

**CONTROLLING OFFICER'S REPLY**

**FHB(FE)358**

**(Question Serial No. 6929)**

Head: (49) Food and Environmental Hygiene Department  
Subhead (No. & title): (-) Not specified  
Programme: (-) Not specified  
Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)  
Director of Bureau: Secretary for Food and Health

Question:

The Central Investigation Team (CIT) has been set up by the Food and Environmental Hygiene Department to follow up complaints against contractors' non-compliance with employment requirements. Please provide the following information with regard to the CIT in the past 3 years: i) the number of inspections conducted; ii) the number of workplaces inspected; iii) the number of complaints received against contractors' non-compliance with the requirements of the employment contracts and those of the Employment Ordinance (with a breakdown by the type of complaint); iv) the number of substantiated complaints; v) the number of cases in which contractors were penalised due to substantiation of their complaints and the penalties imposed.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 7712)

Reply:

The Central Investigation Team (CIT) of the Food and Environmental Hygiene Department conducted 280, 269 and 267 inspections on contractors' compliance with employment related regulations in 2016, 2017 and 2018 respectively. Instead of physical inspections of the workplaces, the CIT conducts audit and employment-related inspections to check the relevant documents including Standard Employment Contracts, wage records, attendance records, etc. The contractors' staff concerned are interviewed to ascertain compliance with the contract requirements and/or the relevant labour legislation. There is thus no record on the number of workplaces inspected. Details of the complaints received by the CIT are provided as follows -

Year	Types of Complaints					Total no. of complaints	No. of substantiated cases
	Under-payment	No signing of Standard Employment Contract	Exceeding maximum working hours	Failure to grant severance / long service payment	Others^		
2016	5	1	4	2	0	12	3
2017	6	0	1	3	6	16	1
2018	8	0	0	1	7	16	2

^ Including late payment of wages, failure to make contribution to Mandatory Provident Fund, etc.

For substantiated cases, default notices and/or warning letters were issued to the contractors concerned. Deduction from relevant contract payments was also made as appropriate. In particular, contractors will get demerit points for substantiated cases in breach of certain contractual obligations, which might affect their contractors' bidding of similar Government contracts in the future.

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