

Appendix 5.1 –

Sample Statement to be Signed by RSS for Signifying Consent for the Collection, Use and Transfer of Consultant to Disclose Unsatisfactory/Poor Performance Reports and Poor Performance Records ~~to the Government~~

Agreement No.: (Insert the Agreement Number)

Agreement Title: (Insert the Agreement Title)

To: (Insert the Consultant Name) (“the Company”)

I understand that for the purpose of ensuring the quality of site supervision and contract management of public works projects, the Company shall prepare and collect performance reports and records of the Resident Site Staff (“RSS”) @, in particular for unsatisfactory/poor performance reports and records whether due to sub-standard work, poor integrity, ~~matters of conduct~~ misconduct, ~~or conviction records~~ for offence* or suspension records (hereinafter referred to as Poor Performance Records), and disclose the unsatisfactory/poor performance reports and Poor Performance Records to the Government of the Hong Kong Special Administrative Region (the “Government”), transfer them to the Government who will input them into the RSS Database for the purpose of recruitment, employment and management of RSS under consultancies managed by the Government.

I hereby give consent to the Company for disclosure of my personal data including but not limited to my name, identity card number (or passport number), and all of my unsatisfactory/poor performance reports and Poor Performance Records, to the Government for the above purpose and storage in the RSS Database maintained by the Government.

Name (of Resident Site Staff) : _____

Identity Card/Passport Number : _____
(first four digits)

Signature : _____

Date : _____

Note:

@ Each member of RSS is directly employed by a consultant for public works project(s) associated with consultancy agreement(s) under the purview of AACSB/EACSB, whose salary and fringe benefits, if any, are paid by the consultant and reimbursed by the Government. RSS include Resident Laboratory Staff (“RLS”) as introduced in Section 2.2.5. Each member of RLS is directly employed by a consultant for management and operation of any public works laboratory under consultancy agreement(s) under the purview of AACSB/EACSB. In case of doubt, confirmation should be sought from the relevant consultant.

* Conviction records cover conviction for offence under the Crimes Ordinance (Cap. 200), the Prevention of Bribery Ordinance (Cap. 201) or the Theft Ordinance (Cap. 210), offence of conspiracy to defraud, or offence of misconduct in public office.