

Minor Works Contractors Registration

Under Schedule 1 of the Building (Minor Works) Regulation (B(MW)R), a total of 118 minor works items are specified therein amongst which 38 of them are class III minor works items. In order to ensure that only contractors who are able to perform their duties and responsibilities in a competent manner are allowed to carry out the respective items of minor works, they are required to be registered under the Buildings Ordinance (BO).

Register of Minor Works Contractors

2. Under s.8A(1)(c) of the BO, the Building Authority (BA) is to keep a register and a provisional register of minor works contractors who are qualified to carry out such minor works belonging to the class, type and item specified in the register for which they are registered.

3. For ease of identification, those minor work contractors who are registered under s.10(1)(a) of the B(MW)R in the name of an individual self-employed worker for carrying out various items of class III minor works are to be referred to as Registered Minor Works Contractors (Individual) (RMWCs (Ind)). On the other hand, those minor works contractors who are registered under s.10(1)(b) of the B(MW)R in the name of a company (including corporations, sole proprietorship and partnership) for carrying out various types and classes of minor works are to be referred to as Registered Minor Works Contractors (Company) (RMWCs (Co)).

4. The names of the RMWCs (Ind) and RMWCs (Co), together with the items, types and classes of minor works that they are qualified to carry out, the expiry date of their registration and their registration number will be published annually in the Gazette. Similar information including Authorized Signatory (AS) as referred to in paragraph 16(a) below will also be posted on the Buildings Department website.

Items, Types and Classes of Minor Works

5. Any reference to items, types and classes of minor works in this practice note should be construed in accordance with the provisions in Schedule 1 of the B(MW)R.

6. An applicant for registration as an RMWC (Ind) should specify in the application the items of minor works that he intends to apply for registration. An applicant for registration as an RMWC (Co) should specify in the application the types and classes of minor works that he intends to apply for registration.

7. Where an applicant is found qualified to carry out certain items, types and classes of minor works, the BA will specify in the register such items, types and classes of minor works only for which the applicant is registered.

Requirements for Registration as RMWC (Ind)

8. Under s.11(2) of the B(MW)R , the person who intends to register himself as an RMWC (Ind) must satisfy the BA on the following aspects:

- (a) the appropriate qualifications and experience;
- (b) the ability and skills to personally carry out the item or items of class III minor works for which registration relates;
- (c) completion of a recognized training course on class III minor works; and
- (d) the applicant is suitable for registration in the register.

9. The qualifications and experience of the person required for registration as an RMWC (Ind) are set out at Appendix A. The trade certificates or vocational qualifications that are acceptable to the BA for registration of the relevant items of class III minor works are set out in Appendix B.

10. A person who has been registered as an RMWC (Ind) may be employed by a contractor firm to act as the AS for it but he should not be the sole proprietor, partner or technical director of the firm simultaneously.

Application Procedures for Registration as RMWC (Ind)

11. The application procedures for new applications for registration are set out at Appendix C.

12. The application procedures for renewal of registration and restoration of name to the register are set out at Appendix D.

13. An RMWC (Ind) may apply for registration of any additional items of class III minor works after he has been registered and the validity of his original registration shall not be affected by the result of such an application. The application procedures of additional items of class III minor works are set out at Appendix E.

14. Guidelines on the declaration of conviction / disciplinary records are given at Appendix F.

Requirements for Registration as RMWC (Co)

15. Under s.12(5) of the B(MW)R, an applicant for registration as an RMWC(Co) must satisfy the BA on the following aspects:

- (a) the appropriate qualifications and experience of its key personnel;
- (b) it has access to plants and resources;
- (c) if it is a corporation, its management structure is adequate;
- (d) the ability of the persons appointed to act for the applicant for the purposes of the BO to understand the minor works under application through relevant experience and a general knowledge of the basic statutory requirements; and
- (e) the applicant is suitable for registration in the register.

Authorized Signatory and Technical Director of RMWC (Co)

16. In considering each application for registration as an RMWC (Co), the BA is to have regard to the qualifications, experience and suitability of the following key personnel of the applicant:

- (a) a minimum of one person appointed by the applicant to act for the applicant for the purposes of the BO hereinafter referred to as the Authorized Signatory (AS); and
- (b) for a corporation – a minimum of one director from the board of directors of the applicant, hereinafter referred to as the Technical Director (TD), who is authorized by the board to:
 - (i) have access to plants and resources;
 - (ii) provide technical and financial support for the execution of minor works; and
 - (iii) make decisions for the company and supervise the AS and other personnel

/for

for the purpose of ensuring that the works are carried out in accordance with the BO.

17. The qualifications and experience of the above key personnel required for registration as an RMWC (Co) are stated at Appendix G.

18. General guidelines on acceptance of academic qualifications for these key personnel are set out at Appendix H.

Persons Eligible to be the AS or TD of RMWC (Co)

19. The following persons are eligible to become the AS and the TD of the applicant:

- (a) if the applicant is a sole proprietorship, the sole proprietor is the only person eligible to act as the AS.
- (b) if the applicant is a partnership, any partner appointed by all the other partners is eligible to act as the AS.
- (c) if the applicant is a corporation, a suitable person appointed by the board of directors is eligible to act as the AS, whereas the TD must be a director appointed under the Companies Ordinance and appointed by the board of directors to perform the role of TD.

20. A person is allowed to take up the role of the AS as well as the role of the TD of a corporation at the same time provided that he meets the requirements of both AS and TD.

Appointment of AS / TD of RMWC (Co)

21. To ensure that adequate supervision and proper management are provided for the carrying out of minor works and to avoid possible situations of conflict of interest, persons who have been accepted as the AS / TD for an RMWC (Co) cannot act as a key personnel for another contractor firm simultaneously. Key personnel herein refer to an AS / TD or an Other Officer as described in Practice Note for Registered Contractors 38.

Application Procedures for Registration as RMWC (Co)

22. The application procedures for new applications for registration are set out at Appendix I.

23. The application procedures for renewal of registration and restoration of name to the register are set out at Appendix J.

24. The procedures for addition and resignation of AS / TD are set out at Appendix K.

25. An RMWC (Co) may apply for registration of additional class or type of minor works. The validity of its original registration of the RMWC (Co) shall not be affected by the result of such an application.

26. The application procedures for registration of additional class or type of minor works are set out at Appendix L.

27. Guidelines on submission of conviction / disciplinary / suspension records, business registration documents and job reference are given at Appendix M.

Refusal of Incomplete Submission

28. The BA may refuse an application if the information or documentary proof that the BA considers necessary for determining the application is not submitted.

Minor Works Contractors Registration Committee

29. Minor Works Contractors Registration Committee (MWCRC) is an independent body appointed by the BA under s.6 of the B(MW)R. The function of the MWCRC is to assist the BA in considering applications relating to registration matters of minor works contractors under the B(MW)R by:

- (a) examining the qualifications of applicants;
- (b) inquiring as the MWCRC considers necessary to ascertain whether an applicant has the relevant experience;
- (c) conducting interviews with applicants and their key personnel;
- (d) advising the BA to allow, defer or refuse either in whole or in part the applications; and
- (e) reviewing the decisions of the BA or the recommendations of another MWCRC.

Composition of an MWCRC

30. Under s.7(1) of the B(MW)R, a MWCRC shall consist of:
- (a) one person nominated by the BA, who in the opinion of the Authority, has knowledge and experience in minor works;
 - (b) one authorized person (AP) or registered structural engineer (RSE) selected by the BA from nominations by the Architects Registration Board (ARB), the Engineers Registration Board (ERB) and the Surveyors Registration Board (SRB); and
 - (c) one person selected by the BA from among persons nominated by such bodies as the BA thinks fit.
31. Under s.7(3) of the B(MW)R, the members of the committee will elect the Chairman among themselves.

Requirements and Scope of Interview

32. For application involving class I minor works, including registration as RMWC (Co), addition of minor works and addition of AS / TD, the BA will refer it to the MWCRC for consideration.

33. When an application is referred to the MWCRC for consideration, the AS nominated by the applicant in the application, or where necessary, the TD, will represent the applicant to attend an interview with the MWCRC. Application not involving class I minor works in general will not be referred to the MWCRC except there are special circumstances rendering the need for referral. The requirements and scope of interview etc
_____ are set out in Appendix N.

34. In processing applications for renewal of registration and restoration of name to the register, the BA may seek advice from the MWCRC under s.15(1) and s.19(1) of the B(MW)R. The requirements and scope of interview etc for interviews relating to renewal
_____ or restoration application are set out in Appendix O.

Discretion of the BA and the MWCRC Regarding Requirements for and Scope of Interviews

35. It is emphasized that whether a particular applicant and his AS / TD is required to attend an interview or not and the scope of any such interview are dependent on the circumstances of each case and are solely at the discretion of the BA and the MWCRC for the purpose of ensuring the required standard of the contractor. Performance of the

/applicant

applicant during the interview, the track records of the applicant, etc, will be taken into consideration in this regard.

Recommendations of MWCRC

36. For any application for registration, additional minor works and additional AS / TD that has been referred to the MWCRC, the BA must not allow, in whole or in part (as the case may be), such an application unless the MWCRC so recommends.

Transitional Arrangement

37. Within 2 years upon commencement of the registration for minor works contractors, current practitioners who do not possess the requisite academic qualifications for registration as RMWC (Co) but possess adequate working experience may submit their applications for registration as a Registered Minor Works Contractor (Provisional) ((RMWC(P))).

38. An RMWC(P) can apply for full registration as an RMWC (Co) when its AS has completed a recognized top-up course in minor works. The registration of an RMWC(P) will expire when the RMWC(P) has obtained full registration as an RMWC (Co) or upon the expiry of two years after the commencement of the minor works control system; whichever is earlier.

39. The qualifications and experience requirement of the key personnel for registration as an RMWC(P) together with the application procedures are set out at Appendix P.

Review of Decisions of BA or Recommendations of MWCRC

40. An applicant who is aggrieved by a decision of the BA or a recommendation of a MWCRC in respect of matters arising from application for registration, renewal of registration, restoration of registration, addition of items / types / classes of minor works and addition of AS / TD may request a MWCRC to review the decision or recommendation under s.26 of the B(MW)R by submitting the request in a specified form to the BA. Upon payment of the prescribed fees, a request for review will be presented to a MWCRC for consideration. Where required, the person making the request may have to attend an interview with the MWCRC. If the BA subsequently substitutes the original decision with another decision, the review fee paid by the applicant will be refunded.

41. The MWCRC directed to review shall not consist of a member who has considered the original application on which the decision or recommendation under review relates.

(AU Choi-kai)
Building Authority

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Building (Minor Works) Regulation
Minor Works Contractors Registration
Minor Works Contractors Registration Committee

**Requirements on Qualifications and Experience for Registration as
a Registered Minor Works Contractor (Individual)**

To register as an RMWC (Ind) for one or more items of Class III Minor Works, the applicant must be a holder of a valid Construction Industry Safety Training Certificate (i.e. Green Card) at the time of application. He shall also possess such qualifications and experiences as stipulated in the following table :

Minimum Requirements on Qualifications and Experience of persons

Alternative Requirement	Person applying for registration of one or more items of Class III MW	
	Qualification	Experience
1	Registration under the Construction Workers Registration Ordinance (Cap. 583) as a registered skilled worker for a designated trade [See Note (a)]	---
2	A trade test certificate issued by the Construction Industry Council Training Academy (CICTA) or by the Vocational Training Council (VTC) in a relevant trade	---
3	A certificate of completing an apprenticeship in the relevant trade issued under section 28 of the Apprenticeship Ordinance (Cap. 47)	---
4	A qualification recognized by the Construction Workers Registration Authority for registration under the Construction Workers Registration Ordinance (Cap. 583) as a registered skilled worker for a designated trade [See Note (a)].	---

Alternative Requirement	Person applying for registration of one or more items of Class III MW	
	Qualification	Experience
5	Registration under the Construction Workers Registration Ordinance (Cap. 583) as a registered semi-skilled worker for a designated trade [See Note (a)]	4 years' experience in the building industry in personally carrying out building works, 1 year of which should be gained locally [See Note (b)]
6	An intermediate trade test certificate issued by the CICTA or by the VTC in the relevant trade	4 years' experience in the building industry in personally carrying out building works, 1 year of which should be gained locally [See Note (b)]
7	---	6 years' experience in the building industry in personally carrying out building works, 1 year of which should be gained locally and Has been involved in 10 relevant items of minor works in Hong Kong in which 2 of them must be completed within the 3 years preceding the date of application for registration [See Note (b)]

Notes:

(a) Designated Trade

Designated trade means a trade or an occupation set out in column 1 of Part 1, 2 or 3 of Schedule 1 to the Construction Workers Registration Ordinance (Cap. 583). For the purpose of minor works contractor registration, a person registered as registered skilled worker (provisional) is deemed to be holding the same qualification as registered skilled worker provided that he submits his application within 2 years after the registration commences. Likewise, a person registered as registered semi-skilled worker (provisional) is deemed to be holding the same qualification as registered semi-skilled worker provided that he submits his application within 2 years after the registration commences.

/(b)

(b) Endorsement of Experience

The applicant has to substantiate his working experience in building industry and in his involvement in the relevant items of minor works. The following certifications would be acceptable :

- (i) endorsement from the employer/building owners of the project ;
- (ii) endorsement from the Authorized Person (AP)/ Registered Structural Engineer (RSE) / Registered Geotechnical Engineer (RGE) / government architect (GA), engineer (GE) and surveyor (GS) / registered architect (RA), registered professional engineer (RPE), registered professional surveyor (RPS) / and registered contractor (RC) of the work project ;
- (iii) if the person was self-employed or endorsement from the employers cannot be obtained, other documentary justifications e.g. specified forms under the Buildings Ordinance (BO), client's certificate on completion of works, clients' payment certificate, contract documents, accepted works orders and quotation documents, which can justify the person's experience ;
- (iv) endorsement from recognized trade associations and labour unions ; or
- (v) statutory declaration in the presence of a Justice of the Peace (JP) or a lawyer, or a declaration under oath in front of specially assigned officer of the Buildings Department. However, the applicant may only declare not more than 2 years of experience by the means of statutory declaration.

Relevant minor works item can include work items of similar nature or under the same trade for the minor works under application.

**Acceptable Trade Certificates and Vocational Qualifications for
Registration as Registered Minor Works Contractor (Individual)
in relevant Items of Class III Minor Works**

1. The trade certificates and vocational qualifications that are acceptable for registration as an RMWC (Ind) are :-

- (a) Construction Industry Council Training Academy (CICTA) Trade Test Certificate;
- (b) Registration under Construction Workers Registration Ordinance as Registered Skilled Worker and Registered Skilled Worker (Provisional);
- (c) Certificate of completion of an apprenticeship issued under the Apprenticeship Ordinance;
- (d) Trade Certificate issued by Vocational Training Council;
- (e) Registration under the Electricity (Registration) Regulation as Grade A, B, C or R Registered Electrical Worker; or
- (f) Grade I plumber's licence under the Waterworks Regulation, Waterworks Ordinance.

2. The trade certificate and vocational qualification should be in the field / trade relevant to the items of minor works. The works / trades of which the workers are considered competent to carry out specific items of class III minor works are set out in the table below :

Class III Minor Works		Trade
Item No.	Description of Works	
3.1	Removal of the whole of any internal staircase on the lowest storey of a building that is not used as a means of escape or a means of access for firefighting and rescue, provided that – <ul style="list-style-type: none"> a) the height of the staircase is not more than 1.5 m; and b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – <ul style="list-style-type: none"> (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam. 	<ul style="list-style-type: none"> a) Demolition Worker (Unauthorized Building Works) b) Demolition Worker

Class III Minor Works		Trade
Item No.	Description of Works	
3.2	<p>Removal of any supporting structure for air-conditioning unit, water cooling tower, solar water heating system or photovoltaic system, provided that –</p> <p>a) the structure is located on-grade or on a slab (other than a cantilevered slab);</p> <p>b) the height of the structure is more than 1 m but not more than 2 m; and</p> <p>c) if the structure is located on the roof of a building –</p> <p>(i) the distance between any part of the structure and the edge of the roof is more than 1.5 m; or</p> <p>(ii) there is a protective barrier with a height of not less than 1.1 m at the edge of the roof.</p>	<p>a) Demolition Worker (Unauthorized Building Works)</p> <p>b) Demolition Worker</p> <p>c) Metal Worker</p> <p>d) Refrigeration/Airconditioning/Ventilation Mechanic</p> <p>e) Refrigeration/Airconditioning/Ventilation Mechanic (Air System)</p> <p>f) Refrigeration/Airconditioning/Ventilation Mechanic (Unitary System)</p> <p>g) Refrigeration/Airconditioning/Ventilation Mechanic (Water System)</p> <p>h) Refrigeration/Airconditioning Mechanic</p> <p>i) Electrical Fitter</p> <p>j) Electrical Worker (Airconditioning Installation)</p> <p>k) Refrigeration/Airconditioning Mechanic (Electrical Control)</p>
3.3	<p>Repair or replacement of any protective barrier (other than an external reinforced concrete wall or block wall) in accordance with the original design, provided that –</p> <p>a) the works do not result in any additional load to any cantilevered slab; and</p> <p>b) the difference in height between the level on which the protective barrier is located and its adjacent level is not more than 2 m.</p>	<p>a) Glazier</p> <p>b) Joiner</p> <p>c) Marble Worker</p> <p>d) Window Frame Installer</p> <p>e) Metal Worker</p>
3.4	<p>Removal of any solid fence wall, provided that –</p> <p>a) the wall is erected on-grade; and</p> <p>b) the height of the wall is more than 1.1 m but not more than 3 m.</p>	<p>a) Demolition Worker (Unauthorized Building Works)</p> <p>b) Demolition Worker</p>
3.5	<p>Removal of any external mesh fence, provided that –</p> <p>a) the fence is erected on-grade; and</p> <p>b) the height of the fence is more than 3 m but not more than 5 m.</p>	<p>a) Demolition Worker (Unauthorized Building Works)</p> <p>b) Demolition Worker</p>

Class III Minor Works		Trade
Item No.	Description of Works	
3.6	<p>Construction, alteration or repair of any window or window wall, provided that –</p> <p>a) the works do not result in any additional load to any cantilevered slab;</p> <p>b) if the distance between the highest point of the window or window wall and the ground is more than 3.5 m but not more than 100 m –</p> <p>(i) the works involve the sub-frame of the window or window wall only ; and</p> <p>(ii) the length of the sub-frame is not more than 1.2 m;</p> <p>c) if the distance between the highest point of the window or window wall and the ground is not more than 3.5 m, no structural element of the window or window wall has a span of more than 6 m; and</p> <p>d) the works do not involve the alteration of any other structural elements, except a simply supported beam that –</p> <p>(i) is not of pre-stressed construction; and</p> <p>(ii) is not used to support any column, flat slab or ribbed beam.</p>	<p>a) Glazier</p> <p>b) Window Frame Installer</p> <p>c) Curtain Wall Installer</p>
3.7	<p>Removal of any window or window wall, provided that –</p> <p>a) the works do not involve any alteration of any other structural elements; and</p> <p>b) the distance between the highest point of the window or window wall and the ground is not more than 3.5 m.</p>	<p>a) Demolition Worker (Unauthorized Building Works)</p> <p>b) Demolition Worker</p> <p>c) Glazier</p> <p>d) Window Frame Installer</p> <p>e) Curtain Wall Installer</p>
3.8	<p>Removal of any radio base station for telecommunication services in the form of an enclosure or equipment cabinet together with its supporting structure located on the roof of a building, provided that –</p> <p>a) the distance between any part of the station and the edge of the roof is more than 1.5 m;</p> <p>b) the works do not involve any structural elements constructed of concrete; and</p> <p>c) the length of the station is not more than 4.5 m;</p> <p>d) the width of the station is not more than 4.5 m; and</p> <p>e) the height of the station is not more than 2m.</p>	<p>a) Demolition Worker (Unauthorized Building Works)</p> <p>b) Demolition Worker</p> <p>c) Communication System Mechanic</p> <p>d) Electronics Mechanic</p>

Class III Minor Works		Trade
Item No.	Description of Works	
3.9	Erection, alteration or removal of any supporting structure for antenna or transceiver on the roof of a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) no part of the structure projects beyond the external wall of the building; and c) the structure is designed for an antenna or transceiver of not more than 150 kg in weight.	a) Communication System Mechanic b) Metal Worker c) Electronics Mechanic
3.10	Removal of any supporting structure for an antenna or transceiver located on the roof of a building.	a) Demolition Worker (Unauthorized Building Works) b) Demolition Worker c) Communication System Mechanic d) Metal Worker e) Electronics Mechanic
3.11	Erection, alteration or removal of any external block wall (other than a load bearing wall) of a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) the works do not involve the alteration of any other structural elements; and c) the height of the wall is not more than 1.1 m	a) Bricklayer
3.12	Repair of any external block wall (other than a load-bearing wall) of a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) the works do not involve the alteration of any other structural elements; and c) the height of the wall is not more than 3.5 m.	a) Bricklayer
3.13	Erection, alteration, repair or removal of any metal gate on a fence wall or at an entrance to a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) the works do not involve the alteration of any other structural elements; c) the weight of any leaf of the gate is not more than 200 kg; d) the height of the gate is not more than 3.2 m.	a) Demolition Worker (Unauthorized Building Works) b) Demolition Worker c) Metal Worker d) Window Frame Installer

Class III Minor Works		Trade
Item No.	Description of Works	
3.14	Erection, alteration or removal of any supporting structure for a solar water heating system on-grade or on a slab (other than a cantilevered slab), provided that – a) the height of the structure is not more than 1.5 m; b) the structure is designed for a solar water heating system none of the thermal collectors of which is more than 200 kg in weight; c) if the thermal collectors and the water tank of the system are integrated, the structure is designed for a system the gross weight (when in full capacity) of which is not more than 100 kg per m ² of the ground or slab area.	a) Metal Worker b) Plumber
3.15	Erection, alteration or removal of any supporting structure for a photovoltaic system on-grade or on a slab (other than a cantilevered slab), provided that – a) the height of the structure is not more than 1.5 m; b) the structure is designed for a photovoltaic system none of the modules of which is more than 200 kg in weight.	a) Metal Worker b) Electrical Fitter
3.16	Erection, alteration or removal of any projecting signboard (including the replacement of the display surface of the signboard), provided that – a) the signboard does not consist of stone; b) the works do not result in any additional load to any cantilevered slab; c) the works do not involve the alteration of any other structural elements; d) the display area of the signboard is not more than 1 m ² ; e) no part of the signboard projects more than 1 m from the external wall to which it is fixed; f) the thickness of the signboard is not more than 300 mm; and g) the distance between any part of the signboard and the ground is not more than 6 m.	a) Metal Worker b) Joiner c) Painter and Decorator d) Window Frame Installer e) Electrical Worker (Neon Sign Installation)

Class III Minor Works		Trade
Item No.	Description of Works	
3.17	Erection, alteration or removal of any wall signboard (including the replacement of display surface of any signboard), provided that – a) the works do not result in any additional load to any cantilevered slab; b) the works do not involve the alteration of any structural elements; c) the display area of the signboard is not more than 5 m ² ; d) the distance between any part of the signboard and the ground is not more than 6 m.	a) Metal Worker b) Joiner c) Painter and Decorator d) Window Frame Installer e) Marble Worker f) Electrical Worker (Neon Sign Installation)
3.18	Removal of any projecting signboard, provided that – a) the display area of the signboard is not more than 2 m ² ; b) no part of the signboard projects more than 2 m from the external wall to which it is fixed; and c) the distance between any part of the signboard and the level of the ground is not more than 6 m.	a) Metal Worker b) Joiner c) Painter and Decorator d) Window Frame Installer e) Demolition Worker (Unauthorized Building Works) f) Demolition Worker g) Electrical Worker (Neon Sign Installation)
3.19	Removal of any signboard located on the roof of a building, provided that – a) the display area of the signboard is not more than 5 m ² ; b) the height of the signboard is not more than 2 m; and c) the distance between any part of the signboard and the edge of the roof is more than 1.5 m.	a) Metal Worker b) Joiner c) Painter and Decorator d) Window Frame Installer e) Demolition Worker (Unauthorized Building Works) f) Demolition Worker g) Electrical Worker (Neon Sign Installation)
3.20	Removal of any wall signboard, provided that – a) the display area of the signboard is not more than 10 m ² ; b) the distance between any part of the signboard and the ground is not more than 6 m.	a) Metal Worker b) Joiner c) Painter and Decorator d) Window Frame Installer e) Demolition Worker (Unauthorized Building Works) f) Demolition Worker g) Marble Worker h) Electrical Worker (Neon Sign Installation)

Class III Minor Works		Trade
Item No.	Description of Works	
3.21	Removal of any signboard located on or hung underneath the soffit of a balcony or canopy (other than a cantilevered slab), provided that – a) if the signboard is located on a balcony or canopy, the display area of the signboard is not more than 5 m ² ; b) if the signboard is hung underneath the soffit of a balcony or canopy, the display area of the signboard is not more than 2 m ² ; and c) the height of the signboard is not more than 1 m.	a) Metal Worker b) Joiner c) Painter and Decorator d) Window Frame Installer e) Demolition Worker (Unauthorized Building Works) f) Demolition Worker g) Marble Worker h) Electrical Worker (Neon Sign Installation)
3.22	Removal of any outdoor signboard fixed on-grade (other than the removal of spread footing of any outdoor signboard), provided that – a) the display area of the signboard is not more than 1 m ² ; and b) the distance between any part of the signboard and the ground is not more than 3 m.	a) Demolition Worker (Unauthorized Building Works) b) Demolition Worker c) Metal Worker d) Electrical Worker (Neon Sign Installation)
3.23	Erection, alteration or removal of any aboveground drain, provided that – a) the works do not result in any additional load to any cantilevered slab; b) the works do not involve any main pipe, other than the replacement of components at existing junctions; and c) the works do not involve any embedded pipe, other than a pipe that passes through a wall or slab.	a) Plumber
3.24	Removal of any aboveground drain the erection of which was unauthorized.	a) Plumber b) Demolition Worker (Unauthorized Building Works) c) Demolition Worker
3.25	Erection, alteration or removal of any canopy projecting from an external wall of a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) no part of the canopy projects more than 500 mm from the wall; c) the canopy is not constructed of concrete; and d) the distance between the highest point of the canopy and the ground is more than 3 m.	a) Metal Worker b) Painter and Decorator c) Window Frame Installer

Class III Minor Works		Trade
Item No.	Description of Works	
3.26	<p>Removal of any architectural projection, canopy, supporting frame for air-conditioning unit or any associated air ducts, or rack (other than a drying rack), projecting from the external wall of a building, provided that –</p> <p>a) no part of the projection, canopy, frame or rack projects more than 750 mm from the wall;</p> <p>b) the projection, canopy, frame or rack is not constructed of concrete.</p>	<p>a) Metal Worker</p> <p>b) Painter and Decorator</p> <p>c) Window Frame Installer</p> <p>d) Demolition Worker (Unauthorized Building Works)</p> <p>e) Demolition Worker</p> <p>f) Refrigeration/Airconditioning/ Ventilation Mechanic</p> <p>g) Refrigeration/Airconditioning/ Ventilation Mechanic (Air System)</p> <p>h) Refrigeration/Airconditioning/ Ventilation Mechanic (Unitary System)</p> <p>i) Refrigeration/Airconditioning/ Ventilation Mechanic (Water System)</p> <p>j) Refrigeration/Airconditioning Mechanic</p> <p>k) Refrigeration/Airconditioning/ Ventilation Mechanic (Electrical Control)</p> <p>l) Electrical Fitter</p> <p>m) Electrical Worker (Airconditioning Installation)</p>
3.27	<p>Erection, alteration or removal of any metal supporting frame for an air-conditioning unit or any associated air ducts projecting from the external wall of a building, provided that –</p> <p>a) the works do not result in any additional load to any cantilevered slab;</p> <p>b) no part of the frame projects more than 600 mm from the external wall;</p> <p>c) the distance between the highest point of the frame and the ground is more than 3 m; and</p> <p>d) the frame is designed for an air-conditioning unit which is not more than 100 kg in weight.</p>	<p>a) Refrigeration/Airconditioning/ Ventilation Mechanic</p> <p>b) Refrigeration/Airconditioning/ Ventilation Mechanic (Air System)</p> <p>c) Refrigeration/Airconditioning/ Ventilation Mechanic (Unitary System)</p> <p>d) Refrigeration/Airconditioning/ Ventilation Mechanic (Water System)</p> <p>e) Metal Worker</p> <p>f) Refrigeration/Airconditioning Mechanic</p> <p>g) Refrigeration/Airconditioning/ Ventilation Mechanic (Electrical Control)</p>

Class III Minor Works		Trade
Item No.	Description of Works	
3.27	- Ditto -	h) Electrical Fitter i) Electrical Worker (Airconditioning Installation)
3.28	Erection, alteration or removal of any supporting structure for air-conditioning unit, water cooling tower or any associated air ducts on-grade or on a slab (other than a cantilevered slab), provided that – a) the height of the structure is not more than 1.5 m; b) the structure is designed for an air-conditioning unit or water cooling tower, of not more than 150 kg in weight.	a) Refrigeration/Airconditioning/Ventilation Mechanic b) Refrigeration/Airconditioning/Ventilation Mechanic (Air System) c) Refrigeration/Airconditioning/Ventilation Mechanic (Unitary System) d) Refrigeration/Airconditioning/Ventilation Mechanic (Water System) e) Metal Worker f) Refrigeration/Airconditioning Mechanic g) Refrigeration/Airconditioning/Ventilation Mechanic (Electrical Control) h) Electrical Fitter i) Electrical Worker (Airconditioning Installation)
3.29	Erection, alteration or removal of any drying rack projecting from the external wall of a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) no part of the rack projects more than 750 mm from the wall; and c) the distance between the highest point of the rack and the ground is more than 3 m.	a) Metal Worker b) Painter and Decorator c) Window Frame Installer
3.30	Removal of any drying rack projecting from the external wall of a building.	a) Metal Worker b) Painter and Decorator c) Window Frame Installer d) Demolition Worker (Unauthorized Building Works) e) Demolition Worker

Class III Minor Works		Trade
Item No.	Description of Works	
3.31	Erection, repair or removal of any cladding fixed to the external wall of a building, provided that the distance between any part of the cladding and the adjoining ground or adjoining floor is not more than 6 m.	a) Metal Worker b) Joiner c) Window Frame Installer d) Marble Worker
3.32	Removal of any unauthorized single storey structure located on-grade or on a slab (other than a cantilevered slab), provided that – a) the works do not involve the alteration of any other structural elements; b) the height of the structure is not more than 2.5 m; c) the structure is not a flat slab, a pre-stressed concrete construction, a transfer girder, a hanger, a cantilevered structure with a span of more than 1.2 m or an earth retaining structure; d) no structural element of the structure has a span of more than 4.5 m; e) the structure has a roofed over area of not more than 20 m ² ; and f) if the structure is located on the roof of a building, the distance between any part of the structure and the edge of the roof is more than 1.5 m	a) Demolition Worker (Unauthorized Building Works) b) Demolition Worker
3.33	Removal of any metal gate on a fence wall or at an entrance to a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) the works do not involve the alteration of any other structural elements; c) the weight of any leaf of the gate is not more than 200 kg; d) the height of the gate is not more than 3.2 m.	a) Demolition Worker (Unauthorized Building Works) b) Demolition Worker c) Metal Worker d) Window Frame Installer
3.34	Strengthening of any unauthorized supporting structure for an air-conditioning unit, water cooling tower or any associated air ducts located on-grade or on a slab (other than a cantilevered slab), provided that the structure is designed for an air-conditioning unit or water cooling tower, of not more than 100 kg in weight.	a) Refrigeration/Airconditioning/Ventilation Mechanic b) Refrigeration/Airconditioning/Ventilation Mechanic (Air System) c) Refrigeration/Airconditioning/Ventilation Mechanic (Unitary System)

/3.34

Class III Minor Works		Trade
Item No.	Description of Works	
3.34	- Ditto -	d) Refrigeration/Airconditioning/ Ventilation Mechanic (Water System) e) Metal Worker f) Refrigeration/Airconditioning Mechanic g) Refrigeration/Airconditioning/ Ventilation Mechanic (Electrical Control) h) Electrical Fitter i) Electrical Worker (Airconditioning Installation)
3.35	Strengthening of any unauthorized metal supporting frame for an air-conditioning unit or any associated air ducts projecting from an external wall of a building, provided that – a) the works do not result in any additional load to any cantilevered slab; b) no part of the frame projects more than 600 mm from the wall; c) the frame is designed for an air-conditioning unit of not more than 100 kg in weight; and d) if the distance between the highest point of the frame and the ground is not more than 3 m, the frame does not project over any street or common part of the building.	a) Refrigeration/Airconditioning/ Ventilation Mechanic b) Refrigeration/Airconditioning/ Ventilation Mechanic (Air System) c) Refrigeration/Airconditioning/ Ventilation Mechanic (Unitary System) d) Refrigeration/Airconditioning/ Ventilation Mechanic (Water System) e) Metal Worker f) Refrigeration/Airconditioning Mechanic g) Refrigeration/Airconditioning/ Ventilation Mechanic (Electrical Control) h) Electrical Fitter i) Electrical Worker (Airconditioning Installation)

/3.36

Class III Minor Works		Trade
Item No.	Description of Works	
3.36	<p>Strengthening of any unauthorized drying rack projecting from the external wall of a building, provided that –</p> <ul style="list-style-type: none"> a) the works do not result in any additional load to any cantilevered slab; b) no part of the rack projects more than 750 mm from the wall; and c) if the distance between the highest point of the rack and the ground is not more than 3 m, the rack does not project over any street or common part of the building. 	<ul style="list-style-type: none"> a) Metal Worker b) Painter and Decorator c) Window Frame Installer
3.37	<p>Strengthening of any unauthorized canopy projecting from the external wall of a building, provided that –</p> <ul style="list-style-type: none"> a) the works do not result in any additional load to any cantilevered slab; b) no part of the canopy projects more than 500 mm from the wall; c) the canopy is not constructed of concrete; and d) if the distance between the highest point of the canopy and the ground is not more than 3 m, the canopy does not project over any street or common part of the building. 	<ul style="list-style-type: none"> a) Metal Worker b) Painter and Decorator c) Window Frame Installer
3.38	<p>Alteration of any unauthorized canopy projecting from the external wall of a building, provided that –</p> <ul style="list-style-type: none"> a) the works do not result in any additional load to any cantilevered slab; b) the canopy is not constructed of concrete; c) immediately before the alteration, the canopy projects more than 500 mm from the wall, but no part of the canopy projects more than 750 mm from the wall; d) immediately after the alteration, no part of the canopy projects more than 500 mm from external wall; and e) if the distance between the highest point of the canopy and the ground is not more than 3 m, the canopy does not project over any street or common part of the building. 	<ul style="list-style-type: none"> a) Metal Worker b) Painter and Decorator c) Window Frame Installer

Note : For clarity & simplicity, the description of works in the table has omitted reference made to part 2 of Schedule 2 of the B(MW)R which covers designated exempted works.

**Application Procedures for Registration as
Registered Minor Works Contractors (Individual)**

Application for Inclusion in Register

Applicants for registration as RMWCs (Ind) are required to submit the following documents to the BA for consideration:

- (a) a duly completed specified form. The applicant has to specify in his application the items of class III minor works for which he is seeking registration;
- (b) supporting documents on -
 - (i) registration under the Construction Workers Registration Ordinance (Cap. 583) as a registered skilled worker for a relevant designated trade; or
 - (ii) other qualifications and experience as specified in Appendix A;
- (c) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary records of the applicant as specified in Appendix F;
- (d) copy of a certificate of completing a recognized training course on class III minor works;
- (e) copy of a valid Construction Industry Safety Training Certificate (i.e. Green Card); and
- (f) the prescribed fee (please see Note below.).

Suitability of the Applicant for Registration in Register

2. The BA would consider the following aspects to assess the application:

- (a) documents submitted by the applicant as required under paragraph 1 above;
- (b) the appropriate experience and qualifications of the applicant;

/(c)

- (c) the ability and skills of the applicant to personally carry out the items of class III minor works for which registration relates; and
- (d) the applicant's conviction and disciplinary records under the Buildings Ordinance (BO) or conviction records involving serious labour safety offence (e.g. involving a fatal incident or amputation of limb) within 3 years prior to his application.

3. An applicant having any conviction record mentioned in paragraph 2(d) above within 3 years prior to his application will have to provide additional information to substantiate his application before acceptance (e.g. he has attended appropriate training course to update himself with sufficient knowledge on building safety and / or labour safety).

Note:

To encourage those minor works practitioners who rely solely on work experience to register early as RMWC(Ind), a subsidy will be provided for their first-time application in the first 12 months after the commencement of the registration for minor works contractors. Such applicants will need to pay a fee of \$155 (instead of \$305) if they submit their application within the aforesaid period.

**Application Procedures for
Renewal and Restoration of Registration as
Registered Minor Works Contractor (Individual)**

Renewal of Registration

An RMWC (Ind) should apply to the BA for renewal of registration not earlier than 4 months and not later than 28 days prior to the date of expiry of the registration. Application for renewal of registration received by the BA outside the specified time limit shall not be accepted. The application should comprise:

- (a) a duly completed specified form;
- (b) declarations in BD standard forms covering **exhaustively** the conviction / disciplinary records of the applicant in respect of the aspects as specified in Appendix F; and
- (c) the prescribed fee.

Restoration of Names to Register

2. Under s.18(1) of the B(MW)R, a contractor whose name is removed under s.17(1) may within 2 years of the date of the expiry of the registration apply to the BA for his name to be restored to the register.

3. The application for restoration should be submitted in a specified form together with the documents and the prescribed fee stipulated in paragraph 1 above.

Determination of an Application

4. Under s.15 & s.19 of the B(MW)R, the BA will not allow an application for renewal of registration and application for restoration of name unless the BA is satisfied that the applicant complies with the relevant requirements for registration as an RMWC (Ind).

Referral to MWCRC

5. An applicant having a conviction / disciplinary record under the BO or a conviction record involving serious labour safety offences (e.g. involving a fatal incident or amputation of limb) within 3 years prior to his application will usually be required to attend an interview with the MWCRC with the scope of interview covering assessment on the safety management and site management matters, etc. as considered necessary by the MWCRC or the BA.

6. In the event that the applicant can provide adequate documentary justification to substantiate that he is still suitable for registration (e.g. he has attended appropriate training course to update himself with sufficient knowledge on building safety and / or labour safety) and found acceptable by the BA, the application will not be referred to the MWCRC.

**Application Procedures for
Registration of Additional Items of Class III Minor Works for a
Registered Minor Works Contractor (Individual)**

Application for Registration of Additional Items of Class III Minor Works

An RMWC (Ind) is only qualified to carry out the items of class III minor works for which he is registered.

2. If the RMWC (Ind) intends to carry out additional items of class III minor works, he should submit the following documents to the BA for consideration:

- (a) a duly completed specified form. The applicant has to specify in his application the additional items of class III minor works for which he intends to register.
- (b) supporting documents on -
 - (i) registration under the Construction Workers Registration Ordinance (Cap. 583) as a registered skilled worker for a relevant designated trade; or
 - (ii) other qualifications and experience as specified in Appendix A;
- (c) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary records of the applicant in respect of the aspects as specified in Appendix F; and
- (d) the prescribed fee.

Suitability of Applicant for Registration of Additional Items

3. The BA would consider the following aspects to assess the application:

- (a) documents submitted by the applicant as required under paragraph 2 above;
- (b) the appropriate experience and qualifications of the applicant;
- (c) the ability and skills of the applicant to personally carry out the additional items of class III minor works for which registration is applied; and

/(d)

- (d) the applicant's conviction and disciplinary records under the Buildings Ordinance (BO) or conviction records involving serious labour safety offence (e.g. involving a fatal incident or amputation of limb).

4. An applicant having any conviction record mentioned in paragraph 3(d) above within 3 years prior to his application will have to provide additional information to substantiate his application before acceptance (e.g. he has attended appropriate training course to update himself with sufficient knowledge on building safety and/or labour safety).

Registered Minor Works Contractor (Individual)
Declaration of Conviction / Disciplinary Records

Declaration of Conviction / Disciplinary Records

Applications for registration, renewal or restoration of registration and registration of additional items of class III minor works relating to RMWC (Ind) should be supported by declaration in BD standard forms which cover **exhaustively** the conviction / disciplinary records of the applicant in respect of the following aspects:

- (i) conviction / disciplinary action under the BO; and
- (ii) conviction on labour safety offences under the ordinances and regulations administered by the Commissioner for Labour, such as Factories and Industrial Undertakings Ordinance and Occupational Safety and Health Ordinance (N.B. : non-building works related labour safety offences, e.g. failure to ensure the wearing of safety helmet and the use of goggles, will not be taken into consideration. Generally speaking, an offence relating to the course of constructing the works or the manner in which the works are being carried out is considered as an offence relating to building works).

2. The above declarations should cover all incidents involving the applicant for a period of 3 years preceding the date of application.

**Requirements on Qualifications and Experience for Registration as
a Registered Minor Works Contractor (Company)**

1. Minimum requirements on qualifications and experience of AS of an RMWC (Co) for the respective class of minor works are given in the following table :

Alternative Requirement	Authorized Signatory (AS)	
	Qualification	Experience
A) Holder of an academic qualification		
1	A certificate, diploma or equivalent in a relevant field [See Note (a)]	3 years' relevant experience in building industry, 1 year of which should be gained locally and Has been involved in 7 relevant items of minor works in Hong Kong in which 1 of them must be completed within the 3 years preceding the date of application for registration [See Note (b)]
B) Holder of a recognized top-up course certificate		
2	A certificate of a recognized top-up course for Registered General Building Contractors [See Note (c)] OR A certificate of a recognized top-up course for Registered Minor Works Contractor covering the relevant class and type of minor works [See Note (d)]	5 years' relevant experience in building industry, 1 year of which should be gained locally and Has been involved in 10 relevant items of minor works in Hong Kong in which 2 of them must be completed within the 3 years preceding the date of application for registration [See Note (b)]

Alternative Requirement	Authorized Signatory (AS)	
	Qualification	Experience
C) Holder of a plumber's licence		
3 <i>For Type D MW only (Drainage Works)</i>	Grade I plumber's licence issued under Waterworks Regulation	5 years' relevant experience in building industry, 1 year of which should be gained locally and Has been involved in 10 relevant items of minor works in Hong Kong in which 2 of them must be completed within the 3 years preceding the date of application for registration [See Note (b)]
D) Person who has been accepted by the BA before as an AS of a registered contractor		
4	Authorized Signatory of a Registered General Building Contractor	[See Note (f)]
5 For Type G MW only (Demolition Works)	Authorized Signatory of a Registered Specialist Contractor (Demolition)	[See Note (f)]
6 <i>For Type E MW only (Works relating to Structures for Amenities)</i>	Authorized Signatory of a Registered Specialist Contractor (Ventilation) and complete a 'building technology' subject at certificate level or possess a certificate of a recognized continuing professional development course with building technology module	Has been involved in 7 relevant items of minor works in Hong Kong in which 1 of them must be completed within the 3 years preceding the date of application for registration [See Note (b)]

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Alternative Requirement	Authorized Signatory (AS)	
	Qualification	Experience
7 For the relevant class and type of minor works only	Authorized Signatory of a Registered Minor Works Contractor (Company) who has been accepted to act for the contractor for the class and type of minor works being applied for	[See Note (f)]
8 [See Note (g)]	Authorized Signatory of a Registered Minor Works Contractor (Provisional) who has been accepted to act for the contractor for the relevant class and type of minor works AND A certificate of a recognized top-up course for Registered Minor Works Contractor covering the relevant class and type of minor works [See Note (d)]	---

2. Minimum requirements on Qualifications and Experience of TD of an RMWC(Co) for the respective class of minor works are given in the following table :

Alternative Requirement	Technical Director (TD)	
	Qualification	Experience
A) Holder of an academic qualification		
1	A certificate, diploma or equivalent in a relevant field [See Note (a)]	3 years' relevant experience in building industry, 1 year of which should be gained locally [See Note (b)]

/ B)

Alternative Requirement	Technical Director (TD)	
	Qualification	Experience
B) Persons having experience in managing a building contractor company		
2 (For Class I, II & III)	---	5 years' relevant experience in managing a building contractor company in Hong Kong [See Note (e)]
3 (For Class II & III)	---	5 years' relevant experience in building industry [See Note (b)] in which 3 years should be in managing a building contractor company in Hong Kong [See Note (e)]
4 (For Class III)	---	5 years' relevant experience in building industry [See Note (b)] in which 1 year should be in managing a building contractor company in Hong Kong [See Note (e)]
C) Person who has been accepted by the BA before as an AS/TD of a registered contractor		
5	Technical Director or Authorized Signatory of a Registered General Building Contractor	---
6 For type G MW only (Demolition Works)	Technical Director or Authorized Signatory of a Registered Specialist Contractor (Demolition)	---
7 For Type E MW only (Works relating to Structures for Amenities)	Technical Director or Authorized Signatory of a Registered Specialist Contractor (Ventilation)	---

Alternative Requirement	Technical Director (TD)	
	Qualification	Experience
8 For the relevant class and type of minor works only	Technical Director of a Registered Minor Works Contractor (Company) who has been accepted to act for the contractor for the relevant class and type of minor works	---
9	Technical Director of a Registered Minor Works Contractor (Provisional) who has been accepted to act for the contractor for the relevant class and type of minor works	---

Notes:

(a) Academic Qualification

The certificate, diploma or higher qualifications should be in the field of construction technology such as architecture, building studies, building surveying, civil engineering and structural engineering. Academic qualifications in other fields of studies may also be considered with regard to the relevance of the curriculum in relation to the types of minor works under application. e.g. a relevant certificate in the field of building services engineering with building technology modules may be considered for the purpose of application for registration as RMWC (Co) in Type E MW (Works relating to Structures for Amenities). General guidelines on acceptance of academic qualifications for the purpose of minor works contractors' registration are detailed at Appendix H.

(b) Endorsement of Experience

The applicant has to substantiate his working experience in building industry and in his involvement in the relevant items of minor works. The following certifications would be acceptable :

(I) *For experiences relating to any class of minor works*

/(i)

- (i) Endorsement from the employer/building owners of the project;
 - (ii) Endorsement from the Authorized Person(AP)/ Registered Structural Engineer(RSE) / Registered Geotechnical Engineer (RGE) / government architect(GA), engineer(GE) and surveyor(GS) / registered architect (RA), registered professional engineer(RPE), registered professional surveyor (RPS) / and registered contractor (RC) of the work project; or
 - (iii) If the person was self-employed or endorsement from the employers cannot be obtained, other documentary justifications e.g. specified forms under the Buildings Ordinance (BO), client's certificate on completion of works, clients' payment certificate, contract documents, accepted works orders and quotation documents, which can justify the person's experience.
- (II) *For experiences relating to class III minor works only*
- (i) Endorsement from recognized trade associations and labour unions; or
 - (ii) Statutory declaration in the presence of a Justice of the Peace (JP) or a lawyer, or a declaration under oath in front of specially assigned officer of the Buildings Department. However, applicants may only declare not more than 2 years of experience by the means of statutory declaration.

Experience shall be relevant to the class and type of minor works applied for. The number of minor works items specified in the table is referring to each individual type of the minor works being applied for. Nevertheless, an item of minor works may be counted as the experience for more than one type of minor works so long as the nature of the works is relevant to the type of minor works under application.

(c) Top-up course certificate for registered general building contractor

This requirement is only applicable to those applicants who have made use of the top-up course to submit applications for registration as RGBC or RSC before 2 July 2002.

(d) Top-up course certificate for registered minor works contractor

This requirement is only applicable to those applicants who have completed the top-up course and have submitted applications for registration within a period from time to time as announced by the BA.

/(e)

(e) Experience in Managing a Building Contractor Company

Experience in managing a building contractor company should be substantiated by a proof of directorship or ownership of the company. The claimed experience should also be substantiated with project details (e.g. specified forms under the BO, client's certificate on completion of works, clients' payment certificate, contract documents, accepted works orders and quotation documents, etc.) to demonstrate that the company was an active contractor.

- (f) An AS whose last acceptance by the BA is more than 3 years preceding the current application should submit a minimum of one job reference as described in Appendix M, otherwise he may have to attend an interview with the MWCRC indicating his involvement in the building industry in the past 3 years.
- (g) This requirement is applicable to an application made within the transition period only.

3. Persons possessing Qualifications and Experience Requirements for registration as RGBC / RSC(D)

For the purpose of registration of RMWC (Co), an applicant satisfying the qualifications and experience required for registration as RGBC given in PNRC 38 is deemed to satisfy the requirements set out in this Appendix. Those required of RSC(D) are also acceptable provided that the application is for the Type G of minor works that an RSC(D) is allowed to carry out under s.28 of the B(MW)R.

**General Guidelines on Acceptance of Academic Qualifications
for Purpose of Registered Minor Works Contractor (Company) Registration**

The requirements of academic qualifications for different classes of RMWC (Co) are stipulated in Appendix G. For the purpose of minor works contractors' registration, the BA adopts the following general guidelines for considering if the academic qualification of an applicant is at or equivalent to the level specified in Appendix G:

- (a) certificates, diplomas or higher academic qualifications should be awarded by the Hong Kong Institute of Vocational Education (IVE) or local technical institutes which are approved or recognised by the Vocational Training Council (VTC) or awarded by local universities funded by the University Grants Committee (UGC) (Note 1);
- (b) qualifications that are accredited by the professional institutes including the Hong Kong Institute of Architects (HKIA), the Hong Kong Institution of Engineers (HKIE) and the Hong Kong Institute of Surveyors (HKIS) or the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) as equivalent level are acceptable;
- (c) qualifications that are listed in accordance with the provisions under the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592) on the Qualifications Register (QR), and recognized as Qualification Framework (QF) level 3 qualification (for registration for class I or II minor works) or level 2 qualification (for registration for class III minor works only) are acceptable subject to Note 2 below; and
- (d) non-local qualifications that are at equivalent level to the local qualifications in (a) above and are accredited by the counterparts of HKIA, HKIE, HKIS, VTC, UGC or HKCAAVQ in the corresponding countries where the qualifications have been awarded are acceptable subject to Note 2 below.

Note 1 : For the avoidance of doubt, applicants who want to register for class I or II minor works should hold a certificate or diploma of entry requirement equivalent to pass in 5 subjects at HKCEE (Hong Kong Certificate Education of Examination) level, or the certificate/diploma course can attain to QF level 3 or the equivalent. For applicants who want to register for class III minor works only, they should hold a certificate/diploma which can attain to QF level 2 or the equivalent. Hence, the former ordinary certificate and ordinary diploma issued by the Technical Colleges under IVE are acceptable for application for registration of all classes of minor works. Whereas, foundation diploma, craft certificate, diploma in vocational studies (DVS) etc. are eligible to apply for registration of class III minor works only.

/Note 2:

Note 2: Course curriculum justifying that the subjects taught are comparable to the certificate course awarded by IVE in the aspects of coverage, proportion, and duration may have to be submitted for the consideration of the BA/MWCRC before acceptance.

**Application Procedures for Registration as
Registered Minor Works Contractor (Company)**

Application for Inclusion in Register

Applicants for registration as RMWC (Co) are required to submit the following documents to the BA for consideration:

- (a) a duly completed specified form. The applicant has to specify in his application the types and the classes of minor works for which he is seeking registration;
- (b) supporting documents on -
 - (i) the qualifications and experience of the AS; and
 - (ii) the applicant's ability to have access to plants and resources for the carrying out of the relevant types and classes of minor works;
- (c) for a partnership, an authorization letter from the rest of the partners regarding the appointment of the partner as the AS;
- (d) for a corporation, a statement with documentary proof on -
 - (i) the qualifications and experience of the TD responsible for technical administration;
 - (ii) the management structure and organization chart of the company and its decision making mechanism for technical and financial matters; and
 - (iii) a resolution from the board of directors regarding the appointment of the AS and TD for the company;
- (e) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary / suspension records of the applicant, AS and TD as set out in Appendix M;
- (f) documents relating to business registration as set out in Appendix M; and
- (g) the prescribed fee.

/Qualifications

Qualifications and Experience Documents required of a Previously Accepted AS / TD

2. A person who has been accepted as an AS / TD such that he is permitted to act for a registered contractor for the minor works being applied for does not have to submit the documentary proof of the qualifications and experience again. It is preferably for him to submit records of job references defined in Appendix M indicating his involvement in the building industry in the past 3 years for BA's consideration.

Suitability of Applicant for Registration

3. The BA would consider the following aspects to assess the application :
- (a) documents submitted by the applicant as required under paragraph 1 above;
 - (b) the appropriate qualifications and experience of the AS appointee and his ability to understand that type of minor works being applied for through relevant experience and a general knowledge of the basic statutory requirement;
 - (c) the applicant has access to plants and resources;
 - (d) if the applicant is a corporation –
 - (i) its management structure is adequate; and
 - (ii) the appropriate qualifications and experience of the TD appointee; and
 - (e) the conviction and disciplinary records of the applicant, TD and AS appointees.

Applications from Registered General Building Contractors / Registered Specialist Contractors

4. A Registered General Building Contractors (RGBC) / Registered Specialist Contractors (RSC) intending to include its name in the register of minor works contractors still has to submit those documents mentioned in paragraph 1 above. An application from an RGBC / RSC will be considered as a new application subject to the requirements mentioned above.

Application from a Registered Minor Works Contractor (Provisional)

5. An application from an RMWC(P) applying for formal registration as an RMWC (Co) will be considered as a new application subject to the requirements mentioned above.

**Application Procedures for
Renewal and Restoration of Registration as
Registered Minor Works Contractor (Company)**

Renewal of Registration

An RMWC (Co) should apply to the BA for renewal of registration not earlier than 4 months and not later than 28 days prior to the date of expiry of the registration. Application for renewal of registration received by the BA outside the specified time limit shall not be accepted. The application should comprise:

- (a) a duly completed specified form;
- (b) declarations in BD standard forms covering **exhaustively** the conviction / disciplinary / suspension records of the applicant, AS and TD as set out in Appendix M;
- (c) documents relating to business registration as set out in Appendix M;
- (d) a job reference on a minimum of 1 building project as specified in Appendix M; and
- (e) the prescribed fee.

Restoration of Names to Register

2. Under s.18(1) of the B(MW)R, a previous RMWC (Co) whose name is removed under s.17(1) may within 2 years of the date of the expiry of the registration apply to the BA for his name to be restored to the register.

3. The application for restoration should be submitted in the specified form together with the documents and the prescribed fee stipulated in paragraph 1 above.

Determination of an Application

4. Under s.15 & s.19 of the B(MW)R, the BA will not allow an application for renewal of registration and application for restoration of name unless the BA is satisfied that the applicant complies with the relevant requirements for registration as an RMWC (Co).

5. A contractor having no suitable AS / TD to act for it will not comply with the relevant requirements for registration as an RMWC (Co) and its application will be refused.

/Late

Late Submission of Restoration Application

6. Applications for restoration to the register submitted after 2 years from the date of expiry of the registration will be considered as new applications. For these cases, all the registration requirements and scope of interview in relation to a new application as detailed at Appendix I will be applicable.

**Application Procedures for
Addition and Resignation of Authorized Signatories / Technical Directors of a
Registered Minor Works Contractor (Company)**

Addition of a New AS / TD to an RMWC (Co)

An RMWC (Co) intending to add a new AS / TD should submit its application in the specified form together with the following documents and fee, as the case may be, to the BA for consideration:

- (a) supporting documents to demonstrate possession of the relevant qualifications and experience of the proposed AS / TD in respect of the types and classes of minor works for which the RMWC (Co) is registered;
- (b) for a partnership, an authorization letter from the rest of the partners regarding the appointment of the partner as the AS;
- (c) for a corporation, a statement on -
 - (i) the management structure and organization chart of the company and its decision making mechanism for technical and financial matters; and
 - (ii) a resolution from the board of directors regarding the appointment of the AS / TD for the company;
- (d) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary / suspension records of the proposed AS / TD as set out in Appendix M; and
- (e) the prescribed fee (for addition of AS).

Qualifications and Experience Documents required of a Previously Accepted AS / TD

2. A person who has been previously accepted as an AS / TD such that he is permitted to act for a registered contractor for the minor works being applied for does not have to submit the documentary proof of the qualifications and experience again. Nevertheless, he should submit records of job references as defined in Appendix M indicating his involvement in the building industry in the past 3 years.

/Suitability

Suitability of the Applicant for Registration

3. The BA would consider the following aspects to assess the application :
 - (a) documents submitted by the applicant as required under paragraph 1 above;
 - (b) the appropriate qualifications and experience of the AS appointee and his ability to understand that type of minor works being applied for through relevant experience and a general knowledge of the basic statutory requirement;
 - (c) if the applicant is a corporation –
 - (i) its management structure is adequate; and
 - (ii) the appropriate qualifications and experience of the TD appointee; and
 - (d) the conviction and disciplinary records of the TD and AS appointees.
4. An application for addition of an AS / TD may be submitted concurrently with an application for registration of additional minor works outlined in Appendix L.

Resignation of AS / TD

5. Prior notification to the BA is required if any of the accepted AS / TD intends to resign from his duties or will cease to be appointed by the contractor. Retrospective notification to the BA will not be accepted.
6. The RMWC (Co) is required to suspend all the minor works immediately if there is no AS appointed to act for the contractor for the purposes of the BO. Similarly, when there is no TD acting for the contractor, the contractor should apply for appointment of replacement of TD within a reasonable period of time. Before the AS / TD ceases to act for the contractor, apart from giving the BA an advanced notice, the contractor/ AS / TD should provide necessary measures to ensure the safety and hygiene condition of the site during the period of suspension of works and should liaise with the project AP / RSE / RGE in this regard where applicable.

**Application Procedures for
Registration of Additional Class or Type of Minor Works for a
Registered Minor Works Contractor (Company)**

Application for Registration of Additional Class or Type of Minor Works

Where the registration of an RMWC (Co) is subject to a condition under the B(MW)R, the RMWC (Co) is only qualified to carry out the types and the classes of minor works specified in the register in relation to that registration.

2. Any such RMWC (Co) intending to carry out additional types or classes of minor works should submit the following documents to the BA for consideration:

- (a) a duly completed specified form. The applicant has to specify in his application the additional types and classes of minor works for which he intends to register;
- (b) supporting documents on -
 - (i) the qualifications and experience of the AS relevant to the types and classes of minor works that the applicant applies for; and
 - (ii) the applicant's ability to have access to plant and resources for the carrying out of the new types and classes of minor works that he applies for;
- (c) for a corporation, a statement with documentary proof on -
 - (i) the qualifications and experience of the TD responsible for technical administration;
 - (ii) the management structure and organization chart of the company and its decision making mechanism for technical and financial matters; and
 - (iii) a resolution from the board of directors regarding the appointment of the AS and TD for the company;
- (d) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary / suspension records of the applicant, AS and TD as set out in Appendix M; and
- (e) the prescribed fee.

/Qualifications

Qualifications and Experience Documents required of a Previously Accepted AS / TD

3. A person who has been accepted as an AS / TD such that he is permitted to act for a registered contractor for the minor works being applied for does not have to submit the documentary proof of the qualifications and experience again. Nevertheless, he should submit records of job references as defined in Appendix M indicating his involvement in the building industry in the past 3 years.

Suitability of Applicant for Registration

4. The BA would consider the following aspects to assess the application :
- (a) documents submitted by the applicant as required under paragraph 2 above;
 - (b) the appropriate qualifications and experience of the AS appointee and his ability to understand that type of minor works being applied for through relevant experience and a general knowledge of the basic statutory requirement;
 - (c) the applicant has access to plants and resources;
 - (d) if the applicant is a corporation –
 - (i) its management structure is adequate; and
 - (ii) the appropriate qualifications and experience of the TD appointee; and
 - (e) the conviction and disciplinary records of the applicant, TD and AS appointees.

5. An application for registration of additional minor works may be submitted concurrently with an application for additional AS / TD outlined in Appendix K.

Registration of Additional Class or Type of Minor Works in the Register and Certificate

6. Where the BA allows the application for registration of additional types or classes of minor works, the BA will amend the entry of the applicant in the register of minor works contractors. The applicant shall return its original certificate of registration to the BA who will then issue a new certificate of registration for replacement.

**Application Procedures for
Registration of Additional Class or Type of Minor Works for a
Registered Minor Works Contractor (Company)**

Application for Registration of Additional Class or Type of Minor Works

Where the registration of an RMWC (Co) is subject to a condition under the B(MW)R, the RMWC (Co) is only qualified to carry out the types and the classes of minor works specified in the register in relation to that registration.

2. Any such RMWC (Co) intending to carry out additional types or classes of minor works should submit the following documents to the BA for consideration:

- (a) a duly completed specified form. The applicant has to specify in his application the additional types and classes of minor works for which he intends to register;
- (b) supporting documents on -
 - (i) the qualifications and experience of the AS relevant to the types and classes of minor works that the applicant applies for; and
 - (ii) the applicant's ability to have access to plant and resources for the carrying out of the new types and classes of minor works that he applies for;
- (c) for a corporation, a statement with documentary proof on -
 - (i) the qualifications and experience of the TD responsible for technical administration;
 - (ii) the management structure and organization chart of the company and its decision making mechanism for technical and financial matters; and
 - (iii) a resolution from the board of directors regarding the appointment of the AS and TD for the company;
- (d) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary / suspension records of the applicant, AS and TD as set out in Appendix M; and
- (e) the prescribed fee.

/Qualifications

Qualifications and Experience Documents required of a Previously Accepted AS / TD

3. A person who has been accepted as an AS / TD such that he is permitted to act for a registered contractor for the minor works being applied for does not have to submit the documentary proof of the qualifications and experience again. Nevertheless, he should submit records of job references as defined in Appendix M indicating his involvement in the building industry in the past 3 years.

Suitability of Applicant for Registration

4. The BA would consider the following aspects to assess the application :
- (a) documents submitted by the applicant as required under paragraph 2 above;
 - (b) the appropriate qualifications and experience of the AS appointee and his ability to understand that type of minor works being applied for through relevant experience and a general knowledge of the basic statutory requirement;
 - (c) the applicant has access to plants and resources;
 - (d) if the applicant is a corporation –
 - (i) its management structure is adequate; and
 - (ii) the appropriate qualifications and experience of the TD appointee; and
 - (e) the conviction and disciplinary records of the applicant, TD and AS appointees.

5. An application for registration of additional minor works may be submitted concurrently with an application for additional AS / TD outlined in Appendix K.

Registration of Additional Class or Type of Minor Works in the Register and Certificate

6. Where the BA allows the application for registration of additional types or classes of minor works, the BA will amend the entry of the applicant in the register of minor works contractors. The applicant shall return its original certificate of registration to the BA who will then issue a new certificate of registration for replacement.

Registered Minor Works Contractor (Company)
Declaration of Conviction / Disciplinary / Suspension Records,
Business Registration Documents and Job Reference

Conviction / Disciplinary / Suspension Records

The conviction / disciplinary / suspension records of the applicant, AS and TD shall be made in respect of the following aspects :

- (a) conviction / disciplinary action under the BO;
- (b) conviction on labour safety offences under the ordinances and regulations administered by the Commissioner for Labour, such as Factories and Industrial Undertakings Ordinance and Occupational Safety and Health Ordinance;
- (c) suspension from tendering by the Development Bureau (DevB), the Housing Authority (HA) or their related departments. The reasons of the suspension should also be provided;
- (d) conviction leading to imprisonment for malpractice or misconduct in building works or construction related activities;
- (e) conviction under section 27(3) of the Public Health and Municipal Services Ordinance concerning the control of water likely to contain larvae or pupae of mosquitoes administered by the Director of Food and Environmental Hygiene; and
- (f) conviction on environmental offences under the ordinances and regulations administered by the Director of Environmental Protection, such as the Air Pollution Control Ordinance, the Noise Control Ordinance, the Waste Disposal Ordinance, the Water Pollution Control Ordinance, the Dumping at Sea Ordinance, the Ozone Layer Protection Ordinance and the Environmental Impact Assessment Ordinance.

2. The above declarations should cover all incidents involving the applicant, AS and TD irrespective of the nature of works the incidents are related.

3. If the AS / TD was previously employed by another contractor, the conviction / disciplinary / suspension records of that contractor in the projects in which the AS / TD had been involved should also be declared. The AS / TD should indicate on the declaration form his role and involvement in the incidents so declared.

4. The duration in which the record of conviction / disciplinary actions / suspension should be covered are as follows :-

- (a) For application for registration/provisional registration, addition of AS/TD and addition of classes and types of minor works, the period should cover 3 years preceding the date of the application for registration. In case the proposed AS / TD has been accepted by the BA within 3 years preceding the date of application, the period should be the date of his last application that was accepted by the BA up to the date of the application;
- (b) For first-time application for renewal of registration, the period should cover the current registration period preceding the date of submission of the renewal application;
- (c) For subsequent renewals following the first-time renewal, the period should cover from the date of submission of the last renewal application to the date of submission of the current renewal application; and
- (d) For application for restoration of name, the period should cover the whole period since the commencement of the last registration to the date of submission of the current restoration application.

Documents relating to business registration:

5. Business registration documents shall consist :

- (a) a copy of the current Business Registration Certificate (IRDB101) issued by the Inland Revenue Department;
- (b) for a corporation, a copy of the current annual return (Form AR1) to the Companies Registry justifying the directorship of the company; and
- (c) the original of the certified extracts of information on the business register issued by the Business Registration Office of the Inland Revenue Department (IRBR 152).

/Job

Job Reference

6. A job reference required for the purpose of minor works contractors registration may include a relevant item of minor works under a main-contract or sub-contract arrangement. Building works or minor works under the BO, public works, works for government departments or the MTR Corporation Limited (MTRCL) are considered acceptable provided that documentary proof such as a specified form or an endorsement letter from the government architect, engineer or surveyor is provided. Document that does not substantiate execution of works such as tender award letter or notice of commencement of works (e.g. Form BA10) alone is not a sufficient proof.

7. When sub-contracting works are used as a job reference, the documentary proof should also include a signed sub-contract document showing the contractor's role and involvement in the project and that the job reference should be endorsed by the project AP / RSE / RGE or the project AS of the main contractor.

8. An AS who has been accepted by the BA / MWCRC to carry out more than one type or class of minor works is only required to submit one job reference for any type and class of minor works corresponding to his registration so as to demonstrate that he is an active AS.

9. Works that were completed more than 3 years preceding the date of application will not be accepted as a valid job reference.

**Requirements and Scope of Interview for Application
for Registration as Registered Minor Works Contractor (Company),
Addition of Minor Works and
Addition of Authorized Signatory / Technical Director**

Application involving Class I Minor Works

For new applications for Registration as RMWC (Co), Addition of Minor Works and Addition of AS / TD, the AS, and where the MWCRC considers necessary the TD, will represent the applicant to attend an interview conducted by the MWCRC.

2. The purpose of the interview is to ascertain whether the AS / TD possesses the qualifications and experience required for carrying out his designated functions, and that he is fit and can apply properly such knowledge in executing and supervising the relevant types of minor works. In particular, assessment in respect of the following aspects will be made by the MWCRC :

- (a) documents submitted by the applicant;
- (b) if it is a corporation, the adequacy of the management structure of the applicant;
- (c) the appropriate experience and qualifications of the personnel;
- (d) the applicant's ability to have access to plants and resources; and
- (e) the ability of the AS to apply knowledge in the following aspects:
 - (i) the statutory role, functions and duties of an RMWC (Co) in relation to the role and responsibilities of the BA in respect of minor works in Hong Kong;
 - (ii) the objectives of the BO and Regulations and the mechanism of control in respect of the execution and supervision of minor works;
 - (iii) a general awareness of local conditions sufficient to enable him to practise in Hong Kong efficiently and effectively without having to make frequent enquiries on matters of common local knowledge;

/(iv)

- (iv) a working knowledge and principles of the BO and Regulations, relevant codes of practice, practice notes, circular letters and other advisory information, and allied matters such as the Factories and Industrial Undertakings Ordinance and the requirements of other authorities which exercise control over the carrying out of minor works;
- (v) the fundamental procedures that an RMWC (Co) must follow in order to meet local statutory requirements; and
- (vi) adequate technical knowledge and practical experience in minor works to enable him to discharge his duties as an RMWC (Co).

Appointment of a Previously Accepted AS

3. In case the person appointed has been previously accepted as an AS by the MWCRC and the BA through a full-scope interview, his ability will be assessed in the aspects below :

- (a) If he has been involved in conviction / disciplinary / suspension incidents in building works as specified in paragraph 4 below since his last interview, depending on the nature and gravity of the incident, the assessment will cover the competence and ability of the personnel, safety management and site management matters, etc. as considered necessary by the MWCRC or the BA; and
- (b) If the previous interview was conducted more than 3 years ago and he has not participated in at least one relevant item of minor works within the 3 years preceding the current application, the assessment will focus in aspects regarding new developments in the building industry, new legislation, practice notes, codes of practice, circular letters, etc. relating to minor works introduced since his last interview.

4. A proposed AS having any of the following records of conviction / disciplinary / suspension incidents will be required to attend an interview with the MWCRC :

- (a) conviction / disciplinary action under the BO;

/(b)

- (b) conviction on labour safety offences under the ordinances and regulations administered by the Commissioner for Labour, such as the Factories and Industrial Undertakings Ordinance and Occupational Safety and Health Ordinance. Non-building works related labour safety offences, e.g. failure to ensure the wearing of safety helmet and the use of goggles, however, will not be taken into consideration;
- (c) suspension from tendering by the Development Bureau (DevB), the Housing Authority (HA) or their related departments. The BA will consider the reasons of the suspension. In general, only factors which infer deficiencies of the contractors in technical or management abilities, and factors related to standard of works, misconduct and site safety will be taken into consideration;
- (d) conviction leading to imprisonment for malpractice or misconduct in building works or construction related activities;
- (e) 4 or more convictions under section 27(3) of the Public Health and Municipal Services Ordinance concerning the control of water likely to contain larvae or pupae of mosquitoes administered by the Director of Food and Environmental Hygiene; and
- (f) 4 or more convictions on environmental offences under the ordinances and regulations administered by the Director of Environmental Protection, such as the Air Pollution Control Ordinance, the Noise Control Ordinance, the Waste Disposal Ordinance, the Water Pollution Control Ordinance, the Dumping at Sea Ordinance, the Ozone Layer Protection Ordinance and the Environmental Impact Assessment Ordinance.

Persons accepted by Contractors Registration Committee which considers registration application of General Building Contractors and Specialist Contractors

5. A person previously accepted as AS / TD by a relevant Contractors Registration Committee (CRC), including the CRC considering general building contractors and the CRC considering specialist contractors in respect of the minor works under application, is a previously accepted AS / TD for the purpose of minor works contractors registration.

/Application

Application Not Involving Class I Minor Works

6. In general, an application not involving class I minor works would be assessed by the BA based on the documents submitted by the applicant. It would not be referred to the MWCRC for interview and assessment unless there are special considerations rendering a recommendation/advice from the MWCRC necessary in determining the suitability of the applicant. For such cases, the AS, and where the MWCRC considers necessary the TD, may be invited to attend an interview conducted by the MWCRC for assessment.

7. In general, the circumstances rendering the referral of an application not involving class I minor works to the MWCRC for consideration are :

- (a) in case the qualifications and / or experience of the proposed AS / TD require further examination by the MWCRC such that it is necessary for the BA to ascertain his experience or qualification through an interview with the applicant;
- (b) the proposed AS / TD has been involved in any conviction / disciplinary / suspension incident in respect of the aspects set out in paragraph 4 above within 3 years preceding the date of his application or since his last interview, whichever is shorter; or
- (c) the proposed AS was accepted by the BA more than 3 years ago and he has not participated in at least one relevant item of minor works corresponding to his current application within the 3 years preceding the current application. In such case, the assessment will be focused on new development in the building industry, new legislation, practice notes, codes of practice, circular letters, etc. relating to minor works introduced since his last interview.

**Requirements for and Scope of Interview for Applications
for Renewal of Registration and Restoration of Registration of
Registered Minor Works Contractor (Company)**

In general, an application from an RMWC (Co) for renewal of registration or an application for restoration of name would not be referred to the MWCRC for interview and assessment, except in the following circumstances:

- (a) the contractor has been inactive in relevant minor works in the past registration period (i.e. without a job reference on a minimum of one relevant item of minor works); or
- (b) there have been new incidents or circumstances that require further consideration on the suitability of the contractor's registration.

2. In connection with paragraph 1 (b) above, the BA will assess the suitability of the contractor for retention or restoration of its name in the register :

- (a) convicted or disciplined under the Buildings Ordinance;
- (b) convicted of a serious labour safety offence (e.g. involving a fatal incident or amputation of limb);
- (c) convicted of 7 or more labour safety offences relating to building works committed within a rolling 6 months. Non-building works related labour safety offences, e.g. failure to ensure the wearing of safety helmet and the use of goggles, however will not be taken into consideration;
- (d) involved in conviction leading to imprisonment for malpractice or misconduct in building works or construction related activities;
- (e) convicted of 4 or more offences under section 27(3) of the Public Health and Municipal Services Ordinance committed on the same site within a rolling 3 months;
- (f) convicted of 4 or more environmental offences committed on the same site within a rolling 3 months; and

- (g) suspended from tendering by the DevB / HA. The BA will consider the reasons of the suspension. In general, only factors which infer deficiencies of the contractors in technical or management abilities, and factors related to standard of works, misconduct and site safety will be taken into consideration.

An RMWC (Co) having no Job Reference

3. In the situation that the contractor was inactive in the past registration period, its ASs who do not have a job reference will have to attend an interview with the MWCRC unless he was accepted by the BA through a full scope interview within the past 3 years prior to the application.

4. In the interview, the MWCRC will mainly assess the AS's awareness of the new development in the building industry and new legislation, codes of practice, practice notes, circular letters, etc. relating to minor works introduced within the past registration period.

An RMWC (Co) having Conviction / Disciplinary / Suspension Records

5. If the contractor has conviction / disciplinary / suspension records as specified in paragraph 2 above, its AS will have to represent the contractor to attend an interview with the MWCRC if he or the projects under his supervision have any of the following records :

- (a) any conviction or disciplinary records under the BO;
- (b) any serious labour safety conviction records;
- (c) 5 or more labour safety conviction records;
- (d) 4 or more conviction records under section 27(3) of the Public Health and Municipal Services Ordinance;
- (e) 4 or more environmental offences; and
- (f) any suspension records by DevB/HA.

6. Depending on the nature and gravity of the incidents, the scope of interview may cover assessment on the competence and ability of the personnel, safety management and site management matters, etc. as considered necessary by the MWCRC or the BA.

/7.

7. If all of its AS do not fall within the criteria in paragraph 5 above, the contractor will have to nominate an AS / TD to attend the interview. The nomination is subject to the agreement of the BA or the MWCRC and, where necessary, the BA or the MWCRC may determine who should represent the contractor to attend the interview.

Application from RMWC (Ind)

8. The requirements for referral of a registration application for renewal and restoration from an RMWC (Ind) to the MWCRC for consideration and the scope of interview are set out in Appendix D.

Transitional Arrangement

Application for Registration as Registered Minor Works Contractor (Provisional)

Current practitioners who do not possess the requisite academic qualifications for registration as RMWC (Co), can apply for registration as a Registered Minor Works Contractor (Provisional) (RMWC(P)) within 2 years upon commencement of the registration for minor works contractors.

2. Applicants for registration as RMWC(P) are required to submit the following documents to the BA for consideration:

- (a) a duly completed specified form by the applicant specifying the class and type of minor works that he intends to register for;
- (b) supporting documents on the experience of the AS;
- (c) for a partnership, an authorization letter from the rest of the partners regarding the appointment of the partner as the AS;
- (d) for a corporation, a statement with documentary proof on -
 - (i) the qualifications and experience of the TD responsible for technical administration; and
 - (ii) a resolution from the board of directors regarding the appointment of the AS and TD for the company;
- (e) declarations in BD standard forms which cover **exhaustively** the conviction / disciplinary / suspension records of the applicant, AS and TD as set out in Appendix M;
- (f) documents relating to business registration as set out in Appendix M; and
- (g) the prescribed fee.

Requirements for Registration as RMWC(P)

3. The BA will not refer applications for registration as RMWC(P) to the MWCR. Generally, the BA will consider the suitability of the applicants for inclusion in the register focusing on the following aspects:

- (a) documents submitted by the applicant as required under paragraph 2 above;
- (b) the appropriate experience and / or qualifications of the TD appointed; and
- (c) the appropriate experience of the AS appointed.

4. The minimum qualifications and experience requirements for an AS / TD acting for a RMWC(P) is given in paragraphs 11 & 12 below.

Application for Renewal and Restoration

5. Upon the expiry of registration of RMWC(P), it will neither be renewed nor be restored after the transition period.

Application for Approval of Appointment of Additional AS / TD for an RMWC(P)

6. Application for approval of appointment of new AS / TD for an RMWC(P), regardless of whether such appointment results in replacement of, or addition to, the AS / TD that have already been accepted by the BA, will generally not be accepted.

Application for Additional Class or Type of Minor Works

7. An RMWC(P) may be subject to a condition of registration such that he is only qualified to carry out the types and classes of minor works specified in the register in relation to the registration. Application seeking registration of additional class or type of minor works during the period of registration of an RMWC(P) will not be accepted.

Resignation of AS / TD

8. Prior notification to the BA is required if any of the accepted AS / TD intends to resign from his duties or will cease to be appointed by the contractor. Retrospective notification to the BA will not be accepted.

/9.

9. An AS / TD ceasing to act for a RMWC(P) should give the BA an advanced notice of his resignation. The RMWC(P) is required to suspend all the building works immediately if there is no AS appointed to act for the contractor for the purposes of the BO. Similarly, the works should be ceased if there is no TD acting for the contractor.

10. Before an AS / TD ceases to act for the contractor, apart from giving the BA an advanced notice, the contractor / AS / TD should provide necessary measures to ensure the safety and hygiene condition of the site and should liaise with the project AP / RSE / RGE in this regard where applicable.

Minimum requirements on qualifications and experience of AS / TD of an RMWC(P)

11. Minimum requirements on experience of AS of an RMWC(P) for the respective class of minor works are given in the following table :

Alternative Requirement	Class	Authorized Signatory (AS)	
		Qualification	Experience
1	I, II & III	---	5 years' experience in building industry, 1 year of which should be gained locally And Has been involved in 10 relevant items of minor works in Hong Kong in which 2 of them must be completed within the 3 years preceding the date of application for registration [See Note]
2	III	---	3 years' experience in building industry, 1 year of which should be gained locally And Has been involved in 10 relevant items of minor works in Hong Kong in which 2 of them must be completed within the 3 years preceding the date of application for registration [See Note]

12. Minimum requirements on qualifications and experience of TD of an RMWC(P) for the respective class of minor works shall refer to paragraph 2 of Appendix G. The requirements specified therein for a TD of an RMWC(Co) is applicable to an RMWC(P).

/Note:

Note:

Endorsement of Experience

Refer to Note (b) of Appendix G.