

**Explanatory Notes for Submission of Supporting Documents**  
**for Inclusion of Name in the Register**

This explanatory notes should be read in conjunction with the Guidance Notes for Applicants on Registration as General Building Contractors/Specialist Contractors or Practice Note for Registered Contractors 38 (PNRC 38).

Applicants are reminded that they should produce **originals** of the required documents for verification **prior** to interview/assessment. Failure or delay in producing the originals may result in refusal/deferral of the application.

Applicants are required to submit the following documents where applicable.

In addition to the items listed in this checklist, the Contractors Registration Committee (CRC)/Building Authority (BA) may require further information/documents/clarification from the applicants.

**1. Application Form and Prescribed Fee**

*(a) Form BA2*

- *Original Form BA2 shall be submitted.*

*(b) Prescribed Fee*

- *For amount of fee, refer to item IV B of "Schedule of Fees and Charges" for Registered General Building Contractors And Registered Specialist Contractors ([http://www.bd.gov.hk/english/inform/index\\_fees.html](http://www.bd.gov.hk/english/inform/index_fees.html))*

**2. Other Supporting Forms**

*(a) Form RR-1: Endorsement of Experience in Supervisory Role*

- *The required project experience should be justified by project details and duration with appropriate endorsement.*

*(b) Form RR-2: Declaration of Conviction/Disciplinary/Suspension Records by Contractor Applying for Inclusion in the Registers*

- *The past conviction records of the contractor for a period of 3 years proceeding the date of the application should be declared.*

*(c) Form RR-3: Declaration of Conviction/Disciplinary/Suspension Records by the Proposed Authorized Signatory (AS)/Technical Director (TD)/Other Officer (OO) Applying for Inclusion in the Registers / Addition of AS/TD/OO*

- *The past conviction records of the proposed personnel for a period of 3 years proceeding the date of the application should be declared.*
- *Declaration of each personnel shall be submitted in separated form.*

*(d) Form RR-4: Declaration of Past Interview/Assessment Records by the Proposed Authorized Signatory (AS)/Technical Director (TD)/Other Officer (OO)*

- *The past interview/assessment records of the proposed personnel should be declared.*
- *Declaration of each personnel shall be submitted in separated form.*

*(e) Original forms should be submitted.*

**3. Business Registration and Identification Documents**

*(a) Original of the updated certified extracts of information on the business register (IRBR 152).*

*(b) Copy of the current Business Registration Certificate (IRDB101) with indication of payment of registration fee.*

*(c) (For corporation only) Copy of the current Annual Return (Form AR1) to the Companies Registry (CR)*

- *Justifying the directorship of the company;*
- *Proofs showing that the Form AR1 have been received by the CR (e.g. receipt of payment, receipt stamp, etc.)*

- (d) Copy of HKID card/passport of the proposed AS/TD/OO.
- The copy for the proposed AS should bear his/her specimen signature.

**4. Organization Chart (For Corporation Only) - refer to the *sample* for reference**

- (a) In order to demonstrate the adequacy of the management structure and the decision making mechanism, organization chart should be submitted showing:
- basic management structure and decision making mechanism for technical and financial matters;
  - full names of all the directors in the board;
  - full names of all personnel occupying key positions, including AS, TD, OO (if applicable) and other qualified staff;
  - application category (i.e. Registered General Building Contractor (RGBC)/Registered Specialist Contractor in the \_\_\_\_\_ works category (RSC( )));
  - effective date of the organization chart.
- (b) The organization chart should indicate the quorum of the board of directors of the company under statutory requirements and be endorsed by not less than such quorum of directors.

**5. Authorization Letter/Resolution**

- (a) If the applicant is an individual (a sole proprietor), the applicant is taken as the AS and hence, **no** authorization is required.

**(A) Authorization of AS (For Partnership Only)-refer to the *sample* for reference**

- (a) For a partnership, it is required to submit an **authorization letter** from the rest of the partners regarding the appointment of a partner as the AS to act for the applicant for the purpose of the Buildings Ordinance (BO).
- If one of the partners is a corporation, the applicant shall be regarded as a corporation.
  - The applicant may appoint more than one AS.
  - The authorization letter should be endorsed by all partner(s) other than the proposed AS.
- (b) The category of registration (i.e. RGBC/RSC( )) being applied for should also be specified in the authorization letters.

**(B) Appointment of AS/TD/OO (For Corporation Only)-refer to the *sample* for reference**

- (a) It is required to submit a **resolution** from the board of directors regarding the appointment of an AS to act for the applicant for the purpose of the BO.
- (b) It is required to submit a **resolution** from the board of directors regarding the appointment of a director to act as the TD who is authorized by the board to:
- have access to plant and resources;
  - provide technical and financial support for the execution of building works and street works; and
  - make decisions for the company and supervise the AS and other personnel
- for the purpose of ensuring that the works are carried out in accordance with the BO.
- (c) The TD must be a director appointed under the Companies Ordinance and appointed by the board of directors to perform the role as TD.
- (d) In the case where an AS/OO is required to assist a TD who does not possess the required qualification or experience, it is required to submit a **resolution** from the board of directors regarding the appointment of the AS/OO to assist the TD to manage the carrying out of building works and street works under the BO.
- (e) The applicant may appoint more than one AS/TD/OO.
- (f) The resolutions should indicate the quorum of the board of directors of the company under statutory requirements and be endorsed by not less than such quorum of directors.
- (g) The category of registration (i.e. RGBC/RSC( )) being applied for should also be specified in the resolutions.

## **6. Qualification and Experience of AS/TD/OO**

- (a) Documents, e.g. copy of certificate, should be submitted to justify the required qualification (refer to Appendices A to F of PNRC 38 for details).
- (b) Documents should be submitted to justify the claimed experience in the relevant field.
  - The account of experience should be substantiated by project details and durations and endorsed by the employer concerned or the Authorized Person(AP)/Registered Structural Engineer(RSE)/Registered Geotechnical Engineers(RGE)/Registered Contractor(RC)/ government architect, engineer or surveyor of the projects.
  - If the proposed AS/TD/OO was self-employed, other documentary justifications e.g. specified forms under the BO or contract documents may also be considered.
- (c) (For TD applying under Alternative Requirement 2, 3 or 5 only) Documentary justification on the required experience in managing a building contractor company.
  - The account of experience should be substantiated by a proof of directorship or ownership of the company (e.g. statutory forms submitted under the Companies Ordinance (e.g. ARI, D2, D3, etc) with proofs showing that the statutory forms have been received by the CR e.g. receipt of payment, receipt stamp, etc.) or, a proof of holding a top management position in the contractor company with overall management responsibilities in technical and financial matters and staff resources.
  - The claimed experience should also be substantiated with project details (e.g. specified forms under BO or contract documents) to demonstrate that the company was an active contractor when the experience was obtained.
- (d) CV of the proposed AS/TD/OO may also be submitted for easy reference. The record of employment shall be shown in chronological order.

## **7. Other Qualified Staff**

- (a) Certificate of the other qualified staff should be submitted to prove the appropriate qualification and CV should also be submitted to illustrate the appropriate experience.
- (b) Documentary evidence, e.g. employment letter, showing the employment of appropriate qualified staff to assist the applicant and AS/TD/OO to execute, manage and supervise building works and street works.

## **8. Access to Plant and Resources**

- (a) For existing contractors:
  - Documentary justification on access to resources e.g. auditor's report and profit/loss account showing the financial resources and status, etc.
  - Documentary justification on access to relevant plant e.g. copies of previous contracts and invoices on hiring or purchase of construction plant, auditor's statement on ownership of plant, etc. Items of plant should be relevant to the category of works.
- (b) For new contractors:
  - Documentary justification on access to resources e.g. bank statements for the most recent 3 months and a bank supporting letter as a proof of ability to have access to resources, auditor's report and profit/loss account showing the financial resources and status, etc.
  - Documentary justification on access to relevant plant e.g. copies of previous contracts and invoices on hiring or purchase of construction plant, auditor's statement on ownership of plant, standing offers or quotations from construction plant companies showing their willingness to provide the relevant plant to the contractor, etc. Items of plant should be relevant to the category of works.
- (c) For contractors in the Ground Investigation Field Works Category, documentary justification on access to engaging Competent Persons (CP) for logging and site supervision and Geotechnical Field Technician (GFT) with:
  - documents showing the qualifications and experience of the proposed CP and GFT; and
  - proofs of access to engaging the CP and GFT e.g. employment letter, undertaking letter by the CP or GFT to provide service, etc.

## 9. Other Supporting Documents

### (a) Undertaking letter

- *If the proposed AS/TD/OO is currently working for another contractor as AS/TD/OO, an undertaking letter should be submitted stating that he will resign from his current position as AS/TD/OO once his application as the proposed AS/TD/OO is accepted by the Building Authority (BA).*

### (b) For sharing the same pool of AS/TD/OO among a holding company and its subsidiary companies, documentary justification in the form of a statement from an auditor should be submitted in verifying that:

- (i) *the holding company is a member of each of the subsidiary companies and controls the composition of its board of directors;*
- (ii) *the holding company holds more than half of the issued share capital of each of the subsidiary companies; and*
- (iii) *the holding company controls at least 75% of the voting power of each of the subsidiary companies.*

### (c) For sharing the same pool of AS/TD/OO among a holding company and its subsidiary companies, a letter from the holding company should be submitted to undertake that:

- (i) *If at any time the total number of AS/TD/OO in the pool is less than the total number of subsidiaries and holding company registered under the BO, the holding company should reduce the number of registered companies immediately;*
- (ii) *If under certain circumstances, the number of AS in the pool is less than the number of subsidiaries and holding company, and the holding company is unable to indicate which company is to be removed from registration, all the building works undertaken by the subsidiaries and holding company should be suspended until the removal of the concerned company from registration is confirmed by the holding company.*