Application Form for Admission/Confirmation/Promotion to the

List of Approved Suppliers of Materials and Specialist Contractors for Public Works

***N.B. Please read the*** [***Guidance Notes***](#gn) ***carefully before completing this Application Form. You may use one form for more than one category of works. Use a separate sheet to give details where necessary.***

1. **Application Information**
2. \*This is an application for □ admission □ confirmation □ promotion □ extension of listing status for the following category(-ies): ([*see Note 2*](#Note2) *and* [*Note 18*](#Note18))

|  |  |
| --- | --- |
| 1. Category |  |

|  |  |
| --- | --- |
| Class/ Group |  |
| Other Information, *if applicable*# |  |

|  |  |
| --- | --- |
| 1. Category |  |

|  |  |
| --- | --- |
| Class/ Group |  |
| Other Information, *if applicable*# |  |

# *You may specify the land piling system or product names, if applicable.*

1. A copy of the Quality Management System certificate (with scope of certification covering the category of works applied for) is attached, if applicable ([*see Note 3*](#Note3)) +:

|  |  |
| --- | --- |
| Certificate Number: |  |
| Expiry Date of Certificate: |  |

1. \*A copy of the following statutory certificate(s) is/ are attached, if applicable+:

□ Certificate of Registration of Electrical / Gas / Lift Contractor

□ Certificate of Registration of Specialist Contractor in the Ventilation / Foundation /

Site Formation Works

□ Proof of Registered Fire Service Installation Contractor (Class 1 & 2)

□ Security Company Licence (Type III)

1. **Information of Applicant**
2. The following Business Registration Certificate+ under the Business Registration Ordinance (Cap. 310) is attached ([*see Note 4*](#Note4)):

|  |  |
| --- | --- |
| Registered Company Name: |  |
| Certificate Number: |  |
| Registered Company Address: |  |
| Date of Expiry in the Certificate: |  |

1. The following Certificate of Incorporation/ Certificate of Registration of Non-Hong Kong Company+ under the Companies Ordinance (Cap. 622) or any former Companies Ordinance (as that phrase is defined in Cap. 622), Laws of Hong Kong SAR is attached:

|  |  |
| --- | --- |
| Registered Company Name (Chinese): |  |
| Registered Company Name (English): |  |
| Certificate Number: |  |
| Date of Issuance of the Certificate: |  |
| Date of registration as a non-Hong Kong company (if applicable): |  |

1. Previous name(s) of company with dates, if any (if different from the registered name of company in item 5 above) **+**:

|  |
| --- |
|  |
|  |
|  |

1. General Company Information:

|  |  |
| --- | --- |
| 1. Date of formation or incorporation outside Hong Kong (please specify where the company was incorporated): |  |

1. \* The company is *(*[*see Notes 5-8*](#Note5)*)*:

|  |  |  |
| --- | --- | --- |
| □ | a body corporate, registered under the Companies Ordinance (Cap. 622) or any former Companies Ordinance (as that phrase is defined in Cap. 622), Laws of Hong Kong SAR *(*[*see Note 6(a)*](#Note6)*)***+** | |
| □ | a body corporate, registered under the law of the country in which the company is incorporated [*(see Notes 5*](#Note5) *and* [*6(b)*](#Note6)*)***+** | |
| Place of Incorporation: | |  |
| □ | a partnership (unincorporated) *(*[*see Note 7*](#Note7)*)***+** | |
| □ | a sole proprietorship (unincorporated) *(*[*see Note 8*](#Note8)*)***+**. | |

1. Contact Information:

|  |  |
| --- | --- |
| Business Address in Hong Kong:  (*if different from the ones in item 4*  *above*) |  |
| Email Address (General): |  |
| Telephone Number (General): |  |
| Fax Number (General): |  |
| Name of Contact Person and Post Title: |  |
| Contact Telephone Number: |  |
| Contact Email: |  |

1. Name(s) of company(-ies) in the same group (e.g. ultimate holding company, holding company(-ies), subsidiary(-ies), associated company(-ies), etc.) and related party(-ies)

*(*[*see Note 13*](#Note13) *and* [*Note 19*](#Note19)*)*:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Name of Company | | Registered Address | | | Capacity of Company  *(e.g. ultimate holding/holding/*  *subsidiary/ associated/*  *related party, etc.)* | |
|  |  | |  |  | |  |
|  |  | |  |  | |  |

1. Name(s) and designation(s) of senior management, such as the President, Chairman, Director, Managing Director, Executive Director, etc. ([*see Personal Information Collection Statement*](#Statement)):

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Name of Director  *(in both Chinese and English)* | | | Hong Kong Identity Card/ Passport No.  *(First 4 alphabet(s) and digits, e.g. A123)* | | | Designation/ Post Title  *(in both Chinese and English)* | |
|  | | | | | | | |
|  |  |  | |  |  | |  |
|  |  |  | |  |  | |  |
|  |  |  | |  |  | |  |
|  |  |  | |  |  | |  |

1. The following organisation charts are attached:
   1. An organisation chart showing the management structure of the company;
   2. An organisation chart on shareholding position of the company**+**;
   3. An organisation chart showing your relationship with ultimate holding/ holding/ subsidiary/ associated company(-ies)/related party(-ies), etc.
2. For body corporate, the latest Annual Return (NAR1) is attached.
3. **Technical and Managerial Information**
4. Name(s), qualifications and experience of Top Management

*(*[*see Personal Information Collection Statement*](#Statement) *and* [*Note 15*](#Note15)*)*:

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name  *(in both Chinese and English)* | | Hong Kong Identity  Card/  Passport No.  *(First 4 alphabet(s) and digits, e.g. A123)* | | | Designation  *(in both Chinese and English)* | | | Length of Service  with Company  *(No. of years and months)* | | | Local Experience  in Managing a Construction Firm  *(No. of years and months)* | |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |

1. Name(s), qualifications and experience of Technical Staff

([*see Personal Information Collection Statement*](#Statement) *and* [*Note 16*](#Note16)):

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name  *(in both Chinese and English)* | | Hong Kong Identity  Card/  Passport No.  *(First 4 alphabet(s) and digits, e.g. A123)* | | | Designation  *(in both Chinese and English)* | | | Type of  Technical Staff  (*Please refer to Appendix 3C of the CMH*) | | | Category of Works Responsible for | |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |

1. Name(s), qualifications and experience of Qualified Safety Personnel, if applicable

([*see Personal Information Collection Statement*](#Statement) *and* [*Note 17*](#Note17)):

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name  *(in both Chinese and English)* | | Hong Kong Identity  Card/  Passport No.  *(First 4 alphabet(s) and digits, e.g. A123)* | | | Designation  *(in both Chinese and English)* | | | Experience  *(No. of years and months)* | | | Attended training course provided for safety supervisor  *(Course name and date of completion)* | |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |
|  |  | |  |  | |  |  | |  |  | |  |

1. For any applicant who is or has once been included in the List of Approved Contractors for Public Works (List) or the List of Approved Suppliers of Materials and Specialist Contractors for Public Works (Specialist List), please provide the following information:

#### Listing status in the List and Specialist List

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Category |  | Class |  | Group |  | Latest Status  *(please state confirmed/*  *probationary)* |  | Date of Admission/  Promotion/ Confirmation *(whichever is the latest)* |  | Remark  *(please state if currently under voluntary suspension/ mandatory suspension/ having been removed from the List and/or Specialist List)* |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |

1. A copy of duly signed Integrity Management Policy is also attached ([*see Note 3*](#Note3)).

\* \* \* \* \*

STATEMENT

*(*[*see Note 14*](#Note14)*)*

1. I certify that all information provided is true and complete to the best of my knowledge. The following supporting documents are forwarded herewith:

|  |  |  |
| --- | --- | --- |
|  |  | Certified copy of the Business Registration Certificate. |
|  | 🞏 | Certified copy of Memorandum of Association/ Articles of Association/ Memorandum and Articles of Association\*. |
| 🞏 | Certified copy of Partnership Agreement.\* |
| 🞏 | Certified copy of the application by an individual for registration of business carried on by him in Hong Kong under the Business Registration Regulations.\* |
|  |  |  |
|  | 🞏  🞏 | Certified copy of the Certificate of Incorporation under the Companies Ordinance (Cap. 622) or any former Companies Ordinance (as that phrase is defined in Cap. 622), Laws of Hong Kong Special Administrative Region (SAR) (***N.B. Applicable to companies incorporated in Hong Kong***).**\***  Certified copies of the Certificate of Incorporation issued under the law of the country in which my company is incorporated, the Certificate of Registration of Non-Hong Kong Company under the Companies Ordinance (Cap. 622) or any former Companies Ordinance (as that phrase is defined in Cap. 622), Laws of Hong Kong SAR, which is certified by the Companies Registry within the last 3 months, and other supporting documents as required in Appendix 3C of the Contractor Management Handbook and the Guidance Notes of this application form (***N.B. Applicable to Non-Hong Kong companies***).\* |
|  |  |  |
|  | 🞏 | A copy each of the Quality Management System certificate and supporting appendix, , if applicable |
|  |  |  |
|  |  | A copy of duly signed Integrity Management Policy |
|  |  |  |
|  | 🞏 | Safety Performance Declaration and a list of all convictions for site safety offences (if any) in the past 12 months counting from the submission of the application. |
|  |  |  |
|  | 🞏 | A letter of support from the Ministry of Commerce or the China International Contractors Association as delegated by the Ministry of Commerce (***N.B. Applicable to companies incorporated in the Mainland***) /the consul or trade commissioner of my country in Hong Kong /other appropriate authority accepted by the Development Bureau (***N.B. Applicable to companies incorporated in a region outside Hong Kong***). ([*see Note 5*](#Note5)) |
|  |  |  |
|  |  | Evidences demonstrating the technical and management capabilities of my company including, but not limited to, office and workshop layout plans with principal dimensions and showing position of major equipment/facilities, etc. ([*see Notes 5*](#Note5)*,* [*15-17*](#Note15)) |
|  |  |  |
|  | 🞏 | Certificate of Registration of Specialist Contractor in the Ventilation Works / Foundation Works / Site Formation Works; Certificate of Registration of Electrical / Gas / Lift Contractor; Proof of Registered Fire Service Installation Contractor (Class 1 & 2), Security Company Licence (Type III)*, if applicable* |
|  |  |  |
|  | 🞏 | A letter from the Highways Department showing the result of the “pre-application vetting” (*Applicable for application involving the categories mentioned in para. 3.3.4 of the CMH*) ([*see Note 18*](#Note18)). |
|  |  |  |
|  |  | Organization charts showing the management structure, shareholding position and the relationship with ultimate holding/holding/subsidiary/associated company(-ies)/related party(-ies), etc. |
|  |  |  |
|  | 🞏 | The documents required for financial assessment. ***(Please refer to Annex to the Guidance***  ***Notes of this Application Form)***. |
|  |  |  |
|  | 🞏 | Others (please state) : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date |  | Signed |  | |
|  |  |  | | |
|  | | Name of Authorized Signatory | |  |
| Designation | |  |
| Name of Company | |  |

(Company Chop)

|  |  |
| --- | --- |
| **IMPORTANT**: | Bribery is a serious crime. The Corruption Prevention Advisory Service (telephone no. 2526 6363) of the Independent Commission Against Corruption is to advise private sector entities on ways to prevent corruption. |

***Remarks:***

This statement should be double-side printed. Otherwise, please also sign the first page of this statement with company chop stamped.

**Safety Performance Declaration**

*(*[*see Note 17*](#Note17)*)*

I declare my company’s compliance with the assessment sub-criteria on “Performance in compliance with safety legislations” as stipulated under item IV of sub-heading “Safety” in the General Notes of Appendix 3C of the Contractor Management Handbook.

\*My company:-

|  |  |
| --- | --- |
| □ | has no convictions for site safety offences in the past 12 months counting from the submission of the application. |
| □ | has provided a list of all convictions for site safety offences in the past 12 months counting from the submission of the application. The aforementioned list of convictions shall include the legislation contravened, dates of commission of the offences, dates of convictions and the associated contract titles (including sub-contracts where the contractor has acted as a sub-contractor). |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date: |  | Signed: |  | |
|  |  |  | | |
|  | | Name of Authorized Signatory: | |  |
| Designation: | |  |
| Name of Company: | |  |

(Company Chop)

***Remarks***:

This Declaration is not applicable for the applications involving the following six categories:

1. Prestressed Concrete Works for Highway Structures (Class II – Supply of Prestressed Concrete Units);
2. Transparent Panels for Noise Barriers on Highways;
3. Survey of Lifting Appliances and Lifting Gear;
4. Soil and Rock Testing;
5. Survey of Government Land Pressure Receivers subject to Steam and Air Pressure (but excluding Steam Boilers); and
6. Survey of Government Land Steam Boilers.

Guidance Notes

1. Answer all the questions. Give a remark **‘N.A.’** wherever inapplicable.
2. The Category, Class and Group in the List of Approved Suppliers of Materials and Specialist Contractors for Public Works (Specialist List) can be found at **Appendix 3A of the Contractor Management Handbook (CMH)** on the homepage of the Development Bureau. For the detailed experience, management, staff employment, safety, integrity, financial capability and other relevant requirements, please refer to **Appendices 3B and 3C to the CMH,** which can be downloaded at the following link:

<https://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html>.

1. Please refer to the current technical circular of Development Bureau for requirements of Quality Management System certification.

The submitted integrity management policy should cover at least the contents set out in the Sample Integrity Management Policy at Annex 3 to Appendix 2A of the CMH. A sample of the integrity management policy is also available at:

[*https://www.devb.gov.hk/en/construction\_sector\_matters/contractors/applications\_as\_public\_works/index.html*](https://www.devb.gov.hk/en/construction_sector_matters/contractors/applications_as_public_works/index.html)

1. Please supply a certified copy of the Business Registration Certificate. As a condition for admission, all applicants must possess or set up in Hong Kong a place of business as defined in Section 2 of the Business Registration Ordinance (Cap. 310).
2. Unless waived by the Secretary for Development specifically, in the case of applications from companies incorporated outside Hong Kong or whose main presence and head office are outside Hong Kong, the applicant must provide evidences demonstrating that their technical and management capabilities, and non-local experience that could meet the admission criteria set out in Appendix 3C of the CMH. If such evidences are neither in Chinese nor in English, they should be translated into English. If evidences are not original documents, they must be notarised by appropriate authorities.

The aforementioned evidences (including both original and translated evidences) must be authenticated or supported by the Ministry of Commerce or the China International Contractors Association as delegated by the Ministry of Commence (if the applicant is incorporated in the Mainland), the consul or trade commissioner of the applicant’s country of origin, or other appropriate authority accepted by the Development Bureau. To address this authenticity requirement, the applicant should also submit a letter of support issued by the aforesaid authorities to:

(a) substantiate the details of information stated in your application, in particular your capabilities to meet the admission criteria set out in Appendices 3B and 3C of the CMH;

(b) provide information on the reputation of your company in your country of origin; and

(c) confirm recommendation from the Consul/Trade Commissioner/appropriate authorities for the admission of your company on the Specialist List.

Notwithstanding the above, the Development Bureau may seek references on the applicants’ capabilities and experience from other sources or confirmation on the authenticity of the evidences provided by the applicants from the relevant parties including, but not limited to, the employers of the concerned projects completed by the applicants.

1. For companies incorporated locally or abroad, the following documentary proofs are required:

(a) If your company is an incorporated body formed and registered under the Companies Ordinance (Cap. 622) or any former Companies Ordinance (as that phrase is defined in Cap. 622), Laws of Hong Kong SAR, please supply a certified copy each of the Certificate of Incorporation and the Articles of Association of your company. If your company is an existing company (as defined under the Companies Ordinance (Cap 622)), you are reminded that the pre-existing Memorandum of Association of your company is now treated under the Companies Ordinance (Cap 622) as being part of the Articles of Association. Accordingly, the requirement for you to supply a copy of your company's Articles of Association also means that you are required to supply a copy of your company's pre-existing Memorandum of Association.

(b) If your company is an incorporated body registered under the law of the country in which your company is incorporated, please supply a certified copy each of the relevant legal documents - e.g. Certificate of Incorporation issued under the law of that country; Certificate of Registration of Non-Hong Kong Company under the Companies Ordinance (Cap. 622) or any former Companies Ordinance (as that phrase is defined in Cap. 622), Laws of Hong Kong SAR, which has to be certified by the Companies Registry within the last 3 months; and Memorandum & Articles of Association (or other constitutional document) of your company. .

1. For firms which are partnerships, please supply a certified true and complete copy of the Partnership Agreement signed by all partners showing:
2. the name, address and share of capital of each partner;
3. the partners are carrying on the business (which includes any services provided to the government under the approved contractors arrangement) together with a view to profit;
4. how any profit of the business is to be treated;
5. the duration of the Partnership Agreement; and
6. the date of the Partnership Agreement.
7. For Sole-proprietorship, please supply a certified true and complete copy of the Form 1(a) – Application by an individual for registration of business carried on by him in Hong Kong issued by the Inland Revenue Department.
8. Please refer to the **Annex** to this Guidance Notes as regardsfor documents required for financial assessment, which must be supplied to the Development Bureau upon request.
9. The applicant is requested to complete a Technical Assessment Questionnaire (“TQA”) where applicable and submit it together with relevant supporting documents on the experience, management, staff employment, safety, integrity and other relevant criteria for the category applied for in accordance with Appendix 3C of the CMH to the Managing Department who will approach the applicant direct for supplying the TQA and more detailed technical and management information if the situation warrants.
10. This Application Form should be submitted together with all supporting documents **in duplicate**, with a covering letter, to the Professional Services Unit, Development Bureau, 15/F, West Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong.
11. Contractors on the Specialist List are subject to the policy and procedures promulgated from time to time as technical circulars or letters by the Development Bureau or its predecessors or successors.

Particular attention of contractors is drawn to the following:

1. [P.W.D. Technical Circular No. 39/1973](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/291/1/PWD3973.pdf) and [Appendix](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/291/2/PWD39731.pdf);
2. [W.B. Technical Circular Nos. 15/1999](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/194/1/wb1599.pdf), [15A/1999](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/143/1/wb1599a.pdf) and [15/1999B](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/75/1/C-1999-15-B-1.pdf);
3. [W.B. Technical Circular No. 13/2001](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/158/1/wb1301.pdf) and [13/2001A](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/69/1/C-2001-13-A-1.pdf);
4. [W.B. Technical Circular No. 24/2001](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/150/1/wb2401.pdf);
5. [E.T.W.B. Technical Circular (W) No. 12/2003](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/100/1/C-2003-12-0-1.pdf);
6. [E.T.W.B. Technical Circular (W) Nos. 22/2003](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/97/1/C-2003-22-0-1.pdf) and [22/2003A](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/71/1/C-2003-22-A-1.pdf);
7. [E.T.W.B. Technical Circular (W) No. 3/2007](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/11/1/C-2007-03-0-1.pdf);
8. [D.E.V.B. Technical Circular (W) No. 3/2007A](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/330/1/C-2007-03-A-1.pdf);
9. [D.E.V.B. Technical Circular (W) No. 8/2010](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/309/1/C-2010-08-01.pdf);
10. [D.E.V.B. Technical Circular (W) No. 4/2014](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/332/1/C-2014-04-02.pdf) and [4/2014A](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/352/1/C-2014-04-A-06.pdf);
11. [D.E.V.B. Technical Circular (W) No. 7/2014](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/328/1/C-2014-07-01.pdf);
12. [D.E.V.B. Technical Circular (W) No. 4/2017](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/351/1/C-2017-04-01.pdf);
13. [D.E.V.B. Technical Circular (W) No. 2/2018](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/358/1/C-2018-02-01.pdf);
14. [D.E.V.B. Technical Circular (W) No. 6/2019](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/370/1/C-2019-06-01.pdf);
15. [D.E.V.B. Technical Circular (W) No. 1/2020](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/380/1/C-2020-01-03.pdf);
16. [D.E.V.B. Technical Circular (W) No. 4/2020](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/372/1/C-2020-04-02.pdf);
17. [D.E.V.B. Technical Circular (W) No. 2/2021](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/387/1/C-2021-02-02.pdf);
18. [D.E.V.B. Technical Circular (W) No. 5/2023](https://www.devb.gov.hk/filemanager/technicalcirculars/en/upload/1395/1/C-2023-05-01.pdf);
19. [Construction Site Safety Manual](https://www.devb.gov.hk/en/publications_and_press_releases/publications/construction_site_safety_manual/index.html); and
20. [Contractor Management Handbook](https://www.devb.gov.hk/en/construction_sector_matters/contractors/contractor_management_handbook/index.html).

The complete set of all technical circulars can be downloaded from the homepage of the Development Bureau ([www.devb.gov.hk](http://www.devb.gov.hk)).

1. The existence of a holding-subsidiary relationship shall be determined in accordance with the provisions in Sections 13 to 15 of the Companies Ordinance (Cap. 622). A related party is any entity (including but not limited to sole proprietorship, partnership and limited company) related to the applicant. An entity is related to an applicant if any of the following conditions applies:
2. The entity is controlled or jointly controlled by a person or a close member of that person’s family who :
   * + 1. has control or joint control of the applicant.
       2. has significant influence over the applicant; or
       3. is a member of the key management personnel of the applicant or of a parent of the applicant.
3. A person or a close member of that person’s family, who has control or joint control of the applicant, has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).
4. The entity, or any member of a group of which it is a part, provides key management personnel services to the applicant or to the parent of the applicant.

For the avoidance of doubt, the following definitions should be adopted when interpreting the above provision:-

‘Control’ means the power to govern the financial and operating policies of the applicant/entity so as to obtain benefits from its activities.

‘Joint control’ means the contractually agreed sharing of control over the applicant/entity, and exists only when the strategic financial and operating decisions relating to the applicant/entity require the unanimous consent of the parties sharing control.

‘Significant influence’ means the power to participate in the financial and operating policy decisions of the applicant/entity/parent but is not control or joint control over those policies

‘Key management personnel’ mean those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that applicant/entity/parent.

‘Close members that person's family’ mean those family members who may be expected to influence, or be influenced by, that individual in their dealings with the applicant or the entity. They may include but not limited to:

(i) the individual’s domestic partner and children;

(ii) children of the individual’s domestic partner; and

(iii) dependants of the individual or the individual’s domestic partner.

1. Contractors should note that once they are on the Specialist List, their information including personal data submitted to, performance records kept and the history of regulating actions imposed by the Development Bureau or Government bureau/department may be released to all interested Government bureaux/departments and Hong Kong Housing Authority for the purposes of their tender invitation, tender evaluation, contract management, contractor management, regulating action, promotion of construction industry and other matters in relation thereto. The information may also be disclosed to other Government bureau/department for the compilation of guest lists for various community events.
2. Please supply a copy of the curriculum vitae of each member of the Top Management, if applicable. Details of experience in managing a construction firm must be clearly stated in the curriculum vitae. For minimum number and qualification of Top Management employed by the contractor for admission, retention, confirmation and promotion, please refer to Appendix 3C of the CMH.
3. Please supply a copy of the curriculum vitae of each Technical Staff member, if applicable. Details of experience must be clearly stated in the curriculum vitae. For minimum number and qualification of Technical Staff employed by the contractor for admission, retention, confirmation and promotion, please refer to Appendix 3C of the CMH.
4. Please supply a copy of the curriculum vitae of each Qualified Safety Personnel. Details of experience must be clearly stated in the curriculum vitae. For minimum number, qualification and professions of Qualified Safety Personnel employed by the contractor for admission, retention, confirmation and promotion, please refer to Appendix 3C of the CMH and Chapter 3, Appendix III, para. 6(4) of the Construction Site Safety Manual.

The safety requirements as stipulated in Appendix 3C of the CMH are not applicable to the following six categories:

(i) Prestressed Concrete Works for Highway Structures (Class II – Supply of Prestressed Concrete Units);

1. Transparent Panels for Noise Barriers on Highways;
2. Survey of Lifting Appliances and Lifting Gear;
3. Soil and Rock Testing;
4. Survey of Government Land Pressure Receivers subject to Steam and Air Pressure (but excluding Steam Boilers); and
5. Survey of Government Land Steam Boilers.
6. For the admission to the following categories on the Specialist List requiring a long period of trial installation, plant trial, site demonstration and/or factory visit, applicants are strongly advised to lodge a vetting request to the Highways Department to kick start those relatively time-consuming checking processes (e.g. factory visit, site demonstration, plant trial) before the applicant formally submits application for admission, confirmation and promotion:
   1. Prestressed Concrete Works for Highways Structures;
   2. Road Marking;
   3. Specialized Operations for Highway Structures;
   4. Structural Steelwork;
   5. Supply and Installation of Bearings for Highways Structures;
   6. Supply and Installation of Expansion Joints for Highway Structures; and
   7. Supply of Bituminous Pavement Materials and Construction of Special Bituminous Surfacing.

An applicant should provide a letter issued by the Highways Department demonstrating its compliance with the trial installation, plant trial, site demonstration and/or factory visit requirements (if applicable) as stipulated in the CMH. For details of the pre-application vetting mechanism, please refer to the website of the Highways Department: <https://www.hyd.gov.hk/en/service_enquiries/public_forms/index.html>.

1. After admission/confirmation/promotion, (i) successful applicant, (ii) its related parties (if any) which are already on the List and/or the Specialist List, and (iii) contractors (if any) which are already on the List and/or the Specialist List and are members of the same group of companies (as defined in Section 2(1) of the Companies Ordinance (Cap. 622)) that the applicant is in, shall each give an undertaking that only one company will submit a tender for a particular contract. Failure to provide an undertaking will lead to regulating actions, including removal of the contractor(s) concerned from the List and/or the Specialist List.

**Annex**

Documents Required for Financial Assessment

|  |
| --- |
| NOTE: The documents required for financial assessment must be supplied to the Development Bureau upon request. |

|  |  |  |
| --- | --- | --- |
| (1) | The documents required for financial assessment include: | |
|  | (a) | the original or copies of annual financial statements for the last 3 accounting years audited and certified by certified public accountants; |
|  | (b) | management accounts covering the period between the latest set of audited financial statements up to a date not earlier than three months before the date of submission; |
|  | (c) | a statement of gains/(losses) arising from fair value adjustments for the latest audited financial statements; |
|  | (d) | a statement giving details of significant events which occurred after the year end date of the latest audited financial statements which would affect the company’s financial position; |
|  | (e) | a statement giving details of subsequent settlement of current assets after the year end date of the latest audited financial statements; |
|  | (f) | a statement giving details of any off-balance sheet liabilities, including contingent liabilities, if not covered in the latest audited financial statements; |
|  | (g) | a statement listing current or outstanding contracts in hand with total and outstanding contract sums, contract period and time required to complete the outstanding portion of the contract; |
|  | (h) | bank letters or agreements on existing banking facilities such as term loans and overdraft; and |
|  | (i) | any other additional financial information if considered necessary. |
|  | Copies of audited financial statements submitted under item (a) shall be certified true by the directors of the company and all documents under items (b) to (i) above shall be certified true and correct by an independent auditor or a director of the company. The sample statement format for items (c), (d), (e) and (g) above can be downloaded from the website of the Development Bureau. | |
| (2) | All statements submitted should be prepared in English or Chinese. | |
| (3) | The financial statements and the management accounts shall reflect the financial position of the company only (i.e. the accounts must not be consolidated accounts). | |
| (4) | Audited financial statements include auditor’s report, statement of financial position, statement of comprehensive income, statement of changes in equity and statement of cash flows, and notes comprising significant accounting policies and other explanatory information. | |
| (5) | The latest audited financial statements must be for a period ending no more than 18 months before the submission date. | |
| (6) | For the latest audited financial statements, if the auditor has issued a disclaimer or adverse audit opinion in the auditor’s report, the company shall be deemed as failing to submit the required financial statements. | |
| (7) | The management accounts include at a minimum statement of financial position (or balance sheet) and statement of comprehensive income (or profit and loss accounts) and must be in the same layout of the audited financial statements. | |
| (8) | In the case of a joint venture, financial and supplementary statements as mentioned under item (1) above for each participant must be submitted. | |

**IMPORTANT**

Contractors are reminded that willfully and knowingly making a false statement, misrepresentation or concealment of any information in their submissions may lead to regulating actions by the Development Bureau and may be considered as a criminal offence liable to prosecution by relevant authority.

|  |  |  |
| --- | --- | --- |
| Remarks: | Applications for the following categories of works need not submit the documents listed in this Annex as financial assessment is currently not required: | |
|  | (a) | Broadcast Reception Installation; |
|  | (b) | Catering Equipment Installation; |
|  | (c) | Fabrication of Unfired Pressure Vessels; |
|  | (d) | Land, Engineering and Hydrographic Survey Services; |
|  | (e) | Liquefied Petroleum Gas Installation; |
|  | (f) | Radio Electronics Installation; |
|  | (g) | Repair and Restoration of Historic Buildings; |
|  | (h) | Soil and Rock Testing; |
|  | (i) | Survey of Government Land Pressure Receivers subject to Steam and Air Pressure (but excluding Steam Boilers); |
|  | (j) | Survey of Government Land Steam Boilers; |
|  | (k) | Survey of Lifting Appliances and Lifting Gear; and |
|  | (l) | Uninterruptible Power Supply Installation. |

Personal Information Collection Statement

Purpose of Collection

1. The personal data provided in the Application Form for Admission to the List of Approved Suppliers of Materials and Specialist Contractors for Public Works (Specialist List) and in subsequent updates, if any, by the applicant will be used by the Development Bureau, Hong Kong Special Administrative Region Government for the following purposes :

* activities relating to your admission/confirmation/promotion in the Specialist List ;
* activities relating to your retention on the Specialist List; and
* activities relating to the compilation of guest lists for various community events.

The provision of personal data by means of this Application Form is obligatory. If you do not provide sufficient information, we cannot ascertain your suitability for admission on the Specialist List.

Classes of Transferees

1. The personal data you provided by means of this Application Form and in subsequent updates, if any, may be disclosed to other Government bureaux and departments and Hong Kong Housing Authority for the purposes of tender invitation, tender evaluation, contract management, contractor management, regulating action, promotion of the construction industry and other matters in relation thereto. It may also be disclosed to other Government bureaux and departments for the compilation of guest lists for various community events.

Access to Personal Data

1. You have a right of access and correction with respect to personal data as provided for in sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance.

Enquiries

1. Requests for access or correction of the personal data collected by means of this Application Form should be made in writing to:

Senior Executive Officer (Professional Services)

Development Bureau,

15/F, West Wing, Central Government Offices,

2 Tim Mei Avenue, Tamar,

Hong Kong.