

**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) 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) ...

- (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) 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) ...

- (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;
- (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; and
- (g) conviction under the Waste Disposal Ordinance related to illegal disposal of construction waste.

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 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) ...

- (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.

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