

LCQ7: Protecting the safety of swimmers in private swimming pools

Following is a question by the Hon Chau Siu-chung and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (June 21):

Question:

In accordance with the Swimming Pools Regulation (Cap. 132CA), any artificially constructed pool used for swimming or bathing and to which the public have access or which is operated by any club, institution, association or other organisation, is required to obtain a swimming pool licence from the Food and Environmental Hygiene Department (FEHD). Regarding protecting the safety of swimmers in private swimming pools, will the Government inform this Council:

(1) of the numbers of private swimming pools (i) with a swimming pool licence, (ii) for which a new application for a swimming pool licence was made, and (iii) for which a renewal application for a swimming pool licence was made, in each of the past 10 years, with a tabulated breakdown by District Council district;

(2) the respective numbers of licensed swimming pools which, in accordance with the licensing conditions for the swimming pool licence, shall have not less than (i) two, (ii) three, (iii) four, (iv) five, (v) six, (vi) seven and (vii) eight qualified lifeguards in attendance at all times during which the pools are open to swimmers;

(3) of the numbers of (i) inspections conducted by FEHD on private swimming pools with a swimming pool licence and (ii) accidents reported by such pools to FEHD, in each of the past 10 years; and

(4) whether it knows (i) the respective numbers of Pool Lifeguard Awards and Beach Lifeguard Awards issued by the Hong Kong Life Saving Society (HKLSS) in each of the past 10 years, as well as (ii) the respective numbers of persons currently in possession of valid Pool Lifeguard Awards, Beach Lifeguard Awards and other more advanced life saving awards issued by HKLSS?

Reply:

President,

In consultation with the Leisure and Cultural Services Department (LCSD), our reply to the various parts of the question raised by the Hon Chau Siu-chung is as follows:

(1) According to the Swimming Pools Regulation (Cap. 132CA) (the Regulation),

any artificially constructed pool used for swimming and to which the public have access (whether on payment or otherwise) or which is operated by any club, institution, association or other organisation needs to apply for a swimming pool licence from the Food and Environmental Hygiene Department (FEHD), except swimming pools which serve not more than 20 residential units and to which the public have no access. In general, a swimming pool licence is valid for one year. Licensees may apply for renewal on or before the expiry date of the licence. The numbers of private swimming pools with a swimming pool licence, for which a new licence was applied and for which the licence was renewed in the past 10 years, with a breakdown by District Council district, are at Annexes 1 to 3 respectively.

(2) In general, the licensee of a swimming pool shall, at all times during which the pool is open to swimmers, deploy to the pool not less than two lifeguards with valid certificates of competency in life saving and first aid, unless modification to the requirement is approved by the licensing authority. When processing applications for a swimming pool licence, the FEHD will make specific requirements for the number of lifeguards having regard to the actual situation of the swimming pool, such as the number of and size of the swimming pools. The number of qualified lifeguards required to be present at licensed swimming pools as of April 30, 2023, is at Annex 4.

(3) The FEHD regulates licensed swimming pools through routine inspections and complaints handling, with a view to ensuring that the swimming pools are in compliance with public health and safety requirements. Monthly inspection is conducted by FEHD officers when the licensed swimming pool is open to swimmers for checking whether licensees have complied with the Regulation and licensing conditions, which includes ensuring that the equipment and water quality of the swimming pool have met the prescribed standards, and that a sufficient number of qualified lifeguards are on duty during the opening hours of the pool etc. The inspection frequencies may be increased if necessary. During inspection, if a licensed swimming pool is found in breach of the Regulation or the licensing conditions, warning will be issued or prosecution will be instituted immediately against the licensee depending on the actual circumstances. If the licensee repeatedly violates the Regulation/licensing conditions or fails to rectify the irregularities within the specified time, the FEHD will consider suspending or cancelling the licence. The number of inspections conducted by the FEHD in each of the past 10 years is at Annex 5.

In the event that an accident occurs at the swimming pool, the person-in-charge of the venue should report it to the Police immediately. At present, there is no requirement under the private swimming pool licence that the licensee has to report to the licensing authority any accident at the swimming pool. The FEHD does not maintain the relevant statistics and is actively looking into formulating relevant requirements.

(4) Lifeguards attending at licensed private swimming pool must be a holder of the pool lifeguard award (PLA) of the Hong Kong Life Saving Society (HKLSS). According to the information provided by the LCSO, the PLA and beach lifeguard award (BLA) issued by the HKLSS shall be valid for 36 months and,

if the revalidation examination is passed six months before the expiry of the PLA/BLA, effective for another 36 months after the expiry date. The numbers of PLA and BLA issued by the society, including both new and revalidated ones, in the past 10 years are at Annex 6. The numbers of holders of awards at more advanced levels than the PLA and BLA are at Annex 7.