

**CONTROLLING OFFICER'S REPLY**

**HAB490**

**(Question Serial No. 6244)**

Head: (95) Leisure and Cultural Services Department

Subhead (No. & title): (-) Not Specified

Programme: (-) Not Specified

Controlling Officer: Director of Leisure and Cultural Services (Ms Michelle LI)

Director of Bureau: Secretary for Home Affairs

Question:

If a contractor is found in breach of the Occupational Safety and Health Ordinance and the service performance requirements under the contract, what action will be taken by the Leisure and Cultural Services Department? What penalties will be imposed on the contractor?

Asked by: Hon CHEUNG Chiu-hung, Fernando (Member Question No. 1520)

Reply:

If a contractor is found to have failed to comply with the contract provisions, the venue management officers may give verbal advice or issue advisory letters to the contractor. For severe cases, default notices will be issued and liquidated damages will be claimed in accordance with the contract. Besides, the venue management officers will conduct monthly assessments on the performance of the contractors to ensure that they meet the contract requirements and comply with all the contract provisions, including those on occupational safety. If any possible breach of the requirements of the Occupational Safety and Health Ordinance is found, the case will be brought to the contractor for investigation and appropriate remedies. The case will also be referred to the relevant law enforcement agencies for follow-up where necessary. LCSD will consider terminating the contract according to the relevant contract terms and conditions and remove the contractor from the LCSD Supplier List if the contractor is convicted consequently.

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