

## LCQ22: Work safety on bamboo scaffolding

Following is a question by the Hon Lam Chun-sing and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (February 12):

Question:

The revised Code of Practice for Bamboo Scaffolding Safety (the Code), which officially took effect on October 19 last year, aims to enhance the safety of bamboo scaffolding works. In this connection, will the Government inform this Council:

(1) of the number of industrial accidents involving bamboo scaffolding works recorded by the authorities in each of the years from 2018 to October 18 last year, and since the implementation of the Code on 1 October 19 last year, together with the number of casualties involved in such accidents, and set out in Table 1 a breakdown by nature of works (i.e. (i) new works and (ii) repair, maintenance, alteration and addition works), type of works (i.e. (I) public works and (II) non-public works) and type of cases (i.e. (a) fatal cases (the number of fatalities) and (b) non-fatal cases (the number of injuries));

Table 1

Date	(i)				(ii)			
	(I)		(II)		(I)		(II)	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
2018								
.....								
From January 1 to October 18, 2024								
Since October 19, 2024								
Total								

(2) of the respective numbers of (i) workplaces inspected by the Government for bamboo scaffolding works, as well as (ii) improvement notices (together with their compliance rates) and (iii) suspension notices (together with their compliance rates) issued by the Government to contractors involved in non-compliances in relation to bamboo scaffolding works, in each of the years from 2018 to 1 October 18 last year, and since the implementation of the Code on 1 October 19 last year, and set out in Table 2 a breakdown by nature of works (i.e. (a) new works and (b) repair, maintenance, alteration and addition works) and type of works (i.e. (I) public works and (II) non-public works);

Table 2

[illegible]

From January 1 to October 18, 2024												
Since October 19, 2024												
Total												

(3) in respect of the improvement notices issued by the Government as mentioned in (2)(ii), of (a) the non-compliances primarily involved and (b) the average time taken by contractors to remedy non-compliances or cease illegal acts, and set out in Table 3 a breakdown by nature of works (i.e. (i) new works and (ii) repair, maintenance, alteration and addition works);

Table 3

Date	(i)		(ii)	
	(a)	(b)	(a)	(b)
2018				
.....				
From January 1 to October 18, 2024				
Since October 19, 2024				

(4) in respect of the suspension notices issued by the Government as mentioned in (2)(iii), of (a) the non-compliances primarily involved by contractors and (b) the average time taken for such notices getting revoked by the authorities, and set out in Table 4 a breakdown by nature of works (i.e. (i) new works and (ii) repair, maintenance, alteration and addition works);

Table 4

Date	(i)		(ii)	
	(a)	(b)	(a)	(b)
2018				
.....				
From January 1 to October 18, 2024				
Since October 19, 2024				

(5) of the respective numbers of prosecutions instituted by the authorities and convictions for non-compliances in respect of bamboo scaffolding works involving contractors, in each of the years from 2018 to October 18 last year, and since the implementation of the Code on October 19 last year, as well as the major non-compliances involved and the average sentences imposed;

(6) whether it has compiled statistics on the number of employers who, in each of the past seven years and this year to date, have failed to take out employees' compensation insurance (commonly known as labour insurance) as required under the Employees' Compensation Ordinance (Cap. 282) for workers involved in the industrial accidents mentioned in (1), and on the number of employers prosecuted as a result; among such prosecution cases, of the number of convicted cases and the average sentences imposed;

(7) of the number of applications for taking out labour insurance received and approved by the Employees' Compensation Insurance Residual Scheme Bureau from employers in the bamboo scaffolding industry in each of the past seven years and this year to date; what measures the Government has put in place to strengthen assistance for the construction industry in taking out labour insurance for workers engaged in bamboo scaffolding works in order to enhance the protection for these workers;

(8) given that at the meeting of the Panel on Manpower of this Council on March 16, 2021, the authorities proposed amending the Construction Sites (Safety) Regulations (Cap. 59I) to include small-scale construction works involving higher risks (including truss-out scaffolding works) within the scope of mandatory notification to facilitate the Labour Department in arranging targeted inspections, of the latest progress and the specific timetable for the relevant legislative amendment work; and

(9) how the Government will strengthen its promotion of the enhanced application of technology in the industry to enhance the occupational safety and health of frontline workers working on bamboo scaffolds?

Reply:

President,

The Government attaches great importance to workplace safety. Pursuant to the risk-based principle and keeping close tabs on the occupational safety and health (OSH) risk levels and trends of various industries (in particular the construction industry), the Labour Department (LD) has been formulating and adjusting the strategies of inspection and enforcement, publicity and promotion, as well as education and training in a timely manner to raise the OSH level in Hong Kong.

With the objective of enhancing scaffolding safety, the Government held a meeting on "Enhancement of Scaffolding Safety" on January 24, 2025 with relevant organisations and stakeholders. The LD is considering carefully the opinions of the trade representatives and will continue to work closely with relevant organisations and stakeholders to explore ways to enhance the safe use of scaffolds.

My reply to the Hon Lam Chun-sing is as follows:

(1) The numbers of fatal cases and fatalities of industrial accidents (Note 1) involving bamboo scaffolds on construction sites from 2018 to 2025 (as at January 26) are tabulated below. These cases did not involve Public Works Projects (Note 2).

Year	Industrial accidents involving bamboo scaffolds	
	(i) New Works (Note 3)	(ii) Repair, Maintenance, Alteration, and Addition Works (Note 4)
	Number of fatal cases (number of fatalities)	Number of fatal cases (number of fatalities)
2018	1 (1)	4 (4)
2019	3 (3)	1 (1)
2020	1 (1)	1 (1)
2021	–	4 (4)
2022	–	4 (4)
2023	–	–
2024 (Note 5) (January 1, 2024 – October 18, 2024)	1 (2)	2 (2)
2024 (Note 5) (October 19, 2024 – December 31, 2024)	–	–
2025 (Note 5)	–	–

Note 1: Industrial accidents refer to injuries and deaths arising from industrial activities in industrial undertakings in Hong Kong as defined under the Factories and Industrial Undertakings Ordinance.

Note 2: Public Works Projects refer to construction sites under the Architectural Services Department, Drainage Services Department, Electrical and Mechanical Services Department, Highways Department, Water Supplies Department, and Civil Engineering and Development Department.

Note 3: New Works refer to construction sites where new development or re-development works take place. Such works include building, piling, demolition, site formation and civil engineering works.

Note 4: Repair, Maintenance, Alteration, and Addition Works refer to minor works such as minor alterations, repairs, maintenance and interior decoration of existing buildings, term maintenance or repair contracts (such as roads, water and drainage works).

Note 5: The numbers of fatal cases of industrial accidents of 2024 and 2025 are recorded as at January 26, 2025.

The LD does not keep the numbers of injury cases and injuries of industrial accidents involving bamboo scaffolds on construction sites.

(2) to (5) The enforcement figures related to construction sites by the LD from 2018 to 2024 are tabulated below.

(i) The number of inspections conducted and enforcement figures of new works construction sites from 2018 to 2024

	2018	2019	2020	2021	2022	2023	2024 (Jan – Oct)	2024 (Nov – Dec)
Inspections	27 709	35 202	23 419	29 525	26 664	26 788	25 024	4 781
Prosecutions taken	1 435	1 453	1 101	1 095	1 171	1 494	1 277	272
Improvement notices	1 264	1 954	1 340	2 433	2 103	2 985	2 631	368
Suspension notices	246	124	116	153	351	131	81	31

(ii) The number of inspections conducted and enforcement figures of repair, maintenance, alteration and addition works sites from 2018 to 2024

	2018	2019	2020	2021	2022	2023	2024 (Jan – Oct)	2024 (Nov – Dec)
Inspections	42 928	52 466	34 616	41 538	38 907	44 447	36 965	7 640
Prosecutions taken	1 077	848	910	774	838	828	685	97
Improvement notices	835	1 051	762	851	956	1 158	1 018	240
Suspension notices	353	353	204	284	270	157	132	64

The LD does not keep the numbers of safety inspections, enforcement figures and convictions breakdown by the bamboo scaffolding trade or works category.

The LD will assess the severity and consequences of the violation of law and take different enforcement means in accordance with the established guidelines and procedures, including the issuance of improvement notices or suspension notices to duty holders, if violation is detected during inspection of construction site.

The LD does not keep the statistics of the time required for revoking improvement notices or suspension notices. In general, the LD will take follow up actions in a timely manner in accordance with the established procedures after the notice has been issued. The notice would be revoked when the LD is satisfied that measures have been taken by the duty holders to abate the relevant risks. There is no specified timeframe for revoking a notice, which will be dependent on the attitude of the duty holders and the complexities of the actual work to abate the relevant risks.

(6) Among the 22 fatal cases of industrial accidents provided in part (1), five employers were prosecuted by the LD for failing to take out the employees' compensation insurance (EC insurance) policies at the time of the accidents. Relevant prosecution figures are tabulated below:

Year of accidents	Number of summonses heard	Number of summonses convicted	Fine imposed
2018	1	1	\$25,000
2019	1	1	\$8,000
2020	1	1	\$5,000 (Note)
2021	1	1	\$3,000
2022	1	1	\$6,000

Note: In addition to the fine of \$5,000, the employer was concurrently sentenced to 14 days' imprisonment, suspended for 18 months.

(7) The Employees' Compensation Insurance Residual Scheme (ECIRS) serves as a market of last resort to assist employers who cannot procure EC insurance in the market, with a view to ensuring that employers can acquire EC insurance. Relevant figures pertaining to the applications by employers in scaffolding industry received and approved by the Employees' Compensation Insurance Residual Scheme Bureau (ECIRSB) from 2018 to January 2025 are as follows:

Year	Number of applications received from the employers (a)	Number of applications approved and provided cover by ECIRSB (b)
2018	15	15
2019	12	12
2020	14	13 (Note 1)
2021	15	15
2022	19	31 (Note 2)
2023	24	23 (Note 1)
2024	25	25
2025 (as at January)	3	2 (Note 3)

Note 1: The figures in column (b) are lower than that in column (a) of the above table as the employers have either taken out EC insurance directly through ECIRS's member insurers or they did not take out EC insurance through ECIRS eventually.

Note 2: In exercise of its authority under section 35(2)(b) of the Insurance Ordinance, the Insurance Authority appointed Managers to take full control of the affairs, business and property of Target Insurance Company Limited (Target) in 2022. As a participating member of ECIRS, Target jointly underwrote the EC insurance policies issued under ECIRS. Due to Target's inability to continue operations because of insolvency, ECIRS had to reissue the affected insurance policies to the insured in 2022, including 12 policies specific to the scaffolding industry.

Note 3: One application is under processing.

The Government is deeply concerned about the procurement of EC insurance by employers in the scaffolding sector. ECIRSB has been offering premium discounts to the employers in the scaffolding sector and implemented flexible arrangements, including short-term EC insurance policies, tailored to the circumstances of the scaffolding industry. The Government will continue to maintain close communication with ECIRSB to assist employers in the scaffolding sector who have implemented enhanced occupational safety measures in qualifying for higher premium discounts, thus ensuring compliance with the requirement to procure EC insurance.

(8) The LD is studying the refinement of statutory notification mechanism for construction works and its feasibility.

At the same time, to enhance the bamboo scaffolding safety, the LD updated the Code of Practice for Bamboo Scaffolding Safety last year, strengthening the regulation against truss-out bamboo scaffold (TOS). This includes requiring workers engaged in TOS works to hold valid certificates issued by the Construction Industry Council (CIC) to bolster safeguards for workers.

In addition, the LD has been actively collaborating with the scaffolding and insurance industries as well as other stakeholders in recent years to improve the occupational safety of bamboo scaffolding industry through various measures. This aims to reduce related insurance premiums, enabling employers in the bamboo scaffolding industry to take out employees' compensation insurance at relatively reasonable prices, so as to form a virtuous cycle uplifting the overall safety standards of the industry to further lower the premium for labour insurance.

(9) The Government supports the construction industry in using innovative technologies to improve site safety. The LD has been working closely with the Development Bureau (DEVB), relevant government departments and organisations to promote the industry to effectively use innovative technologies and expand their scope of application to enhance site safety.

The LD is collaborating with the DEVB to promote the implementation of the Smart Site Safety System (4S) in more construction projects to enhance monitoring and risk management of construction sites, and further improve the overall site safety standards. The LD has also actively participated in the work of the Task Force on Smart Site Safety System Standardisation set up by CIC, and will continue to keep in view the development of various advanced technology and encourage the industry to adopt appropriate technological equipment for preventing accidents.

In addition, the LD, in collaboration with the Occupational Safety and Health Council, organised the first OSH Innovation and Technology Expo in March 2024 to introduce and showcase innovative solutions, products and technologies in the field of OSH for promoting innovative developments in this area. Meanwhile, the LD will provide advice on OSH legislation for

technology products developed by industries to facilitate the introduction and application of more such products.

At the meeting of "Enhancement of Scaffolding Safety" on January 24, 2025, the LD has discussed with the industry and other relevant stakeholders to explore measures from various aspects (including the application of technology) to enhance the bamboo scaffolding safety.

However, we must point out that technology is merely an auxiliary tool. It is more important to address the issue at the root by enhancing the overall OSH culture in the construction industry, as well as raising workers' safety awareness. The Government will continue to strive for promoting OSH culture through the adoption of multi-pronged strategies, including promotion, education and training, inspections and enforcement as well as the application of technologies, to help reduce accidents.