

Guidance Notes for Application for Registration as a Registered Minor Works Contractor (Company)

(The following guidance notes serve to assist applicants intending to apply for registration as a registered minor works contractor (company), hereunder referred as RMWC(Co). Please read the notes carefully before completing the application forms.)

Introduction

1. Minor works are categorized into 3 classes: Class I, Class II & Class III. Class I comprises more complicated minor works, Class II comprises works of a lower complexity while Class III comprises common household minor works. Under each class of minor works, it will be further sub-divided into different types and items that correspond to the specialization of works in the industry. A contractor carrying out class I and class II minor works must be a company while a contractor carrying out class III minor works only can either be a company or an individual.

2. A company applicant having adequate experience but lacking the requisite qualification can apply for provisional registration within a 2 years transitional period. Applicants applying for individual registration or provisional registration shall refer to separate guidance notes.

3. To apply for registration as an RMWC (Co), the applicant must:

- hold a valid business registration certificate ;
- have ability to have access to plants and resources for the minor works under application ;
- appoint a minimum of 1 qualified person to act for him for the class(es) and type(s) of minor works under the application. This person is the authorized signatory (AS) ;
- if the applicant is a corporation, appoint a minimum of 1 director as the technical director (TD); and
- pay the prescribed application fee.

Eligibility Criteria to act as AS/TD

4. The eligible criteria for persons to act as AS or TD are :

- If the applicant is a sole proprietorship, the sole proprietor is the only person

eligible to act as the AS.

- If the applicant is a partnership, any partner appointed by all the other partners is eligible to act as the AS.
- If the applicant is a corporation, a suitable person appointed by the board of directors is eligible to act as the AS and a director of the board of directors is eligible to act as the TD.
- A person is allowed to take up the roles of the AS as well as the TD at the same time provided that he has the capability.
- A person can only be accepted to act as the AS/TD for 1 contractor registered under the Buildings Ordinance only. In case the nominee is currently an AS/TD for another contractor, an undertaking letter stating he will resign from the post he is holding once the application is accepted, has to be submitted.
- The person must satisfy the qualification and experience requirements specified by the Buildings Authority (BA). Proof shall be provided to substantiate the claimed qualifications and experiences.

Submission

5. Application shall be made in the specified form BA25 and accompanied by such information/ documents that are considered necessary by the BA. Applicant shall make use of BD checklist CL-BA25 to ensure that his submission is complete. Incomplete submission may be refused without refund of the application fee.

6. An application shall be accompanied with an application fee. The fee payable is dependent on the number of AS nominated and the highest class of minor works that the individual AS is appointed to act for the applicant. A fee computable table is at BD checklist CL-BA25 Part B.

7. Application can be submitted by post or in person to “Buildings Department, 12/F Pioneer

Centre, 750 Nathan Road, Mongkok, Kowloon”. Payment can be made by cheque or by EPS. Cheque should be made payable to “The Government of Hong Kong Special Administrative Region” or “The Government of HKSAR”.

Application Documents

8. The full set of application documents can be referred to 3 lists which are in relation to the applicant company, AS and TD respectively:-

List 1: Documents related to the applicant company

- the specified form for application BA25
- BD Checklist CL-BA25
- BD standard form RR-9
- Other supporting documents on the company's structure and management, etc.

List 2: Documents to be completed by each proposed AS

- BD standard forms RR-10, RR-11, RR-12, RR-13, RR-14 & RR-15
- Supporting documents on AS's qualification and experience.

List 3: Documents to be completed by each proposed TD (applicable to a corporation applicant only)

- BD standard forms RR-10A, RR-11A, RR-12A, RR-13A, RR-14A & RR-15A
- Supporting documents on TD's qualification and experience.

Processing

9. Application involving class I minor works will be referred to the Minor Works Contractors Registration Committee (MWCRC) for consideration. The proposed AS will have to attend an interview with the MWCRC. If the MWCRC consider necessary, the proposed TD will also have to attend the interview. Application not involving class I minor works will only be referred to the MWCRC for consideration where there is special circumstance. The main purpose of the interview is to assess the competence and ability of the nominated AS/TDs in carrying out minor works under the Buildings Ordinance.

10. Result will be issued within 3 months upon receipt of an application in case of the application does not require the consideration of the MWCRC.

11. The application will be referred to the MWCRC within 3 months upon receipt if it requires the consideration of the MWCRC. Result will be issued within 3 months after the MWCRC meeting. The MWCRC may proceed with the meeting in the absence of the applicant's AS/TDs if they fail to show up in the scheduled interview.

12. Irrespective of whether he is required to attend an interview with the MWCRC, a person nominated as AS/TD will be required to attend the Buildings Department for verification of identity and the authenticity of his qualification documents etc.

Inclusion in the Register

13. If an application is accepted, the applicant will be issued with a demand note for inclusion of name in the register of minor works contractors. On payment of the prescribed fee (\$595 for application involving Class I & II works and \$410 for application involving Class III works only), his name will be gazetted and a certificate of registration with the particulars of the classes and types of minor works he is registered, will be issued for his retention.

14. A registration is valid for a period of 3 years. The expiry date of registration will be specified in the registration certificate. A contractor intending to renew his registration will have to submit a renewal application not earlier than 4 months prior to the expiry date but not later than 28 days prior to the expiry date. A contractor whose registration is not renewed after the expiry date will have his name removed from the register.

More References

15. For more details about the minor works control system and registration as registered minor works contractor, please visit the website of BD <http://www.bd.gov.hk>.