

**Requirements for and Scope of Interview for Applications
for Renewal of Registration and Restoration of Registration of
Registered Minor Works Contractor (Company)**

In general, an application from an RMWC (Co) for renewal of registration or an application for restoration of name would not be referred to the MWCRC for interview and assessment, except in the following circumstances:

- (a) the contractor has been inactive in relevant minor works in the past registration period (i.e. without a job reference on a minimum of one relevant item of minor works); or
- (b) there have been new incidents or circumstances that require further consideration on the suitability of the contractor's registration.

2. In connection with paragraph 1(b) above, the BA will assess the suitability of the contractor for retention or restoration of its name in the register if it has been:

- (a) convicted or disciplined under the Buildings Ordinance;
- (b) convicted of a serious labour safety offence (e.g. involving a fatal incident or amputation of limb);
- (c) convicted of 7 or more labour safety offences relating to building works committed within a rolling 6 months. 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;
- (d) involved in conviction leading to imprisonment for malpractice or misconduct in building works or construction related activities;
- (e) convicted of 4 or more offences under section 27(3) of the Public Health and Municipal Services Ordinance committed on the same site within a rolling 3 months;
- (f) convicted of 4 or more environmental offences committed on the same site within a rolling 3 months;
- (g) convicted under the Waste Disposal Ordinance related to illegal disposal of construction waste;

/(h) ...

- (h) suspended from tendering by the Development Bureau (DEVB) / Housing Authority (HA). 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; and
- (i) required to attend an interview under the Contractor Performance Enhancement Scheme (CPES) as detailed in Appendix P.

An RMWC (Co) having no Job Reference

3. In the situation that the contractor was inactive in the past registration period, its AS who do not have a job reference will have to attend an interview with the MWCRC unless he was accepted by the BA through a full scope interview within the past 3 years prior to the application.

4. In the interview, the MWCRC will mainly assess the AS's awareness of the new development in the building industry and new legislation, codes of practice, practice notes, circular letters, etc. relating to minor works introduced within the past registration period.

An RMWC (Co) having Conviction / Disciplinary / Suspension Records and Performance Points

5. If the contractor has conviction / disciplinary / suspension records as specified in paragraph 2(a) to 2(h) above, its AS will have to represent the contractor to attend an interview with the MWCRC if he or the projects under his supervision have any of the following records:

- (a) any conviction or disciplinary records under the BO;
- (b) any serious labour safety conviction records;
- (c) 5 or more labour safety conviction records;
- (d) 4 or more conviction records under section 27(3) of the Public Health and Municipal Services Ordinance;
- (e) 4 or more environmental offences;
- (f) any offence under the Waste Disposal Ordinance related to illegal disposal of construction waste; and
- (g) any suspension records by DEVB / HA.

6. If the contractor is required to attend an interview under paragraph 2(i) above, only one AS who meets any of the criteria below will be required to attend an interview:

/(a) ...

- (a) AS has been accorded with the highest performance points (PP) under CPES, irrespective of any remitted points; or
- (b) AS has been accorded with next highest PP, irrespective of the remitted points, and the AS who meets criteria (a) has obtained a certificate of attendance for the Performance Enhancement Course as specified in Appendix P.

7. Depending on the nature and gravity of the incidents, the scope of interview may cover assessment on the competence and ability of the personnel, safety management, site management matters and requirements of MWCS or MWIS, etc. as considered necessary by the MWCRC or the BA.

8. If all of its AS do not fall within the criteria in paragraphs 5 and 6 above, the contractor will have to nominate an AS / TD to attend the interview. The nomination is subject to the agreement of the BA or the MWCRC and, where necessary, the BA or the MWCRC may determine who should represent the contractor to attend the interview.

Application from RMWC (Ind)

9. The requirements for referral of a registration application for renewal and restoration from an RMWC (Ind) to the MWCRC for consideration and the scope of interview are set out in Appendix D.