

# Construction Workers Registration Ordinance

A Brief Guide for Principal Contractors/Sub-Contractors/Employers/Controllers



建造業工人註冊管理局  
CONSTRUCTION WORKERS REGISTRATION AUTHORITY



# INTRODUCTION

This Booklet for contractors consists of Part I and Part II

**Part I** will focus on the responsibilities of Principal Contractors/Sub-Contractors/Employers/Controllers under the Construction Workers Registration Ordinance (Cap. 583) after the relevant prohibition provisions of the Ordinance have been brought into force.

**Part II** will introduce the Computerized Registration Management System (CRMS) commissioned by CWRA for the implementation of a registration system for construction workers as required by the Ordinance. Besides, it also aims to help construction contractors understand what they have to do in order to comply with the requirements of the Ordinance through the installation and operation of the necessary hardware and software.

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# PART I

## "CONSTRUCTION WORKERS REGISTRATION ORDINANCE"

### A Brief Guide for Principal Contractors /Sub-Contractors/ Employers/ Controllers

The Construction Workers Registration Ordinance (Cap.583, Laws of Hong Kong) (the "Ordinance") was enacted on 2 July 2004. On 29 December 2005, the Construction Workers Registration Authority (the "Authority") started to register all construction workers who personally carry out construction work on construction sites in Hong Kong. There are five categories of Registered Construction Workers:

- Registered Skilled Workers
- Registered Skilled Workers (Provisional)<sup>1</sup>
- Registered Semi-Skilled Workers
- Registered Semi-Skilled Workers (Provisional)<sup>1</sup>
- Registered General Workers

#### Registration Card

Upon registering a person as a Registered Construction Worker, the Registrar of Construction Workers (the "Registrar") shall issue to him a registration card (section 46(1) of the Ordinance).

The registration card shows the holder's name and trade(s), if any<sup>2</sup>, in which he is registered. It is normally valid for 3 years and has an embedded chip containing information to be read by a data-retrieval device<sup>3</sup>.

A Registered Construction Worker is required to carry his valid registration card with him when he personally carries out construction work on a construction site.

<sup>1</sup> Provisional registration shall expire when the Registered Skilled/Semi-Skilled Workers (Provisional) concerned have become Registered Skilled/Semi-Skilled Workers for the relevant trade and, in any case, not later than the end of the third year following the date of registration.

<sup>2</sup> There is no designated trade for Registered General Worker.

<sup>3</sup> The requirement of providing a data-retrieval device is described in Part II below.

# 1. The responsibilities of Principal Contractors/Sub-Contractors/ Employers/ Controllers under the Ordinance after the relevant prohibition provisions of the Ordinance have been brought into force<sup>4</sup>

## A. Employment of Registered Construction Workers

The principal contractors /sub-contractors/employers/ controllers of construction sites are required to:

1. employ only registered construction workers to personally carry out construction work on construction sites (sections 3(1) & 5 of the Ordinance);
2. in relation to construction work that involves any work of a designated trade (set out in column 2 of Part 1 of Schedule 1 of the Ordinance), employ only registered skilled workers or registered skilled workers (provisional) who have been registered to personally carry out construction work in relation to that designated trade (sections 3(2) & 5 of the Ordinance);
3. in relation to construction work that involves any work of a designated trade (set out in column 2 of Part 2 of Schedule 1 of the Ordinance), employ only registered skilled workers, registered skilled workers (provisional), registered semi-skilled workers, or registered semi-skilled workers (provisional) who have been registered to personally carry out construction work in relation to that designated trade (sections 3(3) & 5 of the Ordinance); and
4. in relation to construction work that involves any work of a designated trade (set out in column 2 of Part 3 of Schedule 1 of the Ordinance), employ only registered semi-skilled workers, or registered semi-skilled workers (provisional) who have been registered to personally carry out construction work in relation to that designated trade (sections 3(4) & 5 of the Ordinance).

## B. On Construction Sites<sup>5</sup>

1. A principal contractor is required to provide a device that is capable of retrieving the data stored in a registration card in electronic form (sections 58(1) of the Ordinance);<sup>6</sup>
2. A principal contractor may apply for exemption from this requirement by making an application in the specified form to the Authority within 7 days<sup>7</sup> after any construction work begins (sections 58(2) & (3) of the Ordinance); and
3. Exemption from this requirement, if granted, does not relieve the principal contractor or controller<sup>8</sup> of a construction site of the responsibility to provide the Registrar with a copy of the daily record (hereinafter called "Site Daily Attendance Report") as described in Part II below.

<sup>4</sup> The relevant prohibition provisions in the Construction Workers Registration Ordinance will be implemented in phases. Principal contractors and controllers of construction sites are therefore advised to watch out for the Authority's announcements of the dates on which the relevant provisions (and hence the associated offences and fines) will come into operation. For the latest information, please go to [www.cwra.org.hk](http://www.cwra.org.hk).

<sup>5</sup> Construction site is explicitly defined in section 2 of the Ordinance. In brief, construction site means a place where construction work is, or is to be, carried out.

<sup>6</sup> This requirement does not apply to construction work that has not begun and maintenance work carried out under a term contract in relation to any specified structure owned by, or otherwise belonging to, a public body or specified body (set out in Schedule 2 to the Ordinance)(section 58(1)(a) & (b) of the Ordinance).

<sup>7</sup> The Authority has the discretion to permit a longer period.



### C. Keeping and Submission of Site Daily Attendance Report

A principal contractor/controller of a construction site is required to:

1. establish and maintain a site daily attendance report in the specified form that contains information on registered construction workers employed by him or, if he is the principal contractor, his sub-contractor<sup>9</sup> (section 58(7)(a) of the Ordinance); and
2. furnish the Registrar in such manner as directed by the Registrar with a copy of the report
  - i. for the period of 7 days after any construction work begins on the site; and
  - ii. for each successive period of 7 days, within 2 business days<sup>10</sup> following the last day of the period concerned (Section 58(7)(b) of the Ordinance).

### D. Register for recording statements made by Registered Construction Workers

1. A principal contractor for a construction site:
  - (a) is required to, in relation to registered construction workers who cannot produce their registration cards on demand, establish and maintain a register in the specified form to record statements made by such registered construction workers<sup>11</sup> that they have been issued registration cards in respect of the registration concerned and that registration is in effect (section 48(6)(a) of the Ordinance); and
  - (b) shall not cause or permit any such statement to be removed from the register at any time before the expiration of 24 months after the date on which the statement was made (section 48(6)(b) of the Ordinance).

<sup>8</sup> "Controller" means (i) a principal contractor for the site; or (ii) if there is no principal contractor for the site, any person who has control over, or is in charge of, the site (section 58(9) of the Ordinance).

<sup>9</sup> "sub-contractor", in relation to a principal contractor, means any person who enters into a contract with another person (whether or not this is the principal contractor) to undertake all or any part of the construction work that the principal contractor has undertaken;

<sup>10</sup> The Registrar has the discretion to permit a longer period

<sup>11</sup> Such registered construction workers are not required to make a statement if (i) they have made a like statement in that register on the day immediately preceding the day on which that demand is made; or (ii) they have made 2 like statements in the register during the 30 days immediately preceding the day on which that demand is made.

## 2. Offences and Fines<sup>4</sup>

Offence	Relevant Sections of the Ordinance	Fines (HK\$)	Person responsible
Employing a person who is not a registered construction worker to personally carry out construction work on a construction site	3(1), 5& 6	\$25,001 - 50,000	Any person
Employing a person to personally carry out, on a construction site, construction work that involves work described in column 2 of Part 1 of Schedule 1 opposite a designated trade set out in that Part, when that person is not a registered skilled worker, or a registered skilled worker (provisional), for the trade	3(2), 5& 6	\$25,001 - 50,000	Any person
Employing a person to personally carry out, on a construction site, construction work that involves work described in column 2 of Part 2 of Schedule 1 opposite a designated trade set out in that Part, when that person is not a registered skilled worker, a registered skilled worker (provisional), a registered semi-skilled worker, or a registered semi-skilled worker (provisional), for the trade	3(3), 5 & 6	\$25,001 - 50,000	Any person
Employing a person to personally carry out on a construction site construction work described in column 2 of Part 3 of Schedule 1 opposite a designated trade set out in that Part, when that person is not a registered semi-skilled worker, or a registered semi-skilled worker (provisional), for the trade	3(4), 5 & 6	\$25,001 - 50,000	Any person
Having a person employed by his subcontractor in contravention of section 3 (1),(2),(3), or (4)	6(4)(a)	\$25,001 - 50,000	Principal contractor
Having a subcontractor who has committed a contravention of section (5)	6(4)(b)	\$25,001 - 50,000	Principal contractor
Failing to provide a device that enables the data stored in a registration card in electronic form to be retrieved	58(1) & (8)	\$5,001 - 10,000	Principal Contractor
Failing to establish and maintain a daily record that contains information on the registered construction workers employed by the controller/ sub-contractor of the controller of a construction site	58(7)(a) & (8)	\$5,001 - 10,000	Controller
Failing to furnish the Registrar of Construction Workers with a copy of the daily record for the period of 7 days after the construction work begins on the site	58(7)(b)(i) & (8)	\$5,001 - 10,000	Controller
Failing to furnish the Registrar of Construction Workers with a copy of the daily record for a successive period of 7 days at the expiration of 7 days after the construction work has begun on the site	58(7)(b)(ii) & (8)	\$5,001 - 10,000	Controller
Failing to establish and maintain a register for the purposes of section 48(6) of the Ordinance	48(6)(a) & (9)	\$5,001 - 10,000	Principal contractor
Causing or permitting a statement made in the register to be removed before the expiration of 24 months after the date on which the statement was made	48(6)(b) & (9)	\$5,001 - 10,000	Principal contractor



## PART II

# "COMPUTERIZED REGISTRATION MANAGEMENT SYSTEM" (CRMS)

## A Brief Guide for Principal Contractors /Sub-Contractors /Employers/ Controllers

The Computerized Registration Management System" ("CRMS") is commissioned by the Authority for the implementation of a registration system for construction workers as required by the Ordinance. This part of the booklet aims to help construction contractors understand what they have to do in order to comply with the requirements of the Ordinance through the installation and operation of the necessary hardware and software.

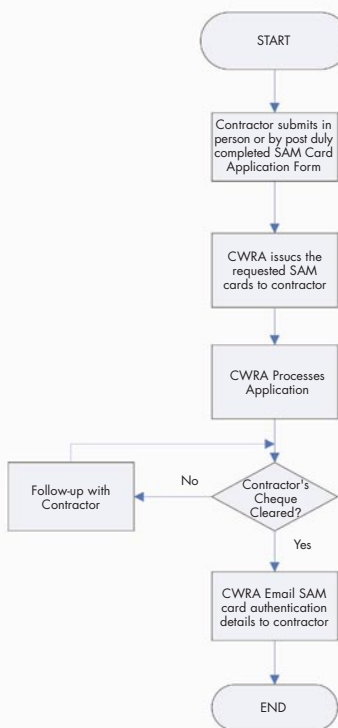
For principal contractors/ controllers the core components of the system are:

1. Card Reader
2. Secure Authentication Module (SAM) Card
3. Site Attendance Module (SATM) Program

### 1. Card Reader

- i. the card reader can be installed in a desktop computer or PDA, depending on the conditions of the site concerned;
- ii. a list of card readers certified as compatible with the CRMS, will be published and put on the web-site of the Authority - <http://www.cwra.org.hk>. Principal contractors /controllers may select a model and place their orders with the supplier concerned.

Below is the SAM Card application workflow:



**SAM Card Application Flow**

## 2. Secure Authentication Module (SAM) Card

SAM card should be inserted into a card reader and used in conjunction with the SATM program to authenticate and retrieve the data stored in the registration card of a registered construction worker (issued by the Authority).

### A. Application for SAM Card

The contractor should:

- i. submit an "Application Form for Issuance of SAM Card"; and
- ii. pay a fee with a cheque.

### B. Loss and Replacement of SAM Card

The contractor should:

- i. report the loss of SAM card to the police and retain a copy of the lost property report form;
- ii. apply for a replacement SAM card by submitting the completed "Application Form for Issuance of SAM Card" together with the lost property report form and the fee payable.

## 3. Site Attendance Module (SATM) Program

The SATM program performs three main functions:

- (1) Allow authentication and retrieval of registration card data of registered construction workers;
- (2) Maintain workers' attendance records;
- (3) Generate and submit, through a web-submission account, the relevant site Labour Returns (i.e. Site Daily Attendance Report, GF527-monthly return of site labour deployment wages rates\*, GF527A-site employment report\* and QTR-Qualified Tradesman Report)\* (Note: GF527 and QTR are only applicable to public works contracts of the Government) (\* They are included in the SATM program for the sake of convenience to the principal contractors/ controllers.)

A set of FAQs and a SATM Installation Manual will be available on the Authority's website to assist contractors in the installation and operation of the SATM.

### A. Use of SAM Card and Site Attendance Module (SATM) Program

#### i. Registration of Registered Construction Workers at the start of work on a Construction Site

Before the construction work starts on a construction site, the principal contractors/ controllers have to register the registered construction workers who are employed to work on the site in order to prepare a list against which workers' entry to and exit from the site can be verified. For this purpose, they need a SAM card and the SATM program to read and retrieve the data stored in the workers' registration cards.

#### ii. Attendance Capturing

After the registered construction workers of a construction site have been registered at the start of work, the principal contractors/ controllers need to record their attendance by having their workers to produce their registration cards and reading their cards by a card reader when they report on and off duty on a site. The SATM program, together with other equipment, enables this to be done.





## B. Generation and Submission of Site Daily Attendance Report (DAR)

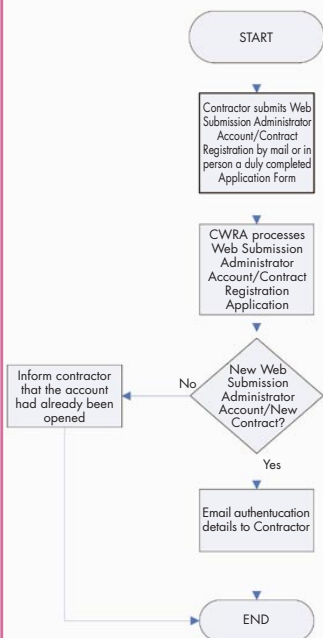
In addition to a SAM card and the SATM program, principal contractors/ controllers need to apply to the Authority to open a web-submission administrator account for compiling and submitting the DAR and other returns through the internet.

Application should be made by completing the "Application Form for Web Submission Administrator Account". Upon approval of the application, the Authority will send by post a CD-ROM containing the SATM program software to the principal contractors/ controllers. At the same time the Authority will send an email providing details for operating the web-submission administrator account.

Copies of the CD-ROM may be made only:

- i. for the purposes of complying with the requirements of the Ordinance; and
- ii. subject to the copyright restrictions of the software.

Below is the Web Submission Administrator Account application workflow:



**Web Submission Administrator Account and Contract Initiation Application Flow**

## C. Site Daily Attendance Report (DAR)

The principal contractor/controller of a construction site has to compile and submit a Site Daily Attendance Report (DAR) for the first 7 days after construction work begins on a site and for each successive period of 7 days.

There are two web forms for the DAR. One is for the raw data which should contain only data captured directly from the system, without manual adjustment. The other is for the consolidated data which should be submitted if manual adjustments were made to correct any deficiency in the data captured from the system. If there is no such adjustment, only the raw data need to be submitted.

The report should be submitted through the Authority's web-portal, using the web submission administrator account opened for the contract<sup>1</sup>. Please visit the Authority's web-site for the latest information.

Access to the account is allowed only after keying in the username and password provided. The principal contractors/ controllers need to choose the required submission periods, and by a weekly submission mode, attach the relevant report file and click the [Submit] button to complete the procedure. Upon submission, a confirmation message will pop up on the screen. It is advisable to print out a copy of the page for your records.

<sup>1</sup> Submission of electronic returns of Daily Attendance Report by other means such as CD-ROM or email is also acceptable.

The two web forms for the DAR in Microsoft Excel format are shown below:

#### **Site Daily Attendance Report (RAW Data)**

##### **工地每日出勤表 (原始記錄)**

Contract No. / BOO Ref. No.:

合約編號 / 屋宇署參照編號

CWRA Reference No.:

CWRA參考編號

Note 1: Please input either the card sequence no. printed on the lower right corner at the back of Construction Workers Registration Card or the card serial no. at Construction Workers Registration Card.

註解 1: 請輸入建造業工人註冊證背面右下角的卡序號或儲於註冊證內的序列號。

Note 2: If the construction worker is a registered skilled worker or semi-skilled worker but is not carrying out the construction work of his/her registered trade(s) at construction site, please input C406 (General Worker) as the practising trade code.

註解 2: 註冊為註冊熟練技工或註冊半熟練技工的建造業工友，如於建造工地進行非其註冊工種的工作，請輸入C406 (普通工人)為其從事工作代號。

Note 3: If the construction worker is working overnight, please add an "OUT" record at the end of day (23:59:59) and an "IN" record at the start of the following (00:00:00) to his/her attendance record.

註解 3: 如建造業工友需通宵工作，需要在當日的終結時加入“出”記錄 (23:59:59) 和在緊接之日的開始時加入“進”記錄 (00:00:00)。

Construction Workers Registration No. 建造業工人註冊編號	Card Serial No. / Card Sequence No. (See Note 1) 卡序號 / 序列號 (註解 1)	IN/OUT (I / O) 進/出 (I / O)	IN/OUT Date (yyyy/mm/dd) 進/出日期 (年/月/日) For example: 1 January 2007 should record as "2007/01/01" 例子: 2007年1月1日應輸入 "2007/01/01"	IN/OUT Time (hh:mm:ss) 進/出時間 (時:分:秒) For example: 3:03pm should record as "15:03:00" 例子: 下午3時3分0秒應 輸入 "15:03:00"	Practising Trade Code (See Note 2) 從事工作的工種代 號 (註解 2)

#### **Site Daily Attendance Report (Consolidated Data)**

##### **工地每日出勤表 (經修訂記錄)**

Contract No. / BOO Ref. No.:

合約編號 / 屋宇署參照編號

CWRA Reference No.:

CWRA參考編號

Note 1: Please input either the card sequence no. printed on the lower right corner at the back of Construction Workers Registration Card or the card serial no. at Construction Workers Registration Card.

註解 1: 請輸入建造業工人註冊證背面右下角的卡序號或儲於註冊證內的序列號。

Note 2: If the construction worker is a registered skilled worker or semi-skilled worker but is not carrying out the construction work of his/her registered trade(s) at construction site, please input C406 (General Worker) as the practising trade code.

註解 2: 註冊為註冊熟練技工或註冊半熟練技工的建造業工友，如於建造工地進行非其註冊工種的工作，請輸入C406 (普通工人)為其從事工作代號。

Note 3: If the construction worker is working overnight, please add an "OUT" record at the end of day (23:59:59) and an "IN" record at the start of the following (00:00:00) to his/her attendance record.

註解 3: 如建造業工友需通宵工作，需要在當日的終結時加入“出”記錄 (23:59:59) 和在緊接之日的開始時加入“進”記錄 (00:00:00)。

Construction Workers Registration No. 建造業工人註冊編號	Card Serial No. / Card Sequence No. (See Note 1) 卡序號 / 序列號 (註解 1)	IN/OUT (I / O) 進/出 (I / O)	IN/OUT Date (yyyy/mm/dd) 進/出日期 (年/月/日) For example: 1 January 2007 should record as "2007/01/01" 例子: 2007年1月1日應輸入 "2007/01/01"	IN/OUT Time (hh:mm:ss) 進/出時間 (時:分:秒) For example: 3:03pm should record as "15:03:00" 例子: 下午3時3分0秒應 輸入 "15:03:00"	Practising Trade Code (See Note 2) 從事工作的工種代 號 (註解 2)

\* Above samples are for reference only. Please visit the Authority's web-site for the latest version.



#### D. Generation and Submission of Other Returns

These returns are GF527, GF527A, and QTR. Principal contractors/ controllers can follow the instructions provided in compiling and submitting them.

(Note : GF527 and QTR are only applicable to public works contracts of the Government)

#### E. Hardware Requirements for SATM

		Minimum Requirements	Recommended
Computer	CPU	Intel Pentium III 700 MHz	Intel Pentium IV 1.6 GHz
	Memory	256MB	512MB
	Hard Disk Space	600MB	2GB
	USB 2.0	2	4
	Serial Port*	1	1
Display	1,024x768 pixel		

\* Please ensure that enough serial ports are available when using serial-port type card reader.

#### F. Software Requirements for SATM

Please visit the Authority's web-site <http://www.cwra.org.hk> for the latest hardware and software requirements.

Software	Microsoft .Net Framework 2.0
	Microsoft Internet Explorer 6.0 SP1
	Microsoft Data Access Components (MDAC) 2.7
	Windows 2000 Professional SP4 / Windows XP ( Professional/Home SP2)
	Microsoft Office 2000 (Word and Excel)

### G. Use of In-house System

Under normal circumstances the principal contractor/ controllers should adopt Option 1 to perform the 3 functions in the Table below.

For those principal contractors/ controllers with an in-house system capable of performing some of the functions of the SATM program, they may consider adopting Option 2 or 3 in the Table below:

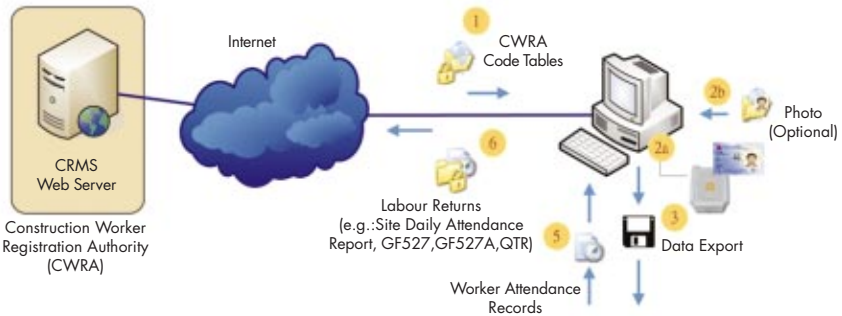
Option of work flow	3 Functions of the SATM program*		
	Function 1 To authenticate, retrieve and store the worker registration card data.	Function 2 To maintain attendance records	Function 3 To generate and submit labour returns
Option 1	SATM+SAM Card	SATM	SATM
Option 2	SATM+SAM Card	Contractor's access control system	SATM
Option 3	SATM+SAM Card	Contractor's access control system	Contractor's information management system

\* Pre-defined interface text files will be used as the interfaces between SATM and principal contractor's/ controller's computer system. Please refer to the SATM manual for details.



## Option Diagrams:

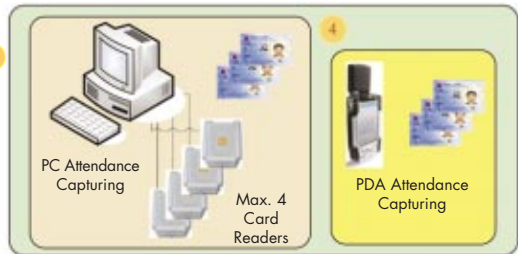
### Option 1



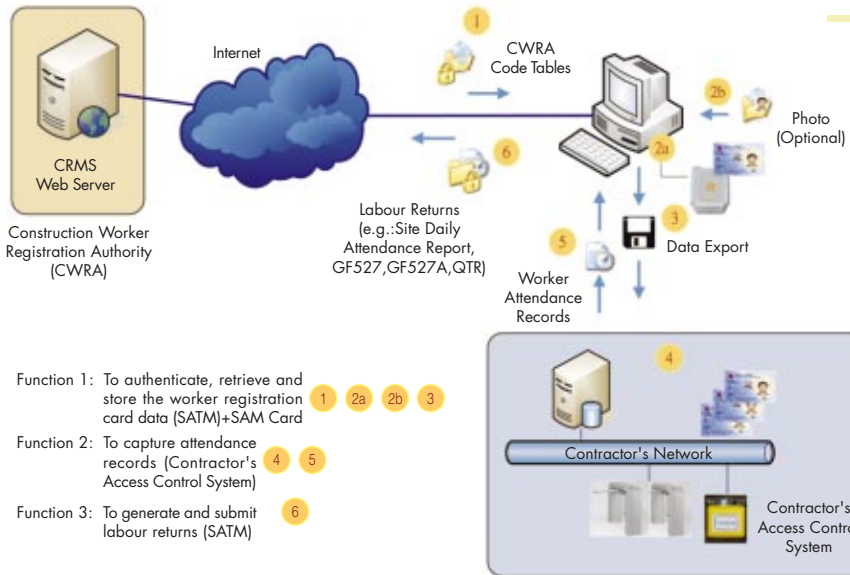
Function 1: To authenticate, retrieve and store the worker registration card data (SATM)+SAM Card (1, 2a, 2b, 3)

Function 2: To capture attendance records (PC/PDA-SATM) (4, 5)

Function 3: To generate and submit labour returns (SATM) (6)



## Option 2



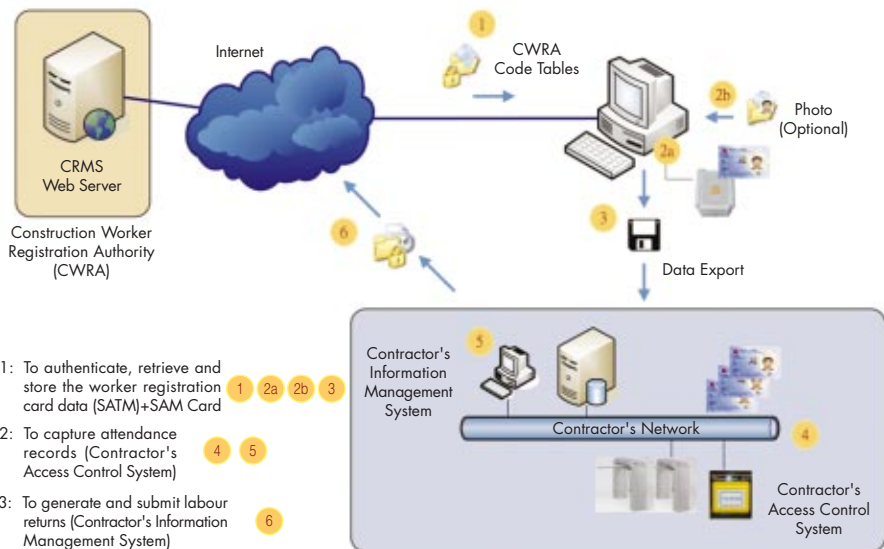
Function 1: To authenticate, retrieve and store the worker registration card data (SATM)+SAM Card

Function 2: To capture attendance records (Contractor's Access Control System) 4 5

Function 3: To generate and submit labour returns (SATM)



### Option 3



Principal contractors/ controllers choosing Option 2 or 3 have to ensure that their proprietary access control systems for maintaining workers' attendance records must comply with the Authority's specifications. For those using Option 3, they must also ensure that their systems comply with the Authority's specifications for generating and submitting the required returns. (Please visit the Authority's web site at <http://www.cwra.org.hk> for the specifications).

### Construction Workers Registration Authority Secretariat

Address: Level 6, 95 Yue Kwong Road, Aberdeen, Hong Kong

Tel: 2871 5500

Fax: 2870 1068

Website: [www.cwra.org.hk](http://www.cwra.org.hk)

### Registration Offices

Enquiry: 2873 1911

Phone Booking: 2873 1922 (Individual application)

2873 3002 (Group submission)

#### Address:

Aberdeen Headquarters: Level 6, CITA Management Training and Trade Testing Centre,  
95 Yue Kwong Road

Sheung Wan Branch: Room 401, 4/F, Dawning House, 145 Connaught Road Central

Kowloon Bay Branch: G/F, CITA Kowloon Bay Training Centre, 44 Tai Yip Street

Kwai Chung Branch: G/F, CITA Kwai Chung Training Centre, 7 Kwai Hop Street

Sheung Shui Branch: G/F, CITA Shueng Shui Training Centre, 1 Fung Nam Road

