

**The New Support Service for Building Maintenance Works
Proposed Criteria for the Pre-qualified Lists of
Consultants and Contractors**

The Government aims to implement the new support service for building maintenance works for property owners by end of the year, with the specific objective to have more rigorously vetted pre-qualified lists of consultants and contractors available progressively by end this year, and to begin tendering projects for property owners in the first quarter of next year. In future, only consultants and contractors that are on the pre-qualified lists will be eligible to submit tenders for projects under the new support service. To avoid conflicts of interest, the functions of building inspection and works supervision will be separated and assigned to different professionals. We will establish three pre-qualified lists, namely (i) Inspection Consultants; (ii) Supervision Consultants that will draft tender documents and supervise building maintenance works; and (iii) Building Works Contractors responsible for construction, with a view to encouraging companies that possess professional competence and integrity in the industry to join the maintenance market. Together with other enhanced measures, such as tender invitation and evaluation services for property owners, we aim to establish a professional and clean maintenance team that can provide property owners with high-quality and reliable services, as well as foster healthy development of the industry.

2. Application for consultants and contractors for joining the pre-qualified lists will start from 30 September 2026 (Wednesday), and will last for three weeks till 23 October 2026 (Friday).

3. The pre-qualification mechanism consists of the following key elements:

- (a) The pre-qualification criteria cover four areas, namely technical competence, integrity, financial capacity and past performance, which specify the requirements for professionals of a company responsible for discharging the duties under the Buildings Ordinance with the aim of preventing practices such as “nominal employment” or situation where a company only subcontracts and does not perform the work itself. Emphasis is placed on integrity, including the requirement to pass background checks conducted by law enforcement agencies, and

on enhancing quality, including establishing a system to periodically review the project performance of consultants and contractors, which will serve as one of the factors when considering whether they can remain on the pre-qualified lists in future.

- (b) The pre-qualification criteria only represent the minimum threshold for inclusion on the pre-qualified lists. Additional requirements for consultants or contractors in areas such as technical competence and financial capacity for a specific tender project will be separately set out in future tender documents, having regard to the scale and complexity of that building maintenance project.
- (c) The pre-qualified lists are subject to a comprehensive review every two years. Consultants and contractors must re-submit their application details for verification by the Authority to ensure their continued eligibility for inclusion on the pre-qualified lists. Conviction for an integrity-related offence within the two-year period will result in immediate removal from the lists, while the Authority can decide to suspend the pre-qualification status in case of poor project performance or involvement in major site safety incident.
- (d) If an applicant is dissatisfied with the decision regarding his pre-qualification status, he may request a review. The decision of the reviewing authority shall be final.

4. The proposed pre-qualification criteria of the four areas, set out in paragraph 3(a), are detailed as follows:

(1) Technical Competence

- **Inspection Consultants:**

- ✧ At least one of the Key Personnel¹ or Designated Employees² holds the qualification of a Registered Inspector (RI) under the Buildings Ordinance

¹ Key Personnel refer to the company's sole proprietor, partner or director who personally discharges the statutory duties under the Buildings Ordinance with respect to the building maintenance projects under the new support service.

² Designated Employees refer to (i) full-time employees who have entered into an employment contract with the company for a minimum term of one year and work at least 40 hours per week as specified in the contract; and (ii) individuals who personally discharge the statutory duties under the Buildings Ordinance with respect to the building maintenance projects under the new support service.

✧ Past project experience must meet one of the following requirements:

- (i) The company has completed at least three prescribed inspection projects involving the common areas of a building under the “Mandatory Building Inspection Scheme” (MBIS) within the past five years; or
- (ii) A Key Personnel¹ or a Designated Employee² of the company has completed at least three prescribed inspection projects involving the common areas of a building under MBIS within the past five years³; or
- (iii) The company is listed under the Architectural / Building Surveying / Structural Engineering category on the Architectural Services Department’s “Lists of Consultants of the Architectural and Associated Consultants Selection Board (AACSB)”

✧ The company has obtained (or has committed to obtaining within 12 months after submitting the application) ISO 9001 quality management system certification³

• **Supervision Consultants :**

- ✧ At least one of the Key Personnel¹ or Designated Employees² holds the qualification of both an Authorised Person (AP) and a RI under the Buildings Ordinance
- ✧ The company must have at least two additional full-time employees⁴ who respectively possess the minimum qualifications and experience required for RI’s Level 1⁵ and Level 2⁶ representatives

³ The company will not be allowed to participate in project tendering under the new support service before obtaining the ISO 9001 quality management system certification.

⁴ Full-time employees refer to company employees who have entered into a contract of employment with the company for a minimum term of one year and work at least 40 hours per week as specified in the contract.

⁵ The minimum qualifications and experience required for a Level 1 representative are equivalent to those of a technically competent person (TCP) for grade T1 for Building Works or Class I Minor Works, as stipulated in the Code of Practice for Site Supervision issued by the Buildings Department.

⁶ The minimum qualifications and experience required for a Level 2 representative are equivalent to: (i) the TCP of grade T3 for Building Works or Class I Minor Works, as stipulated in the Code of Practice for Site Supervision issued by the Buildings Department; or (ii) passed specified top-up course with minimum total

✧ Past project experience must meet one of the following requirements:

- (i) Within the past five years, the company has had an AP and/or a RI that completed :
 - at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three alteration and addition (A&A) works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
 - one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK\$2 million and involving the common areas of a building; or
 - one new building project; or
- (ii) Within the past five years, a Key Personnel¹ or a Designated Employee² of the company has, in the capacity of an AP and/or a RI, completed:
 - at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three A&A works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
 - one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK\$2 million and involving the common areas of a building; or
 - one new building project; or
- (iii) The company is listed under the Architectural / Building Surveying / Structural Engineering category on the Architectural Services Department's "Lists of Consultants of the AACSB"

✧ The company has obtained (or has committed to obtaining within 12 months after submitting the application) ISO 9001 quality management system certification³

relevant working experience of five years.

- **Building Works Contractors:**

- ✧ The company must be a Registered General Building Contractor (RGBC) or a relevant Registered Minor Works Contractor (RMWC)⁷ (Class I) under the Buildings Ordinance
- ✧ The authorised signatory must be either a Key Personnel¹ or a Designated Employee² of the company
- ✧ Past project experience must meet one of the following requirements:
 - (i) Within the past five years, the company, as a RGBC or a relevant RMWC (Class I), has completed:
 - at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three A&A works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
 - one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK\$2 million and involving the common areas of a building; or
 - one new building project; or
 - (ii) Within the past five years, a Key Personnel¹ or a Designated Employee² of the company has, in the capacity of an authorised signatory of a RGBC or a relevant RMWC (Class I), completed:
 - at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three A&A works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
 - one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK\$2 million and involving the common areas of a building; or
 - one new building project; or

⁷ The relevant RMWC refers to a contractor who is registered for Class I minor works of Types A, B, D, F or G.

(iii) The company is listed in any group under the “Buildings” category of the Development Bureau’s “Lists of Public Works Contractors”

- ✧ The company has obtained (or has committed to obtaining within 12 months after submitting the application) ISO 9001 quality management system certification³

(2) Integrity

- The company and its Key Personnel⁸, Designated Employees² and Significant Controllers⁹ must meet the integrity requirements, including but not limited to the following:
 - ✧ The company and the related personnel have not been convicted of integrity-related offences¹⁰ in the past three years;
 - ✧ The company and the related personnel are not currently being prosecuted¹¹ for integrity-related offences;
 - ✧ Have passed background checks conducted by the Police and the Independent Commission Against Corruption; and
 - ✧ The company has joined (or has committed to joining within 12 months after submitting the application) the Construction Industry Integrity Charter 2.0.

(3) Financial Capacity

- The company is not currently in bankruptcy or liquidation, nor facing bankruptcy or liquidation proceedings
- Inspection Consultants / Supervision Consultants: No minimum capital requirement

⁸ Key Personnel refer to the company’s sole proprietor, all partners, or all directors.

⁹ The person holds directly or indirectly more than 25% of the issued shares of the company. Alternatively, if the company has no share capital, the person holds directly or indirectly the right to a share of more than 25% of the company’s capital or profits.

¹⁰ Integrity-related offences include, but not limited to, those prescribed under the Prevention of Bribery Ordinance (Cap. 201), the Independent Commission Against Corruption Ordinance (Cap. 204), the Competition Ordinance (Cap. 619) and provisions of the Crimes Ordinance (Cap. 200) concerning false instrument and forgery.

¹¹ Prosecution refers to cases in which charges have been laid by law enforcement agencies or a court summons has been issued.

- Building Works Contractors: Working capital and employed capital must each be at least HK\$200,000¹² (Note: This is only the minimum threshold for inclusion on the pre-qualified lists. Additional requirements for consultants or contractors in terms of financial capacity will be separately set out for a specific tender project in future tender documents, having regard to the scale and complexity of that building maintenance project)

(4) Past Performance

- Within the past year, the company and its Key Personnel¹ and Designated Employees² **must not** have the following situations:
 - ✧ Have had their professional or contractor registration, or relevant statutory qualification suspended or revoked;
 - ✧ Have been convicted four or more¹³ offences related to site safety¹⁴;
 - ✧ Have been convicted three or more¹³ employment-related offences¹⁵;
 - ✧ Have been convicted three or more¹³ offences related to the employment of illegal workers¹⁶;
 - ✧ Have been convicted of violating relevant regulations¹⁷ of the Buildings Department, Fire Services Department, or Electrical and Mechanical Services Department; or
 - ✧ Have been subject to disciplinary action by the Buildings Department, Electrical and Mechanical Services Department, the registration authorities for architects / surveyors / engineers, and / or the relevant professional institutes

¹² This is equivalent to the registration requirements set by the Construction Industry Council for Building Maintenance category (Group 1) under the Registered Specialist Trade Contractors Scheme.

¹³ The number of relevant convictions will be counted in accordance with the method set out in the “Contractor Management Handbook” as promulgated by the Development Bureau.

¹⁴ Offences related to site safety refer to the offences specified in the following ordinances and their subsidiary legislation:

(i) Factories and Industrial Undertakings Ordinance (Cap. 59); and
(ii) Occupational Safety and Health Ordinance (Cap 509).

¹⁵ Employment-related offences refer to offences specified under the Employment Ordinance (Cap. 57).

¹⁶ Offences relating to the employment of illegal workers refer to offences specified under sections 17I, 38A(4) and 41 of the Immigration Ordinance (Cap. 115).

¹⁷ This refers to violation of sections 40(2A), 40(2AD), 40(2AE), 40(2AF) and 40(2B) of the Buildings Ordinance (Cap. 123), section 9(3)(b) of the Fire Service (Installations and Equipment) Regulations (Cap. 95B) or offences specified under the Lifts and Escalators Ordinance (Cap. 618), for which the maximum fine is set at Level 5 or above.

- In future, periodic ratings from the project performance assessment for consultants and contractors, as well as owners' feedback will also be taken into account under this criterion

Removal Mechanism

5. The prequalified lists are subject to a comprehensive review every two years. During the two-year period, if any of the following circumstances arise with respect to a company on the pre-qualified lists or its Key Personnel⁸, Designated Employee² or Significant Controller⁹, the company concerned will be removed from the pre-qualified lists:

- (i) conviction for an integrity-related offence;
- (ii) submission of a false statement when applying for inclusion on the pre-qualified lists or participating in a tender; or
- (iii) revocation of the professional or contractor registration, or relevant statutory qualification.

6. If the company concerned subsequently meets all the requirements for inclusion on the pre-qualified lists again, it may re-submit an application.

Mechanism for Suspension of Pre-qualification Status

7. During the two-year period, if any of the following circumstances arise with respect to a company on the pre-qualified lists or its Key Personnel⁸, Designated Employee² or Significant Controller⁹, the company's pre-qualification status may be suspended and it shall be barred from participating in any tendering:

- (i) currently being prosecuted for an integrity-related offence;
- (ii) involvement in major site safety incident (such as fatal accident);
- (iii) poor performance in executing a project¹⁸; or
- (iv) doubts regarding the ability of the company or relevant personnel to properly discharge their duties (such as circumstances described in the pre-

¹⁸ Periodic ratings based on the project performance assessment mechanism for consultants and contractors, as well as owners' feedback will also be taken into account in the future.

qualification criterion (4) on “Past Performance”, except where registration or statutory qualifications have been revoked).

8. With respect to situations (i) to (iv), the duration of suspension of the company’s pre-qualification status will depend on the specific circumstances of each case until the company or the related personnel can demonstrate the capability to properly execute the project.

9. In the case of situation (i), if the company or the relevant personnel is convicted, the company will be removed from the pre-qualified lists. If the company concerned subsequently meets all the requirements for inclusion on the pre-qualified lists again, it may re-submit an application. If the company or the relevant personnel is acquitted, its pre-qualification status will be reinstated.

Review Mechanism

10. If an applicant is dissatisfied with a decision regarding his pre-qualification status (including being rejected from the pre-qualified lists, being removed from the pre-qualified lists or having his pre-qualification status suspended), he may request a review. The decision of the reviewing authority shall be final.

Tendering Arrangements

11. Project tendering for owners will commence in the first quarter of 2027. Specific arrangements will be announced in due course.

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