

**L.N. 166 of 2005****CONSTRUCTION WORKERS REGISTRATION (FEES)  
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## CONSTRUCTION WORKERS REGISTRATION (FEES) REGULATION

(Made by the Construction Workers Registration Authority under section 63 of the Construction Workers Registration Ordinance (Cap. 583) with the approval of the Secretary for the Environment, Transport and Works)

### PART 1

#### PRELIMINARY

#### 1. Commencement

This Regulation shall come into operation on 29 December 2005.

#### 2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

“first period” (首段期間) means a period that begins on 29 December 2005 and expires at the end of 28 February 2006;

“fourth period” (第四段期間) means a period that begins on 1 July 2006 and expires at the end of 31 August 2006;

“relevant qualification” (有關資格), in relation to a designated trade, means the qualification set out in column 4 of Part 1, 2 or 3 of Schedule 1 to the Ordinance opposite the trade;

“second period” (第二段期間) means a period that begins on 1 March 2006 and expires at the end of 30 April 2006;

“third period” (第三段期間) means a period that begins on 1 May 2006 and expires at the end of 30 June 2006.

(2) For the purposes of this Regulation, an application for registration is an application under section 39(1) of the Ordinance for registration as—

- (a) a registered skilled worker for one designated trade set out in Part 1 or 2 of Schedule 1 to the Ordinance;
- (b) a registered skilled worker (provisional) for one designated trade set out in Part 1 or 2 of Schedule 1 to the Ordinance;
- (c) a registered semi-skilled worker for one designated trade set out in Part 2 or 3 of Schedule 1 to the Ordinance;
- (d) a registered semi-skilled worker (provisional) for one designated trade set out in Part 2 or 3 of Schedule 1 to the Ordinance; or
- (e) a registered general worker.

(3) For the purposes of this Regulation, an application for renewal of registration is an application under section 44(5) of the Ordinance for renewal of registration as—

- (a) a registered skilled worker for one designated trade set out in Part 1 or 2 of Schedule 1 to the Ordinance;
- (b) a registered semi-skilled worker for one designated trade set out in Part 2 or 3 of Schedule 1 to the Ordinance; or
- (c) a registered general worker.

## PART 2

### FEEs FOR APPLICATION FOR REGISTRATION

#### **3. Application fees: general**

Subject to this Part, the fee payable in respect of an application for registration is—

- (a) if the application is made within the first period, \$78;
- (b) if the application is made within the second period, \$84;
- (c) if the application is made within the third period, \$89;
- (d) if the application is made within the fourth period, \$95; and
- (e) if the application is made at any other time, \$100.

#### **4. Application fees: applicant is a registered construction worker**

(1) If—

- (a) a person applies for registration; and
- (b) the person holds another registration that is in effect,

section 3 does not apply to the application.

(2) Subject to section 5, if—

- (a) a person applies for registration as a registered skilled worker, or a registered semi-skilled worker, for a designated trade;
- (b) the person is a registered skilled worker (provisional), or a registered semi-skilled worker (provisional), for the trade; and
- (c) the person is not—

(i) a registered skilled worker, or a registered semi-skilled worker, for any other designated trade; or

(ii) a registered general worker,

the fee payable in respect of the application is \$100.

**5. Application fees: application supported by relevant qualification**

If—

- (a) a person applies for registration as a registered skilled worker, or a registered semi-skilled worker, for a designated trade; and
- (b) the application is supported by the relevant qualification for the trade held by the person,

the fee payable in respect of the application is one half of the fee prescribed for the application under section 3 or 4(2), rounded up to the nearest dollar.

**PART 3**

**OTHER FEES**

**6. Application fees: renewal of registration**

(1) Subject to subsection (2), the fee payable in respect of an application for renewal of registration is \$100.

(2) If—

- (a) a person applies for the renewal of his registration as a registered skilled worker, or a registered semi-skilled worker, for a designated trade; and
- (b) the application is supported by the relevant qualification for the trade held by the person,

the fee payable in respect of the application is one half of the fee prescribed for the application under subsection (1).

**7. Application fees: replacement of registration card**

The fee payable in respect of an application under section 46(8) or (9) of the Ordinance is \$100.

**8. Fees for the purpose of a notice of appeal**

The fee payable in respect of a notice of appeal for the purposes of section 52(4)(b) of the Ordinance is \$30.

## PART 4

## WAIVER OF FEES

**9. Waiver of application fees for registration**

- (1) This section applies if—
  - (a) a person makes 2 or more applications for registration on the same date; and
  - (b) a fee is prescribed for each application under section 3, 4(2) or 5.
- (2) The fee payable in respect of each application, other than the following, is waived—
  - (a) in the case where the fee so prescribed for each application is of the same amount, the fee payable in respect of any one application specified by the Registrar;
  - (b) in any other case—
    - (i) the fee payable in respect of the application for which the fee so prescribed is of the lower or lowest amount; or
    - (ii) if there are 2 or more such applications, the fee payable in respect of any one of such applications specified by the Registrar.

**10. Waiver of application fees for renewal of registration**

- (1) This section applies if—
  - (a) a person makes 2 or more applications for renewal of his registration on the same date; and
  - (b) a fee is prescribed for each application under section 6(1) or (2).
- (2) The fee payable in respect of each application, other than the following, is waived—
  - (a) in the case where the fee so prescribed for each application is of the same amount, the fee payable in respect of any one application specified by the Registrar;
  - (b) in any other case—
    - (i) the fee payable in respect of the application for which the fee so prescribed is of the lower or lowest amount; or
    - (ii) if there are 2 or more such applications, the fee payable in respect of any one of such applications specified by the Registrar.

## PART 5

## REFUND OF FEES

**11. Refund of application fees for registration:  
when registration is less than 36 months**

(1) If—

(a) the Registrar accepts an application for registration; and

(b) the date specified under section 44(1) of the Ordinance for the registration is less than 36 months after the date of registration,

the Registrar shall make a refund of the fee paid in respect of the application or a portion of such fee.

(2) Subject to subsection (7), if the application is made within the first period, the amount to be refunded under subsection (1) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{F}{852} \times [852 - (D - 243)].$$

(3) Subject to subsection (7), if the application is made within the second period, the amount to be refunded under subsection (1) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{F}{912} \times [912 - (D - 183)].$$

(4) Subject to subsection (7), if the application is made within the third period, the amount to be refunded under subsection (1) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{F}{973} \times [973 - (D - 122)].$$

(5) Subject to subsection (7), if the application is made within the fourth period, the amount to be refunded under subsection (1) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{F}{1034} \times [1034 - (D - 61)].$$

(6) If the application is made at any other time, the amount to be refunded under subsection (1) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{F}{1095} \times (1095 - D).$$

(7) If the amount to be refunded under subsection (1) as calculated in accordance with the formula set out in subsection (2), (3), (4) or (5) is larger than the amount of fee paid in respect of the application, the amount to be so refunded is the amount of fee so paid.

(8) In the formulae set out in subsections (2), (3), (4), (5) and (6)—

(a) F represents the amount of fee paid in respect of the application; and

(b) D represents the number of days within the period that begins on the date of registration and expires at the end of the date specified under section 44(1) of the Ordinance for the registration.

**12. Refund of application fees for registration:  
when applicant's provisional registration  
expires before lasting for 36 months**

(1) This section applies if—

(a) a person is a registered skilled worker (provisional), or a registered semi-skilled worker (provisional), for a designated trade;

(b) the person applies for registration as a registered skilled worker, or a registered semi-skilled worker, for the trade; and

(c) the Registrar accepts the application.

(2) If the Registrar is satisfied that on the date on which the person's registration referred to in subsection (1)(a) expires by virtue of section 45(1)(b) or (2)(b) of the Ordinance, it has been in effect for less than 36 months, the Registrar shall make a refund of the fee paid in respect of the person's application for such registration or a portion of such fee.

(3) Subject to subsection (8), if the application is made within the first period, the amount to be refunded under subsection (2) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{G}{852} \times [852 - (C - 243)].$$



(4) Subject to subsection (8), if the application is made within the second period, the amount to be refunded under subsection (2) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{G}{912} \times [912 - (C - 183)].$$

(5) Subject to subsection (8), if the application is made within the third period, the amount to be refunded under subsection (2) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{G}{973} \times [973 - (C - 122)].$$

(6) Subject to subsection (8), if the application is made within the fourth period, the amount to be refunded under subsection (2) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{G}{1034} \times [1034 - (C - 61)].$$

(7) If the application is made at any other time, the amount to be refunded under subsection (2) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{G}{1095} \times (1095 - C).$$

(8) If the amount to be refunded under subsection (2) as calculated in accordance with the formula set out in subsection (3), (4), (5) or (6) is larger than the amount of fee paid in respect of the application, the amount to be so refunded is the amount of fee so paid.

(9) In the formulae set out in subsections (3), (4), (5), (6) and (7)—

- (a) G represents the amount of fee paid in respect of the application for registration as a registered skilled worker (provisional), or a registered semi-skilled worker (provisional), for the designated trade; and
- (b) C represents the number of days within the period that—
  - (i) begins on the date of registration as a registered skilled worker (provisional), or a registered semi-skilled worker (provisional), for the designated trade; and

- (ii) expires at the end of the date of registration as a registered skilled worker, or a registered semi-skilled worker, for the designated trade.

**13. Refund of application fees for renewal of registration: when registration is renewed for less than 36 months**

(1) If—

- (a) the Registrar accepts an application for renewal of registration; and  
(b) the date specified under section 44(1) of the Ordinance for the registration is less than 36 months after the relevant date,

the Registrar shall make a refund of a portion of the fee paid in respect of the application.

(2) The amount to be refunded under subsection (1) is calculated in accordance with the following formula, with the result rounded up to the nearest dollar—

$$\frac{H}{1095} \times (1095 - B),$$

where—

- H represents the amount of fee paid in respect of the application; and  
B represents the number of days within the period that begins on the relevant date and expires at the end of the date specified under section 44(1) of the Ordinance for the registration.

(3) In this section, “relevant date” (有關日期) has the meaning assigned to it by paragraph (b), (c) or (d) of the definition of “relevant date” in section 44(10) of the Ordinance.

Dr. Joseph CHOW Ming-kuen  
chairman,  
Construction Workers Registration  
Authority

10 October 2005

### Explanatory Note

The object of this Regulation is to prescribe the fees relating to the applications for registration of construction workers (including the renewal of registration of those workers) and to provide for other arrangements such as waiver of fees and refunds.

2. Part 1 contains the commencement date and definitions.
3. Part 2 deals with the fees for application for registration. In particular—
  - (a) section 3 prescribes the application fee for registration with reference to the period within which the application is made;
  - (b) section 4 provides for the case where the applicant is already a registered construction worker;
  - (c) section 5 provides that half of the prescribed fee is payable if the application for registration is supported by relevant qualification.
4. Part 3 deals with the fees in respect of an application for renewal of registration, an application for replacement of a registration card and a notice of appeal.
5. Part 4 provides for the waiver of the prescribed fees for applications for registration or for renewal of registration in the case where the applicant makes 2 or more applications on the same date.
6. Part 5 requires the Registrar of Construction Workers (“the Registrar”) to refund the fee or a portion of the fee paid in respect of the registration, or renewal of registration, if the registration will be valid for less than 36 months. It also requires the Registrar to refund the fee or a portion of the fee paid in respect of an application for provisional registration if the registration expires before lasting for 36 months.