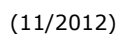


(CICO ¹ CAP 587)



Explanatory Notes:-

¹ CICO – Construction Industry Council Ordinance;

² Pursuant to section 35 of CICO;

³ Pursuant to section 32(3) of CICO, construction operations are leviable and total value of which exceeds HK\$1 million;

⁴ The assigned meaning of “construction operations” of Schedule 1 of CICO includes:-

- building works;
- street works;
- construction, alteration, repair, maintenance, extension, demolition or dismantling of buildings or structures, power lines, telecommunications, apparatus or pipelines;
- supply and installation of fittings or equipment in any building or structures;
- electrical and mechanical (E&M) works
- external or internal cleaning of any buildings or structures, which is carried out in the course of construction or maintenance of such buildings or structures;
- painting or decorating any external or internal surfaces or parts of any buildings or structures; and
- operations which form an integral part of, or are preparatory to any of the above operations;

⁵ Items decided by OC previously which are leviable:-

- liquidated damages;
- replacement of lighting works;
- certified value of construction operations and not on the actual amount of payment received by the contractor;
- maintenance of heating, air conditioning installations in Government venues;
- uncollectible retention money;
- additional insurance payment certified by employer;
- sediment and water sampling, laboratory testing on seabed contaminated mud; and
- provision of labour & technician for the completion of construction operations;

⁶ Items decided by CIC’s legal adviser previously which are leviable:-

- maintenance of lift, escalator installation;
- maintenance of E&M works installed in buildings and structures;
- construction materials testing service for the purpose of other construction operations
- provision of labour, security, contract car etc under certain works orders of a construction term contract; and
- construction operations carried out on consular premises or the Office of Commissions of Ministry of Foreign Affairs of PRC;

⁷ Items covered by CIC’s guidelines previously which are leviable:-

- pamphlet on the Construction Industry Levy in May 2010;
- amendments highlighted on the Construction Industry Levy leaflet in April 2004 Cap 317 (Note: E&M works are subject to levy after 1 June 2004); and
- joint declaration of former CITA & PCFB in January 2002, Cap 317 (Note: before 1 Jan 2004, E&M works are non-leviable items)

⁸ Pursuant to sections 37, 52 and 53 of CICO;

⁹ Pursuant to sections 33(1) and 46 of CICO;

¹⁰ Pursuant to section 55 of CICO;

¹¹ Pursuant to section 56(1) of CICO;

¹² Pursuant to section 56(2) of CICO; and

¹³ Pursuant to sections 56(3) and 57 of the CICO.