Chapter:	583	**Construction Workers Registration Ordinance**	Gazette Number	Version Date

		Long title	E.R. 1 of 2013	25/04/2013

Remarks:
For the transitional provisions relating to the amendments made by the Construction Workers Registration Ordinance (Amendment of Schedules 1 and 1A) Notice 2016 (L.N. 189 of 2016), see Part 3 of the Notice.

An Ordinance to provide for the registration of construction workers; a levy to be paid by contractors in respect of construction operations; the regulation of construction workers personally carrying out construction work; and for related matters.

(Amended 17 of 2012 s. 3)

[Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23(4) and (5), 36, 37, 60, 61, 62, 63, 64, 65, 66, 67 and Schedules 1 (except item 51 of Part 1), 2, 3, and 4 } 18 September 2004 *L.N. 147 of 2004*

Sections 22, 23(1), (2) and (3), 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 68 } 24 February 2005 *L.N. 196 of 2004*

Sections 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59 and 69 } 29 December 2005 *L.N. 167 of 2005*

Item 51 of Part 1 of Schedule 1 } 28 February 2007 *L.N. 4 of 2007*

Section 3(1)
Section 5 (in so far as it relates to employing a person to personally carry out on a construction site construction work in contravention of section 3(1))
Section 6(1) (in so far as it relates to the contravention of section 3(1))
Section 6(2) (in so far as it relates to the contravention of section 5 (to the extent that it is in operation under paragraph (b)))
Section 6(3)
Section 6(4) (in so far as it relates to the contravention of section 3(1) or the contravention of section 5 (to the extent that it is in operation under paragraph (b)))
Section 6(5), (6), (7) and (8)(a)
Section 48 (except paragraphs (b), (c) and (d) of subsection (1))
Section 58
} 1 September 2007 *L.N. 93 of 2007*]

(Enacting provision omitted—E.R. 1 of 2013)

(Originally 18 of 2004)

Part:	1	**Preliminary**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 1 has been updated to the current legislative styles.**

Section:	1	**Short title and commencement**	E.R. 1 of 2013	25/04/2013

Remarks:
For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

(1) This Ordinance may be cited as the Construction Workers Registration Ordinance.
(2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Development by notice published in the Gazette. (Amended L.N. 130 of 2007)

Section:	2	**Interpretation**	L.N. 14 of 2015	01/04/2015

(1) In this Ordinance, unless the context otherwise requires—

Amendment Ordinance 2014 (《2014年修訂條例》) means the Construction Workers Registration (Amendment) Ordinance 2014 (22 of 2014); (Added 22 of 2014 s. 3)

Appeal Board (上訴委員會) means a Construction Workers Appeal Board appointed under section 54(1);

Appeal Board panel (上訴委員團) means the Appeal Board panel appointed under section 53(1);

authorized officer (獲授權人員) means a person who is appointed under section 16(1);

Building Authority (建築事務監督) has the meaning assigned to it in section 2(1) of the Buildings Ordinance (Cap 123);

building services work (建築物裝備工程) means—
(a) any heating, lighting, air-conditioning, ventilation, power supply, drainage, sanitation, refuse collection, water supply, fire protection, security, communications, lift or escalator installation or works; or
(b) any other extra low voltage installation or works;

building works (建築工程) has the meaning assigned to it in section 2(1) of the Buildings Ordinance (Cap 123);

business day (工作日) means a day that is not—
(a) a general holiday; or
(b) a black rainstorm warning day, or a gale warning day, within the meaning of section 71(2) of the Interpretation and General Clauses Ordinance (Cap 1);

CITA (建訓局) means the Construction Industry Training Authority established by section 4 of the Industrial Training (Construction Industry) Ordinance (Cap 317) and in existence before the commencement* of section 71 of the Construction Industry Council Ordinance (Cap 587); (Amended 12 of 2006 s. 84)

construction site (建造工地) means a place where construction work is, or is to be, carried out but, except in relation to sections 17 and 18, excludes such a place where—
(a) in the case of construction work falling within paragraph (a)(i), (ii), (iii), (iv) or (v) of the definition of ***construction work*** in this section— (Amended 22 of 2014 s. 3)
(i) in respect of which the Buildings Ordinance (Cap 123) applies; and
(ii) which may not, by virtue of section 14AA or 41(3), (3B) or (3C) of that Ordinance, be commenced or carried out without complying with section 14(1) of that Ordinance, (Amended 20 of 2008 s. 48)
a certificate, referred to in paragraph (2) or (3) of regulation 25, or in paragraph (2) of regulation 26, of the Building (Administration) Regulations (Cap 123 sub. leg. A), in respect of the construction work has been sent to the Building Authority in accordance with that paragraph, or a certificate, referred to in paragraph (4) of regulation 25 of those Regulations, in respect of the construction work has been made in accordance with that paragraph;
(ab) in the case of construction work falling within paragraph (a)(i), (ii), (iii), (iv) or (v) of that definition—

(i) in respect of which the Buildings Ordinance (Cap 123) applies; and
(ii) which are class I minor works, or class II minor works, as defined by section 2(2) of the Minor Works Regulation,

a certificate referred to in section 31(c), 32(c), 34(c) or 35(c) of that Regulation in respect of the construction work has been submitted to the Building Authority; (Added 22 of 2014 s. 3)

(b) in the case of any other construction work falling within paragraph (a)(i), (ii), (iii), (iv) or (v) of that definition, a certificate of substantial completion of contract has been issued in accordance with the terms of the contract under which the construction work is carried out; (Amended 22 of 2014 s. 3)

(c) in the case of construction work falling within paragraph (a)(vi) of that definition, a certificate of completion has been issued in accordance with the terms of the term contract for maintenance under which the construction work is carried out; (Added 22 of 2014 s. 3)

construction work (建造工作)—

(a) means—
(i) the construction, erection, installation or reconstruction of any specified structure;
(ii) the addition, renewal, alteration, repair, dismantling or demolition of any specified structure that involves the structure of the specified structure or any other specified structure;
(iii) any building operation involved in preparing for any operation referred to in subparagraph (i) or (ii), including laying of foundations, excavation of earth and rock prior to laying of foundations, site clearance, site investigation, site restoration, earthmoving, tunneling, boring, scaffolding and provision of access; (Amended 22 of 2014 s. 3)
(iv) any building operation, or building services work, forming an integral part of, or rendering complete, any operation referred to in subparagraph (i) or (ii); (Amended 22 of 2014 s. 3)
(v) any building services work that involves the structure of any specified structure; or (Replaced 22 of 2014 s. 3)
(vi) any maintenance work, carried out under a term contract for maintenance, of any specified structure owned by, or otherwise belonging to, a public body or a specified body; but (Replaced 22 of 2014 s. 3)

(b) excludes all of the following—
(i) building works for which a certificate of exemption is issued under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121);
(ii) class III minor works as defined by section 2(2)(c) of the Minor Works Regulation;
(iii) designated exempted works as defined by section 2(1) of that Regulation; (Replaced 22 of 2014 s. 3)

(c) (Repealed 22 of 2014 s. 3)

Council (議會) means the Construction Industry Council established by section 4 of the Construction Industry Council Ordinance (Cap 587); (Added 17 of 2012 s. 4)

Council website (議會網站) means a website (or section of a website) of the Council intended to be accessible by the general public in Hong Kong; (Added 22 of 2014 s. 3)

designated trade division (指定工種分項) means a trade division set out in column 2 of Schedule 1; (Added 22 of 2014 s. 3)

domestic premises (住用處所) means premises used or intended to be used solely or principally for residential purposes and constituting a separate household unit;

Exemption Regulation (《豁免規例》) means a regulation made under section 63A; (Added 22 of 2014 s. 3)

extra low voltage (特低壓) means voltage normally not exceeding—

(a) 50V root mean square alternating current; or
(b) 120V direct current,

between conductors or between a conductor and earth;

further penalty (附加罰款) means the further penalty payable under section 27(3);

levy (徵款) means the levy imposed under section 23;

low voltage (低壓) means voltage normally exceeding extra low voltage but normally not exceeding—

(a) between conductors, 1000V root mean square alternating current or 1500V direct current; or
(b) between a conductor and earth, 600V root mean square alternating current or 900V direct current;

Minor Works Regulation (《小型工程規例》) means the Building (Minor Works) Regulation (Cap 123 sub. leg.

N); (Added 22 of 2014 s. 3)

officer (高級人員), in relation to a body corporate, includes a director, manager or secretary;

penalty (罰款) means the penalty payable under section 27(2);

practicable (切實可行) means reasonably practicable;

principal contractor (總承建商), in relation to a construction site, means the person who undertakes on the site construction work under a contract, or term contract for maintenance, that is entered into by the person directly with—

(a) an owner, occupier or developer of the property within the site; or

(b) an agent or architect, surveyor or engineer of such an owner, occupier or developer;

Qualifications Board (資格評審委員會) means the Construction Workers Qualifications Board established by section 12(1); (Added 17 of 2012 s. 4)

Register (名冊) means the Register of Construction Workers established under section 37(1)(a);

registered construction worker (註冊建造業工人) means—

(a) a registered skilled worker for a designated trade division;

(b) a registered skilled worker (provisional) for a designated trade division;

(c) a registered semi-skilled worker for a designated trade division;

(d) a registered semi-skilled worker (provisional) for a designated trade division; or

(e) a registered general worker; (Amended 22 of 2014 s. 3)

registered general worker (註冊普通工人) means a person whose name is entered in the Register as a registered general worker;

registered semi-skilled worker (註冊半熟練技工), in relation to a designated trade division, means a person whose name is entered in the Register as a registered semi-skilled worker for the trade division; (Amended 22 of 2014 s. 3)

registered semi-skilled worker (provisional) (註冊半熟練技工(臨時)), in relation to a designated trade division, means a person whose name is entered in the Register as a registered semi-skilled worker (provisional) for the trade division; (Amended 22 of 2014 s. 3)

registered skilled worker (註冊熟練技工), in relation to a designated trade division, means a person whose name is entered in the Register as a registered skilled worker for the trade division; (Amended 22 of 2014 s. 3)

registered skilled worker (provisional) (註冊熟練技工(臨時)), in relation to a designated trade division, means a person whose name is entered in the Register as a registered skilled worker (provisional) for the trade division; (Amended 22 of 2014 s. 3)

Registrar (註冊主任) means the Registrar of Construction Workers appointed under section 36(1);

registration (註冊) means registration under this Ordinance as a registered construction worker, and ***registered*** (註冊) shall be construed accordingly;

Registration Board (註冊委員會) means the Construction Workers Registration Board established under section 11A(1); (Added 17 of 2012 s. 4)

Review Board (覆核委員會) means the Construction Workers Review Board established by section 14(1); (Added 17 of 2012 s. 4)

registration card (註冊證) means a registration card issued under section 46(1);

Secretary (局長) means the Secretary for Development; (Amended L.N. 130 of 2007)

specified (指明), in relation to a form, means specified under section 62;

specified body (指明機構) means a body set out in Schedule 2;

specified structure (指明構築物) means any structure or works set out in Schedule 3;

street works (街道工程) has the meaning assigned to it in section 2(1) of the Buildings Ordinance (Cap 123);

sub-contractor (分包商), in relation to a principal contractor, means any person who enters into a contract with another person (whether or not the principal contractor) to undertake all or any part of the construction work that the principal contractor has undertaken;

surcharge (附加費) means the surcharge imposed under section 26(8);

term contract for maintenance (固定期保養合約) means a contract for a fixed term—

(a) which is made between a person and a public body or specified body; and
(b) under which the person shall, during the term, undertake maintenance work in respect of a specified structure owned by, or otherwise belonging to, the body; (Amended 22 of 2014 s. 3)

VTC (職訓局) means the Vocational Training Council established by section 4 of the Vocational Training Council Ordinance (Cap 1130).

(Amended 17 of 2012 s. 4; 22 of 2014 s. 3)

(2) For the avoidance of doubt, it is declared that the provisions of this Ordinance applicable to or in relation to a designated trade division, or any part of a designated trade division, are additional to the provisions of any other Ordinances applicable to or in relation to the trade division, or any part of the trade division. (Amended 22 of 2014 s. 3)

*** Commencement date: 1 January 2008.**

Section:	2A	**Ordinance applies to Government**	L.N. 149 of 2012	01/01/2013

This Ordinance applies to the Government.

(Added 17 of 2012 s. 5)

Part:	2	**Prohibitions**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 2 has been updated to the current legislative styles.**

Section:	2B	**Prohibitions apply to certain construction work as from appointed day**	22 of 2014; L.N. 14 of 2015	01/04/2017

(1) A provision set out in subsection (2), to the extent set out in that subsection in relation to the provision (if applicable), applies to the following construction work only as from a day to be appointed by the Secretary by notice published in the Gazette—
(a) construction work falling within the meaning of paragraph (a)(vi) of the definition of ***construction work*** in section 2(1);
(b) class I minor works as defined by section 2(2)(a) of the Minor Works Regulation;
(c) class II minor works as defined by section 2(2)(b) of that Regulation;
(d) construction work—
(i) falling within the meaning of paragraph (a)(i), (ii), (iii), (iv) or (v) of the definition of ***construction work*** in section 2(1); and
(ii) being carried out for specified construction operations.

(2) The following are set out for the purposes of subsection (1)—
(a) section 3(2);
(b) section 3A;
(c) section 4;
(d) section 4A;
(e) section 5 (in so far as it relates to employing a person to personally carry out on a construction site construction work in contravention of section 3(2));
(f) section 6(1) (in so far as it relates to the contravention of section 3(2));
(g) section 6(1A);
(h) section 6(2) (in so far as it relates to the contravention of section 5 by employing a person to personally carry out on a construction site construction work in contravention of section 3(2));
(i) section 6(4), in so far as it relates to the contravention of—
(i) section 3(2); or
(ii) section 5 (by employing a person to personally carry out on a construction site construction work in contravention of section 3(2));

(j) section 6(8)(b);
(k) section 48(1)(b);
(l) Schedule 1A.

(3) The Secretary may appoint different days for different construction work for the purposes of subsection (1).

(4) In this section—

construction contract (建造合約) has the meaning given by section 2(1) of the Construction Industry Council Ordinance (Cap 587);

specified construction operations (指明建造工程) means construction operations within the meaning of Schedule 1 to the Construction Industry Council Ordinance (Cap 587)—

(a) which are carried out under the same construction contract; and
(b) the total value of which does not exceed $10000000;

total value (總價值) has the meaning given by section 21.

(Added 22 of 2014 s. 4)

Section:	3	**Prohibition against unregistered construction workers carrying out on construction sites construction work**	22 of 2014; L.N. 14 of 2015; L.N. 7 of 2017	01/04/2017

(1) A person shall not personally carry out on a construction site construction work unless the person is a registered construction worker.

(2) Subject to sections 3A and 4, a person must not personally carry out on a construction site construction work that involves any skills described in column 3 of Schedule 1 opposite a designated trade division unless the person is —

(a) a registered skilled worker for the trade division;
(b) a registered skilled worker (provisional) for the trade division;
(c) a registered semi-skilled worker for the trade division; or
(d) a registered semi-skilled worker (provisional) for the trade division. (Replaced 22 of 2014 s. 5)

(3)-(4) (Repealed 22 of 2014 s. 5)

Section:	3A	**Working across designated trade divisions involving similar skills**	22 of 2014; L.N. 14 of 2015	01/04/2017

(1) A person who is a registered skilled worker for a designated trade division specified in column 1 of Schedule 1A (***major trade division***) may personally carry out on a construction site construction work that involves any required skills of the designated trade division specified in column 2 of that Schedule opposite the major trade division.

(2) However, the worker is not to be regarded as a registered skilled worker for a designated trade division other than the major trade division only because of subsection (1).

(3) Subsection (1) is subject to any condition or requirement specified in column 3 of Schedule 1A opposite the major trade division.

(4) In this section—

required skills (規定技能), in relation to a designated trade division, means the skills described in column 3 of Schedule 1 opposite the trade division.

(Added 22 of 2014 s. 6)

Section:	4	**Construction work carried out under instruction and supervision of registered skilled or semi-skilled worker**	22 of 2014; L.N. 14 of 2015; L.N. 7 of 2017	01/04/2017

(1) Subject to subsection (2), a person who is a registered construction worker may personally carry out on a construction site construction work that involves any skills described in column 3 of Schedule 1 opposite a designated trade division even though the person is not a registered skilled worker, registered skilled worker (provisional), registered semi-skilled worker or registered semi-skilled worker (provisional) for the trade

division.

(2) The person must apply those skills under the instruction and supervision of another person who is a registered skilled worker, or a registered semi-skilled worker, for the trade division.

(Replaced 22 of 2014 s. 7)

Section:	4A	**Measures for identification of relevant skilled worker**	22 of 2014; L.N. 14 of 2015	01/04/2017

(1) This section applies if—

(a) a person (***registered worker***) who is a registered construction worker is personally carrying out on a construction site construction work that involves any skills described in column 3 of Schedule 1 opposite a designated trade division;

(b) the registered worker is not a registered skilled worker, registered skilled worker (provisional), registered semi-skilled worker or registered semiskilled worker (provisional) for the trade division; and

(c) the registered worker is applying those skills under the instruction and supervision of another person (***relevant skilled worker***) who is a registered skilled worker, or a registered semi-skilled worker, for the trade division.

(2) The employer of the registered worker or the principal contractor for the construction site must implement reasonable measures to ensure that the registered worker can identify the relevant skilled worker as a registered skilled worker, or a registered semi-skilled worker, for the trade division.

(3) Those measures must be brought to the attention of the registered worker.

(4) If without reasonable excuse subsection (2) or (3) is contravened, both the employer and the principal contractor commit an offence and each is liable on conviction to a fine at level 3.

(Added 22 of 2014 s. 8)

Section:	5	**Prohibition against employing unregistered construction workers to carry out on construction sites construction work**	22 of 2014; L.N. 14 of 2015; L.N. 7 of 2017	01/04/2017

No person shall employ another person to personally carry out on a construction site construction work in contravention of section 3(1) or (2).

(Amended 22 of 2014 s. 9)

Section:	6	**Offences in relation to prohibitions under sections 3 and 5**	22 of 2014; L.N. 14 of 2015; L.N. 7 of 2017	01/04/2017

(1) A person who contravenes section 3(1) or (2) commits an offence and is liable on conviction to a fine at level 3. (Amended 22 of 2014 s. 10)

(1A) If a person is charged with an offence under subsection (1) for contravening section 3(2), it is a defence for the person to prove that the person believed, and that it was reasonable for the person to believe, that—

(a) the person was allowed to carry out the construction work concerned under section 4; or

(b) the construction work concerned was exempted from section 3(2) under the Exemption Regulation. (Added 22 of 2014 s. 10)

(2) A person who contravenes section 5 commits an offence and is liable on conviction to a fine at level 5.

(3) If a person is charged for an offence under subsection (2) for employing another person to personally carry out on a construction site construction work in contravention of section 3(1) or (2), it shall be a defence for the defendant to prove that he believed, and that it was reasonable for him to believe, the relevant matter exists. (Amended 22 of 2014 s. 10)

(4) If—

(a) there is a contravention of section 3(1) or (2), and the person who commits the contravention is employed by a principal contractor for the construction site concerned, or a sub-contractor of such a principal contractor; or (Amended 22 of 2014 s. 10)

(b) there is a contravention of section 5, and the person who commits the contravention is a sub-contractor of a

principal contractor for the construction site concerned,

that principal contractor also commits an offence and is liable on conviction to a fine at level 5.

(5) If a person is charged for an offence under subsection (4), it shall be a defence for the defendant to prove that he took reasonable steps, and exercised due diligence, to ensure the relevant matter exists.

(6) Without prejudice to the generality of subsection (5), a principal contractor establishes a defence under that subsection if he proves that he had—

(a) established a proper system to ensure the relevant matter exists; and

(b) ensured the effective operation of the system.

(7) For the purposes of subsection (6)(a), a principal contractor had not established a proper system unless at the material time he had complied with—

(a) section 48(6)(a); and

(b) if applicable, section 58(1).

(8) For the purposes of subsections (3), (5) and (6)(a), the relevant matter exists if—

(a) in the case of an offence in relation to a contravention of section 3(1), the person who personally carried out construction work was a registered construction worker;

(b) in the case of an offence in relation to a contravention of section 3(2), the person who personally carried out construction work that involved any skills described in column 3 of Schedule 1 opposite a designated trade division— (Amended 22 of 2014 s. 10)

(i) was a registered skilled worker for the trade division;

(ii) was a registered skilled worker (provisional) for the trade division;

(iii) was a registered semi-skilled worker for the trade division;

(iv) was a registered semi-skilled worker (provisional) for the trade division; or

(v) was a registered construction worker who was allowed to do so under section 3A or 4. (Amended 22 of 2014 s. 10)

(c)-(d) (Repealed 22 of 2014 s. 10)

Part:	3	**Council's Functions under Ordinance and Registration Board, etc. #**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 3 has been updated to the current legislative styles.**
 # (Amended 17 of 2012 s. 6)

Section:	7	**(Repealed 17 of 2012 s. 7)**	L.N. 149 of 2012	01/01/2013

Section:	8	**Functions of Council under this Ordinance***	E.R. 1 of 2013	25/04/2013

(1) The Council has the following functions under this Ordinance— (Amended 17 of 2012 s. 8)

(a) to be responsible for the administration of this Ordinance and the supervision of the registration of persons; (Amended 17 of 2012 s. 8)

(b) to set the qualification requirements for registration or renewal of registration; (Amended 17 of 2012 s. 8)

(c) to make recommendations with respect to the rate of levy; and (Amended 17 of 2012 s. 8)

(d) to perform any other functions imposed on the Council under this Ordinance. (Replaced 17 of 2012 s. 8)

(2)-(3) (Repealed 17 of 2012 s. 8)

Note:
*** (Amended 17 of 2012 s. 8)**

Section:	9	**Limitation on delegations**	L.N. 149 of 2012	01/01/2013

(1) The Council must not delegate under section 16 of the Construction Industry Council Ordinance (Cap 587) any

of its functions or powers under section 8(1)(a) or (c), 36, 60 or 63.

(2) The Council may delegate a registration function to the Registration Board only.

(3) In this section—

registration function (註冊職能) means any of the Council's functions and powers under section 8(1)(b) and Parts 4, 6 (except section 36), 7 and 8 (except sections 60 and 63).

(Replaced 17 of 2012 s. 9)

Section:	10	**(Repealed 17 of 2012 s. 10)**	L.N. 149 of 2012	01/01/2013

Section:	11	**(Repealed 17 of 2012 s. 10)**	L.N. 149 of 2012	01/01/2013

Section:	11A	**Registration Board**	L.N. 149 of 2012	01/01/2013

(1) The Council is to establish a board to perform or exercise—

(a) any registration function or other functions or powers delegated to the board under section 16 of the Construction Industry Council Ordinance (Cap 587);

(b) (if the board is appointed under section 36(1) as the Registrar) the functions and powers conferred on the Registrar under this Ordinance or the Construction Industry Council Ordinance (Cap 587); and

(c) other functions and powers conferred on the board under this Ordinance or the Construction Industry Council Ordinance (Cap 587).

(2) The board established under subsection (1) is to be called in English the "Construction Workers Registration Board" and in Chinese "建造業工人註冊委員會".

(3) The Registration Board may do all things that are necessary for, or incidental or conducive to, the performance of its functions under this Ordinance or the Construction Industry Council Ordinance (Cap 587).

(4) Part 1 of Schedule 4 has effect with respect to the Registration Board.

(5) In this section—

registration function (註冊職能) means any of the Council's functions and powers under section 8(1)(b) and Parts 4, 6 (except section 36), 7 and 8 (except sections 60 and 63).

(Added 17 of 2012 s. 11)

Section:	12	**Qualifications Board***	E.R. 1 of 2013	25/04/2013

(1) There is established by this section a board called in English the "Construction Workers Qualifications Board" and in Chinese "建造業工人資格評審委員會". (Amended 17 of 2012 s. 12)

(2) Subject to subsection (3), the Qualifications Board shall consist of— (Amended 17 of 2012 s. 12)

(a) a chairperson who is— (Amended 17 of 2012 s. 12)

(i) a member of the Registration Board; and

(ii) appointed by the Registration Board; and

(b) 14 other members appointed by the Registration Board as follows— (Amended 17 of 2012 s. 12)

(i) 5 public officers;

(ii) 2 persons, each of whom is, in the opinion of the Registration Board, a person from a training institute in the construction industry in Hong Kong;

(iii) 1 person who is, in the opinion of the Registration Board, a person from a professional body connected with the construction industry in Hong Kong;

(iv) 2 persons, each of whom is, in the opinion of the Registration Board, a person from a contractor in the construction industry in Hong Kong;

(v) 3 persons, each of whom is, in the opinion of the Registration Board, a person from a trade union, registered under the Trade Unions Ordinance (Cap 332), that represents workers in the construction industry in Hong Kong; and

(vi) 1 person who is, in the opinion of the Registration Board, a person from the major employers in the

construction industry in Hong Kong.

(3) A person is not eligible for appointment under subsection (2) if he is—
  (a) a member of the Review Board; or
  (b) a member of the Appeal Board panel.

(4) An appointment under subsection (2) shall be notified in the Gazette.

(5) If, for any period, the chairperson of the Qualifications Board is absent from Hong Kong or is, for any other reason, unable to perform the functions of the office, the other members of the Board may elect from among themselves a person to act as chairperson of the Board during that period.

(6) Part 3 of Schedule 4 shall have effect with respect to the Qualifications Board and its members.

(Amended 17 of 2012 s. 12)

Note:
*** (Amended 17 of 2012 s. 12)**

Section:	13	**Functions and powers of Qualifications Board***	L.N. 14 of 2015	01/04/2015

(1) The Qualifications Board shall— (Amended 17 of 2012 s. 13)
  (a) review the qualification requirements for registration or renewal of registration;
  (b) assess qualifications referred to it by the Registration Board to ascertain whether they should become qualification requirements for registration or renewal of registration;
  (c) prepare guidelines to be followed by the Registrar to examine, assess and verify the qualifications of applicants for registration or renewal of registration;
  (d) make recommendations to the Registration Board as to the matters referred to in paragraphs (a), (b) and (c);
  (e) when consulted by the Registrar, assess whether the qualification held by a person is an equivalent qualification for the purposes of section 40(2)(d) or (5)(c); (Amended 22 of 2014 s. 11)
  (f) make recommendations to the Registrar as to the matters referred to in paragraph (e); and
  (g) perform such other functions as are imposed on it under this Ordinance or any other enactment.

(2) The Qualifications Board may do all such things as are necessary for, or incidental or conducive to, the performance of its functions and may exercise such powers as are conferred on it under this Ordinance or any other enactment.

(Amended 17 of 2012 s. 13)

Note:
*** (Amended 17 of 2012 s. 13)**

Section:	14	**Review Board***	E.R. 1 of 2013	25/04/2013

(1) There is established by this section a board called in English the "Construction Workers Review Board" and in Chinese "建造業工人覆核委員會".

(2) Subject to subsection (3), the Review Board shall consist of 9 members appointed by the Registration Board as follows— (Amended 17 of 2012 s. 14)
  (a) 1 public officer;
  (b) 1 person nominated by The Hong Kong Institution of Engineers;
  (c) 1 person nominated by The Hong Kong Institute of Architects;
  (d) 1 person nominated by The Hong Kong Institute of Surveyors;
  (e) 2 persons, each of whom is, in the opinion of the Registration Board, a person from a contractor in the construction industry in Hong Kong; and
  (f) 3 persons, each of whom is, in the opinion of the Registration Board, a person from a trade union, registered under the Trade Unions Ordinance (Cap 332), that represents workers in the construction industry in Hong Kong.

(3) A person is not eligible for appointment under subsection (2) if he is—
  (a) a member of the Qualifications Board;
  (b) a member of the Appeal Board panel;
  (c) the Registrar; (Replaced 17 of 2012 s. 14)

(d) (if the Registrar is a body corporate) a member, officer or employee of the Registrar; or (Added 17 of 2012 s. 14)
(e) (if the Registrar is a body unincorporate) a member of the Registrar. (Added 17 of 2012 s. 14)

(4) The members of the Review Board are to elect a chairperson from amongst themselves.

(5) An appointment under subsection (2) shall be notified in the Gazette.

(6) If, for any period, the chairperson of the Review Board is absent from Hong Kong or is, for any other reason, unable to perform the functions of the office, the other members of the Board may elect from among themselves a person to act as chairperson of the Board during that period.

(7) Part 4 of Schedule 4 shall have effect with respect to the Review Board and its members.

(Amended 17 of 2012 s. 14)

Note:
*** (Amended 17 of 2012 s. 14)**

Section:	15	**Functions and powers of Review Board***	E.R. 1 of 2013	25/04/2013

(1) The Review Board shall— (Amended 17 of 2012 s. 15)
(a) conduct a review of any decision of the Registrar the subject of a request for review under section 51(1);
(b) make recommendations to the Registrar as to the decision; and
(c) perform such other functions as are imposed on it under this Ordinance or any other enactment.

(2) The Review Board may do all such things as are necessary for, or incidental or conducive to, the performance of its functions and may exercise such powers as are conferred on it under this Ordinance or any other enactment. (Amended 17 of 2012 s. 15)

Note:
*** (Amended 17 of 2012 s. 15)**

Part:	4	**Authorized Officers**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 4 has been updated to the current legislative styles.**

Section:	16	**Appointment of authorized officers**	E.R. 1 of 2013	25/04/2013

(1) The Council may, subject to the approval of the Secretary, appoint in writing a person to be an authorized officer for the purposes of this Ordinance (other than Part 5). (Amended 17 of 2012 s. 43)

(2) The Council shall issue to each authorized officer a certificate of appointment that— (Amended 17 of 2012 s. 43)
(a) gives the name of the authorized officer to whom it is issued; and
(b) states that it is issued by or on behalf of the Council under this Ordinance. (Amended 17 of 2012 s. 43)

(3) When performing or exercising a function or power under this Ordinance, an authorized officer shall, if requested to do so, produce for inspection his certificate of appointment.

(4) An authorized officer may perform or exercise any of his functions or powers under this Ordinance with the assistance of such police officers or other persons, or both, as the authorized officer thinks fit.

Section:	17	**Powers of authorized officers to enter construction site**	E.R. 1 of 2013	25/04/2013

(1) Where a warrant has been issued under subsection (2) in respect of a construction site, or where subsection (4) applies in respect of a construction site, an authorized officer may—
(a) at any time, using such force as may be necessary, enter and search the site;
(b) remove anything that obstructs the entry and search;
(c) detain any person found on the site, during such period as is reasonably required to permit the search to be

carried out, where that person might prejudice the purpose of the search if he were not so detained; and

(d) inspect, seize, detain and remove from the site anything that is or contains, or appears to the officer to be or to contain, evidence of the commission of an offence under this Ordinance.

(2) A magistrate may issue a warrant authorizing an authorized officer to enter and search a construction site if the magistrate is satisfied by information on oath that there are reasonable grounds to suspect that—

(a) an offence under this Ordinance is being or has been committed on the site; or

(b) there is on the site anything that is or contains evidence of the commission of an offence under this Ordinance.

(3) A warrant issued under subsection (2) continues in force until—

(a) the expiration of 1 month after the date of its issue; or

(b) the purpose for which entry is required has been fulfilled,

whichever first occurs.

(4) An authorized officer may, without a warrant issued under subsection (2), exercise any of the powers referred to in subsection (1) in respect of a construction site (other than domestic premises) if—

(a) he reasonably suspects that—

(i) an offence under this Ordinance is being or has been committed on the site; or

(ii) there is on the site anything that is or contains evidence of the commission of an offence under this Ordinance; and

(b) it is not practicable to obtain such a warrant in respect of the site before exercising those powers.

(5) For the purposes of ascertaining whether the provisions of this Ordinance have been or are being complied with, an authorized officer may enter a construction site at all reasonable times.

(6) This section does not prejudice any power of entry and search conferred on police officers under any other law.

Section:	18	**Other powers of authorized officers entering construction site***	L.N. 14 of 2014	01/04/2015

(1) An authorized officer who has entered a construction site under section 17(1) or (5) may—

(a) inspect and examine the site;

(b) inspect and examine any plant, equipment or substance found on the site;

(c) take photographs of the site or of any plant, equipment or substance found on the site;

(d) require any person found on the site—

(i) to state whether he is a registered construction worker; and

(ii) if the person states that he is a registered construction worker, to produce his registration card;

(e) in relation to any person found on the site whom the officer reasonably suspects of committing, or having committed, an offence under this Ordinance—

(i) on informing the person of the person's act or omission that may constitute the offence, require the person—

(A) to give to the officer the person's name, address and telephone number and such other personal particulars as the officer may reasonably require; and

(B) to produce to the officer for inspection the person's identity card issued under the Registration of Persons Ordinance (Cap 177) or the person's other documentary evidence of identity; and

(ii) detain the person for a reasonable period while the officer inquires about the suspected commission of the offence;

(f) (Repealed 22 of 2014 s. 12)

(g) examine the records referred to in section 58(7)(a) and make copies of all or any part of those records; and

(h) require the principal contractor for the site, or any person who is apparently an employee or agent of that contractor, to provide the officer with such assistance and facilities as are reasonably necessary to enable the officer to perform or exercise his functions or powers.

(2) (Repealed 22 of 2014 s. 12)

(3) An authorized officer may, in relation to anything that the officer seizes, detains or removes from a construction site under section 17(1)(d)—

(a) retain the thing for such period as may be reasonably necessary; and

(b) if he reasonably believes that the thing is evidence of the commission of an offence under this Ordinance, retain the thing until proceedings for the offence have been heard and finally determined.

(4) An authorized officer may—
(a) in order to make copies of records referred to in section 58(7)(a), remove the records from the construction site and retain them for such period as may be reasonably necessary; and
(b) if he reasonably believes that the records are evidence of the commission of an offence under this Ordinance, remove the records from the construction site and retain them until proceedings for the offence have been heard and finally determined.

Note:
*** (Amended 22 of 2014 s. 12)**

Section:	18A	**Power of authorized officer to obtain information**	L.N. 14 of 2015	01/04/2015

(1) An authorized officer may require a person concerned in any construction work carried out on a construction site to provide information to the officer if, in relation to the construction work or construction site—
(a) there is or has been a contravention of a requirement or commission of an offence under this Ordinance or any subsidiary legislation made under this Ordinance; or
(b) the officer reasonably suspects that there is or has been a contravention of a requirement or commission of an offence under this Ordinance or any subsidiary legislation made under this Ordinance.
(2) The officer must not make the requirement unless—
(a) it is made for investigating the matter referred to in subsection (1)(a) or (b); and
(b) the officer reasonably believes that the person has the information.

(Added 22 of 2014 s. 13)

Part:	5	**Levy**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 5 has been updated to the current legislative styles.**

Section:	19	**Interpretation**	E.R. 1 of 2013	25/04/2013

(1) In this Part, unless the context otherwise requires—
authorized person (獲授權人) has the meaning assigned to it in section 2(1) of the Construction Industry Council Ordinance (Cap 587); (Amended 12 of 2006 s. 84)
construction contract (建造合約) has the meaning assigned to it in section 2(1) of the Construction Industry Council Ordinance (Cap 587); (Amended 12 of 2006 s. 84)
construction operations (建造工程), subject to section 22, has the meaning assigned to it in Schedule 1 to the Construction Industry Council Ordinance (Cap 587); (Amended 12 of 2006 s. 84)
contract of employment (僱傭合約) has the meaning assigned to it in section 2(1) of the Employment Ordinance (Cap 57);
contractor (承建商) has the meaning assigned to it in section 2(1) of the Construction Industry Council Ordinance (Cap 587); (Amended 12 of 2006 s. 84)
employer (聘用人) has the meaning assigned to it in section 2(1) of the Construction Industry Council Ordinance (Cap 587); (Replaced 12 of 2006 s. 84)
levy inspector (徵款督察) means a person who is appointed under section 33;
term contract (固定期合約) has the meaning assigned to it in section 2(1) of the Construction Industry Council Ordinance (Cap 587); (Amended 12 of 2006 s. 84)
total value (總價值), in relation to construction operations, has the meaning assigned to it in section 21;
value (價值), in relation to construction operations, has the meaning assigned to it in section 20;
works order (施工通知) has the meaning assigned to it in section 2(1) of the Construction Industry Council Ordinance (Cap 587). (Amended 12 of 2006 s. 84)

(2) For the purposes of this Part, any construction operations that are building works, or street works, that are not carried out by or on behalf of the Government are deemed to begin—
  (a) on the date of the Building Authority's consent in writing for the commencement of the works under section 14(1)(b) of the Buildings Ordinance (Cap 123); or
  (b) where the building works are the works to which section 14AA of the Buildings Ordinance (Cap 123) applies, on the date of the commencement of the works as indicated in any document submitted to the Building Authority under the regulations made under the Buildings Ordinance (Cap 123). (Replaced 20 of 2008 s. 49)

(3) For the purposes of this Part—
  (a) where a person carries out any construction operations for any other person under a contract of employment, the construction operations shall be regarded as carried out by—
    (i) subject to subparagraph (ii), that other person; or
    (ii) where the first-mentioned person is a contractor by virtue of paragraph (a) of the definition of ***contractor*** in section 2(1) of the Construction Industry Council Ordinance (Cap 587), the first-mentioned person; (Amended 12 of 2006 s. 84)
  (b) where a person carries out any construction operations for himself without arrangement (except under a contract of employment) for the carrying out of such operations by any other person, the first-mentioned person shall, apart from being the person who carries out the construction operations, also be regarded as the person for whom such operations are carried out,

  and the definitions of ***contractor*** and ***employer*** and the other provisions of this Part shall be construed accordingly.

(4) For the purposes of this Part, a person shall be regarded as undertaking or carrying out construction operations if—
  (a) he manages, or arranges for, the carrying out of the construction operations by any other person for the employer concerned, whether by way of sub-contracting or otherwise; or
  (b) he provides his own labour or that of any other person for the carrying out of the construction operations.

Section:	20	**Value of construction operations**	E.R. 1 of 2013	25/04/2013

(1) For the purposes of this Part, ***value*** (價值), in relation to construction operations, means—
  (a) where the construction operations are carried out under a construction contract, the consideration attributable to such operations, as stated in, or ascertainable by reference to, the contract; or
  (b) where the construction operations are not carried out under a construction contract, the reasonable consideration to be expected on the open market in respect of the carrying out of such operations.

(2) Notwithstanding subsection (1)(a), if in a particular case the consideration attributable to the construction operations concerned as determined in accordance with that subsection is below the reasonable consideration to be expected on the open market in respect of the carrying out of such operations, that subsection shall be deemed to contain a reference to the reasonable consideration described in this subsection instead of the consideration described in that subsection.

(3) For the purposes of subsections (1)(b) and (2), the Council may, when ascertaining the reasonable consideration as referred to in those subsections in respect of the carrying out of any construction operations, have regard to all or any of the following matters— (Amended 17 of 2012 s. 43)
  (a) the cost or value of materials used in the construction operations;
  (b) the cost or value of time, work and labour involved in the construction operations;
  (c) the equipment used in the construction operations;
  (d) such overhead costs incurred in relation to the construction operations as the Council considers reasonable; (Amended 17 of 2012 s. 43)
  (e) the reasonable profit to be expected on the open market in respect of the carrying out of the construction operations;
  (f) any other factors that the Council considers appropriate. (Amended 17 of 2012 s. 43)

Section:	21	**Total value of construction operations**	E.R. 1 of 2013	25/04/2013

For the purposes of this Part, ***total value*** (總價值), in relation to construction operations, means—

(a) where the construction operations are carried out under a construction contract—
  (i) in the case the construction contract is a term contract, the aggregate of the respective values of all construction operations carried out as required by works orders issued under the contract;
  (ii) in the case the construction operations are or form part of any construction operations that are carried out in stages, the aggregate of the respective values of all stages of the operations so carried out; or
  (iii) in any other case, the value of the construction operations; or
(b) where the construction operations are not carried out under a construction contract—
  (i) in the case the construction operations are or form part of any construction operations that are carried out in stages, the aggregate of the respective values of all stages of the operations so carried out; or
  (ii) in any other case, the value of the construction operations.

Section:	22	**Application to construction operations**	E.R. 1 of 2013	25/04/2013

(1) This Part shall not apply to any construction operations—
  (a) the tender for which was submitted before the commencement of this Part; or
  (b) that began before that commencement.
(2) This Part shall not apply to any construction operations—
  (a) which are carried out for a person who occupies any domestic premises or part of any domestic premises; and
  (b) the sole or principal purpose of which is to decorate, alter, repair, maintain or renovate the premises or such part of such premises.
(3) This Part shall not apply to any construction operations, or any type or description of construction operations, which are or is excluded from the application of this Part by the Chief Executive in Council by order published in the Gazette.
(4) Without limiting the generality of subsection (3), an order made under that subsection may specify the circumstances under which or the purposes for which any construction operations, or any type or description of construction operations, referred to in the order are or is to be excluded from the application of this Part.
(5) In this section, a person shall be regarded as a person who occupies a domestic premises if he intends to occupy the premises.

Section:	23	**Imposition of levy**	E.R. 1 of 2013	25/04/2013

(1) A levy at the prescribed rate shall be imposed on the value of all construction operations undertaken or carried out in Hong Kong.
(2) Notwithstanding subsection (1), construction operations the total value of which does not exceed the prescribed amount shall not be liable to the levy.
(3) Subject to section 26(10), the levy shall be payable in accordance with this Part by every contractor who carries out the construction operations.
(4) The Secretary may by notice published in the Gazette—
  (a) prescribe the rate for the purposes of subsection (1); and
  (b) prescribe the amount for the purposes of subsection (2).
(5) Any rate prescribed under subsection (4)(a)—
  (a) shall not come into effect before the expiration of 28 days after the last day of the period within which a resolution providing for the amendment of the notice may be passed in accordance with section 34 of the Interpretation and General Clauses Ordinance (Cap 1); and
  (b) shall not apply to any construction operations if, before the date on which the rate comes into effect under paragraph (a)—
    (i) the tender for the construction operations has been submitted to the employer concerned;
    (ii) no tender for the construction operations has been submitted to the employer concerned, but a construction contract in respect of the construction operations has been entered into; or

(iii) no tender for the construction operations has been submitted to the employer concerned and no construction contract in respect of the construction operations has been entered into, but the construction operations have begun.

Section:	24	**Contractor and authorized person to notify Council when undertaking construction operations***	E.R. 1 of 2013	25/04/2013

(1) Within 14 days after any construction operations have begun or such further time as the Council may in any case allow— (Amended 17 of 2012 s. 16)
(a) the contractor in respect of the construction operations; and
(b) the authorized person appointed in respect of the construction operations,
shall each give notice to the Council in the specified form that he is the contractor in respect of the construction operations or the authorized person appointed in respect of the construction operations, as the case may be. (Amended 17 of 2012 s. 16)

(2) Except in the case of a term contract, subsection (1) shall not apply in respect of any construction operations if it is reasonably estimated that the total value of such operations does not exceed the amount prescribed under section 23(4)(b).

(3) Every notice under subsection (1) shall state the estimated total value of the construction operations.

(4) A contractor or authorized person complies with subsection (1) if the contractor or authorized person has given a notice to the Council under section 34 of the Construction Industry Council Ordinance (Cap 587) in respect of the construction operations. (Replaced 17 of 2012 s. 16)

(5) Every contractor or authorized person who, without reasonable excuse, fails to give a notice when required to do so by subsection (1) commits an offence and is liable on conviction to a fine at level 1.

Note:
*** (Amended 17 of 2012 s. 16)**

Section:	25	**Notice by contractor and authorized person of payments made in respect of construction operations and of completion**	E.R. 1 of 2013	25/04/2013

(1) Subject to subsection (2), where a payment or an interim payment is made to a contractor or for his benefit in respect of any construction operations or a stage of any construction operations (if the construction operations are undertaken or carried out in stages), the contractor shall, within 14 days after the payment is made or such further time as the Council may in any case allow, give notice of it to the Council in the specified form. (Amended 17 of 2012 s. 17)

(2) Where any payment or interim payment is made in any calendar month to a contractor or for his benefit in respect of any construction operations that are carried out under a term contract, the contractor shall, within 14 days after the last day of that month or such further time as the Council may in any case allow, give notice of it to the Council in the specified form. (Amended 17 of 2012 s. 17)

(3) Not later than 14 days, or such further time as the Council may in any case allow, after the completion of any construction operations, or of a stage of any construction operations (if the construction operations are undertaken or carried out in stages), the contractor undertaking the construction operations, and the authorized person appointed in respect of the construction operations, shall each give notice of such completion to the Council in the specified form. (Amended 17 of 2012 s. 17)

(4) Except in the case of a term contract, subsections (1) and (3) shall not apply in respect of any construction operations if it is reasonably estimated that the total value of such operations does not exceed the amount prescribed under section 23(4)(b).

(5) Every notice under subsection (1), (2) or (3) shall state the value of the construction operations or the stage of the construction operations—
(a) in respect of which payment was made; or
(b) which have or has been completed,
as the case may be.

(6) A contractor or authorized person complies with subsection (1), (2) or (3) if the contractor or authorized person has given a notice to the Council under section 35 or 36 of the Construction Industry Council Ordinance (Cap

587) in respect of the relevant payment or completion. (Replaced 17 of 2012 s. 17)

(7) Every contractor or authorized person who, without reasonable excuse, fails to give a notice when required to do so by subsection (1), (2) or (3) commits an offence and is liable on conviction to a fine at level 3.

Section:	26	**Assessment**	E.R. 1 of 2013	25/04/2013

(1) On receipt of a notice of payment under section 25(1) or (2), the Council shall assess the amount of levy due in respect of the construction operations or the stage of the construction operations to which the payment relate or relates.

(2) Where more than one payment is made or to be made in respect of any construction operations or a stage of any construction operations, the assessment under subsection (1) shall be a provisional assessment and a final assessment shall be made on the final payment in respect of the construction operations, each stage of the construction operations or all stages of the construction operations, as is appropriate.

(3) On receipt of a notice of completion of any construction operations, or a stage of any construction operations, under section 25(3), the Council shall, if no assessment under subsection (1) or (2) has been made, assess the amount of levy due in respect of the construction operations or the stage of the construction operations.

(4) Where any construction operations are undertaken or carried out in stages, the Council may make a provisional assessment under subsection (3) on the completion of each stage of the construction operations and make a final assessment on the completion of all stages of the construction operations.

(5) Notwithstanding subsections (1), (2) and (3), where construction operations are carried out under a term contract, the Council may defer the making of any assessment under subsection (1), (2) or (3) until such time as the Council considers appropriate.

(6) The Council may assess the amount of levy due in respect of the construction operations, or the stage of the construction operations, which have or has been completed notwithstanding that no notice has been given to the Council under section 25.

(7) Where it appears to the Council that an assessment of levy has been made at less than the proper amount, then, subject to subsection (11), the Council may at any time make an additional assessment of levy due in respect of the construction operations or the stage of the construction operations.

(8) If a contractor fails to give any notice required to be given by him under section 25 and does not give a reasonable excuse for the failure within such period as the Council may allow in any case, the Council may, in addition to the levy assessed under this section and payable by the contractor, impose a surcharge on the contractor not exceeding twice the amount of levy so assessed.

(9) Any assessment of levy or imposition of surcharge under this section shall be notified in writing by the Council.

(10) A levy or surcharge shall not be payable by a contractor—

(a) if he has not been notified by the Council of an assessment of such levy or imposition of such surcharge, as the case may be, under subsection (9); or

(b) to the extent that the levy or surcharge, as the case may be, has been paid by any other contractor unless the levy or surcharge, as the case may be, may be required or ordered to be repaid, or may be refunded, to that other contractor under section 27(4), or section 56(4) or 57(5) of the Construction Industry Council Ordinance (Cap 587).

(11) Subject to subsection (12), an assessment or surcharge under this section shall be made or imposed within—

(a) 2 years after the completion of the construction operations; or

(b) 1 year after evidence of facts, sufficient in the opinion of the Council to justify the making of the assessment or the imposition of the surcharge, comes to its knowledge,

whichever is the later.

(12) If construction operations are carried out under a term contract, an assessment or surcharge under this section shall be made or imposed within—

(a) 2 years after the completion of all construction operations to which the contract relates;

(b) 2 years after the expiration of the period within which all construction operations to which the contract relates have to be completed as provided for by the contract; or

(c) 1 year after evidence of facts, sufficient in the opinion of the Council to justify the making of the assessment or the imposition of the surcharge, comes to its knowledge,

whichever is the last to occur.

(13) For the purposes of this section, where the amount of levy due in respect of a stage of any construction

operations is assessed under this section, the amount of levy shall be assessed as if such stage of the construction operations separately constitutes construction operations subject to payment of levy under this Ordinance.

(Amended 17 of 2012 s. 18)

Section:	27	**Payment of levy**	E.R. 1 of 2013	25/04/2013

(1) The amount of levy or surcharge specified in a notice given to a contractor under section 26(9) shall be paid by the contractor to the Council within 28 days after the receipt by him of the notice. (Amended 17 of 2012 s. 43)

(2) If the amount of levy or surcharge is not paid within the period specified in subsection (1), the contractor shall be liable to pay, in addition, a penalty of 5% of the amount unpaid.

(3) If the amount of levy or surcharge including any penalty payable under subsection (2) is not paid within 3 months after the expiry of the period specified in subsection (1), the contractor shall be liable to pay, in addition, a further penalty of 5% of the amount unpaid.

(4) The Council may remit all or part of any levy or surcharge payable under subsection (1), or any penalty or further penalty payable under subsection (2) or (3), if, in the special circumstances of any case, it thinks it fair and reasonable to do so, and if the amount so remitted has been paid, it shall be repaid. (Amended 17 of 2012 s. 43)

(5) Payment shall be made in accordance with subsections (1), (2) and (3) notwithstanding that the contractor may wish to object to the levy assessed or surcharge imposed under section 26.

Section:	28	**Recovery of levy**	E.R. 1 of 2013	25/04/2013

(1) Any amount of levy or surcharge, including the amount of any penalty or further penalty, due and payable under this Ordinance shall be recoverable as a debt due to the Council. (Amended 17 of 2012 s. 43)

(2) An action under subsection (1) may be brought in the District Court notwithstanding that the amount due exceeds the civil jurisdiction of the Court as may from time to time be determined under the District Court Ordinance (Cap 336).

(3) Where an amount due under subsection (1) is within the jurisdiction of the Small Claims Tribunal established under the Small Claims Tribunal Ordinance (Cap 338), an action may be brought in that Tribunal to recover that amount.

Section:	28A	**Use of levy**	L.N. 14 of 2015	01/04/2015

(1) A levy received or recovered by the Council under this Part becomes part of the funds and property of the Council under section 21 of the Construction Industry Council Ordinance (Cap 587).

(2) The levy may be used by the Council for any of its purposes.

(Added 22 of 2014 s. 14)

Section:	29	**Objection**	E.R. 1 of 2013	25/04/2013

(1) Any person who is notified under section 26(9) of an assessment of levy, or imposition of surcharge, may, by notice in writing served on the Council within 21 days after the receipt by him of the notice, object to the levy or surcharge. (Amended 17 of 2012 s. 19)

(2) A notice of objection under subsection (1) shall state precisely the grounds of objection and shall be accompanied by all written statements and other documentary evidence relied upon by the objector in support of the objection.

(3) The Council is to deal with the objection in accordance with section 56 of the Construction Industry Council Ordinance (Cap 587). (Replaced 17 of 2012 s. 19)

(4) (Repealed 17 of 2012 s. 19)

Section:	30	**(Repealed 17 of 2012 s. 20)**	L.N. 149 of 2012	01/01/2013

Section:	31	**Provision of information and production of documents**	E.R. 1 of 2013	25/04/2013

(1) An employer, contractor or authorized person concerned in any construction operations shall—
  (a) provide the Council or a levy inspector, within such time and in such form as the Council or the inspector may specify, with such information relating to the construction operations (including any amount paid or payable in respect of the construction operations or any work connected therewith), or the name and address of the person for or by whom the construction operations are undertaken, as the Council or the inspector may require for the purpose of performing its or his functions under this Ordinance;
  (b) on being so required by the Council or a levy inspector, produce or cause to be produced any documents or records in his possession relating to the construction operations (including any amount paid or payable in respect of the construction operations or any work connected therewith) for inspection by the Council or the inspector and permit the Council or the inspector to take copies or make extracts from them or to remove them for a reasonable period.

(2) Subject to subsection (3), no person shall disclose otherwise than to the Council, or to an employee of the Council in his official capacity, any information provided or obtained under subsection (1) (including information obtained from documents or records) without the consent of the person who provided it or from whom it was obtained.

(3) Subsection (2) shall not apply—
  (a) to the provision of information under—
    (i) section 59 or 60 of the Construction Industry Council Ordinance (Cap 587); or (Replaced 12 of 2006 s. 84)
    (ii) regulation 14 of the Pneumoconiosis and Mesothelioma (Compensation) (Assessment of Levy) Regulations (Cap 360 sub. leg. A); (Amended 6 of 2008 s. 50)
  (b) to the supply of a copy of personal data in compliance with a data access request under section 18 of the Personal Data (Privacy) Ordinance (Cap 486);
  (c) to the disclosure of information in the form of a summary of similar information provided by or obtained from a number of employers, contractors or authorized persons if the summary is so framed as not to enable particulars relating to any particular contractor's business to be ascertained from it;
  (d) to the disclosure of information by the Council to any person authorized or employed by it for the purpose of checking or ascertaining the value of construction operations;
  (e) to the disclosure of information by the Council to the Pneumoconiosis Compensation Fund Board established under the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap 360); or (Amended 12 of 2006 s. 84; 6 of 2008 s. 50)
  (f) to any disclosure of information made for the purpose of any legal proceedings brought under this Ordinance, or for the purpose of any report of any such proceedings.

(4) Any person who, without reasonable excuse, fails to comply with a requirement under subsection (1) when it is within his power to do so commits an offence and is liable on conviction to a fine at level 1.

(5) Any person who intentionally discloses any information in contravention of subsection (2) commits an offence and is liable on conviction to a fine at level 3.

(Amended 17 of 2012 s. 21)

Section:	32	**Offences: Part 5**	E.R. 1 of 2013	25/04/2013

(1) A person who is knowingly concerned in, or in the taking of steps with a view to, the fraudulent evasion of the payment of a levy, whether due from him or from any other person, commits an offence and is liable on conviction to a fine at level 3 or 3 times the amount of levy that was or was intended to be evaded by his conduct, whichever is the greater.

(2) A person who—
  (a) with intent to deceive, produces, supplies, sends or otherwise uses, for the purposes of this Part, any document or record that is false in a material particular; or
  (b) in providing any information for the purposes of this Part, makes any statement which he knows to be false in a material particular or recklessly makes a statement that is false in a material particular,

  commits an offence and is liable on conviction to a fine at level 3 or 3 times the amount of levy that was or was intended to be evaded by his conduct, whichever is the greater.

Section:	33	**Levy inspector**	E.R. 1 of 2013	25/04/2013

The Council may, subject to the approval of the Secretary, appoint in writing a person to be a levy inspector for the purposes of this Part.

(Amended 17 of 2012 s. 43)

Section:	34	**Evidence by certificate, etc.**	E.R. 1 of 2013	25/04/2013

A certificate purporting to be signed by a levy inspector—

(a) that any notice required by or under this Part has or has not been given or has or has not been given on any date; or

(b) that any amount of levy, surcharge, penalty or further penalty due under this Part has not been paid,

shall be sufficient evidence of that fact until the contrary is proved.

Section:	35	**Authentication, and production in evidence of documents**	E.R. 1 of 2013	25/04/2013

(1) A notice or document given or issued by the Council for the purposes of this Part may be signed by a levy inspector.

(2) A document purporting to be a notice or document given or issued by the Council for the purposes of this Part and purporting to be signed by a levy inspector shall be received in evidence and shall until the contrary is proved be deemed to be such a notice or document.

(Amended 17 of 2012 s. 43)

Part:	6	**Registration of Construction Workers**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 6 has been updated to the current legislative styles.**

Section:	36	**Appointment of Registrar**	E.R. 1 of 2013	25/04/2013

(1) The Council shall, subject to the approval of the Secretary, appoint a person to be the Registrar of Construction Workers on such terms as the Council thinks fit. (Amended 17 of 2012 s. 43)

(2) An appointment under subsection (1) shall be notified in the Gazette.

Section:	37	**Functions and powers of Registrar**	E.R. 1 of 2013	25/04/2013

(1) The Registrar shall—

(a) establish and maintain a Register of Construction Workers;

(b) examine, assess and verify the qualifications of applicants for registration or renewal of registration;

(c) receive and examine applications for registration or renewal of registration, and accept or reject those applications;

(d) collect from applicants for registration or renewal of registration, or for replacement registration cards, the prescribed fees in relation to the application and hand over to the Council the fees so collected;

(e) maintain a database of information relating to registered construction workers;

(f) collect the copy of record furnished to the Registrar under section 58(7)(b) and if directed to do so by the Council, either generally or in a particular case, provide to a public body the information contained in those records; and

(g) perform such other functions as are imposed on the Registrar under this Ordinance or any other enactment.

(2) The Council shall not direct the Registrar to provide to a public body any of the information referred to in subsection (1)(f) unless the information is— (Amended 17 of 2012 s. 22)

(a) to be used in relation to the enforcement of any law; or

(b) in the form of a summary that is so framed as not to enable particulars relating to any particular registered construction worker to be ascertained from it.

(3) The Registrar may do all such things as are necessary for, or incidental or conducive to, the performance of the Registrar's functions and may exercise such powers as are conferred on the Registrar under this Ordinance or any other enactment.

(Amended 17 of 2012 s. 22)

Section:	38	**Register of Construction Workers**	L.N. 14 of 2015	01/04/2015

(1) An entry in the Register of a person as a registered construction worker shall show—
- (a) the name of the person;
- (b) the registration number of the person;
- (c) the date of registration;
- (d) the date on which the registration expires;
- (e) whether the person is registered as—
  - (i) a registered skilled worker for a designated trade division;
  - (ii) a registered skilled worker (provisional) for a designated trade division;
  - (iii) a registered semi-skilled worker for a designated trade division;
  - (iv) a registered semi-skilled worker (provisional) for a designated trade division; or
  - (v) a registered general worker; (Amended 22 of 2014 s. 15)
- (f) unless the person is registered as a registered general worker, the designated trade division for which the person is registered; and (Amended 22 of 2014 s. 15)
- (g) a remark to be entered under section 49(4)(b) in relation to the person.

(2) For the purpose of enabling a member of the public—
- (a) to ascertain whether a person is a registered construction worker; and
- (b) if that person is a registered construction worker, to ascertain the particulars of the registration of that person,

the Register shall be available to any person for inspection free of charge at the office of the Registrar at such reasonable times as the Registrar may specify.

(3) A person whose name is entered in the Register shall notify in writing the Registrar of any change in his name or address within one month of the change.

(4) A person who, without reasonable excuse, contravenes subsection (3) commits an offence and is liable on conviction to a fine at level 1.

(5) A person who, without lawful authority—
- (a) obliterates, defaces or otherwise alters an existing entry in the Register; or
- (b) adds a new entry in the Register,

commits an offence and is liable to a fine at level 3.

Section:	39	**Application for registration**	L.N. 14 of 2015	01/04/2015

(1) A person may apply to the Registrar for registration as—
- (a) a registered skilled worker for one or more designated trade divisions; (Replaced 22 of 2014 s. 16)
- (b) a registered skilled worker (provisional) for one or more designated trade divisions; (Replaced 22 of 2014 s. 16)
- (c) a registered semi-skilled worker for one or more designated trade divisions; (Replaced 22 of 2014 s. 16)
- (d) a registered semi-skilled worker (provisional) for one or more designated trade divisions; or (Replaced 22 of 2014 s. 16)
- (e) a registered general worker.

(2) An application under subsection (1) shall be—
- (a) in the specified form; and
- (b) accompanied by the prescribed fee.

(3) Paragraphs (b) and (d) of subsection (1) each expires on a day or days to be appointed by the Secretary by notice published in the Gazette.

Section:	40	**Qualifications for registration**	L.N. 14 of 2015	01/04/2015

(1) The Registrar shall not register a person as a registered construction worker unless the Registrar is satisfied that —
  (a) the person holds a certificate referred to in section 6BA(2) of the Factories and Industrial Undertakings Ordinance (Cap 59) in respect of that person's attendance at a safety training course that relates to construction work within the meaning of that Ordinance; and
  (b) the person—
    (i) is a Hong Kong permanent resident; or
    (ii) is not subject to any conditions of stay in Hong Kong that he shall not take up any paid or unpaid employment in Hong Kong.

(2) Subject to section 42(5), the Registrar must not register a person as a registered skilled worker for a designated trade division unless the Registrar is satisfied that the person—
  (a) holds a certificate set out in column 4 of Schedule 1 opposite the trade division;
  (b) holds a qualification and meets a requirement set out in column 6 of that Schedule opposite the trade division, or either holds such a qualification or meets such a requirement (as the case requires);
  (c) holds a certificate referred to in section 41(1)(b)—
    (i) in respect of a training course that the Council specifies under section 41(1) in relation to the registered skilled workers (provisional) for the trade division; and
    (ii) issued to the person while a registered skilled worker (provisional) for the trade division; or
  (d) holds a qualification that the Registrar, in consultation with the Qualifications Board, considers as an equivalent qualification. (Replaced 22 of 2014 s. 17)

(3) (Repealed 22 of 2014 s. 17)

(4) Subject to section 42(1) and (5), the Registrar must not register a person as a registered skilled worker (provisional) for a designated trade division unless the Registrar is satisfied that, as at 29 December 2005, the person has, for a period, or an aggregate period, of not less than 6 years, personally carried out construction work that involves any skills described in column 3 of Schedule 1 opposite the trade division. (Replaced 22 of 2014 s. 17)

(5) Subject to section 42(5), the Registrar must not register a person as a registered semi-skilled worker for a designated trade division unless the Registrar is satisfied that the person—
  (a) holds a certificate set out in column 5 of Schedule 1 opposite the trade division;
  (b) holds a qualification and meets a requirement set out in column 6 of that Schedule opposite the trade division, or either holds such a qualification or meets such a requirement (as the case requires); or
  (c) holds a qualification that the Registrar, in consultation with the Qualifications Board, considers as an equivalent qualification. (Replaced 22 of 2014 s. 17)

(6) (Repealed 22 of 2014 s. 17)

(7) Subject to section 42(1) and (5), the Registrar must not register a person as a registered semi-skilled worker (provisional) for a designated trade division unless the Registrar is satisfied that, as at 29 December 2005, the person has, for a period, or an aggregate period, of not less than 2 years, personally carried out construction work that involves any skills described in column 3 of Schedule 1 opposite the trade division. (Replaced 22 of 2014 s. 17)

(Amended 17 of 2012 s. 23)

Section:	40A	**Registration of senior construction worker as registered skilled worker**	L.N. 14 of 2015	01/04/2015

(1) Despite section 40(2), the Registrar may register a person as registered skilled worker for a designated trade division if the Registrar is satisfied that—
  (a) as on the commencement date* of this section, the person has a period, or an aggregate period, of not less than 10 years of relevant experience in the trade division; and
  (b) the person—
    (i) as at 29 December 2005, has a period, or an aggregate period, of not less than 6 years of relevant experience in the trade division; or
    (ii) has passed an assessment conducted by the Council for the purposes of this section.

(2) For the purposes of subsection (1), a person has relevant experience in a designated trade division if the person has personally carried out on a construction site construction work that involves any skills described in column 3 of Schedule 1 opposite the trade division.
(3) The Registrar must not register a person for a designated trade division under subsection (1) if a qualification or requirement is set out in column 6 of Schedule 1 opposite the trade division.
(4) A person who wishes to be registered under subsection (1) must make an application under section 39(1)(a) within the period of 18 months beginning on the commencement date* of this section.
(5) The Secretary may, by notice published in the Gazette, extend the period.
(6) A notice under subsection (5) may only be published before the expiry of the period which the notice seeks to extend.
(7) If an application referred to in subsection (4) is made after the expiry of the period referred to in that subsection, the Registrar may not process the application unless the Registrar thinks it fair and reasonable to do so.
(8) A prescribed fee is payable to the Council by a person who attends an assessment referred to in subsection (1)(b)(ii).
(9) This section or a provision of this section expires on a day to be appointed by the Secretary by notice published in the Gazette.

(Added 22 of 2014 s. 18)

Note:
*** Commencement date: 1 April 2015.**

Section:	41	**Training course for registered skilled worker (provisional)**	L.N. 14 of 2015	01/04/2015

(1) The Council may, in relation to the registered skilled workers (provisional) for a designated trade division, specify a training course— (Amended 17 of 2012 s. 43; 22 of 2014 s. 19)
  (a) which is, in the opinion of the Council, a course of training for those workers on carrying out on a construction site construction work that involves any skills described in column 3 of Schedule 1 opposite the trade division; and (Amended 22 of 2014 s. 19)
  (b) in respect of which a certificate is issued to a person who—
    (i) attends and completes the course;
    (ii) attends and completes the assessment, conducted during or at the end of the course, of the person's competence in the area covered by the course; and
    (iii) satisfies the assessor that the person is so competent.
(2) The Council shall give notice in the Gazette of any training course that it specifies under subsection (1).
(3) A registered skilled worker (provisional) for a designated trade division may, at his own cost, attend a training course that the Council specifies under subsection (1) in relation to the registered skilled workers (provisional) for the trade division. (Amended 22 of 2014 s. 19)

(Amended 17 of 2012 s. 43)

Section:	42	**Special provision on registration for certain trade divisions***	L.N. 14 of 2015	01/04/2015

(1) The Registrar must not register a person as a registered skilled worker (provisional), or registered semi-skilled worker (provisional), for a designated trade division if a qualification or requirement is set out in column 6 of Schedule 1 opposite the trade division. (Replaced 22 of 2014 s. 20)
(2)-(4) (Repealed 22 of 2014 s. 20)
(5) The Registrar shall not register a person as a registered skilled worker, a registered skilled worker (provisional), a registered semi-skilled worker, or a registered semi-skilled worker (provisional), for the designated trade division of Building Security System Mechanic unless the Registrar is satisfied that the person holds a permit in relation to the activities within paragraph (c) or (d) of the definition of ***security work*** in section 2 of the Security and Guarding Services Ordinance (Cap 460). (Amended 22 of 2014 s. 20)

Note:
*** (Amended 22 of 2014 s. 20)**

Section:	43	**Acceptance and rejection of registration**	E.R. 1 of 2013	25/04/2013

(1) The Registrar shall accept or reject an application for registration or renewal of registration in accordance with this Ordinance.
(2) Where the Registrar rejects an application for registration or renewal of registration, the Registrar shall notify in writing the applicant of the rejection and the reasons for the rejection.

Section:	44	**Expiry and renewal of registration**	L.N. 14 of 2015	01/04/2015

(1) Subject to subsection (5), the registration of a person shall expire on a day that is specified by the Registrar in accordance with subsection (2).
(2) The date so specified shall—
  (a) if the person is a Hong Kong permanent resident, subject to subsection (3), be not less than 12 months, and not more than 72 months, after the relevant date;
  (b) if the person is not a Hong Kong permanent resident, subject to subsections (3) and (4), be not more than 72 months after the relevant date. (Amended 22 of 2014 s. 21)
(3) If, on the date of registration or renewal of registration, the person holds another registration that is in effect, the date so specified shall be the day on which that other registration expires.
(4) If, on the date of registration or renewal of registration, the person is subject to a condition of stay in Hong Kong limiting the period during which the person may remain in Hong Kong, the date so specified shall be a day within that period.
(5) A person may apply to the Registrar for the renewal of his registration.
(6) An application under subsection (5) shall be—
  (a) in the specified form; and
  (b) accompanied by the prescribed fee.
(7) An application under subsection (5) shall be made—
  (a) not earlier than 6 months before and not later than 7 business days before the date of expiry of the person's registration; (Amended 17 of 2012 s. 24)
  (b) after the expiry of the period referred to in paragraph (a) but before the date on which the Registrar gives notice to the person that the Registrar intends to cancel the person's registration under section 49(1)(b); or
  (c) in the case where the Registrar has given notice to the person that the Registrar intends to cancel the person's registration under section 49(1)(b), before the expiry of the period of 14 days referred to in section 49(2)(b).
(8) The Registrar shall not renew the registration of a person unless the Registrar is satisfied that—
  (a) the person complies with the applicable requirements for registration set out in sections 40 and 42(5); and (Amended 22 of 2014 s. 21)
  (b) if the registration will, on the date of its expiry, have been in effect for not less than 2 years, the person has attended and completed, during the period of 1 year immediately before the date of application for renewal of the registration, such development courses applicable to his registration as the Council may specify. (Amended 17 of 2012 s. 24)
(8A) Subsection (8)(a) does not apply to the renewal of a registration made under section 40A(1). (Added 22 of 2014 s. 21)
(8B) The Registrar must not renew the registration of a person made under section 40A(1) unless the Registrar is satisfied that the person complies with the requirements for registration set out in sections 40(1) and (if applicable) 42(5). (Added 22 of 2014 s. 21)
(9) The Council shall give notice in the Gazette of the development courses that it specifies for the purposes of subsection (8)(b). (Amended 17 of 2012 s. 24)
(10) In this section—

registration (註冊) means registration under this Ordinance as—
  (a) a registered skilled worker for a designated trade division;
  (b) a registered semi-skilled worker for a designated trade division; or
  (c) a registered general worker,

and ***registered*** (註冊) shall be construed accordingly; (Amended 22 of 2014 s. 21)

relevant date (有關日期) means—

(a) the date of registration;

(b) in the case of an application for renewal of registration made in accordance with subsection (7)(a), the date on which the registration would have expired but for the renewal;

(c) in the case of an application for renewal of registration made in accordance with subsection (7)(b)—

(i) the date on which the registration would have expired but for the renewal; or

(ii) the date of renewal of registration,

whichever is the later; or

(d) in the case of an application for renewal of registration made in accordance with subsection (7)(c), the date of renewal of registration.

Section:	45	**Expiry of registration as registered skilled worker (provisional), etc.**	L.N. 14 of 2015	01/04/2015

(1) The registration of a person as a registered skilled worker (provisional) for a designated trade division expires— (Amended 22 of 2014 s. 22)

(a) on the third anniversary of the date of registration;

(b) if the registration is extended under section 45A, on the new expiry date notified under section 45A(6) or, if the registration has been so extended more than once, on the new expiry date so notified in accordance with the latest extension; or

(c) on the date on which the person is registered as a registered skilled worker for the trade division (if the date falls before the time of expiry mentioned in paragraph (a) or (b)). (Amended 22 of 2014 s. 22)

(2) The registration of a person as a registered semi-skilled worker (provisional) for a designated trade division expires— (Amended 22 of 2014 s. 22)

(a) on the third anniversary of the date of registration;

(b) if the registration is extended under section 45A, on the new expiry date notified under section 45A(6) or, if the registration has been so extended more than once, on the new expiry date so notified in accordance with the latest extension; or

(c) on the date on which the person is registered as a registered skilled worker, or a registered semi-skilled worker, for the trade division (if the date falls before the time of expiry mentioned in paragraph (a) or (b)). (Amended 22 of 2014 s. 22)

(3) Subject to section 45A, the registration of a person as a registered skilled worker (provisional), or a registered semi-skilled worker (provisional), for a designated trade division is not renewable. (Amended 22 of 2014 s. 22)

(Replaced 17 of 2012 s. 25)

Section:	45A	**Application to extend registration as registered skilled worker (provisional), etc.**	L.N. 14 of 2015	01/04/2015

(1) A person may apply to the Registrar to extend his or her registration as a registered skilled worker (provisional), or a registered semi-skilled worker (provisional), for a designated trade division (***provisional registration***). (Amended 22 of 2014 s. 23)

(2) An application under subsection (1) must be in the specified form.

(3) The application must be made not earlier than 28 days before and not later than 28 days after the expiry of the provisional registration, or within any other period the Registrar may allow in any particular case.

(4) The Registrar may accept the application only if the Registrar is satisfied that a specified ground exists or the Registrar thinks it fair and reasonable to accept the application.

(5) If the application is accepted, the Registrar may extend the provisional registration for a period not exceeding 12 months as determined by the Registrar.

(6) If the application is accepted, the Registrar must as soon as practicable notify the applicant in writing of the extension of the provisional registration and the new expiry date of that registration.

(7) If the application is rejected, the Registrar must as soon as practicable notify the applicant of the rejection in writing.

(8) A specified ground exists in relation to an application for extension of the registration as a registered skilled worker (provisional) for a designated trade division if, due to illness or injury, the applicant— (Amended 22 of

2014 s. 23)

(a) could not attend or complete the last relevant training course available before the expiry of the registration;

(b) could not attend or complete the assessment of the applicant's competence in the area covered by the course; or

(c) could not attend or complete the last relevant trade test available before the expiry of the registration.

(9) A specified ground exists in relation to an application for extension of the registration as a registered semi-skilled worker (provisional) for a designated trade division if, due to illness or injury, the applicant could not attend or complete the last relevant intermediate trade test available before the expiry of the registration. (Amended 22 of 2014 s. 23)

(10) In this section—

relevant intermediate trade test (相關中級工藝測試), in relation to a designated trade division, means a trade test—

(a) that is conducted by the Council or a training institute in the construction industry in Hong Kong for the trade division; and

(b) for which an intermediate trade test certificate set out in column 5 of Schedule 1 opposite the trade division may be issued;

relevant trade test (相關技能測試), in relation to a designated trade division, means a trade test—

(a) that is conducted by the Council or a training institute in the construction industry in Hong Kong for the trade division; and

(b) for which a trade test certificate set out in column 4 of Schedule 1 opposite the trade division may be issued;

relevant training course (相關訓練課程), in relation to a person registered as a registered skilled worker (provisional) for a designated trade division, means a training course specified under section 41(1) in relation to the registered skilled workers (provisional) for the trade division. (Replaced 22 of 2014 s. 23)

(Added 17 of 2012 s. 26)

Section:	46	**Issue of registration card**	L.N. 14 of 2015	01/04/2015

(1) Subject to subsections (2), (3) and (4), the Registrar shall, on registering a person as a registered construction worker (***current registration***), issue to the person a registration card in respect of the current registration.

(2) If the person was issued a registration card in respect of a registration that is in effect (***previous registration***), the Registrar shall—

(a) revise the data recorded on the card to the effect that the card is in respect of the current registration and the previous registration; and

(b) issue to the person the card with the revised data recorded on it.

(3) If—

(a) the person was issued a registration card in respect of a previous registration;

(b) the person has applied to the Registrar for a replacement registration card under subsection (8); and

(c) the Registrar is satisfied that the registration card concerned has in fact been lost or destroyed,

the Registrar shall issue to the person a replacement registration card in respect of the current registration and the previous registration.

(4) If—

(a) the person was issued a registration card in respect of a previous registration;

(b) the person has applied to the Registrar for a replacement registration card under subsection (9); and

(c) the Registrar is satisfied that the registration card concerned has in fact been damaged and surrendered to the Registrar,

the Registrar shall issue to the person a replacement registration card in respect of the current registration and the previous registration.

(5) Subject to subsections (6) and (7), if the Registrar renews the registration of a person, the Registrar shall—

(a) revise the data recorded on the registration card issued to the person to the effect that the registration has been renewed; and

(b) issue to the person the card with the revised data recorded on it.

(5A) If the Registrar accepts under section 45A(4) an application to extend the registration of a person as a registered

skilled worker (provisional), or a registered semi-skilled worker (provisional), for a designated trade division, the Registrar must— (Amended 22 of 2014 s. 24)

(a) amend the Register to reflect the extension;

(b) record the new expiry date of the registration on the registration card issued to the person; and

(c) return the card to the person with that new expiry date recorded on it. (Added 17 of 2012 s. 27)

(6) If—

(a) the person has applied to the Registrar for a replacement registration card under subsection (8); and

(b) the Registrar is satisfied that the registration card concerned has in fact been lost or destroyed,

the Registrar shall issue to the person a replacement registration card with the data revised to the effect that the registration has been renewed.

(7) If—

(a) the person has applied to the Registrar for a replacement registration card under subsection (9); and

(b) the Registrar is satisfied that the registration card concerned has in fact been damaged and surrendered to the Registrar,

the Registrar shall issue to the person a replacement registration card with the data revised to the effect that the registration has been renewed.

(8) If a registration card has been lost or destroyed, the registered construction worker to whom it was issued shall as soon as practicable apply to the Registrar for a replacement registration card.

(9) If a registration card has been damaged, the registered construction worker to whom it was issued shall as soon as practicable—

(a) surrender the card to the Registrar; and

(b) apply to the Registrar for a replacement registration card.

(10) An application under subsection (8) or (9) shall be—

(a) in the specified form; and

(b) accompanied by the prescribed fee.

(11) Subject to subsections (3) and (6), the Registrar shall issue a replacement registration card pursuant to an application under subsection (8) on being satisfied that the registration card that it will replace has in fact been lost or destroyed.

(12) Subject to subsections (4) and (7), the Registrar shall issue a replacement registration card pursuant to an application under subsection (9) on being satisfied that the registration card that it will replace has in fact been damaged and surrendered to the Registrar.

(13) A person who notifies the Registrar of a change in his name under section 38(3) shall as soon as practicable apply to the Registrar for a replacement registration card.

(14) An application under subsection (13) shall be in the specified form.

(15) On receiving an application under subsection (13), the Registrar, if satisfied that the change in name has been notified under section 38(3) shall pursuant to the application issue a replacement registration card.

(16) For the purposes of this Ordinance, a replacement registration card issued under subsection (3), (4), (6), (7), (11), (12) or (15) has the same effect as, and is an equivalent to, the registration card that it replaces.

Section:	46A	**Additional information in registration card**	L.N. 14 of 2015	01/04/2015

(1) On application by a person to whom a registration card has been or is to be issued, the Registrar may record on that registration card any information that is contained in a document—

(a) issued to the person under or for the purposes of—

(i) any other enactment relevant to the construction industry; or

(ii) any system, scheme or programme relating to the safety, training or registration of, or qualification assessment for, construction workers in Hong Kong; and

(b) specified by the Council for the purposes of this section by notice published on the Council website.

(2) The Council must obtain the Secretary's approval before making a specification under subsection (1)(b).

(3) An application under subsection (1) must be in the specified form.

(4) If the Registrar is satisfied that any information recorded on a registration card under this section is no longer accurate or applicable, the Registrar may by notice in writing require the person to whom the card has been issued to return the card to the Registrar for the purpose of revising or deleting that information.

(5) A person to whom a notice is given under subsection (4) must, not later than 14 days after the date on which the

notice is given, return the registration card to the Registrar.

(6) A person who, without reasonable excuse, contravenes subsection (5) commits an offence and is liable on conviction to a fine at level 1.

(7) (Repealed 22 of 2014 s. 25)

(Added 17 of 2012 s. 28)

Section:	47	**Registration card**	E.R. 1 of 2013	25/04/2013

(1) Subject to subsection (2), a registration card shall be in the specified form.

(2) A registration card shall be a card—
  (a) on the surface of which data may be printed or otherwise recorded; and
  (b) in which data may be stored in electronic form.

(3) The Council may, in relation to a registration card, specify— (Amended 17 of 2012 s. 43)
  (a) what data shall be printed or otherwise recorded on the surface of the card; and
  (b) what data shall be stored in the card in electronic form.

(4) The Registrar shall—
  (a) provide such device that enables the data stored in a registration card in electronic form to be retrieved; and
  (b) make the device available for use free of charge,
  at the office, and during the ordinary business hours, of the Registrar.

(5) A person who, without lawful authority or reasonable excuse, sells or offers for sale, lends, gives, hands over or parts with possession to another person a registration card commits an offence and is liable on conviction to a fine at level 3.

(6) A person who—
  (a) without lawful authority, alters any data printed or otherwise recorded on the surface of a registration card;
  (b) without lawful authority, alters any data stored in a registration card in electronic form; or
  (c) without lawful authority or reasonable excuse, otherwise defaces or damages a registration card,
  commits an offence and is liable on conviction to a fine at level 3.

(7) In subsection (6), ***alter*** (改動), in relation to data, includes erase, cancel and add to.

Section:	48	**Registered construction worker to carry registration card**	22 of 2014; L.N. 14 of 2015; L.N. 7 of 2017	01/04/2017

(1) A registered construction worker shall comply with subsections (2), (3), (4) and (5) if he—
  (a) personally carries out on a construction site construction work; or (Amended 22 of 2014 s. 26)
  (b) personally carries out on a construction site construction work that involves any skills described in column 3 of Schedule 1 opposite a designated trade division as—
    (i) a registered skilled worker for the trade division;
    (ii) a registered skilled worker (provisional) for the trade division;
    (iii) a registered semi-skilled worker for the trade division; or
    (iv) a registered semi-skilled worker (provisional) for the trade division. (Replaced 22 of 2014 s. 26)
  (c)-(d) (Repealed 22 of 2014 s. 26)

(2) A registered construction worker shall carry with him the registration card issued to him in respect of the registration concerned while on the construction site.

(3) A registered construction worker—
  (a) if employed by a principal contractor for the construction site, or a sub-contractor of such a principal contractor, shall, subject to subsection (4), produce the registration card issued to the worker on demand by that principal contractor or an agent of that principal contractor authorized for the purpose; and
  (b) shall, subject to subsection (5), produce that registration card on demand by an authorized officer.

(4) If a registered construction worker is unable to comply with a demand by a principal contractor, or an agent of a principal contractor, under subsection (3)(a), he shall make a statement, in a register maintained under subsection (6), that he has been issued a registration card in respect of the registration concerned and that registration is in effect, unless—

(a) he has made a like statement in that register on the day immediately preceding the day on which that demand is made; or
(b) he has made 2 like statements in that register during the 30 days immediately preceding the day on which that demand is made.

(5) If a registered construction worker is unable to comply with a demand by an authorized officer under subsection (3)(b), he shall produce the registration card at a place and within a period that are—
(a) specified by the authorized officer who made the demand; and
(b) reasonable in all the circumstances.

(6) A principal contractor for a construction site—
(a) shall establish and maintain a register for the purposes of subsection (4) in the specified form; and
(b) shall not cause or permit any statement referred to in subsection (4) made in the register to be removed from it at any time before the expiration of 24 months after the date on which the statement was made in the register.

(7) A person who—
(a) makes a statement referred to in subsection (4); and
(b) is not a person who has been issued a registration card in respect of the registration concerned, which is in effect,
commits an offence and is liable on conviction to a fine at level 3.

(8) A person who, without reasonable excuse, contravenes subsection (5) commits an offence and is liable on conviction to a fine at level 3.

(9) A person who contravenes subsection (6)(a) or (b) commits an offence and is liable on conviction to a fine at level 3.

Section:	49	**Cancellation of registration**	L.N. 14 of 2015	01/04/2015

(1) The Registrar may cancel the registration of a person if the Registrar is satisfied that—
(a) the person has died;
(b) the registration has expired and is not renewed;
(c) the person no longer complies with the applicable requirements for registration set out in sections 40 and 42(5); or (Amended 22 of 2014 s. 27)
(d) the person was not at the time of his registration entitled to be registered.

(2) If the Registrar intends to cancel the registration of a person under subsection (1), the Registrar—
(a) shall give notice of the intention and the reasons for the cancellation by prepaid registered post to the person's last known postal address; and
(b) shall not cancel the registration of the person under that subsection until the expiry of a period of 14 days after the date of posting the notice.

(3) If the Registrar gives notice to a person that the Registrar intends to cancel the registration of the person, and before the expiry of the period of 14 days referred to in subsection (2)(b)—
(a) in the case of a cancellation under subsection (1)(a), the person satisfies the Registrar that he is not dead;
(b) in the case of a cancellation under subsection (1)(b), the person properly applies to renew his registration;
(c) in the case of a cancellation under subsection (1)(c), the person satisfies the Registrar that he complies with the applicable requirements for registration set out in sections 40 and 42(5); or (Amended 22 of 2014 s. 27)
(d) in the case of a cancellation under subsection (1)(d), the person satisfies the Registrar that he was entitled to be registered,
the Registrar shall not cancel the registration for the reasons set out in the notice.

(4) The Registrar shall effect a cancellation of the registration of a person by—
(a) removing from the Register the entry in it of the person; or
(b) if the person is still a registered construction worker after the cancellation, entering a remark against the entry in the Register of the person that reflects the cancellation.

(5) If the Registrar cancels the registration of a person, the Registrar shall notify the person in writing of the cancellation.

(6) Subject to subsection (7), a person whose registration is cancelled under this Ordinance shall, not later than 14 days after being notified by the Registrar in writing of the cancellation, surrender to the Registrar the registration card issued to him.

(7) If the person is still a registered construction worker after the cancellation, the person shall, not later than 14 days after being notified by the Registrar in writing of the cancellation, return to the Registrar the registration card issued to him for revising the data recorded on the card to reflect the cancellation. (Amended 17 of 2012 s. 29)

(8) A person who, without reasonable excuse, contravenes subsection (6) or (7) commits an offence and is liable on conviction to a fine at level 1.

Section:	50	**Correction of errors on Register**	E.R. 1 of 2013	25/04/2013

The Registrar may correct any error apparent on the face of the Register, including any omission from the Register.

Section:	50A	**Transitional and saving provisions relating to this Part**	L.N. 14 of 2015	01/04/2015

Schedules 5 and 6 have effect in relation to this Part.

(Added 22 of 2014 s. 28)

Part:	7	**Reviews and Appeals**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 7 has been updated to the current legislative styles.**

Section:	51	**Review of decisions**	L.N. 14 of 2015	01/04/2015

(1) A person who is the subject of a decision of the Registrar under section 40A(1) or (7), 43(1), 44(1), 45A(4) or (5) or 49(1) may request the Review Board to review the decision by serving on the Board, within 2 weeks after the decision, a notice of request for review stating the substance of the matter and reasons for the request. (Amended 22 of 2014 s. 29)

(2) A notice of request for review shall be in the specified form.

(3) A request under this section for review of a decision does not suspend the decision unless the Council decides otherwise.

(4) As soon as practicable after receiving a notice of request for review, the Review Board shall consider the request.

(5) On consideration of a request for review of a decision, the Review Board may recommend the Registrar— (Amended 17 of 2012 s. 30)
   (a) to confirm, vary or reverse the decision; or
   (b) to substitute the decision with such other decision as the Review Board thinks fit.

(6) On making a recommendation, the Review Board shall notify in writing the person who requests for the review of its recommendation and the reasons for the recommendation.

(7) As soon as practicable after receiving the recommendation of the Review Board in respect of a person's request for review of a decision, the Registrar shall— (Amended 17 of 2012 s. 30)
   (a) having regard to the recommendation—
      (i) confirm, vary or reverse the decision; or
      (ii) substitute the decision with such other decision as the Registrar thinks fit; and
   (b) notify in writing the person of—
      (i) if the Registrar confirms the decision, the confirmation;
      (ii) if the Registrar varies the decision, the decision as varied;
      (iii) if the Registrar reverses the decision, the reversal; or
      (iv) if the Registrar substitutes the decision with another decision, that other decision,
      and the reasons for doing so.

(Amended 17 of 2012 s. 30)

Section:	52	**Notice of appeal**	L.N. 14 of 2015	01/04/2015

(1) A person who is the subject of a decision under section 40A(1) or (7), 43(1), 44(1), 45A(4) or (5) or 49(1) may, after being notified under section 51(7)(b) of the confirmation, variation or substitution of the decision, appeal against— (Amended 17 of 2012 s. 31; 22 of 2014 s. 30)
  (a) if the Registrar confirms the decision, the decision;
  (b) if the Registrar varies the decision, the decision as varied; or
  (c) if the Registrar substitutes the decision with another decision, that other decision,
  by serving on the Council a notice of appeal stating the substance of the matter and reasons for the appeal.
(2) For the purpose of an appeal under this Part, a reference to a decision of the Registrar includes—
  (a) a decision of the Registrar as varied under section 51(7)(a)(i); and
  (b) the other decision with which the Registrar substitutes, under section 51(7)(a)(ii), the Registrar's decision.
(3) A person who is the subject of a decision under section 58(4)(b) may appeal against the decision by serving on the Council a notice of appeal stating the substance of the matter and reasons for the appeal.
(4) A notice of appeal shall be—
  (a) in the specified form;
  (b) accompanied by the prescribed fee; and
  (c) served on the Council— (Amended 17 of 2012 s. 31)
    (i) in the case of an appeal against a decision under subsection(1), within 2 weeks after the Registrar notifies the person under section 51(7)(b); or
    (ii) in the case of an appeal against a decision under subsection (3), within 3 business days after the decision.
(5) An appeal under subsection (1) against a decision does not suspend the decision unless the Council decides otherwise.
(6) As soon as practicable after receiving a notice of appeal, the Council shall forward a copy of the notice to the Secretary.

(Amended 17 of 2012 s. 31)

Section:	53	**Appeal Board panel**	E.R. 1 of 2013	25/04/2013

(1) Subject to subsection (2), the Secretary shall appoint an Appeal Board panel of not less than 49 members, of whom—
  (a) not less than 16 are members of The Hong Kong Institution of Engineers nominated by the Institution;
  (b) not less than 8 are members of The Hong Kong Institute of Architects nominated by the Institute;
  (c) not less than 5 are members of The Hong Kong Institute of Surveyors nominated by the Institute;
  (d) not less than 10 are persons, each of whom is, in the opinion of the Secretary, a person from a contractor in the construction industry in Hong Kong; and
  (e) not less than 10 are persons, each of whom is, in the opinion of the Secretary, a person from a trade union, registered under the Trade Unions Ordinance (Cap 332), that represents workers in the construction industry in Hong Kong.
(2) A person is not eligible for appointment under subsection (1) if he is—
  (a) a public officer;
  (b) a member of the Council; (Amended 17 of 2012 s. 32)
  (c) a member of the Qualifications Board; (Amended 17 of 2012 s. 32)
  (d) a member of the Review Board; (Amended 17 of 2012 s. 32)
  (e) the Registrar; (Replaced 17 of 2012 s. 32)
  (f) (if the Registrar is a body corporate) a member, officer or employee of the Registrar; (Added 17 of 2012 s. 32)
  (g) (if the Registrar is a body unincorporate) a member of the Registrar; or (Added 17 of 2012 s. 32)
  (h) a member of the Registration Board. (Added 17 of 2012 s. 32)
(3) An appointment under subsection (1) shall be notified in the Gazette.
(4) A member of the Appeal Board panel shall be appointed for a term of not more than 3 years.
(5) A person appointed under subsection (1) may be reappointed, and may resign by notice in writing to the Secretary.

(6) If the Secretary is satisfied that a member of the Appeal Board panel—
(a) has become a public officer, a member of the Council, a member of the Registration Board, a member of the Qualifications Board or a member of the Review Board; (Amended 17 of 2012 s. 32)
(b) has become the Registrar; (Replaced 17 of 2012 s. 32)
(ba) (if the Registrar is a body corporate) has become a member, officer or employee of the Registrar; (Added 17 of 2012 s. 32)
(bb) (if the Registrar is a body unincorporate) has become a member of the Registrar; (Added 17 of 2012 s. 32)
(c) has become bankrupt or made an arrangement with his creditors;
(d) is incapacitated by physical or mental illness;
(e) has ceased to be of the capacity by virtue of which he was appointed; or
(f) is otherwise unable or unfit to perform the functions of a member,
the Secretary may declare his office as a member of the Appeal Board panel to be vacant, and shall notify the fact in such manner as the Secretary thinks fit; and upon such declaration the office shall become vacant.

Section:	54	**Appeal Board**	E.R. 1 of 2013	25/04/2013

(1) The Secretary shall within—
(a) 30 days after receipt of a notice of appeal under section 52(1); or
(b) 21 business days after receipt of a notice of appeal under section 52(3), (Amended 17 of 2012 s. 33)
appoint a Construction Workers Appeal Board to hear the appeal.
(2) An Appeal Board shall consist of 5 members, of whom—
(a) not more than 2 are selected in rotation from the members of the Appeal Board panel specified in section 53(1)(a), (b) and (c);
(b) not more than 2 are selected in rotation from the members of the Appeal Board panel specified in section 53(1)(d); and
(c) not more than 2 are selected in rotation from the members of the Appeal Board panel specified in section 53(1)(e).
(3) The members of an Appeal Board are to elect a chairperson from amongst themselves. (Amended 17 of 2012 s. 33)
(4) The quorum of an Appeal Board is 4 members.
(5) The amendment made by section 33(1) of the Construction Industry Legislation (Miscellaneous Amendments) Ordinance 2012 (17 of 2012) (***amending section***) to subsection (1)(b) does not apply to a notice of appeal served under section 52(3) before the commencement date* of the amending section, and that subsection as in force immediately before that commencement date applies to that notice as if that amendment had not been made. (Added 17 of 2012 s. 33)

Note:
*** Commencement date: 1 January 2013.**

Section:	55	**Proceedings before Appeal Board**	E.R. 1 of 2013	25/04/2013

(1) The parties to an appeal are—
(a) the appellant; and
(b) in the case of—
(i) an appeal against a decision of the Council, the Council; (Amended 17 of 2012 s. 34)
(ii) an appeal against a decision of the Registrar, the Registrar.
(2) The chairperson of an Appeal Board shall— (Amended 17 of 2012 s. 34)
(a) appoint the time and place of the hearing of the appeal; and
(b) notify the parties to the appeal of the time and place.
(3) A party to an appeal may be present at the hearing of the appeal and may—
(a) make representation in person; or
(b) be represented by counsel or a solicitor or any other person authorized by the party in writing.
(4) The hearing of an appeal shall be held in public unless the Appeal Board, on its own motion or on the application of a party to the appeal, orders that all or part of the hearing shall be held in camera.

(5) An Appeal Board shall not make an order under subsection (4) unless the Appeal Board—
(a) has consulted the parties to the appeal; and
(b) is satisfied that the order is necessary in the interests of justice.
(6) The decision of an Appeal Board on an appeal shall be that of the majority of the members hearing the appeal, and if there is an equality of votes, the chairperson of the Appeal Board shall have a casting vote in addition to his or her original vote. (Amended 17 of 2012 s. 34)
(7) The decision of an Appeal Board on an appeal shall be binding on the parties to the appeal and shall be final.
(8) Subject to subsection (9), an Appeal Board shall notify in writing the parties to the appeal of its decision and the reasons for the decision.
(9) If the appeal is made under section 52(3), the Appeal Board shall, within 14 business days after the date of its appointment by the Secretary, notify in writing the parties to the appeal of its decision and the reasons for the decision.
(10) If, during the hearing of an appeal by an Appeal Board, the term of appointment of a member of the Appeal Board panel who has been selected to be a member of the Appeal Board expires, the member may continue to hear the appeal until the appeal is determined, as if the term of appointment had not expired. (Added 17 of 2012 s. 34)

Section:	56	**Legal adviser**	E.R. 1 of 2013	25/04/2013

(1) The Secretary may appoint a legal practitioner to advise an Appeal Board on any points of law and procedure that arise before, during or after a hearing of an appeal.
(2) A legal practitioner appointed under subsection (1) shall be remunerated for his services out of the funds of the Council at a rate determined by the Secretary. (Amended 17 of 2012 s. 43)
(3) In this section, ***legal practitioner*** (法律執業者) means counsel, or a solicitor, who holds a current practising certificate.

Section:	57	**Powers of Appeal Board**	E.R. 1 of 2013	25/04/2013

(1) An Appeal Board may, by notice under the signature of its chairperson— (Amended 17 of 2012 s. 35)
(a) summon any person to attend the hearing to give evidence or produce any document or other thing in his possession; and
(b) authorize a person to inspect the construction work, if any, to which the appeal relates.
(2) An Appeal Board may—
(a) examine a person summoned under subsection (1)(a) as a witness or require him to produce any document or other thing in his possession;
(b) hear and consider representations made by or on behalf of the parties to the appeal; and
(c) hear, receive and examine evidence on oath.
(3) An Appeal Board may—
(a) in an appeal against a decision of the Council— (Amended 17 of 2012 s. 35)
(i) confirm or revoke the decision; or
(ii) make any decision that the Council could have made; (Amended 17 of 2012 s. 35)
(b) in an appeal against a decision of the Registrar—
(i) confirm or revoke the decision; or
(ii) make any decision that the Registrar could have made.
(4) An Appeal Board may make any order as it thinks fit with regard to the payment of the costs of the parties to an appeal in the appeal.
(5) Costs awarded or imposed under this section are recoverable as a civil debt.

Part:	8	**Miscellaneous**	E.R. 1 of 2013	25/04/2013

(*Format changes—E.R. 1 of 2013)

Note:
*** The format of Part 8 has been updated to the current legislative styles.**

Section:	58	**Principal contractors and controllers to retrieve and record data of registered construction workers on construction site**	L.N. 14 of 2015	01/04/2015

(1) Subject to subsections (5) and (6), a principal contractor for a construction site shall provide on the site such device that enables the data stored in a registration card in electronic form to be retrieved unless the construction work that the principal contractor undertakes on the site—
  (a) falls within paragraph (a)(vi) of the definition of ***construction work*** in section 2; or (Amended 22 of 2014 s. 31)
  (b) has not begun.

(2) A principal contractor for a construction site may apply to the Council to be exempted from subsection (1) in relation to the site. (Amended 17 of 2012 s. 43)

(3) An application under subsection (2) shall be—
  (a) in the specified form; and
  (b) made within 7 days after any construction work begins on the construction site, or within such further time as the Council may in any case allow. (Amended 17 of 2012 s. 43)

(4) As soon as practicable after receiving an application under subsection (2) by a principal contractor for a construction site, the Council shall— (Amended 17 of 2012 s. 43)
  (a) consider the application with regard to the physical condition and location of the site and the value of construction work carried out, or to be carried out, on the site; and
  (b) by notice in writing served on the principal contractor—
    (i) grant the exemption subject to such conditions, if any, as the Council thinks fit; or (Amended 17 of 2012 s. 43)
    (ii) refuse to grant the exemption.

(5) Subject to subsection (6), if the Council refuses, under paragraph (b) of subsection (4), to grant the exemption to a principal contractor for a construction site, the principal contractor is only required to comply with subsection (1) in relation to the site for the period after the date of the notice referred to in that paragraph. (Amended 17 of 2012 s. 43)

(6) If an Appeal Board, in an appeal under section 52(3), decides that a principal contractor for a construction site shall not be exempted from subsection (1), the principal contractor is only required to comply with that subsection in relation to the site for the period after the date of notice of the decision of the Appeal Board.

(7) A controller of a construction site shall—
  (a) establish and maintain a daily record that—
    (i) is in the specified form; and
    (ii) contains information of the registered construction workers who—
      (A) are employed by the controller and, in the case of a controller within the meaning of subsection (9)(a)(i), by a sub-contractor of the controller; and
      (B) personally carry out on the site construction work; and
  (b) furnish the Registrar in such manner as directed by the Registrar with a copy of the record—
    (i) for the period of 7 days after any construction work begins on the site; and
    (ii) for each successive periods of 7 days,
    within 2 business days after the last day of the period concerned, or within such further time as the Registrar may in any case allow.

(8) A person who, without reasonable excuse, contravenes subsection (1) or (7)(a) or (b)(i) or (ii) commits an offence and is liable on conviction to a fine at level 3.

(9) In subsection (7)—
  (a) ***controller*** (主管), in relation to a construction site, means—
    (i) a principal contractor for the site; or
    (ii) if there is no principal contractor for the site, any person who has control over, or is in charge of, the site; and
  (b) any construction work that is building works, or street works, that are not carried out by or on behalf of the Government is deemed to begin—

(i) on the date of the Building Authority's consent in writing for the commencement of the works under section 14(1)(b) of the Buildings Ordinance (Cap 123); or
(ii) where the building works are the works to which section 14AA of the Buildings Ordinance (Cap 123) applies, on the date of the commencement of the works as indicated in any document submitted to the Building Authority under the regulations made under the Buildings Ordinance (Cap 123). (Replaced 20 of 2008 s. 50)

Section:	59	**Offences of making false or misleading statements, of failure to attend as witness and of obstructing authorized officers, etc.**	L.N. 14 of 2015	01/04/2015

(1) A person who, without reasonable excuse, makes any statement or furnishes any information, which is false or misleading in a material particular, in connection with—
(a) a requirement made to the person under section 18(1)(d)(i) or (e)(i)(A) or 18A(1);
(b) an application for registration, extension of registration or renewal of registration;
(c) a request for review under Part 7;
(d) an appeal under Part 7;
(e) an application under section 58(2); or
(f) a copy of a record furnished by the person under section 58(7)(b), (Added 22 of 2014 s. 32)
commits an offence and is liable on conviction to a fine at level 3. (Amended 22 of 2014 s. 32)
(2) If a person who—
(a) having been summoned by an Appeal Board to attend a hearing, without reasonable excuse, refuses or fails to do so;
(b) attends a hearing before an Appeal Board as a witness and, without reasonable excuse, refuses or fails to answer any question put to him by the Board; or
(c) having been required to produce any document or other thing in his possession, without reasonable excuse, refuses or fails to do so,
commits an offence and is liable on conviction to a fine at level 3.
(3) A person who—
(a) without reasonable excuse, resists, obstructs or delays an authorized officer who is performing or exercising, or attempting to perform or exercise, a function or power under this Ordinance;
(b) without reasonable excuse, fails to comply with a requirement made to the person under section 18(1)(d)(i) or (e)(i) or 18A(1); (Amended 22 of 2014 s. 32)
(c) without reasonable excuse, prevents, or attempts to prevent, another person from assisting an authorized officer in the performance or exercise of the officer's functions or powers under this Ordinance; or
(d) directly or indirectly, intimidates or threatens—
(i) an authorized officer in the performance or exercise of the officer's functions or powers under this Ordinance; or
(ii) a person assisting such an officer in the performance or exercise of those functions or powers,
commits an offence and is liable on conviction to a fine at level 3.

Section:	60	**Prosecution may be brought in Council's name***	E.R. 1 of 2013	25/04/2013

Without prejudice to any Ordinance relating to the prosecution of criminal offences or to the powers of the Secretary for Justice in relation to the prosecution of criminal offences, a prosecution for an offence under this Ordinance may be—
(a) brought in the name of the Council; and
(b) commenced and conducted by a member or employee of the Council authorized in that behalf in writing by the Council.

(Amended 17 of 2012 s. 43)

Note:
*** (Amended 17 of 2012 s. 43)**

Section:	61	**Service, etc. of notices**	E.R. 1 of 2013	25/04/2013

(1) Subject to subsection (4), a notice that is required to be, or may be, served on or given to the Council, or the Review Board, under this Ordinance shall, in the absence of evidence to the contrary, be deemed to be so served or given if it is— (Amended 17 of 2012 s. 36)
  (a) left at the Council's last known address for service in Hong Kong; or
  (b) sent by post to the Council at its last known address for service, or at its last known postal address, in Hong Kong. (Amended 17 of 2012 s. 36)

(2) Subject to subsection (4), a notice that is required to be, or may be, served on or given to the Registrar under this Ordinance shall, in the absence of evidence to the contrary, be deemed to be so served or given if it is—
  (a) left at the Registrar's last known address for service in Hong Kong; or
  (b) sent by post to the Registrar at its last known address for service, or at its last known postal address, in Hong Kong.

(3) Subject to subsections (1), (2) and (4), a notice that is required to be, or may be, served on or given to a person (howsoever described) under this Ordinance shall, in the absence of evidence to the contrary, be deemed to be so served or given if—
  (a) in the case of an individual, it is—
    (i) delivered to him;
    (ii) left at his last known address for service, or at his last known place of residence or business, in Hong Kong; or
    (iii) sent by post to him at his last known address for service, or at his last known postal address, in Hong Kong;
  (b) in the case of a company, it is—
    (i) served on or given to an officer of the company;
    (ii) left at the company's last known address for service, or at its last known address of business, in Hong Kong; or
    (iii) sent by post to the company at its last known address for service, or at its last known postal address, in Hong Kong;
  (c) in the case of a partnership, it is—
    (i) delivered, left or sent in accordance with paragraph (a) in respect of any partner who is an individual; or
    (ii) served, given, left or sent in accordance with paragraph (b) in respect of any partner which is a company;
  (d) in the case of a person (***attorney***) holding a power of attorney under which the attorney is authorized to accept service in respect of another person, it is—
    (i) delivered, left or sent in accordance with paragraph (a) where the attorney is an individual;
    (ii) served, given, left or sent in accordance with paragraph (b) where the attorney is a company;
    (iii) delivered, left or sent in accordance with paragraph (a) in respect of any partner who is an individual where the attorney is a partnership; or
    (iv) served, given, left or sent in accordance with paragraph (b) in respect of any partner which is a company where the attorney is a partnership.

(4) Subsections (1), (2) and (3) do not apply—
  (a) to Part 5; or
  (b) where otherwise expressly provided.

Section:	62	**Power of Council to specify forms***	E.R. 1 of 2013	25/04/2013

(1) Subject to subsection (2), the Council may specify— (Amended 17 of 2012 s. 43)
  (a) registration cards;
  (b) any document required under this Ordinance to be in the specified form; or
  (c) such other documents required for the purposes of this Ordinance as the Council thinks fit.

(2) The Council's power under subsection (1) shall be subject to any express requirement under this Ordinance for a form, whether specified or otherwise, to comply with that requirement, but that requirement shall not restrict the

exercise of that power in respect of that form to the extent that, in the opinion of the Council, its exercise of that power in respect of that form does not contravene that requirement.

(3) For the avoidance of doubt, it is declared that the Council's power under subsection (1) may be exercised in such a way as to— (Amended 17 of 2012 s. 43)
   (a) include (whether by way of attachment or otherwise) in the specified form of any document referred to in that subsection a statutory declaration—
      (i) to be made by the person completing the form; and
      (ii) as to whether the particulars contained in the form are true and correct to the best of that person's knowledge and belief; or
   (b) specify more than one form of registration cards or of any document referred to in that subsection, whether as alternatives, or to provide for particular circumstances or particular cases, as the Council thinks fit.

(4) A form specified under this section shall be—
   (a) completed in accordance with such directions and instructions as are specified in the form;
   (b) accompanied by such registration cards or documents, or both, as are specified in the form; and
   (c) if the completed form is required to be provided to the Council or any other person, so provided in the manner, if any, specified in the form.

(5) In this section, ***document*** (文件)—
   (a) includes any application, notice, record and register; and
   (b) does not include a registration card.

(Amended 17 of 2012 s. 43)

Note:
*** (Amended 17 of 2012 s. 43)**

Section:	63	**Regulations**	E.R. 1 of 2013	25/04/2013

(1) The Council may, subject to the approval of the Secretary, by regulation— (Amended 17 of 2012 s. 37)
   (a) provide further for the making of applications for registration and renewal of registration and for the consideration and processing of, and the making of decision in relation to, such applications;
   (b) provide further for the making of requests for review under Part 7 and for the consideration and processing of, and the making of recommendation in relation to, such requests;
   (c) provide further for the making of appeals under Part 7 and for the processing and hearing of, and the making of decision in relation to, such appeals;
   (d) provide further for the making of applications under sections 45A, 46A and 58(2) and for the consideration and processing of, and the making of decision in relation to, such applications; (Amended 17 of 2012 s. 37)
   (e) prescribe the fees and any other matter required to be prescribed;
   (f) provide, for the purposes of Part 5, for the records to be kept, and information to be supplied, by employers, contractors and authorized persons within the meaning of that Part; and
   (g) generally provide for the better carrying out of the purposes of this Ordinance.

(2) Any regulation made under this section may—
   (a) make different provisions for different circumstances and provide for a particular case or class of cases;
   (b) be made so as to apply only in specified circumstances; and
   (c) contain such incidental, supplementary, consequential, transitional or saving provision as may be necessary or expedient in consequence of the regulation.

Section:	63A	**Exemption regulation made by Secretary**	L.N. 14 of 2015	01/04/2015

(1) The Secretary may exempt by regulation any construction work from the application of this Ordinance.

(2) An exemption under subsection (1) may only be made on the basis of one or more of the following—
   (a) the scale of the construction work;
   (b) the value of the construction work in monetary terms;
   (c) the urgency of the construction work.

(3) The Secretary may exempt by regulation a person or a class of persons from the application of this Ordinance.

(4) A regulation made under this section—

(a) may make different provisions for different circumstances;
(b) may be made so as to apply only in specified circumstances;
(c) may impose obligations on any person concerned in any construction work exempted under the regulation;
(d) may prescribe an offence for contravening the regulation which is punishable by a fine not exceeding level 3; and
(e) may contain any incidental, supplementary, consequential, transitional or saving provision that may be necessary or expedient due to the regulation.

(Added 22 of 2014 s. 33)

Section:	63B	**Code of practice**	L.N. 14 of 2015	01/04/2015

(1) The Council may issue a code of practice that provides practical guidance for any requirement under this Ordinance or any subsidiary legislation made under this Ordinance.
(2) If a code of practice is issued under subsection (1), the Council must by notice published on the Council website —
(a) publish the code;
(b) specify the date on which the code is to take effect; and
(c) specify the purposes for which the code is issued.
(3) The Council may amend the code.
(4) If the code is amended, the Council must by notice published on the Council website—
(a) publish the amendment;
(b) specify the date on which the amendment is to take effect; and
(c) specify the purposes for which the code is amended.

(Added 22 of 2014 s. 33)

Section:	63C	**Use of code of practice in legal proceedings**	L.N. 14 of 2015	01/04/2015

(1) A failure by a person to observe a provision of a code of practice does not of itself make the person liable to any civil or criminal proceedings.
(2) However, if in any legal proceedings the court is satisfied that a code of practice or a part of it is relevant to determining a matter that is in issue in the proceedings—
(a) the code or part is admissible in evidence in the proceedings; and
(b) proof that the person observed or did not observe a relevant provision of the code may be relied on by a party to the proceedings as tending to establish or negate that matter.
(3) In this section—
court (法庭) means—
(a) an appeal board;
(b) a review board;
(c) a court as defined by section 3 of the Interpretation and General Clauses Ordinance (Cap 1); or
(d) a magistrate;
legal proceedings (法律程序) includes—
(a) the proceedings of a review board; and
(b) the proceedings of an appeal board.

(Added 22 of 2014 s. 33)

Section:	64	**(Repealed 17 of 2012 s. 38)**	L.N. 149 of 2012	01/01/2013

Section:	64A	**Privileges and immunities of members of Appeal Board, etc.**	L.N. 149 of 2012	01/01/2013

(1) A member of an Appeal Board has, in the performance of the member’s functions or exercise of the member’s powers under this Ordinance, the same privileges and immunities as a judge of the Court of First Instance in

civil proceedings in that Court.

(2) Any person who appears before an Appeal Board, including a party to a hearing and any representative of the party, is entitled to the same privileges and immunities as the person would have in civil proceedings in the Court of First Instance.

(Added 17 of 2012 s. 39)

Section:	65	**Amendment of Schedules**	L.N. 14 of 2015	01/04/2015

(1) The Secretary may, by notice published in the Gazette, amend Schedule 1, 1A, 2, 3 or 4. (Amended 22 of 2014 s. 34)

(2) A notice published under this section may contain any incidental, supplementary, consequential, transitional or saving provision that may be necessary or expedient due to the notice. (Added 22 of 2014 s. 34)

Section:	65A	**Transitional provisions in relation to certain construction operations**	E.R. 1 of 2013	25/04/2013

(1) The amendments to section 2 and Part 5 of this Ordinance as effected by sections 29 to 34 of Schedule 6 to the Construction Industry Council Ordinance (Cap 587) (***the amendments***) do not apply to the following construction operations—

(a) construction operations the tender for which had been submitted to the employer before the commencement day;

(b) other construction operations carried out under a construction contract, if the contract had been entered into before the commencement day or the construction operations had commenced before the commencement day; and

(c) construction operations other than those referred to in paragraphs (a) and (b), that had commenced before the commencement day.

(2) The pre-amended Ordinance continues to apply to the construction operations referred to in subsection (1).

(3) In this section—

****commencement day*** (生效日期) means the day on which sections 29 to 34 of Schedule 6 to the Construction Industry Council Ordinance (Cap 587) come into operation;

pre-amended Ordinance (修訂前的本條例) means this Ordinance as in force immediately before the commencement of the amendments.

(Added 12 of 2006 s. 84)

*** Commencement date: 1 January 2008.**

Part:	9	**(Omitted as spent—E.R. 1 of 2013)**	E.R. 1 of 2013	25/04/2013

Section:	66	**(Omitted as spent—E.R. 1 of 2013)**	E.R. 1 of 2013	25/04/2013

Section:	67	**(Omitted as spent—E.R. 1 of 2013)**	E.R. 1 of 2013	25/04/2013

Section:	68	**(Omitted as spent—E.R. 1 of 2013)**	E.R. 1 of 2013	25/04/2013

Section:	69	**(Omitted as spent—E.R. 1 of 2013)**	E.R. 1 of 2013	25/04/2013

Part:	10	**Dissolution of Construction Workers Registration Authority**	L.N. 149 of 2012	01/01/2013

(Part 10 added 17 of 2012 s. 40)

Section:	70	**Interpretation of this Part**	L.N. 149 of 2012	01/01/2013

In this Part—

Amendment Ordinance 2012 (《2012年修訂條例》) means the Construction Industry Legislation (Miscellaneous Amendments) Ordinance 2012 (17 of 2012);

Authority (管理局) means the Construction Workers Registration Authority established by section 7(1) of the pre-amended Ordinance;

commencement date* (生效日期) means the date appointed for the commencement of section 40 of the Amendment Ordinance 2012 under section 1 of that Ordinance;

pre-amended Ordinance (修訂前的本條例) means the Construction Workers Registration Ordinance (Cap 583) as in force immediately before the commencement date.

Note:
*** Commencement date: 1 January 2013**

Section:	71	**Dissolution of Authority**	L.N. 149 of 2012	01/01/2013

The Authority is dissolved by this section.

Section:	72	**Vesting of rights, etc. of Authority in Council and saving of validity of Authority's acts**	L.N. 149 of 2012	01/01/2013

(1) All rights, assets, liabilities and obligations of the Authority are to be vested in the Council as from the commencement date.

(2) Nothing in this Part affects the validity of anything done by or in relation to the Authority before the commencement date.

(3) The Stamp Duty Ordinance (Cap 117) does not apply to any vesting effected by this section.

Section:	73	**Completion of acts started before commencement date**	L.N. 149 of 2012	01/01/2013

(1) Anything which immediately before the commencement date is in the process of being done by or in relation to the Authority may be carried on or completed by, or in relation to, the Council in accordance with this Ordinance.

(2) Without limiting subsection (1), if a notice of objection was served on the Authority under section 29(1) of the pre-amended Ordinance and the Authority had not made a decision in respect of the objection under section 29(3) of that Ordinance before the commencement date, the Council is to deal with the objection in accordance with section 29 of this Ordinance.

(3) Without limiting subsection (1), if a notice of appeal was served on the Authority under section 52(1) or (3) of the pre-amended Ordinance and the Authority had not forwarded a copy of the notice to the Secretary under section 52(6) of that Ordinance before the commencement date, the Council is to deal with the notice in accordance with section 52 of this Ordinance.

(4) Anything which immediately before the commencement date is in the process of being done by or in relation to the Qualifications Committee established by section 12 of the pre-amended Ordinance may be carried on or completed by, or in relation to, the Qualifications Board in accordance with this Ordinance.

(5) Anything which immediately before the commencement date is in the process of being done by or in relation to the Review Committee established by section 14 of the pre-amended Ordinance may be carried on or completed by, or in relation to, the Review Board in accordance with this Ordinance.

Section:	74	**Rights of action**	L.N. 149 of 2012	01/01/2013

(1) The Council may be sued for the liabilities or obligations to which it is subject under section 72 and they may be recovered from the Council.
(2) The Council may sue on, recover or enforce a chose in action vested in it under section 72 without having to give notice of the vesting to a person bound by the chose in action.

Section:	75	**Legal claims and pending legal proceedings, etc.**	L.N. 149 of 2012	01/01/2013

(1) Legal claims (whether present or future, actual or contingent) by or against the Authority (including any judicial or administrative proceedings instituted by or against the Authority and any accrued right of appeal) that existed immediately before the commencement date do not abate by reason of the dissolution under section 71 and may be continued or enforced by or against the Council.
(2) If immediately before the commencement date, any legal proceedings to which the Authority is a party are pending, the Council is to, as from that date, be substituted as a party to those proceedings in place of the Authority.

Section:	76	**Effect of existing agreement, etc.**	L.N. 149 of 2012	01/01/2013

(1) Any agreement, arrangement or contract made or entered into or other transaction effected or other thing done by, to or in relation to the Authority that was in force or effective immediately before the commencement date, or that is to take effect on or after that date, has effect as if made, entered into, effected or done by, to or in relation to the Council.
(2) Without limiting subsection (1), any lease, tenancy, permit or licence granted to the Authority that was in force or effective immediately before the commencement date, or that is to take effect on or after that date, has effect as if granted to the Council.
(3) Without limiting subsection (1), any appointment made under section 12(2) of the pre-amended Ordinance that was in force immediately before the commencement date, or that takes effect on or after that date, has effect as if made by the Registration Board under section 12(2) of this Ordinance.
(4) Without limiting subsection (1), any appointment made under section 14(2) of the pre-amended Ordinance that was in force immediately before the commencement date, or that takes effect on or after that date, has effect as if made by the Registration Board under section 14(2) of this Ordinance.
(5) Without limiting subsection (1), any appointment made under section 16 of the pre-amended Ordinance that was in force immediately before the commencement date, or that takes effect on or after that date, has effect as if made by the Council under section 16 of this Ordinance.
(6) Any training course specified under section 41(1) of the pre-amended Ordinance is deemed to have been specified by the Council under section 41(1) of this Ordinance.
(7) Any development course specified under section 44(8) of the pre-amended Ordinance is deemed to have been specified by the Council under section 44(8) of this Ordinance.
(8) Nothing in this section makes valid any act or document which is otherwise invalid.

Section:	77	**References to Authority**	L.N. 149 of 2012	01/01/2013

As from the commencement date, the references to the Authority in the following are to be taken as references to the Council—

(a) any agreement or contract;
(b) any process or other document issued, prepared or employed for the purposes of any proceedings before a court, tribunal or similar body; and
(c) any other document (other than an enactment) relating to or affecting any property, right, liability or obligation of the Authority vested in the Council under section 72.

Section:	78	**Delivery of books, etc.**	L.N. 149 of 2012	01/01/2013

All books, accounts, minutes and other documents and equipment belonging to the Authority and under its control

immediately before the commencement date are to be delivered to the Council on that date by the person who had the care and custody of those documents or equipment immediately before that date.

Section:	79	**Record of property**	L.N. 149 of 2012	01/01/2013

Any property of the Authority which, immediately before the commencement date, was standing in the books of a bank, company or other corporation is to be transferred in those books to the Council at the request of the Council, by the bank, company or other corporation.

Section:	80	**Continuance of employment**	L.N. 149 of 2012	01/01/2013

(1) The employment of an employee of the Authority is not to be terminated by reason of the dissolution of the Authority.
(2) As from the commencement date, a person who, immediately before that date, was an employee of the Authority under a valid contract of employment and who, if not for the dissolution, would have been its employee under the contract on that date, becomes an employee of the Council on terms and conditions no less favourable than those that applied immediately before that date to the employment of the person with the Authority.
(3) There is no break or interruption in the employment of a person referred to in subsection (2) by reason of the commencement of this Part.
(4) This section applies despite sections 17 and 18 of the Construction Industry Council Ordinance (Cap 587).

Section:	81	**Submission of reports on activities of Authority**	L.N. 149 of 2012	01/01/2013

(1) Within 6 months after the commencement date, the Council must submit to the Secretary—
  (a) a report on the activities of the Authority during the specified period;
  (b) a copy of the statement of accounts of the Authority in respect of the specified period; and
  (c) the auditor's report on the statement of accounts.
(2) The Secretary must cause the documents received under subsection (1) to be laid on the table of the Legislative Council.
(3) The Secretary may extend the period for submitting the documents under subsection (1).
(4) In this section—

specified period (指明期間) means the period beginning on the day next following the end of the last financial year of the Authority in respect of which reports and statements had been submitted under section 11 of the pre-amended Ordinance and ending on the day immediately before the commencement date;

statement of accounts (帳目表) includes an income and expenditure account and a balance sheet.

Section:	82	**Council to appoint auditor for purposes of section 81**	L.N. 149 of 2012	01/01/2013

(1) The Council must appoint an auditor for the purposes of section 81.
(2) The auditor appointed under subsection (1) must—
  (a) audit the statement of accounts referred to in section 81; and
  (b) submit a report on it to the Council.
(3) The auditor is entitled to—
  (a) have access to all books of account, vouchers and other financial records of the Authority that are under the Council's control; and
  (b) require any information and explanations of those books, vouchers and records that the auditor thinks fit.

Section:	83	**Change of Registrar**	L.N. 149 of 2012	01/01/2013

(1) Anything which immediately before the commencement date is in the process of being done by or in relation to the Registrar appointed under section 36(1) of the pre-amended Ordinance may be carried on or completed by, or in relation to, the Registrar appointed under section 36(1) of this Ordinance in accordance with this Ordinance.

(2) The Register of Construction Workers established and maintained under section 37(1)(a) of the pre-amended Ordinance is deemed to have been established and maintained under section 37(1)(a) of this Ordinance by the Registrar appointed under section 36(1) of this Ordinance.

(3) Any registration card issued under section 46 of the pre-amended Ordinance that was in force immediately before the commencement date has effect as if issued under section 46 of this Ordinance by the Registrar appointed under section 36(1) of this Ordinance.

Schedule:	1	**Designated Trade Divisions**	L.N. 189 of 2016	01/04/2017

[sections 2, 3, 3A, 4, 4A, 6, 40, 40A, 41, 42, 45A, 48 & 65]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name of trade	Name of trade division	Description of skills	Certificate for registered skilled worker	Certificate for registered semi-skilled worker	Other qualifications or requirements
Part A—Civil and Building Works					
1. Woodworker	(1) Carpenter (Fender)	Removing, cutting and erecting timber fenders for protection of piers, seawalls, dolphins and landing steps	Trade test certificate for Carpenter (Fender) issued by CITA or Council	Not applicable	Not applicable
	(2) Carpenter (Formwork) (Master)	(a) Erecting and striking timber formwork for civil construction (b) Erecting and striking timber formwork for building works	Either item (a) or (b)— (a) trade test certificate for Carpenter (Formwork) issued by CITA or Council; (b) (i) trade test certificate for Carpenter (Formwork—Civil Construction) issued by CITA or Council; and (ii) trade test certificate for Carpenter (Formwork Building Construction) issued by CITA or Council	Either item (a) or (b)— (a) intermediate trade test certificate for Carpenter (Formwork) issued by CITA or Council; (b) (i) intermediate trade test certificate for Carpenter (Formwork—Civil Construction) issued by CITA or Council; and (ii) intermediate trade test certificate for Carpenter (Formwork—Building Construction) issued by CITA or Council	Not applicable
	(3) Carpenter (Formwork—Civil Construction)	Erecting and striking timber formwork for civil construction	Either item (a) or (b)— (a) trade test certificate for Carpenter (Formwork—Civil Construction) issued by CITA or Council; (b) trade test certificate for Carpenter (Formwork) issued by CITA or Council	Either item (a) or (b)— (a) intermediate trade test certificate for Carpenter (Formwork—Civil Construction) issued by CITA or Council; (b) intermediate trade test certificate for Carpenter (Formwork) issued by CITA or Council	Not applicable
	(4) Carpenter (Formwork—Civil Construction) (Striking)	Striking timber formwork for civil construction	Trade test certificate for Carpenter (Formwork—Civil Construction) (Striking) issued by Council	Not applicable	Not applicable
	(5) Carpenter (Formwork—Building Construction)	Erecting and striking timber formwork for building construction	Either item (a) or (b)— (a) trade test certificate for Carpenter (Formwork—Building Construction) issued by CITA or Council; (b) trade test certificate for Carpenter (Formwork) issued by CITA or Council	Either item (a) or (b)— (a) intermediate trade test certificate for Carpenter (Formwork—Building Construction) issued by CITA or Council; (b) intermediate trade test certificate for Carpenter (Formwork) issued by CITA or Council	Not applicable
	(6) Carpenter (Formwork—Building Construction) (Striking)	Striking timber formwork for building construction	Trade test certificate for Carpenter (Formwork—Building Construction) (Striking) issued by	Not applicable	Not applicable

			Council		
	(7) Joiner	Internal and external woodwork (except formwork and fender) using both hand tools and woodworking machinery	Either item (a) or (b)— (a) trade test certificate for Joiner issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of carpenter/joiner given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Joiner issued by CITA or Council	Not applicable
	(8) Joiner (Assembling)	Assembling prefabricated woodwork and associated small metal parts	Trade test certificate for Joiner (Assembling) issued by Council	Not applicable	Not applicable
2. Hand-dug Caisson Worker	(9) Hand-dug Caisson Worker	Constructing underground caissons by hand-dug caisson method	Trade test certificate for Hand-dug Caisson Worker issued by CITA or Council	Intermediate trade test certificate for Hand-dug Caisson Worker issued by CITA or Council	Not applicable
3. Leveller	(10) Leveller	(a) Reading and interpreting drawings (b) Setting up job lines and levels and preparing templates	Trade test certificate for Leveller issued by CITA or Council	Intermediate trade test certificate for Leveller issued by CITA or Council	Not applicable
4. Piling Operative	(11) Piling Operative (Master)	Setting up piling rigs for driven or bored piles works	Both items (a) and (b)— (a) trade test certificate for Piling Operative (Bored Pile) issued by CITA or Council; (b) trade test certificate for Piling Operative (Percussive Pile) issued by CITA or Council	Both items (a) and (b)— (a) intermediate trade test certificate for Piling Operative (Bored Pile) issued by Council; (b) intermediate trade test certificate for Piling Operative (Percussive Pile) issued by Council	Not applicable
	(12) Piling Operative (Percussive Pile)	Setting up piling rigs for driven piles works	Trade test certificate for Piling Operative (Percussive Pile) issued by CITA or Council	Intermediate trade test certificate for Piling Operative (Percussive Pile) issued by Council	Not applicable
	(13) Piling Operative (Bored Pile)	Setting up piling rigs for bored piles works	Trade test certificate for Piling Operative (Bored Pile) issued by CITA or Council	Intermediate trade test certificate for Piling Operative (Bored Pile) issued by Council	Not applicable
5. Waterproofing Worker	(14) Waterproofing Worker (Master)	(a) (i) Blending liquid membrane materials using a hand blender (ii) Painting with primer and pouring liquid membrane materials on prepared surfaces (iii) Platform waterproofing work (b) (i) Pouring hot asphalt primer on prepared surfaces (ii) Cutting out adhesive-type felt to fit overlapped position and affixing it to the platform by using an electric blower (c) (i) Pouring hot asphalt primer on prepared surfaces (ii) Cutting out burn-type and grainy colour felt to fit overlapped position and affixing it to he platform by using a liquefied petroleum gas appliance	Either item (a) or (b)— (a) (i) trade test certificate for Waterproofing Worker (Liquid Membrane) issued by Council; (ii) trade test certificate for Waterproofing Worker (burn-type Felt) issued by Council; and (iii) trade test certificate for Waterproofing Worker (Adhesive-type Felt) issued by Council; (b) trade test certificate for Asphalter (Waterproofing) issued by CITA or Council	Not applicable	Not applicable
	(15) Waterproofing Worker (Liquid Membrane)	(a) Blending liquid membrane materials using a hand blender (b) Painting with primer and pouring liquid membrane materials on prepared surfaces (c) Platform waterproofing work	Trade test certificate for Waterproofing Worker (Liquid Membrane) issued by Council	Not applicable	Not applicable
	(16) Waterproofing Worker (burn-type Felt)	(a) Pouring hot asphalt primer on prepared surfaces (b) Cutting out burn-type and grainy colour felt to fit overlapped position and affixing it to the platform by using a liquefied petroleum gas appliance	Trade test certificate for Waterproofing Worker (Burn-type Felt) issued by Council	Intermediate trade test certificate for Waterproofing Worker (Burn-type Felt) issued by Council	Not applicable
	(17) Waterproofing Worker (Adhesive-type Felt)	(a) Pouring hot asphalt primer on prepared surfaces	Trade test certificate for Waterproofing Worker (Adhesive-	Not applicable	Not applicable

		(b) Cutting out adhesive-type felt to fit overlapped position and affixing it to the platform by using an electric blower	type Felt) issued by Council		
6. Drain and Pipe Layer	(18) Drain and Pipe Layer (Master)	(a) Assembling, installing and repairing— (i) pipes, pipe-fittings, sanitary fixtures, cold, hot and flush water systems, and soil, waste and rain water drainage systems in buildings; (ii) pipes and fittings in premises, and any pipes and fittings between premises and a connection to the mains (including the pipes and pipefittings forming part of a fire service) which are used for the purposes of a supply within the meaning of the Waterworks Ordinance (Cap 102) (b) Laying and joining underground drains, constructing manholes, installing pipes and fittings, constructing beds and haunches, and surrounding pipes with concrete (c) Laying water mains, making pressurized joints by mechanical means, installing pipes and fittings, constructing beds and haunches, and surrounding pipes with concrete	All of items (a), (b) and (c)— (a) (i) trade test certificate for Plumber issued by CITA or Council; (ii) certificate of completion of an apprenticeship in the trade of plumber given under section 28 of the Apprenticeship Ordinance (Cap 47); or (iii) plumber's licence issued under regulation 34 of the Waterworks Regulations (Cap 102 sub. leg. A); (b) trade test certificate for Drainlayer issued by CITA or Council; (c) trade test certificate for Pipelayer issued by CITA or Council	Not applicable	Not applicable
	(19) Plumber	Assembling, installing and repairing— (a) pipes, pipe-fittings, sanitary fixtures, cold, hot and flush water systems, and soil, waste and rain water drainage systems in buildings; (b) pipes and fittings in premises, and any pipes and fittings between premises and a connection to the mains (including the pipes and pipe-fittings forming part of a fire service) which are used for the purposes of a supply within the meaning of the Waterworks Ordinance (Cap 102)	Any one of items (a), (b) and (c)— (a) trade test certificate for Plumber issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of plumber given under section 28 of the Apprenticeship Ordinance (Cap 47); (c) plumber's licence issued under regulation 34 of the Waterworks Regulations (Cap 102 sub. leg. A)	Intermediate trade test certificate for Plumber issued by CITA or Council	Not applicable
	(20) Drainlayer	Laying and joining underground drains, constructing manholes, installing pipes and fittings, constructing beds and haunches, and surrounding pipes with concrete	Trade test certificate for Drainlayer issued by CITA or Council	Intermediate trade test certificate for Drainlayer issued by CITA or Council	Not applicable
	(21) Pipelayer	Laying water mains, making pressurized joints by mechanical means, installing pipes and fittings, constructing beds and haunches, and surrounding pipes with concrete	Trade test certificate for Pipelayer issued by CITA or Council	Not applicable	Not applicable
7. Paving Block Layer	(22) Paving Block Layer	(a) Laying paving blocks on floor (b) Compacting the base layer with vibrating machines (c) Cutting paving blocks to fit floor layout	Trade test certificate for Paving Block Layer issued by CITA or Council	Not applicable	Not applicable
8. Cement Sand Mortar Worker	(23) Cement Sand Mortar Worker (Master)	(a) (i) Applying coats of plaster to, and rendering walls and ceilings, to produce finished surfaces (ii) Screeding floors, staircases and roofs	All of items (a), (b), (c) and (d)— (a) (i) trade test certificate for Bricklayer issued by CITA or Council; or (ii) certificate of completion of an apprenticeship in the	All of items (a), (b), (c) and (d)— (a) intermediate trade test certificate for Bricklayer issued by CITA or Council;	Not applicable

		(b) Splitting and shaping stones, and building and laying stone works (c) Laying bricks and other building blocks, except stones and marble, for construction and repair of walls, partitions, arches, openings and other structures (d) Cutting, shaping and setting tiles on walls, ceilings and floors	trade of bricklayer given under section 28 of the Apprenticeship Ordinance (Cap 47); (b) trade test certificate for Mason issued by CITA or Council; (c) (i) trade test certificate for Plasterer issued by CITA or Council; or (ii) certificate of completion of an apprenticeship in the trade of plasterer given under section 28 of the Apprenticeship Ordinance (Cap 47); (d) (i) trade test certificate for Tiler issued by CITA or Council; or (ii) certificate of completion of an apprenticeship in the trade of tiler given under section 28 of the Apprenticeship Ordinance (Cap 47)	(b) intermediate trade test certificate for Mason issued by CITA or Council; (c) intermediate trade test certificate for Plasterer issued by CITA or Council; (d) intermediate trade test certificate for Tiler issued by CITA or Council	
	(24) Plasterer	(a) Applying coats of plaster to, and rendering walls and ceilings, to produce finished surfaces (b) Screeding floors, staircases and roofs	Either item (a) or (b)— (a) trade test certificate for Plasterer issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of plasterer given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Plasterer issued by CITA or Council	Not applicable
	(25) Plasterer (Floor)	Screeding floors, staircases and roofs	Trade test certificate for Plasterer (Floor) issued by Council	Intermediate trade test certificate for Plasterer (Floor) issued by Council	Not applicable
	(26) Mason	Splitting and shaping stones, and building and laying stone works	Trade test certificate for Mason issued by CITA or Council	Intermediate trade test certificate for Mason issued by CITA or Council	Not applicable
	(27) Bricklayer	Laying bricks and other building blocks, except stones and marble, for construction and repair of walls, partitions, arches, openings and other structures	Either item (a) or (b)— (a) trade test certificate for Bricklayer issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of bricklayer given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Bricklayer issued by CITA or Council	Not applicable
	(28) Tiler	Cutting, shaping and setting tiles on walls, ceilings and floors	Either item (a) or (b)— (a) trade test certificate for Tiler issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of tiler given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Tiler issued by CITA or Council	Not applicable
	(29) Tiler (Mosaic)	Cutting, shaping and setting mosaic tiles on walls, ceilings and floors	Trade test certificate for Tiler (Mosaic) issued by Council	Intermediate trade test certificate for Tiler (Mosaic) issued by Council	Not applicable
	(30) Tiler (Tile)	Cutting, shaping and setting ceramic tiles on walls, ceilings and floors	Trade test certificate for Tiler (Tile) issued by Council	Intermediate trade test certificate for Tiler (Tile) issued by Council	Not applicable
9. Demolition Worker	(31) Demolition Worker (Master)	(a) Demolishing, dismantling and removing buildings and structures, or any part of them (b) Demolishing, dismantling and removing buildings erected, or building works carried out, in contravention of the Buildings Ordinance (Cap 123)	Both items (a) and (b)— (a) trade test certificate for Demolition Worker (Building) issued by CITA or Council; (b) trade test certificate for Demolition Worker (Unauthorized Building Works) issued by CITA or Council	Not applicable	Not applicable
	(32) Demolition Worker (Building)	Demolishing, dismantling and removing buildings and structures, or any part of them	Trade test certificate for Demolition Worker (Building) issued by CITA or Council	Not applicable	Not applicable
	(33) Demolition Worker (Unauthorized Building Works)	Demolishing, dismantling and removing buildings erected, or building works carried out, in contravention of the Buildings Ordinance (Cap 123)	Trade test certificate for Demolition Worker (Unauthorized Building Works) issued by CITA or Council	Not applicable	Not applicable
10. Metal-steel Worker	(34) Metal-steel Worker (Master)	(a) (i) Fitting, assembling, welding and forging metal parts (ii) Installing nonstructural metalwork (iii) Operating	Both items (a) and (b)— (a) trade test certificate for Metal Worker issued by CITA or Council; (b) trade test certificate for Structural Steel Erector issued	Both items (a) and (b)— (a) intermediate trade test certificate for Metal Worker issued by CITA or Council; (b) intermediate trade test	Not applicable

		metalworking machines (iv) Making templates (v) Repairing metal formwork (b) (i) Drilling, cutting and shaping steel sections (ii) Assembling structural members and erecting steel structures by riveting or bolting (iii) Operating power shears, flame cutting equipment and other related tools	by CITA or Council	certificate for Structural Steel Erector issued by CITA or Council	
	(35) Metal Worker	(a) Fitting, assembling, welding and forging metal parts (b) Installing nonstructural metalwork (c) Operating metalworking machines (d) Making templates (e) Repairing metal formwork	Trade test certificate for Metal Worker issued by CITA or Council	Intermediate trade test certificate for Metal Worker issued by CITA or Council	Not applicable
	(36) Structural Steel Erector	(a) Drilling, cutting and shaping steel sections (b) Assembling structural members and erecting steel structures by riveting or bolting (c) Operating power shears, flame cutting equipment and other related tools	Trade test certificate for Structural Steel Erector issued by CITA or Council	Intermediate trade test certificate for Structural Steel Erector issued by CITA or Council	Not applicable
11. Construction Goods Vehicle Driver	(37) Construction Goods Vehicle Driver (Master)	(a) Driving, within, into or out of construction sites, for carrying out construction work, medium or heavy goods vehicles which— (i) are within the meaning of section 2 of the Road Traffic Ordinance (Cap 374); and (ii) belong to one of the following types of body— (A) skip carrier; (B) tanker; (C) pressure tanker; (D) lorry crane; (E) gully emptier; (F) demountable; (G) tipper; (H) concrete mixer (b) Driving, within, into or out of construction sites, for carrying out construction work, special purpose vehicles which— (i) are within the meaning of section 2 of the Road Traffic Ordinance (Cap 374); and (ii) belong to one of the following types of body— (A) mobile crane; (B) aerial platform; (C) works tug; (D) mobile workshop; (E) mobile concrete pump; (F) traffic warning sign (c) Driving, within, into or out of construction sites, for carrying out construction work, articulated vehicles which— (i) are within the meaning of regulation 2 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap 374 sub. leg. A); and	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of all of items (a), (b), (c) and (d)— (a) full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive a medium goods vehicle; (b) full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive a heavy goods vehicle; (c) full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive a special purpose vehicle; (d) full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive an articulated vehicle

		(ii) belong to either one of the following types of body— (A) pressure tanker; (B) tipper			
	(38) Truck Driver (Medium Goods Vehicles)	Driving, within, into or out of construction sites, for carrying out construction work, medium goods vehicles which— (a) are within the meaning of section 2 of the Road Traffic Ordinance (Cap 374); and (b) belong to one of the following types of body— (i) skip carrier; (ii) tanker; (iii) pressure tanker; (iv) lorry crane; (v) gully emptier; (vi) demountable; (vii) tipper; (viii) concrete mixer	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive a medium goods vehicle
	(39) Truck Driver (Heavy Goods Vehicles)	Driving, within, into or out of construction sites, for carrying out construction work, heavy goods vehicles which— (a) are within the meaning of section 2 of the Road Traffic Ordinance (Cap 374); and (b) belong to one of the following types of body— (i) skip carrier; (ii) tanker; (iii) pressure tanker; (iv) lorry crane; (v) gully emptier; (vi) demountable; (vii) tipper; (viii) concrete mixer	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive a heavy goods vehicle
	(40) Truck Driver (Special Purpose Vehicles)	Driving, within, into or out of construction sites, for carrying out construction work, special purpose vehicles which— (a) are within the meaning of section 2 of the Road Traffic Ordinance (Cap 374); and (b) belong to one of the following types of body— (i) mobile crane; (ii) aerial platform; (iii) works tug; (iv) mobile workshop; (v) mobile concrete pump; (vi) traffic warning sign	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive a special purpose vehicle
	(41) Truck Driver (Articulated Vehicles)	Driving, within, into or out of construction sites, for carrying out construction work, articulated vehicles which— (a) are within the meaning of regulation 2 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap 374 sub. leg. A); and (b) belong to either one of the following types of body— (i) pressure tanker; (ii) tipper	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of full driving licence within the meaning of the Road Traffic (Driving Licences) Regulations (Cap 374 sub. leg. B) to drive an articulated vehicle
12. Rigger/Metal Formwork Erector	(42) Rigger/Metal Formwork Erector	(a) Setting up lifting apparatus and equipment for lifting and lowering materials (b) Fixing and dismantling large panel metal formwork	Trade test certificate for Rigger/Metal Formwork Erector issued by CITA or Council	Intermediate trade test certificate for Rigger/Metal Formwork Erector issued by CITA or Council	Not applicable
13. Marine Construction Plant Operator (Lifting)	(43) Marine Construction Plant Operator (Lifting) (Master)	Operating derricks, boom-grab buckets or boom-hooks for construction work at sea	All of items (a), (b) and (c)— (a) trade test certificate for Marine Construction Plant Operator (Derrick) issued by CITA or Council; (b) trade test certificate for Marine Construction Plant Operator (Boomgrab Bucket) issued by	All of items (a), (b) and (c)— (a) intermediate trade test certificate for Marine Construction Plant Operator (Derrick) issued by Council; (b) intermediate trade test	Not applicable

			CITA or Council; (c) trade test certificate for Marine Construction Plant Operator (Boomhook) issued by CITA or Council	certificate for Marine Construction Plant Operator (Boom-grab Bucket) issued by Council; (c) intermediate trade test certificate for Marine Construction Plant Operator (Boom-hook) issued by Council	
	(44) Marine Construction Plant Operator (Derrick)	Operating derricks for construction work at sea	Trade test certificate for Marine Construction Plant Operator (Derrick) issued by CITA or Council	Intermediate trade test certificate for Marine Construction Plant Operator (Derrick) issued by Council	Not applicable
	(45) Marine Construction Plant Operator (Boom-grab Bucket)	Operating boom-grab buckets for construction work at sea	Trade test certificate for Marine Construction Plant Operator (Boomgrab Bucket) issued by CITA or Council	Intermediate trade test certificate for Marine Construction Plant Operator (Boom-grab Bucket) issued by Council	Not applicable
	(46) Marine Construction Plant Operator (Boom-hook)	Operating boom-hooks for construction work at sea	Trade test certificate for Marine Construction Plant Operator (Boomhook) issued by CITA or Council	Intermediate trade test certificate for Marine Construction Plant Operator (Boom-hook) issued by Council	Not applicable
13A. False Ceiling Installer	(46A) False Ceiling Installer	Installing false ceilings	Trade test certificate for False Ceiling Installer issued by Council	Intermediate trade test certificate for False Ceiling Installer issued by Council	Not applicable
14. Asbestos Abatement Worker	(47) Asbestos Abatement Worker	Skills for asbestos abatement works	Trade test certificate for Asbestos Abatement Worker issued by CITA or Council	Not applicable	Not applicable
15. Welder	(48) General Welder	General welding and cutting by electric arc, oxy-acetylene flame or other welding processes	Trade test certificate for General Welder issued by CITA or Council	Intermediate trade test certificate for General Welder issued by CITA or Council	Not applicable
	(49) Structural Steel Welder	Cutting or joining structural steel sections, steel water mains and steel gas mains by electric arc, oxy-acetylene flame or other welding processes	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate (whether subsisting or expired) of passing of a welder test which is in conformity with BS EN 287-1:1992 standard including its amendments issued by a welding inspection body accredited by the Hong Kong Accreditation Service under Hong Kong Inspection Body Accreditation Scheme
16. Concrete and Grouting Worker	(50) Concrete and Grouting Worker (Master)	(a) (i) Mixing, placing and compacting concrete using vibrating machines (ii) Curing, levelling and smoothening of concrete (b) Repairing substandard or spalled concrete or reinforcement bars using concrete or other materials (c) Operating spraying machines to apply shotcrete or gunite (d) Mixing cement or other materials to carry out underground grouting work	All of items (a), (b), (c) and (d)— (a) trade test certificate for Concretor issued by CITA or Council; (b) trade test certificate for Concrete Repairer (Spalling Concrete) issued by CITA or Council; (c) trade test certificate for Shotcretor issued by CITA or Council; (d) trade test certificate for Grouting Worker issued by CITA or Council	Not applicable	Not applicable
	(51) Concretor	(a) Mixing, placing and compacting concrete using vibrating machines (b) Curing, levelling and smoothening of concrete	Trade test certificate for Concretor issued by CITA or Council	Intermediate trade test certificate for Concretor issued by CITA or Council	Not applicable
	(52) Concrete Repairer (Spalling Concrete)	Repairing substandard or spalled concrete or reinforcement bars using concrete or other materials	Trade test certificate for Concrete Repairer (Spalling Concrete) issued by CITA or Council	Not applicable	Not applicable
	(53) Shotcretor	Operating spraying machines to apply shotcrete or gunite	Trade test certificate for Shotcretor issued by CITA or Council	Not applicable	Not applicable
	(54) Grouting Worker	Mixing cement or other materials to carry out underground pressure grouting work	Trade test certificate for Grouting Worker issued by CITA or Council	Not applicable	Not applicable
17. Marble Worker	(55) Marble Worker (Master)	(a) Setting out, measuring, cutting and setting marble	Either item (a) or (b)— (a) (i) trade test certificate for	Either item (a) or (b)— (a) (i) intermediate trade	Not applicable

		slabs, granite slabs or similar stones on walls, floors, or other surfaces (b) Grinding and polishing marble, granite or similar stones	Marble Worker (Polishing) issued by Council; (ii) trade test certificate for Marble Worker (Dry Fixing) issued by Council; and (iii) trade test certificate for Marble Worker (Wet Fixing) issued by Council; (b) trade test certificate for Marble Worker issued by CITA or Council	test certificate for Marble Worker (Polishing) issued by Council; (ii) intermediate trade test certificate for Marble Worker (Dry Fixing) issued by Council; and (iii) intermediate trade test certificate for Marble Worker (Wet Fixing) issued by Council; (b) intermediate trade test certificate for Marble Worker issued by CITA or Council	
	(56) Marble Worker (Polishing)	Cutting, grinding, repairing and polishing marble slabs, granite slabs or similar stones	Trade test certificate for Marble Worker (Polishing) issued by Council	Intermediate trade test certificate for Marble Worker (Polishing) issued by Council	Not applicable
	(57) Marble Worker (Dry Fixing)	Setting marble slabs, granite slabs or similar stones on walls or other surfaces by dry fixing	Trade test certificate for Marble Worker (Dry Fixing) issued by Council	Intermediate trade test certificate for Marble Worker (Dry Fixing) issued by Council	Not applicable
	(58) Marble Worker (Wet Fixing)	Setting marble slabs, granite slabs or similar stones on walls, floors or other surfaces by wet fixing	Trade test certificate for Marble Worker (Wet Fixing) issued by Council	Intermediate trade test certificate for Marble Worker (Wet Fixing) issued by Council	Not applicable
18. Window Frame Installer	(59) Window Frame Installer	Installing window frames and sash (including associated water proofing works) for buildings or other structures	Trade test certificate for Window Frame Installer issued by CITA or Council	Intermediate trade test certificate for Window Frame Installer issued by CITA or Council	Not applicable
19. Scaffolder	(60) Scaffolder (Master)	(a) Erecting and dismantling bamboo scaffolding required in construction, repair or decoration work and in other forms of structures (b) Erecting, dismantling and repairing metal scaffolding required in construction work	Both items (a) and (b)— (a) (i) trade test certificate for Bamboo Scaffolder issued by CITA or Council; or (ii) certificate of completion of an apprenticeship in the trade of bamboo scaffolder given under section 28 of the Apprenticeship Ordinance (Cap 47); (b) trade test certificate for Metal Scaffolder issued by CITA or Council	Both items (a) and (b)— (a) intermediate trade test certificate for Bamboo Scaffolder issued by CITA or Council; (b) intermediate trade test certificate for Metal Scaffolder issued by CITA or Council	Not applicable
	(61) Bamboo Scaffolder	Erecting, dismantling and repairing bamboo scaffolding required in construction work	Either item (a) or (b)— (a) trade test certificate for Bamboo Scaffolder issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of bamboo scaffolder given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Bamboo Scaffolder issued by CITA or Council	Not applicable
	(62) Metal Scaffolder	Erecting, dismantling and repairing metal scaffolding required in construction work	Trade test certificate for Metal Scaffolder issued by CITA or Council	Intermediate trade test certificate for Metal Scaffolder issued by CITA or Council	Not applicable
19A. Partition (Metal Frame) Installer	(62A) Partition (Metal Frame) Installer	Installing metal frames and panels of partitions	Trade test certificate for Partition (Metal Frame) Installer issued by Council	Not applicable	Not applicable
20. Prestressing Operative	(63) Prestressing Operative	(a) Laying and fixing prestressing tendons and ducts (b) Assembling prestressing couplings and anchorages and performing prestressing operations and grouting of ducts	Trade test certificate for Prestressing Operative issued by CITA or Council	Not applicable	Not applicable
21. Curtain Wall and Glass Panes Installer	(64) Curtain Wall and Glass Panes Installer (Master)	(a) (i) Measuring, cutting and fixing glass panes with silicone plastic or beads (ii) Grinding or rounding edges of glass panes (b) Installing metal frames, and fixing glasses or other material panels, for curtain walls	Both items (a) and (b)— (a) trade test certificate for Glazier issued by CITA or Council; (b) trade test certificate for Curtain Wall Installer issued by CITA or Council	Both items (a) and (b)— (a) intermediate trade test certificate for Glazier issued by CITA or Council; (b) intermediate trade test certificate for Curtain Wall Installer issued by Council	Not applicable
	(65) Glazier	(a) Measuring, cutting and fixing glass panes with silicone plastic or beads (b) Grinding or rounding edges	Trade test certificate for Glazier issued by CITA or Council	Intermediate trade test certificate for Glazier issued by CITA or Council	Not applicable

		of glass panes			
	(66) Curtain Wall Installer	Installing metal frames, and fixing glasses or other material panels, for curtain walls	Trade test certificate for Curtain Wall Installer issued by CITA or Council	Intermediate trade test certificate for Curtain Wall Installer issued by Council	Not applicable
22. Diver (Construction Work)	(67) Diver (Construction Work)	(a) Performing underwater operations related to inspection, construction and repair of structures and demolition (b) Preparing reports on the operations mentioned in item (a)	Not applicable	Not applicable	Qualification and requirement for registration as registered skilled worker— (a) holder of any one of items (i), (ii) and (iii)— (i) diving certificate for the class of Advanced SCUBA Diver or above issued by the National Association of Underwater Instructors of the United States of America; (ii) diving certificate approved by the Health and Safety Executive of the United Kingdom; (iii) diving certificate issued by the Ministry of Communications of the People's Republic of China; and (b) the Registrar must be satisfied that a person registered for this trade division is certified by a registered medical practitioner to be medically fit to dive
23. Floor Layer	(68) Floor Layer (Master)	Laying timber, PVC, linoleum and similar flooring materials to floors, stair threads and skirtings	Both items (a) and (b)— (a) trade test certificate for Floor Layer (PVC Flooring) issued by CITA or Council; (b) trade test certificate for Floor Layer (Timber Flooring) issued by CITA or Council	Both items (a) and (b)— (a) intermediate trade test certificate for Floor Layer (PVC Flooring) issued by CITA or Council; (b) intermediate trade test certificate for Floor Layer (Timber Flooring) issued by CITA or Council	Not applicable
	(69) Floor Layer (Timber Flooring)	Laying timber and similar flooring materials to floors, stair threads and skirtings	Trade test certificate for Floor Layer (Timber Flooring) issued by CITA or Council	Intermediate trade test certificate for Floor Layer (Timber Flooring) issued by CITA or Council	Not applicable
	(70) Floor Layer (PVC Flooring)	Laying PVC, linoleum and similar flooring materials to floors, stair threads and skirtings	Trade test certificate for Floor Layer (PVC Flooring) issued by CITA or Council	Intermediate trade test certificate for Floor Layer (PVC Flooring) issued by CITA or Council	Not applicable
24. Trackworker	(71) Trackworker	Laying and maintaining trackworks for railways or other vehicles	Trade test certificate for Trackworker issued by CITA or Council	Not applicable	Not applicable
25. Tunnel Worker	(72) Tunnel Worker	Carrying out general construction work inside tunnels, including installing temporary supports and working platforms, ventilation ducts, packers and protective fencings	Trade test certificate for Tunnel Worker issued by CITA or Council	Not applicable	Not applicable
26. Plant and Equipment Operator	(73) Ground Investigation Operator/Driller/ Borer	(a) Setting up and operating drilling plants for ground investigation purposes (b) Taking and storing soil, and rock samples or specimens, for inspection and logging by engineers or technicians or geologists (c) Performing in situ field tests in the company of geotechnical field technicians	Trade test certificate for Ground Investigation Operator issued by CITA or Council	Intermediate trade test certificate for Ground Investigation Operator issued by CITA or Council	Not applicable
	(74) Plant and Equipment Operator (Fork-lift	Operating fork-lift trucks	Not applicable	Not applicable	Qualification for registration as registered

	Truck)				skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to fork-lift trucks
	(75) Plant and Equipment Operator (Mini-loader)	Operating mini-loaders	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to mini-loaders
	(76) Plant and Equipment Operator (Mini-loader (with Attachments))	Operating mini-loaders with attachments	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to mini-loaders (with attachments)
	(77) Plant and Equipment Operator (Grader)	Operating graders	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to graders
	(78) Plant and Equipment Operator (Piling) (Master)	Operating piling machines percussive or bored piles)	Both items (a) and (b)— (a) trade test certificate for Plant and Equipment Operator (Bored Pile) issued by CITA or Council; (b) trade test certificate for Plant and Equipment Operator (Percussive Pile) issued by CITA or Council	Both items (a) and (b)— (a) intermediate trade test certificate for Plant and Equipment Operator (Bored Pile) issued by Council; (b) intermediate trade test certificate for Plant and Equipment Operator (Percussive Pile) issued by Council	Not applicable
	(79) Plant and Equipment Operator (Percussive Pile)	Operating piling machines (percussive piles)	Trade test certificate for Plant and Equipment Operator (Percussive Pile) issued by CITA or Council	Intermediate trade test certificate for Plant and Equipment Operator (Percussive Pile) issued by Council	Not applicable
	(80) Plant and Equipment Operator (Bored Pile)	Operating piling machines (bored piles)	Trade test certificate for Plant and Equipment Operator (Bored Pile) issued by CITA or Council	Intermediate trade test certificate for Plant and Equipment Operator (Bored Pile) issued by Council	Not applicable
	(81) Plant and Equipment Operator (Suspended Working Platform)	Operating suspended working platforms	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate referred to in section 17(1)(b) of the Factories and Industrial Undertakings (Suspended Working Platforms) Regulation (Cap 59 sub. leg. AC)
	(82) Plant and Equipment Operator (Demolition) — Excavator	Operating excavators to demolish, dismantle and remove buildings or structures, or any part of them	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of both items (a) and (b)— (a) trade test certificate for Plant and Equipment Operator (Demolition)—Excavator issued by

					CITA or Council; (b) certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to excavators
	(83) Plant and Equipment Operator (Excavator)	Operating excavators (except demolishing, dismantling and removing buildings or structures, or any part of them)	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to excavators
	(84) Builder's Lift Operator	Operating builders' lifts (passenger hoist) on construction sites	Not applicable	Not applicable	Qualification for registration as registered skilled worker— competent operator for builder's lift within the meaning of the Builders' Lifts and Tower Working Platforms (Safety) Ordinance (Cap 470)
	(85) Plant and Equipment Operator (Bulldozer)	Operating bulldozers	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to bulldozers
	(86) Plant and Equipment Operator (Truck-mounted Crane)	Operating truck-mounted cranes	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate referred to in regulation 15A(1)(b) of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap 59 sub. leg. J) and applicable to Truck-mounted Cranes
	(87) Plant and Equipment Operator (Dumper)	Operating dumpers	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to dumpers
	(88) Plant and Equipment Operator (Loader)	Operating loaders	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to loaders
	(89) Plant and Equipment Operator (Tower Crane)	Operating tower cranes	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate referred to in regulation

					15A(1)(b) of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap 59 sub. leg. J) and applicable to tower cranes
	(90) Plant and Equipment Operator (Crawler-mounted Mobile Crane)	Operating crawler-mounted mobile cranes	Not applicable	Not applicable	Qualification for registration as registered skilled worker—holder of certificate referred to in regulation 15A(1)(b) of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap 59 sub. leg. J) and applicable to crawler-mounted mobile cranes
	(91) Plant and Equipment Operator (Wheeled Telescopic Mobile Crane)	Operating wheeled telescopic mobile cranes	Not applicable	Not applicable	Qualification for registration as registered skilled worker—holder of certificate referred to in regulation 15A(1)(b) of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap 59 sub. leg. J) and applicable to wheeled telescopic mobile cranes
	(92) Plant and Equipment Operator (Locomotive)	Operating locomotives	Not applicable	Not applicable	Qualification for registration as registered skilled worker—holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to locomotives
	(93) Plant and Equipment Operator (Gantry Crane)	Operating gantry cranes	Not applicable	Not applicable	Qualification for registration as registered skilled worker—holder of certificate referred to in regulation 15A(1)(b) of the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations (Cap 59 sub. leg. J) and applicable to gantry cranes
	(94) Plant and Equipment Operator (Compactor)	Operating compactors	Not applicable	Not applicable	Qualification for registration as registered skilled worker—holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to compactors
	(95) Plant and Equipment Operator (Scraper)	Operating scrapers	Not applicable	Not applicable	Qualification for registration as registered skilled worker—holder of certificate as defined by section 2(1) of the Factories and Industrial Undertakings (Loadshifting Machinery) Regulation (Cap 59 sub. leg. AG) and applicable to scrapers
	(96) Plant and Equipment Operator (Tunneling)—Jumbo Drilling	Operating jumbo drilling machines inside tunnels	Trade test certificate for Plant and Equipment Operator (Tunneling)—Jumbo Drilling issued by CITA or Council	Intermediate trade test certificate for Plant and Equipment Operator (Tunneling)—Jumbo Drilling issued by Council	Not applicable
	(97) Plant and Equipment	Operating segment erection	Trade test certificate for Plant and	Intermediate trade test	Not applicable

	Operator (Tunneling)—Segment Erection	machines inside tunnels	Equipment Operator (Tunneling)—Segment Erection issued by CITA or Council	certificate for Plant and Equipment Operator (Tunneling)—Segment Erection issued by Council	
	(98) Plant and Equipment Operator (Tunneling)—Tunnel Boring Machine	Operating tunnel boring machines inside tunnels	Trade test certificate for Plant and Equipment Operator (Tunneling)—Tunnel Boring Machine issued by CITA or Council	Intermediate trade test certificate for Plant and Equipment Operator (Tunneling)—Tunnel Boring Machine issued by Council	Not applicable
27. Bar Bender and Fixer	(99) Bar Bender and Fixer	Cutting, bending and fixing reinforcement steel bars	Trade test certificate for Bar Bender and Fixer issued by CITA or Council	Intermediate trade test certificate for Bar Bender and Fixer issued by CITA or Council	Not applicable
28. Painter and Decorator	(100) Painter and Decorator (Master)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for painting and decorating (b) Applying paints or similar protective and decorative materials (c) Laying out and writing letters, characters and other signs	Any one of items (a), (b) and (c)— (a) trade test certificate for Painter and Decorator issued by CITA or Council; (b) certificate of completion of an apprenticeship in the trade of painter/decorator/sign writer given under section 28 of the Apprenticeship Ordinance (Cap 47); (c) (i) trade test certificate for Painter and Decorator (Roller Painting) issued by Council; (ii) trade test certificate for Painter and Decorator (Surface Filling) issued by Council; (iii) trade test certificate for Painter and Decorator (Emulsion Painting) issued by Council; (iv) trade test certificate for Painter and Decorator (Brushing Lacquering) issued by Council; (v) trade test certificate for Painter and Decorator (Synthetic Painting) issued by Council; (vi) trade test certificate for Painter and Decorator (Clear Lacquering) issued by Council; (vii) trade test certificate for Painter and Decorator (Texture-spray) issued by Council; (viii) trade test certificate for Painter and Decorator (Metal Paint Spray) issued by Council; (ix) trade test certificate for Painter and Decorator (Paperhanging) issued by Council; and (x) trade test certificate for Painter and Decorator (Sign Writing) issued by Council	Intermediate trade test certificate for Painter and Decorator issued by CITA or Council	Not applicable
	(101) Painter and Decorator (Roller Painting)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for roller painting including colour separation lines (b) Applying roller painting at interior and exterior walls including colour separation lines	Trade test certificate for Painter and Decorator (Roller Painting) issued by Council	Not applicable	Not applicable
	(102) Painter and Decorator (Surface Filling)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for surface filling (b) Applying surface filling	Trade test certificate for Painter and Decorator (Surface Filling) issued by Council	Not applicable	Not applicable
	(103) Painter and Decorator (Emulsion Painting)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for emulsion painting including colour separation lines (b) Applying emulsion painting including colour separation	Trade test certificate for Painter and Decorator (Emulsion Painting) issued by Council	Not applicable	Not applicable

		lines			
	(104) Painter and Decorator (Brushing Lacquering)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for brushing lacquering (b) Applying brushing lacquering	Trade test certificate for Painter and Decorator (Brushing Lacquering) issued by Council	Not applicable	Not applicable
	(105) Painter and Decorator (Synthetic Painting)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for synthetic painting including colour separation lines (b) Applying synthetic painting including colour separation lines	Trade test certificate for Painter and Decorator (Synthetic Painting) issued by Council	Not applicable	Not applicable
	(106) Painter and Decorator (Clear Lacquering)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for clear lacquering (b) Applying clear lacquering	Trade test certificate for Painter and Decorator (Clear Lacquering) issued by Council	Not applicable	Not applicable
	(107) Painter and Decorator (Texture-spray)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for texture-spray (b) Applying texture-spray	Trade test certificate for Painter and Decorator (Texture-spray) issued by Council	Not applicable	Not applicable
	(108) Painter and Decorator (Metal Paint Spray)	(a) Preparing surfaces, iron or metal materials for metal paint spray (b) Applying metal paint spray	Trade test certificate for Painter and Decorator (Metal Paint Spray) issued by Council	Not applicable	Not applicable
	(109) Painter and Decorator (Paperhanging)	(a) Preparing surfaces, fittings and fixtures of buildings and other structures for surface filling, synthetic painting and paperhanging (b) Applying surface filling (c) Applying synthetic painting (d) Performing paperhanging	Trade test certificate for Painter and Decorator (Paperhanging) issued by Council	Not applicable	Not applicable
	(110) Painter and Decorator (Sign Writing)	Laying out and writing letters, characters and other signs	Trade test certificate for Painter and Decorator (Sign Writing) issued by Council	Not applicable	Not applicable
29. Asphalter (Road Construction)	(111) Asphalter (Road Construction)	(a) Mixing, placing and compacting bituminous materials using vibrating machines (b) Levelling and smoothening bituminous materials according to specified level marks	Trade test certificate for Asphalter (Road Construction) issued by CITA or Council	Intermediate trade test certificate for Asphalter (Road Construction) issued by Council	Not applicable
30. Blasting worker	(112) Shotfirer	Calculating, preparing, loading and detonating explosive charges in mines, quarries, civil engineering and building sites	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of mine blasting certificate issued under the Mines (Safety) Regulations (Cap 285 sub. leg. B)
	(113) Rock Breaking Driller	Operating pneumatic or hydraulic drills to make holes and openings or break up concrete, rocks or other hard materials	Trade test certificate for Rock Breaking Driller issued by CITA or Council	Not applicable	Not applicable
Part B—Electrical and Mechanical Works					
31. Lift and Escalator Mechanic	(114) Lift and Escalator Mechanic (Master)	(a) Installing, adjusting, maintaining and repairing lifts (b) Installing, adjusting, maintaining and repairing escalators	Not applicable	Not applicable	Qualification for registration as registered skilled worker— both items (a) and (b)— (a) registered lift worker as defined by section 2(1) of the Lifts and Escalators Ordinance (Cap 618); (b) registered escalator worker as defined by section 2(1) of the Lifts and Escalators Ordinance (Cap 618)
	(115) Lift Mechanic	Installing, adjusting, maintaining and repairing lifts	Not applicable	Not applicable	Qualification for registration as registered skilled worker— registered lift worker as defined by section 2(1) of the Lifts and Escalators Ordinance (Cap 618)
	(116) Escalator Mechanic	Installing, adjusting,	Not applicable	Not applicable	Qualification for

		maintaining and repairing escalators			registration as registered skilled worker— registered escalator worker as defined by section 2(1) of the Lifts and Escalators Ordinance (Cap 618)
32. Refrigeration/ Air-conditioning/ Ventilation Mechanic	(117) Refrigeration/ Air-conditioning/Ventilation Mechanic (Master)	Fitting, assembling, erecting, installing, commissioning, maintaining and repairing— (a) air-conditioning systems including refrigerating, air-handling and ventilation equipment and the associated electrical controls; (b) cold stores, ice-making and other refrigerating equipment; (c) air-conditioning and ventilation equipment forming part of fire service systems	Either item (a) or (b)— (a) certificate of completion of an apprenticeship given under section 28 of the Apprenticeship Ordinance (Cap 47) in the trade of— (i) refrigeration/ air-conditioning mechanic; (ii) refrigeration mechanic; or (iii) air-conditioning mechanic; (b) (i) trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Water System) issued by VTC or Council; (ii) trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Air System) issued by VTC or Council; (iii) trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Thermal Insulation) issued by VTC or Council; (iv) trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Unitary System) issued by VTC or Council; and (v) (A) trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Electrical Control) issued by VTC or Council; or (B) certificate of registration as an electrical worker issued under section 30 of the Electricity Ordinance (Cap 406) on which the Director of Electrical and Mechanical Services specifies that the holder is entitled to do electrical work on an air-conditioning installation	Not applicable	Not applicable
	(118) Refrigeration/ Air-conditioning/ Ventilation Mechanic (Water System)	Fitting, assembling, installing, commissioning, maintaining and repairing water systems for air-conditioning systems (including air-handling and water condensing equipment)	Trade test certificate for Refrigeration/ Air-conditioning/Ventilation Mechanic (Water System) issued by VTC or Council	Intermediate trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Water System) issued by VTC or Council	Not applicable
	(119) Refrigeration/ Air-conditioning/ Ventilation Mechanic Air System)	Fabricating, installing and repairing sheet metal assemblies and products (including ventilation ducting, dampers, fire resistant board and fittings)	Trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Air System) issued by VTC or Council	Intermediate trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Air System) issued by VTC or Council	Not applicable
	(120) Refrigeration/ Air-conditioning/ Ventilation Mechanic (Thermal Insulation)	Preparing, fitting, fixing and repairing thermal insulations of air-conditioning and refrigeration plants	Trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Thermal Insulation) issued by VTC or Council	Intermediate trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Thermal Insulation) issued by VTC or Council	Not applicable
	(121) Refrigeration/ Air-conditioning/ Ventilation Mechanic (Electrical Control)	Fitting, assembling, installing, commissioning, maintaining and repairing electrical control for— (a) air-conditioning systems including refrigerating, air-handling and ventilation	Either item (a) or (b)— (a) trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Electrical Control) issued by VTC or Council;	Intermediate trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Electrical Control) issued by VTC or	Not applicable

		equipment; (b) cold stores, ice-making and other refrigerating equipment; (c) air-conditioning and ventilation equipment forming part of fire service systems	(b) certificate of registration as an electrical worker issued under section 30 of the Electricity Ordinance (Cap 406) on which the Director of Electrical and Mechanical Services specifies that the holder is entitled to do electrical work on an air-conditioning installation	Council	
	(122) Refrigeration/ Air-conditioning/ Ventilation Mechanic (Unitary System)	Fitting, assembling, installing, commissioning, maintaining and repairing— (a) unitary air-conditioning systems including refrigerating, air-handling and ventilation equipment; (b) unitary cold stores, ice-making and other refrigerating equipment	Trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Unitary System) issued by VTC or Council	Intermediate trade test certificate for Refrigeration/ Air-conditioning/ Ventilation Mechanic (Unitary System) issued by VTC or Council	Not applicable
33. Fire Service Mechanic	(123) Fire Service Mechanic (Master)	(a) Installing, testing, inspecting, maintaining and repairing fire service piping systems, automatic fire alarm systems, manual fire alarm systems, mechanical or electrical or electronic parts of fire service systems (b) Maintaining, inspecting and repairing portable fire service equipment	Not applicable	Not applicable	Qualification for registration as registered skilled worker— all of items (a), (b) and (c)— (a) fire service installation contractor class 3 registered under the Fire Service (Installation Contractors) Regulations (Cap 95 sub. leg. A); (b) (i) trade test certificate for Fire Service Electrical Fitter issued by VTC or Council; or (ii) certificate of completion of an apprenticeship given under section 28 of the Apprenticeship Ordinance (Cap 47) in the trade of— (A) building services mechanic (related to fire service electrical fitter); or (B) fire service mechanic; (c) (i) trade test certificate for Fire Service Mechanical Fitter issued by VTC or Council; or (ii) certificate of completion of an apprenticeship given under section 28 of the Apprenticeship Ordinance (Cap 47) in the trade of— (A) building services mechanic (related to fire service mechanical fitter); or (B) fire service mechanic
	(124) Fire Service Portable Equipment Fitter	Maintaining, inspecting and repairing portable fire service equipment	Not applicable	Not applicable	Qualification for registration as registered skilled worker—

					fire service installation contractor class 3 registered under the Fire Service (Installation Contractors) Regulations (Cap 95 sub. leg. A)
	(125) Fire Service Electrical Fitter	Installing, testing, maintaining, inspecting and repairing automatic fire alarm systems, manual fire alarm systems, and electrical or electronic parts of fire service systems	Either item (a) or (b)— (a) trade test certificate for Fire Service Electrical Fitter issued by VTC or Council; (b) certificate of completion of an apprenticeship given under section 28 of the Apprenticeship Ordinance (Cap 47) in the trade of— (i) building services mechanic (related to fire service electrical fitter); or (ii) fire service mechanic	Intermediate trade test certificate for Fire Service Electrical Fitter issued by VTC or Council	Not applicable
	(126) Fire Service Mechanical Fitter	Installing, testing, maintaining, inspecting and repairing fire service piping systems and mechanical parts of fire service systems	Either item (a) or (b)— (a) trade test certificate for Fire Service Mechanical Fitter issued by VTC or Council; (b) certificate of completion of an apprenticeship given under section 28 of the Apprenticeship Ordinance (Cap 47) in the trade of— (i) building services mechanic (related to fire service mechanical fitter); or (ii) fire service mechanic	Intermediate trade test certificate for Fire Service Mechanical Fitter issued by VTC or Council	Not applicable
34. Gas Installer	(127) Gas Installer	Installing, commissioning, maintaining and repairing domestic and non-domestic gas appliances, gas fittings, and gas flow control and meters connected to gas cylinders or gas supply points	Not applicable	Not applicable	Qualification for registration as registered skilled worker— gas installer registered to carry out gas installation work under regulation 7(1)(a) of the Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations (Cap 51 sub. leg. D)
35. Electrician	(128) Overhead Linesman	Constructing, maintaining and repairing overhead line systems of voltages not exceeding 11 kV on tubular steel, concrete, lattice girder or wood supports	Either item (a) or (b)— (a) certificate of completion of an apprenticeship in the trade of overhead linesman given under section 28 of the Apprenticeship Ordinance (Cap 47); (b) trade test certificate for Overhead Linesman issued by Council	Not applicable	Not applicable
	(129) Control Panel Assembler	Fitting, assembling, installing and repairing low voltage switchboards, and control panels, for electrical plants and equipment	Either item (a) or (b)— (a) trade test certificate for Control Panel Assembler issued by VTC or Council; (b) certificate of completion of an apprenticeship in the trade of electrician given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Control Panel Assembler issued by VTC or Council	Not applicable
	(130) Cable Jointer (Power)	(a) Joining low voltage cables either with the circuits dead or with one or both cables energized (b) Joining dead cables of voltages not exceeding 11 kV	Certificate of completion of an apprenticeship in the trade of cable jointer (power) given under section 28 of the Apprenticeship Ordinance (Cap 47)	Not applicable	Not applicable
	(131) Cable Jointer (Low Voltage)	Joining dead cables of voltages not exceeding 1 kV	Trade test certificate for Cable Jointer (Low Voltage) issued by Council	Not applicable	Not applicable
	(131A) Cable Jointer (Dead Cable)	Joining dead cables of voltages not exceeding 11 kV	Trade test certificate for Cable Jointer (Dead Cable) issued by Council	Not applicable	Not applicable
	(132) Electrical Wireman	Installing and laying wiring for electrical systems and equipment	Either item (a) or (b)— (a) trade test certificate for Electrical Wireman issued by VTC or Council; (b) certificate of completion of an apprenticeship in the trade of	Intermediate trade test certificate for Electrical Wireman issued by VTC or Council	Not applicable

			electrician given under section 28 of the Apprenticeship Ordinance (Cap 47)		
	(133) Electrical Fitter	(a) Installing, testing, commissioning and repairing electrical installations and wiring (b) Fitting, assembling, installing, testing, commissioning and repairing electrical systems and equipment	Not applicable	Not applicable	Qualification for registration as registered skilled worker— holder of certificate of registration as an electrical worker for Grade A, B, C or H electrical work issued under section 30 of the Electricity Ordinance (Cap 406)
36. Electronic Equipment Mechanic (Construction Work)	(134) Electronic Equipment Mechanic (Construction Work) (Master)	(a) Installing, maintaining and repairing building security systems, including building doorphone systems, closed circuit television systems, public address systems, security alarm systems, access control systems, and building control and monitoring systems (b) Fitting, assembling, installing, maintaining and repairing communication equipment and systems, including block wiring systems, private automatic branch exchange systems, intercom systems, in-building coaxial cable distribution systems, and other wired or wireless signal transmission and reception systems	Both items (a) and (b)— (a) (i) trade test certificate for Building Security System Mechanic issued by VTC or Council; or (ii) certificate of completion of an apprenticeship in the trade of building services mechanic (related to building security system mechanic) given under section 28 of the Apprenticeship Ordinance (Cap 47); (b) (i) trade test certificate for Communication System Mechanic issued by VTC or Council; or (ii) certificate of completion of an apprenticeship in the trade of audio-visual and radio-frequency mechanic given under section 28 of the Apprenticeship Ordinance (Cap 47)	Both items (a) and (b)— (a) intermediate trade test certificate for Building Security System Mechanic issued by VTC or Council; (b) intermediate trade test certificate for Communication System Mechanic issued by VTC or Council	Not applicable
	(135) Building Security System Mechanic	Installing, maintaining and repairing building security systems, including building doorphone systems, closed circuit television systems, public address systems, security alarm systems, access control systems, and building control and monitoring systems	Either item (a) or (b)— (a) trade test certificate for Building Security System Mechanic issued by VTC or Council; (b) certificate of completion of an apprenticeship in the trade of building services mechanic (related to building security system mechanic) given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Building Security System Mechanic issued by VTC or Council	Not applicable
	(136) Communication System Mechanic	Fitting, assembling, installing, maintaining and repairing communication equipment and systems, including block wiring systems, private automatic branch exchange systems, intercom systems, in-building coaxial cable distribution systems, and other wired or wireless signal transmission and reception systems	Either item (a) or (b)— (a) trade test certificate for Communication System Mechanic issued by VTC or Council; (b) certificate of completion of an apprenticeship in the trade of audio-visual and radio-frequency mechanic given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Communication System Mechanic issued by VTC or Council	Not applicable
37. Plant and Equipment Mechanic (Construction Work)	(137) Plant and Equipment Mechanic (Construction Work) (Master)	(a) Maintaining and repairing building and civil engineering plants and machinery (b) Fitting, assembling, erecting, installing, maintaining and repairing mechanical plants and equipment, including emergency generators	Both items (a) and (b)— (a) (i) trade test certificate for Construction Plant Mechanic issued by CITA or Council; or (ii) certificate of completion of an apprenticeship in the trade of construction plant mechanic given under section 28 of the Apprenticeship Ordinance (Cap 47); (b) (i) trade test certificate for Mechanical Fitter issued by VTC or Council; or (ii) certificate of completion of an apprenticeship in the trade of fitter given under section 28 of the Apprenticeship Ordinance (Cap 47)	Both items (a) and (b)— (a) intermediate trade test certificate for Construction Plant Mechanic issued by CITA or Council; (b) intermediate trade test certificate for Mechanical Fitter issued by VTC or Council	Not applicable
	(138) Construction Plant Mechanic	Maintaining and repairing building and civil engineering plants and machinery	Either item (a) or (b)— (a) trade test certificate for Construction Plant Mechanic issued by CITA or Council; (b) certificate of completion of an	Intermediate trade test certificate for Construction Plant Mechanic issued by CITA or Council	Not applicable

			apprenticeship in the trade of construction plant mechanic given under section 28 of the Apprenticeship Ordinance (Cap 47)		
	(139) Mechanical Fitter	Fitting, assembling, erecting, installing, maintaining and repairing mechanical plants and equipment, including emergency generators	Either item (a) or (b)— (a) trade test certificate for Mechanical Fitter issued by VTC or Council; (b) certificate of completion of an apprenticeship in the trade of fitter given under section 28 of the Apprenticeship Ordinance (Cap 47)	Intermediate trade test certificate for Mechanical Fitter issued by VTC or Council	Not applicable

(Replaced 22 of 2014 s. 35. Amended L.N. 189 of 2016)

Schedule:	1A	**Working Across Designated Trade Divisions**	22 of 2014; L.N. 14 of 2015	01/04/2017

[sections 2B, 3A & 65]

Column 1	Column 2	Column 3
Major trade division	Designated trade division or divisions with similar required skills	Special condition or requirement
1. Marble Worker (Master)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Bricklayer (d) Mason (e) Plasterer (f) Tiler	
2. Marble Worker (Dry Fixing)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Bricklayer (d) Mason (e) Plasterer (f) Tiler (g) Marble Worker (Wet Fixing) (h) Marble Worker (Polishing)	
3. Marble Worker (Wet Fixing)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Bricklayer (d) Mason (e) Plasterer (f) Tiler (g) Marble Worker (Polishing)	
4. Floor Layer (Timber Flooring)	Floor Layer (PVC Flooring)	
5. Painter and Decorator (Surface Filling)	(a) Painter and Decorator (Emulsion Painting) (b) Painter and Decorator (Synthetic Painting) (c) Painter and Decorator (Clear Lacquering)	

	(d) Painter and Decorator (Brushing Lacquering) (e) Painter and Decorator (Roller Painting)	
6. Painter and Decorator (Emulsion Painting)	(a) Painter and Decorator (Surface Filling) (b) Painter and Decorator (Synthetic Painting) (c) Painter and Decorator (Clear Lacquering) (d) Painter and Decorator (Brushing Lacquering) (e) Painter and Decorator (Roller Painting)	
7. Painter and Decorator (Synthetic Painting)	(a) Painter and Decorator (Surface Filling) (b) Painter and Decorator (Emulsion Painting) (c) Painter and Decorator (Clear Lacquering) (d) Painter and Decorator (Brushing Lacquering) (e) Painter and Decorator (Roller Painting)	
8. Painter and Decorator (Clear Lacquering)	(a) Painter and Decorator (Surface Filling) (b) Painter and Decorator (Emulsion Painting) (c) Painter and Decorator (Synthetic Painting) (d) Painter and Decorator (Brushing Lacquering) (e) Painter and Decorator (Roller Painting)	
9. Painter and Decorator (Brushing Lacquering)	(a) Painter and Decorator (Surface Filling) (b) Painter and Decorator (Emulsion Painting) (c) Painter and Decorator (Synthetic Painting) (d) Painter and Decorator (Clear Lacquering) (e) Painter and Decorator (Roller Painting)	
10. Painter and Decorator (Paperhanging)	(a) Painter and Decorator (Emulsion Painting) (b) Painter and Decorator (Clear Lacquering) (c) Painter and Decorator (Brushing Lacquering) (d) Painter and Decorator (Roller Painting)	
11. Painter and Decorator (Metal Paint Spray)	Painter and Decorator (Texture-spray)	

12. Painter and Decorator (Texture-spray)	Painter and Decorator (Metal Paint Spray	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving spraying metal paint for the protection of structural steel work (a skill required for the designated trade division of painter and decorator (metal paint spray)).
13. Painter and Decorator (Roller Painting)	(a) Painter and Decorator (Surface Filling) (b) Painter and Decorator (Emulsion Painting) (c) Painter and Decorator (Synthetic Painting) (d) Painter and Decorator (Clear Lacquering) (e) Painter and Decorator (Brushing Lacquering)	
14. Cement Sand Mortar Worker (Master)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing)	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
15. Bricklayer	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing) (d) Mason (e) Plasterer (f) Tiler	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
16. Mason	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing)	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble

	(d) Bricklayer (e) Plasterer (f) Tiler	worker (wet fixing)).
17. Plasterer	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing) (d) Bricklayer (e) Mason (f) Tiler	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
18. Plasterer (Floor)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing) (d) Bricklayer (e) Mason (f) Plasterer (f) Tiler	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
19. Tiler	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing) (d) Bricklayer (e) Mason (f) Plasterer	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
20. Tiler (Mosaic)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing)	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work

	(d) Bricklayer (e) Mason (f) Plasterer (g) Tiler	involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
21. Tiler (Tile)	(a) Concrete Repairer (Spalling Concrete) (b) Paving Block Layer (c) Marble Worker (Wet Fixing) (d) Bricklayer (e) Mason (f) Plasterer (g) Tiler	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
22. Concrete and Grouting Worker (Master)	(a) Paving Block Layer (b) Marble Worker (Wet Fixing) (c) Bricklayer (d) Mason (e) Plasterer (f) Tiler	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
23. Concrete Repairer (Spalling Concrete)	(a) Paving Block Layer (b) Marble Worker (Wet Fixing) (c) Bricklayer (d) Mason (e) Plasterer (f) Tiler	A person registered for this major division may not personally carry out, under section 3A(1), on a construction site construction work involving tie fastening under marble work (a skill required for the designated trade division of marble worker (wet fixing)).
24. Carpenter (Fender)	(a) Joiner (b) Floor Layer (Master)	
25. Carpenter (Formwork—Building Construction)	Carpenter (Formwork—Civil Construction)	
26. Carpenter (Formwork—Building	Carpenter (Formwork—Civil	

Construction) (Striking)	Construction) (Striking)	
27. Carpenter (Formwork—Civil Construction)	Carpenter (Formwork—Building Construction)	
28. Carpenter (Formwork—Civil Construction) (Striking)	Carpenter (Formwork—Building Construction) (Striking)	
29. Joiner	Floor Layer (PVC Flooring)	
30. Fire Service Mechanic (Master)	Plumber	A person registered for this major division may personally carry out, under section 3A(1), on a construction site construction work involving metal pipe work, but not any other skills required for the designated trade division of plumber.
31. Fire Service Mechanic Fitter	Plumber	A person registered for this major division may personally carry out, under section 3A(1), on a construction site construction work involving metal pipe work, but not any other skills required for the designated trade division of plumber.

(Schedule 1A added 22 of 2014 s. 36)

Schedule:	2	**Specified Body**	E.R. 1 of 2013	25/04/2013

[sections 2 & 65]

1. Airport Authority
2. CLP Power Hong Kong Limited
3. The Hong Kong and China Gas Company Limited
4. The Hongkong Electric Company, Limited
5. Hong Kong Housing Authority
6. The Hong Kong Housing Society
7. Hong Kong Tramways Limited
8. Kowloon-Canton Railway Corporation
9. MTR Corporation Limited

(Format changes—E.R. 1 of 2013)

Schedule:	3	**Structures and Works**	E.R. 1 of 2013	25/04/2013

[sections 2 & 65]

1. Any building, edifice, wall, fence, or chimney, whether constructed wholly or partly above or below ground level.
2. Any site formation, street works, road, motorway, railway, tramway, cableway, aerial ropeway, or canal.
3. Any harbour works, dock, pier, sea defence work, or lighthouse.
4. Any aqueduct, viaduct, bridge, or tunnel.
5. Any sewer, sewage disposal works, or filter bed.
6. Any airport or works connected with air navigation.
7. Any dam, reservoir, well, pipeline, culvert, shaft, or reclamation.
8. Any drainage, irrigation or river control works.
9. Any structure designed for the support of machinery, plant or power transmission lines.
10. Any slope works or earth-retaining structure.

(Format changes—E.R. 1 of 2013)

[sections 11A, 12, 14 & 65]
(Amended 17 of 2012 s. 42)

Part 1

Registration Board

(Amended 17 of 2012 s. 42)

1. Composition of Registration Board

(1) The Registration Board is to consist of 19 members appointed by the Council as follows—
  (a) a chairperson;
  (b) 4 public officers;
  (c) 2 persons, each of whom is, in the opinion of the Council, a person from a training institute in the construction industry in Hong Kong;
  (d) 3 persons, each of whom is, in the opinion of the Council, a person from a professional body connected with the construction industry in Hong Kong;
  (e) 2 persons, each of whom is, in the opinion of the Council, a person from a contractor in the construction industry in Hong Kong;
  (f) 3 persons, each of whom is, in the opinion of the Council, a person from a trade union, registered under the Trade Unions Ordinance (Cap 332), that represents workers in the construction industry in Hong Kong;
  (g) 1 person who is, in the opinion of the Council, a person from a real estate developers association in Hong Kong; and
  (h) 3 persons, each of whom is, in the opinion of the Council, a person connected with the construction industry in Hong Kong.

(2) An appointment under subsection (1) must be notified in the Gazette.

(3) If, for any period, the chairperson of the Registration Board is absent from Hong Kong or is, for any other reason, unable to perform the functions of the office, the other members of the Registration Board may elect from among themselves a person to act as chairperson of the Registration Board during that period.

(Added 17 of 2012 s. 42)

1A. Tenure of office

(Amended 17 of 2012 s. 42)

(1) An appointed member of the Registration Board shall hold office for such periods, and on such terms, as the Council may specify in the document by which the member is appointed.

(2) An appointed member of the Registration Board, not being a public officer, shall be appointed for a term not more than 3 years.

(3) An appointed member of the Registration Board shall— (Amended 17 of 2012 s. 42)
  (a) hold and vacate his office in accordance with the terms of his appointment; and
  (b) be eligible for reappointment on ceasing to be a member.

(4) If the Council is satisfied that an appointed member of the Registration Board—
  (a) has become bankrupt or made an arrangement with his creditors;
  (b) is incapacitated by physical or mental illness;
  (c) has ceased to be of the capacity by virtue of which he was appointed; or
  (d) is otherwise unable or unfit to perform the functions of a member,

  the Council may declare his office as a member of the Registration Board to be vacant, and shall notify the fact in such manner as the Council thinks fit; and upon such declaration the office shall become vacant.

(5) An appointed member of the Registration Board, not being a public officer, may at any time resign his office by notice in writing to the Council.

(Amended 17 of 2012 s. 42)

2. Proceedings of Registration Board

(Amended 17 of 2012 s. 42)

(1) The chairperson of the Registration Board may appoint the time and place for the Registration Board to meet.
(2) The Registration Board shall not transact business at a meeting other than to adjourn unless there is a quorum of 10 members of the Registration Board present.
(3) At a meeting of the Registration Board, the following shall preside— (Amended 17 of 2012 s. 42)
  (a) the chairperson of the Registration Board;
  (b) if a person acts as chairperson of the Registration Board under section 1(3), that person; or
  (c) if neither the chairperson of the Registration Board nor the person acting as chairperson of the Registration Board under section 1(3) (if any) is present, such other member of the Registration Board as the members present elect.
(4) All matters for determination at a meeting of the Registration Board shall be decided by a majority of votes of the members present and voting, and if there is an equality of votes, the chairperson of the Registration Board or any other member presiding shall have a casting vote in addition to his or her original vote.
(5) The validity of any proceedings of the Registration Board shall not be affected by any defect in the appointment of any person purporting to be a member of the Registration Board or by any vacancy in the membership of the Registration Board.
(6) Subject to the provisions of this Ordinance, the Registration Board may regulate its own procedure including the manner in which decisions of the Registration Board may be made by a quorum of its members otherwise than at a meeting of the Registration Board.

(Amended 17 of 2012 s. 42)

3. Members of Registration Board to disclose interests

(Amended 17 of 2012 s. 42)

(1) A member of the Registration Board who is in any way directly or indirectly interested in a matter being considered made by the Registration Board shall disclose the nature of his interest at a meeting of the Registration Board.
(2) The Registration Board shall record the disclosure in the minutes of the meeting of the Registration Board.
(3) A member of the Registration Board who has an interest in a matter referred to in subsection (1)—
  (a) shall not, without the permission of the chairperson of the Registration Board or any other member of the Registration Board presiding, take any part in any deliberation of the Registration Board with respect to that matter; and
  (b) shall not in any event vote on that matter.
(4) A member of the Registration Board need not attend in person at a meeting of the Registration Board to make a disclosure which he is required to make under this section if he takes reasonable steps to secure that the disclosure is made by a notice in writing which is brought up and read at the meeting.

(Amended 17 of 2012 s. 42)

3A. Estimates of Registration Board

(1) In every financial year, the Registration Board must submit to the Council, before a date determined by the Council, a programme of its proposed activities and estimates of its income and expenditure for the next financial year.
(2) The Registration Board must, as soon as practicable after the commencement date# of this section, submit the programme and estimates for the first financial year.

(Added 17 of 2012 s. 42)

3B. Accounts of Registration Board and submission of reports, etc. to Council

(1) The Registration Board must maintain proper accounts and records of all its income and expenditure.
(2) The Registration Board must, as soon as practicable after the end of a financial year, cause to be prepared a

statement of accounts of the Registration Board in respect of the financial year.

(3) The statement of accounts is to include an income and expenditure account and a balance sheet.

(4) The Registration Board must submit to the Council, before a date determined by the Council, a report on the activities of the Registration Board during the financial year and a copy of the statement of accounts.

(Added 17 of 2012 s. 42)

3C. Delegation of Registration Board's functions and powers

(1) The Registration Board may appoint any subcommittee that it considers appropriate.

(2) The Registration Board may delegate in writing any of its functions or powers (including any functions or powers delegated to it under section 16 of the Construction Industry Council Ordinance (Cap 587)) to a subcommittee appointed under subsection (1).

(3) The Registration Board may not delegate under this section any of the following—

(a) the power to appoint a subcommittee under subsection (1);

(b) the power to delegate under subsection (2);

(c) the Council's function under section 52(5) of this Ordinance;

(d) the power to approve programmes of its proposed activities, estimates of its income and expenditure, its statement of accounts or report on its activities;

(e) the power to authorize the preparation of its accounts or other financial records.

(Added 17 of 2012 s. 42)

4-5. (Repealed 17 of 2012 s. 42)

Part 2

Subcommittees Appointed by Registration Board and Members of Subcommittees

(Amended 17 of 2012 s. 42)

6. Members of subcommittees

(Amended 17 of 2012 s. 42)

The Registration Board— (Amended 17 of 2012 s. 42)

(a) may appoint members of the Registration Board, and persons who are not such members, to be members of a subcommittee; and

(b) shall appoint the chairperson of a subcommittee and determine the number of members of a subcommittee.

(Amended 17 of 2012 s. 42)

7. Functions and powers of subcommittees

(Amended 17 of 2012 s. 42)

A subcommittee— (Amended 17 of 2012 s. 42)

(a) shall perform such functions and may exercise such powers as are delegated to it by the Registration Board under section 3C(2); and

(b) may, subject to any directions of the Registration Board, regulate its own procedure.

(Amended 17 of 2012 s. 42)

Part 3

Qualifications Board and its Members

(Amended 17 of 2012 s. 42)

8. Tenure of office

(1) A member of the Qualifications Board shall hold office for such periods, and on such terms, as the Registration Board may specify in the document by which the member is appointed.
(2) A member of the Qualifications Board, not being a public officer, shall be appointed for a term not more than 3 years.
(3) A member of the Qualifications Board shall— (Amended 17 of 2012 s. 42)
  (a) hold and vacate his office in accordance with the terms of his appointment; and
  (b) be eligible for reappointment on ceasing to be a member.
(4) If the Registration Board is satisfied that a member of the Qualifications Board—
  (a) has become a member of the Review Board or a member of the Appeal Board panel;
  (b) has become bankrupt or made an arrangement with his creditors;
  (c) is incapacitated by physical or mental illness;
  (d) has ceased to be of the capacity by virtue of which he was appointed; or
  (e) is otherwise unable or unfit to perform the functions of a member,
  the Registration Board may declare his office as a member of the Qualifications Board to be vacant, and shall notify the fact in such manner as the Registration Board thinks fit; and upon such declaration the office shall become vacant.
(5) A member of the Qualifications Board, not being a public officer, may at any time resign his office by notice in writing to the Registration Board.

(Amended 17 of 2012 s. 42)

9. Proceedings of Qualifications Board

(Amended 17 of 2012 s. 42)

(1) The chairperson of the Qualifications Board may appoint the time and place for the Board to meet.
(2) The Qualifications Board shall not transact business at a meeting other than to adjourn unless there is a quorum of 7 members of the Board present.
(3) At a meeting of the Qualifications Board, the following shall preside— (Amended 17 of 2012 s. 42)
  (a) the chairperson of the Board;
  (b) if a person acts as chairperson of the Board under section 12(5) of this Ordinance, that person; or
  (c) if neither the chairperson of the Board nor the person acting as chairperson of the Board under section 12(5) of this Ordinance (if any) is present, such other member of the Board as the members present elect.
(4) All matters for determination at a meeting of the Qualifications Board shall be decided by a majority of votes of the members present and voting, and if there is an equality of votes, the chairperson of the Board or any other member presiding shall have a casting vote in addition to his or her original vote.
(5) The validity of any proceedings of the Qualifications Board shall not be affected by any defect in the appointment of any person purporting to be a member of the Board or by any vacancy in the membership of the Board.
(6) Subject to the provisions of this Ordinance, the Qualifications Board may regulate its own procedure including the manner in which decisions of the Board may be made by a quorum of its members otherwise than at a meeting of the Board.

(Amended 17 of 2012 s. 42)

10. Members of Qualifications Board to disclose interests

(Amended 17 of 2012 s. 42)

(1) A member of the Qualifications Board who is in any way directly or indirectly interested in a matter being considered made by the Board shall disclose the nature of his interest at a meeting of the Board.
(2) The Qualifications Board shall record the disclosure in the minutes of the meeting of the Board.
(3) A member of the Qualifications Board who has an interest in a matter referred to in subsection (1)— (Amended 17 of 2012 s. 42)
  (a) shall not, without the permission of the chairperson of the Qualifications Board or any other member of the Board presiding, take any part in any deliberation of the Board with respect to that matter; and
  (b) shall not in any event vote on that matter.

(4) A member of the Qualifications Board need not attend in person at a meeting of the Board to make a disclosure which he is required to make under this section if he takes reasonable steps to secure that the disclosure is made by a notice in writing which is brought up and read at the meeting.

(Amended 17 of 2012 s. 42)

Part 4

Review Board and its Members

(Amended 17 of 2012 s. 42)

11. Tenure of office

(1) A member of the Review Board shall hold office for such periods, and on such terms, as the Registration Board may specify in the document by which the member is appointed.

(2) A member of the Review Board, not being a public officer, shall be appointed for a term not more than 3 years.

(3) A member of the Review Board shall— (Amended 17 of 2012 s. 42)

(a) hold and vacate his office in accordance with the terms of his appointment; and

(b) be eligible for reappointment on ceasing to be a member.

(4) If the Registration Board is satisfied that a member of the Review Board— (Amended 17 of 2012 s. 42)

(a) has become a member of the Qualifications Board or a member of the Appeal Board panel;

(b) has become the Registrar; (Replaced 17 of 2012 s. 42)

(ba) (if the Registrar is a body corporate) has become a member, officer or employee of the Registrar; (Added 17 of 2012 s. 42)

(bb) (if the Registrar is a body unincorporate) has become a member of the Registrar; (Added 17 of 2012 s. 42)

(c) has become bankrupt or made an arrangement with his creditors;

(d) is incapacitated by physical or mental illness;

(e) has ceased to be of the capacity by virtue of which he was appointed; or

(f) is otherwise unable or unfit to perform the functions of a member,

the Registration Board may declare his office as a member of the Review Board to be vacant, and shall notify the fact in such manner as the Registration Board thinks fit; and upon such declaration the office shall become vacant.

(5) A member of the Review Board, not being a public officer, may at any time resign his office by notice in writing to the Registration Board.

(Amended 17 of 2012 s. 42)

12. Proceedings of Review Board

(Amended 17 of 2012 s. 42)

(1) The chairperson of the Review Board may appoint the time and place for the Board to meet.

(2) The Review Board shall not transact business at a meeting other than to adjourn unless there is a quorum of 4 members of the Board present.

(3) At a meeting of the Review Board, the following shall preside— (Amended 17 of 2012 s. 42)

(a) the chairperson of the Board;

(b) if a person acts as chairperson of the Board under section 14(6) of this Ordinance, that person; or

(c) if neither the chairperson of the Board nor the person acting as chairperson of the Board under section 14(6) of this Ordinance (if any) is present, such other member of the Board as the members present elect.

(4) All matters for determination at a meeting of the Review Board shall be decided by a majority of votes of the members present and voting, and if there is an equality of votes, the chairperson of the Board or any other member presiding shall have a casting vote in addition to his or her original vote.

(5) The validity of any proceedings of the Review Board shall not be affected by any defect in the appointment of any person purporting to be a member of the Board or by any vacancy in the membership of the Board.

(6) Subject to the provisions of this Ordinance, the Review Board may regulate its own procedure including the manner in which decisions of the Board may be made by a quorum of its members otherwise than at a meeting of the Board.

(Amended 17 of 2012 s. 42)

13. Members of Review Board to disclose interests

(Amended 17 of 2012 s. 42)

(1) A member of the Review Board who is in any way directly or indirectly interested in a matter being considered made by the Board shall disclose the nature of his interest at a meeting of the Board.
(2) The Review Board shall record the disclosure in the minutes of the meeting of the Board.
(3) A member of the Review Board who has an interest in a matter referred to in subsection (1)— (Amended 17 of 2012 s. 42)
   (a) shall not, without the permission of the chairperson of the Review Board or any other member of the Board presiding, take any part in any deliberation of the Board with respect to that matter; and
   (b) shall not in any event vote on that matter.
(4) A member of the Review Board need not attend in person at a meeting of the Board to make a disclosure which he is required to make under this section if he takes reasonable steps to secure that the disclosure is made by a notice in writing which is brought up and read at the meeting.

(Amended 17 of 2012 s. 42)
(Format changes—E.R. 1 of 2013)

Note:
*** (Amended 17 of 2012 s. 42)**
 # Commencement date: 1 January 2013.

Schedule:	5	**Transitional and Saving Provisions Relating to Registration of Construction Workers**	L.N. 14 of 2015	01/04/2015

[section 50A]

1. Interpretation of this Schedule

In this Schedule—

****commencement date*** (生效日期) means the day on which section 28 of the Amendment Ordinance 2014 comes into operation;

corresponding designated trade division (對應指定工種分項), in relation to a designated trade, means a designated trade division with the same name as the designated trade;

designated trade (指定工種) has the meaning given by section 2(1) of the pre-amended Ordinance;

pre-amended Ordinance (《原有條例》) means the Construction Workers Registration Ordinance (Cap 583) as in force immediately before the commencement date*;

pre-existing registration (既有註冊) means a registration under the pre-amended Ordinance that was in force immediately before the commencement date*.

2. Saving of pre-existing registration

(1) A pre-existing registration as a registered skilled worker for a designated trade has effect as a registration as a registered skilled worker for the corresponding designated trade division.
(2) A pre-existing registration as a registered skilled worker (provisional) for a designated trade has effect as a registration as a registered skilled worker (provisional) for the corresponding designated trade division.
(3) A pre-existing registration as a registered semi-skilled worker for a designated trade has effect as a registration as a registered semi-skilled worker for the corresponding designated trade division.
(4) A pre-existing registration as a registered semi-skilled worker (provisional) for a designated trade has effect as a registration as a registered semi-skilled worker (provisional) for the corresponding designated trade division.
(5) This section is subject to section 3 of this Schedule.

3. Supplementary provisions to section 2 of this Schedule

(1) A pre-existing registration as a registered skilled worker for a designated trade set out in column 1 of Schedule 6 has effect as a registration as a registered skilled worker for the designated trade division specified in column 2 of that Schedule opposite the designated trade.

(2) A pre-existing registration as a registered skilled worker (provisional) for a designated trade set out in column 1 of Schedule 6 has effect as a registration as a registered skilled worker (provisional) for the designated trade division specified in column 2 of that Schedule opposite the designated trade.

(3) A pre-existing registration as a registered semi-skilled worker for a designated trade set out in column 1 of Schedule 6 has effect as a registration as a registered semi-skilled worker for the designated trade division specified in column 2 of that Schedule opposite the designated trade.

(4) A pre-existing registration as a registered semi-skilled worker (provisional) for a designated trade set out in column 1 of Schedule 6 has effect as a registration as a registered semi-skilled worker (provisional) for the designated trade division specified in column 2 of that Schedule opposite the designated trade.

(5) A pre-existing registration as a registered semi-skilled worker for the designated trade of painter (texturespray) has effect as a registration as a registered skilled worker for the designated trade division of painter and decorator (texture-spray).

(6) A pre-existing registration as a registered semi-skilled worker for the designated trade of builder's lift operator has effect as a registration as a registered skilled worker for the designated trade division of builder's lift operator.

4. Expiry of pre-existing registration

A pre-existing registration having effect as a registration under section 2 or 3 of this Schedule expires on the day on which it would have expired if that section had not come into operation.

5. Saving of registration card for pre-existing registration

(1) This section applies if a pre-existing registration has effect as a registration under section 2 or 3 of this Schedule.

(2) A registration card issued under the pre-amended Ordinance for the pre-existing registration has effect as a registration card issued for the registration under section 46.

6. Application, request for review and appeal under pre-amended Ordinance

(1) If an application under section 39, 44 or 45A of the pre-amended Ordinance remained pending immediately before the commencement date*, the application is to be regarded as an application under section 39, 44 or 45A respectively.

(2) If a request for review under section 51 of the preamended Ordinance remained pending immediately before the commencement date*, the request is to be regarded as a request under section 51.

(3) If an appeal under section 52 of the pre-amended Ordinance remained pending immediately before the commencement date*, the appeal is to be regarded as an appeal under section 52.

(4) For the purposes of subsections (1), (2) and (3), section 2 or 3 of this Schedule applies to the registration to which the application, request or appeal relates, as if—

(a) the registration were a pre-existing registration; and

(b) each reference to "has effect" in that section were a reference to "is to be regarded".

(5) If—

(a) an application is, under subsection (1), to be regarded as an application under section 45A; and

(b) the Registrar is satisfied that a specified ground within the meaning of section 45A(8) or (9) of the pre-amended Ordinance existed before the commencement date* in relation to the application,

a specified ground within the meaning of section 45A(8) or (9) is to be regarded as existing in relation to the application.

(Schedule 5 added 22 of 2014 s. 37)

Note:

*** Commencement date: 1 April 2015.**

Schedule:	6	**Saving of Registration under Pre-amended Ordinance**	L.N. 14 of 2015	01/04/2015

[section 50A & Schedule 5]

Column 1	Column 2
Designated Trade	Designated Trade Division
1. Piling Operative	Piling Operative (Master)
2. Asphalter (Waterproofing)	Waterproofing Worker (Master)
3. Marble Worker	Marble Worker (Master)
4. Floor Layer	Floor Layer (Master)
5. Plant and Equipment Operator (Piling)	Plant and Equipment Operator (Piling) (Master)
6. Painter and Decorator	Painter and Decorator (Master)
7. Refrigeration/Air-conditioning/ Ventilation Mechanic	Refrigeration/Air-conditioning/Ventilation Mechanic (Master)
8. Fire Service Mechanic	Fire Service Mechanic (Master)
9. Diver	Diver (Construction Work)

(Schedule 6 added 22 of 2014 s. 38)