

**CONTROLLING OFFICER'S REPLY**

**EEB(F)076**

**(Question Serial No. 2901)**

Head: (49) Food and Environmental Hygiene Department

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

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Donald NG)

Director of Bureau: Secretary for Environment and Ecology

Question:

Regarding the regulation of licensed swimming pools, please advise this Committee of the following:

- (1) In each of the past 5 years and this year to date, how many inspections were conducted on licensed swimming pools? Please provide a breakdown by the type of inspections (i.e. routine inspections, inspections for taking pool water samples and other inspections).
- (2) How many reported cases were received by the Government since the implementation of the notification mechanism for fatal drowning cases in licensed swimming pools in May 2024, in which the licensees are required to report such cases within a prescribed period?
- (3) Did the Government find any cases of non-compliance with swimming pool licensing conditions or the relevant legislation during site inspection for the cases mentioned in (2) above? If yes, how many such cases, with a breakdown by nature of non-compliance (including shortage of life-saving attendants and lack of safety facilities), were found and what were the follow-up measures?
- (4) In each of the past 5 years and this year to date, how many complaints were received by the Government about life-saving attendants being suspected of unauthorised use of others' Pool Lifeguard Award (PLA) and working with a forged PLA? In respect of such complaints, what were the numbers of prosecutions and convictions, as well as the penalties imposed?
- (5) As there are sayings that some outsourced companies use instant messaging software and social platforms to openly recruit unlicensed life-saving attendants, has the Food and Environmental Hygiene Department conducted decoy enforcement operations? If yes, what are the details and the number of operations? If no, what is/are the reason(s)?
- (6) There are views that as the Leisure and Cultural Services Department has rich experience in managing public swimming pools, it should take over the management of both public and private licensed swimming pools so as to rationalise the relevant work. Will the Government consider adopting the above suggestion? If yes, what are the details? If no, what is/are the reason(s) and the new measures in place to tighten the regulation of private licensed swimming pools?

Asked by: Hon CHAU Siu-chung (LegCo internal reference no.: 34)

Reply:

- (1) A breakdown of the numbers of inspections conducted by the Food and Environmental Hygiene Department (FEHD) on licensed swimming pools from 2020 to 2024 is provided below:

Year	Type of inspection	
	Number of routine inspections and inspections for following up on complaints <sup>Note 1</sup>	Number of inspections for taking pool water samples
2020	7 243	3 752
2021	8 127	5 065
2022	8 845	6 626
2023	8 834	6 973
2024	12 828	7 938

Note 1: Some pool water samples were taken during routine inspections.

- (2) & (3) In May 2024, FEHD established a notification mechanism for fatal drowning cases in licensed swimming pools and the licensees are required to report such cases within a prescribed period. Since the implementation of the mechanism, FEHD has received 3 reported cases, and no cases of non-compliance with swimming pool licensing conditions or the relevant legislation were found by FEHD staff during site inspections conducted upon receipt of the reports.
- (4) The numbers of complaints received by FEHD relating to life-saving attendants being suspected of unauthorised use of others' Pool Lifeguard Award (PLA) or working with a forged PLA from 2020 to 2024 are provided below:

Year	Number of complaints received
2020	1
2021	19
2022	22
2023	18
2024	26

During the inspections conducted on the swimming pools when handling the above complaints, FEHD did not find any case of irregularities concerning the qualifications of life-saving attendants.

- (5) FEHD exercises control over licensed swimming pools according to the Swimming Pools Regulation (Cap. 132CA) (the Regulation) and licensing conditions, which stipulate that a sufficient number of qualified life-saving attendants shall be in attendance at licensed swimming pools at all times during which such pools are open to bathers. Therefore, FEHD staff have to conduct inspections to confirm

licensed swimming pools' compliance with the requirement. Besides verifying the number of life-saving attendants in attendance at the swimming pools, FEHD staff will also require these life-saving attendants to produce their PLAs issued by the Hong Kong China Life Saving Society (HKLSS) during inspections. In case of doubt, the staff will check the identity documents of the life-saving attendants and verify the validity of PLAs with HKLSS. In 2024, FEHD verified with HKLSS the PLA qualifications of 187 life-saving attendants and no irregularities were found.

For licensed swimming pools found to contravene the Regulation, FEHD staff will initiate prosecution against the licensees. If anyone is suspected of forgery or uttering a false document during the course of investigation, FEHD will refer such cases to the Police for follow-up and assist in their investigation.

- (6) FEHD and the Leisure and Cultural Services Department (LCSD) play different roles in the regulation and management of swimming pools. The differences between licensed private swimming pools and public swimming pools can be substantial in terms of the number of facilities, scale, mode of operation and usage level. The Government considers that FEHD can continue to undertake the licensing and regulatory work of licensed private swimming pools at this stage.

In March 2025, FEHD announced its plan to take measures starting from this year's swimming season to step up efforts to prevent and combat suspected violations involving licensed private swimming pools employing unqualified life-saving attendants, with a view to protecting the safety of swimming pool users. FEHD will explicitly require licensees to verify the identity documents, PLA and personal logbooks before employing a life-saving attendant. At the same time, FEHD will step up inspections. In case of insufficient qualified life-saving attendants on duty, immediate follow-up actions will be taken, including requiring the licensee to immediately close the swimming pool, issuing a warning or even instituting prosecution against the licensee. FEHD will consider cancelling the licences of swimming pools with repeated contraventions. FEHD will also maintain close communication and enhance collaboration with other departments and organisations. In particular, FEHD has already discussed with the Property Management Services Authority to establish a communication mechanism in respect of violation cases for both parties to take follow-up actions, according to their respective authorities, against swimming pool licensees and property management companies. There is ongoing discussion with HKLSS on the ways to verify PLAs in an efficient, practical and cost-effective manner. Moreover, FEHD and LCSD share experience and exchange information relating to the supervision and management of swimming pools, and make reference to each other's practice in verifying the qualifications of life-saving attendants.