

CONTROLLING OFFICER'S REPLY

EEB(F)077

(Question Serial No. 2733)

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 the past year and this year to date, how many inspections were conducted on licensed swimming pools each year? Please provide a breakdown by type of inspection (i.e. routine inspection, inspection for taking pool water samples and other inspection).
- (2) In the past year and this year to date, how many reports of fatal drowning cases from the swimming pool licensees were received by the Government respectively?
- (3) Did the Government find any cases of non-compliance with swimming pool licensing conditions or the relevant legislation during the site inspection mentioned in (1) above? If yes, how many such cases, with a breakdown by nature of non-compliance (including insufficient life-saving attendants and lack of safety facilities), were found and how many swimming pool licensees were subject to (i) warning letters; (ii) prosecutions and convictions; (iii) suspension of licences for 6 months; and (iv) cancellation of licences due to non-compliance?
- (4) In the past year 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 respective numbers of prosecutions and convictions, as well as the penalties imposed?

Asked by: Hon CHAU Siu-chung (LegCo internal reference no.: 17)

Reply:

- (1) A breakdown of the number of inspections conducted by the Food and Environmental Hygiene Department on licensed swimming pools in 2025 is as follows:

Year	Type of inspection	
	Number of routine inspections and inspections for following up on complaints ^{Note 1}	Number of inspections for taking pool water samples
2025	10 908	7 710

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

The data on routine inspections, inspections for following up on complaints and inspections for taking pool water samples in 2026 are still being collated.

- (2) In 2025, a total of 3 reports of fatal drowning cases were received from licensed swimming pools. In 2026 (as at the end of February), no such reports were received.
- (3) In 2025, officers of the Department conducted around 11 000 inspections on over 1 400 licensed swimming pools across the territory at various times of the day, and requested the Hong Kong China Life Saving Society to verify the Pool Lifeguard Award (PLA) of 5 000 life-saving attendants. 1 case of suspected use of a fraudulent life-saving attendant certificate was identified. The Department had reported the case to the Police and initiated 2 prosecutions against the swimming pool licensee concerned for failing to provide a sufficient number of qualified life-saving attendants during pool opening hours on 2 occasions. The licensee concerned was subsequently convicted at the magistrate's court for contravening the Swimming Pools Regulation (section 12 of Cap. 132CA) and was fined a total of \$8,000 for the 2 charges. The unqualified life-saving attendant concerned was charged by the Police with fraud and obtaining pecuniary advantage by deception, and was convicted and sentenced to imprisonment for 2 months at the magistrate's court. In addition, the Department initiated 2 prosecutions against the licensees of 2 different premises (including 1 school swimming pool and 1 housing estate swimming pool) respectively for failing to provide a sufficient number of qualified life-saving attendants. The two prosecuted cases resulted in convictions in February and March 2026, with fines of \$1,000 and \$4,000 respectively. During the inspections over the same period, the Department's officers issued a total of 14 verbal warnings against swimming pool licensees for violating the licensing conditions relating to life-saving attendants, which involved failure to display at the pool entrances the number of life-saving attendants on duty and to properly complete or maintain daily duty logs of life-saving attendants.

The numbers of enforcement actions against the licensed private swimming pools inspected in 2025 are tabulated as follows:

Year	2025
Number of prosecuted cases (relating to insufficient qualified life-saving attendants on duty)	4(4 ^{Note1})
Number of convicted cases (relating to insufficient qualified life-saving attendants on duty)	2(2 ^{Note2})
Number of verbal warnings issued for non-compliance with licensing conditions (relating to insufficient qualified life-saving attendants on duty)	107 ^{Note3} (0)
Number of warning letters issued for non-compliance with licensing conditions (relating to insufficient qualified life-saving attendants on duty)	3(3)
Number of licences suspended for 6 months or cancelled	0

Note 1: 2 of the prosecuted and convicted cases involved the same swimming pool, where the licensee was prosecuted for failing to provide a sufficient number of qualified life-saving attendants during pool opening hours on 2 occasions on different days. The other 2 prosecuted cases involved the swimming pools of 2 different premises.

Note 2: The 2 cases were prosecuted in 2025, with convictions secured in February and March 2026 respectively.

Note 3: 14 cases involved the regulation of life-saving attendants, including failing to display at the pool entrances the number of life-saving attendants on duty and to properly complete or maintain daily duty logs of life-saving attendants; 50 cases involved the failure to provide sufficient face masks for use by life-saving attendants for hygienic rescue; 21 cases involved inadequate maintenance of pool facilities; and 22 cases involved general sanitary conditions and other matters. All warnings issued have been duly complied with.

The data on inspections conducted by the Department in 2026 are still being collated.

- (4) In 2025 and 2026 (as at the end of February), the Department received 37 and 4 complaints relating to life-saving attendants suspected of unauthorised use of others' PLA or working with a forged PLA respectively. The Department has conducted inspections on the swimming pools in response to the above complaints and found no irregularities concerning the qualifications of life-saving attendants so far.

- End -