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Clerk to Panel
(Attn: Ms Sarah Yuen)
LegCo Panel on Planning, Lands and Works
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Ms Yuen,

Panel on Planning, Lands and Works

**Issues raised at LegCo Members' meeting with
Wan Chai District Council members on 3 April 2003**

Thank you for your letter of 2 June 2003. I set out below the requested additional information on the regulation of advertisement signboards as follows.

(A) Improving the regulation of advertisement signboards under the legislative proposals of the Buildings (Amendment) Bill 2003

The Buildings (Amendment) Bill 2003, among other things, improves the regulation of advertisement signboards in several ways. First, it seeks to clearly define what constitutes a signboard. Under the Bill, a "signboard" is defined as "a building construction used or to be used solely for displaying any advertisement or making any

announcement or notification.” The clear definition would reduce scope for argument regarding whether a signboard is a type of building works.

Second, and more importantly, the Bill proposes the introduction of a minor works control regime. We intend that this regime will cover most signboards; except the largest ones. Under the current building control regime, most building works require the approval of building plans and consent to commence works by the Building Authority (BA). The detailed procedures involved in this approval process are often regarded as not proportionate to the construction of a small signboard structure. The undertaking of minor works will not require the approval of BA before commencement of works. However, they have to be carried out by registered minor works contractors on their own or under the supervision of authorized persons. The new arrangements would ensure building safety and should facilitate the erection of signboards in a law-abiding and safe manner.

Third, the Bill will facilitate law enforcement. Our current enforcement action against unauthorized signboards is sometimes hindered by the time and effort required in identifying the owners of the signboards. The Bill provides that, for the removal of unauthorized signboards, a removal order shall be served on –

- (a) the person for whom the signboard has been erected or is being erected; or
- (b) if that person cannot be found, the person who would receive any rent or other money consideration if the signboard were hired out or the person who is receiving such rent or money consideration; or
- (c) if the person referred to (a) and (b) above cannot be found, the owner of the land or premises on which the signboard has been erected or is being erected.

(B) Legislation to control advertisement signboards

The primary objective of regulating signboards is to ensure their safety. Under our original proposal in 2001, we intended to introduce a registration system of signboards through separate legislation to achieve this objective.

Having regard to the primary objective of the proposal and the details of the minor works control regime, we have concluded that the objective should be best met through the building control regime. Since signboards are basically a type of building works, it is not necessary to devise an entirely new control regime to regulate them. We have, therefore, subsumed the control of signboards under the Buildings (Amendment) Bill 2003. In the Secretary for Housing, Planning and Lands' 2003 Policy Agenda initiatives, it has been already indicated that, the proposed minor works would include the erection and removal of signboards.

Yours sincerely,

(Miss Cheung Siu Hing)
for Secretary for Housing, Planning and Lands