

**For discussion
on 27 March 2018**

**LEGISLATIVE COUNCIL
PANEL ON DEVELOPMENT**

**Cessation of Provisional Registration under
Construction Workers Registration Ordinance**

PURPOSE

This paper seeks Members' endorsement on the proposed cessation of provisional registration under the Construction Workers Registration Ordinance (Cap. 583) ("CWRO").

BACKGROUND

2. Enacted in 2004, CWRO aims at establishing a system for the registration and regulation of construction workers so as to enhance the quality of construction work through certification of construction workers' skill levels. The registration system also provides reliable data on labour supply for manpower planning and development. At present, under CWRO, construction workers can seek registration as general workers, semi-skilled workers and skilled workers.

3. Upon the commencement of the registration system on 29 December 2005, a transitional arrangement has been provided for experienced workers who were carrying out skill works. These workers may register as skilled workers (provisional) if they possess six years of relevant skill works experience before 29 December 2005, or as semi-skilled workers (provisional) if they have two years' relevant skill works experience.

4. Provisional registrations are valid for three years only. During this period, Registered Skilled Workers (Provisional) are required to obtain certification for their respective skills to become Registered Skilled Workers, while Registered Semi-Skilled Workers (Provisional) are required to obtain intermediate trade test certificates to become Registered Semi-skilled Workers. Generally, provisional registration is not renewable. However, with justifiable grounds such as injuries or illnesses, a worker may seek extension of the validity period for up to 12 months.

5. As at December 2017, the total number of Registered Semi-Skilled/Skilled Workers is about 230 000, constituting about 50% of the total number of registered construction workers. As for provisional registration, the total number of Registered Semi-Skilled/Skilled Workers (Provisional) has been declining from about 18 000 in December 2007 to about 1 200 in December 2017, showing that most of the experienced workers in active service should have already been registered as semi-skilled/skilled workers (including provisional registrations).

6. The Construction Industry Council (“CIC”) recommended the Secretary for Development (“SDEV”), under Section 39(3) of CWRO, to appoint a date with a 12-month grace period to phase out the application for provisional registrations.

PROPOSAL

7. We propose to issue a notice in the gazette under Section 39(3) of CWRO to appoint 1 July 2019 as the expiry date for application for provisional registration, allowing a grace period of slightly more than 12 months.

8. The remaining workers who are eligible for provisional registration include those involved in small-scale construction works such as home decorations, minor refurbishments, etc. outside the ambit of CWRO. We consider that the proposed 12-month buffer together with suitable publicity should be sufficient for them to seek provisional registration in time.

9. After the cessation of provisional registrations, construction workers can continue to register as skilled/semi-skilled workers upon satisfying the relevant registration requirements under CWRO.

PUBLIC CONSULTATION

10. The CIC has conducted meetings and reached consensus among various stakeholders of the construction industry, including workers' unions and trade associations before making the recommendation to SDEV as stated in paragraph 6 above.

PUBLICITY

11. The CIC would launch a series of publicity measures to draw workers' attention to the application deadline. Publicity activities include issuing leaflets, posters and advertisements, sending SMS to workers and electronic messages to contractors, subcontractors, trade associations and labour unions.

LEGISLATIVE PROCEDURES AND TIMETABLE

12. The tentative legislative timetable is as follows —

Publication of the notice in the Gazette	4 May 2018
Tabling the notice at LegCo	9 May 2018
Commencement date	1 July 2019

ADVICE SOUGHT

13. Members are invited to endorse the proposed legislative amendments.

Development Bureau
March 2018