

**Functions and Compositions of
the Minor Works Contractors Registration Committees (MWCRCs)**

1. The Building Authority (BA) must establish a panel from which the Authority is to appoint committees to be known as the MWCRC. There may be more than one MWCRC in action at any one time.
2. The primary function of the MWCRC is to assist the BA in considering applications relating to registration matters of minor works contractors by:-
 - (a) examining the qualifications of the applicants;
 - (b) making necessary inquiry to ascertain whether the applicants have the experience required of them for the purposes of their applications;
 - (c) conducting interviews with the applicants;
 - (d) making recommendations to the Authority to allow or refuse, either in whole or in part, the applications or defer the determination of the applications; and
 - (e) reviewing the decisions of the Authority or recommendations of other MWCRCs;
3. Under Building (Minor Works) Regulations, a MWCRC shall consist of:
 - (a) one person nominated by the BA;
 - (b) one authorized person (AP) or registered structural engineer (RSE) selected by the BA from nominations by the Architects Registration Board (ARB), the Engineers Registration Board (ERB) and the Surveyors Registration Board (SRB); and
 - (c) one person selected by the BA from among persons nominated by such bodies as the BA thinks fit.
4. A MWCRC is required to meet as often as the BA directs.
5. A person who is a member of the Authorized Persons' and Registered Structural Engineers', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board Panel or the Registered Contractors' Disciplinary Board Panel under the Buildings Ordinance is not eligible for appointment to the MWCRC.
6. The members of the Registration Committee must elect from among themselves a member to act as the chairperson of the Committee.
7. The BA appoints an officer of the Buildings Department as the secretary of the committee, who is not a member of the committee and may not cast a vote.
8. No meeting of the Committee is to be commenced in the absence of any of its Members. For operational reason, Members will not be designated to sit in a fixed Committee.

**Declaration of Interests by Members of the
Minor Works Contractors Registration Committee (MWCRC)**

General Principles

1. When a Member (including the Chairperson) of the MWCRC has a potential conflict of interests in a matter placed before the MWCRC, the Member should make full disclosure of his/her interest.
2. The basic principle to be observed is that Members' advice should be disinterested and impartial. Each member must not use his official position to further his private interests nor put himself in a position where his private interests conflict (or may reasonably be suspected to conflict) with his official duties. It is the responsibility of each Member to judge and decide if the situation warrants a declaration, and to seek a ruling from the Chairperson of the MWCRC in case of doubt.
3. A fundamental rule for maintaining integrity of the MWCRC is to avoid conflict of interest situations. Under no circumstances should a member of the MWCRC :
 - (a) use his official position to benefit himself, his family, relatives or friends or any person to whom he owes a favour or is obligated in any way; or
 - (b) put himself in a position that may reasonably arouse suspicion of dishonesty, or of using his official position to benefit himself or his family, relatives or friends.
4. It is not practical to define or describe all the situations that would call for such a declaration because each individual case differs, and because of the difficulty of catering for unusual and unforeseen circumstances. On the other hand, it is not intended that a Member should make a declaration of interest simply because the MWCRC is considering a matter in which he has knowledge or experience.

Potential Conflict of Interest Situations

5. The following are potential conflict of interest situations:
 - (a) Pecuniary interests in a matter under consideration by the MWCRC, held either by the Member or by any close relative of him/her, should be declared. Members are themselves the best judge of who, in the particular circumstances, is a "close relative";
 - (b) A directorship, partnership, advisory or client relationship, employment or other significant connection with a company, firm, club, association, union or other organisation which is connected with, or the subject of, a matter under consideration by the MWCRC, should be declared;

Appendix B (continued)

- (c) Some friendships which might be so close as to warrant declaration in order to avoid situations where an objective observer might believe a Member's advice to have been influenced by the closeness of the association;
- (d) A Member who, as a barrister, solicitor, accountant or other professional adviser, has personally or as a Member of a company, advised or represented or had frequent dealings with any person or body connected with a matter under consideration by the MWCRC, should make a declaration; and
- (e) Any interest likely to lead an objective observer to believe that the Member's advice might have been motivated by personal interest rather than a duty to give impartial advice, should be declared.

Declaration of Interests

6. A MWCRC member should also refrain from involving in training courses or publication directly relating to the registration interviews.

7. As no meeting of the Committee is to be commenced in the absence of any of its Members, any belated interest declarations may lead to the adjournment of the meetings. Therefore, Members are urged to study the documents for the meeting immediately upon receipt and should make every endeavour to inform the Secretary without delay if a potential conflict of interest is anticipated.

8. If a Member (including the Chairperson) has any direct or indirect personal or pecuniary interest in any matter under consideration by the Committee, he must, as soon as practicable after he has become aware of it, disclose to the Chairperson or Secretary (or the Committee) prior to the discussion of the item. Declaration of interests should be made to the Secretary before the meeting immediately. The Member should also return the paper for discussion to the Secretary without delay.

9. If a Member becomes aware of a conflict of interest only during the meeting and he forms the view that it renders him impossible to offer impartial advice, or that the Member has been given access to information which the Member should not have, the Member should notify the Chairperson or the Secretary immediately and/or return any MWCRC paper concerned. The Chairperson of MWCRC will then decide on the matter.

10. The Chairperson (or Committee) shall decide whether the Member disclosing an interest may remain in the meeting, or whether the affected item should be adjourned.

11. All cases of declaration of interests shall be recorded in the minutes of the meeting.

12. A member shall declare all actual, potential and perceived conflict of interest in writing for record purposes. The decisions of the chairperson (or committee) on the declaration and the actions taken to address the situation shall be recorded in the minutes of meeting.

**Undertakings by Members of
Minor Works Contractors Registration Committee Panel and
Minor Works Contractors Registration Committee (MWCRC)**

1. I undertake to hold in strict confidence all information that I have access to through my position as a member of MWCRC Panel and MWCRC. Such information includes but not limited to questions and answers for interviewees, personal data of applicants, documents submitted by applicants, interview results, decision making, discussion during meetings, MWCRC operation, etc.
2. I undertake not to make any unauthorized disclosure or take advantage of any of the information referred to in paragraph 1 above whether or not for personal gain or benefit.
3. I undertake to declare any actual, potential or perceived direct or indirect conflict of interest with my duties as a member of the above panel and committee immediately when I become aware of any such conflict.
4. I undertake to take steps to avoid any conflict of interest with any prospective applicant by not putting myself in a position of obligation towards any of them; for example, by not accepting any favour or lavish or excessive entertainment, and not over-socializing with any of them.
5. I undertake to inform the officer-in-charge / secretary of the above panel and committee, in advance as far as possible of any circumstances, such as loss of membership or qualification, or no longer residing in Hong Kong, that may affect my eligibility to be appointed to the above panel and committee or to carry out my duty as a member of the same.
6. I understand that I may subject to prosecution action should I fail to observe any of my above undertakings.
7. I also understand that being a member of the above panel and committee, I am a public servant and abide by the relevant clauses in the Prevention of Bribery Ordinance (PBO).
8. I declare that I have not been convicted in Hong Kong or elsewhere of any offence that may cast doubt on my integrity and honesty, e.g. offences under the PBO; and I further declare that I have not committed misconduct or negligence in a professional respect.

Signed : _____

Name (block letter): _____

Date : _____

**Release of Information Concerning Members of the
Minor Works Contractors Registration Committee
(MWCRC)**

1. As advised by the Secretary for Home Affairs, certain information concerning individual Members of advisory and statutory bodies, which includes the MWCRC, could be disclosed to the public upon request. The information in question includes a Member's:

- (a) attendance records;
- (b) years of service on the particular body;
- (c) occupation/profession by broad categories (e.g. doctors, lawyers and company directors); and
- (d) membership of other advisory and statutory bodies.

2. The above information amounts to "personal data" and therefore its disclosure is regulated under the Personal Data (Privacy) Ordinance (PDPO).

3. The legal position under the PDPO is that the disclosure of the above "personal data" would not constitute a contravention to the PDPO if the purpose, or one of the purposes, of collecting the personal data is for them to be released to the public; and it would not contravene Principle 3 of Schedule 1 of the PDPO to release the data, without obtaining the data subject's consent, if the recipient is a news organization and the disclosure is made by a person who has reasonable ground to believe (and reasonably believes) that the publishing or broadcasting of the data is in the public interest.

4. The Secretary of the MWCRC will keep records on the matters mentioned in paragraph 1 above and in the interests of transparency; such records will be disclosed to the public on request.

**Curriculum Vitae
(For Reference Only)**

Name of Nominee (English & Chinese as shown in HKID/passport):	
Date of Birth:	HKID No:
Office Tel. No.	Mobile Tel. No.:
Fax No:	E-mail Address:
Occupation:	
Office Address:	
Academic and Professional Qualifications:	
Government Boards and Committees on Which the Nominee Served/is serving:	
Working History and Experience:	

Signed : _____

Name (block letter): _____

Date : _____

(Use additional sheets if necessary)

Notes on the collection of personal data

- 1) The information provided will be used for the purposes in connection with the selection and appointment of members by the Building Authority to serve on the Minor Works Contractors Registration Committee Panel and Minor Works Contractors Registration Committee under the Buildings Ordinance.
- 2) The information may be disclosed to other government departments or other parties for the purposes mentioned in Note (1) above.
- 3) For correction of or access to personal data after submission, please address to the Secretary of the Minor Works Contractors Registration Committee in writing.



Architects Registration Board

Hong Kong Special Administrative Region

建築師註冊管理局

香港特別行政區

Appendix F

5. I am a government officer.

- Yes
 No

*Note: A government officer is **NOT** eligible for MWCRC as advised by BD*

6. I shall inform ARB in writing if resignation is tendered before the expiry of service.

- Yes
 No

7. To comply with the government's 6-year-6-committee guideline, I list out my current appointment to committees (including the proposed nomination to serve in the MWCRC) for ARB's information:

	Names of the Government Boards or Committees	Terms of Office	Representing Body (For example, ARB, HKIA...etc)
1			
2			
3			
4			
5			
6			
7			

Note: It is the Government's policy that one should not be a member who has served in the CRC Panel for more than 4 years cumulatively through a life span. Moreover, members are not expected to sit on more than 6 different Government bodies (including the nomination to serve in CRCs and/or Minor Works CRCs at any one time)

Signature: _____

Date: _____