

**LEGISLATIVE COUNCIL
PANEL ON PLANNING, LANDS AND WORKS**

**Public Consultation on
Building Management and Maintenance**

INTRODUCTION

This paper outlines the contents of the public consultation paper on building management and maintenance (copy at Annex).

BACKGROUND

2. Many old buildings in multiple ownership are badly maintained, with poor hygiene conditions. As at August 2003, out of the 38,400 private multi-storey buildings in Hong Kong, about 11,000 have no owners' corporations and are not serviced by management firms.

3. Over the years, the Government has built up a framework to facilitate private building management and maintenance through the various programmes of the Buildings Department and the Home Affairs Department, and to arrest the urban decay problem through the Urban Renewal Authority. A summary of these measures is at paragraphs 2.2-2.6 of the consultation paper.

4. Notwithstanding the considerable resources deployed, the existing measures have met with limited success. Very broadly, they suffer from the following shortcomings –

- (a) there is a general lack of a building care culture;
- (b) the existing measures are one-off in nature and lack lasting impact;

- (c) the urban renewal programme has a paradoxical effect of encouraging building neglect; and
- (d) there is insufficient recognition of the close interplay between building management and building maintenance.

5. To improve our environment through better building management and maintenance, one of the new initiatives in the Government's Policy Agenda 2003 is to –

“Enhance building management and maintenance of private housing through education, publicity, and greater participation of professional bodies and the private sector, and initiate discussions on ways to providing one stop service to owners of private buildings”.

6. In the aftermath of the outbreak of the Severe Acute Respiratory Syndrome, there is increased awareness that the present level of building upkeep for many existing buildings requires improvement. In this regard, one of the recommendations of the Report on Measures to Improve Environmental Hygiene in Hong Kong published by Team Clean in August 2003 is to consult the public on how to promote a building care culture within a holistic framework.

POLICY DIRECTION

7. Having regard to the shortcomings of the existing efforts in paragraph 4 above, the following major elements are proposed to be incorporated in our approach to building management and maintenance in order to achieve a better living environment for all –

- (a) we should foster a better building care culture among building owners;
- (b) building management and maintenance should be integrated to provide a sustainable solution to the building neglect problem; and
- (c) owners and the industry should work in partnership.

8. As regards paragraph 7(a) above, as with other forms of property ownership, it is the owners' responsibility for keeping their buildings in good repair. They have to accept their responsibility, including the necessary financial commitment, for properly managing and maintaining their buildings. Given that many buildings in poor maintenance have no formal management structure, the community should also consider the role of owners' corporations vis-à-vis professional managers in pursuing quality building care.

9. As regards paragraph 7(b) above, good building management is a prerequisite of proper long-term maintenance. We should, therefore, seek to make regular building maintenance an integral part of on-going management. Such integrated actions should be able to keep buildings in good repair in a more sustainable and comprehensive manner.

10. As regards paragraph 7(c) above, modern building management and maintenance requires cross-disciplinary input. The range of services required include, for example, legal advice to owners, assistance in the formation of owners' corporations, day-to-day property management and periodic maintenance. As most owners lack the necessary expertise and time for the purpose, they require access to the

various services in a relatively hassle-free manner. There is, therefore, room for the industry to provide user-friendly and cost-effective one-stop services to owners through pulling together the necessary legal, architectural, surveying, management and other related expertise. Such private sector efforts would empower owners to better discharge their responsibility for the upkeep of their buildings.

11. The role of the Government is to empower the owners and to support and facilitate proper building management and maintenance by –

- (a) setting up the necessary legislative framework;
- (b) providing a conducive environment for both the owners and the industry to work together;
- (c) promoting the owners' awareness by undertaking education and publicity; and
- (d) enforcing the law.

12. In order to increase both the push and pull forces in promoting better building maintenance, the Government would explore a package of support measures when taking forward the initiative. Some examples are –

- (a) making some mandatory form of management for buildings in multiple ownership;
- (b) facilitating sustained contributions to management and maintenance from building owners;
- (c) promoting recognition of high standard of management and maintenance through a voluntary building classification scheme; and
- (d) providing targeted financial assistance for the genuinely needy.

Subject to the outcome of the consultation exercise, these support measures will be looked into in detail.

PUBLIC CONSULTATION

13. The Government will conduct a public consultation exercise from 29 December 2003 to 15 April 2004 with a view to engaging the community in discussions about the appropriate approach in tackling the building neglect problem and promoting the need for proper building management and maintenance.

14. Building management and maintenance involve complex issues. We fully appreciate that the long-standing problem of building neglect cannot be resolved overnight. The aim of the consultation exercise is to generate wide public discussion on this important subject which concerns every member of our community. We hope that the community, through these discussions, would reach a consensus on the broad policy direction. We shall be guided by the public response in developing the implementation details in fostering a building care culture and creating a better living environment.

CONCLUSION

15. Members are invited to provide their views on the proposed policy direction.

**Housing, Planning and Lands Bureau
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