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27 December 2007

Panel on Development
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong
(Attn : Miss Monna Lai)

Dear Miss Lai,

Buildings (Amendment) Bill 2007 (the Bill)

Thank you for your letter dated 19 December 2007 seeking clarification on the policy of setting up a provisional register of minor works contractors and whether there is any validity period for the provisional register. Our reply is set out in ensuing paragraphs.

The main objective of establishing a provisional register for minor works contractors is to enable contractors operating as companies in the market to continue with their business immediately after commencement of the new minor works control system. During our consultation with the industry in mapping out the details of implementation of the minor works control system, some contractors operating as companies were concerned that they might not possess adequate qualifications to register as minor works contractors. To allow sufficient time for these companies to acquire the necessary formal qualifications, a two-year provisional registration period is proposed. Those contractors who have adequate practical

experience but not the required academic qualifications for registration may obtain provisional registrations by virtue of their work experience and enter into the provisional register to be established under the proposed section 8A(1)(c) of the Buildings Ordinance. We will arrange top-up courses for these contractors to acquire the necessary skills for the full registration during the transitional period.

We plan to make regulations under the proposed section 38(1AA) of the Buildings Ordinance to stipulate the details of the registration requirements, including the required work experience for provisional registration and the validity period of such registration.

Our intent is to have a transitional period of two years from the commencement of the minor works control system for provisional registration. Within such period, contractors who are provisionally registered can carry out minor works in accordance with the statutory requirements. The provisional registration will expire by the end of the two-year transitional period or when the contractor has successfully obtained a full registration, whichever is the earlier.

The above arrangements are intended for contractors operating as companies. Regarding contractors operating as self employed individuals for Class III minor works, our plan is to require them to attend a short, top-up course, lasting for one to two days only, to introduce to them the statutory requirements of the new registration system, their duties and corresponding work related safety arrangements before they are registered. We will arrange for the provision of such courses well in advance of the commencement of the new system to allow them adequate time to get themselves properly briefed and trained. Since the duration of the course will be very short and in order to streamline the registration process, we do not intend to establish a provisional register for Class III contractors operating as self-employed individual.

Yours sincerely,



(Jerry Cheung)

for Secretary for Development