

Drafter: L PENG

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3 <sup>rd</sup> working draft	24.12.2003	#79242 v5
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2 <sup>nd</sup> draft	8.3.2004	#79242 v7A
2 <sup>nd</sup> (revised) draft	23.3.2004	#79242 v8A
2 <sup>nd</sup> (2 <sup>nd</sup> revised) draft	29.3.2004	#79242 v9A
3 <sup>rd</sup> draft	16.4.2004	#79242 v10A
3 <sup>rd</sup> (revised) draft	20.4.2004	#79242 v11A

CONSTRUCTION WORKERS REGISTRATION BILL

CONSTRUCTION WORKERS REGISTRATION BILL

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for the Environment,  
Transport and Works

<u>Clause</u>	<u>Amendment Proposed</u>
Long title	By deleting "certain kinds of construction work" and substituting "construction operations".
2(1)	(a) By deleting the definition of "Complaints Committee".
	(b) In the definition of "construction site" -
	(i) by deleting "sections 49 and" and substituting "section";
	(ii) in the Chinese text -
	(A) by deleting "建造工程或" wherever it appears;
	(B) in paragraph (a), by deleting " "建造工程"、".
	(c) In the definition of "construction work" -
	(i) by deleting "建造工程、";
	(ii) by deleting ", except in relation to Part 4";

- (iii) in the Chinese text, in paragraph (a)(ii), by deleting "解" and substituting "除".
- (d) In the definitions of "registered general worker", "registered semi-skilled worker", "registered semi-skilled worker (provisional)", "registered skilled worker", "registered skilled worker (provisional)" and "registered skilled worker (transitional)", by deleting "currently".
- (e) By deleting the definition of "sub-contractor" and substituting -
- "sub-contractor" (分包商), in relation to a principal contractor, means any person who enters into a contract with another person (whether or not the principal contractor) to undertake all or any part of the construction work that the principal contractor has undertaken;".
- (f) In the definition of "總承建商", by deleting "造工程" and substituting "造工作".

6

- (a) In subclause (3), by deleting "set out in subsection (8) is true" and substituting "exists".
- (b) In subclause (4), by deleting "次承建" where it twice appears and substituting "分包".
- (c) In subclauses (5) and (6)(a), by deleting "set out in subsection (8)" and substituting "exists".
- (d) In subclause (7), by deleting "has" where it twice appears and substituting "had".
- (e) In subclause (8) -
  - (i) by deleting "The relevant matter referred to in subsections (3), (5) and (6)(a) is" and substituting "For the purposes of subsections (3), (5) and (6)(a), the relevant matter exists if";
  - (ii) in paragraph (a) -
    - (A) by adding "an offence in relation to" before "a contravention";
    - (B) by deleting "that";
  - (iii) in paragraphs (b), (c) and (d) -
    - (A) by adding "an offence in relation to" before "a contravention";

(B) by deleting "that" where it first appears;

(C) by deleting "involves" and substituting "involved".

- 7(3)(b)
- (a) By deleting "17" and substituting "18".
  - (b) By adding -
    - "(iiia) 3 persons, each of whom is, in the opinion of the Secretary, a person from a professional body connected with the construction industry in Hong Kong;".
  - (c) In subparagraph (v) -
    - (i) by deleting "2" and substituting "3";
    - (ii) by deleting "association representing" and substituting "union, registered under the Trade Unions Ordinance (Cap. 332), that represents".
  - (d) In subparagraph (vi), by deleting "developer" and substituting "developers association".
  - (e) In subparagraph (vii), by deleting "6" and substituting "3".

- 8
- (a) By deleting subclause (1)(c).

(b) In subclause (2) -

(i) in paragraph (e), by adding "and"  
at the end;

(ii) by deleting paragraph (f).

9(2) By deleting "or (c) or (2)(a), 11(5), 49, 50" and  
substituting "or (2)(a), 11(5)".

12 (a) In subclause (2)(b) -

(i) by deleting "12" and substituting  
"13";

(ii) by deleting subparagraphs (ii),  
(iii), (iv), (v), (vi), (vii) and  
(viii) and substituting -

"(ii) 2 persons, each of whom  
is, in the opinion of  
the Authority, a person  
from a training  
institute in the  
construction industry in  
Hong Kong;

(iii) 1 person who is, in the  
opinion of the  
Authority, a person from  
a professional body  
connected with the

construction industry in  
Hong Kong;

(iv) 2 persons, each of whom  
is, in the opinion of  
the Authority, a person  
from a contractor in the  
construction industry in  
Hong Kong;

(v) 2 persons, each of whom  
is, in the opinion of  
the Authority, a person  
from a trade union,  
registered under the  
Trade Unions Ordinance  
(Cap. 332), that  
represents workers in  
the construction  
industry in Hong Kong;  
and

(vi) 1 person who is, in the  
opinion of the  
Authority, a person from  
the major employers in  
the construction  
industry in Hong Kong."

(b) By deleting subclause (3)(a).

14 By deleting the clause.

15 By deleting the clause.

16 (a) By deleting subclause (2)(e), (f), (g) and (h) and substituting -

"(e) 2 persons, each of whom is, in the opinion of the Authority, a person from a contractor in the construction industry in Hong Kong; and

(f) 2 persons, each of whom is, in the opinion of the Authority, a person from a trade union, registered under the Trade Unions Ordinance (Cap. 332), that represents workers in the construction industry in Hong Kong."

(b) By deleting subclause (3)(b).

18 (a) In the heading, by deleting "**and application**".

(b) In subclause (1) -



- (i) by deleting the definition of "construction works" and substituting -
- " "construction operations" (建造工程), subject to section 18C, has the meaning assigned to it in Schedule 1 to the Industrial Training (Construction Industry) Ordinance (Cap. 317);";
- (ii) by deleting the definition of "value" and substituting -
- " "value" (價值), in relation to construction operations, has the meaning assigned to it in section 18A";";
- (iii) by adding -
- " "construction contract" (建造合約) has the meaning assigned to it in section 2(1) of the Industrial Training (Construction Industry) Ordinance (Cap. 317);

"contract of employment" (僱傭合約) has the meaning assigned to it in section 2(1) of the Employment Ordinance (Cap. 57);

"term contract" (固定期合約) has the meaning assigned to it in section 2(1) of the Industrial Training (Construction Industry) Ordinance (Cap. 317);

"total value" (總價值), in relation to construction operations, has the meaning assigned to it in section 18B;

"works order" (施工通知) has the meaning assigned to it in section 2(1) of the Industrial Training (Construction Industry) Ordinance (Cap. 317).".

(c) By deleting subclause (2).

(d) In subclause (3), by deleting "construction works" and substituting "construction operations".

(e) By adding -

"(4) For the purposes of this  
Part -

(a) where a person carries  
out any construction  
operations for any other  
person under a contract  
of employment, the  
construction operations  
shall be regarded as  
carried out by -

(i) subject to  
subparagraph  
(ii), that  
other person;  
or

(ii) where the  
first-  
mentioned  
person is a  
contractor by  
virtue of  
paragraph

(a)(i) of the  
definition of  
"contractor"  
in section 2(1)  
of the  
Industrial  
Training  
(Construction  
Industry)  
Ordinance (Cap.  
317), the  
first-  
mentioned  
person;

(b) where a person carries  
out any construction  
operations for himself  
without arrangement  
(except under a contract  
of employment) for the  
carrying out of such  
operations by any other  
person, the first-  
mentioned person shall,  
apart from being the  
person who carries out

the construction operations, also be regarded as the person for whom such operations are carried out, and the definitions of "contractor" and "employer" and the other provisions of this Part shall be construed accordingly.

(5) For the purposes of this Part, a person shall be regarded as undertaking or carrying out construction operations if -

(a) he manages, or arranges for, the carrying out of the construction operations by any other person for the employer concerned, whether by way of sub-contracting or otherwise; or

(b) he provides his own labour or that of any other person for the carrying out of the

construction  
operations.".

New By adding -

**"18A. Value of construction operations**

(1) For the purposes of this Part,  
"value" (價值), in relation to construction  
operations, means -

(a) where the construction  
operations are carried out  
under a construction  
contract, the consideration  
attributable to such  
operations, as stated in, or  
ascertainable by reference  
to, the contract; or

(b) where the construction  
operations are not carried  
out under a construction  
contract, the reasonable  
consideration to be expected  
on the open market in respect  
of the carrying out of such  
operations.

(2) Notwithstanding subsection (1)(a),  
if in a particular case the consideration

attributable to the construction operations concerned as determined in accordance with that subsection is below the reasonable consideration to be expected on the open market in respect of the carrying out of such operations, that subsection shall be deemed to contain a reference to the reasonable consideration described in this subsection instead of the consideration described in that subsection.

(3) For the purposes of subsections (1)(b) and (2), the Authority may, when ascertaining the reasonable consideration as referred to in those subsections in respect of the carrying out of any construction operations, have regard to all or any of the following matters -

- (a) the cost or value of materials used in the construction operations;
- (b) the cost or value of time, work and labour involved in the construction operations;
- (c) the equipment used in the construction operations;

- (d) such overhead costs incurred in relation to the construction operations as the Authority considers reasonable;
- (e) the reasonable profit to be expected on the open market in respect of the carrying out of the construction operations;
- (f) any other factors that the Authority considers appropriate.

**18B. Total value of construction operations**

For the purposes of this Part, "total value" (總價值), in relation to construction operations, means -

- (a) where the construction operations are carried out under a construction contract -
  - (i) in the case the construction contract is a term contract, the



aggregate of the  
respective values  
of all construction  
operations carried  
out as required by  
works orders issued  
under the contract;

(ii) in the case the  
construction  
operations are or  
form part of any  
construction  
operations that are  
carried out in  
stages, the  
aggregate of the  
respective values  
of all stages of  
the operations so  
carried out; or

(iii) in any other case,  
the value of the  
construction  
operations; or

(b) where the construction  
operations are not carried

out under a construction  
contract -

- (i) in the case the  
construction  
operations are or  
form part of any  
construction  
operations that are  
carried out in  
stages, the  
aggregate of the  
respective values  
of all stages of  
the operations so  
carried out; or
- (ii) in any other case,  
the value of the  
construction  
operations.

**18C. Application to construction  
operations**

(1) This Part shall not apply to any  
construction operations -

- (a) the tender for which was  
submitted before the  
commencement of this Part; or

(b) that began before that commencement.

(2) This Part shall not apply to any construction operations -

(a) which are carried out for a person who occupies any domestic premises or part of any domestic premises; and

(b) the sole or principal purpose of which is to decorate, alter, repair, maintain or renovate the premises or such part of such premises.

(3) This Part shall not apply to any construction operations, or any type or description of construction operations, which are or is excluded from the application of this Part by the Chief Executive in Council by order published in the Gazette.

(4) Without limiting the generality of subsection (3), an order made under that subsection may specify the circumstances under which or the purposes for which any construction operations, or any type or description of construction operations,

referred to in the order are or is to be excluded from the application of this Part.

(5) In this section -

(a) "domestic premises" (住用處所)

means premises used or intended to be used solely or principally for residential purposes and constituting a separate household unit;

(b) a person shall be regarded as a person who occupies a domestic premises if he intends to occupy the premises."

19

By deleting the clause and substituting -

**"19. Imposition of levy**

(1) A levy at the prescribed rate shall be imposed on the value of all construction operations undertaken or carried out in Hong Kong.

(2) Notwithstanding subsection (1), construction operations the total value of which does not exceed the prescribed amount shall not be liable to the levy.

(3) Subject to section 24(8A), the levy shall be payable in accordance with this Part by every contractor who carries out the construction operations.

(4) The Secretary may by notice published in the Gazette -

(a) prescribe the rate for the purposes of subsection (1);

and

(b) prescribe the amount for the purposes of subsection (2).

(5) Any rate prescribed under subsection (4)(a) -

(a) shall not come into effect before the expiration of 28 days after the last day of the period within which a resolution providing for the amendment of the notice may be passed in accordance with section 34 of the Interpretation and General Clauses Ordinance (Cap. 1);

and

(b) shall not apply to any construction operations if,

before the expiration of the  
period referred to in

paragraph (a) -

- (i) the tender for the  
construction  
operations has been  
submitted to the  
employer concerned;
- (ii) no tender for the  
construction  
operations has been  
submitted to the  
employer concerned,  
but a construction  
contract in respect  
of the construction  
operations has been  
entered into; or
- (iii) no tender for the  
construction  
operations has been  
submitted to the  
employer concerned  
and no construction  
contract in respect  
of the construction

operations has been  
entered into, but  
the construction  
operations have  
begun.".

20 By deleting the clause.

21 By deleting the clause.

22 (a) In the heading, by deleting "**works**" and  
substituting "**operations**".

(b) In subclause (1) -

- (i) by deleting "any construction works" and substituting "any construction operations";
- (ii) in paragraph (a), by deleting "undertaking the construction works" and substituting "in respect of the construction operations";
- (iii) in paragraph (b), by deleting "works" and substituting "operations";
- (iv) by deleting "such a contractor undertaking the construction works

or such an" and substituting "the contractor in respect of the construction operations or the";

(v) by deleting "works, as" and substituting "operations, as".

(c) By deleting subclause (2) and substituting -

"(2) Except in the case of a term contract, subsection (1) shall not apply in respect of any construction operations if it is reasonably estimated that the total value of such operations does not exceed the amount prescribed under section 19(4)(b)".

(d) In subclause (3), by deleting "value of the construction works" and substituting "total value of the construction operations".

(e) By deleting subclause (4) and substituting -

"(4) A contractor or authorized person complies with subsection (1) if he -

(a) had given a notice to CITA under section 24 of the Industrial Training (Construction Industry) Ordinance (Cap. 317) in respect of the



construction operations;

and

- (b) sent a copy of that notice to the Authority within the period of 14 days, or such further time as the Authority may have allowed, within which he shall give notice under that subsection."

23

- (a) In the heading, by deleting "**works, etc.**" and substituting "**construction operations**".
- (b) In subclause (1) -
  - (i) by deleting "Where" and substituting "Subject to subsection (1A), where";
  - (ii) by deleting "works" wherever it appears and substituting "operations";
  - (iii) by deleting "being".
- (c) By adding -
  - "(1A) Where any payment or interim payment is made in any calendar month to a contractor or for his benefit in

respect of any construction operations that are carried out under a term contract, the contractor shall, within 14 days after the last day of that month or such further time as the Authority may in any case allow, give notice of it to the Authority in the specified form."

(d) In subclause (2) -

(i) by deleting "works" wherever it appears and substituting "operations";

(ii) by deleting "being".

(e) By deleting subclause (3) and substituting -

"(3) Except in the case of a term contract, subsections (1) and (2) shall not apply in respect of any construction operations if it is reasonably estimated that the total value of such operations does not exceed the amount prescribed under section 19(4)(b)".

(f) In subclause (4) -

(i) by adding ", (1A)" before "or (2)";

(ii) by deleting "works" where it twice appears and substituting "operations".

(g) By deleting subclause (5) and substituting -

"(5) A contractor or authorized person complies with subsection (1), (1A) or (2) if he -

(a) had given a notice to CITA under section 25 of the Industrial Training (Construction Industry) Ordinance (Cap. 317) in respect of the relevant payment or completion; and

(b) sent a copy of that notice to the Authority within the period of 14 days, or such further time as the Authority may have allowed, within which he shall give notice under that subsection."

(h) In subclause (6), by adding ", (1A)" before "or (2)".

24

- (a) In subclause (1) -
  - (i) by adding "or (1A)" after "23(1)";
  - (ii) by deleting "from the contractor";
  - (iii) by deleting "works" where it twice appears and substituting "operations".
- (b) In subclause (2) -
  - (i) by deleting "to the contractor";
  - (ii) by deleting "works" wherever it appears and substituting "operations".
- (c) In subclause (3) -
  - (i) by deleting "works" wherever it appears and substituting "operations";
  - (ii) by deleting "from the contractor".
- (d) In subclause (4), by deleting "works" wherever it appears and substituting "operations".
- (e) By adding -
  - "(4A) Notwithstanding subsections (1), (2) and (3), where construction operations are carried out under a term contract, the Authority may defer the making of any assessment under

subsection (1), (2) or (3) until such time as the Authority considers appropriate."

(f) In subclauses (5) and (6) -

- (i) by deleting "from the contractor";
- (ii) by deleting "works" wherever it appears and substituting "operations".

(g) In subclause (7), by deleting "subsection (5)" and substituting "this section and payable by the contractor".

(h) By deleting subclause (8) and substituting -

"(8) Any assessment of levy or imposition of surcharge under this section shall be notified in writing by the Authority.

(8A) A levy or surcharge shall not be payable by a contractor -

- (a) if he has not been notified by the Authority of an assessment of such levy or imposition of such surcharge, as the case may be, under subsection (8); or

(b) to the extent that the levy or surcharge, as the case may be, has been paid by any other contractor unless the levy or surcharge, as the case may be, may be required or ordered to be repaid to that other contractor under section 25(4), 27(4) or 28(4).".

(i) In subclause (9) -

- (i) by deleting "An" and substituting "Subject to subsection (10), an";
- (ii) in paragraph (a), by deleting "works" and substituting "operations";
- (iii) in paragraph (b), by adding a comma after "surcharge".

(j) By adding -

"(10) If construction operations are carried out under a term contract, an assessment or surcharge under this section shall be made or imposed within -

- (a) 2 years after the completion of all construction operations to which the contract relates;
- (b) 2 years after the expiration of the period within which all construction operations to which the contract relates have to be completed as provided for by the contract; or
- (c) 1 year after evidence of facts, sufficient in the opinion of the Authority to justify the making of the assessment or the imposition of the surcharge, comes to its knowledge,

whichever is the last to occur.

(11) For the purposes of this section, where the amount of levy due in respect of a stage of any construction operations is assessed

under this section, the amount of levy shall be assessed as if such stage of the construction operations separately constitutes construction operations subject to payment of levy under this Ordinance."

- 25(4) (a) By adding "any levy or surcharge payable under subsection (1), or" after "part of".
- (b) By adding a comma after "(3)".

- 29 (a) In subclause (1) -
- (i) by deleting "any construction works" and substituting "any construction operations";
  - (ii) in paragraph (a) -
    - (A) by deleting "works" wherever it appears and substituting "operations";
    - (B) by deleting "being";
  - (iii) in paragraph (b), by deleting "works" where it twice appears and substituting "operations".
- (b) In subclause (3) -
- (i) by adding -



"(aa) to the supply of a copy of personal data in compliance with a data access request under section 18 of the Personal Data (Privacy) Ordinance (Cap. 486);";

(ii) in paragraph (c), by deleting "works" and substituting "operations".

35

(a) In subclause (1) -

- (i) in paragraph (d), by deleting "屆滿" and substituting "期滿的";
- (ii) in paragraph (f), by adding "and" at the end;
- (iii) in paragraph (g) -
  - (A) by deleting "or (6)";
  - (B) by deleting "; and" and substituting a full stop;
- (iv) by deleting paragraph (h).

(b) In subclause (2)(a), by deleting "the person with whom he is dealing" and substituting "a person".

37

(a) In subclause (4) -

- (i) by adding ", as at the commencement of this subsection," after "satisfied that";
    - (ii) by deleting "but less than 10 years".
  - (b) In subclause (7), by adding ", as at the commencement of this subsection," after "satisfied that".
- 39(2)
- (a) By adding ", as at the commencement of this subsection," after "satisfied that".
  - (b) By deleting "10 years" and substituting "8 years".
- 42
- (a) In subclause (2) -
    - (i) in paragraph (a), by deleting "date of registration or renewal of registration" and substituting "relevant date";
    - (ii) in paragraph (b), by deleting "42 months after the date of registration or renewal of registration" and substituting "48 months after the relevant date".
  - (b) By adding -

"(6A) Where a person fails to apply for the renewal of his registration in accordance with subsection (6)(c), he may -

(a) if so allowed by the Registrar, make such an application before his registration has expired; or

(b) if being given notice by the Registrar under section 47(2), make such an application before the expiry of the period of 14 days referred to in section 47(2)(b).".

(c) By deleting subclause (9) and substituting -

"(9) In this section -

"registration" (註冊) means registration

under this Ordinance as -

(a) a registered skilled worker for a designated trade;

(b) a registered semi-skilled worker for a designated trade; or

(c) a registered general  
worker,

and "registered" (註冊) shall be  
construed accordingly;

"relevant date" ( ) means -

(a) the date of  
registration;

(b) in the case of an  
application for renewal  
of registration made in  
accordance with  
subsection (6)(c), the  
date on which the  
registration would have  
expired but for the  
renewal;

(c) in the case of an  
application for renewal  
of registration made in  
accordance with  
subsection (6A)(a) -

(i) the date on  
which the  
registration  
would have  
expired but

for the  
renewal; or  
(ii) the date of  
renewal of  
registration,  
whichever is the later;  
or

(d) in the case of an  
application for renewal  
of registration made in  
accordance with  
subsection (6A)(b), the  
date of renewal of  
registration.".

46 (a) In subclause (3)(a), by deleting "次承建" and  
substituting "分包".

(b) In subclause (8), by deleting "subsection  
(3)" and substituting "subsection (5)".

47 (a) By deleting subclauses (4) and (6).

(b) In subclause (7) -

(i) by deleting "or suspends";

(ii) by deleting "or suspension".

(c) By deleting subclause (10).

- (d) In subclause (11), by deleting ", (9) or (10)" and substituting "or (9)".

Part 6 By deleting the Part.

- 53 (a) By deleting subclause (1) and substituting -

"(1) Subject to subsection (2), a person who is the subject of a decision under section 38(1), 39(1), 41(1)(a), 42(1) or 47(1) may appeal against the decision by serving the Authority, within 4 weeks after the decision, a notice of appeal stating the substance of the matter and reasons for the appeal."

- (b) In subclause (2), by deleting "of the Registrar under subsection (1)(b)" and substituting "under subsection (1)".

- 54 (a) In subclause (1) -

- (i) by deleting "The Secretary" and substituting "Subject to subsection (2), the Secretary";
- (ii) by deleting paragraphs (d), (e), (f) and (g) and substituting -

"(d) not less than 10 are persons, each of whom is, in the opinion of the Secretary, a person from a contractor in the construction industry in Hong Kong; and

(e) not less than 10 are persons, each of whom is, in the opinion of the Secretary, a person from a trade union, registered under the Trade Unions Ordinance (Cap. 332), that represents workers in the construction industry in Hong Kong."

(b) By deleting subclause (2)(d).

(c) In subclause (5)(a), by deleting ", a member of the Complaints Committee".

56(1)(b)(i) By deleting "or order".

57 By adding -

"(3) In this section, "legal practitioner" (法律執業者) means a legal practitioner who -

- (a) is admitted under section 3, 4 or 27 of the Legal Practitioners Ordinance (Cap. 159); and
- (b) holds a valid current practising certificate."

58(3)(a) By deleting "or order" wherever it appears.

59 (a) In subclauses (1), (3)(b) and (4)(a), by deleting "程" wherever it appears and substituting "作".

(b) In subclause (7)(a)(ii)(A), by deleting "次承建" and substituting "分包".

(c) In subcaluse (9)(b), by deleting "造工程" and substituting "造工作".

61 (a) By deleting subclause (1)(b).

(b) In subclause (2) -

- (i) in paragraph (a), by deleting "by the Complaints Committee to attend an inquiry or";



(ii) in paragraph (b) -

(A) by deleting "an inquiry  
before the Complaints  
Committee, or";

(B) by deleting ", as" and  
substituting "as";

(C) by deleting "Committee or".

63(5)(a) By deleting "complaint,".

64(1) By deleting paragraph (b).

66 By deleting "Schedules" and substituting  
"Schedule".

Schedule 1 (a) By deleting ", 49 & 66]" and substituting "&  
66]".

(b) In Part 1 -

(i) in item 8 -

(A) in column 1, by deleting "清拆"  
and substituting "拆卸";

(B) in column 2, by deleting "清  
拆、拆卸" and substituting "拆  
卸、拆除";

(C) in column 3, by deleting "清拆"

and substituting "拆卸";

(ii) in item 9 -

(A) in column 1, by deleting "清拆工(違例建築物)" and substituting "拆卸工(違例建築工程)";

(B) in column 2 -

(I) by deleting "building works carried out" and substituting "buildings erected, or building works carried out,";

(II) by deleting "清拆、拆卸" and substituting "拆卸、拆除";

(C) in column 3, by deleting "清拆工(違例建築物)" and substituting "拆卸工(違例建築工程)";

(iii) in item 10, in column 2, in paragraph (a), by deleting "清拆" and substituting "拆卸";

(iv) in item 11, in column 4, by adding "for Grade A, B, C or H electrical work" after "worker";

(v) in item 12, in column 1, by

- deleting "機械";
- (vi) in item 15, in column 2, by deleting "supply systems" and substituting "utilization systems";
- (vii) in item 17, in column 1, by deleting "機械";
- (viii) in item 30 -
  - (A) in column 1, by deleting "(Demolition)" and substituting "(Demolition) - Excavator";
  - (B) in column 2, by deleting everything after "operate" and substituting "excavators to demolish, dismantle and remove buildings or structures, or any part thereof";
  - (C) by deleting column 3 and substituting -
    - "Not applicable";
  - (D) by deleting column 4 and substituting -
    - "Both of the following -
      - (a) trade test certificate for Plant and Equipment

Operator  
 (Demolition) -  
 Excavator issued by  
 CITA; and

(b) certificate as  
 defined in section  
 2(1) of the  
 Factories and  
 Industrial  
 Undertakings  
 (Loadshifting  
 Machinery)  
 Regulation (Cap. 59  
 sub. leg.) and  
 applicable to  
 excavators";

(ix) in item 45, in columns 1, 2 and 4,  
 by adding "起重機" after "吊臂";

(x) in item 53, in column 2, by  
 deleting everything after "貨車"  
 and substituting "在建造工地範圍內運送  
 建造物料、建築碎料或挖掘出來的沙石，或將  
 該等物料、碎料或沙石運入或運出建造工地";

(xi) by adding -

"53A. Truck	To drive medium	Not	Full driving
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Driver	goods vehicles	applicable	licence within
(Medium	"		
goods	within the meaning		the meaning of
vehicles)	of section 2 of the		the Road
	Road Traffic		Traffic
	Ordinance (Cap. 374)		(Driving
	to transport		Licences)
	construction		Regulations
	materials, building		(Cap. 374 sub.
	debris or excavated		leg.) to drive
	materials within,		a medium goods
	into or out of		vehicle";
	construction sites		

(xii) in item 54, in column 2, by deleting everything after "車輛" and substituting "在建造工地範圍內運送建造物料、建築碎料或挖掘出來的沙石，或將該等物料、碎料或沙石運入或運出建造工地";

(xiii) in item 55, in column 2, by deleting "程" and substituting "作".

(c) In Part 2 -

(i) in item 1, in column 2, by deleting ", and" and substituting "and in";

(ii) in item 4, in column 2 -

- (A) by adding ", maintain and repair" after "install";
- (B) by deleting "and access control systems" and substituting ", access control systems, and building control and monitoring systems";
- (iii) in item 7, in column 2, by deleting everything after "wiring systems," and substituting "private automatic branch exchange systems, intercom systems, in-building coaxial cable distribution systems, and other wired or wireless signal transmission and reception systems";
- (iv) in item 13, in columns 1, 3 and 5, by deleting "器" and substituting "氣";
- (v) in item 21, in column 2, by deleting "building foundations" and substituting "underground caissons";

- (vi) in item 27, in column 2, by deleting "拆卸" and substituting "拆除";
- (vii) in item 33 -
  - (A) in column 2 -
    - (I) by adding "用於" after "修理";
    - (II) in paragraph (a), by deleting "用於";
  - (B) by deleting column 3 and substituting -
    - "Either one of the following -
      - (a) trade certificate for Refrigeration/Air-conditioning/Ventilation Mechanic (Electrical Control) issued by VTC; or
      - (b) certificate of registration as an electrical worker issued under

section 30 of the  
Electricity  
Ordinance (Cap.  
406) on which the  
Director of  
Electrical and  
Mechanical Services  
specifies that the  
holder is entitled  
to do electrical  
work on an air-  
conditioning  
installation";

(viii) in item 36 -

(A) in column 1, by deleting "and  
Refrigerant";

(B) in column 2, by deleting  
everything after "water" and  
substituting "systems for  
air-conditioning systems  
(including air-handling and  
water condensing equipment)";

(C) in columns 3 and 5, by  
deleting "and Refrigerant".

(d) In Part 3, in item 2, in column 2, by adding  
"(工人軀)" after "機".



- Schedule 4
- (a) By deleting "14, 16 & 66]" and substituting "16 & 66]".
  - (b) In section 2(2), by deleting "9" and substituting "10".
  - (c) In section 8(4)(a), by deleting "a member of the Complaints Committee,".
  - (d) By deleting Part 4.
  - (e) In section 14(4)(a), by deleting ", a member of the Complaints Committee".