



發展局
DEVELOPMENT BUREAU



建造業工人註冊管理局
CONSTRUCTION WORKERS
REGISTRATION AUTHORITY

Construction Workers Registration
Ordinance (Cap. 583)

Amendment Proposal to facilitate implementation of Phase Two Prohibition



Consultation Paper

June 2012

Consultation Paper on Amendment Proposals to Construction Workers Registration Ordinance

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Consultation Paper on Amendment Proposals to Construction Workers Registration Ordinance

Purpose

This paper serves to consult stakeholders on the proposed solutions to the issues of concern on the full implementation of prohibition provisions under the Construction Workers Registration Ordinance (CWRO). The consultation process is also outlined for reference.

Background

2. CWRO was enacted on 2 July 2004 to provide, among others, for registration and regulation of construction workers. On 18 September 2004, the Construction Workers Registration Authority (CWRA) was established under CWRO to administer the Ordinance.

3. The principal objective of CWRO is to establish a system for the registration of construction workers and to regulate construction workers who personally carry out construction work on construction sites. The merits of the registration system will help ensure the quality of construction work through assessment and certification of skill levels of construction workers, make available more reliable manpower data to facilitate manpower planning and training, raise the status of construction workers (by statutorily recognizing their skill levels), foster a quality culture in the construction industry, combat hiring of illegal workers on construction site, and make available daily site entry and exit records of each worker to minimise wage disputes between contractors and workers.

4. The scope of CWRO is defined mainly by the two definitions of “construction work” and “construction site” under its section 2. A copy of the definition with illustrative examples is at *Annex A*.

5. On 29 December 2005, registration of construction workers commenced with *Phase One Prohibition* under CWRO implemented on 1 September 2007. Under Phase One Prohibition, construction workers carrying out construction work on construction sites shall be registered, and employers shall be prohibited from employing unregistered workers to carry out such work. As workers are only required to register as “registered general worker” to satisfy the law (i.e. the registration qualification of which is only a valid “Green Card” issued in accordance

with the Factories and Industrial Undertakings Ordinance (Cap. 59)), the implementation of Phase One Prohibition is generally smooth and satisfactory. According to results of site inspection conducted by CWRA, only 0.1% workers on average were found without registration.

6. Separately, *provisional registration* is allowed under CWRO for experienced workers who do *not* possess registration qualifications of skilled/ semi-skilled workers. Prior to 29 December 2005, a worker having *not less than six years'* experience in a trade can apply for registration as *skilled worker (provisional)*, while having *not less than two years'* relevant experience can apply for registration as *semi-skilled worker (provisional)*. The provisional registration is valid for three years and is not renewable.

7. A registered skilled worker (provisional) may register as *registered skilled worker* through either one of the following means –

- (a) complete a relevant *specified training course*¹ and pass the course-end assessment; or
- (b) pass a relevant *trade test*,

whereas a *registered semi-skilled worker (provisional)* is required to pass a relevant *intermediate trade test* for registration. If upon expiry of his provisional registration, a registered skilled worker (provisional) would have to sit for relevant trade test before acquiring a full registration as a registered skilled worker.

8. Under Phase Two Prohibition, workers personally carrying out works described in Schedule 1 of CWRO against a specific designated trade must be a registered skilled/ semi-skilled worker of the corresponding trade. Yet, any registered construction workers may still be permitted to personally carry out construction work related to a designated trade to which he is not registered if he is *under the instruction and supervision of a registered skilled/ semi-skilled worker* of the trade.

9. In January 2010, CWRA set up a working group to study and identify the issues to be addressed for the implementation of ***Phase Two Prohibition***. The working group has gauged the readiness of the

¹ The training course is specified by the Construction Workers Registration Authority under section 41 of CWRO. A typical specified training course comprises 1 – 3 hours class training course, 0.5 hours multiple choice question session, 1 hour demonstration and briefing on practical test, and 5 – 7 hours practical test, lasting for about 7.5 – 11 hours.

industry to the implementation of Phase Two Prohibition through, amongst other means, a series of discussion sessions with stakeholders. Whilst valuable views and suggestions are gathered, stakeholders have expressed their concerns on the implications to the existing construction practice and suggest possible measures to address them. A list of major issues identified in the course of exchanging views with relevant stakeholders is set out in paragraph 11 below. After several rounds of discussion, it was concluded that in order to tackle the issues to facilitate full implementation of Phase Two Prohibition, amendments to the existing CWRO are required and a Committee on Review of CWRO was subsequently formed in January 2011 by CWRA to take on board the issues identified by the earlier working group and to make recommendation to CWRA on the proposed amendments required to the CWRO.

10. However, before we outline the major issues, it is worth noting that over the years, with the collaboration of all relevant stakeholders, Government has put in place a well-established system to ensure safety of construction works and this system is constantly enhanced or refined to ensure safety at the highest level possible. For example, while the Buildings Ordinance was enacted with the legislative intention to regulate building safety some time ago, it was amended in June 2008 to introduce the Minor Works Control System (i.e. Building (Minor Works) Regulation (B(MW)R)) facilitating the public to carry out minor works in private buildings lawfully through simplified procedures, thereby improve the building safety in Hong Kong. At the same time, there are other regulations (e.g. Factories and Industrial Undertakings Ordinance (Cap. 59)) and stipulated standards (e.g. Guidance Notes on Safety at Work (Falsework – Prevention of Collapse) published by Labour Department) to ensure safety of construction works. With other measures in place to safeguard safety at the highest standard possible, the primary focus of the construction workers registration scheme should be to ensure workers are competent to perform quality works (i.e. through certification of skill levels of workers under the trade) as well as promote the professionalism of the construction labour force by raising their status through registration.

Issues of Concern

11. Major issues identified include the following–

A. Workers' difficulties in registration

Single skilled workers

- (1) Due to fine division of labour long adopted in construction industry to meet evolving market needs, some workers only ***concentrate in parts of the skills*** of a trade. While their skill levels are well proven and recognized in the industry and with quality assured, in practice, these workers often do not possess the full skill set to satisfy the registration requirement of a respective trade.

Small scale work workers

- (2) In practice, some workers carry out ***small scale construction work*** such as constructing catchpit requiring erection of formwork, fixing steel reinforcement and concreting, as well as patching up works (e.g. filling up box-out at concrete wall which was left open for operational need during construction). As the works though involving *multiple trades* are relatively *minor in nature* and *small in scale*, this kind of construction works do not require high skill level of the respective trades. Hence, the skill levels of workers may not satisfy the registration requirements of these trades as skilled/ semi-skilled workers. Having regard to the scale and nature of works and in the interest of facilitating efficient use of resources, it is *not practical* to require the works to be carried out by workers of different trades.

Maintenance works workers

- (3) ***Maintenance works*** under term contracts of specified structure of public body or specified body also fall within the ambit of CWRO. It is common that in-service workers who carry out maintenance works have to involve *multiple trades* and this is a long-standing practice. As the maintenance works are *mostly minor in nature*, their skill levels may not be sufficient for them to register as skilled/ semi-skilled workers.

If the workers mentioned in (1) to (3) above cannot register as skilled/ semi-skilled workers under CWRO, they could no longer be allowed to independently carry out their current day-to-day work upon implementation of Phase Two Prohibition. This would inevitably affect their ***livelihood*** and the ***productivity*** of the construction industry at large.

B. Limitation of working across trades

- (1) It is not uncommon that in the interest of optimizing the use of limited resources, workers of a designated trade would be deployed to carry out works of other trades of similar basic skills in actual work situations. For example, a wet-fix marble laying worker may be deployed to lay tile which requires similar skills of mixing and plastering cement-sand mortar, and fixing and leveling tiles. However, upon implementation of Phase Two Prohibition, these workers would no longer be allowed to work across trades unless under “instruction and supervision” mentioned in paragraph 8 above. This would not only *hamper labour mobility* and discourage workers from acquiring new skills of similar nature of other trades, but also reduce overall productivity of the entire industry.

C. Senior workers registration arrangement

- (1) The enrolment rates of registered skilled workers (provisional) for specified training courses (STC) and trade tests are consistently low. The main reason is that there is not much incentive for them to register as skilled workers under CWRO prior to implementation of Phase Two Prohibition. Currently, these senior workers possess experience and skills well recognized by the industry. They are well respected and earn a living as senior skilled workers. Furthermore, some of them have been taking up supervisory positions mainly giving instruction and supervision to other workers. However, upon the implementation of Phase Two Prohibition, they will no longer be allowed to carry out their trade work or give instruction and supervision unless they pass the STC or trade test.

D. Implications to Minor Work and emergency works

Class I, II and III Minor Works under B(MW)R

- (1) (a) Class I and II Minor Works under B(MW)R comprise relatively larger scale minor works

involving structure of specified structure, which fall within the scope of CWRO. The construction industry is still in the process of adapting to the new requirements under the Minor Works Control System which was launched on 31 December 2010. For prudence, we need to keep in view the response and progress of the construction industry in meeting these new requirements prior to implementation of Phase Two Prohibition before deciding on how to tackle these works.

- (b) Class III Minor Works under B(MW)R are mostly minor household works such as erection of metal supporting frame for an air-conditioning unit. As the works are *minor in nature* and *small in scale*, the concerns mentioned in para A(2) above are also valid. Besides, employers of Class III Minor Works are often general households who may not have the technical knowledge to understand and comply with the requirements stipulated in CWRO and it is not realistic to expect them to acquire such knowledge. Last but not the least, as notification to Building Authority and so CWRA prior to commencement of Class III Minor Works is not required, actual enforcement by CWRA will be a problem.

Emergency Works

- (2) Rescue of life and protection to property are priority in emergency. Under such circumstances, it is not practical to strictly follow the requirements of deploying registered skilled workers under prohibition provisions of CWRO. For example, it is necessary for a contractor to deploy workers who are immediately available to reinstate the damaged road pavement at emergency incident to re-open the road to traffic as soon as possible.

E. Enforcement and legal liability

- (1) According to section 18(1)(f) of CWRO, “*any person found on site*” must provide information that may enable

the authorized officer² to identify the principal contractor for the site or the employer of the worker who personally carries out on construction site construction work. However, it is not rare that the persons possessing such information are *not found on site* during the limited time of site inspection by the authorized officer who may therefore have difficulties in collecting evidence under the current provisions.

- (2) According to section 4 of CWRO, a worker without a trade-specific registration may still carry out work for the trade if he is under “instruction and supervision” of a registered skilled/ semi-skilled worker of the relevant trade. However, under section 6 of CWRO, it is a ***strict offence*** for a worker to carry out work of the trade without trade-specific registration and not under the required “instruction and supervision” of a semi-skilled/skilled worker, even though he was led to believe that such “instruction and supervision” had been arranged by the contractor. Relevant stakeholders have expressed serious concerns about this strict offence provision upon the implementation of Phase Two Prohibition.

² Authorized officer means a person who is appointed under section 16(1) of CWRO.

Proposal to amend CWRO

12. In response to the major issues identified above, we have developed a list of proposed amendments which are refined in the course of exchanging views with relevant stakeholders including labour and trade unions of specific trades. We consider it opportune to formally consult relevant key stakeholders and would like to seek your views on the principles as well as the order of details in regard to the proposed legislative amendments –

(1) Revamp of Schedule 1

[To address Issue A(1) and B(1)]

(a) Categorization by trades and skills

13. In order to recognize the modular skills of workers developed under the practice of fine division of labour adopted in construction industry evolved over the years, we propose to ***categorize the works by both trades and skills*** (underpinning the trades), with appropriate introduction of modular skill tests to regulate the skill standards. Training courses will be restructured to suit the purpose accordingly. The measures can facilitate single-skilled workers to register under their respective skills so that they can continue to work independently and maintain their livelihood. At the same time, this proposed arrangement will also help maintain the supply of skilled/semi-skilled workers upon the implementation of Phase Two Prohibition. The existing trade tests will be retained as well, which will allow those workers who have been trained with the full skill set of a trade to become skilled trade workers, and encourage single skilled worker to acquire other skills in the trade to become a multi-skilled worker and finally become a skilled trade worker. Details are at ***Annex B***.

14. We also propose to ***re-group trades/ “skills” of similar nature*** into trade groups to make Schedule 1 easier to comprehend. A preliminary grouping of trades is at ***Annex C***.

(b) Working across trades or skills within a trade group

15. To maintain labour mobility and productivity upon implementation of Phase Two Prohibition, we propose to allow registered

skilled workers of selected trades/ skills to carry out work of other trades/ skills independently, but not giving instruction and supervision to other workers for such work, subject to the following two criteria: –

- (i) the concerned trades/ “skills” are of ***similar basic skills*** and of ***similar work process***; and
- (ii) the concerned trades/ “skills” are of similar working condition in terms of construction safety e.g. using similar plants and tools, working at similar height etc, i.e. ***no major safety concern*** for allowing working across trade/ “skills”,

except for those works under specified requirements/ controlled by other legislations. Also see ***Annex B*** for details.

16. Referring to paragraph 15(i), *trades/ skills are considered as of “similar basic skills”* if, with reference to the actual trade practices, the works use similar materials, deploy similar mechanical/ electrical plants, or use tools of similar functions, while for *“similar work process”* the work processes of these works are mostly the same.

(2) Exempt emergency work and minor construction work

[To address Issue A(2), A(3), D(1)(b) and D(2)]

17. In order to meet the operational needs under emergency circumstances and to address the construction practice of minor or small scale works (including household works, small scale maintenance works, and subject to the exclusion of the following trades: –

- (i) trades having ***special individual requirements*** such as Structural Steel Welders who are required to possess a certificate issued by an accredited welding inspection body;
- (ii) trades with ***safety concerns*** such as Rock Breaking Drillers who are required to be trained to safely operate drills; and
- (iii) trades controlled by ***other legislations*** such as Electrical Fitters who are required to possess certificate of

registration under the Electricity Ordinance (Cap. 406).

we *propose to exempt* the workers of the following works from registration as skilled/ semi-skilled workers under CWRO :-

- (i) emergency works in its first 48 hours³; or
- (ii) other works of minor in scale or value including –
 - Construction contracts / works orders / quotations with cost not exceeding \$50,000⁴;
 - Designated small scale construction works⁵ (which include Class III Minor Works and the Designated Exempted Works under B(MW)R); and
 - Construction work involving trades of quantities not exceeding designated threshold⁶.

Details of the proposed exemption above are set out in Clause 2 in the attached draft Technical Memorandum (TM) at *Annex D*, while the concerned trades (i.e. a total of 72 out of 99 trades are excluded from exemption due to safety concern) excluded from exemption are listed in Clause 1.3.2 of Annex D. The TM will form a subsidiary legislation of CWRO, for easy reference.

³ The duration of first **48 hours** of emergency construction works is set (i) taking into account the views of stakeholders reflected in the Working Group on Exemption, comprising trade associations and labour unions which considered that **48 hours** are reasonably required for the deployment of registered workers during emergency situations and (ii) making reference to section 19 of Buildings Ordinance (Cap. 123), where any emergency renders it necessary to make safe any existing building or to carry out street works immediately, such work may commence without consent of the Building Authority and the building owner provided that, within **48 hours** after its commencement, the building owner shall notify the Building Authority of such work.

⁴ Reference is made to Government term contracts for maintenance to fix this threshold value. Having studied the cost of works orders and quotations instructed under these term contracts in the past one year, we found that there were a total of more than 875,000 numbers of such works orders and quotations in which more than **98%** are of cost not exceeding \$50,000 of *minor in nature* and *small in scale*, and mostly comprise work within the scope of proposed exemption. The threshold of \$50,000 sets a clear demarcation by cost for easy reference and is generally agreeable to stakeholders. We will *review* this threshold with reference to latest construction cost fluctuation when drafting the legislative amendment.

⁵ We propose to exempt “designated small scale construction work” in which the work of designated trades involved are *minor in nature* and *small in scale*, such as construction of catchpit. Annex D sets out clear requirements for exemption and describe “designated small scale construction works” in detail.

⁶ We also propose to set *designated threshold* of exempted quantities of trades to cover *small scale* patch up works such as filling of an opening at concrete wall. See Annex D.

18. The proposed exemption of works from registration under CWRO in paragraph 17 above is formulated with due regard to the prevailing trade practices of minor works and with reference to the following materials –

- (i) B(MW)R;
- (ii) General Specifications for Civil Engineering Works;
- (iii) Guidelines published by works departments; and
- (iv) Practice in construction industry, advised by trade associations and labour unions.

(3) Senior workers registration arrangement

[To address Issue C(1)]

19. In line with other ordinances, it is a common practice to introduce a one-off grandfathering arrangement to recognize the experience of senior workers and retain these valuable skilled craftsmen in the construction industry when new requirements are implemented to ensure a smooth transition. For this purpose, we propose to introduce a one-off grandfathering arrangement for the following two groups of senior workers who have not yet acquired qualifications for obtaining registration under CWRO –

Group 1 – Senior workers satisfying ***Conditions (A) and (B)*** may directly apply for registration as registered skilled workers⁷.

Group 2 – Senior workers not satisfying ***Condition (A) but*** satisfying ***Condition (B)*** may sit for assessment interview for registration as registered skilled workers⁸.

⁷ Senior workers in ***Group 1*** shall possess at least 6 years relevant experience before end 2005 and should attain up to 4 more years relevant experience afterwards prior to the enactment of the Amendment Bill. Discarding the low employment opportunity period in years 2006, 2007 and 2009 where unemployment rates in double digit, it is reasonable to assume workers to work at least 2/3 of time, i.e. 4 out of 6 remaining years up to end 2014, during the period when the construction output is high. However, it should be noted that at meeting of 21 February 2012, ***CITB*** considered that the criteria for Group 1 senior workers should be amended to “senior workers of having ***not less than 15 years*** experience upon enactment of the Stage 2 Amendment Bill”.

⁸ Senior workers in ***Group 2*** do not satisfy the criteria for provisional registration as skilled workers under CWRO. However, since they had less than 6 years experience in end 2005, they all should have been working in the trade for more than half time during the period between end 2005 and end

Condition (A) Possessing an aggregate of ≥ 6 years relevant experience *before 29 December 2005*, satisfying requirement for registration as registered skilled worker (provisional) under CWRO (no matters whether holding valid provisional registration, provisional registration expired or not yet registered)

Condition (B) Possessing an aggregate of ≥ 10 years relevant experience upon enactment of Stage 2 Amendment Bill

See *Annex E* for graphical illustration.

This one-off arrangement will allow the senior workers to continue their work upon implementation of Phase Two Prohibition to enable them to maintain their livelihood.

20. The grandfathering arrangement is proposed to be a *one-off* measure for existing senior workers with specified proven years of experience. This is subject to a time limit of two years (about one year for application and certification of experience and one and a half year to complete assessment interview conducting concurrently) commencing from the enactment of Amendment Bill. After the time limit, all skilled workers shall register under CWRO only by passing the respective trade tests to meet the primary objective of CWRO to improve work quality through certification of skill levels of workers.

(4) Staging implementation of Phase Two Prohibition

[To address Issue A(3) and D(1)(a)]

21. While workers of minor maintenance works involving multiple trades are exempted (as mentioned in *paragraph 17* above),

2014. Moreover, their registration is subject to an assessment interview on trade skill knowledge, which is an additional safeguard to ensure they are well experienced and competent skilled workers. The panel for assessment interview shall comprise representatives from relevant stakeholders, the composition of which is to be determined by the CWRA in consultation with trade associations, labour unions and training institutes.

other workers of maintenance works carried out under term contract for maintenance of specified structure of public body or specified body are also mostly required to carry out works of multiple trades and their skill levels may not be sufficient for them to register as skilled/ semi-skilled workers under all relevant trades. Based on the latest statistics collected, we gather that about 98% of maintenance works under Government term maintenance contracts should be exempted from CWRO (see footnote 4) under the proposed exemption arrangements for minor and small scale works. Yet, as to the remaining 2% of the maintenance works amounting to more than 17,000 no. works orders or quotations per year, we propose that, to facilitate better administration of the Phase 2 prohibition, maintenance works should be regulated at a later stage in the order of priority. To this end, we propose to introduce ***further staging implementation*** of Phase Two Prohibition as follows: -

Stage 1 – new construction works, major addition, alteration, improvement works, and *Class I and II Minor Works under B(MW)R* (see paragraph 22)

Stage 2 – to extend to maintenance works carried out under a term contract for maintenance of any specified structure belonging to a public body or a specified body and *Class I and II Minor Works under B(MW)R*

See ***Annex F*** for graphical illustration.

22. As Class I and II Minor Works are of relatively large scale involving structure of specified structure, it is our intention not to exempt them. But whether they will be regulated under Stage 1 or Stage 2 will depend on the response to and progress made by the practitioners in adapting to the new Minor Works Control System under B(MW)R. We will closely monitor the situation and review the implementation staging of these minor works nearer the time of finalizing the proposed legislative amendments.

(5) Enforcement and legal liability

[To address Issue E(1) and (2)]

(a) Enhance enforcement

23. As the persons possessing workers employment information would normally be the high level management of the principal contractor and may not be found on site during the limited time of site inspection by authorized officers, we propose to amend section 18(1) so that the authorized officer may request any person (on or off site) concerned with the carrying out of any construction work within the site to provide information.

(b) Introduce a defence to workers under offence of prohibition provisions

24. It should be a reasonable defence for a worker who commits an offence of carrying out work to which he is not registered if he was led to believe that the required “instruction and supervision” would be arranged by contractor of the work. We propose to amend section 6(4) to give this effect.

25. Please see ***Annex G*** for graphical illustration.

Consultation Process

26. Since the implementation of Phase Two Prohibition will have a bearing on most practitioners in construction industry, full engagement and consultation with all stakeholders are conducted. At this stage, we have formulated the proposal of amendments to CWRO with an aim to address stakeholders' concerns and to ensure a smooth and successful implementation of Phase Two Prohibition. The consultation process is outlined as below: -



27. Your valuable views and suggestions for further enhancement of the formulated proposal are most welcome!

Annex A – Scope of CWRO

“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; or
 - (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), but excludes building works in respect of which a certificate of exemption is issued under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121);
- (b) means any building services work that involves the structure of any specified structure; or
- (c) means 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;

“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) or (b) of the definition of “construction work” in this section —

(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,

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;

(b) in the case of any other construction work falling within paragraph (a) or (b) 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;







Illustrative examples

Scope of CWRO construction work

(For details, please see section 2 of CWRO)

(a)(i) Specified structure - construction, re-construction works

For example

<p>New buildings</p> 	<p>Site formation</p> 	<p>Drainage channel</p> 
<p>Railway</p> 	<p>Tunnel</p> 	<p>Slope works</p> 



Navigation icons: back, forward, search, refresh.

Scope of CWRO construction work

(For details, please see section 2 of CWRO)

(a)(ii) Involving structure of specified structure - addition, alteration repair, dismantle works

For example

<p>Alteration of floor slab</p> 	<p>Addition of staircase</p> 
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Navigation icons: back, forward, search, refresh.

Scope of CWRO

construction work

(For details, please see section 2 of CWRO)

(a)(iii) In preparing for **construction, re-construction addition, alteration works, etc.**

For example

Site investigation



Excavation of earth



Scope of CWRO

construction work

(For details, please see section 2 of CWRO)

(a)(iv) Forming integral part of **construction, re-construction addition, alteration works, etc.**

For example

Plastering



Tiling



Scope of CWRO

construction work

(For details, please see section 2 of CWRO)

(b) Involving structure of specified structure - building services work

For example

Installation of water supply & drain pipes



Making opening for installation of building services



Scope of CWRO

construction work

(For details, please see section 2 of CWRO)

(c) Maintenance work carried out under term contract for maintenance

For example

Repair external wall tile



Laying tile



Electrical work



Painting



Plumbing

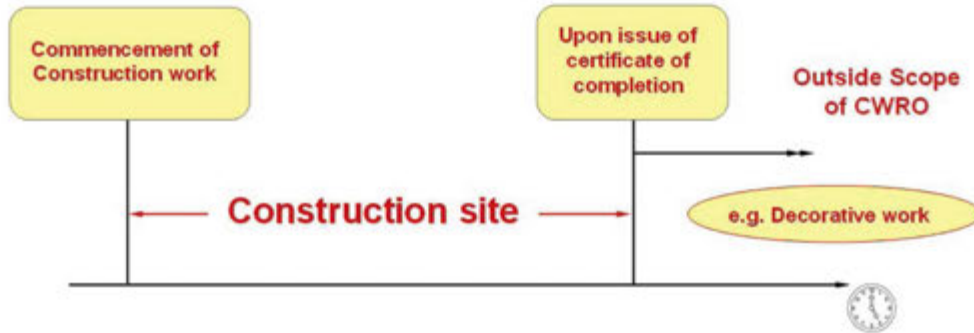


Scope of CWRO

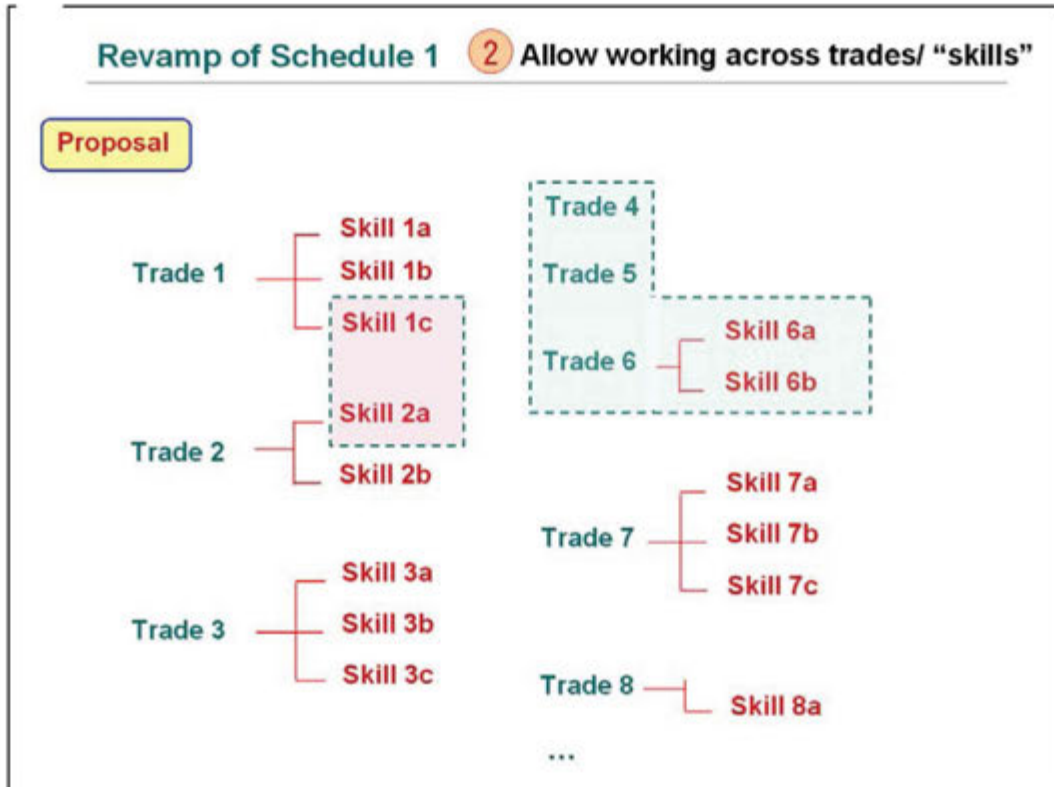
construction site

(For details, please see section 2 of CWRO)

“construction site”



Annex B – The proposed categorization by trade and skills and working across trades of similar skills



Legend

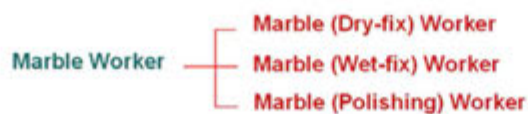
1.



Trade 1 comprises "Skill 1a", "Skill 1b" and "Skill 1c" according to its established modular skills of the construction industry.

For example:

Marble Worker is categorized into Marble (Dry-fix) Workers, Marble (Wet-fix) Workers and Marble (Polishing) Workers



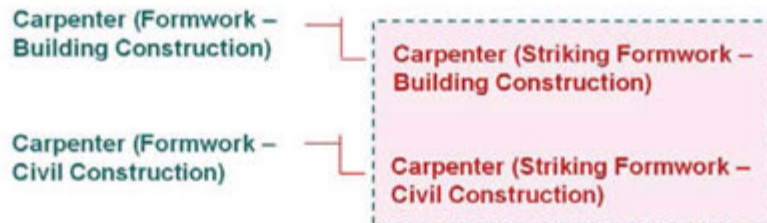
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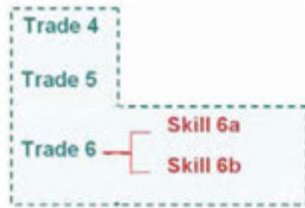
As the skills are **similar** and **without any safety concerns**, a registered skilled worker of "Skill 1c" can carry out work of "Skill 2a" without "instruction and supervision" and vice versa. But, they are **not** allowed to give "instruction and supervision" to other workers to carry out works of trade for which they are not registered.

For example:

Carpenter (Striking Formwork – Building Construction) and Carpenter (Striking Formwork – Civil Construction) are split "skills" of Carpenter (Formwork – Building Construction) and Carpenter (Formwork – Civil Construction) respectively. As they are similar in nature and without any safety concerns, it is proposed that registered skilled workers of these "skills" can carry out each other's work without "instruction and supervision". But, they are not allowed to give "instruction and supervision" to other workers to carry out work of trade/"skills" for which they are not registered.



3.



As trades/ "skills" are similar and without safety concern, they are grouped to form a new trade. A registered skilled worker of any trades/ "skills" within the group is allowed to **independently** carry out works of other trades/ "skills", **but not** allowed to give "instruction and supervision" to other workers for the works of trade for which he has no registration.

For example:

Bricklayer, Mason, Plasterer (including its split skill "Plasterer (floor)") and Tiler (including its split skills "Tiler (Mosaic)" and "Tiler (Tile)") are grouped to form a new trade "Cement-sand Mortar Worker" as follows -



**Construction Workers Registration Ordinance
Proposed Revamp of Schedule 1**

Abbreviation: DEVB: Development Bureau
CWRA: Construction Workers Registration Authority
CICTA: Construction Industry Council Training Academy
HKCIEGU: Hong Kong Construction Industry Employees General Union

CWRO: Construction Workers Registration Ordinance
P&E: Plant & Equipment
R/A/V: Refrigeration/ Air-conditioning/ Ventilation
F&I/U: Factories & Industrial Undertakings
RSW: Registered Skilled Worker
RSS: Registered Semi-skilled Worker

Legend: Governed by other Ordinances or requiring specific qualifications (total 27 trades)
 Trades proposed for grouping
 Proposed trades/skills after subdivision
 RSW is allowed to carry out work across trades /skills of similar techniques and without safety concern
 Trades without need of grouping or subdivision after deliberation

"instruction and supervision" originates from section 4 of CWRO which stipulates that a registered construction worker can carry out construction work of the trade to which he has not registered if he is under the instruction and supervision of RSW or RSS of that trade.

Designated Trades at Schedule 1 — Part 1

No.	No. at Schedule 1 of CWRO	Name of trade or occupation	Skill upon subdivision/ grouping	RSW of trade/ subdivided skill can carry out work of the following trade/ skill without "instruction and supervision" but he cannot "instruct and supervise" others to carry out the work	Remarks (List of relevant Ordinances or qualifications for trades governed by other Ordinances or requiring specific qualifications)	
1.	10.	Diver	-	-	Relevant accredited diving certificates	1.
2.	11.	Electrical Fitter	-	-	Electricity Ordinance (Cap 406)	2.
3.	12.	Escalator Mechanic	-	-	Lifts and Escalators (Safety) Ordinance (Cap 327)	3.
4.	13.	Fire Service Mechanic	-	-	Fire Service (Installation Contractors) Regulations (Cap. 95 sub. leg. A)	4.
5.	14.	Fire Service Portable Equipment Fitter	-	-	Fire Service (Installation Contractors) Regulations (Cap. 95 sub. leg. A)	5.
6.	15.	Gas Installer	-	-	Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations (Cap. 51 sub. leg. D)	6.
7.	17.	Lift Mechanic	-	-	Lifts and Escalators (Safety) Ordinance (Cap 327)	7.
8.	28.	P & E Operator (Bulldozer)	-	-	F&I/U (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG)	8.
9.	29.	P & E Operator (Crawler-mounted Mobile Crane)	-	-	F&I/U (Lifting Appliances and Lifting Gear) Regulation (Cap. 59 sub. leg. J)	9.
10.	30.	P & E Operator (Demolition) - Excavator	-	-	F&I/U (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG)	10.
11.	31.	P & E Operator (Excavator)	-	-	F&I/U (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG)	11.
12.	32.	P & E Operator (Gantry Crane)	-	-	F&I/U (Lifting Appliances and Lifting Gear) Regulation (Cap. 59 sub. leg. J)	12.
13.	33.	P & E Operator (Loader)	-	-	F&I/U (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG)	13.
14.	34.	P & E Operator (Mini-loader)	-	-	F&I/U (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG)	14.
15.	35.	P & E Operator (Mini-loader with attachment)	-	-	F&I/U (Loadshifting Machinery) Regulation (Cap. 59 sub. leg. AG)	15.
16.	38.	P & E Operator (Suspended Working Platform)	-	-	F&I/U (Suspended Working Platforms) Regulation (Cap. 59 sub. leg. AC)	16.
17.	39.	P & E Operator (Tower Crane)	-	-	F&I/U (Lifting Appliances and Lifting Gear) Regulation (Cap. 59 sub. leg. J)	17.
18.	40.	P & E Operator (Truck-mounted Crane)	-	-	F&I/U (Lifting Appliances and Lifting Gear) Regulation (Cap. 59 sub. leg. J)	18.
19.	45.	P & E Operator (Wheeled Telescopic Mobile Crane)	-	-	F&I/U (Lifting Appliances and Lifting Gear) Regulation (Cap. 59 sub. leg. J)	19.
20.	50.	Shotfirer	-	-	Mines (Safety) Regulations (Cap. 285 sub. leg. B)	20.
21.	51.	Structural Steel Welder	-	-	Welding certificate issued by inspection body accredited by Hong Kong Inspection Body Accreditation Scheme	21.
22.	52A	Truck Driver (Articulated vehicles)	-	-	Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B)	22.
23.	53.	Truck Driver (Heavy goods vehicles)	-	-	Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B)	23.
24.	54.	Truck Driver (Medium goods vehicles)	-	-	Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B)	24.
25.	55.	Truck Driver (Special purpose vehicles)	-	-	Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B)	25.
26.	3.	Waterproofing	Waterproofing (Adhesive-type felt)	-	(1) (a) Subdivided trade test has been introduced by CICTA since 29.04.2010. (b) Committee on Review of CWRO proposed to rename Asphalter (Waterproofing) as Waterproofing. See Note (D).	1.
			Waterproofing (Burn-type felt)	-		
			Waterproofing (Liquid Membrane)	-		
27.	16.	Grouting	Non-pressure	-	(2) Consensus was reached at meetings of DEVB with CWRA, CICTA, HKCIEGU and relevant trade associations and labour unions on 19.07.2011 and 07.12.2011, on: subdividing Grouting into Non-pressure Grouting and Pressure Grouting; and allowing Shotcretor to carry out the work of Non-pressure Grouting without "instruction and supervision". See Note (C) and (D).	2.
			Pressure Grouting	-		
28.	5.	Carpenter (Fender)	-	Joiner	(3) Consensus was reached at meeting of DEVB with CWRA, CICTA, HKCIEGU and relevant trade associations and labour unions on 09.12.2011. See Note (C).	1.
29.	6.	Concrete Repairer (Spalling Concrete)	-	(1) Paving Block Layer - (Part 1, No. 22) (2) Bricklayer - (Part 2, No. 3) (3) Mason - (Part 2, No. 25) (4) Plasterer - (Part 2, No. 30) (5) Tiler - (Part 2, No. 39) (6) Mable (Wet Fixing) - not involving tie fastening - (skill after subdivision)	(4) See Remark (7) and Note (D) at No. 58.	2.
30.	49.	Shotcretor	-	Grouting (Non-pressure)	(5) See Remark (2) at No. 27.	3.
31.	1.	Asbestos Abatement Worker	-	-	No need of subdividing/ grouping relevant skill.	1.
32.	2.	Asphalter (Road Construction)	-	-	No need of subdividing/ grouping relevant skill.	2.
33.	4.	Cable Joiner (Power)	-	-	No need of subdividing/ grouping relevant skill.	3.
34.	7.	Curtain Wall Installer	-	-	No need of subdividing/ grouping relevant skill.	4.
35.	8.	Demolition Worker (Building)	-	-	No need of subdividing/ grouping relevant skill.	5.
36.	9.	Demolition Worker (Unauthorized Building Works)	-	-	No need of subdividing/ grouping relevant skill.	6.
37.	18.	Marine Construction Plant Operator (Boom-grab Bucket)	-	-	No need of subdividing/ grouping relevant skill.	7.
38.	19.	Marine Construction Plant Operator (Boom-hook)	-	-	No need of subdividing/ grouping relevant skill.	8.
39.	20.	Marine Construction Plant Operator (Derrick)	-	-	No need of subdividing/ grouping relevant skill.	9.
40.	21.	Overhead Linesman	-	-	No need of subdividing/ grouping relevant skill.	10.
41.	22.	Paving Block Layer	-	-	No need of subdividing/ grouping relevant skill.	11.
42.	23.	Piling Operative	-	-	No need of subdividing/ grouping relevant skill.	12.
43.	24.	Piling Operative (Bored Pile)	-	-	No need of subdividing/ grouping relevant skill.	13.
44.	25.	Piling Operative (Percussive Pile)	-	-	No need of subdividing/ grouping relevant skill.	14.
45.	26.	Pipelayer	-	-	(6) Allow Plumbers to carry out part of the works of laying pipes and drains. See No. 67.	15.
46.	27.	P & E Operator (Bored Pile)	-	-	No need of subdividing/ grouping relevant skill.	16.
47.	36.	P & E Operator (Percussive Pile)	-	-	No need of subdividing/ grouping relevant skill.	17.
48.	37.	P & E Operator (Piling)	-	-	No need of subdividing/ grouping relevant skill.	18.
49.	41.	P & E Operator (Tunneling) - Jumbo Drilling	-	-	No need of subdividing/ grouping relevant skill.	19.
50.	42.	P & E Operator (Tunneling) - Locomotive Operation	-	-	No need of subdividing/ grouping relevant skill.	20.
51.	43.	P & E Operator (Tunneling) - Segment Erection	-	-	No need of subdividing/ grouping relevant skill.	21.
52.	44.	P & E Operator (Tunneling) - Tunnel Boring Machine	-	-	No need of subdividing/ grouping relevant skill.	22.
53.	46.	Prepressing Operative	-	-	No need of subdividing/ grouping relevant skill.	23.
54.	47.	R/A/V Mechanic	-	-	No need of subdividing/ grouping relevant skill.	24.
55.	48.	Rock Breaking Driller	-	-	No need of subdividing/ grouping relevant skill.	25.
56.	52.	Trackworker	-	-	No need of subdividing/ grouping relevant skill.	26.
57.	56.	Tunnel Worker	-	-	No need of subdividing/ grouping relevant skill.	27.

**Construction Workers Registration Ordinance
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 Governed by other Ordinance or requiring specific qualifications (total 27 trades)

 Trades proposed for grouping

 Proposed trades/skills after subdivision

 RSW is allowed to carry out work across trades/skills of similar techniques and without safety concern

 Trades without need of grouping or subdivision after deliberation

"instruction and supervision" originates from section 4 of CWRO which stipulates that a registered construction worker can carry out construction work of the trade for which he has not registered if he is under the instruction and supervision of RSW or RSS of that trade.

Designated Trades at Schedule 1 — Part 2

No.	No. at Schedule 1 of CWRO	Name of trade or occupation	Skill upon subdivision/ grouping	RSW of trade/ subdivided skill can carry out work of the following trade/ skill without "instruction and supervision" but he cannot "instruct and supervise" others to carry out the work	Remarks (List of relevant Ordinances or qualifications for trades governed by other Ordinance or requiring specific qualifications)	
58.	(New Trade)	Cement Sand Mortar Workers	1. Bricklayer - (Part 2, No. 3) 2. Mason - (Part 2, No. 25) 3. Plasterer - (Part 2, No. 30) 4. Plasterer (Floor) - (subdivided skill) 5. Tiler - (Part 2, No. 39) 6. Tiler (Tile) - (subdivided skill) 7. Tiler (Mosaic) - (subdivided skill)	(1) Concrete Repairer (Spalling Concrete) - (Part 1, No. 6) (2) Paving Block Layer - (Part 1, No. 22) (3) Marble Worker (Wet Fixing) - not involving tie Other trade/skill under (4) "Cement Sand Mortar Workers"	(7) (a) DEVB together with CWRA, and CICTA, HKCIEGU and relevant trade associations and labour unions at meetings on 15.07.2011, 07.12.2011 and 13.01.2012, reached consensus on the following: (i) A person possessing skilled worker qualification of any of the skills under "Cement Sand Mortar Worker" is qualified to become RSW of "Cement Sand Mortar Worker". His registered skill will be clearly stated on his registration card, eg.: Cement Sand Mortar Worker (Bricklayer) - RSW; (ii) An RSW of any skills of the "Cement Sand Mortar Worker" can independently carry out work of other skills of "Cement Sand Mortar Worker" for which he has not registered but he cannot "instruct and supervise" others to carry out work of that skill; (iii) Given the fact that the basic techniques are similar and there is no safety concern, an RSW of "Cement Sand Mortar Worker" can, without "instruction and supervision", carry out work of Paving Block Layer, Concrete Repairer (Spalling Concrete), and Marble (Wet Fixing) which does not involve tie fastening. However, he cannot "instruct and supervise" others in carrying out such work. An RSW of Concrete Repairer (Spalling Concrete) can, without "instruction and supervision", carry out work of "Cement Sand Mortar Worker" but he cannot "instruct and supervise" others for carrying out such work. In addition, an RSW of Paving Block Layer whose work does not involve the technique of applying cement, cannot, without "instruction and supervision" carry out the work of "Cement Sand Mortar Worker". (iv) As RSW of Marble Worker (Dry Fixing) possesses techniques of Marble Worker (Wet Fixing) and Marble Worker (Polishing), he can carry out work of Marble Worker (Wet Fixing), Paving Block Layer, Concrete Repairer (Spalling Concrete) and other skills under "Cement Sand Mortar Worker" without "instruction and supervision". (b) Also see Note (C) and (D).	1.
59.	5.	Carpenter (Formwork - Building Construction)	-	Carpenter (Formwork - Civil Construction)	(8) Consensus was reached at meeting of DEVB together with CWRA and CICTA, HKCIEGU and relevant trade associations and labour unions on 09.12.2011. See Note (C) and (D).	1.
		Carpenter (Formwork - Building Construction) Striking	-	Carpenter (Formwork - Civil Construction) Striking		(1)
60.	6.	Carpenter (Formwork - Civil Construction)	-	Carpenter (Formwork - Building Construction)		2.
		Carpenter (Formwork - Civil Construction) Striking	-	Carpenter (Formwork - Building Construction) Striking		(2)
61.	15.	Floor Layer	-	-		
62.	16.	Floor Layer (PVC Flooring)	-	Floor Layer (Timber Flooring)		3.
63.	17.	Floor Layer (Timber Flooring)	-	Floor Layer (PVC Flooring)		4.
64.	22.	Joiner	-	Floor Layer including PVC flooring		5.
		Joiner (Fabrication)	-	-		(3)
65.	24.	Marble Worker	1. Marble Worker (Dry Fixing)	(1) Concrete Repairer (Spalling Concrete) - (Part 1, No. 6) (2) Paving Block Layer - (Part 1, No. 22) (3) Bricklayer - (Part 2, No. 3) (4) Mason - (Part 2, No. 25) (5) Plasterer - (Part 2, No. 30) (6) Tiler - (Part 2, No. 39) (7) Marble Worker (Wet Fixing) - (skill after subdivision) (8) Marble Worker (Polishing)	(9) (a) See Remark (7) at No.58 (b) Following meeting of 13.01.2012 and telephone communication amongst CWRA, Mr. NG Kwok-kwan (from HKCIEGU) and Mr. Lawrence NG (from marble trade association and Hong Kong Construction Sub-Contractors Association) on 17.01.2012, the latter agreed that as a RSW of Marble Worker (Wet Fixing) possesses the technique of Marble Worker (Polishing), Marble Worker (Wet Fixing) can carry out the work of Marble Worker (Polishing) but he cannot instruct and supervise others for carrying out the marble polishing work. (c) The above proposal was confirmed at meeting of 07.02.2012. See Note (D). (d) Also see Note (C).	6. (4)
		2. Marble Worker (Wet Fixing)	(1) Concrete Repairer (Spalling Concrete) - (Part 1, No. 6) (2) Paving Block Layer - (Part 1, No. 22) (3) Bricklayer - (Part 2, No. 3) (4) Mason - (Part 2, No. 25) (5) Plasterer - (Part 2, No. 30) (6) Tiler - (Part 2, No. 39) (7) Marble Worker (Polishing)			(5)
		3. Marble Worker (Polishing)	-	-		(6)

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☐ Governed by other Ordinance or requiring specific qualifications (total 27 trades)

☐ Trades proposed for grouping

☐ Proposed trades/skills after subdivision

☐ RSW is allowed to carry out work across trades/skills of similar techniques and without safety concern

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"instruction and supervision" originates from section 4 of CWRO which stipulates that a registered construction worker can carry out construction work of the trade for which he has not registered if he is under the instruction and supervision of RSW or RSS of that trade.

Designated Trades at Schedule 1 — Part 2

No.	No. at Schedule 1 of CWRO	Name of trade or occupation	Skill upon subdivision/ grouping	RSW of trade/ subdivided skill can carry out work of the following trade/ skill without "instruction and supervision" but he cannot "instruct and supervise" others to carry out the work	Remarks (List of relevant Ordinances or qualifications for trades governed by other Ordinance or requiring specific qualifications)
66.	29.	Painter & Decorator	1. Painter and Decorator (Surface Filling) * 2. Painter and Decorator (Emulsion Painting) * 3. Painter and Decorator (Synthetic Painting) * 4. Painter and Decorator (Clear Lacquering) * 5. Painter and Decorator (Brushing Lacquering) * 6. Painter and Decorator (Paperhanging) * 7. Painter and Decorator (Sign writing) @ 8. Painter and Decorator (Metal Paint Spray) @ 9. Painter and Decorator (Texture Spray) @ 10. Painter and Decorator (Roller Painting) *	1. An RSW holding any of the skill of 1, 2, 3, 4, 5 and 10 (skill after trade subdivision and with * mark) can carry out work of either of these six skills. 2. An ROW holding any of the skills of No. 8 & 9 (skill after subdivision and with @ mark) can carry out work of either of these two skills.	(10) Consensus was reached at meetings of DEVB together with CWRA, CICTA and HKCIEGU and relevant trade associations and labour unions on 28.04.2011, 28.07.2011 and 03.01.2012 that Painter and Decorator will be subdivided into 10 skills, allowing workers of any of these subdivided skills to carry out work of other relevant skills of Painter and Decorator, including: (a) Hanging Wall Paper & Sign-Writing and Stenciling as skill independent from others; (b) Keep the current trade test and registration arrangement for Painter and Decorator; (c) There will only be RSW for each of the subdivided skill; (This is superseded. See Note (D)) (d) Delete Painter (Texture Spray) which will be included under Painter and Decorator; and (e) The skill concerned will be clearly stated on registration cards. See Note (C) and (D).
67.	31.	Plumber	-	To lay drains of not more than 450 millimeters inner diameter with excavation depth not more than 1.5 meters. To lay watermain of not more than 300 millimeters inner diameter with excavation depth not more than 1.5 meters.	(11) At a meeting of DEVB together with Drainage Services Department, Water Supplies Department, CWRA, and CICTA, HKCIEGU and relevant trade associations and labour unions on 12.12.2011, initial agreement was reached on the proposal of allowing Plumber to carry out part of the works of pipe and drain laying. CICTA is studying the need of launching top-up course on laying drains and watermain for Plumber. See Note (C) and (D) -
28.	28.	Bricklayer	-	-	(12)(a) See Remark (7) at No. 58.
25.	25.	Mason	-	-	(b) Propose to group Bricklayer, Mason, Plasterer, Plasterer (Floor), Tiler, Tiler (Tile) and Tiler (Mosaic) under "Cement Sand Mortar Worker".
30.	30.	Plasterer	-	-	(c) See Note (C) & (D) ;
39.	39.	Tiler	-	-	
			Plasterer (Floor)		
			Tiler (Tile)		
			Tiler (Mosaic)		
68.	1.	Bamboo Scaffolder	-	-	(13) See Note (B)(2).
69.	2.	Bar Bender and Fixer	-	-	(14) On 13.04.2011, the trade association and labour union on Bar Bender and Fixer agreed to subdivide Bar Bender and Fixer into skills. On 17.01.2012, CWRA received a letter from another labour union, the Bar Bending Industry Workers Solidarity Union which opposed the proposed subdivision. Afterward, on 20 March 2012, DEVB together with CWRA, CICTA and HKCIEGU and bar bending trade associations and unions further discussed the issue. It was agreed that the Bar Bender and Fixer trade did not have any need for splitting or grouping.
70.	4.	Building Security System Mechanic	-	-	Permit in relation to the activities of "security work" under Security and Guarding Services Ordinance (Cap 460)
71.	7.	Communication System Mechanic	-	-	No need of subdividing/ grouping relevant skill.
72.	8.	Concretor	-	-	No need of subdividing/ grouping relevant skill.
73.	9.	Construction Plant Mechanic	-	-	(15) See Note (B)(3).
74.	10.	Control Panel Assembler	-	-	No need of subdividing/ grouping relevant skill.
75.	11.	Drainlayer	-	-	(16) Allow Plumbers to carry out part of the works of laying pipes and drains. See No. 67 and Note (C).
76.	12.	Electrical Wireman	-	-	No need of subdividing/ grouping relevant skill.
77.	13.	Fire Service Electrical Fitter	-	-	No need of subdividing/ grouping relevant skill.
78.	14.	Fire Service Mechanical Fitter	-	-	No need of subdividing/ grouping relevant skill.
79.	18.	General Welder	-	-	No need of subdividing/ grouping relevant skill.
80.	19.	Glazier	-	-	No need of subdividing/ grouping relevant skill.
81.	20.	Ground Investigation Operator/Driller/Borer	-	-	No need of subdividing/ grouping relevant skill.
82.	21.	Hand-dug Caisson Worker	-	-	No need of subdividing/ grouping relevant skill.
83.	23.	Leveller	-	-	No need of subdividing/ grouping relevant skill.
84.	26.	Mechanical Fitter	-	-	No need of subdividing/ grouping relevant skill.
85.	27.	Metal Scaffolder	-	-	No need of subdividing/ grouping relevant skill.
86.	28.	Metal Worker	-	-	No need of subdividing/ grouping relevant skill.
87.	32.	R/A/V Mechanic (Air System)	-	-	No need of subdividing/ grouping relevant skill.
88.	33.	R/A/V Mechanic (Electrical Control)	-	-	No need of subdividing/ grouping relevant skill.
89.	34.	R/A/V Mechanic (Thermal Insulation)	-	-	No need of subdividing/ grouping relevant skill.
90.	35.	R/A/V Mechanic (Unitary System)	-	-	No need of subdividing/ grouping relevant skill.
91.	36.	R/A/V Mechanic (Water System)	-	-	No need of subdividing/ grouping relevant skill.

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92.	37.	Rigger/ Metal Formwork Erector	-	-	No need of subdividing/ grouping relevant skill.	26.
93.	38.	Structural Steel Erector	-	-	No need of subdividing/ grouping relevant skill.	27.
94.	40.	Window Frame Installer	-	-	No need of subdividing/ grouping relevant skill.	28.

Designated Trades at Schedule 1 — Part 3

No.	No. at Schedule 1 of CWRO	Name of trade or occupation	Skill upon subdivision/ grouping	RSW of trade/ subdivided skill can carry out work of the following trade/skill without 'instruction and supervision' but he cannot "instruct and supervise" others to carry out the work.	Remarks (List of relevant Ordinances or qualifications for trades governed by other Ordinance or requiring specific qualifications)	
95.	2.	Builder's Lift Operator	-	-	Builders' Lifts and Tower Working Platforms (Safety) Ordinance (Cap. 470)	27.
	4.	Painter (Texture-Spray)	-	-	(17) See Remark (10) at No. 66.	

Note:

(A) In 2009, CWRA deliberated with the industry stakeholders on subdivision of trades into skills, and proposed to subdivide the trade test of the following 6 designated trades.

Designated Trade	Proposed Subdivided Trade Test	Designated Trade	Proposed Subdivided Trade Test
1. Plasterer	(1) Plasterer (Floor)	4 Marble Worker	(1) Marble Worker (Dry Fixing) (2) Marble Worker (Wet Fixing) (3) Marble Worker (Polishing)
2. Tiler	(1) Tiler (Tile) (2) Tiler (Mosaic)	5 Carpenter (Formwork - Building Construction)	(1) Carpenter (Formwork - Building Construction) Erection - (Finally confirmed not necessary) (2) Carpenter (Formwork - Building Construction) Striking
3. Joiner	(1) Joiner (Ceiling) - (Finally confirmed not necessary) (2) Joiner (Fabrication)	6 Carpenter (Civil Construction)	(1) Carpenter (Formwork - Civil Construction) Erection - (Finally confirmed not necessary) (2) Carpenter (Formwork - Civil Construction) Striking

(B) Other proposals deliberated on sub-dividing designated trades to skills:

- (1) Subdivide Joiner into Joiner (Ceiling) and Joiner (Fabrication):
The relevant labour unions have proposed to subdivide Joiner into Joiner (Ceiling) and Joiner (Fabrication). At a meeting of CWRA and relevant trade associations and labour unions on 24.02.2011, the industry stakeholders informed that, in general, wooden ceiling was not prevalent and thus the subdivided skill of Joiner (Ceiling) was not necessary. Finally, consensus was reached at a meeting held on 09.12.2011 to subdivide the trade into Joiner (Fabrication).
 - (2) Subdivide Bamboo Scaffold into Bamboo Scaffolding (Erection) & Bamboo Scaffolding (Dismantling):
The trade association on Bamboo Scaffolding proposed the subdivision whereas the labour unions and Labour Department, in consideration of the nature of the work, disagreed. The Registration Implementation Committee under CWRA also disagreed with the proposal due to safety concern.
 - (3) Subdivide Construction Plant Mechanic into (a) Construction Plant Mechanic (Hoisting), (b) Construction Plant Mechanic (Bulldozing and Excavating), and Construction Plant Mechanic (General Mechanic):
(i) The former Chairman (李冠華先生) of Course Advisory Committee on plant mechanics maintenance held the view that workers of semi-skilled level would be able to cope with the daily work of plant mechanic maintenance. (ii) Labour unions opposed to the subdivision proposal.
 - (4) Subdivide Plumber into (a) Plumber (Construction Site), and (b) Plumber (Renovation):
(i) The relevant trade associations proposed the subdivision into watermain system and drains system; (ii) Mr. 林國琴, the chairman of the relevant labour union disagreed with the subdivision; (iii) Finally, both the labour union and trade association agreed that subdivision was not necessary.
- (C) CIC in a letter dated 09.01.2012 pointed out that the Construction Industry Training Board expressed reservation on the above proposal of revamping Schedule 1. CIC considers that a modular and ladder approach and overall revamping to the trades would be more feasible and acceptable than subdividing the trades into skills.
- (D) DEVB together with CWRA, CICTA, HKFIEGU and relevant trade associations and labour unions on "Cement Sand Mortar Worker", Marble Worker, and Painter and Decorator held a meeting on 07.02.2011 to further consider the proposal of revamping Schedule 1. (Note: representatives of CICTA pointed out that they would, at the meeting, only provide technical information relating to trades, and their comments on revamping Schedule 1 were contained in CIC's letter of 09.01.2012). The participants, except representatives from CICTA, reached consensus on the following:
- (1) As RSW of Marble (Wet Fixing) also possesses the technique of Marble (Polishing), those RSW can carry out the work of Marble (Polishing) without "instruction and supervision" but cannot "instruct and supervise" others for carrying out marble polishing work.
 - (2) Agreement was reached to only have registration as skilled worker for the subdivided skills under Part 1 of Schedule 1. There will be registration as both skilled and semi-skilled workers for the subdivided skills under Part 2 of Schedule 1. Final confirmation will be made upon consultation with the Course Advisory Panels.
 - (3) Under certain circumstances, Bricklayer and Mason need to fasten wall tie to bricks and mason respectively. However, the skill level of making wall tie is considered fundamental in the construction industry. As skilled worker of other skills under Cement Sand Mortar possesses the relevant technique and there is no safety concern, it was agreed that RSW of Cement Sand Mortar Worker who has not registered for Bricklayer and Mason can carry out work of the relevant skills without "instruction and supervision".
 - (4) Given that the basic techniques are similar and there is no safety concern, RSW of Concrete Repairer (Spalling Concrete) and Cement Sand Mortar are allowed to carry out work of each other trade without "instruction and supervision". As Concrete Repairer (Spalling Concrete) is a trade under Part 1 of Schedule 1 and with RSW skill level only, whereas the trades of Bricklayer, Mason, Plasterer and Tiler under Cement Sand Mortar are trades under Part 2 of Schedule 1 with skill levels pitched at both RSW and RSS, it was agreed that Concrete Repairer (Spalling Concrete) will not be included under the new trade of "Cement Sand Mortar Worker" under Part 2 of Schedule 1.
 - (5) As surface filling involves fundamental technique in the sector of painting, an RSW with skill of painting possesses the technique of surface filling, whereas an RSW of surface filling also possesses the technique of painting, the proposal of allowing RSW to work across skills as stated in No. 66 of this table was re-confirmed.
 - (6) Both surface filling and plastering involve the use of a trowel to apply and fill dressings on walls, floors and ceilings etc., but there is substantial difference in the skills involved. Surface filling involves work on a thin but smooth surface, whereas plastering involves work on a thicker cement surface of about 10-15mm. Participants at the meeting agreed that these two trades involve different skills.
- (E) On 12 March 2012, DEVB together with CWRA, CICTA, VTC, EMSD and relevant E&M trade associations and labour unions held a meeting. It was confirmed that there was no need of subdividing/ grouping relevant skills for E&M trades.

Annex C - Proposed preliminary grouping of trades (附件C - 擬議初步工種分組)

No.	Name of Trade Group (工種組別名稱)	Name of Trade / Skills (工種/技能名稱)	May be registered as (可讓人註冊為)		No. of trades/ skills in group (組別內之工 種/技能數目)	Associated with other ordinances (Special Qualification) (關連其他法例 (或具有特定註冊資格)
			Skilled worker (熟練技工)	Semi-skilled worker (半熟練技工)		
Civil & Building Engineering (土木及樓宇工程)						
1	Blasting Worker (爆破工)	Rock Breaking Driller Shotfirer	鑽破工 爆石工	Y Y	- -	2 -
2	Carpenter (木工)	Carpenter (Fender) Carpenter (Formwork - Building Construction) Carpenter (Formwork - Building Construction) Striking Carpenter (Formwork - Civil Construction) Carpenter (Formwork - Civil Construction) Striking Joiner Joiner (Fabrication)	木工(護木) 木模板工(樓宇工程) 木模板工(樓宇工程)拆板 木模板工(土木工程) 木模板工(土木工程)拆板 細木工 細木工(組裝)	Y Y Y Y Y Y Y	- Y Y Y Y Y Y	7 -
3	Cement Sand Mortar Worker (泥水工)	Bricklayer Mason Plasterer Plasterer (Floor) Tiler Tiler (Tile) Tiler (Mosaic)	砌磚工 砌石工 批盪工 批盪工(盪地台) 鋪瓦工 鋪瓦工(瓦瓦) 鋪瓦工(紙皮石)	Y Y Y Y Y Y Y	Y Y Y Y Y Y Y	7 -
4	Concreting and Grouting Worker (混凝土及灌漿工)	Concrete Repairer (Spalling Concrete) Concretor Grouting Non-pressure grouting Shotcretor	混凝土修補工(混凝土剝落) 混凝土工 灌漿工 普通灌漿工 噴射混凝土工	Y Y Y Y Y	- Y - - -	5 -
5	Demolition worker (拆卸工)	Demolition Worker (Building) Demolition Worker (Unauthorized Building Works)	拆卸工(建築物) 拆卸工(違例建築工程)	Y Y	- -	2 -
6	Drain and Pipe Layer (地渠及喉管工)	Drainlayer Pipelayer Plumber	地渠工 敷喉管工 水喉工	Y Y Y	Y - Y	3 -
7	Floor Layer (鋪地板工)	Floor Layer Floor Layer (PVC Flooring) Floor Layer (Timber Flooring)	鋪地板工 鋪地板工(塑料地板) 鋪地板工(木地板)	Y Y Y	Y Y Y	3 -
8	Glazier (玻璃工)	Curtain Wall Installer Glazier Window Frame Installer	幕牆工 玻璃工 窗框工	Y Y Y	- Y Y	3 -
9	Marble Worker (雲石工)	Marble Worker Marble Worker (Dry Fixing) Marble Worker (Wet Fixing) Marble Worker (Polishing)	雲石工 雲石工(乾掛) 雲石工(濕掛) 雲石工(打磨)	Y Y Y Y	Y Y Y Y	4 -
10	Marine Construction Plant Operator (海面建造機械操作工)	Marine Construction Plant Operator (Boom-grab Buck) Marine Construction Plant Operator (Boom-hook) Marine Construction Plant Operator (Derrick)	海面建造機械操作工(吊臂 — 夾吊) 海面建造機械操作工(吊臂 — 鉤吊) 海面建造機械操作工(吊桿)	Y Y Y	- - -	3 -
11	Metal and Steel Worker (金屬鋼鐵工)	Metal Worker Bar Bender and Fixer Structural Steel Erector	金屬工 鋼筋屈紮工 結構鋼架工	Y Y Y	Y Y Y	3 -
12	Painter and Decorator (裝修及裝飾工)	Painter and Decorator Pre-paint Surface Filling Worker Emulsion Painter Synthetic Resin Painter Clear Lacquer Painter (?) Brushing Lacquer Painter (?) Wallpaper Worker Sign and Stencil Painter Metal Spray Paint Worker Texture Spray Paint Worker Roller Painting Worker	裝修及裝飾工 批填漆灰工 掃乳膠漆工 聚油基漆工 裝修透明纖維素漆工 聚手掃漆工 裱貼牆紙工 繪寫字體工 鋸器噴漆工 噴塗油漆工 內外牆牆油工	Y Y Y Y Y Y Y Y Y Y Y	Y Y Y Y Y Y Y Y Y Y Y	11 -
13	Piling Operative (打樁工)	Piling Operative Piling Operative (Bored Pile) Piling Operative (Percussive Pile)	打樁工 打樁工(鑽孔樁) 打樁工(撞擊式樁)	Y Y Y	- - -	3 -
14	Plant & Equipment Operator (機械設備操作工)	Builder's Lift Operator Ground Investigation Operator/ Driller/ Borer P & E Operator (Bored Pile) P & E Operator (Bulldozer) P & E Operator (Crawler-mounted Mobile Crane) P & E Operator (Demolition) - Excavator P & E Operator (Excavator) P & E Operator (Gantry Crane) P & E Operator (Loader) P & E Operator (Mini-loader With Attachments) P & E Operator (Mini-loader) P & E Operator (Percussive Pile) P & E Operator (Piling) P & E Operator (Suspended Working Platform) P & E Operator (Tower Crane) P & E Operator (Truck-mounted Crane) P & E Operator (Tunnelling) - Jumbo Drilling	機械設備操作工(建築工地升降機) 岩土勘探工/鑽井工/鑽孔工 機械設備操作工(鑽孔樁) 機械設備操作工(推土機) 機械設備操作工(履帶式固定吊臂起重機) 機械設備操作工(拆卸) — 挖掘機 機械設備操作工(挖掘機) 機械設備操作工(龍門式起重機) 機械設備操作工(搬土機) 機械設備操作工(小型裝載機(連配件)) 機械設備操作工(小型裝載機) 機械設備操作工(撞擊式樁) 機械設備操作工(打樁) 機械設備操作工(吊船) 機械設備操作工(塔式起重機) 機械設備操作工(貨車吊機) 機械設備操作工(隧道) — 鑽孔機	- Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	Y - - - - - - - - - - - - - - - - -	Cap. 470 - - Cap. 59 Cap. 59 Cap. 59 Cap. 59 Cap. 59 Cap. 59 Cap. 59 Cap. 59 Cap. 59 - - Cap. 59 Cap. 59 Cap. 59 -

No.	Name of Trade Group (工種組別名稱)	Name of Trade / Skills (工種/技能名稱)	May be registered as (可讓人註冊為)		No. of trades/ skills in group (組別內之工 種/技能數目)	Associated with other ordinances (Special Qualification) (屬其他法例 或具有特定註冊資格)
			Skilled worker (熟練技工)	Semi-skilled worker (半熟練技工)		
		P & E Operator (Tunnelling) - Locomotive Operation	機械設備操作工(隧道)-機車操作	Y	-	-
		P & E Operator (Tunnelling) - Segment Erection	機械設備操作工(隧道)-拱塊安裝	Y	-	-
		P & E Operator (Tunnelling) - Tunnel Boring Machine	機械設備操作工(隧道)-鑽挖機械	Y	-	-
		P & E Operator (Wheeled Telescopic Mobile Crane)	機械設備操作工(輪胎式液壓伸縮吊臂起重機)	Y	-	21
15	Scaffolder (棚架工)	Bamboo Scaffolder	竹棚工	Y	Y	-
		Metal Scaffolder	金屬棚架工	Y	Y	2
16	Truck Driver (駕駛員)	Truck Driver (Articulated vehicles)	掛接式車輛駕駛員	Y	-	Cap. 374
		Truck Driver (Heavy goods vehicles)	重型貨車駕駛員	Y	-	Cap. 374
		Truck Driver (Medium goods vehicles)	中型貨車駕駛員	Y	-	Cap. 374
		Truck Driver (Special purpose vehicles)	特別用途車輛駕駛員	Y	-	4
17	Waterproofing (防水工)	Asphalt Waterproofing Worker	瀝青防水工	Y	-	-
		Waterproofing (Adhesive-type Felt) Worker	黏貼型瀝青氈防水工	Y	-	-
		Waterproofing (Burn-type Felt) Worker	燒膠堆瀝青氈防水工	Y	-	-
		Waterproofing (Liquid Membrane) Worker	塗膜防水工	Y	-	4
18	Welder (焊接工)	General Welder	普通焊接工	Y	Y	-
		Structural Steel Welder	結構鋼材焊接工	Y	-	2
19	-	Asbestos Abatement Worker	清除石棉工	Y	-	1
20	-	Asphalter (Road Construction)	瀝青工(道路建造)	Y	-	1
21	-	Diver	潛水員	Y	-	1
22	-	Hand-dug Caisson Worker	手挖沉箱工	Y	Y	1
23	-	Leveller	平水工	Y	Y	1
24	-	Paving Block Layer	地磚鋪砌工	Y	-	1
25	-	Prestressing Operative	預應力(拉力)工	Y	-	1
26	-	Rigger/Metal Formwork Erector	索具工(叻囉)/金屬模板裝嵌工	Y	Y	1
27	-	Trackworker	鋪軌工	Y	-	1
28	-	Tunnel Worker	隧道工	Y	-	1
Electrical & Mechanical Engineering (機電工程)						
29	Electrical workers (電工)	Cable Joiner (Power)	強電纜電纜接駁技工	Y	-	-
		Control Panel Assembler	控制面板裝配工	Y	Y	-
		Electrical Fitter	電氣裝配工	Y	-	Cap. 406
		Electrical Wireman	電氣佈線工	Y	Y	-
		Overhead Linesman	架空電線技工	Y	-	5
30	Fire Service Mechanic (消防設備技工)	Fire Service Mechanic	消防設備技工	Y	-	Cap. 95
		Fire Service Electrical Fitter	消防電氣裝配工	Y	Y	-
		Fire Service Mechanical Fitter	消防機械裝配工	Y	Y	-
		Fire Service Portable Equipment Fitter	手提消防設備裝配工	Y	-	4
31	Lifts and Escalators Mechanic (升降機及自動梯技工)	Escalator Mechanic	自動梯技工	Y	-	Cap. 327
		Lift Mechanic	升降機技工	Y	-	2
32	Mechanics (機械工)	Building Security System Mechanic	建築物防盜系統技工	Y	Y	Cap. 460
		Communication System Mechanic	電訊系統裝配工	Y	Y	-
		Construction Plant Mechanic	建造機械技工	Y	Y	-
		Mechanical Fitter	機械打磨裝配工	Y	Y	4
33	Refrigeration/ Air-conditioning/ Ventilation Mechanics (空調製冷設備技工)	R / A / V Mechanic	空調製冷設備技工	Y	-	-
		R / A / V Mechanic (Air System)	空調製冷設備技工(送風系統)	Y	Y	-
		R / A / V Mechanic (Electrical Control)	空調製冷設備技工(電力控制)	Y	Y	-
		R / A / V Mechanic (Thermal Insulation)	空調製冷設備技工(保溫)	Y	Y	-
		R / A / V Mechanic (Unitary System)	空調製冷設備技工(獨立系統)	Y	Y	-
		R / A / V Mechanic (Water System)	空調製冷設備技工(水系統)	Y	Y	6
34	-	Gas Installer	氣體裝置技工	Y	-	1

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Legends:

R / A / V Mechanic = Refrigeration/ Air-conditioning/ Ventilation Mechanic

P & E Operator = Plant and Equipment Operator

Y = Yes

Annex D
Proposed exemption of emergency work and minor work

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(For reference and discussion)

Construction Workers Registration Ordinance (Cap. 583)
Technical Memorandum on Exemption of Construction Works

Contents

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 - 2.1 Emergency construction work
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 - 2.3 Designated exempted works
 - 2.4 Specified exempted quantities of designated trades

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(For reference and discussion)

1. Preliminary

1.1 Citation and Commencement

1.1.1 This technical memorandum is issued under the Construction Workers Registration Ordinance (CWRO). It may be cited as the Technical Memorandum on Exemption of Construction Work.

1.1.2 This technical memorandum shall come into operation on a day to be appointed by the Secretary for Development by notice published in the Gazette.

1.2 Interpretation

1.2.1 This technical memorandum uses standard scientific terms. Where the CWRO defines a term, that term applies.

1.2.2 “emergency incident”(緊急事故) means an incident the occurrence of which reasonably requires an immediate carrying out of construction work for the purpose of -

- (a) the saving of life of any person;
- (b) the prevention of injury to any person;
- (c) the prevention of damage to any property; or
- (d) the prevention of serious interruption or disruption to any public transport system or utility services;

1.2.3 “emergency construction work”(緊急建造工作) means a construction work that is made or maintained consequential upon the occurrence of an emergency incident;

1.2.4 “minor construction work” means -

- (a) Work of small contract sum as specified in Clause 2.2 ;
- (b) Designated work as specified in Clause 2.3 ; or
- (c) Construction work involving trades with quantities not exceeding the exempted

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threshold as specified in Clause 2.4.

- 1.2.5 “exempted construction work” means minor construction work and emergency construction work as specified in Clause 2.1.

1.3 Application and Scope

- 1.3.1 The exempted construction works described in this technical memorandum are exempt from prohibitions under section 3(2), (3) and (4) of CWRO.
- 1.3.2 The following designated trades are not to be exempted due to being regulated by other ordinances or their own individual requirements –

Part 1 of Schedule 1

	Name of trade	No. in Part 1 of Schedule 1
1.	Asbestos Abatement Worker	1
2.	Cable Jointer (Power)	4
3.	Curtain Wall Installer	7
4.	Demolition Worker (Unauthorized Building Works)	9
5.	Diver	10
6.	Electrical Fitter	11
7.	Escalator Mechanic	12
8.	Fire Service Mechanic	13
9.	Fire Service Portable Equipment Fitter	14
10.	Gas Installer	15
11.	Grouting Worker	16
12.	Lift Mechanic	17
13.	Marine Construction Plant Operator (Boomgrab Bucket)	18
14.	Marine Construction Plant Operator (Boomhook)	19
15.	Marine construction Plant Operator (Derrick)	20
16.	Overhead Linesman	21
17.	Piling Operative	23
18.	Piling Operative (Bored Pile)	24

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	Name of trade	No. in Part 1 of Schedule 1
19.	Piling Operative (Percussive Pile)	25
20.	Pipelayer	26
21.	Plant and Equipment Operator (Bored Pile)	27
22.	Plant and Equipment Operator (Bulldozer)	28
23.	Plant and Equipment Operator (Crawlermounted Mobile Crane)	29
24.	Plant and Equipment Operator (Demolition)— Excavator	30
25.	Plant and Equipment Operator (Excavator)	31
26.	Plant and Equipment Operator (Gantry Crane)	32
27.	Plant and Equipment Operator (Loader)	33
28.	Plant and Equipment Operator (Mini-loader)	34
29.	Plant and Equipment Operator (Mini-loader (with Attachments))	35
30.	Plant and Equipment Operator (Percussive Pile)	36
31.	Plant and Equipment Operator (Piling)	37
32.	Plant and Equipment Operator (Suspended Working Platform)	38
33.	Plant and Equipment Operator (Tower Crane)	39
34.	Plant and Equipment Operator (Truckmounted Crane)	40
35.	Plant and Equipment Operator (Tunneling)— Jumbo Drilling	41
36.	Plant and Equipment Operator (Tunneling)— Locomotive Operation	42
37.	Plant and Equipment Operator (Tunneling)— Segment Erection	43
38.	Plant and Equipment Operator (Tunneling)— Tunnel Boring Machine	44
39.	Plant and Equipment Operator (Wheeled Telescopic Mobile Crane)	45
40.	Prestressing Operative	46
41.	Refrigeration/ Air-conditioning/ Ventilation Mechanic	47
42.	Rock Breaking Driller	48
43.	Shotcretor	49
44.	Shotfirer	50
45.	Structural Steel Welder	51
46.	Trackworker	52
47.	Truck Driver (Articulated vehicles)	52A
48.	Truck Driver (Heavy goods vehicles)	53

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	Name of trade	No. in Part 1 of Schedule 1
49.	Truck Driver (Medium goods vehicles)	54
50.	Truck Driver (Special purpose vehicles)	55
51.	Tunnel Worker	56

Part 2 of Schedule 1

	Name of trade	No. in Part 2 of Schedule 1
1.	Bamboo Scaffolder	1
2.	Building Security System Mechanic	4
3.	Communication System Mechanic	7
4.	Construction Plant Mechanic	9
5.	Control Panel Assembler	10
6.	Fire Service Electrical Fitter	13
7.	Fire Service Mechanical Fitter	14
8.	General Welder	18
9.	Ground Investigation Operator/ Driller/ Borer	20
10.	Hand-dug Caisson Worker	21
11.	Leveller	23
12.	Mechanical Fitter	26
13.	Metal Scaffolder	27
14.	Refrigeration/ Air-conditioning/ Ventilation Mechanic (Air System)	32
15.	Refrigeration/ Air-conditioning/ Ventilation Mechanic (Electrical Control)	33
16.	Refrigeration/ Air-conditioning/ Ventilation Mechanic (Thermal Insulation)	34
17.	Refrigeration/ Air-conditioning/ Ventilation Mechanic (Unitary System)	35
18.	Refrigeration/ Air-conditioning/ Ventilation Mechanic (Water System)	36
19.	Rigger/Metal Formwork Erector	37
20.	Window Frame Installer	40

Part 3 of Schedule 1

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	Name of trade	No. in Part 3 of Schedule 1
1.	Builder's Lift Operator	2

1.3.3 Except those trades not to be exempted as specified in Clause 1.3.2, the exemption of construction work shall be read as including all trades involved in the work and in any make-good works that are reasonably required for the purpose of carrying out the work.

1.3.4 The quantities of trades involved in any make-good works specified in Clause 1.3.3 should not be counted as part of the exempted quantities specified in Clauses 2.3 or 2.4.

1.3.5 For the avoidance of doubt, should there be any discrepancies in quantities of trades specified in the designated exempted work in Clause 2.3 and the exempted threshold of trades specified in Clause 2.4, the former shall prevail.

1.4 Method of Measurement

1.4.1 The exempted quantity of a designated trade shall refer to the total amount of the concerned work that are contiguous irrespective of whether the concerned work is constructed in stages.

1.5 Amendment

1.5.1 The Secretary may, by notice published in the Gazette, amend this technical memorandum.

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2. Exempted construction work

2.1 The following emergency work is exempted construction work :

1. The first 48 hours of emergency construction work starting from the time of the report of the emergency incident to the Authority.

2.2 The following work of small contract sum is exempted construction work :

1. Cost of each contract or quotation of works, or works order issued under term contract for maintenance not exceeding \$50,000. If the works order and other works orders at the location are continuous and form the whole or part of the construction works, then the total value of the workers orders should be subjected to this cost threshold.

[Note: The contract sum of \$50,000 as exemption threshold was determined based on cost of workers orders and quotations issued under term contract for maintenance of works department during September 2010 – September 2011. We will review this threshold with reference to latest construction cost fluctuation when drafting the legislative amendment.]

2.3 The following works are exempted construction work :

1. Construction or alteration of concrete U-Channel, dish-channel or similar surface channel, underground gravity drain, pipe/duct, culvert or other underground non-pressurized pipe/duct
 - Excavation \leq 1.2m (deep);
 - the distance between any point of the excavation and any retaining structure or slope toe is at least equal to the depth of the excavation; and
 - if the works are carried out beside the crest of a slope —
 - (i) the gradient of the slope is not more than 15 degrees;
 - (ii) the height of the slope is not more than 3 m; and
 - (iii) the distance between any point of the excavation and the outer edge of the crest is at least 1.5 times the height of the

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slope.

2. Construction or alteration of aboveground gravity drain, pipe/duct or other aboveground non-pressurized pipe/duct
 - Aboveground drainpipe of internal diameter $\leq 300\text{mm}$ and not embedded in structure other than passing through a wall or slab.
3. Construction or alteration of catchpit, manhole, gullies, sandtrap, cable draw pit, value pit or other similar service pit –
 - Chamber plan area $\leq 2 \text{ m}^2$; and
 - Depth of chamber $\leq 1.3\text{m}$.
4. Construction or alteration of concrete or brick wall (other than a load bearing wall)
 - For external reinforced concrete wall, wall height from ground level $\leq 0.9\text{m}$; if such external reinforced concrete wall serves as only a planter wall and does not function as parapet, wall height from ground level $\leq 1.2\text{m}$;
 - For external brickwall, wall height from ground level $\leq 1.1\text{m}$, or
 - For internal wall, wall height from adjoining floor level $\leq 2.6\text{m}$ and thickness $\leq 150\text{mm}$ including wall finishes, and
 - The works do not involve alteration of any other structural elements.
5. Repair or maintenance of concrete wall or brickwall (other than a load bearing wall)
 - The works do not involve alteration of any other structural elements;
 - For RC wall, wall height from adjacent ground level or adjacent floor level $\leq 2.6\text{m}$; and
 - For brickwall, wall height from adjacent ground level or adjacent floor level $\leq 3\text{m}$.
6. Construction of bituminous road pavement –
 - Pavement area $\leq 50\text{m}^2$; or

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- Trench not exceeding 500mm wide.
7. Construction of plain or reinforced concrete road –
 - Road area $\leq 30\text{m}^2$
 8. Construction of footpath or tracks including run-in, with plain or reinforced concrete –
 - Footpath or track comprising run-in, area $\leq 45\text{m}^2$
 - Footpath or track not comprising run-in, area $\leq 90\text{m}^2$
 9. Construction of reinforced concrete, steel or wooden boardwalk –
 - Reinforced concrete or steel boardwalk structure with span $\leq 4.5\text{m}$;
 - Wooden boardwalk structure with span $\leq 3\text{m}$; and
 - Height of boardwalk structure $\leq 1.5\text{m}$.
 10. Construct, replace or repair metal handrail, barrier fence, or other protective barrier –
 - The difference in height between the level on which the metal railing is located and its adjacent level is not more than 2 m.
 11. Replace or repair metal cat-ladder –
 - Height of cat-ladder $\leq 1.5\text{m}$
 12. Erection or alteration of any external mesh fence –
 - the fence is erected on-grade; and
 - the height of the fence from ground level is not more than 2.2 m.
 13. Construction or repair of traffic signs and posts, street name plates and posts, and visitors' signs and posts –
 - Area of plate not exceeding 1m^2
 14. All Class III Minor Works and Designated Exempted Works under Building (Minor Works) Regulation (Cap. 123 sub. leg. N)

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(For reference and discussion)

2.4 Exempted threshold of designated trades

Part 1 of Schedule 1

	Name of designated trade	No. in Part 1 of Schedule 1	Exempted threshold and condition (if any)
1.	Asphalter (Road Construction)	2	(See Clause 2.3)
2.	Asphalter (Waterproofing)	3	Asphalter waterproofing area not exceeding <ul style="list-style-type: none"> ● 50m² for replace or repair ● 25m² for new construction
3.	Carpenter (Fender)	5	Replace or repair timber volume not exceeding 3m ³
4.	Concrete Repairer (Spalling Concrete)	6	(a) The works do not involve the alteration of any other structural elements; (b) The distance between the highest point of the area in respect of which the repair is to be carried out and the adjoining ground or adjoining floor is not more than 3m; and (c) Spalling concrete repairing area not exceeding 30m ² .
5.	Demolition Worker (Building)	8	(a) For demolition of brick wall, wall height not exceeding 2.6m and wall thickness ≤ 150mm; (b) For demolition of concrete structure, height of structure not exceeding 1.5m.
6.	Paving Block Layer	22	Replace or repair paving area not exceeding 50m ² or new construct paving area not exceeding 25m ²

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(For reference and discussion)

Part 2 of Schedule 1

	Name of designated trade	No. in Part 2 of Schedule 1	Exempted threshold and condition (if any)
1.	Bar Bender and Fixer	2	Fix steel reinforcement of not exceeding 0.15 ton (Note: This exemption is only applicable to fixing and not for cutting or bending.)
2.	Bricklayer	3	(See Clause 2.3)
3.	Carpenter (Formwork-Building Construction)	5	Area of formwork not exceeding 15m ²
4.	Carpenter (Formwork-Civil Construction)	6	Area of formwork not exceeding 15m ²
5.	Concretor	8	Volume of concrete not exceeding 7m ³
6.	Drainlayer	11	(See Clause 2.3)
7.	Electrical Wireman	12	Length of wire not exceeding 50m
8.	Floor Layer	15	(refer to exemption for Floor Layer (PVC Flooring) and Floor Layer (Timber Flooring))
9.	Floor Layer (PVC Flooring)	16	Replace or repair floor area not exceeding 50m ² or new construct floor area not exceeding 25m ²
10.	Floor Layer (Timber Flooring)	17	Replace or repair floor area not exceeding 50m ² or new construct floor area not exceeding 25m ²
11.	Glazier	19	Area of glass not exceeding 0.7m ²

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(For reference and discussion)

	Name of designated trade	No. in Part 2 of Schedule 1	Exempted threshold and condition (if any)
12.	Joiner	22	Repair of woodwork of area not exceeding 25m ² or construction of new woodwork of area not exceeding 1m ²
13.	Marble Worker	24	Replace or repair marble area not exceeding 50 m ² or new construct marble area not exceeding 25m ² ; and marble work with height not exceeding 1.1m
14.	Mason	25	Replace or repair mason area not exceeding 50m ² or new construct mason area not exceeding 25m ² ; and mason work with height not exceeding 1.1m
15.	Metal Worker	28	Weight of metal not exceeding 0.2 tonne
16.	Painter and Decorator	29	<p>(a) Replace or repair painting for an area (other than those specified in (b), (c) and (d) below) not more than 50m² or new painting for an area not exceeding 2m²</p> <p>(b) Protective coatings for concrete structure of area not more than 5m²</p> <p>(c) Protective coating for structural steel work against corrosion of area not more than 0.1m²</p> <p>(d) Painting for non-structural steelwork of area not more than 2m²</p>
17.	Plasterer	30	Replace or repair plastering area not exceeding 50m ² or new plastering area not exceeding 25m ² ; and the distance between the

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(For reference and discussion)

	Name of designated trade	No. in Part 2 of Schedule 1	Exempted threshold and condition (if any)
			highest point of the area in respect of which the plastering is to be carried out and the adjoining ground or adjoining floor is not more than 3m
18.	Plumber	31	Repair of pipe or fitting of size not exceeding 20mm diameter and length not exceeding 3m
19.	Structural Steel Erector	38	The structural steel is not more than 0.2 tonne in weight
20.	Tiler	39	Replace or repair tile work of area not exceeding 50m ² or new tile work of area not exceeding 25m ² ; and the distance between the highest point of the area in respect of which the tile work is to be carried out and the adjoining ground or adjoining floor is not more than 3m

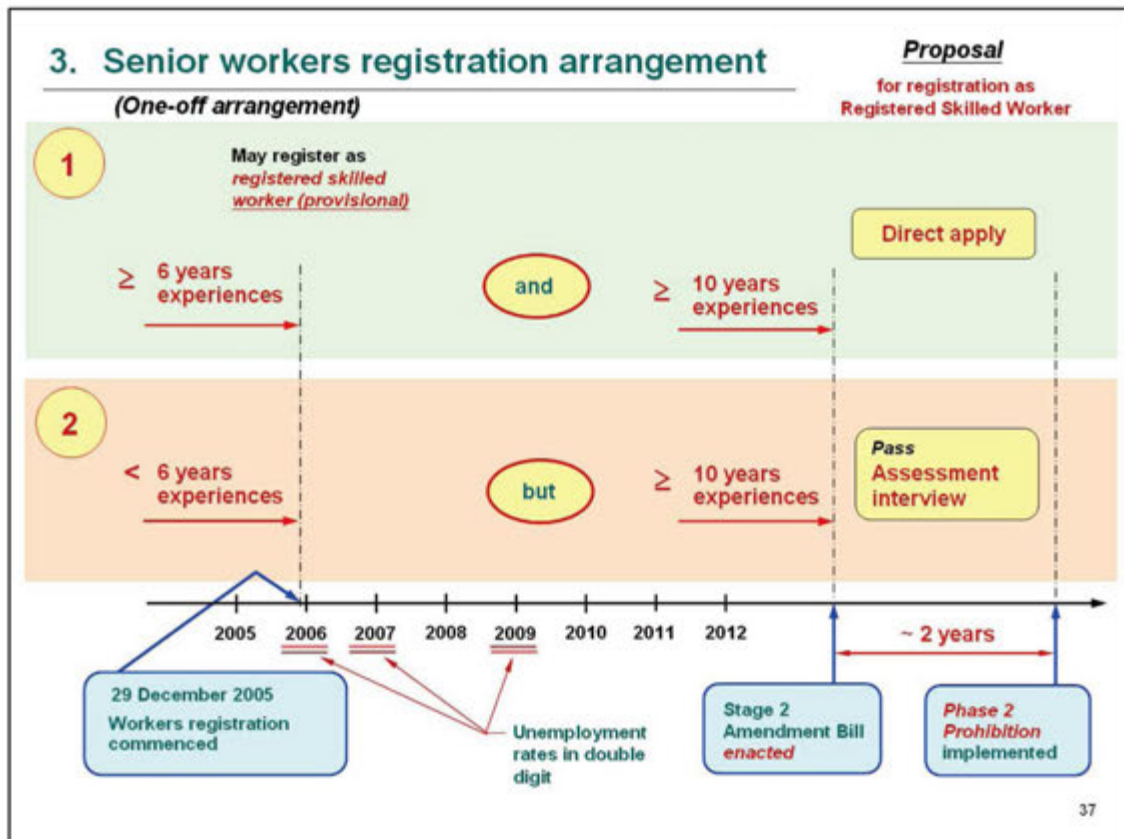
Part 3 of Schedule 1

	Name of designated trade	No. in Part 3 of Schedule 1	Exempted threshold and condition (if any)
1.	Painter (Texture-spray)	1	(a) Replace or repair painting for an area (other than those specified in (b), (c) and (d) below) not more than 50m ² or new painting for an area not exceeding 2m ² (b) Protective coatings for concrete structure of area not more than 5m ²

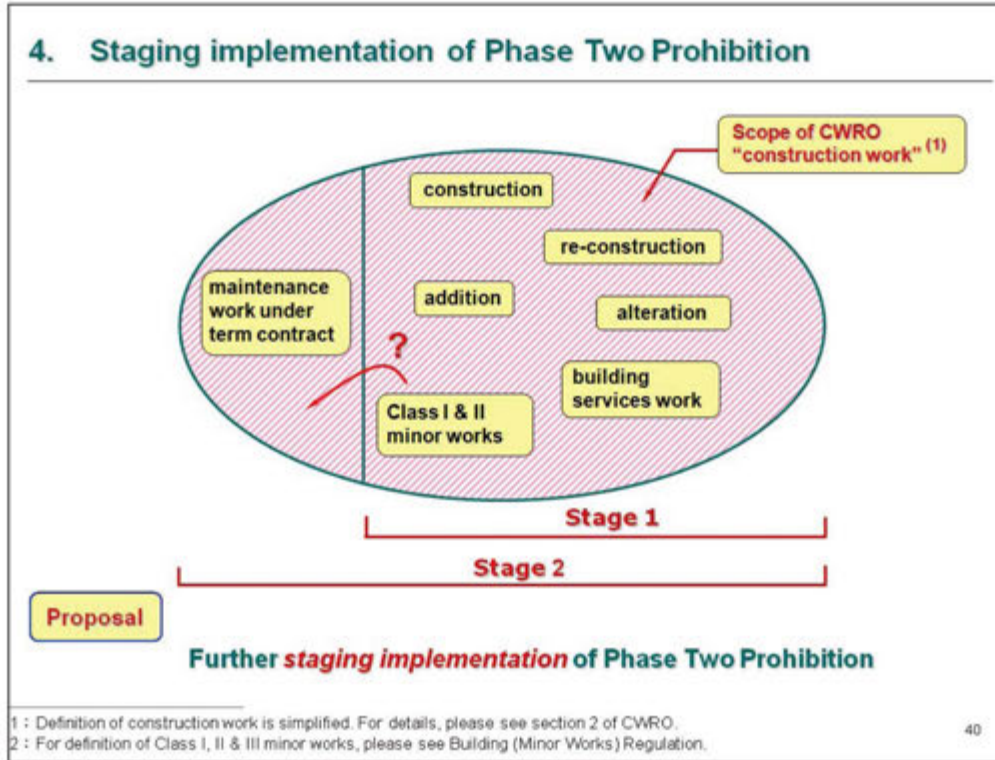
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(For reference and discussion)

	Name of designated trade	No. in Part 3 of Schedule 1	Exempted threshold and condition (if any)
			(c) Protective coating for structural steel work against corrosion of area not more than 0.1m ² (d) Painting for non-structural steelwork of area not more than 2m ²

Annex E – Senior workers registration arrangement

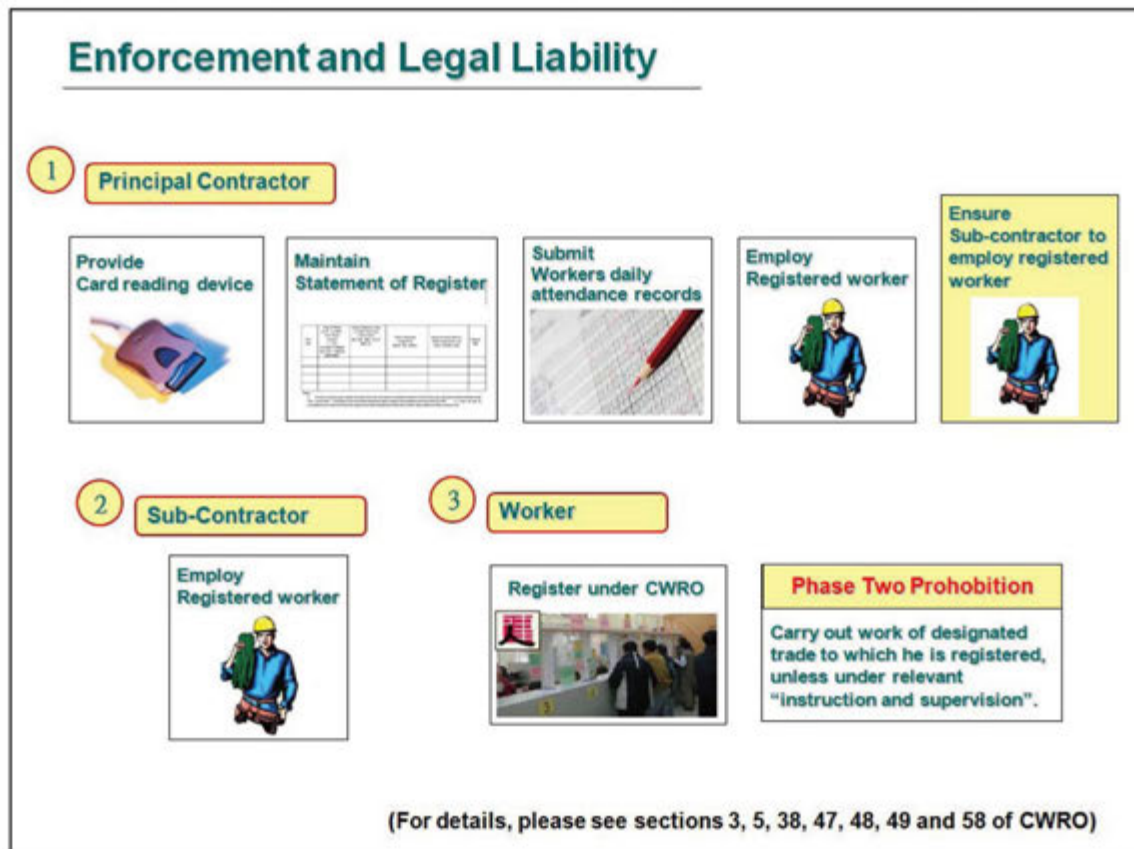


Annex F – Staging implementation of Phase Two Prohibition



Annex G – Enforcement and Legal Liability

Legal liability of Principal Contractor, sub-contractor and worker under CWRO



5. Enforcement and Legal Liability

(For details, please see sections 4 and 6 of CWRO)

Under "instruction and supervision"

If in fact,
he is either **NOT**
a concretor.

Concretor

Not
Concretor



Proposal

Add a reasonable defence for worker

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5. Enforcement and Legal Liability

CWRO provides that -

any person **found on site** to
provide **employment** information

=> Difficult to enforce => Cannot identify employer of worker

Proposal

On or Off site

Any person concerned with the carrying out of
the construction work to provide information

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Notes

Notes

