

LEGISLATIVE COUNCIL BRIEF

CONSTRUCTION WORKERS REGISTRATION ORDINANCE (18 OF 2004) (COMMENCEMENT) NOTICE 2004

INTRODUCTION

This brief aims to inform Members that certain sections of the Construction Workers Registration Ordinance (the Ordinance) will come into operation on 18 September 2004. A copy of the Construction Workers Registration Ordinance (18 of 2004) (Commencement) Notice 2004 is _____ attached.

BACKGROUND

2. The Ordinance was passed at the Legislative Council (LegCo) meeting on 2 July 2004. It aims to implement a mandatory registration system for construction workers by legislation. The main objectives are to ensure the quality of construction works through certification of the skill levels of construction workers and to obtain more reliable data on labour supply to facilitate manpower planning and training.

3. Given the anticipated benefits to the construction industry from the implementation of the registration, we plan to commence the registration of construction workers at the end of 2005 and thus, the necessary preparatory work should be carried out as early as possible.

4. As some of the preparatory work (such as recruiting staff, setting up the offices and acquiring the Computerized Registration Management System) involves time-consuming tasks that cannot be done without the establishment of the Authority and the appointment of the Registrar, we need to commence some relevant sections of the Ordinance. At the same

time, we will commence the section on the empowerment of the Secretary for the Environment, Transport and Works (SETW) to prescribe the rate of levy (the actual prescription of the rate will be made later) as well as other related or miscellaneous sections.

CONTENT OF THE NOTICE

5. The following sections of the Ordinance will come into operation on 18 September 2004 —

- (a) sections 1 and 2 on short title and commencement date of the Ordinance, and interpretation;
- (b) sections 7 to 15 on establishment of the Authority and its committees, and their functions and powers as well as the Authority's delegations, funds and property, and statements of accounts and auditor's report;
- (c) sections 16 to 18 on appointment and powers of the authorized officers;
- (d) sections 19 to 21, 23(4) and 23(5) on interpretation of the specific terms related to levy, value of construction operations, total value of construction operations, and empowerment of SETW to prescribe the rate of levy and the total value of construction operations not liable to levy as well as the definition of the effective date of the rate of levy;
- (e) sections 36 to 37 on appointment of the Registrar, and its functions and powers;
- (f) sections 60 to 67 on miscellaneous provisions for prosecution, service of notices, power to specify forms, regulations, rules, amendment of Schedules and some amendments made to other Ordinances; and

- (g) Schedules 1 (except item 51 of Part 1) to 4 are correspondingly for details of the designated trades, specified body, structures and works as well as general provisions relevant to the Authority and its committees.

COMMENCEMENT OF OTHER SECTIONS

6. Separate commencement notices for other sections of the Ordinance, primarily for the imposition of levy, the registration of construction workers, prohibition of unregistered workers from working on construction sites and requiring contractors to submit records of registered workers, will be prepared and issued in accordance with the implementation plan.

ENQUIRIES

7. For enquiries, please contact Mr Ambrose S Y CHEONG, Chief Assistant Secretary for the Environment, Transport and Works (Works) at 2848 2060.

Environment, Transport and Works Bureau

15 September 2004

**CONSTRUCTION WORKERS REGISTRATION ORDINANCE
(18 OF 2004) (COMMENCEMENT) NOTICE 2004**

Under section 1(2) of the Construction Workers Registration Ordinance, I appoint 18 September 2004 as the day on which sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23(4) and (5), 36, 37, 60, 61, 62, 63, 64, 65, 66 and 67 of, and Schedules 1 (except item 51 of Part 1), 2, 3 and 4 to, the Ordinance shall come into operation.

Secretary for the Environment, Transport
and Works

September 2004