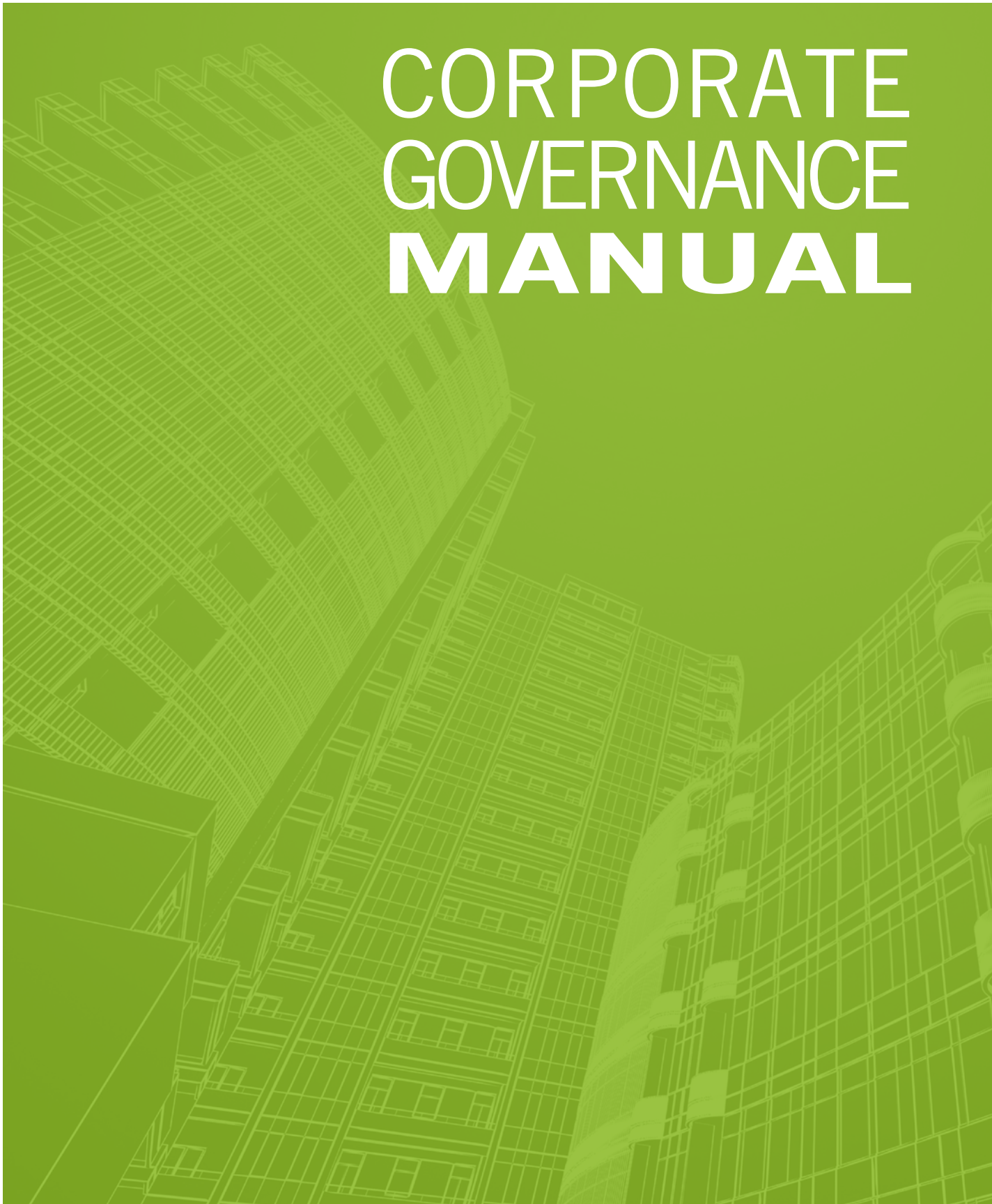




CONSTRUCTION  
INDUSTRY COUNCIL  
建造業議會

# CORPORATE GOVERNANCE MANUAL





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The Construction Industry Council (the “CIC”) was established on 1 February 2007, being a statutory body incorporated under the Construction Industry Council Ordinance (Cap. 587) (the Ordinance). On 1 January 2008, it amalgamated with the then Construction Industry Training Authority. On 1 January 2013, it amalgamated with the then Construction Workers Registration Authority.

## 1.1 FUNCTIONS OF THE CIC

According to the Ordinance, the main functions of the CIC include the following:

- 1.1.1 To advise and make recommendations to the Government on strategic matters, major policies and legislative proposals, that may affect or are connected with the construction industry, and on matters of concern to the construction industry;
- 1.1.2 To reflect to the Government the construction industry’s needs and aspirations;
- 1.1.3 To elevate the quality and competitiveness of the construction industry by promoting the ongoing development and improvement of the industry;
- 1.1.4 To uphold professionalism and integrity within the construction industry by promoting self-regulation, formulating codes of conduct and enforcing such codes;
- 1.1.5 To improve the performance of persons connected with the construction industry through establishing or administering registration schemes or rating schemes;
- 1.1.6 To advance the skills of personnel in the construction industry through planning, promotion, supervision, provision or coordination of training courses or programmes;
- 1.1.7 To encourage research activities and the use of innovative techniques and to establish or promote the establishment of standards for the construction industry;

- 1.1.8 To promote good practices in the construction industry in relation to dispute resolution, environmental protection, multi-layer subcontracting, occupational safety and health, procurement methods, project management and supervision, sustainable construction and other areas conducive to improving construction quality;
- 1.1.9 To enhance the cohesiveness of the construction industry by promoting harmonious labor relations and the observance of statutory requirements relating to employment, and by facilitating communication among various sectors of the industry;
- 1.1.10 To serve as a resource centre for the sharing of knowledge and experience within the construction industry;
- 1.1.11 To assess improvements made by the construction industry through the compilation of performance indicators;
- 1.1.12 To make recommendations with respect to the rate of the levy imposed under the Ordinance;
- 1.1.13 To conduct or finance educational, publicity, research or other programmes relating to occupational safety and health, environmental protection or sustainable development in the construction industry; and
- 1.1.14 To perform any other functions relevant to the construction industry, including those functions conferred or imposed on it by or under the Ordinance, the Construction Workers Registration Ordinance (Cap.583) or any other enactment.

According to the Ordinance, the supplementary functions of CIC include the following:

- 1.1.15 To provide training courses for the construction industry;
- 1.1.16 To establish and maintain industrial training centres for the construction industry;

- 1.1.17 To assist, including by the provision of financial assistance, in the placement of persons who have completed training courses provided for the construction industry;
- 1.1.18 To assess the standards of skills achieved by any person in any kind of work involving or in connection with the construction industry, to conduct examinations and tests, to issue or award certificates of attendance or competence, and to establish the standards to be achieved in respect of any such work.

According to the Construction Workers Registration Ordinance (Cap. 583) (the CWR Ordinance), the CIC has the following functions:

- 1.1.19 To be responsible for the administration of the CWR Ordinance and the supervision of the registration of persons;
- 1.1.20 To set the qualification requirements for registration or renewal of registration;
- 1.1.21 To make recommendations with respect to the rate of levy; and
- 1.1.22 To perform any other functions imposed on the Council under the CWR Ordinance.

## 1.2 VISION AND MISSION OF THE CIC

### **CIC Vision**

To drive for unity and excellence of the construction industry of Hong Kong

### **CIC Mission**

To strengthen the sustainability of the construction industry in Hong Kong by providing a communications platform, striving for continuous improvement, increasing awareness of health and safety, as well as improving skills development

### 1.3 CORPORATE GOVERNANCE FRAMEWORK

The CIC keeps abreast of the market leading practice on corporate governance and has taken into account the requirements stipulated in the “Code on Corporate Governance Practices” issued by Hong Kong Exchanges and Clearing Limited, “Corporate Governance for Public Bodies – A Basic Framework” published by the Hong Kong Institute of Certified Public Accountants and “Good Governance and Internal Control in Public Organisations” issued by the Independent Commission Against Corruption (the “ICAC”).

The CIC strives to continue enhancing its corporate governance in order to demonstrate to the stakeholders that the CIC businesses are run in a fair and proper manner. In turn, this can further strengthen the trust and confidence built among the stakeholders and the CIC.

## 2.1 THE CONSTRUCTION INDUSTRY COUNCIL (The “Council”)

The Council consists of a chairperson and 24 members representing various sectors of the industry including employers, professionals / consultants, contractors / subcontractors / materials or equipment suppliers, training institutes / academic / research institutions, trade unions, other persons that fit to be members of the Council and public officers. The Chairperson and the members (Members) are appointed by the Secretary for Development.

### 2.1.1 Responsibilities of the Council

The Council is responsible to ensure the functions of the CIC are properly and effectively carried out, including:

- (a) Provide strategic guidance and leadership;
- (b) Set overall direction; and
- (c) Monitor organisational and managerial performance.

### 2.1.2 Responsibilities of the CIC Chairperson

The CIC Chairperson has the following responsibilities:

- (a) Establishing good communications with stakeholders and the Government;
- (b) Promoting the CIC roles and functions to raise awareness and recognition of construction industry of Hong Kong;
- (c) Monitoring the organisation to implement the strategy and direction set by the Council;
- (d) Ensuring meetings are conducted effectively and efficiently. Providing ample yet reasonable time for each of the Members to express their views in an orderly manner;
- (e) Ensuring Members are discharging their responsibilities with care and diligence;
- (f) Providing support and advice to the Executive Director; and



- (g) Facilitating discussions among the Members and senior management in and outside the meetings to build a close work relationship.

### **2.1.3 Term of Office of Appointed Member**

An appointed member holds office for a period not exceeding 3 years as determined by the Secretary for Development. An appointed member is eligible for reappointment on the expiry of his term of office, but he may not serve as such a member continuously for more than 6 years.

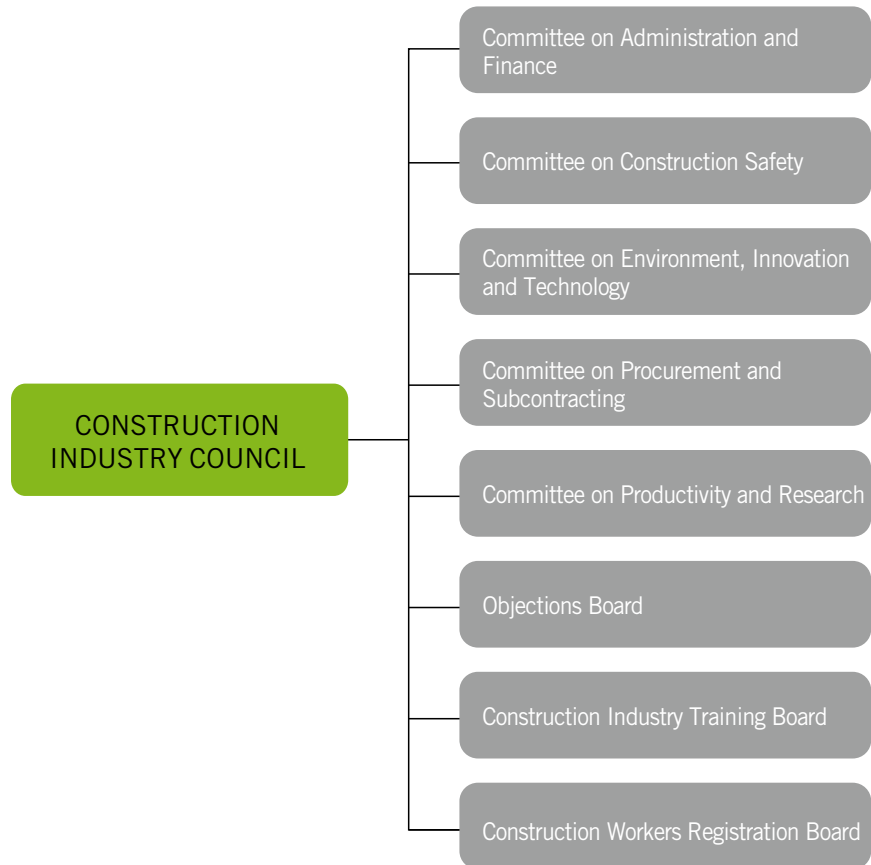
### **2.1.4 Code of Conduct for Members**

The Members abide by the “Code of Conduct for Members” of the Council and are required to disclose any conflict of interests. The Chairman and the Members oversee the running of CIC in accordance with the Ordinance.

The meeting minutes of the Council regarding the open-door session are posted to the CIC website for reference of the stakeholders and public.

## **2.2 COMMITTEES**

The Council has delegated certain of its functions under the remit of the Ordinance to the Committees, including the Construction Industry Training Board, (which, as stipulated in the Ordinance, performs the supplementary functions) and the Construction Workers Registration Board, as stipulated in the Construction Workers Registration (CWR) Ordinance for the better performance of its functions. Each of the Committees has its own specialised area of responsibilities. The Committees are authorised to appoint subcommittees for the better performance of the Committees’ functions.



Committee chairmen are elected among the Members. Four Members, at minimum, are required to present in a committee (including the committee chairman), except for the Objections Board which is required to have three Members under the Ordinance. When necessary, experts can be invited to be co-opted members. The number of co-opted members nevertheless should not exceed the number of Members.

### 2.2.1 Committee on Administration and Finance

The terms of reference of the Committee on Administration and Finance include the following duties:

- (a) To advise CIC on staff matters, including recruitment, salary and other conditions of service;
- (b) To advise CIC on general administration matters, including accommodation and facilities;
- (c) To co-ordinate and prepare annual estimates of income and expenditure and programme of activities for approval of CIC;

- (d) To recommend appropriate investments of surplus funds;
- (e) To advise CIC on other financial matters;
- (f) To oversee audit matters; and
- (g) To advise CIC on strategic matters and formulate one to three year strategic plans to steer resources accordingly to accomplish such plans.

### **2.2.2 Committee on Construction Safety**

The terms of reference of the Committee on Construction Safety include the following duties:

- (a) To review and monitor safety performance of the construction industry;
- (b) To review and enhance the mechanism of safety management;
- (c) To identify and recommend measures for improving safety performance to CIC;
- (d) To promote adoption of the improvement measures by the industry; and
- (e) To nurture a safety culture for the industry.

### **2.2.3 Committee on Environment, Innovation and Technology**

The terms of reference of the Committee on Environment, Innovation and Technology include the following duties:

- (a) To promote environmental protection and sustainable development in the construction industry;
- (b) To promote good practices in relation to sustainable construction;
- (c) To enhance innovation in construction industry to increase productivity and competitiveness;
- (d) To encourage the use of innovative techniques for the construction industry; and
- (e) To advise on the strategy for development of construction standards.

## **2.2.4 Committee on Procurement and Subcontracting**

The terms of reference of the Committee on Procurement and Subcontracting include the following duties

- (a) To examine current practices on procurement in relation to project planning, tendering, contract administration and site supervision and recommend good practices to improve the quality and cost effectiveness in delivery of construction contracts;
- (b) To operate and develop the Subcontractor Registration Scheme (SRS);
- (c) To raise the professional standard of subcontractors through providing value-added services under the SRS;
- (d) To examine current arrangements for selection and management of subcontractors and recommend improvements;
- (e) To promote use of written subcontracts; and
- (f) To promote good practices relating to dispute resolution.

## **2.2.5 Committee on Productivity and Research**

The terms of reference of the Committee on Productivity and Research include the following duties

- (a) To compile and update key performance indicators;
- (b) To examine current productivity level in the Hong Kong construction industry by introducing measurable indicators for different work trades;
- (c) To benchmark or set standard for the productivity of construction process;
- (d) To provide statistics in relation to productivity;
- (e) To recommend strategies to the Council and Boards/ Committees for enhancing the industry's productivity and competitiveness; and
- (f) To co-ordinate and promote construction research and development and facilitate practical application of research results by the construction industry.

## 2.2.6 Objections Board

The term of reference of the Objections Board is to determine objections to levy and surcharge made under Section 55 of the Ordinance and under Section 29 of the CWR Ordinance.

## 2.2.7 Construction Industry Training Board

The Construction Industry Training Board (the “CITB”) was established according to the Section 29 of the Ordinance. The terms of reference of the CITB include the following duties:

- (a) To provide training courses for the construction industry;
- (b) To establish and maintain industrial training centres for the construction industry;
- (c) To assist, including by the provision of financial assistance, in the placement of persons who have completed training courses provided for the construction industry;
- (d) To assess the standards of skills achieved by any person in any kind of work involving or in connection with the construction industry, to conduct examinations and tests, to issue or award certificates of attendance or competence, and to establish the standards to be achieved in respect of any such work;
- (e) To advise on manpower planning and development for construction personnel at professional, supervisory and craftsman levels; and
- (f) To foster an ethical culture.

## 2.2.8 Construction Workers Registration Board

The Construction Workers Registration Board (the “CWRB”) was established according to the Section 11A of the CWR Ordinance, its terms of reference include the following duties:

- (a) To set the qualification requirements for registration or renewal of registration;

- (b) To act on and discharge tasks in regard to the Construction Workers Registration Ordinance, which include inspection of construction sites, conducting construction workers registration, handling review and appeal cases relating to workers registration, maintaining the Daily Attendance Records of construction sites, and so on; and
- (c) To perform and exercise such other functions or powers as are imposed on it by the Construction Industry Council.

### **2.2.9 Council and Committee Meetings**

The key procedures in place include:

- (a) Meetings are held for the Council and each Committee normally quarterly except the Objections Board which meetings are convened as needs arise;
- (b) Meetings are scheduled at the beginning of each calendar year to facilitate attendance of the Members;
- (c) Meeting notice is issued to the Members at least two weeks before the meeting;
- (d) Members are provided with meeting agenda and papers containing information regarding the topics to be discussed as far as possible at least one week before the meeting;
- (e) The Executive Director and senior management attend the meetings to represent views of management and provide further information and explanations to the issues where appropriate but they do not have voting rights to the decision making process;
- (f) Members are required to sign on the attendance sheet. Meeting attendance and proceedings are documented in minutes by the CIC Secretariat which upkeeps the accuracy of the minutes. Minutes are reviewed and approved in the subsequent meeting;
- (g) The minutes of the meetings (except the Committee on Administration and Finance, the Objections Board and the closed door sessions of meetings of the Council) are posted to the CIC website for reference for stakeholders and public;

- (h) Members are required to declare any conflict of interests, if any, before commencement of discussion of the concerned agenda items; and
- (i) Members have access to expertise to discharge their responsibilities upon obtaining proper approval where appropriate.

## 2.3 EXECUTIVE DIRECTOR

The Executive Director is a non-public officer and a separate individual from the CIC Chairman and the Members. The Executive Director is responsible for the management, conduct and administration of the CIC subject to the Council's directions and guidance.

The major duties include:

- (a) Formulating policies and procedures, coordinating, monitoring and overseeing the various operational aspects of the CIC;
- (b) Formulating proposals in connection with future planning and development of the CIC's operational functions;
- (c) Acting on behalf of the Council to ensure approved policies are properly carried out;
- (d) Representing the CIC in established committees and boards of the governmental / non-governmental organisations; and
- (e) Liaising with relevant industrial and other bodies on the furtherance of their objectives and on the future development of the CIC.

## 2.4 FIVE CORNERSTONES

The five cornerstones of the CIC corporate governance are:

- (a) Standard of Behaviour
- (b) Organisation Structure and Business Processes
- (c) Risk Management and Control
- (d) Reporting and Communications
- (e) Corporate Citizenship

The success of good corporate governance relies on staff who demonstrate utmost integrity in carrying out their duties. Standard of behaviour thus is the first of the five cornerstones which states the expectations on staff's behaviour.

## 3.1 ETHICS

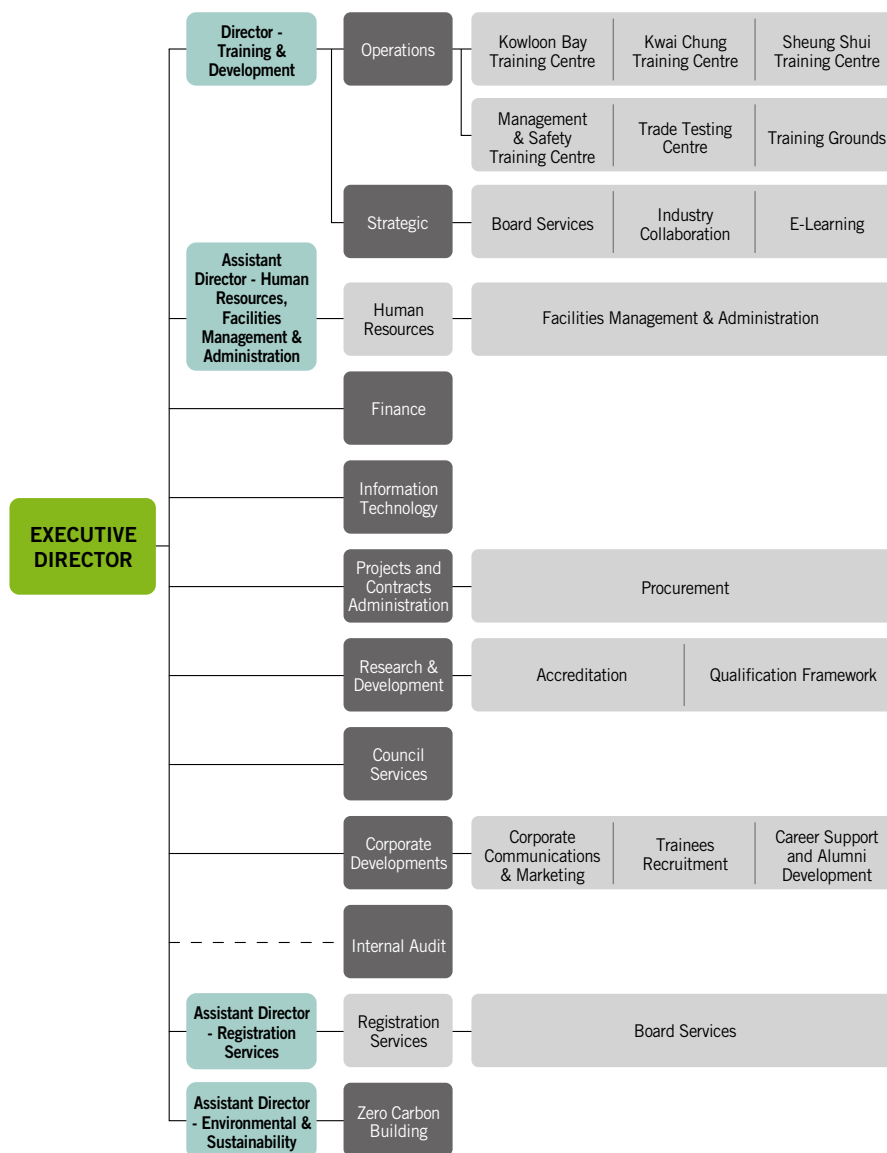
- 3.1.1 All staff (full-time, part-time and temporary) are required to apply policies and procedures and code of conduct laid down by the CIC in order to implement the strategy and direction as determined by the Council and the Committees.
- 3.1.2 All staff should exercise their utmost vigilance to abide by the Code of Conduct, keep in confidence and trust all proprietary information and to comply with relevant legislation such as intellectual property rights and copyright during their daily work.
- 3.1.3 The Code of Conduct sets out the basic standard of conduct expected of all staff and the CIC's policy on acceptance of advantage and conflict of interest in connection with one's official duties.
- 3.1.4 Staff are required to obtain prior approval on outside employment. Moreover staff are also required to report any actual or potential conflicts of interests. Such reports will be assessed to determine any refrain or follow up actions required.
- 3.1.5 A staff who is found to have breached any of the clauses of the Code of Conduct will be subject to disciplinary action and may, in some circumstances, be passed to relevant organisations for prosecution under the Prevention of Bribery Ordinance or other relevant laws where it relates to bribery or corruption issues.
- 3.1.6 As industry practitioners, all staff are required to observe and apply the "Code of Conduct for Personnel in the Construction Industry" where applicable in connection with one's official duties.



# 4 ORGANISATION STRUCTURE AND BUSINESS PROCESSES

## 4.1 ORGANISATION STRUCTURE

4.1.1 The organisation structure of the CIC under the leadership of the Executive Director is illustrated in the organisation chart below:



4.1.2 Each function is under leadership of managerial staff who directly reports to the Executive Director or the Directors. Except for Internal Audit, it directly reports to the Committee on Administration and Finance and administratively reports to the Executive Director.

- 4.1.3 Each function has defined duties and collaborate with others to ensure smooth operation of the CIC at all times.
- 4.1.4 Department heads and managerial staff are accountable to define and maintain the effective and efficient operations of the respective departments and training centres within the organisation structure.
- 4.1.5 Each staff has defined duties as specified in the job description. However, this does not prevent staff from engaging in new projects / initiatives which is part of their career development.

## 4.2 BUSINESS PROCESSES AND INTERNAL CONTROLS

- 4.2.1 Key business processes are governed by defined policies and procedures to provide a reasonable assurance regarding the achievement of objectives in relation to the following:
  - (a) Effectiveness and efficiency of operations;
  - (b) Reliability of internal and external reporting;
  - (c) Effective utilisation of resources; and
  - (d) Compliance with applicable laws, regulations and internal policies, including corporate governance policies.
- 4.2.2 Management is responsible to ensure that an effective system of internal control is in place and that it is operating effectively.

## 4.3 HUMAN RESOURCES POLICY

- 4.3.1 Human resources plan is established to define the structure of personnel and competency required to meet CIC's objectives and development.
- 4.3.2 The human resources policies have taken into account:
  - (a) Fairness and transparency in recruitment;
  - (b) Staff salaries, allowances, gratuities and personnel-related expenses (e.g. fringe benefits in cash or in kind) and their comparison to reasonable market levels;

- (c) Up-to-date job descriptions of staff, including required qualifications, duties, reporting relationships and performance measures; and
- (d) Channels to review and respond to ideas, suggestions, comments and perceptions from staff.

4.3.3 Remuneration to all staff including the Executive Director is either adhered to pre-approved salary scale or salary range approved by the Committee on Administration and Finance (benchmarking with market as proposed by the Human Resources Department). No individual can determine his / her own salary and benefits.

4.3.4 The CIC puts strong emphasis on continuous learning. In order to encourage staff to learn and develop, the CIC provides subsidies for staff to attend courses, seminars and site visits subject to the necessary approvals being obtained.

# 5 RISK MANAGEMENT AND CONTROLS

The CIC vision and mission spell out what the CIC would like to contribute to the construction industry of Hong Kong. The risk assessment and management model is built to analyse those factors which may hinder the CIC from achieving the vision and mission.

## 5.1 RISK MANAGEMENT

- 5.1.1 With the vision and mission, the CIC establishes a five-year strategic plan which sets the direction of operation for the coming years taking into consideration stakeholders' expectations and industry needs.
- 5.1.2 A dedicated risk management mechanism is established. Under the mechanism, views from all managerial staff are solicited to identify top tier risks the CIC is facing. Forum facilitating the discussion of strategies to manage the identified risks are held where appropriate. The risk management mechanism lays down a defined way to assess risks and increases the awareness of staff in relation to risk management.
- 5.1.3 Meetings are regularly held at management level, as well as inter and intra departmental levels to provide timely update on topical issues, manage risk arising and plan ahead for any changes of risk profile.
- 5.1.4 Senior management meets regularly with the Independent Commission Against Corruption to upkeep the leading practices in corruption prevention measures.
- 5.1.5 The Internal Audit uses risk-based methodology to conduct the audits. The review covers all material controls in terms of strategic, financial, operational and compliance areas.

## 5.2 INTERNAL AUDIT

- 5.2.1 The Internal Audit Function, as specified in the "Internal Audit Charter", has responsibilities to:
  - (a) Develop a flexible annual audit plan using risk-based methodology, covering review of all material controls,

including financial, operational and compliance controls and risk management functions. The key focus is on accountability, compliance and efficiency. "Accountability" ensures sound controls and management of internal resource allocation; "compliance" ensures all rules and regulations are followed; and "efficiency" provides management and financial information and evaluation to enable management to maximise its available resources;

- (b) Formulate the internal audit plan based on the significant risks or exposures identified where applicable;
- (c) Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by management and the Committee on Administration and Finance. Perform compliance review with laid down policies, procedures and requirements;
- (d) Discuss with management and the Committee on Administration and Finance the adequacy of CIC's internal controls (including corporate governance as well as information systems and security); related significant findings and recommendations, together with management's responses to resolve the issues or improve the processes;
- (e) Assist in the investigation of suspected fraudulent activities within CIC when requested, and notify management and the Committee on Administration and Finance of the results;
- (f) Coordinate with the external consultants employed by CIC where appropriate, to ensure an appropriate level of coverage, reduction of redundant efforts and the effective use of audit resources;
- (g) Report to the Committee on Administration and Finance and/or the CIC Chairman for any major issues encountered in relation to the internal audits; and
- (h) Keep management and Committee on Administration and Finance informed of emerging trends and leading practices in internal auditing.

- 5.2.2 The Internal Audit directly reports to the Committee on Administration and Finance and administratively reports to the Executive Director.

### 5.3 EXTERNAL AUDIT

- 5.3.1 The appointment, re-appointment and removal of the External Auditors are determined by the Council.
- 5.3.2 The External Auditors form an independent opinion, based on their audit, on the annual financial statements of CIC and report their opinion in accordance with the Ordinance, Hong Kong Accounting Standards and Hong Kong Financial Reporting Standards issued by the Hong Kong Institute of Certified Public Accountants. The External Auditors shall advise the Committee on Administration and Finance on any deviation from the laid down accounting policies applied across the CIC.
- 5.3.3 The External Auditors advise on any recent or anticipated change of accounting principle that may impact the current year or future audits. Management can get prepared for the transition where applicable.
- 5.3.4 The independence of External Auditors is strictly upheld that any non-audit work to be performed by the External Auditors requires pre-approval from the Council / Committee on Administration and Finance after considering the nature of services, the benefits to the CIC and any adverse effect on the independence of the audit work.

### 5.4 FINANCIAL MANAGEMENT

- 5.4.1 The CIC is accountable to the construction industry for the effective and efficient delivery of its objectives and proper use of the levy income collected from the industry. The following principles are applied for every spending:
- (a) Funds should be spent within the budget and according to the ambit for which they were approved, exceptional cases should be properly pre-approved before spending;

- (b) The applicable procurement guidelines should be adhered to;
- (c) Funds should be spent for goods and services that are “value for money”; and
- (d) Principles of exercising strict economy and identification of more economical alternative are upheld as far as possible.

5.4.2 For annual planning and control purposes, annual budget is approved by the Council. The financial performance is tracked monthly through the budget and actual variance analysis.

5.4.3 Authorisation limits are established for the review and approval of different levels of capital and operating expenditures. Authority is assigned to positions not individuals. Such assignment takes into account:

- (a) The relationship between the nature of expenditure and the responsibility and stewardship of that position;
- (b) No individual shall approve his / her own expenses;
- (c) Reporting line according to the organisation structure; and
- (d) Materiality of the contractual arrangement or expenditure to the CIC.

## 5.5 PERFORMANCE MANAGEMENT

5.5.1 The CIC has established a robust performance management system consisting of the performance indicators and targets for the departments / training centres. It is an effective channel to communicate what the CIC expects from the staff. It aims at driving continued improvements to the operations and in turn ensures the sustainability of the CIC.

5.5.2 Individual performance is measured under the performance management and development system which has close linkage to the achievement of goals of the CIC.

# 6 REPORTING AND COMMUNICATIONS

The CIC emphasises the significance of transparent disclosure on the CIC operations to increase the understanding of the stakeholders and public what the CIC can do and will do to achieve its mission.

## 6.1 STAKEHOLDER COMMUNICATIONS

- 6.1.1 Members and senior management have close relationships with the industry stakeholders, including the Government, developers, contractors, subcontractors, the CIC graduates and the construction industry related chambers, associations and institutions, through Committee and Task Force meetings, trainings and presentation. The CIC has proactively updated the stakeholders the initiatives undertaken by the CIC from time to time to try to forge consensus on industry issues.
- 6.1.2 The CIC organises seminars and conferences for the industry aiming at providing an effective communication channel for the industry practitioners to exchange views and establish a close collaboration among them and the CIC.
- 6.1.3 Training and trade test information is regularly reported to relevant stakeholders to update the industry with up-to-date workforce trends. Training and trade testing statistics, which are updated regularly, are posted to the CIC website.

## 6.2 DISCLOSURE OF INFORMATION

- 6.2.1 The CIC prepares an annual report providing information regarding the past year's activities and the upcoming initiatives. It also discloses the financial results and auditors' report. The annual report is available at the CIC website <[www.cic.hk](http://www.cic.hk)> for public access. The online version not only enhances transparency but also is more environmental friendly.
- 6.2.2 The CIC adheres strictly to the Ordinance requirements to submit the report of activities, statement of accounts and the auditor's report within six months after the end of a financial year to the Secretary for Development who shall table the documents to the Legislative Council.



## 6.3 INTERNAL COMMUNICATIONS

- 6.3.1 Senior management has regular face-to-face discussions with staff, on individual or group basis, to directly communicate management expectation and collect views from staff.
- 6.3.2 The open communication environment encourages staff to report any malpractice directly to senior management where applicable.

## Go Green and Low Carbon

Embrace our next generation by ingraining understanding of a green and low carbon environment to sustain living standard

- Low Carbon Living
- Carbon Labelling Scheme for Construction Products
- Greening in the CIC



## Construction Industry Sustainable Development

Embrace our future with a world class construction system

- Image Building
- Training of New Blood
- Innovation in Construction

## People Oriented

Embrace our people with a culture to care and of mutual help

- Care about Workers
- Care about Society
- Care about Employees

