

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,
 - (i) a copy of the current annual return (Form NAR1) to the Companies Registry justifying the directorship of the company; and
 - (ii) a copy of the updated certified extracts of information on the business register (IRBR 152) issued by the Business Registration Office of the Inland Revenue Department when applying for inclusion in register; and
 - (c) for a sole proprietorship or partnership,
 - (i) a copy of the updated certified extracts of information on the business register (IRBR 152) issued by the Business Registration Office of the Inland Revenue Department when applying for inclusion in register; and

- (ii) a copy of the updated certified extracts of information on the business register (IRBR 152) or electronic extract of information on the business register issued by the Business Registration Office of the Inland Revenue Department when applying for renewal of registration, restoration of registration, addition of AS/TD and addition of classes and types of minor works.

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.

(7/2015)