

**Appointment of Authorized Signatory to Act for Prescribed Registered Contractor
and Temporary absence of Authorized Signatories
in respect of Minor Works commenced under the Simplified Requirements**

For the purposes of section 9AA of the Buildings Ordinance (BO), a prescribed registered contractor (PRC) is required to be appointed under section 28 of the Building (Minor Works) Regulations (B(MW)R) in respect of minor works. Apart from a registered minor works contractor (Individual), every PRC should appoint at least one person to act for it for the purposes of the BO. This appointed person is commonly known as the “authorized signatory” (AS) of the PRC. Under section 9AA(6) of the BO, a PRC should provide continuous supervision to the carrying out of the minor works and to comply with the BO generally. Such duties of the PRC are more specifically stipulated under Part 7 of the B(MW)R, the Technical Memorandum for Supervision Plans and the Code of Practice for Site Supervision.

AS on the specified forms and supervision plans

2. The AS who signs the Form MW01, 02, 03, 04, 05, 06, 07, 10, 11 and 12 in respect of minor works commenced under the simplified requirements should be the person who is responsible for the carrying out of the duties of the PRC under the BO for the works. The Building Authority (BA) only accepts one AS to act for the PRC for minor works under each minor works submission (the submission) and the AS who signs the Form MW01 or 03 is deemed to be such person.

3. The name of the AS appointed for the submission should be clearly indicated on all specified forms relating to the submission. If the name of the AS is not shown on a specified form, the BA would consider the form as incomplete and unacceptable. Moreover, if the name of the AS indicated on the supervision plan is different from that on the specified form, Form MW01 of the submission, the BA would reject the supervision plan or the specified forms, as the case may be, unless the BA has approved or has been notified of the change of AS as stipulated in paragraph 4 below.

4. For a PRC, other than a sole proprietorship, who has only one AS, any proposal to change the AS of the submission will not be accepted unless an application for addition of the new AS in the contractor’s registration has been made in accordance with the procedures set out in PNRC 38 or 69 and approved by the BA. For a PRC having more than one AS in its registration who intends to change the AS of the submission to another AS of the PRC, the PRC should notify the BA in the standard form at Appendix A to PNRC 72, countersigned by the authorized person (AP) of the submission if the works involve Class I minor works, not less than 7 days prior to such change. Otherwise, the original AS would still be regarded as responsible for the submission.

/Nomination

Nomination of another AS to act in case of temporary absence

5. The absence of the AS of a PRC may cause the PRC unable to act. If the PRC becomes unable to act, it should immediately cease the minor works under its purview.

6. In the case of temporary absence of the AS of the submission due to various reasons such as illness, the PRC may still wish to continue with the carrying out of the works. In such circumstances, the BA would accept the PRC nominating another AS to act temporarily for the purpose of supervising the carrying out of the minor works under its purview, subject to the following conditions :

- (a) Notification of such nomination should be made to the BA in the standard form at Appendix B to PNRC 72 and, if the works involve Class I minor works, countersigned by the AP of the submission;
- (b) The notification should be submitted at least 7 days prior to the absence of the AS except in case of sudden illness or accident. In the latter case, the PRC or the AS should provide documentary proof within 3 days showing that the AS is unable to act due to illness or accident;
- (c) The person nominated to act temporarily should fulfill one of the following criteria :
 - (i) He is another AS of the same PRC and he is currently accepted by BA to act for the PRC for the classes and types of minor works under the submission; or
 - (ii) He is an AS of another PRC and he is currently accepted by BA to act for the PRC for the classes and types of minor works under the submission. In case that another PRC is a partnership or a corporation, an authorization letter from that another PRC signed by the rest of the partners or the required quorum of directors, as the case may be, should be submitted with the notification; and
- (d) The maximum period of temporary acting by the nominated AS is 14 days. Further extension of this acting period would only be considered upon submission of documentary proof of special circumstances, such as illness. The total temporary acting period permitted is subject to a maximum of 30 days.

7. If the nominated temporary AS does not meet the criteria stipulated in paragraph 6(c) above, the BA would not accept the nomination and would inform the PRC/AS and, if the works involve Class I minor works, the AP of the submission accordingly. In such cases the minor works under the purview of the PRC may have to be ceased if there is no AS acting for it (see paragraph 5 above).

8. If the absence of the AS for the submission exceeds 30 days, the PRC should arrange to change to another AS of the same company to be responsible for the submission or apply for addition of a new AS in its registration, in accordance with paragraph 4 above.

The role of the nominated temporary AS

9. The nominated temporary AS would only act for a short period of time for the purpose of supervision of the carrying out of minor works. During the period of acting, he is required to fulfill the duties of site supervision and sign on the inspection records on site in accordance with the accepted supervision plans, if any. However, the nominated temporary AS, being not the AS appointed to act for the PRC for the submission as stipulated in paragraph 2 above, is not permitted to sign on any supervision plans or specified forms for the submission for which he is only acting temporarily for the purpose of paragraph 6 above.

(AU Choi-kai)
Building Authority

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Notification of Change of Authorized Signatory of the Prescribed Registered Contractor in respect of the Minor Works commenced under the Simplified Requirements

Date _____

To the Building Authority,

We _____ (Chinese) _____ the prescribed registered contractor (registered general building contractor/registered specialist contractor/registered minor works contractor*), of registration no. _____ and date of expiry of registration _____, hereby notify that the person (name in full) _____ (Chinese) _____ (the ‘original authorized signatory’) acting for us for the purposes of the Buildings Ordinance in respect of the minor works detailed in the minor works submission no(s). below[#], will be changed to (name in full) _____ (Chinese) _____ (the ‘new authorized signatory’) with effect from (date) _____.

MW	_ _ _ _ _ _ _ _ _	MW	_ _ _ _ _ _ _ _ _	MW	_ _ _ _ _ _ _ _ _
MW	_ _ _ _ _ _ _ _ _	MW	_ _ _ _ _ _ _ _ _	MW	_ _ _ _ _ _ _ _ _

Signature
(original authorized signatory)

Signature
(new authorized signatory)

Full name and signature of
authorized person
(for Class I minor works)

Certificate of Registration No. : _____

Date of expiry of registration : _____

* Delete whichever is inapplicable

If space is insufficient, please attach additional sheet(s) which must be signed, dated and write down the Certificate of Registration No. by the person concerned.

Notification of Nomination of Temporary Authorized Signatory of the Prescribed Registered Contractor in respect of the Minor Works commenced under the Simplified Requirements

Date _____

To the Building Authority,

We _____ (Chinese) _____ the prescribed registered contractor (registered general building contractor/registered specialist contractor/registered minor works contractor*), of registration no. _____ and date of expiry of registration _____, hereby notify that we have nominated (name in full) _____ (Chinese) _____ (the 'nominated authorized signatory'), in stead of (name in full) _____ (Chinese) _____ (the 'original authorized signatory') to act for us for the purpose of supervision under the Buildings Ordinance during the period of the latter's illness/temporary absence* from (date) _____ to (date) _____ in respect of the minor works detailed in the minor works submission no(s). below#.

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Full name and signature of authorized person
(for Class I minor works)

Signature of original authorized
signatory

Certificate of Registration No. : _____

Date of expiry of registration : _____

I (name in full) _____ (Chinese) _____, *HKID/Passport No. _____, Telephone No. _____, Fax No. _____ confirm my acceptance of the above nomination and that I will act in stead of (name in full) _____ (Chinese) _____, in respect of the above minor works from (date) _____ to (date) _____. *I am currently *one of/the AS acting for (name of the prescribed registered contractor) _____ (Chinese) _____ of registration no. _____ and date of expiry of registration _____, for the purposes of the Buildings Ordinance. *A letter of authorization for me to act as the nominated authorized signatory is enclosed.

Signature of nominated authorized signatory

* Delete whichever is inapplicable
If space is insufficient, please attach additional sheet(s) which must be signed, dated and write down the Certificate of Registration No. by the person concerned.