

Works Bureau Technical Circular No. 8/98

**Memorandum of Agreement and
General Conditions of Employment
of Engineering and Associated Consultants (1997 Edition)**

Introduction

The reunification of Hong Kong on 1 July 1997 necessitates revisions to the Memorandum of Agreement and General Conditions of Employment of Engineering and Associated Consultants for new agreements to be entered with consultants. This Circular announces the introduction of a new Memorandum of Agreement and three General Conditions of Employment of Engineering and Associated Consultants (1997 Edition) for the three respective types of assignments viz. feasibility, investigation and design & construction assignments (hereinafter referred as the new documents).

2. The Memorandum of Agreement and the three General Conditions of Employment of Engineering and Associated Consultants (1994 Edition) introduced in WBTC No. 11/94 will be replaced by the new documents. The provisions in the WBTC No. 11/94 with respect to the Memorandum of Agreement and the three General Conditions of Employment of Engineering and Associated Consultants (1994 Edition) are hereby deleted.

3. Paragraph 4 of WBTC No. 14/97 has promulgated that when the General Conditions of Employment of Engineering and Associated Consultants (1994 Edition) is used for technical and fee proposals invited after 1st July 1997, inclusion of two clauses in the Special Conditions of Employment is required. Since the revisions have already been incorporated in the new documents, the inclusion of the two clauses in the Special Conditions of Employment is no longer required. Paragraph 4, Appendices B and C of WBTC No. 14/97 will become obsolete when the new documents are used.

4. Upon the introduction of the revisions, the provisions promulgated in Public Works Departmental Technical Circulars (PWDTC) No. 72/73, 24/79 and 5/80; Lands and Works Branch Technical Circular (LWBTC) No. 2/89 and Works Bureau Technical Circulars (WBTC) No. 15/91 are no longer applicable and the said Technical Circulars are hereby cancelled.

The Document

5. The major revisions in the new documents include:

(a) replacing the term “Hong Kong Government” with “the Government of the Hong Kong Special Administrative Region”; and

(b) replacing the term “Employer” in Clause 1 of the General Conditions of Employment with “the Government of the Hong Kong Special Administrative Region”.

6. The new documents have been published in printed form and is available through the user departments.

Implementation

7. With effect from 1 June 1998, the new documents shall be used for all Engineering and Associated Consultancy Agreements for which shortlisting submission to the EACSB has not been made.

Enquiries

8. Please address enquiries concerning this Circular to Chief Assistant Secretary (Professional Services) on 2848 2106 or Assistant Secretary (Professional Services)1 on 2848 2843.

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