



Registered Specialist Trade Contractors Scheme

Rules and Procedures for the Register of Specialist Trade Contractors

July 2020

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Part 1 – Defined Terms and Interpretation

1. Defined Terms

1.1. In this set of Rules and Procedures, unless the context otherwise requires –

- a) “Appeal Panel” means an appeal panel appointed under Clause 19;
- b) “Business” means an entity with a valid business registration including but not limited to incorporated companies, partnerships and individuals;
- c) “Committee” means the Committee on Registered Specialist Trade Contractors Scheme established by the Construction Industry Council under Section 15 of the Ordinance for the administration of the Scheme;
- d) “Construction Industry Council” or “CIC” means the body established under the Ordinance;
- e) “Decision Date” means the date on which the Committee approves or rejects an application under Clauses 4, 5, 6 and 18 below or the date on which the Committee cancels the registration of a Registered Specialist Trade Contractor under Clause 11 below;
- f) “Designated Trades” means a trade for specialized work set out in Schedule 1;
- g) “Effective Date” means the launch date of the Scheme, which is 1st April 2019.
- h) “Grace Period” means within 3 years from the Effective Date, or such period the Committee may specify and publish on the Scheme Website.
- i) “Groupings” means Group 1 or Group 2 of each of Designated Trades listed in Schedule 2;
- j) “Ordinance” means the Construction Industry Council Ordinance (Cap. 587);
- k) “Register” means the Register of Specialist Trade Contractors established and administered under Clause 3 below and Section 5(e) and Section 7(2)(g) of the Ordinance;
- l) “Registered Specialist Trade Contractor” means a Registered Specialist Trade Contractor for a Designated Trade whose name is for the time being on the Register;
- m) “Registration Particulars” means the items of information in application forms or submitted documents;
- n) “Registration Requirements” means the prescribed requirements for registration to the Register set out in Schedule 2;

- o) “Registration Undertaking” means the prescribed undertaking in the specified form;
- p) “Scheme” means the Registered Specialist Trade Contractors Scheme of the Construction Industry Council established and administered under Section 5(e) and Section 7(2)(g) of the Ordinance;
- q) “Scheme Website” means the website providing public access to the Registration Particulars published in accordance with Clause 12 below and other announcements related to the Scheme;
- r) “Secretariat” means the Secretariat of the Construction Industry Council.

2. Interpretation

- 2.1. In this set of Rules and Procedures, except where the context otherwise requires –
 - a) words importing the singular shall include the plural and vice versa;
 - b) words importing any gender shall include the other genders; and
 - c) headings are for ease of reference only and do not affect interpretation.
- 2.2 No principles of construction shall apply to the disadvantage of a party because that party was responsible for the preparation of this set of Rules and Procedures or any part of it.
- 2.3 In the event of any inconsistency or conflict between the English and Chinese versions of this Agreement, the former shall prevail.

Part 2 – Rules for Administration of the Register of Specialist Trade Contractors

3. General

- 3.1. The Register of Specialist Trade Contractors shall comprise of Businesses carrying out works in Designated Trades.
- 3.2. Registered Specialist Trade Contractors within each Designated Trade are further divided into Group 1 or 2 according to the Registration Requirements fulfilled by them. A Registered Specialist Trade Contractor's status in Group 1 will be either 'probationary' or 'confirmed'. Registered Specialist Trade Contractors on probationary status are subject to the rules set out in Clause 6 below.
- 3.3. The Committee reserves the right to amend these Rules and Procedures, including but not limited to any criteria pertaining to the administration of the Register without reference to the Registered Specialist Trade Contractors and any such amendments will be announced on the Scheme Website.

4. Application for Registration

- 4.1. A Business may apply to the Committee for registration under the Scheme. By making an application for registration under the Scheme, the Business unconditionally accepts these Rules and Procedures and any future amendments or additions thereto published by the Committee. Failure or refusal to observe these Rules and Procedures may lead to the refusal or removal of registration, or refusal of renewal of registration, for a specific Designated Trade or all Designated Trades.
- 4.2. An application for registration under the Scheme shall be –
 - a) made to the Committee in the specified form; and;
 - b) accompanied by the prescribed fees and documents.
- 4.3. Subject to Clauses 4.5, 6 and 7.1 below, the Committee shall not register a Business as a Registered Specialist Trade Contractor unless the Committee at its sole discretion is satisfied that –
 - a) the Business meets all the relevant Registration Requirements; and
 - b) the Business is suitable for registration.
- 4.4. The Committee may impose additional conditions for registration on any individual Business applicants as it thinks fit.
- 4.5. Having regard to needs of the Designated Trades and Groupings, the Committee may approve and register a Business as a Specialist Trade Contractor even if the Business does not fully satisfy the Registration Requirements.

4.6. A registration under the Scheme is not transferrable.

5. Expiry and Renewal of Registration

5.1. Subject to Clause 5.2 and 5.6 below –

- a) any registration of a Registered Specialist Trade Contractor shall expire on a date specified by the Committee in accordance with Clause 5.1(b) below; and
- b) the date so specified shall be not less than 36 months after the Decision Date for that application for registration or renewal of registration under the Scheme.

5.2. A Registered Specialist Trade Contractor may apply for the renewal of its registration. An application for renewal of registration shall be –

- a) made to the Committee in the specified form not earlier than 6 months before and not later than 3 months before the specified date of expiry of the Registered Specialist Trade Contractor's registration; and
- b) accompanied by the prescribed fees and documents

5.3. Subject to Clauses 5.5 and 6.6 below, the Committee shall not renew the registration of any Registered Specialist Trade Contractor unless the Committee at its sole discretion is satisfied that –

- a) the Registered Specialist Trade Contractor meets all the relevant Registration Requirements; and
- b) the Registered Specialist Trade Contractor is suitable for registration.

5.4. The Committee may impose additional conditions for the renewal of registration of a Registered Specialist Trade Contractor as it thinks fit.

5.5. Having regard to needs of the Designated Trades and Groupings, the Committee may approve and renew the registration of a Specialist Trade Contractor despite the Registered Specialist Trade Contractor does not fully satisfy the Registration Requirements.

5.6. If the Registered Specialist Trade Contractor has made an application for renewal of registration within the specified period prescribed in Clause 5.2(a) above, its registration will continue to be in force until its application for renewal is determined by the Committee, even if the expiry date shown in the Register has elapsed.

5.7. If the application for renewal of registration is made at times outside the specified period mentioned in Clause 5.2(a) above, the Registered Specialist Trade Contractor may be removed from the Register upon expiry until the application for renewal of registration is duly processed.

6. Probationary Status

- 6.1. A newly formed Business which does not have the required job references to meet the Registration Requirements may apply for probationary registration under the Scheme.
- 6.2. An application for probationary registration under the Scheme under Clause 6.1 above shall be –
 - a) made to the Committee in the specified form;
 - b) accompanied by the prescribed fees and documents; and
 - c) made for the registration in Group 1 under the Scheme as a probationary Registered Specialist Trade Contractor.
- 6.3. The Committee shall not register a newly formed business as a probationary Registered Specialist Trade Contractor unless the Committee at its sole discretion is satisfied that –
 - a) besides the job references requirements, the newly formed Business meets all other relevant Registration Requirements; and
 - b) the newly formed Business and its management staff is suitable for registration as a probationary Registered Specialist Trade Contractor.
- 6.4. A probationary registration under the Scheme is not transferrable.
- 6.5. A probationary Registered Specialist Trade Contractor registered under Clause 6.3 above may apply for the renewal of its registration according to Clause 5.2 above, and subject to Clause 5.3 above, be registered as a Group 1 (confirmed) Registered Specialist Trade Contractor.
- 6.6. Notwithstanding Clause 5.3 and 6.5 above, the Committee may at its sole discretion, consider and renew a probationary registration, provided the Committee is satisfied that a specific ground exists and it is fair and reasonable to accept the application.

7. Registration of existing Registered Subcontractors as Registered Specialist Trade Contractors

- 7.1. As on the Effective Date, the Committee shall automatically register existing registered subcontractors of a specified trade and / or specialty in the primary register under the Construction Industry Council's Subcontractor Registration Scheme into the Register as Group 1 (confirmed) Registered Specialist Trade Contractors for the corresponding Designated Trade.
- 7.2. The registration of a Registered Specialist Trade Contractor automatically

registered under Clause 7.1 above shall expire on the same date as the respective registration in the primary register under the Construction Industry Council's Subcontractor Registration Scheme would have expired.

- 7.3. A Registered Specialist Trade Contractor automatically registered under this Clause 7 may apply for the renewal of its registration according to Clause 5.2 above, and subject to Clause 5.3 above, have their registration renewed. A Registered Specialist Trade Contractor automatically registered under this Clause 7 may apply for change of Grouping (upgrade to Group 2) according to Clause 8.3 below.
- 7.4. For the avoidance of doubt, all relevant registration fees for the automatic registration under Clause 7.1 above shall be exempted.
- 7.5. Regarding the Grace Period –
 - a) during the Grace Period, the Committee may, of its own accord, exercise its power under Clause 5.5 above and renew the registration of a Registered Specialist Trade Contractor automatically registered under this Clause 7 despite such Registered Specialist Trade Contractor not fully satisfying the Registration Requirements at the time; and
 - b) on the expiry of the Grace Period, the Committee may exercise its power under Clause 11.1(b) below and remove such Registered Specialist Trade Contractor from the Register if at the time such Registered Specialist Trade Contractor fails to notify the Committee that it does fully satisfy the Registration Requirements.

8. Change of Registration Particulars, Registration Status, Designated Trade and Grouping

- 8.1. A Registered Specialist Trade Contractor shall update the Committee of any changes of its Registration Particulars (except changes in relation to an application made under Clause 8.3 below), within 14 calendar days after such changes have taken effect. An update shall be made to the Committee in the specified form.
- 8.2. A Registered Specialist Trade Contractor who, without reasonable excuse, contravenes Clause 8.1 above may be subject to regulatory actions taken in accordance with Clause 18 below.
- 8.3. An application for change of registration status (from "probationary" to "confirmed"), Designated Trade or Grouping shall be made to the Committee -
 - a) in the specified form; and
 - b) accompanied by the prescribed fees and documents.
- 8.4. The Committee shall not change a Registered Specialist Trade Contractor's

registration status, Designated Trade and / or Grouping unless the Committee is satisfied that -

- a) the Registered Specialist Trade Contractor meets all the relevant Registration Requirements; and
- b) the Registered Specialist Trade Contractor is suitable for registration with its registration status, Designated Trade and / or Grouping changed.

8.5. For the avoidance of doubt, the change of Registration Particulars, registration status, Designated Trade or Grouping will not extend the validity period of a registration as specified under Clause 5.1 above.

9. Fees

9.1. All applicants under Clauses 4, 5, 6 and 8 above shall submit their applications with fee as prescribed in the Schedule 4, unless exempted by the Committee at its sole discretion.

10. Clarification and Additional Information

10.1. The Secretariat may seek clarifications or supplemental information, including clarification from an applicant's job referees, on the information and documents submitted by an applicant from time to time to facilitate and complete the approval process. If a satisfactory response is not received by the Secretariat within 14 calendar days from the date of the request, the application may not be further considered.

10.2. All information and documents provided by an applicant will not be returned.

11. Change or Cancellation of Registration

11.1. The Committee may change the Designated Trades or Groupings of a Registered Specialist Trade Contractor or remove the Registered Specialist Trade Contractor from the Register at any time if the Committee is satisfied that:

- a) the Registered Specialist Trade Contractor is adjudged bankrupt or wound-up;
- b) the Registered Specialist Trade Contractor is not entitled to be registered at the time. For the avoidance of doubt, the Committee may remove the Registered Specialist Trade Contractor from the Register despite the Registered Specialist Trade Contractor's registration was renewed pursuant Clause 5.5 above, if at the time of removal the Registered Specialist Trade Contractor does not fully satisfy the Registration Requirements.
- c) the registration of the Registered Specialist Trade Contractor has expired

under Clause 5.1(a) above and no renewal application has been made within the specified period prescribed in Clause 5.2(a); or

- d) following a regulatory action under Clause 18 below, it was determined that the registration be revoked.

12. Publication of Registration Particulars

- 12.1. Upon approval of registration, the Registration Particulars of the Registered Specialist Trade Contractor will be published on the Scheme Website.
- 12.2. Information published in the Scheme Website will be updated to take into account of subsequent renewals, updates, cancellations of the Registered Specialist Trade Contractor's registration and any regulatory actions taken against the Registered Specialist Trade Contractor.

13. Code of Conduct

- 13.1. A Registered Specialist Trade Contractor shall be responsible for the good behavior of its employees and agents in relation to any construction works undertaken by the Registered Specialist Trade Contractor.
- 13.2. The Registered Specialist Trade Contractor shall advise its employees and agents that they are prohibited from offering or giving any advantage or excessive entertainment to, or to solicit or accept any advantage or excessive entertainment from, any employees and agents (including their members of family) of the Government or any Businesses in relation to any construction works undertaken by the Registered Specialist Trade Contractor.
- 13.3. A Registered Specialist Trade Contractor shall establish and promulgate its Code of Conduct with reference to Schedule 3.

14. Monitor on Enforcement of the Scheme

- 14.1. To ensure the effective enforcement of the Scheme, the Secretariat will conduct audits on information provided by Registered Specialist Trade Contractor for registration from time to time.
- 14.2. During the audit, the Registered Specialist Trade Contractor shall cooperate and provide all necessary information, records and arrange interviews in accordance with the time limit stipulated by the Secretariat. Subject to the result of audit, the Registered Specialist Trade Contractor may be imposed with regulatory actions under Clause 18.

Part 3 – Job Reference Reports

15. General

- 15.1. The standard proforma of the job reference report is attached in Schedule 5. This standard proforma can be utilized as the job reference reports for an application submission. Other applicable formats are acceptable if those are able to fulfill the relevant Registration Requirements.

16. Management of Job Reference Reports

- 16.1. All job reference reports would be kept and maintained by the Secretariat.
- 16.2. The applicant may apply in writing to the Secretariat for provision of a copy of the job reference reports obtained directly from the applicant's referees by the Construction Industry Council.
- 16.3. All job reference reports would be reviewed by the Secretariat. When follow up actions may be required due to issues revealed or adverse comments on the reports, the Secretariat will seek clarifications and supporting documents from both author of the report and the applicant with an aim to perform a preliminary assessment. The preliminary assessment together with recommendations, where appropriate, will be submitted to the Committee to consider if regulatory actions are required to be initiated.

Part 4 – Management of Designated Trades

17. Designated Trades

- 17.1. The Committee may add to, remove or edit the Designated Trades.
- 17.2. Industry stakeholders may request in writing for the Committee to add other Designated Trades to the Scheme.
- 17.3. Additions, removal or editing of Designated Trades shall take into account but not limit to the following -
- a) extent of safety risks to construction works of Designated Trades
 - b) the quality of Designated Trades would cause fundamental impact on construction quality and public safety; and
 - c) views from industry stakeholders to increase recognition of specialist trade contractors and to enhance monitoring and accountability.
- 17.4. Any additions to, removals from or editing of the Designated Trades will be published by the Committee on the Scheme Website.

Part 5 – Regulatory Actions

18. Regulatory Actions

- 18.1. The Committee may conduct an inquiry into any conduct of a Registered Specialist Trade Contractor if the Committee has reasonable cause to suspect the Registered Specialist Trade Contractor no longer meets any of the Registration Requirements or has fallen into any of the circumstances set out under Clause 18.2 below. In such a case, the Registered Specialist Trade Contractor shall answer to queries or provide information within prescribed time as specified by the Committee.
- 18.2. The circumstances that may lead to regulatory actions be taken against a Registered Specialist Trade Contractors include, but are not limited to -
- a) a petition for winding-up or bankruptcy has been filed against the Registered Specialist Trade Contractor or other financial problems;
 - b) Registered Specialist Trade Contractor's failure to answer queries or provide information relevant to the registration within the prescribed time specified by the Committee;
 - c) misconduct or suspected misconduct of the Registered Specialist Trade Contractor;
 - d) court conviction or violation of any law by the Registered Specialist Trade Contractor, including but not limited to Factories and Industrial Undertakings Ordinance (Cap. 59), Occupational Safety and Health Ordinance (Cap. 509), Employment Ordinance (Cap.57), Mandatory provident Fund schemes ordinance (Cap.485), Immigration Ordinance (Cap.115), Prevention of Bribery Ordinance (Cap. 201), Construction Industry Council Ordinance (Cap. 587), Construction Workers Registration Ordinance (Cap.583);
 - e) matters of public interest;
 - f) serious or suspected serious poor performance or other serious causes in any public or private sector works contract; and
 - g) the Registered Specialist Trade Contractor's failure to comply with any provisions of the Rules and Procedures for the Scheme.
- 18.3. When there is a prima facie case for conducting a hearing , the Secretariat shall give the Registered Specialist Trade Contractor concerned not less than 14 calendar days written notice advising the time and place for the hearing and the grounds for initiating regulatory proceedings.
- 18.4. At the hearing, the Registered Specialist Trade Contractor or its authorized representative shall attend and be given an opportunity to make oral

representations. The Registered Specialist Trade Contractor or its authorized representative may also make written representations before the hearing. If the Registered Specialist Trade Contractor and / or its authorized representative does not attend the hearing, the Committee may adjourn the hearing or proceed with the hearing and make a decision.

- 18.5. After the hearing, the Committee may impose regulatory actions by directing that -
- a) written warning be given to the Registered Specialist Trade Contractor;
 - b) the Registered Specialist Trade Contractor be suspended from registration for a specified period;
 - c) the Grouping of a Registered Specialist Trade Contractor be changed; or
 - d) the registration of the Registered Specialist Trade Contractor be revoked.
- 18.6. The decision of the Committee shall be notified to the Registered Specialist Trade Contractor in writing within 14 calendar days from the hearing and subject to the Clause 19.3 below, the corresponding action will be executed by the Secretariat after the expiry of the time limited for the filing of the notice of appeal under Clause 19.1 below.
- 18.7. All regulatory actions imposed by the Committee shall be published on the Scheme Website after the expiry of the period for lodging an appeal. However, if an appeal is lodged, such publication of the regulatory action taken shall be suspended until and be subjected to the result of appeal process in accordance with Part 6 below.
- 18.8. A Registered Specialist Trade Contractor whose registration has been revoked under Clause 18.5.d) shall not be eligible for re-registration for a period of two years from the date of revocation.
- 18.9. A Business with its sole director or proprietor being one of the directors, partners or proprietor of a Registered Specialist Trade Contractor subject to a regulatory action shall not be accepted by the Committee in an application for registration within the period of the inquiry, hearing, suspension or within two years from the date of revocation of the registration of such Registered Specialist Trade Contractor subject to regulatory action.
- 18.10. A Business with one or more of the director(s), proprietor(s) or partner(s) being director(s), proprietor(s) or partner(s) of another Registered Specialist Trade Contractor subject to a regulatory action, the job experience of such director(s), proprietor(s) or partner(s) shall not be taken into account by the Committee in the application for registration if such application is submitted within the period of the inquiry, hearing, suspension or within two years from the date of revocation of the registration of such Registered Specialist Trade Contractor subject to regulatory action.

Part 6 – Appeal

19. Right of Appeal

- 19.1. An applicant or Registered Specialist Trade Contractor aggrieved by the decision of the Committee may appeal such decision by filing within 14 calendar days of the notification of such decision to the applicant or Registered Specialist Trade Contractor (“Appellant”), a written notice with the Secretariat by post setting out the grounds for the appeal.
- 19.2. An appeal hearing shall be held within 60 calendar days after the deadline for making the appeal request. The Secretariat shall give the Appellant not less than 14 calendar days written notice advising the time and place for the appeal hearing.
- 19.3. For the avoidance of doubt, any corresponding actions of the Committee's decisions pending appeal will not be executed by the Secretariat until after the Appeal Proceedings are completed.

20. Appeal Panel

- 20.1. An Appeal Panel shall comprise a chairman and two members appointed by the Construction Industry Council, all of whom shall not be involved with the decision being appealed against.

21. Appeal Proceedings

- 21.1. Proceedings of an Appeal shall be conducted in the presence of the chairman and two other members of the Appeal Panel.
- 21.2. At the hearing of the appeal, the Appellant or its authorized representative may attend the hearing and make oral representations. The Appellant or its authorized representative may also make written representations before the hearing of the appeal. If the Appellant and / or its authorized representative does not attend the hearing of the appeal, the Appeal Panel may adjourn the hearing or proceed with the hearing and make a decision on the appeal.
- 21.3. The Appeal Panel may uphold, reverse or vary any decisions reached by the Committee. The decision shall be taken effect from the date specified by the Appeal Panel.
- 21.4. The decision of the Appeal Panel shall be notified to the Appellant in writing within 21 calendar days of the hearing day of the appeal and is final.

Part 7 – Miscellaneous Provisions

22. Service of Notice

- 22.1. Any notice of decisions made by the Construction Industry Council, Committee, Appeal Panel or the Secretariat will be delivered by post to applicant's or Registered Specialist Trade Contractor's address as stated in the applicant's application form or the Register.

23. Correction of errors on Register

- 23.1. The Secretariat may correct any error of the Register, including any omissions.

24. Personal Data

- 24.1. By submitting an application, the applicant or Registered Specialist Trade Contractor shall be deemed to have consented to the disclosure of any information in relation to the application for regulatory purpose, regardless of whether or not the application is successful.
- 24.2. By submitting the application for registration under the Scheme, the applicant shall also be deemed to have consented to the publication of Registration Particulars on the Scheme Website for public information after registration under the Scheme.
- 24.3. The personal data provided as part of the registration process will be used by the Construction Industry Council to process the application, to conduct research and surveys, to promote the Scheme or related activities of the construction industry and to enforce its rights and powers under this set of Rules and Procedures. The provision of personal data is obligatory. If the applicant or the Registered Specialist Trade Contractor does not provide sufficient information, the Construction Industry Council or the Committee may not be able to process and / or consider its application.
- 24.4. The applicant or the Registered Specialist Trade Contractor shall ensure the collection, handling and use of personal data of its employees or other personnel in relation to the registration are in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). This includes the transfer of the personal data to the Construction Industry Council.
- 24.5. The applicant or Registered Specialist Trade Contractors have the right to access and correlation with respect to personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance (Cap. 486). Their right of access includes the right to obtain a copy of the personal data provided in the application.
- 24.6. Written data access and correction requests should be addressed to Assistant Director – Finance and Registration at Construction Industry Council, 38/F, COS Centre, 56 Tsun Yip Street, Kwun Tong, Kowloon, Hong Kong.

25. Governing Law

25.1. These rules and procedures shall be governed by and construed in accordance with the laws of Hong Kong.

Schedules

Schedule 1 – Designated Trades

Trade Code	Designated Trade
S01	Concreting
S02	Concreting Formwork
S03	Curtain Wall
S04	Demolition
S05	Erection of Concrete Precast Component
S06	Reinforcement Bar Fixing
S07	Scaffolding

Schedule 2 – Registration Requirements and Definitions

General Notes:

- a) All applicants shall possess or set up in Hong Kong a place of business as defined in Section 2 of the Business Registration Ordinance (Cap. 310).
- b) In order to qualify as staff and included in the number of personnel or staff required, individuals shall be full time employees of the applicant and shall be resident Hong Kong ID Cards holders or Works Visa Holders, and the practice shall constitute their principal source of employment. Moreover, they shall be employed full-time by the Applicant only. “Full time” employment means employment under a ‘continuous contract’ as defined by the Employment Ordinance of Hong Kong.

List of Requirement Definitions

Registration Requirements	Definitions and Notes
1. Safety	
1.1 Full-time qualified safety personnel	1. Safety supervisor qualification means a person who has completed the construction industry safety supervisor course organised by the CIC or Occupational Safety and Health Council (OSHC) or above.
1.2 Site safety record	<ol style="list-style-type: none"> 1. Unless otherwise specified, the contract value is normally based on an ‘all-in’ sum of labour and materials. 2. The standard proforma of the job reference report is attached in Schedule 5. Other applicable formats that fulfills the registration requirements may be used.
2. Management	
2.1 Top management	<ol style="list-style-type: none"> 1. The director shall be a registered company director under the Companies Ordinance. For unincorporated business, it means proprietor / partners. 2. Unless otherwise specified, the contract value is normally based on an ‘all-in’ sum of labour and materials.
2.2 Technical staff	<ol style="list-style-type: none"> 1. Skilled worker or above refers to a registered skilled worker in the relevant trade division under the Construction Workers Registration Ordinance (or one with higher qualification including being a member of recognised professional institutions). 2. Top management and technical staff (and the named safety personnel above) may be the same person, but shall meet all respective requirements at the same time. 3. The named technical staff shall complete the CIC Safety Training Course for Construction Workers of Specified Trade (“Silver Card Course”) applicable for the Designated Trade. 4. Unless otherwise specified, the contract value is normally based on an ‘all-in’ sum of labour and materials.

Registration Requirements	Definitions and Notes
2.3 Continuous professional development (CPD)	<ol style="list-style-type: none"> 1. Continuous professional development training includes relevant classroom or online training courses, seminars, conferences, visits, workshops etc. organized by the Construction Industry Council, relevant Government departments, public bodies, professional institutions, trade associations, labour unions recognised by the Committee. 2. Management personnel refers to top management and technical staff (and the named safety personnel above). 3. This Registration Requirement is applicable to <u>renewal applications</u> only.
3. Job Experience	
3.1 Track record	<ol style="list-style-type: none"> 1. Unless otherwise specified, the contract value is normally based on an 'all-in' sum of labour and materials. 2. The standard proforma of the job reference report is attached in Schedule 5. Other applicable formats that fulfills the registration requirements may be used.
4. Execution	
4.1 Long-term employment staff (including technical staff)	<ol style="list-style-type: none"> 1. Skilled or semi-skilled workers means registered skilled or semi-skilled worker registered with the relevant trade divisions under the Construction Workers Registration Ordinance (Cap. 583). 2. Apprentice refers to a person who has joined apprenticeship scheme or training programme operated and recognised by CIC or Vocational Training Council. 3. Long-term employment refers to the employment of a worker on a monthly paid basis.
5. Finance	
5.1 Employed capital	<ol style="list-style-type: none"> 1. Employed capital refers to the shareholders' funds. It basically comprises capital, reserves and retained profits of a company. 2. The amount of employed capital will be assessed based on the audited financial statements provided.
5.2 Working capital	<ol style="list-style-type: none"> 1. Working capital refers to the net current asset position (current assets minus current liabilities) of a company. 2. The amount of working capital will be assessed based on the audited financial statements provided.
5.3 Tender Limit	<ol style="list-style-type: none"> 1. To be verified by project owner / consultant or main contractor. 2. Unless otherwise specified, the contract value is normally based on "all-in" sum of labour and materials.

Registration Requirements	Definitions and Notes
5.4 Auditor's report	<ol style="list-style-type: none"> 1. Annual financial statements for accounting years audited and certified by certified public accountants. 2. It shall be for a period ending no more than 18 months before submission date. 3. It includes auditors' report, balance sheets, profit and loss accounts and cash flow statements together with relevant notes showing details of accounting shareholders' fund, non-current assets and liabilities, investments, current assets and current liabilities.

Trade Category: Concreting**Brief Scope of Designated Trade**

Mixing, placing and compacting concrete using vibrating machines; curing, levelling and smothering of concrete

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$5M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	Group 1	Group 2
1. Safety		
1.1 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$1.1M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$4.5M of satisfactory performance and at least 1 project is no less than \$2.25M
2. Management		
2.1 Senior management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of directors with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated Trade applying for (skilled worker or above)	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above)
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no less than \$1.1M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$4.5M of satisfactory performance and at least 1 project is no less than \$2.25M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of semi-skilled / skilled workers	Min. 8 no. of apprentices / semi-skilled / skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$1.5M
5.2 Working capital	Min. \$0.5M	Min. \$1.5M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

Remarks: The contract values in this trade category are normally based on labour cost only.

Trade Category: Concreting Formwork**Brief Scope of Designated Trade**

Erecting and striking timber formwork for building works and civil construction; fixing and dismantling large panel metal formwork

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$40M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	Group 1	Group 2
1. Safety		
1.1 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$10M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$60M of satisfactory performance and at least 1 project is no less than \$30M
2. Management		
2.1 Top management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of directors with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no less than \$10M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$60M of satisfactory performance and at least 1 project is no less than \$30M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of semi-skilled / skilled workers	Min. 8 no. of apprentices / semi-skilled / skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$3M
5.2 Working capital	Min. \$0.5M	Min. \$3M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

Trade Category: Curtain Wall**Brief Scope of Designated Trade**

Installing metal frames, and fixing glasses or other material panels, for curtain walls

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$40M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	Group 1	Group 2
1. Safety		
1.1 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$10M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$60M of satisfactory performance and at least 1 project is no less than \$30M
2. Management		
2.1 Top management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of directors with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no lesser than \$10M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$60M of satisfactory performance and at least 1 project is no less than \$30M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of semi-skilled / skilled workers	Min. 8 no. of apprentices / semi-skilled / skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$3M
5.2 Working capital	Min. \$0.5M	Min. \$3M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

Trade Category: Demolition**Brief Scope of Designated Trade**

Demolishing, dismantling and removing buildings and structures, or any part of them

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$5M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	Group 1	Group 2
1. Safety		
1.1 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$1.1M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$4.5M of satisfactory performance and at least 1 project is no less than \$2.25M
2. Management		
2.1 Senior management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of director with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no less than \$1.1M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$4.5M of satisfactory performance and at least 1 project is no less than \$2.25M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of skilled workers	Min. 4 no. of apprentices / skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$1.5M
5.2 Working capital	Min. \$0.5M	Min. \$1.5M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

Trade Category: Erection of Concrete Precast Component**Brief Scope of Designated Trade**

Erecting and fixing concrete precast component of buildings

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$3M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	<i>Group 1</i>	<i>Group 2</i>
1. Safety		
1.2 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$0.6M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$2.4M of satisfactory performance and at least 1 project is no less than \$1.2 M
2. Management		
2.1 Senior management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of directors with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no less than \$0.6M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$2.4M of satisfactory performance and at least 1 project is no less than \$1.2 M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of semi-skilled / skilled workers	Min. 4 no. of apprentices / semi-skilled / skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$1.5M
5.2 Working capital	Min. \$0.5M	Min. \$1.5M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

Remarks: The contract values in this trade category are normally based on labour cost only.

Trade Category: Reinforcement Bar Fixing**Brief Scope of Designated Trade**

Cutting, bending and fixing reinforcement steel bars

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$20M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	Group 1	Group 2
1. Safety		
1.1 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$7.5M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$30M of satisfactory performance and at least 1 project is no less than \$15M
2. Management		
2.1 Senior management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of directors with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no less than \$7.5M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$30M of satisfactory performance and at least 1 project is no less than \$15M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of semi-skilled / skilled workers	Min. 8 no. of apprentices / semi-skilled / skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$1.5M
5.2 Working capital	Min. \$0.5M	Min. \$1.5M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

Remarks: The contract values referred in this trade category are normally based on labour cost only.

Trade Category: Scaffolding**Brief Scope of Designated Trade**

Erecting and dismantling bamboo or metal scaffolding required in construction works.

Tender Limits

Group 1: Contracts / Subcontracts value up to HK\$5M ("M" denotes "million")

Group 2: Contracts / Subcontracts of unlimited value

	Group 1	Group 2
1. Safety		
1.3 Full-time qualified safety personnel	Min. 1 no. with safety supervisor qualification (or above)	Min. 3 nos. with safety supervisor qualification (or above)
1.2 Site safety record	Provide the proof for at least 1 project of no less than \$1.1M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$4.5M of satisfactory performance and at least 1 project is no less than \$2.25M
2. Management		
2.1 Senior management	Min. 1 no. of director with 5 years of relevant project management experience	Min. 1 no. of director with 5 years of relevant project management experience
2.2 Technical staff	Min. 1 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course	Min. 3 no. of technical staff with 5 years of experience and qualification relevant to the designated trade applying for (skilled worker or above) and completed the Silver Card Course
2.3 Continuous professional development (CPD)	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training	Each of the abovementioned management personnel should have completed at least 5 hours per year recognised CPD training
3. Job Experience		
3.1 Track record	Provide the proof for at least 1 project of no less than \$1.1M of satisfactory performance	Provide the proof for at least 2 projects of no less than a total of \$4.5M of satisfactory performance and at least 1 project is no less than \$2.25M
4. Execution		
4.1 Long-term employment staff (including technical staff)	Min. 2 no. of semi-skilled / skilled workers	Min. 4 no. of apprentices / semi-skilled/skilled workers
5. Finance		
5.1 Employed capital	Min. \$0.5M	Min. \$1.5M
5.2 Working capital	Min. \$0.5M	Min. \$1.5M
5.3 Audited report	Provide the annual return and audited financial statements	Provide the annual return and audited financial statements

List of Supportive Documents required for registration

Registration Requirement	Supportive Document
1. Safety	
1.1 Full-time qualified safety personnel	<ol style="list-style-type: none"> Copy of valid certificate of recognised construction industry safety supervisor course or other relevant certificate of qualification above Provide the first 4 digit of HKID card
1.2 Site safety record	<ol style="list-style-type: none"> A job reference report within 3 years of application date Relevant part of the contract showing contract value and main work scope
2. Management	
2.1 Senior management	<ol style="list-style-type: none"> Curriculum vitae of the director / proprietor / partner (including job position & responsibilities, project experience and employment period etc.) to prove he / she possesses experiences in the designated trade the company is applying for If applicable, latest Annual Return Form (NAR1) filled to Companies Registry confirm the identity as company director. For unincorporated businesses, Certified Extracts of Information on Business Register issued by the Inland Revenue Department (Form IRBR 152)
2.2 Technical staff	<ol style="list-style-type: none"> Curriculum vitae / proof or references of the technical staff (including job position & responsibilities, project experience and employment period etc.) to prove he / she possesses experiences in the designated trade the company is applying for Proof of valid registration of the technical staff as a skilled worker or above under the Construction Workers Registration Ordinance or equivalent qualifications to prove he / she possesses the qualification in the designated trade the company is applying for Provide the first 4 digit of HKID card and number of "Silver Card"
2.3 Continuous professional development (CPD)	<ol style="list-style-type: none"> CPD records including attendance certificates or proof of participation bearing the names of attendants and duration of courses / events (applicable to renewal application only)
3. Job Experience	
3.1 Track record	<ol style="list-style-type: none"> A job reference report within 3 years of application date Relevant part of the contract showing contract value and main work scope
4. Execution	
4.1 Long-term employment staff (including technical staff)	<ol style="list-style-type: none"> For Apprentice, provide copy of apprentice employment contract or equivalent For other training programs, provide proof of entry requirements, course or curriculum content, assessment criteria and other applicable information which are equivalent to skills required for the Committee's consideration
5. Finance	
5.1 Employed capital	<ol style="list-style-type: none"> Copy of annual unconsolidated financial statements for accounting years audited and certified by certified public accountants for a period ending no more than 18 months before submission date
5.2 Working capital	
5.3 Auditor's report	

Schedule 3 – Code of Conduct Guidance Document

1.0 General

This Code of Conduct Guidance Document describes the basic standard of conduct expected for all sole proprietor, partners, directors and staff of Registered Specialist Trade Contractors (RSTC). The guidelines given in each of the aspects are considered useful to help top management of RSTC to understand the required standard of conduct. Top management of RSTC are responsible for setting out and promulgating a written Code of Conduct of the RSTC in accordance with this guideline document.

2.0 Prevention of Bribery

2.1 Prevention of Bribery Ordinance

Under Section 9 of the Prevention of Bribery Ordinance (PBO), any director or staff member who, without the permission of his employer or principal (i.e., the RSTC), solicits or accepts an advantage as a reward or inducement for doing any act or showing favour in relation to the latter's business, commits an offence. The person offering the advantage also commits an offence. Refer to Section 2 of the PBO for the definition of "advantage".

The RSTC prohibit all forms of bribery and corruption. All directors and staff are prohibited from soliciting, accepting or offering any bribe in conducting the RSTC's business or affairs, whether in Hong Kong or elsewhere. In conducting all business or affairs of the RSTC, they must comply with the Prevention of Bribery Ordinance (POBO) of Hong Kong and must not –

- (a) solicit or accept any advantage from others as a reward for or inducement to doing any act or showing favour in relation to the RSTC's business or affairs, or offer any advantage to an agent of another as a reward for or inducement to doing any act or showing favour in relation to his principal's business or affairs. Particularly, in the recruitment of workers, it is a strict prohibition of soliciting and / or accepting advantage (such as unauthorised introduction fee) from workers;
- (b) offer any advantage to any public servant (incl. Government / public body employee) as a reward for or inducement to his performing any act in his official capacity or his showing any favour or providing any assistance in business dealing with the Government / a public body; or
- (c) offer any advantage to any staff of a Government department or public body while they are having business dealing with the latter.

2.2 Acceptance of Advantage

The RSTC's policy shall be that directors and staff do not solicit or accept any advantage for themselves or others, from any person, company or organisation having business dealings with the RSTC, except that they may accept (but not solicit) the following advantages when offered on a voluntary basis –

- (a) advertising or promotional gifts or souvenirs of a nominal value; or
- (b) gifts given on festive or special occasions, subject to a maximum limit of specified value;
or
- (c) discounts or other special offers given by any person or company to them as customers,
on terms and conditions equally applicable to other customers in general; or
- (d) gifts or souvenirs of nominal value presented to them in official functions.

No director or staff member of the RSTC should accept any advantage from a subordinate, except those mentioned in paragraphs (a) and (b) above. Gifts or souvenirs described in paragraph (d) above are deemed as offers to the RSTC.

The directors and staff members concerned should report the acceptance to the RSTC and seek direction as to how to handle the gifts or souvenirs from the approving authority with written record. If a director or staff member wishes to accept any advantage not covered in the above-paragraphs, he / she should also seek permission from the approving authority with written record.

However, a director or staff member should decline an offer of advantage if acceptance could affect his / her objectivity in conducting the RSTC's business or induce him / her to act against the interest of the RSTC, or acceptance will likely lead to perception or allegation of impropriety.

If a director or staff has to act on behalf of a client in the course of carrying out the RSTC's business, he / she should also comply with any additional restrictions on acceptance of advantage that may be set by the client.

2.3 Offer of Advantage

Directors and staff are prohibited from offering advantages to any director or staff of another company or organisation, for the purpose of influencing such person or company in any dealings, or any member or staff of a government department or public body while having business dealings with the latter, whether directly or indirectly through a third party, when conducting the RSTC's business.

2.4 Entertainment

As defined in Section 2 of the PBO, "entertainment" refers to food or drink provided for immediate consumption on the occasion, and any other entertainment provided at the same time. Although entertainment is an acceptable form of business and social behaviour, a director or staff member should avoid accepting overly lavish or frequent entertainment from persons with whom the RSTC has business dealings (e.g. suppliers or contractors) or from his / her subordinates to avoid placing himself / herself in a position of obligation.

2.5 Records, Accounts and other Documents

Directors and staff should ensure that all records, receipts, accounts or other documents they submit to the RSTC, give a true representation of the events or business transactions as shown in the documents. Intentional use of documents containing false information to deceive or mislead the RSTC, regardless of whether there is any gain or advantage involved, may constitute an offence under the PBO.

3.0 Compliance with laws of Hong Kong and in Other Jurisdictions

Directors or staff shall comply with all local laws and regulations when conducting the RSTC's business, and also those in other jurisdictions when conducting business there.

4.0 Conflict of Interest

Directors and staff should avoid any conflict of interest situation (i.e., situation where their private interest conflicts with the interest of the RSTC) or the perception of such conflicts. They should not misuse their position or authority in the RSTC to pursue their own private interests which include both financial or personal interests and those of their family members, relatives or close personal friends. When actual or potential conflict of interests arises, the director or staff member should make a declaration to the management through the reporting channel with written record.

Some examples of conflict of interest are described below but they are by no means exclusive –

- (a) A staff member involved in a procurement exercise is closely related to or has financial interest in the business of a supplier who is being considered for selection by the RSTC;
- (b) One of candidates under consideration in a recruitment or promotion exercise is a family member, a relative or a close personal friend of the staff member involved in the process.
- (c) A director of the RSTC has financial interest in a company whose quotation or tender is under consideration by the RSTC.
- (d) A staff member (full-time or part-time) undertaking part-time work with a contractor whom he is responsible for monitoring.

Taking into account individual circumstances of the conflict of interest situations and possible public perception, the management should take appropriate mitigating measures (e.g. restrict the director / employee's involvement in the task, appoint an independent party to oversee the work, redeploy another director / employee to take up the task or, if the situation warrants, request the director / employee to relinquish his private interest). Even if the risk is very remote and no mitigating action is considered necessary, the declared conflict of interest and related decision with justifications should be properly recorded.

5.0 Use of Company Asset

Directors and staff in charge of or having access to any RSTC assets, including funds, property, information, and intellectual property, should use them solely for the purpose of conducting the RSTC's business. Unauthorised use, such as misuse for personal gain, is strictly prohibited.

6.0 Confidentiality of Information

Directors and staff should not disclose any classified information of the RSTC without authorization or misuse any RSTC information (e.g. unauthorized sale of the information). Those who have access to or are in control of such information, including information in the RSTC's computer system, should at all times protect the information from unauthorized disclosure or misuse. Special care should also be taken in the use of any personal data to ensure compliance with the Personal Data (Privacy) Ordinance.

7.0 Outside Employment

Any full time staff who wish to take up employment outside the RSTC, shall seek the prior written approval of the approving authority. The approving authority should consider whether the outside employment would give rise to a conflict of interest with the staff's duties or the interest of the Company.

8.0 Relationship with Suppliers, Contractors and Customers

8.1 Gambling

Directors and staff are advised not to engage in frequent gambling activities (e.g. mahjong) with persons having business dealings with the RSTC.

8.2 Loans

Directors and staff should not accept any loan from, or through the assistance of, any individual or organisation having dealings with the RSTC. There is however no restriction on borrowing from licensed banks or financial institutions.

[The RSTC may wish to include other guidelines on the conduct required of directors and staff in their dealings with suppliers, contractors, customers, and other business partners as appropriate to specific trades.]

Schedule 4 – Fee Schedule

Application Fee for Clause 4.2, 5.2 and 6.2: HK\$100

Registration Fee for each registration term: HK\$1,200 per application

(Flat-rate and no pro-rata charge is allowed)

Application Fee for Clause 8.3: HK\$370 per application

(Flat-rate and no pro-rata charge is allowed)

All Application Fees are non-refundable

Schedule 5 – Job Reference Reports Standard Proforma

NOTE: Part B and C of this Job Reference Report is to be completed by Main Contractor / Project Owner / Project Consultant. Please read the "Guidance Notes for Job Reference Report" (see overleaf)

To: Secretariat of the Construction Industry Council (Registration Services)

This section shall be completed by the Applicant

Name of Applicant:	Registration No. of RSTCS (if any):
Designated Trade under application: (Delete where not appropriate)	Concreting Formwork / Reinforcement Bar Fixing / Concreting / Erection of Concrete Precast Component / Curtain Wall / Scaffolding / Demolition

A. Project Information	
Project Title:	
Site location:	
Project Owner's name:	
Main Contractor's name:	Main Contractor's Contact Tel. No.:

Sub-contract Title: (Shall be relevant to the Designated Trade above)	
Contracting Parties of Sub-contract:	
Commencement Date:	Completion Date:
Contract/Sub-contract Sum (HK\$):	

This section shall be completed by Main Contractor/Project Owner/Project Consultant

B. Particular of the Main Contractor/Project Owner/Project Consultant	
Name:	Position:
Company Name:	
Contact No.:	Email address:

C. Performance (Put a "tick" where appropriate)					
Aspects	Very Good	Good	Satisfactory	Poor	Very Poor
Workmanship					
Progress					
Site Safety					
Organisation					
Industry Awareness					
Overall					

D. Declaration

We noted that the Applicant is applying for admission / renewal of registration under the RSTC of the CIC. To facilitate the CIC to considering the application and having referred to the “*Guidance Notes for Job Reference Report*”, we, as the Project Owner / Main Contractor / Project Consultant (delete where not appropriate), hereby declares the performance of the Applicant in Contract/Sub-contract of the Project as shown above.

For and on behalf of the
Project Owner / Main Contractor / Project Consultant (delete where not appropriate)

(Full name & signature with company chop)

(Date)

Guidance Notes for Job Reference Report**1.0 General**

- 1.1 Job reference report is a key element when considering admission and renewal of registration under the Registered Specialist Trade Contractors Scheme (RSTCS) of the CIC. The report writer shall give his / her assessment on individual aspects of performance in an objective and fair manner based on factual information as far as practicable especially for overall or any aspects of performance considered as “Poor” or “Very poor” as further explained in section below.
- 1.2 It is not expected that the weighting given to each individual aspect of performance will be uniform for all types of contracts. The report writer are to use their knowledge of the Contract / Sub-contract in question to reach a conclusion of overall grading to be given.
- 1.3 Noting that Applicant may directly made contract with Project Owner, the “Sub-contract” referred herein will be construed as the direct contract with this Job Reference Report to be completed by Project Owner or Main Contractor accordingly. However, the report writer shall not be the associated company as defined under the Companies Ordinance in relation to the Applicant and declare any conflict of interest, if any.
- 1.4 The Secretariat may seek clarifications or supplemental information, including clarification from the applicant’s job referees or relevant Registered Specialist Trade Contractors, from time to time in processing the registration application of Specialist Trade Contractor.

2.0 Individual aspects of performance

Aspects	Key Attributes to be considered when assessing performance
Workmanship	Degree of compliance with the specifications; Keeping of adequate work records; Frequency/extent of re-work/reinstatements of defects
Progress	Possession of programme with logical sequence of working; Adherence to programme and timeliness of completion
Site Safety	Provision and implementation of safe system of work; Employment of safety supervisor; Site accident / conviction record; Provision of information, instruction and training to staff
Organisation	Adequacy of organisation structure and manpower; Provisions of site supervisory staff
Industry Awareness	Employment of registered construction worker, Provisions of training for apprentice and worker; Provisions of worker welfare and facilities

3.0 Definition of performance grading

Grade	Expected Performance Level
Very Good	Performance is significantly and consistently better than that required by the Contract / Subcontract
Good	Performance attains and is occasionally better than that required by the Contract / Subcontract
Satisfactory	Performance attains that required by the Contract / Subcontract
Poor	Performance is considered to be below that required by the Contract / Subcontract though without serious deficiencies; or where instructions have to be repeatedly issued and the work has consistently to be redone in order to attain a satisfactory level; or the performance of the contractor could only attained that required by the Contract / Subcontract through enhanced supervision effort from upper tier contractor
Very Poor	Performance is considered to be significantly below that required by the Contract / Subcontract; or where instructions have to be repeatedly issued and the work has consistently to be redone but is still unable to attain a satisfactory level