

Construction Workers Registration Ordinance (Cap. 583)

Quick Guide for Principal Contractors / Employers of Workers



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The Construction Workers Registration Ordinance (“CWRO”) was enacted in July 2004. Registration of construction workers started in 2005 and the Designated Workers for Designated Skills requirement was effective from 1 April 2017. This leaflet offers a quick guide for principal contractors and employers of workers on only some of the key requirements of the CWRO and users should refer to the CWRO for details.

The key legal requirements of the CWRO include the following:

Employment of Registered Construction Workers

Principal contractors, sub-contractors and employers of workers are required to:

1. employ only registered construction workers to personally carry out construction works on construction sites;
2. employ only registered skilled/semi-skilled workers (including provisional) for a designated trade division to personally carry out construction works involving skills of that trade division specified in Schedule 1 of the CWRO (commonly known as the “*Designated Workers for Designated Skills*” (DWDS) requirement), subject to the exceptions of the work which is allowed to be carried out under the works across trade divisions arrangement specified in the CWRO, under the “instruction and supervision” of a registered skilled/semi-skilled worker for the relevant trade division and works exempted from the CWRO.



Only workers with registrations of the required designated trade divisions shown on/stored on their registration cards should be employed to personally carry out construction works involving skills of the relevant trade divisions.

Reasonable Measures for “Instruction & Supervision” Arrangement

When registered construction workers are arranged to work under “instruction and supervision”, the principal contractor and the employer of workers are required to *implement reasonable measures* and *bring those measures to the attention of the relevant workers*, to ensure the registered construction workers under “instruction and supervision” can identify their instructors as registered skilled/semi-skilled workers for the related trade divisions.

For more details on reasonable measures, please refer to the *Guidelines on Arrangement of “Instruction and Supervision” and Code of Practice for Reasonable Measures of “Instruction and Supervision”* published by the CIC.



《建造業工人註冊條例》(《條例》)(第 583 章)

總承建商/被指導人的僱主名稱: _____

工地/合約名稱: _____

合約編號: _____

「指示及監督」安排

指導人的姓名、註冊編號及註冊工種分項 (請參閱《條例》附表 1)	被指導人的姓名、註冊編號及註冊工種分項

總承建商/被指導人的僱主代表簽署/蓋章: _____

日期: _____

*樣本並不適用於...

A controller of a construction site is required to Submit Daily Attendance Records (DAR)

of the employed workers who carry out construction work on the site to the Registrar through the Construction Workers Registration System.

7 days of DAR to be submitted within **2 business days** after the 7-day period.



Remark: controller in relation to a construction site means a principal contractor for the site or if there is no principal contractor, any person who has control over, or is in charge of the site.

A principal contractor is required to:

Provide Card Reading Device

to retrieve the electronic data stored in the construction worker registration cards.

Card reading device is *not required* to be provided for *maintenance work, carried out under a term contract for maintenance*, of specified structure of a public body or a specified body.



Establish and Maintain a Register of Statement

in the specified form to record statements made by registered construction workers who cannot produce their registration cards on demand.

Notify CIC of Specified Emergency Work

within 48 hours upon being aware of the emergency incident and **Submit a Work Record** within 96 hours in the specified form. Emergency works involving skills of 47 designated trade divisions carried out within 72 hours are exempted from DWDS requirement.



Penalty



Contraventions of the relevant requirements of the CWRO are criminal offences and are liable on conviction to a fine as follows:

- Any person employing another person (i) who is not a registered construction worker to personally carry out construction work on a construction site or (ii) who is not a registered skilled/semi-skilled worker for a designated trade division to personally carry out construction work involving the skills of that trade division is liable on conviction to a fine at level 5 of HK\$50,000.
- Any person (i) who is not a registered construction worker personally carrying out construction work on a construction site or (ii) who is not a registered skilled/semi-skilled worker for a designated trade division personally carrying out construction work involving the skills of that trade division is liable on conviction to a fine at level 3 of HK\$10,000.
- Contraventions of other requirements such as failure to implement reasonable measures for arrangement of “instruction and supervision” or failure to submit DAR within the prescribed statutory period are liable on conviction to a fine at level 3 of HK\$10,000.

Phase Implementation of DWDS Requirement

DWDS requirement is not yet effective for the following construction works:

- Maintenance work, carried out under a term contract for maintenance, of specified structure of a public body or a specified body;
- Construction work (other than maintenance work as mentioned in Point (a) above) under a construction contract with a total value of all construction operations not exceeding HK\$10 million; and
- Class I & II minor works under Building (Minor Works) Regulation (Class III minor works are not regulated by CWRO).

Enquiries and Further Information



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