



CONSTRUCTION  
INDUSTRY COUNCIL  
建造業議會

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## **Rules and Procedures for the Primary Register of the Subcontractor Registration Scheme**

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**Version 3  
July 2017**

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# **Rules and Procedures for the Primary Register of the Subcontractor Registration Scheme**

## ***Part 1 – Definitions***

### **1. Definitions**

1.1. In this set of rules and procedures, unless the context otherwise requires –

- a) “Appeal Panel” means a panel constituted in accordance with clause 14 to hear appeals against decision reached by the Management Committee;
- b) “company” means an entity with a valid business registration and includes incorporated companies, unincorporated companies and individuals;
- c) “Construction Industry Council” (CIC) means the body established under the Construction Industry Council Ordinance (Cap 587);
- d) “Government Registration Scheme” means a registration scheme operated by policy bureaux or departments of the Hong Kong Special Administrative Region Government, some examples of which are cited in Schedule 1;
- e) “Management Committee” means the management committee constituted in accordance with clause 11;
- f) “Primary Register” means a list of companies registered in accordance with this set of rules and procedures;
- g) “Registered Subcontractor” means a company listed on the Primary Register;
- h) “Registration Particulars” means the information set out in items (1) to (7) of Schedule 3 to be provided by applicants;
- i) “Scheme Owner” means the CIC, the entity owning the Subcontractor Registration Scheme (SRS);
- j) “Scheme Website” means the website providing public access to the Registration Particulars published in accordance with clause 7 and other announcements related to the SRS;

- k) “Secretariat” means the CIC Secretariat;
- l) “specialty” means a specialty grouped under the trades listed in Schedule 2 or other specialties relevant to these trades; and
- m) “trade” means a trade listed in Schedule 2.

## ***Part 2 – Application for Registration and Renewal***

### **2. Application for Registration**

2.1. A company may apply for registration on the Primary Register subject to compliance with the following entry requirements –

- a) Requirement R1  
completion of at least one job within the last five years as a main contractor/ subcontractor in the trades and specialties for which registration is applied; or, comparable experience acquired by the applicant or its proprietors, partners or directors within the last five years.

OR

- b) Requirement R2  
listings on one or more Government Registration Schemes relevant to the trades and specialties for which registration is sought.

OR

- c) Requirement R3  
the company’s proprietor, partner or director having been employed by a Registered Subcontractor for at least five years with experience in the trade / specialty applying for and having completed all the modules of the Project Management Training Series for Sub-contractors (or equivalent) conducted by the Construction Industry Council (CIC); or

the company’s proprietor, partner or director having registered as Registered Skilled Worker under the Construction Workers Registration Ordinance (Cap. 583) for the relevant trade / specialty with at least five years experience in the trade / specialty applying for and having completed the Senior Construction Workers Trade Management Course (or equivalent) conducted by the CIC.

- 2.2. Reference should also be made to clauses 10.5 to 10.7
- 2.3. An application shall be submitted to the Scheme Owner in a specified format providing information and supporting documents as stipulated in Schedule 3 and an undertaking executed by the applicant making use of the proforma in Schedule 4.
- 2.4. An application for registration shall be approved by the Management Committee subject to the applicant meeting the entry requirements and being considered suitable by the Management Committee in all other aspects for admission to the Primary Register. If the entry requirements covered in an application cannot be fully satisfied, the Management Committee may give approval for registration based on those trades and specialties where such requirements are met.
- 2.5. An approved registration shall be valid for three years or five years from the approval date.

### **3. Renewal of Registration**

- 3.1. A Registered Subcontractor shall apply for renewal within three months before the expiry date of his registration by submitting an application to the Scheme Owner in a specified format providing information and supporting documents as stipulated in Schedule 3 to show compliance with the entry requirements.

Provided that supporting documents are not required for trades or specialties satisfying the following conditions –

- a) the trades or specialties are registered or renewed through entry requirement R1 or R3 in the previous application for registration, inclusion of additional trades or renewal; and
  - (i) the experience submitted in the previous application for satisfying the entry requirements in relation to the trades and specialties is obtained within five years of the expiry of the current registration; or
  - (ii) the first time registration through complying the requirement R3 being within five years of the expiry of the current registration.
- 3.2. An application for renewal shall be subject to approval by the Management Committee. If some of the entry requirements covered in an application can no longer be satisfied, the Management Committee may give approval for renewal based on those trades and specialties where the requirements are met.

- 3.3. Written notice shall be posted to a Registered Subcontractor whose application for renewal has not been received before the expiry date of his registration. Action will be taken to remove a Registered Subcontractor from the Primary Register if his application for renewal is not forthcoming within 21 days thereafter.
- 3.4. An approved renewal shall be valid for three years or five years from the expiry of the current registration.

#### **4. Inclusion of Additional Trades and Specialties**

- 4.1. A Registered Subcontractor may apply at any time for inclusion of additional trades and specialties in his registration by making a request to the Scheme Owner.
- 4.2. A request for inclusion of additional trades and specialties shall be handled in the same way as an application for registration or renewal subject to the provision of information and supporting documents as stipulated in items 4 to 7 of Schedule 3. For the avoidance of doubt, inclusion of additional trades and specialties will not extend the validity period of a registration.

#### **5. Updating of Registration Particulars**

- 5.1. Where there are any changes to items 1 to 4 of the Registration Particulars, a Registered Subcontractor shall forward such details to the Scheme Owner in a specified format with supporting documents as stipulated in Schedule 3.
- 5.2. A Registered Subcontractor shall seek to update items 1 to 4 and 6 of the Registration Particulars within 14 days after changes thereto have taken place. Failure to do so may give rise to regulatory actions taken in accordance with clause 10.

#### **6. Clarification and Additional Information**

- 6.1. The Secretariat may ask for clarifications or supplement on the information and supporting documents submitted by an applicant. If a satisfactory response is not received within 14 days, the Management Committee may process the application based on available information.

## **7. Publication of Registration Particulars**

- 7.1. Upon approval of his application, a Registered Subcontractor will be listed on the Primary Register and selected items of his Registration Particulars will be published in the Scheme Website.
- 7.2. Information published in the Scheme Website shall be updated to take account of subsequent renewal of registration, inclusion of additional trades and change of Registration Particulars.

## **8. Fees and Charges**

- 8.1. An applicant shall pay the fees and charges stipulated in Schedule 5 when submitting his application.

## **9. Right of Review**

- 9.1. An applicant aggrieved by a decision made by the Management Committee under clauses 2.4, 3.2 or 4.2 may file within 14 days a request for review to the Secretariat setting out the grounds for review.
- 9.2. The review shall be heard within 42 days on receipt of a request. The Secretariat shall give the applicant not less than 14 days written notice stating the time and place for a hearing to take place.
- 9.3. During a review, the applicant or his authorized representative may make oral and written representations to the Management Committee. If neither the applicant nor his representative shows up, the Management Committee may adjourn the hearing or proceed with the hearing and pass a verdict based on available evidence.

### ***Part 3 – Regulatory Actions***

## **10. Regulatory Actions**

- 10.1. Registered Subcontractor shall observe the Codes of Conduct for Registered Subcontractor in Schedule 8. Failing to comply with the Codes of Conduct may result in regulatory actions taken by the Management Committee.
- 10.2. The circumstances pertaining to a Registered Subcontractor that may call for regulatory actions include, but are not limited to –



- a) supply of false information when making an application for registration, renewal of registration or inclusion of additional trades;
- b) failure to give timely notification of changes to the Registration Particulars in accordance with clause 5.2;
- c) serious violations of the registration rules and procedures;
- d) convictions of senior management staff (including but not limited to proprietors, partners or directors) for bribery or corruption under the Prevention of Bribery Ordinance (Cap. 201);
- e) convictions for failure to pay wages on time to workers in accordance with the relevant provisions contained in the Employment Ordinance (Cap. 57);
- f) wilful misconducts that may bring the SRS into serious disrepute;
- g) civil awards / judgments in connection with the violation of or convictions under the relevant sections of the Mandatory Provident Fund Schemes Ordinance (Cap. 485);
- h) convictions under the Factories and Industrial Undertakings Ordinance (Cap. 59) or Occupational Safety and Health Ordinance (Cap. 509) in relation to serious construction site safety incidents resulting in one or more of the following consequence –
  - i. loss of life; or
  - ii. serious bodily injury resulting in loss or amputation of a limb or had caused or was likely to cause permanent total disability;
- i) conviction of five (5) or more offences under the Factories and Industrial Undertakings Ordinance (Cap. 59) and / or Occupational Safety and Health Ordinance (Cap. 509) each arising out of separate incidents in any six (6) months period (according to the date of committing the offence but not the date of conviction), committed by the Registered Subcontractor at each of a construction site under a contract;
- j) convictions for employment of illegal worker under the Immigration Ordinance (Cap. 115)

OR

- k) late payment of workers' wages and / or late payment of contribution under the Mandatory Provident Fund Schemes Ordinance (Cap. 485) over 10 days with solid proof of such late payment of wages and / or contribution.

10.3. The Management Committee or the Secretariat will determine whether there is a prima facie case for conducting a hearing on regulatory actions. If so, the Secretariat shall give the Registered Subcontractor concerned not less than 14 days written notice advising on the time and place for the hearing and the grounds for initiating regulatory proceedings.

10.4. At the hearing, the Registered Subcontractor or his authorized representative may attend and shall be given an opportunity to make oral and written representations. If the Registered Subcontractor or his representative does not attend at the time and place fixed for the hearing, the Management Committee may adjourn the hearing or proceed with the hearing and make a decision.

10.5. After the hearing, the Management Committee may instigate regulatory actions by directing that –

- a) written strong direction and / or warning be given to a Registered Subcontractor;
- b) a Registered Subcontractor to submit an improvement plan with the contents as specified and within a specified period;
- c) a Registered Subcontractor be suspended from registration for a specified duration;

OR

- d) the registration of a Registered Subcontractor be revoked.

10.6. The Secretariat shall remove a Registered Subcontractor from the Primary Register for the specified period of suspension or whose registration has been revoked. All regulatory actions directed by the Management Committee under clause 10.5 shall be published in the Scheme Website after the expiry of the period for lodging appeal under clause 13.1. However, if an appeal is lodged in accordance with clause 13.1, such publication of the regulatory action taken shall be suspended until and be subjected to the result of appeal process in accordance with Part 5.

- 10.7. A Registered Subcontractor whose registration has been revoked shall not be eligible for re-registration for a period of two years from the date of revocation.
- 10.8. A company with its sole director or proprietor being one of the directors, proprietors or partners of another Registered Subcontractor which is being regulated, shall not be accepted for applying new registration within such period of suspension or within two years from such date of revocation.
- 10.9. A company with one or more of the director(s), proprietor(s) or partner(s) being director(s), proprietor(s) or partner(s) of another Registered Subcontractor being regulated, the experience of such director(s), proprietor(s) or partner(s) shall not be taken into account in the application for new registration if such application is submitted within the period of suspension or within two years from such date of revocation of that Registered Subcontractor.

#### ***Part 4 – Management Committee***

##### **11. Composition**

- 11.1. The Management Committee shall be constituted in accordance with the composition outlined in Schedule 6.

##### **12. Meetings**

- 12.1. The Management Committee shall convene regularly or decide matters in writing (which shall include a facsimile transmission or an image / text message transmitted via the internet) to discharge its functions. On such occasions, the chairman and three other members shall form a quorum.
- 12.2. The Management Committee shall reach decisions by way of consensus, failing which a majority of votes shall prevail. Where there is an equality of votes, the chairman shall have a casting vote.

#### ***Part 5 – Appeal***

##### **13. Right of Appeal**

- 13.1. An applicant or Registered Subcontractor aggrieved by the outcome of a review carried out under clause 9 or a decision of the Management Committee under clause 10 may file within 14 days, a notice with the Secretariat setting out the grounds for lodging an appeal.

- 13.2. An appeal shall be heard within 60 days after the deadline for making the appeal request. The Secretariat shall give the appellant not less than 14 days written notice stating the time and place for a hearing to take place.

#### **14. Appeal Panel**

- 14.1. An Appeal Panel shall comprise a chairman and two members appointed by Chairman of the CIC, all of whom shall not be directly affiliated with the Management Committee.

#### **15. Appeal Proceedings**

- 15.1. Proceedings of an Appeal Panel shall be conducted in the presence of the chairman and both members. During the proceedings the appellant or his authorized representative may make oral and written representations. If neither the appellant nor his representative shows up, the Appeal Panel may adjourn the hearing or proceed with the hearing and pass a verdict based on available evidence.
- 15.2. An Appeal Panel shall reach its verdict by majority of votes. Where there is an equal of votes, the chairman shall have a casting vote.
- 15.3. An Appeal Panel may uphold, reverse or vary any decisions reached by the Management Committee.

### ***Part 6 – General Provisions***

#### **16. Declaration of Interest**

- 16.1. Members of the Management Committee and Appeal Panels shall follow the guidelines and procedures in Schedule 7 to declare and avoid conflicts of interests in discharging their functions.

#### **17. Notification of Decision**

- 17.1. The decision of the Management Committee or an Appeal Panel shall be notified to the applicant or Registered Subcontractors in writing within 14 days.

## **18. Retention of Documents**

18.1. The supporting documents submitted with an application will be retained by the Secretariat for record purpose.

## **19. Company Policy on Ethics**

19.1. Within one year upon joining the Primary Register, a Registered Subcontractor shall issue a written company policy on ethics to his staff declaring that –

- a) it is the policy of the Registered Subcontractor not to allow his staff to solicit, offer or accept any advantage, whether in Hong Kong or elsewhere, in connection with local construction works undertaken by the applicant; and
- b) any breaches of this policy will render the staff liable to internal disciplinary actions and will be reported to the Independent Commission Against Corruption.

19.2. A copy of the company policy on ethics shall be submitted to the Secretariat for record within 14 days after it has been issued.

## **20. Service of Notice**

20.1. Any notice given to an applicant or Registered Subcontractor shall be delivered by post based on the Registration Particulars, whilst any correspondence with the Management Committee and the Secretariat shall be served by post to their addresses shown on the Scheme Website.

## **21. Collection and Use of Personal Information**

21.1. A Registered Subcontractor may supply personal information (including name and contact details) to the Secretariat as part of its application for registration. Any personal information that provides to the Secretariat may be used by the Secretariat for the purpose of:

- a) managing and processing the Registered Subcontractor's application and all transactions and dealings with the Registered Subcontractor (including maintenance of the registration);

- b) statistics, research, surveys and analysis conducted by the Secretariat and / or any other third party;
- c) improving the Scheme;
- d) maintenance of the Primary Register;
- e) publication in accordance with these Rules and Procedures, including without limitation, posting the personal information on the Scheme Website; and
- f) providing Registered Subcontractors with promotional materials about construction related activities or events of the CIC or construction industries or related services.

21.2. The Secretariat may disclose personal information if required to satisfy applicable legal or regulatory requirements.

## **22. Access to, and correction of, Personal Information**

22.1. Under the Personal Data (Privacy) Ordinance (the “Ordinance”), the applicant have the right to request access to and correction of any personal information that provided to the Secretariat. The applicant may make such a request in writing to the Secretariat. In accordance with the Ordinance, the Secretariat had the right to charge a reasonable fee for the processing of any data access or correction request.

## **23. Revision of Rules and Procedures**

23.1. This set of rules and procedures, including the level of fees prescribed in Schedule 5, may be revised from time to time by the Management Committee. Where possible, advance notice of any such revisions may be given before they take effect.

**Schedule 1****Examples of Government Registration Schemes**

<b>Bureau/ Department</b>	<b>Registration Scheme</b>	<b>Scope</b>
BD	Registered General Building Contractors ) Registered Specialist Contractors )	Firms qualified to undertake building works under the Buildings Ordinance
EMSD	Registered Electrical Contractors Registered Lift Contractors Registered Escalator Contractors Registered Gas Contractors	Electrical contractors registered under the Electricity Ordinance Lift contractors registered under the Lifts and Escalators (Safety) Ordinance Escalator contractors registered under the Lift and Escalators (Safety) Ordinance Gas contractors registered under the Gas Safety Ordinance
FSD	Fire Service Installation Contractors	Firms qualified to undertake works relating to fire services installations
HA	Works Contractors	Firms that may undertake works in public housing projects
DEVB	Approved Contractors for Public Works Approved Suppliers of Materials and Specialist Contractors for Public Works	Firms that may undertake public works projects as main contractors Firms that may provide specialist materials and services for public works contractors (usually as subcontractors or suppliers)
WSD	Licensed Plumbers	Plumbers licensed under the Waterworks Ordinance

**Abbreviations**

BD	Buildings Department
EMSD	Electrical and Mechanical Services Department
FSD	Fire Services Department
HA	Housing Authority
DEVB	Development Bureau
WSD	Water Supplies Department

**Schedule 2****Trade Classification**

<b>Group</b>	<b>Trade</b>	<b>Specialty</b>	
<b>1. Structural and civil</b>	1.1 Demolition	1.1.1 General demolition 1.1.2 Asbestos removal	
	1.2 Foundation and Piling	1.2.1 Sheet piles 1.2.2 Bored piles 1.2.3 Driven piles 1.2.4 Diaphragm walls 1.2.5 Micro piles 1.2.6 Hand-dug caisson	
	1.3 Concreting Formwork	1.3.1 Timber formwork 1.3.2 Large panel formwork 1.3.3 Metal/system formwork	
	1.4 Reinforcement Bar Fixing		
	1.5 Concreting		
	1.6 Concrete Precast Component	1.6.1 Fabrication 1.6.2 Erection	
	1.7 Scaffolding	1.7.1 Bamboo scaffolding 1.7.2 Metal scaffolding	
	1.8 Structural Steelwork		
	1.9 General Civil Works	1.9.1 Earthwork 1.9.2 Roadworks 1.9.3 Road drainage and sewer 1.9.4 Geotechnical works 1.9.5 Marine works 1.9.6 Ground investigation	
	1.10 Other Structural and Civil Trades	1.10.1 Pre-stressing system 1.10.2 Expansion joints 1.10.3 Heavy lifting 1.10.4 Surveying and setting out 1.10.5 Concrete repair	
	1.11 Building Maintenance		
	<b>2. Finishing</b>	2.1 Finishing Wet Trades	2.1.1 Brick/block work 2.1.2 Plastering and tiling 2.1.3 Spray plaster 2.1.4 Screeding
		2.2 Marble, Granite and Stone Work	2.2.1 Marble/granite work 2.2.2 Stone mason
		2.3 Joinery and carpentry	2.3.1 Cabinetry 2.3.2 Wooden flooring 2.3.3 Partition walls 2.3.4 Work/counter top



<b>Group</b>	<b>Trade</b>	<b>Specialty</b>
	2.4 Window Fabrication and Installation	2.4.1 Aluminium window/louvers
		2.4.2 Steel windows/louvers
		2.4.3 Curtain wall/glass wall
		2.4.4 Other window system (such as mild steel and PVC)
	2.5 Shutters/Doors Fabrication and Installation	2.5.1 Timber doors
		2.5.2 Metal doors
		2.5.3 Automatic sliding door
		2.5.4 Stainless steel door
		2.5.5 Roller and folding security shutter
		2.5.6 Fire rated door
		2.5.7 Fire shutter
	2.6 Tanking and Waterproofing	
	2.7 Painting	2.7.1 Brush painting
2.7.2 Spray painting		
2.8 Metal Work	2.8.1 Metal work	
	2.8.2 Stainless steel work	
	2.8.3 Metal roof/skylight/cladding/	
2.9 Landscaping	2.9.1 Soft landscaping	
	2.9.2 Hard landscaping	
2.10 Other Finishing Trades and Components	2.10.1 Glazier work	
	2.10.2 Ironmongery	
	2.10.3 Artificial rocks	
	2.10.4 <i>Cancelled</i>	
	2.10.5 Sports and playground equipment/surface	
	2.10.6 Raised floor	
	2.10.7 False ceiling	
	2.10.8 Toilet and shower cubicle system	
	2.10.9 Dry wall system	
	2.10.10 Signage and graphics	
	2.10.11 Acoustic	
	2.10.12 Fiber reinforced plastic panels	
	2.10.13 Miscellaneous work	
2.11 Renovation and Fitting-out		
<b>3. E &amp; M</b>	3.1 Broadcast Reception Installation	
	3.2 Burglar Alarm and Security	
	3.3 Diesel Generator Installation	
	3.4 Electrical	3.4.1 Electrical wiring
		3.4.2 General electrical installation
3.4.3 Electrical control and power panel assembly		

<b>Group</b>	<b>Trade</b>	<b>Specialty</b>
3.5	Electrical and Mechanical Installation for Sewage Treatment	
3.6	Fire Services Installation	3.6.1 Fire services pipe work 3.6.2 Fire services electrical fittings
3.7	Fountain installation	
3.8	Heating, Ventilation, and Air-conditioning	3.8.1 HVAC pipe work 3.8.2 HVAC mechanical fitting 3.8.3 HVAC control 3.8.4 Sheet metal and ducting 3.8.5 Insulation
3.9	Industrial Type Electrical Installation	
3.10	Lift and Escalators	3.10.1 Escalators and moving walkways mechanized fittings 3.10.2 Lifts mechanical fitting
3.11	Liquefied Petroleum Gas Installation	
3.12	Low Voltage Cubicle Switchboard	
3.13	Mechanical Handling and Lifting	
3.14	Mechanical Plant and Equipment	
3.15	Plumbing	3.15.1 Plumbing 3.15.2 Building drainage and sewers
3.16	Steam and Compressed Air Installation	
3.17	Supply and Installation of Pumpsets and Associated Equipment	
3.18	Supply and Installation of Water Treatment Plant	
3.19	Swimming Pool Water Treatment Installation	
3.20	Uninterruptible Power Supply	
3.21	Other E&M Trades	3.21.1 Security and communication system 3.21.2 Building automation system 3.21.3 General mechanical fitting 3.21.4 Signage 3.21.5 Welding 3.21.6 Gas installation 3.21.7 Building maintenance unit
3.22	Audio and Video Electronic Equipment	

<b>Group</b>	<b>Trade</b>	<b>Specialty</b>
<b>4. Supporting Services</b>	4.1 Tower Crane	4.1.1 Erection, dismantling and climbing
	4.2 Pipe Network for Delivery of Ready-mixed Concrete	
	4.3 Site Lifting Operations	4.3.1 Material hoists
		4.3.2 Derricks
		4.3.3 Deck winching
		4.3.4 Mobile cranes
	4.4 Hoarding	
	4.5 Temporary Water Supply Installations	
4.6 Temporary Electricity Installations		
4.7 Temporary Protective and Safety Measures	4.7.1 Temporary fences for unfenced edges	
4.8 Miscellaneous Cleaning services	4.8.1 Cleaning of completed building units prior to handing over to individual owners	

**Schedule 3****Information and Supporting Documents**

<b>Items of Information</b>	<b>Supporting Documents</b>
1. Company name and address	Photocopy of effective Business Registration Certification
2. Other contact details	Nil
3. Company proprietors, partners and board of directors	<p>Photocopy of latest Annual Return and receipt issued by the Companies Registry (for incorporated companies only)<sup>Note 1</sup></p> <p>Photocopy of Certified Extracts of Information on Business Register issued by the Inland Revenue Department (Form IRBR 152) (Only for companies NOT incorporated under the Companies Ordinance submitting application for new registration and renewal of registration or notification of changes of registration particulars involving any changes on the name of company's proprietor / partners)</p>
4. Qualifications on Government Registration Schemes	Photocopy of the registration certificates or approval letters granted by policy bureaux or government departments, including those relevant to the trades or specialties for which registration/renewal is sought through entry requirement R2.
5. Projects undertaken (e.g. scope, nature and value of works, employers) or comparable experience	<p>Photocopy of documents proving satisfactory completion of works or track records of service in the industry, including projects or experience relevant to the trades or specialties for which registration/renewal is sought through entry requirement R1.</p> <p>For application for renewal, supporting documents are NOT required for trades and specialties exempted by the proviso to clause 3.1.</p>

**Schedule 3****Information and Supporting Documents (Cont'd)**

<b>Items of Information</b>	<b>Supporting Documents</b>
6. Qualifications / working experiences on proprietors, partners and board of directors	Photocopy of documents proving i. previous employment by a Registered Subcontractor; or ii. passing of relevant trade tests for construction craftsman conducted by the Construction Industry Council (CIC), and satisfactory proof of having completed the required management courses for subcontractors conducted by the CIC for which registration is sought through entry requirement R3.
7. Trades and specialties for which registration/renewal is sought:-  (a) through entry requirement R1  (b) through entry requirement R2  (c) through entry requirement R3	See item 5  See item 4  See item 6
8. <u>Company Policy on Ethics (for application for renewal ONLY)</u>	<u>Photocopy</u> of company policy on ethics issued by the applicant in accordance with clause 19 of the Rules and Procedures if the applicant has not yet submitted the policy to the <u>Secretariat</u> before applying for renewal.
9. Declaration of Convictions	Photocopy of the summons for those declared convictions in accordance with Schedule 9
10. Company information to be collected	Data on financial and staff of the company in accordance with Schedule 10

Note 1 Similar documents issued by company registration authorities elsewhere may also be accepted

**Schedule 4**

**Registration Undertaking**

THIS UNDERTAKING is made \_\_\_\_\_ day of \_\_\_\_\_ by  
\_\_\_\_\_<sup>1</sup> (“the Applicant”)  
whose registered office is at  
\_\_\_\_\_<sup>2</sup>.

**RECITAL**

(A) The Applicant is seeking to join the subcontractor registration scheme operated by the Construction Industry Council (the Scheme Owner).

(B) The Applicant has read the Rules and Procedures of the Primary Register (the Rules and Procedures).

(C) For avoidance of doubt, the terms used in this undertaking have the same meaning assigned to them in the Rules and Procedures.

In consideration of the Scheme Owner’s agreement to process his application, the Applicant hereby undertakes that -

1. The information provided in my/our application is accurate and the supporting documents are authentic.

2. I/We shall be abided by the Rules and Procedures, including any revisions made by the Management Committee.

3. I/we irrevocably and unconditionally waive and forgo all or any claims that I/we may have (whether under common law, statute, contract or otherwise) against the CIC, the Secretariat, the Scheme Owner, members of the Management Committee, or members of Appeal Panels, that may directly or indirectly accrue or arise out of or in connection with my/our application, including, but not limited to, any decisions on regulatory actions made or upheld by the Management Committee and Appeal Panels.

4. I/we give consent to –

(a) use of my/our Registration Particulars (including any personal information) in connection with the following purposes:

<sup>1</sup> Name of the applicant’s company

<sup>2</sup> Address of the applicant’s company

- (i) processing of my/our application and subsequent maintenance of my/our registration;
- (ii) statistics, research, surveys and analysis;
- (iii) improving the Scheme;
- (iv) maintenance of the Primary Register; and
- (v) publication in accordance with the Rules and Procedures through channels including but not exclusive to posting on the Scheme Website.

5. I/we give consent to my / our name(s), company name, address, email address, telephone and fax number being used to provide me/us with promotional material about construction related activities or events of the CIC or construction industry or related services.

IN WITNESS WHEREOF, this undertaking is entered into on the day, month and year first above written.

SIGNED BY ) ) _____ <sup>3)</sup> ) ) for and on behalf of ) ) _____ <sup>4)</sup> ) ) in the presence of ) ) ) _____ <sup>5)</sup> ) ) Address – _____ ) _____ ) _____ <sup>6)</sup> )	<table border="1" style="width: 100%; height: 100%; border-collapse: collapse;"> <thead> <tr> <th style="padding: 5px;"><i><b>Signature</b></i></th> <th style="padding: 5px;"><i><b>Company Chop</b></i></th> </tr> </thead> <tbody> <tr> <td style="height: 150px;"></td> <td style="height: 150px;"></td> </tr> <tr> <td style="height: 150px;"></td> <td style="height: 150px;"></td> </tr> </tbody> </table>	<i><b>Signature</b></i>	<i><b>Company Chop</b></i>				
<i><b>Signature</b></i>	<i><b>Company Chop</b></i>						

<sup>3</sup> Authorized signatory of the applicant's company  
<sup>4</sup> Address of the applicant's company  
<sup>5</sup> Name of witness  
<sup>6</sup> Address of witness

**Schedule 5****Fees and Charges**

<b>Fees and Charges Items</b>	<b>Fees</b>	
	<b>3 Years</b>	<b>5 Years</b>
Application fee for first-time registration or renewal	\$100	\$100
Registration fee* for not more than 15 trades or specialties altogether	\$1,200	\$2,000
For each additional 10 trades or specialties or part thereof, additional registration fee	\$250	\$250
e.g. 16 to 25 trades or specialties altogether, total registration fee is	\$1,450	\$2,250
26 to 35 trades or specialties altogether, total registration fee is and so on	\$1,700	\$2,500
Application fee for inclusion of additional trades and specialties for not more than 15 trades or specialties altogether	\$370	\$370
For each additional 10 trades or specialties (if less than 10, still counted as 10)	\$250	\$250
e.g. 16 to 25 trades or specialties altogether, total application fee is	\$620	\$620
26 to 35 trades or specialties altogether, total application fee is and so on	\$870	\$870

Note \* –

The registration fee is payable when submitting application for first-time registration or renewal and is refundable in case an application is withdrawn or not approved by the Management Committee. All other fees are non-refundable whether an application is successful or not.



**Schedule 6****Composition of the Management Committee**

**Chairman** To be appointed by the Chairman of CIC from amongst CIC Members

**Members** A maximum of 12 members to be appointed by the Chairman of CIC from the list of specified bodies in a stipulated proportion tabulated as below:

<b>Sectors</b>	<b>List of specified bodies</b>	<b>Maximum number of members to be appointed from each sector</b>
Employers	1) The Real Estate Developers Association of Hong Kong Limited 2) MTR Corporation Limited 3) Airport Authority	3
Main Contractors	4) The Hong Kong Construction Association, Limited 5) Hong Kong General Building Contractors Association Limited	3
Specialist sub-contractors / Sub-contractors	6) The Hong Kong Federation of Electrical and Mechanical Contractors Limited 7) Hong Kong Construction Sub-contractors Association Limited	3
Trades Unions	8) Construction Site Workers General Union 9) The Federation of Hong Kong Electrical and Mechanical Industries Trade Unions 10) Hong Kong Construction Industry Employees General Union	3

## Schedule 7

### **Guidelines on Declaration of Interest**

#### **1. Introduction**

- 1.1. Members of the Management Committee and Appeal Panels should follow guidance and procedures in the paragraphs below to declare and avoid conflict of interest, be it actual or perceived, in discharging their functions under this set of rules and procedures.

#### **2. Potential Situations Giving Rise to Conflict of Interests**

- 2.1. The following are some potential situations where conflict of interest could arise but members should exercise their own judgment in assessing whether other circumstances may also lead to similar conflicts –

- a) pecuniary interests<sup>1</sup> in a matter under consideration held either by a member or any of his close relatives<sup>2</sup>;
- b) employment or other significant connection with an association, union or other organizations which is connected with or is the subject of a matter under consideration;
- c) some friendships which might be so close as to warrant declaration in order to avoid situations where an objective observer might believe a member's stance to have been influenced by the closeness of the association;
- d) a member who has personally or as a member of a company, advised, represented or dealt frequently with any person or body connected with a matter under consideration; and
- e) interests likely to lead an objective observer to believe that a member's stance might have been motivated by personal interest rather than the duty to be impartial.

#### **3. Procedures for Management Committee**

##### *Circulation of Papers*

- 3.1. When a known or perceived personal or pecuniary interest exists, the chairman of the Management Committee should decide if circulation of relevant papers to the member concerned should be withheld, and the Secretariat should inform him accordingly.
- 3.2. However, if a member who is already in receipt of a discussion paper

subsequently discovers a known or perceived conflict of interest, he should immediately inform the Secretariat and return the paper.

#### *Declaration of Interests at Meetings*

- 3.3. If a member has any known or perceived personal or pecuniary interest in a matter under consideration, he must, as soon as practicable after becoming aware of it, disclose to the Management Committee prior to discussion of the item.
- 3.4. The Chairman or temporary chairman<sup>3</sup> should decide whether the member disclosing an interest may be allowed to speak or vote on the matter, to remain as an observer, or to withdraw from the meeting. In the event of dissenting views being expressed, a final ruling will be made by way of voting by those members present, other than the member disclosing the interest.

#### **4. Procedures for Appeal Panels**

- 4.1. A person should not accept appointment as chairman or member of an Appeal Panel if he is aware of any actual or perceived conflict of interest over the appeal to be heard.
- 4.2. A member who realizes subsequent to his appointment that he has a conflict of interest should disclose it to the panel. The appeal proceedings should then be adjourned and should only be resumed after the appointment of a new member.

#### **5. Public Inspection**

- 5.1. All declaration of interests should be recorded in writing and made available for public inspection upon request.

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<sup>1</sup>Pecuniary interests may include-

- (a) proprietorship, partnership or remunerated directorships of a company which is the matter under consideration;
- (b) remunerated employment by a company which is the matter under consideration; and
- (c) substantial shareholdings (i.e. more than 1% of issued share capital) in a company which is the matter under consideration.

<sup>2</sup>“Close relative” may be interpreted as-

- (a) spouse;
- (b) any person with whom the member is living in a regular union as if man and wife;
- (c) fiancé, fiancée;
- (d) parent, step-parent, lawful guardian;
- (e) spouse's parent, spouse's step-parent, spouse's lawful guardian;
- (f) child, ward of court; and
- (g) spouse's child, spouse's ward of court.

<sup>3</sup> If the chairman declares interest in a matter under consideration, members present should elect among themselves a temporary chairman for discussion of the matter.

**Schedule 8****Codes of Conduct for Registered Subcontractor**

		Possible Regulatory Actions for violating the Codes (for reference only)
Compliance	• Comply with the Rules and Procedures of the Subcontractor Registration Scheme	• 10.1 (a), (b), (c)
	• Shall not knowingly violate any law or regulation	• as relevant
Integrity	• Shall not cause bribery and corruption	• 10.1 (d)
	• Establish policy on ethics for not to allow its staff to solicit, offer or accept any advantages in connection with its local construction works	• 10.1 (c)
Employment	• Comply with the law to make necessary payments (including MPF) to its staff on time	• 10.1 (e), (g), (k)
	• Shall not employ illegal workers	• 10.1 (j)
Safety	• Ensure safety of its staff, others around the working areas and the general public at large	• 10.1 (h), (i)
	• Strive to provide its staff or recruit staff with the proper safety training and education	
Image	• Avoid actions that knowingly cause serious disrepute of the Subcontractor Registration Scheme	• 10.1 (f)
Environment	• Comply with the law to avoid causing nuisance to the environment and the public at large	

## Schedule 9

### **Declaration of Convictions for both New and Renewal Applications**

#### **Conviction (including the number of summon) during the past two years**

Convictions of senior management staff (including but not limited to proprietor, partners or directors) under the Prevention of Bribery Ordinance (Cap 201)

Convictions for failure to pay wages on time to workers in accordance with provisions contained in the Employment Ordinance (Cap 57)

Convictions under the Mandatory Provident Fund Schemes Ordinance (Cap 485)

Convictions under the Factories and Industrial Undertakings Ordinance (Cap 59)

Convictions under the Occupational Safety and Health Ordinance (Cap 509)

Convictions under the Immigration Ordinance (Cap. 115)

\*Convictions under the Waste Disposal Ordinance (Cap 354)

\*Convictions under the Noise Control Ordinance (Cap 400)

\*Any other conviction records of the company (please specify):

Remark: Conviction records marked with \* will not be taken into consideration in the review of both new and renewal application

**Schedule 10**

**Other Company Information**

Data required below is collected **for information only** and would **NOT** be taken into consideration in the review of the application for both new and renewal cases.

**1. Financial Data**

- a. The largest local 5 contract sums over the past 5 years
- b. Number of local contracts completed each year over the past 5 years
- c. Annual business turnover over the past 5 years
- d. Authorised / Issued share capital

**2. Management and Technical Staff<sup>#</sup> (including the number and years of relevant experience in Hong Kong)**

- a. Project Management Staff
- b. Site Supervisor
- c. Registered Skilled Worker
- d. Safety Officer
- e. Staff having attended Construction Safety Supervisor Course
- f. Staff having attended Construction Safety Officer Course

<sup>#</sup> Staff shall include the proprietors, partners or directors and direct employees of the company.