

**Public Consultation on
Proposed Amendments to Waterworks Ordinance (Cap. 102)
Summary of Results**

The Water Supplies Department completed a 90-day public consultation from 6 November 2020 to 3 February 2021. 96 written replies were received through email, facsimile and post within the consultation period. 81 of them were either in response forms or written responses submitted in different format referring to specific questions in the response form. We observed from the responses that the respondents supported the proposed amendments generally. A summary of the responses are tabulated below:

| Consulted Items | | Overall Feedback | | |
|-------------------------------------|--|------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| Regulation of Plumbing Works | | | | |
| 1 | Do you agree to maintain the current regulatory framework that minor plumbing works can be carried out by any persons? If disagree, why? | 76.5% | 17.3% | 6.2% |
| 2 | Do you agree that the project proponent should be required to ensure that the prescribed plumbing works are carried out by a qualified plumbing contractor? If disagree, why? | 80.2% | 8.6% | 11.2% |
| 3 | Do you agree that the penalty proposed for the project proponent contravening the relevant provisions in engaging qualified plumbing contractor to carry out the prescribed plumbing works should be set to a maximum fine at level 6 (\$100,000)? If disagree, why? | 71.6% | 16.0% | 12.4% |
| 4 | Do you agree not to regulate the Designer for prescribed plumbing works? If disagree, why? | 74.1% | 19.8% | 6.1% |
| 5 | Do you agree that a person holding a Grade I LP qualification is sufficient to take up the role of an AR or RPC to manage the plumbing works? If disagree, why? | 86.4% | 6.2% | 7.4% |

| Consulted Items | | Overall Feedback | | |
|-----------------|--|------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| 6 | Do you agree to include mandatory continuous training for LPs as one of the LP licence renewal requirements? If disagree, why? | 81.5% | 7.4% | 11.1% |
| 7 | Do you agree that only RPC should be allowed to carry out prescribed plumbing works and should be responsible for the compliance of the prescribed plumbing works with technical requirements of the WA and the statutory requirements of the WWO and WWR? If disagree, why? | 90.1% | 3.7% | 6.2% |
| 8 | Do you agree that the current liability of the RLP and designated person under the current WWO and WWR can be released under the RPC system? If disagree, why? | 54.3% | 34.6% | 11.1% |
| 9 | Do you agree that if an offence committed by an RPC is proved to have been committed with the consent or connivance of the key personnel or a senior manager concerned in the management of the RPC, that person shall also be guilty of the offence? If disagree, why? | 79.0% | 14.8% | 6.2% |
| 10 | Do you agree that in case of non-compliance with technical requirements related to drinking water safety, the RPC should be liable on conviction to a maximum fine at level 6 (\$100,000) and subject to disciplinary actions upon convicted by any court? If disagree, why? | 80.2% | 8.6% | 11.2% |
| 11 | Do you agree that in case of non-compliance with technical requirements not related to drinking water safety, the RPC should be subject to disciplinary actions instead of being liable to an offence? If disagree, why? | 87.7% | 1.2% | 11.1% |

| Consulted Items | | Overall Feedback | | |
|--------------------------------------|--|---------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| 12 | Do you agree with the proposed one-off transitional arrangement for securing sufficient ARs eligible for supervising large-scale prescribed plumbing works? If disagree, why? | 82.7% | 6.2% | 11.1% |
| 13 | Do you agree that the following requirements should be imposed on large-scale prescribed plumbing works? If disagree, why? | All Agree: 67.9% | 2.5% | 6.1% |
| | (1) RPC to provide a site supervision team | Agree (1): 11.1% | | |
| | (2) RPC to appoint a key person with higher qualification to lead the site supervision team | Agree (2): 12.4% | | |
| 14 | Do you agree that the above requirements are not necessary to be applied on small-scale prescribed plumbing works? If disagree, why? | 85.2% | 3.7% | 11.1% |
| Control of Plumbing Materials | | | | |
| 15 | Do you agree to introduce the relevant testing requirements benchmarked against AS/NZS 4020 to assess the leachability of metals from plumbing materials for use in the part of an internal plumbing system for supplying water for drinking purposes? If disagree, why? | 82.7% | 9.9% | 7.4% |
| 16 | Do you agree that we should continue with the administrative measures to facilitate the public to purchase GA products in the retail market for use in minor plumbing works, as a measure to safeguard drinking water safety and water use efficiency? If disagree, why? | 79.0% | 9.9% | 11.1% |

| Consulted Items | | Overall Feedback | | |
|--|--|------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| Control of Drinking Water Dispensers and Fountains | | | | |
| 17 | Do you agree to regulate DWDF connected to internal plumbing systems under which they should comply with metal leaching requirement to safeguard the safety of drinking water conveyed by them? If disagree, why? | 80.2% | 9.9% | 9.9% |
| Safeguarding Drinking Water Safety at Consumers' Taps | | | | |
| 18 | Do you agree to empower the WA to enter premises in case of urgency to ascertain drinking water quality in internal plumbing systems when there is a concern over drinking water safety thereof? If disagree, why? | 81.5% | 8.6% | 9.9% |
| 19 | Do you agree to empower the WA to issue a notice requiring the party who is responsible for the maintenance of the internal plumbing systems to investigate and rectify the drinking water quality problem in internal plumbing systems? If disagree, why? | 86.4% | 2.5% | 11.1% |
| 20 | Do you agree that any person who does any wilful act causing contamination to drinking water in an internal plumbing system shall be guilty of an offence? If disagree, why? | 86.4% | 2.5% | 11.1% |
| 21 | If you agree to Question 20, do you agree that the level of punishment shall be set to a maximum fine of level 6 (\$100,000) and imprisonment of 1 year? If disagree, why? | 86.4% | 3.7% | 9.9% |
| Water Efficiency Labelling Scheme | | | | |
| 22 | Do you agree to require the mandatory provision of WELS labels showing the water consumption and water efficiency grades of the products of prescribed WELS Types on the products or their individual packages to facilitate consumer selection in the retail outlets? If disagree, why? | 90.1% | 2.5% | 7.4% |

| Consulted Items | | Overall Feedback | | |
|---|---|--|----------|------------|
| | | Agree | Disagree | No Comment |
| 23 | Do you agree to provide a transitional period for the products of prescribed WELS Types to be registered under the WELS after enactment of the WWO provisions for the mandatory implementation of the WELS? If disagree, why? | Agree 74.1% | 3.7% | 9.9% |
| | | Agree (with other transitional period) 12.3% | | |
| 24 | Do you agree that the penalty for (i) sale of products of the prescribed WELS Types not registered under the mandatory WELS in Hong Kong; or (ii) unauthorized use of WELS label should be set to a maximum fine at level 4 (\$25,000)? If disagree, why? | 79.0% | 11.1% | 9.9% |
| 25 | Do you agree with the imposition of a fixed penalty of \$1,000 on suppliers for sale of a product of the prescribed WELS Types registered under the mandatory WELS in the retail outlets but without affixing a WELS label or affixing a non-compliant WELS label? If disagree, why? | 75.3% | 13.6% | 11.1% |
| 26 | Do you agree that we should monitor the use of water efficient products after the mandatory implementation of the WELS under the WWO comes into force to see if the more stringent measure should be implemented to impose the minimum water efficiency requirements for the products of the prescribed WELS Types sold in Hong Kong? If disagree, why? | 84.0% | 7.4% | 8.6% |
| Maintenance and Rectification of Water Loss in Communal Part of Internal Plumbing System | | | | |
| 27 | Do you agree with the proposal to amend the WWO such that if there is no RA or if in the opinion of WA the RA cannot perform the maintenance duties, while the RA (if present) shall continue to be responsible for the maintenance of | 85.2% | 6.2% | 8.6% |

| Consulted Items | | Overall Feedback | | |
|-----------------|--|------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| | the communal service, the maintenance responsibility of the communal service shall be taken up by the IO or DMC manager, or if there is no IO or DMC manager, all the property owners of the development? If disagree, why? | | | |
| 28 | In order to encourage early rectification of the water loss problem in communal service, do you agree with the introduction of communal water loss charge for the water loss in communal service when the party responsible for maintenance of communal service fails to rectify the water loss problem upon expiry of the grace period? If disagree, why? | 86.4% | 4.9% | 8.7% |
| 29 | What is your view on the proposed percentage of assessed water loss in communal services (i.e. the Actionable Level) above which the water loss charge shall be imposed? | 60.5% | 29.6% | 9.9% |
| 30 | Do you agree to adopt the proposed three-tier grace periods of 4 months, 8 months and 12 months before imposition of the communal water loss charge? If disagree, why? | 85.2% | 6.2% | 8.6% |
| 31 | If the WA issues a bill to each of the property owners of the development for the communal water loss charge, do you agree that the charge shall be apportioned in accordance with the management shares or, in the absence thereof, the undivided shares of the development? If disagree, why? | 85.2% | 4.9% | 9.9% |
| 32 | Do you agree with the regular announcement of developments with the amount of water loss in the communal service exceeding the Actionable Level after the grace period has lapsed? If disagree, why? | 87.7% | 2.5% | 9.8% |

| Consulted Items | | Overall Feedback | | |
|-----------------|---|------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| 33 | Do you agree to empower the WA to issue a notice requiring the responsible parties to investigate and rectify the hidden water loss in communal service? If disagree, why? | 87.7% | 3.7% | 8.6% |
| 34 | Do you agree to empower the WA to issue a notice requiring the responsible parties to investigate and rectify any problem in relation to weak pressure or inefficiency of water supply of a communal service? If disagree, why? | 84.0% | 7.4% | 8.6% |
| 35 | Do you agree that any person who, without reasonable excuse, fails to comply with a repair notice served on him shall be guilty of an offence? If disagree, why? | 84.0% | 7.4% | 8.6% |
| 36 | If you agree to Question 35, do you agree that the level of punishment shall be set to a maximum fine at level 4 (\$25,000)? If disagree, why? | 81.5% | 9.9% | 8.6% |
| Others | | | | |
| 37 | Do you agree that the RC should only be allowed to recover from the occupiers of the premises the water charge for water consumption paid to the WA but not any other costs? If disagree, why? | 86.4% | 3.7% | 9.9% |
| 38 | Do you agree to raise the penalty level for contravention of regulation 47 of the WWR from maximum fine at level 3 (\$10,000) to level 4 (\$25,000)? If disagree, why? | 85.2% | 4.9% | 9.9% |
| 39 | Do you agree to increase the maximum penalty for the offence of unlawful taking of water under section 29 of the WWO to a fine at level 4 (\$25,000) plus trebling the charge of water taken and imprisonment for 6 months? If disagree, why? | 79.0% | 11.1% | 9.9% |
| 40 | Do you agree that the person who constructs or alters a fire or inside service enabling others to take water unlawfully and the person who | 87.7% | 3.7% | 8.6% |

| Consulted Items | | Overall Feedback | | |
|-----------------|--|------------------|----------|------------|
| | | Agree | Disagree | No Comment |
| | interferes with a water meter in such a manner that causes erroneous measurement of water consumption shall be guilty of an offence? If disagree, why? | | | |
| 41 | If you agree to Question 40, do you agree that the level of punishment shall be set to a maximum fine at level 4 (\$25,000) and imprisonment for 6 months? If disagree, why? | 80.2% | 11.1% | 8.7% |
| 42 | Do you agree that if the RCs fail to comply with the WA's request to convert to salt water for flushing within a reasonable time, their flushing water consumption will be charged at the highest rate for fresh water supply for domestic purposes (i.e. \$9.05 per cubic meter of consumption presently) without any free allowance? If disagree, why? | 82.7% | 8.6% | 8.7% |