



CONSTRUCTION
INDUSTRY COUNCIL
建造業議會

Registered Specialist Trade Contractors Scheme
Rules and Procedures for the Register of Subcontractors

April 2022

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Part 1 – Defined Terms and Interpretation

1. Definitions

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

- a) “Appeal Panel” means an panel appointed under Clause 13;
- b) “Business” means an entity with a valid business registration including but not limited to incorporated companies, partnerships and individuals;
- c) “Construction Industry Council” or "CIC" means the body established under the Ordinance;
- d) "Ordinance" means the Construction Industry Council Ordinance (Cap. 587);
- e) “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;
- f) “Decision Date” means the date on which the Committee approves or rejects an application under Clauses 4, 5, 6 and 12 below or the date on which the Committee cancels the registration of a Registered Subcontractor under Clause 9 below;
- g) “Trade” means a trade set out in Schedule 1;
- h) “Specialty” means a specialty grouped under the trades listed in Schedule 1 or other specialties relevant to the trades;
- i) “Register” means the Register of Subcontractors established and administered under Clause 3 below and Section 5(e) and Section 7(2)(g) of the Ordinance;
- j) “Registered Subcontractor” means a company listed on the Register;
- k) “Registration Particulars” means the items of information in application forms or submitted documents;
- l) “Government Registration Schemes“ means registration schemes implemented by the bureaux and departments of HKSAR Government.

Examples are listed in Schedule 5;

- m) “Registration Undertaking” means the prescribed undertaking in the specified form;
- n) “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;
- o) “Scheme Website” means the website providing public access to the Registration Particulars published in accordance with Clause 10 below and other announcements related to the Scheme;
- p) “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 set of Rules and Procedures, the former shall prevail.

Part 2 – Rules for Administration of the Register of Subcontractors

3. General

- 3.1. The Register of Subcontractors shall comprise of Businesses carrying out works in Trades and Specialties.
- 3.2. Registered Subcontractors shall fulfill the Registration Requirements specified according to Trades and Specialties.
- 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 Subcontractor 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 Trade or Specialty.
- 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. The Committee shall not register a Business as a Registered Subcontractor 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. A company may apply for registration on the Register subject to compliance with the following Registration Requirements –
 - a) Requirement R1
completion of at least one job within the last five years as a main contractor / subcontractor in the trades and specialties for which registration is applied; or, comparable experience acquired by the applicant or its proprietors, partners or directors within the last five years.

OR

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

OR

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

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

- 4.5. The Committee may impose additional conditions for registration on any individual Business applicants as it thinks fit.
- 4.6. Having regard to needs of the Trades and Specialties, the Committee may approve and register a Business as a Subcontractor even if the Business does not fully satisfy the Registration Requirements.
- 4.7. 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 Subcontractors shall expire on a date specified by the Committee in accordance with Clause 5.1b) 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 Subcontractors 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 Subcontractor's registration; and

- b) accompanied by the prescribed fees and documents.
- 5.3. Provided that supporting documents are not required for trades or specialties of Registered Subcontractors satisfying the following conditions –
- a) the trades or specialties are registered or renewed through entry requirement R1 or R3 in the previous application for registration, inclusion of additional trades or renewal; and
 - (i) the experience submitted in the previous application for satisfying the entry requirements in relation to the trades and specialties is obtained within five years of the expiry of the current registration; or
 - (ii) the first time registration through complying the requirement R3 being within five years of the expiry of the current registration.
- 5.4. Subject to Clauses 5.6 below, the Committee shall not renew the registration of any Registered Subcontractors unless the Committee at its sole discretion is satisfied that –
- a) the Registered Subcontractor meets all the relevant renewal Requirements; and
 - b) the Registered Subcontractor is suitable for renewal.
- 5.5. The Committee may impose additional conditions for the renewal of registration of a Registered Subcontractors as it thinks fit.
- 5.6. If the Registered Subcontractors 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 Subcontractors may be removed from the Register upon expiry until the application for renewal of registration is duly processed.

6. Change of Registration Particulars, Trades and Specialties

- 6.1. A Registered Subcontractor shall update the Committee of any changes of its Registration Particulars within 14 calendar days after such changes have taken effect. An update shall be made to the Committee in the specified form.

- 6.2. A Registered Subcontractors who, without reasonable excuse, contravenes Clause 6.1 above may be subject to regulatory actions taken in accordance with Clause 12 below.
- 6.3. The Committee shall not change or add Trades and Specialties of a Registered Subcontractor unless the Committee is satisfied that -
- a) the Registered Subcontractors meets all the relevant requirements of changes of Registration; and
 - b) the Registered Subcontractors is suitable for registration with the Trade and Specialties to be changed or added.
- 6.4. For the avoidance of doubt, the change of Registration Particulars, Trades or Specialties will not extend the validity period of a registration as specified under Clause 5.1 above.

7. Fees

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

8. Clarification and Additional Information

- 8.1. 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.
- 8.2. All information and documents provided by an applicant will not be returned.

9. Change or Cancellation of Registration

- 9.1. The Committee may change the Trades or Specialties of a Registered Subcontractor or remove the Registered Subcontractor from the Register at any time if the Committee is satisfied that:
- a) the Registered Subcontractor is adjudged bankrupt or wound-up;
 - b) the Registered Subcontractor is not entitled to be registered at the time.
 - c) the registration of the Registered Subcontractor has expired under Clause 5.1a) 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 12 below, it was determined that the registration be revoked.

10. Publication of Registration Particulars

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

11. Integrity Management and Code of Conduct

- 11.1. A Registered Subcontractor shall be responsible for the good behavior of its employees and agents in relation to any construction works undertaken by the Registered Subcontractor.
- 11.2. The Registered Subcontractor 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 Subcontractor.
- 11.3. A Registered Subcontractor shall establish and promulgate its Company Integrity Policy and Code of Conduct with reference to Schedule 3.

Part 3 – Regulatory Actions

12. Regulatory Actions

12.1. The Committee may conduct an inquiry into any conduct of a Registered Subcontractor if the Committee has reasonable cause to suspect the Registered Subcontractor no longer meets any of the Registration Requirements or has fallen into any of the circumstances set out under Clause 12.2 below. In such a case, the Registered Subcontractor shall answer to queries or provide information within prescribed time as specified by the Committee.

12.2. The circumstances that may lead to regulatory actions be taken against a Registered Subcontractor include, but are not limited to -

- a) a petition for winding-up or bankruptcy has been filed against the Registered Subcontractor or other financial problems;
- b) Registered Subcontractor'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 Subcontractor;
- d) court conviction or violation of any law by the Registered Subcontractor, 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 Subcontractor's failure to comply with any provisions of the Rules and Procedures for the Scheme.

12.3. When there is a prima facie case for conducting a hearing , the Secretariat shall give the Registered Subcontractor concerned not less than 14 calendar days written notice advising the time and place for the hearing and the grounds for initiating regulatory proceedings.

- 12.4. At the hearing, the Registered Subcontractor or its authorized representative shall attend and be given an opportunity to make oral representations. The Registered Subcontractor or its authorized representative may also make written representations before the hearing. If the Registered Subcontractor 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.
- 12.5. After the hearing, the Committee may impose regulatory actions by directing that -
- a) written warning be given to the Registered Subcontractor;
 - b) the Registered Subcontractor be suspended from registration for a specified period;
 - c) the registration of the Registered Subcontractor be revoked.
- 12.6. 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 13.3 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 13.1 below.
- 12.7. 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 4 below.
- 12.8. A Registered Subcontractor whose registration has been revoked under Clause 12.5 c) shall not be eligible for re-registration for a period of two years from the date of revocation.
- 12.9. A Business with its sole director or proprietor being one of the directors, partners or proprietor of a Registered Subcontractor 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 Subcontractor subject to regulatory action.
- 12.10. 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 Subcontractor 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 Subcontractor subject to regulatory action.

Part 4 – Appeal

13. Right of Appeal

- 13.1. An applicant or Registered Subcontractor 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 Subcontractor (“Appellant”), a written notice with the Secretariat by post setting out the grounds for the appeal.
- 13.2. 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.
- 13.3. 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.

14. Appeal Panel

- 14.1. 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 potential decision being appealed against.

15. Appeal Proceedings

- 15.1. Proceedings of an Appeal shall be conducted in the presence of the chairman and two other members of the Appeal Panel.
- 15.2. 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.
- 15.3. 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.
- 15.4. 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 5 – Miscellaneous Provisions

16. Service of Notice

- 16.1. 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 Subcontractor's address as stated in the applicant's application form or the Register.

17. Correction of errors on Register

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

18. Personal Data

- 18.1. By submitting an application, the applicant or Registered Subcontractor 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.
- 18.2. 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.
- 18.3. 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 Subcontractor does not provide sufficient information, the Construction Industry Council or the Committee may not be able to process and / or consider its application.
- 18.4. The applicant or the Registered Subcontractor 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.
- 18.5. The applicant or Registered Subcontractors have the right to access and correction 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.
- 18.6. Written data access and correction requests should be addressed to Assistant Director – Registration Services at Construction Industry Council, 38/F, COS

Centre, 56 Tsun Yip Street, Kwun Tong, Kowloon, Hong Kong.

19. Governing Law

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

Schedule 1 - Trade Classification

| Group | Trade | Specialty |
|----------------------------------|---|--|
| 1. Structural and civil | 1.2 Foundation and Piling | 1.2.1 Sheet piles |
| | | 1.2.2 Bored piles |
| | | 1.2.3 Driven piles |
| | | 1.2.4 Diaphragm walls |
| | | 1.2.5 Micro piles |
| | | 1.2.6 Hand-dug caisson |
| | 1.8 Structural Steelwork | |
| | 1.9 General Civil Works | 1.9.1 Earthwork |
| | | 1.9.2 Roadworks |
| | | 1.9.3 Road drainage and sewer |
| | | 1.9.4 Geotechnical works |
| | | 1.9.5 Marine works |
| | | 1.9.6 Ground investigation |
| | 1.10 Other Structural and Civil Trades | 1.10.1 Pre-stressing system |
| 1.10.2 Expansion joints | | |
| 1.10.3 Heavy lifting | | |
| 1.10.4 Surveying and setting out | | |
| 1.10.5 Concrete repair | | |
| 1.10.6 Asbestos removal | | |
| 1.11 Building Maintenance | | |
| 2. Finishing | 2.2 Marble, Granite and Stone Work | 2.2.1 Marble/granite work |
| | | 2.2.2 Stone mason |
| | 2.3 Joinery and carpentry | 2.3.1 Cabinetry |
| | | 2.3.2 Wooden flooring |
| | | 2.3.3 Partition walls |
| | | 2.3.4 Work/counter top |
| | 2.4 Window Fabrication and Installation | 2.4.1 Aluminium window/louvers |
| | | 2.4.2 Steel windows/louvers |
| | | 2.4.4 Other window system (such as mild steel and PVC) |

Remarks: 1.1 Demolition, 1.3 Concreting Formwork, 1.4 Reinforcement Bar Fixing, 1.5 Concreting, 1.6 Concrete Precast Component, 1.7 Scaffolding, 2.1 Finishing Wet Trades and 2.4.3 Curtain wall/glass wall, 2.10.07 False Ceiling and 4.1 Tower Crane (Erection, dismantling and climbing) are applicable for the Register of Specialist Trade Contractors.

| Group | Trade | Specialty |
|---------------------|---|---|
| | 2.5 Shutters/Doors Fabrication and Installation | 2.5.1 Timber doors 2.5.2 Metal doors 2.5.3 Automatic sliding door 2.5.4 Stainless steel door 2.5.5 Roller and folding security shutter 2.5.6 Fire rated door 2.5.7 Fire shutter |
| | 2.6 Tanking and Waterproofing | |
| | 2.7 Painting | 2.7.1 Brush painting 2.7.2 Spray painting |
| | 2.8 Metal Work | 2.8.1 Metal work 2.8.2 Stainless steel work 2.8.3 Metal roof/skylight/cladding/ space frame |
| | 2.9 Landscaping | 2.9.1 Soft landscaping 2.9.2 Hard landscaping |
| | 2.10 Other Finishing Trades and Components | 2.10.1 Glazier work 2.10.2 Ironmongery 2.10.3 Artificial rocks 2.10.5 Sports and playground equipment/surface 2.10.6 Raised floor 2.10.8 Toilet and shower cubicle system 2.10.9 Dry wall system 2.10.10 Signage and graphics 2.10.11 Acoustic 2.10.12 Fiber reinforced plastic panels 2.10.13 Miscellaneous work |
| | 2.11 Renovation and Fitting-out | |
| 3. E & M | 3.1 Broadcast Reception Installation | |
| | 3.2 Burglar Alarm and Security | |
| | 3.3 Diesel Generator Installation | |
| | 3.4 Electrical | 3.4.1 Electrical wiring 3.4.2 General electrical installation 3.4.3 Electrical control and power panel assembly |

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

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

Schedule 2 - Information and Supporting Documents

| Items of Information | Supporting Documents |
|--|---|
| 1. Company name and address | Photocopy of effective Business Registration Certification |
| 2. Other contact details | Nil |
| 3. Company proprietors, partners and board of directors | <p>Photocopy of latest Annual Return and receipt issued by the Companies Registry (for incorporated companies only)^{Note 1}</p> <p>Photocopy of Certified Extracts of Information on Business Register issued by the Inland Revenue Department (Form IRBR 152) (Only for companies NOT incorporated under the Companies Ordinance submitting application for new registration and renewal of registration or notification of changes of registration particulars involving any changes on the name of company's proprietor / partners)</p> |
| 4. Projects undertaken (e.g. scope, nature and value of works, employers) or comparable experience | <p>Photocopy of documents proving satisfactory completion of works or track records of service in the industry, including projects or experience relevant to the trades or specialties for which registration/renewal is sought through entry requirement R1.</p> <p>For application for renewal, supporting documents are NOT required for trades and specialties exempted by the proviso to clause 5.3.</p> |
| 5. Qualifications on Government Registration Schemes | Photocopy of the registration certificates or approval letters granted by bureaux or departments of government, including those relevant to the trades or specialties for which registration/renewal is sought through entry requirement R2. |

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

Schedule 2 - Information and Supporting Documents (Cont'd)

| Items of Information | Supporting Documents |
|--|---|
| <p>6. Qualifications / working experiences on proprietors, partners and board of directors</p> | <p>Photocopy of documents proving:</p> <ul style="list-style-type: none"> i. previous employment by a Registered Subcontractor; or ii. passing of relevant trade tests for construction craftsman conducted by the Construction Industry Council (CIC), and satisfactory proof of having completed the required management courses for subcontractors conducted by the CIC for which registration is sought through entry requirement R3. |
| <p>7. Trades and specialties for which registration/renewal is sought:-</p> <p>7.1 through entry requirement R1</p> <p>7.2 through entry requirement R2</p> <p>7.3 through entry requirement R3</p> <p>7.4 Integrity Policy and Integrity Training Records</p> | <p>See item 4</p> <p>See item 5</p> <p>See item 6</p> <p>Integrity Policy duly signed within 12 months from the date of application and shall be equivalent and not inferior to the sample in Schedule 3.</p> <p>Recognised integrity training must be relevant to integrity and prevention of corruption such as joining the Integrity Charter, seminars, conferences, consultation services etc. organised by the ICAC. Integrity training record includes proof of attendance bearing the name of attendant, title, date, duration, organiser of the trainings/activities. (Applicable to renewal applications only)</p> |

possible breaches of integrity requirements or who participates in the inquiry / investigation of the allegation.

- Any personnel in breach of integrity requirements will be subject to internal disciplinary action, including termination of appointment and / or referral to relevant law enforcement agencies. Our Company will render full assistance to law enforcement agencies in the investigation of criminal offences.
- Our Company is committed to partner with ethical business counterparts who share the same value and commit to the same integrity standard.

Name & Signature(s) of Top Management ²: _____

Company Chop: _____

Date : _____

¹ Advantage is defined under the Prevention of Bribery Ordinance (Cap. 201) covering any gift, loan, fee, reward, commission, office, employment contract, discharge from obligation/liability/loan, service and favour, exercise or forbearance from exercise of right/power/duty, etc.

² Top Management means the registered company director under the Companies Ordinance or sole proprietor or partners for unincorporated companies, or person authorized by the company.

* delete as appropriate

3.0 Prevention of Bribery

3.1 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 RS), 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 RS prohibit all forms of bribery and corruption. All directors and staff are prohibited from soliciting, accepting or offering any bribe in conducting the RS's business or affairs, whether in Hong Kong or elsewhere. In conducting all business or affairs of the RS, 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 RS'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.

3.2 Acceptance of Advantage

The RS'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 RS, 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 RS 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 RS.

The directors and staff members concerned should report the acceptance to the RS 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 RS's business or induce him / her to act against the interest of the RS, 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 RS's business, he / she should also comply with any additional restrictions on acceptance of advantage that may be set by the client.

3.3 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 RS's business.

3.4 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 RS has business dealings (e.g. suppliers or contractors) or from his / her subordinates to avoid placing himself / herself in a position of obligation.

3.5 Records, Accounts and other Documents

Directors and staff should ensure that all records, receipts, accounts or other documents they submit to the RS, 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 RS, regardless of whether there is any gain or advantage involved, may constitute an offence under the PBO.

4.0 Compliance with laws of Hong Kong and in Other Jurisdictions

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

5.0 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 RS) or the perception of such conflicts. They should not misuse their position or authority in the RS 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 RS;
- (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 RS has financial interest in a company whose quotation or tender is under consideration by the RS.
- (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.

6.0 Use of Company Asset

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

7.0 Confidentiality of Information

Directors and staff should not disclose any classified information of the RS without authorization or misuse any RS information (e.g. unauthorized sale of the information). Those who have access to or are in control of such information, including information in the RS'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.

8.0 Outside Employment

Any full time staff who wish to take up employment outside the RS, 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.

9.0 Relationship with Suppliers, Contractors and Customers

9.1 Gambling

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

9.2 Loans

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

[The RS 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 - Fees Schedule

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

Note * –

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

Schedule 5 - Examples of Government Registration Schemes

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

Abbreviations

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