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Development Bureau
Technical Circular (Works) No. 6/2019

Implementation of Mandatory Construction Industry
Collaborative Training Schemes in Public Works Contracts

Scope

This Circular sets out the policy on the implementation of mandatory construction industry collaborative training schemes (CICTS) in public works contracts with a view to increasing the supply of skilled workers.

Effective Date

2. This Circular shall take immediate effect.

Effect on Existing Circular and Circular Memorandum

3. This Circular supersedes DEVB TC(W) No. 3/2017.

Background

4. To address the problem of shortage of skilled construction workers, we issued DEVB TC(W) No. 3/2017 on the implementation of mandatory worker training requirements in public works contracts under the Construction Tradesman Collaborative Training Scheme (CTS) administered by the Construction Industry Council (CIC).

5. CIC has recently renamed the CTS as “Intermediate Tradesman Collaborative Training Scheme” (ITCTS) to spell out that this scheme is for the training of Semi-skilled Workers. In addition, CIC has also put in place the Advanced Construction Manpower Training Scheme (ACMTS) to upskill Semi-skilled Workers to Skilled Workers through on-the-job training provided by contractors.

6. On the other hand, CIC has implemented a new training scheme for graduates of the Hong Kong Institute of Construction’s (HKIC) full-time courses, known as the Construction Industry Council Approved Technical Talents Training Programme (CICATP). Under this programme, graduates of HKIC’s full-time certificate or diploma courses, who are Semi-skilled Workers, will undergo a two-year structured on-the-job training, after which they will become Skilled Workers.

7. To encourage public works contractors to provide training opportunities to intending construction workers, the mandatory requirements for collaborative training schemes are revised to recognise contractors’ contributions under ITCTS, ACMTS and CICATP. The key revisions are as follows —

- (a) renaming the existing Construction Tradesman Collaborative Training Scheme “CTS” to Intermediate Tradesman Collaborative Training Scheme “ITCTS”;
- (b) recognising participation in the ITCTS, ACMTS and CICATP for fulfilling the mandatory requirements on worker training;
- (c) counting the construction worker training quota in the following manner—

- i. one training quota after a trainee has completed the ITCTS training and has registered as registered semi-skilled worker under the Construction Workers Registration Ordinance (Cap 583) (CWRO);
 - ii. two training quotas after a trainee has passed the mid-term assessment under the ACMTS or CICATP;
 - iii. two training quotas after a trainee has completed the ACMTS or CICATP training and has registered as registered skilled worker under CWRO (i.e. successful training of a Semi-skilled Worker to Skilled Worker continuously under the contract will count for four training quotas); and
- (d) at least 50% of the training quotas should be met by training of Semi-skilled Workers (i.e. ITCTS).

Policy

8. The following public works contracts of which the tender invitations are issued **on or after 30 September 2019** shall implement the mandatory CICTS, for on-the-job training of construction workers via ITCTS, ACMTS and CICATP administered by CIC, through incorporation of the Particular Specification, Particular Preambles and Notes to Tenderers at **Appendices A, B and C** respectively into the tender documents.

- (a) Building and civil engineering (B&C) capital works contracts (including design and build contracts) and term contracts with an estimated contract sum or estimated total expenditure exceeding \$300 million, with or without E&M works; and
- (b) E&M supply and installation contracts and term contracts with an estimated contract sum or estimated total expenditure exceeding \$50 million and with an estimated construction works period of not less than six months.

9. The subject D2 or above officer may exempt this mandatory CICTS requirement for B&C trade or E&M trade, as appropriate, under the following

condition -

- (a) The works of a slope maintenance term contract mainly consist of routine maintenance inspections and minor maintenance works (e.g. pruning of vegetation, clearing of debris, etc.) that does not involve the skills of any B&C trade under CICTS.
- (b) The E&M works under a relevant B&C contract or the works of an E&M supply and installation contract or term contract do not involve the skills of any E&M trade under CICTS.

10. For public works contracts for which tenders are invited **before 30 September 2019**, the contract provisions at the Appendices may also be incorporated into the tender documents subject to the agreement of the subject D2 or above officer.

11. For contracts adopting the mandatory provisions for worker training under DEVB TC(W) No. 3/2017 stated in paragraph 4 above, should the contractors propose to also participate in training Skilled Workers (as stipulated in this Circular) at no additional cost, the Engineer/Architect/Supervising Officer may accept such training for the purpose of fulfilling the contract requirements.

Enquiry

12. Enquiries on this Circular should be addressed to Assistant Secretary (Works Policies 1) 2.

(LAM Sai-hung)
Permanent Secretary for Development (Works)

**Particular Specification for Implementation of Mandatory
Construction Industry Collaborative Training Schemes**

**PS Clause [C1] - Implementation of Mandatory Construction Industry
Collaborative Training Schemes**

- (1) For the purpose of this PS, the following words and expressions shall, except when the context otherwise requires, have the meaning hereby assigned to them:

“ACMTS” means the Advanced Construction Manpower Training Scheme administered by the CIC.

“B&C Trade” means a work trade specified by the CIC as a building and civil work trade for the purpose of the CICTS.

“CIC” means the Construction Industry Council.

“CICATP” means the Construction Industry Council Approved Technical Talents Training Programme administered by the CIC.

“CICTS” means the construction industry collaborative training schemes for on-the-job training of construction workers including ITCTS, CICATP and ACMTS administered by the CIC.

“CICTS Trainee” means a trainee employed by the Contractor or a sub-contractor of the Contractor to undergo training under the CICTS.

“CWRO” means the Construction Workers Registration Ordinance (Cap. 583).

“E&M Trade” means a work trade specified by the CIC as an electrical and mechanical work trade for the purpose of the CICTS.

“ITCTS” means the Intermediate Tradesman Collaborative Training Scheme administered by the CIC.

- (2) The Contractor shall provide or ensure the provision of the necessary training to CICTS Trainees that, before the completion of the Contract, for the purpose of ensuring [a total of at least [X] CICTS training quotas under B&C Trade]^{Note 1} and [a total of at least [Y] CICTS training quotas under E&M Trade]^{Notes 2 and 3} will be fulfilled, with at least 50% of such training quotas met by ITCTS.
- (3) For the purpose of sub-clause (2),
- (i) a CICTS Trainee who is employed and trained by a sub-contractor of the Contractor before the completion of the Contract shall be counted towards the minimum total number of CICTS training quota(s) as stipulated below
 - (ii) a CICTS Trainee shall only be counted under one public works contract at any one time.
 - (iii) one CICTS training quota will be counted after a CICTS Trainee has completed the ITCTS training of a trade division and has registered as a registered semi-skilled worker for the same designated trade division under CWRO.
 - (iv) two CICTS training quotas will be counted after a CICTS Trainee has passed the mid-term assessment under the ACMTS or CICATP for the trained trade(s).
 - (v) two CICTS training quotas will be counted after a CICTS Trainee has completed the ACMTS or CICATP training of the trade division(s) and has registered as a registered skilled worker for the same designated trade division(s) under CWRO.
 - (vi) if a CICTS Trainee receives ITCTS training of a trade but (a) such trade has no corresponding designated trade division under CWRO or (b) CWRO does not allow registration of registered semi-skilled worker for the corresponding designated trade division, one CICTS training quota will be counted after such CICTS Trainee has passed the end-of-

training assessment under the ITCTS.

- (4) In programming the CICTS training, the Contractor shall employ and train the CICTS Trainees as early as practicable. Unless with the consent of the Engineer/Architect/Supervising Officer*, the Contractor shall ensure that the training for the relevant CICTS Trainee shall start within 3 months from the commencement of such trade work at the Site.
- (5) The Contractor shall submit a training plan to the Engineer/Architect/Supervising Officer* within 3 months from commencement of the Contract. The Contractor shall update the training plan and submit the updated plan to the Engineer/Architect/Supervising Officer* on a quarterly basis. The training plan shall include:
 - (i) the Contractor's programme to employ and train the CICTS Trainees of the relevant trades and to meet the minimum total number of CICTS training quotas as specified in sub-clause (2) above; and
 - (ii) a register recording, for each CICTS Trainee, the date of CIC's approval to undergo the CICTS training and the trade(s) being trained, the date of completion of the training and the trainee's CWRO registration number when the trainee registered as a registered semi-skilled worker or registered skilled worker for the relevant designated trade division(s) under CWRO (if applicable).
- (6) Subject to the terms and conditions of the CICTS, the Contractor or the Contractor's subcontractor may arrange part of the CICTS training to be carried out outside the Site.
- (7) Notwithstanding any other provisions in the Contract, there shall not be any measurement or separate payment for any of the work, services or obligations under this Clause.

* *Delete or modify as appropriate.*

Note

1. For building and civil engineering capital works contracts (including design and build contracts) and term contracts, the required number of CICTS training quotas in B&C Trade to be specified in sub-clause (2) shall be as follows –

Estimated Contract Sum or Total Expenditure	Required Number of CICTS training quotas in B&C Trade to be specified in sub-clause (2) of PS [C1]
> \$300 million and ≤ \$600 million	10 or 5% of forecast total demand for workers ^{Note 4} in B&C Trade for the Contract, whichever is greater
> \$600 million	20 or 5% of forecast total demand for workers ^{Note 4} in B&C Trade for the Contract, whichever is greater

A D2 or above officer may exempt this mandatory CICTS requirement under term contract for slope maintenance where the Works to be provided under the contract mainly involves routine inspections and minor works (e.g. pruning of vegetation, clearing of debris, etc.) that does not include the skills of any B&C Trade.

2. For building and civil engineering capital works contracts (including design and build contracts) and term contracts with an estimated contract sum or estimated total expenditure exceeding \$300 million and include electrical and mechanical works, the required number of CICTS training quotas in E&M Trade to be specified in sub-clause (2) shall be as follows –

Estimated Value and Construction Works Period of electrical and mechanical works	Required number of CICTS training quotas in E&M Trade to be specified in sub-clause (2) of PS [C1]
> \$50 million ≥ 6 months	4 or 5% of forecast total demand for workers ^{Note 4} in E&M Trade for the Contract, whichever is greater.

A D2 or above officer may exempt this mandatory CICTS requirement if the Works to be provided under the contract does not include works for any E&M Trade.

3. For E&M supply and installation contracts and term contracts, the required number of CICTS training quotas in E&M Trade to be specified in sub-clause (2) shall be as follows –

Estimated Contract Sum or Total Expenditure and Construction Works Period	Required number of CICTS training quotas in E&M Trade to be specified in sub-clause (2) of PS [C1]
> \$50 million ≥ 6 months	4 or 5% of forecast total demand for workers ^{Note 4} in E&M Trade for the Contract, whichever is greater.

A D2 or above officer may exempt this training requirement if the Works to be provided under the contract does not include works for any E&M Trade.

4. Forecast total demand for workers in a specified trade for the Contract should be calculated in accordance with the “Guideline for Estimation of Manpower Requirements arising from Public Works” published in June 2003 by the then Environment, Transport and Works Bureau and any of its amendment and revision.

Particular Preambles ^{Note 1}
**for Implementation of Mandatory Construction Industry
Collaborative Training Schemes**

(A) The following provision shall be included in the Preambles to the Bills of Quantities under Particular Preambles:

- (i) The rates in the Bills of Quantities shall be deemed to cover all work, services and obligations for or related to the implementation of mandatory Construction Industry Collaborative Training Schemes as specified in the Particular Specification Clause [C1]. Notwithstanding any other provisions in the Contract, there shall be no measurement or separate payment for any such work, services or obligations.

Note 1: The provision in this Appendix is applicable to contracts adopting the Standard Method of Measurement (1992 Edition) and its Corrigenda. Amendments if appropriate to suit contracts adopting other types of standard methods of measurement should be made.

**Notes to Tenderers
for Implementation of Mandatory Construction Industry
Collaborative Training Schemes**

Tenderers should note that the *rates in the Bills of Quantities/rates in the Schedule of Rates together with the percentage adjustments applying thereto/Contract Rates** shall be deemed to cover all work, services and obligations for or related to the implementation of mandatory Construction Industry Collaborative Training Schemes as specified in the Particular Specification Clause [C1]. There shall be no measurement or separate payment for any such work, services or obligations.

** delete or modify as appropriate*