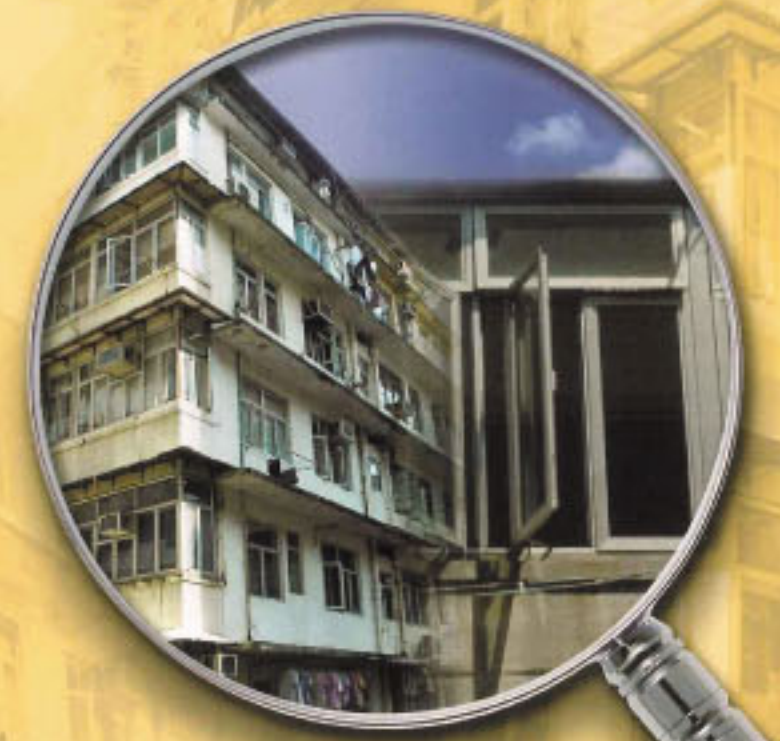


Report on the Public Consultation on Mandatory Building Inspection

Highlights



INTRODUCTION

The Government is committed to resolving the problem of building neglect. In order to introduce a long-term solution that is widely supported by the community, we have carried out a two-stage public consultation exercise on building management and maintenance.

The first-stage public consultation done in 2004 revealed the community consensus that it is the owners' responsibility to properly upkeep their buildings, including shouldering the financial commitment, and that mandatory building inspection should be introduced as a practicable long-term solution.

Premised on this consensus, we launched a second-stage public consultation in late 2005, seeking the community's views on the implementation details of a proposed mandatory building inspection scheme and proposed measures to enhance window safety.

We set out below our policy intention regarding the two schemes. As a next step, we will commence the legislative drafting exercise to take forward the two schemes by way of legislation.



RESPONDING TO COMMUNITY VIEWS

The encouraging results of the second-stage consultation reaffirmed the community's support for introducing a mandatory building inspection scheme. The community also supported that building owners should be required to inspect and repair windows regularly. It is indeed heartening to see a growing building care culture in the community.

We have taken on board the public's views over the implementation details of the two proposed schemes as far as practicable without compromising the standard of building safety, and refined the proposed schemes. In response to the views received, we -

- have solicited the support of the Hong Kong Housing Society (HKHS) to subsidize eligible owners on the cost of the first mandatory building inspection.
- propose to extend the cycle for mandatory building inspection from 7 years to 10 years so as to allow more time for owners to prepare for and carry out building inspection and rectification works.
- propose to adjust the age of buildings to be subject to mandatory window inspection from 5 years or above to 10 years or above and the inspection cycle from 3 years to 5 years, in order to minimize the burden on owners.
- propose to allow more qualified service providers to enhance owners' choice.

In summary, under the proposed **mandatory building inspection scheme**, owners of domestic (excluding those of 3 storeys or less), composite, and non-domestic private building aged 30 years or above will be required to appoint a qualified inspector to inspect their buildings every 10 years (by reference to the date when Buildings Department (BD) last issued the mandatory inspection notification to owners) and carry out the necessary rectification works. At the initial launch of the proposed scheme, we intend to cover about 2,000 buildings annually.

As regards the proposed **mandatory window inspection scheme**, owners of private domestic (except those of 3 storeys or less), composite and non-domestic buildings aged 10 years or above will be required to inspect all windows, both in common areas and within private premises, fixed and openable, every 5 years (by reference to the date when BD last issued the inspection notification to owners) and carry out the necessary rectification works.

Further details of these two proposed schemes are set out in Chapters 3 and 4 of the Report on the Public Consultation on Mandatory Building Inspection.



WHAT ARE THE SUPPORT MEASURES FOR OWNERS?

In discharging their duties under the two proposed schemes, eligible owners will enjoy various assistance and support from HKHS, professional institutes and the Government, at different stages:

Pre-Inspection

- financial incentive (up to \$3,000 per owners' corporation (OC)) and technical assistance, including general legal advice if necessary for the formation of OCs. (HKHS)*
- technical advice on the appointment of inspectors and contractors, including the scrutiny of tender documents. (HKHS)

During Inspection/Rectification

- subsidy for eligible owners on the cost of the first mandatory building inspection (about 80% target buildings will be eligible). (HKHS)
- technical guidance, and general legal advice if necessary, on matters relating to the inspection and rectification of buildings and windows. (HKHS)
- technical advice, if necessary, on the list of rectification works specified by inspectors. (HKHS)
- advisory fee levels on inspection and rectification works for reference. (professional institutes)
- grants and/or interest-free loans for carrying out rectification works on buildings and windows, including -
 - grants of up to 20% of the total cost of building maintenance works in common areas, capped at \$3,000 per unit. (HKHS)

* () denotes the party providing the assistance.



- interest-free loans of up to \$50,000 per unit for interior renovation of individual flats, including window inspection. (HKHS)
- eligible elderly owners will enjoy a grant of up to \$10,000 per unit for flat interior renovation works. (HKHS)
- loans (with a ceiling of \$1 million per unit) to owners under the Building Safety Loan Scheme to carry out maintenance on buildings and windows. (BD)

Post-Rectification

- subsidy for public liability insurance premium for common areas (up to 50% of the annual premium, capped at \$6,000 per annum, for 3 consecutive years) for buildings which have completed maintenance under the HKHS' guidance and assistance. (HKHS)

In addition, BD will ensure the proper regulation of service providers through the following measures:

- create a separate register under the Buildings Ordinance and establish a Registration Committee to ensure the professional standard of building inspectors.
- promulgate detailed guidelines on the requirements and standards for building and window inspection and rectification.
- conduct detailed audit checks on inspection reports submitted by inspectors. In the initial years after the launch of the proposed scheme, about 30% of the reports received will be checked.

- on the quality and standard of window installation, BD already issued the latest technical guidelines on window installation and design in March 2006. It will continue to review the relevant requirements. Separately, we will introduce the proposed Minor Works Control System to the Legislative Council for consideration. The Minor Works Control System will help to improve the professional standard of the contractors responsible for window installation.

We hope that with a comprehensive package of support measures to assist owners every step of the way, the proposed mandatory schemes will become a genuine driving force towards healthier and more sustainable buildings in Hong Kong.

VOLUNTARY BUILDING CLASSIFICATION SCHEME

To give positive recognition to buildings which are properly maintained and well-managed, the HKHS and related bodies are working on a Voluntary Building Classification Scheme (VBCS). We intend to exempt buildings accredited with good ratings under the VBCS from the proposed mandatory building inspection scheme.

The standards and requirements relating to building safety under the VBCS will be on par with, or higher than, those adopted in the proposed mandatory building inspection scheme. The assessors for the building safety part of the VBCS must be qualified inspectors under the proposed mandatory building inspection scheme.

WAY FORWARD

Backed by strong community support, we will commence the preparation for the necessary legislation on the mandatory schemes at full speed for submission to the Legislative Council. Let us all work hand in hand to create a better living environment for ourselves and the generations to come.