiatives Relevant to Independent Checking Engineer**

The Hong Kong Institution of Engineers (HKIE) is of the view that feasible measures should be devised to optimise the selection of Independent Checking Engineer (ICE) for construction site works to enhance the quality of the ICE and the safety of temporary works. Nevertheless, we believe that measures to nurture the safety culture and awareness in the construction industry would be the backbone for enhancing construction site safety.

2. With regard to the proposed mechanism, the Institution considers that for fairness and transparency, there should be practical guidelines and procedures in place which clearly define various scenarios giving rise to a warning/ removal order. The guidelines would need to indicate a suitable authority to facilitate the ICE for upward reporting and suspending any part of the construction activities and state the responsibility of other site personnel for making good or notifying the ICE on any abnormalities or deficiencies of temporary works (e.g. change of site condition). A standard format detailing what needs to be included for a warning/ removal order should be provided and the essential wordings of the order should be legally scrutinised. In addition, the roles and duties of the ICE as well as the scope and definition of temporary works should also be clearly defined.

3. We suggest that the proposed mechanism would need to address the situation where the contractor of public works contracts may engage a firm/ company instead of an individual ICE to provide the service of temporary works. The mechanism should also address situations where the ICE(s) as listed may not be the same personnel at the worksites but may be represented by other qualified engineers.

4. Prior to including any warning/ removal order of an ICE into the centralised database, proper notification should be served to the involved person and he/she should be allowed to make clarification on records of the accusation on his/her unsatisfactory performance. This mechanism should be supported by a disciplinary panel and an appeal panel with suitably identified membership which allow proper scrutiny on individual cases.

5. The Administration is suggested to consider extending the scope of the centralised database to all other ICEs that are employed by private developers (not restricted to public works projects), and making the centralised database available for public access with due observation of the Personal Data (Privacy) Ordinance.

6. It is noted that for the qualification of the ICE as stated in the Special Conditions of Contract (WBTC No. 3/97 Appendix 2) for public works contracts, *“the independent checking engineer shall be a professionally qualified engineer and a member of the Hong Kong Institution of Engineers or the Institution of Civil Engineers, UK or equivalent, whom the Contractor considers has suitable experience and be acceptable to the Engineer”*. Taking this opportunity of the review of the current mechanism, the Administration is suggested to review and ascertain that the

ICEs are equipped with sufficient local knowledge including knowledge of local regulations and practice, and that Registered Professional Engineers of relevant Disciplines should also be considered as having fulfilled the qualification of the ICE.