

Subcommittee on Building (Minor Works) Regulation

**List of follow-up actions arising from the discussion
at the meeting on 4 May 2009**

The Administration was requested to:

- (a) consider specifying a time limit for the Building Authority (BA) to give reasons for its decision in refusing an application for registration, renewal of registration, restoration of name to the register and other applications under the Building (Minor Works) Regulation (the Regulation);
- (b) consider whether a time limit within three months should be regularized for the Building Authority (BA) to make a determination of an application for registration, renewal of registration, registration of additional class, type or item of minor works and nomination of additional authorized signatory under the Regulation;
- (c) consider specifying the factors (such as the nature, seriousness and the timing of the offence) in respect of any offence against an individual under the laws of Hong Kong relating to the carrying out of any building works that would be taken into account by the BA in making a determination of an application for registration, renewal of registration, registration of additional class, type or item of minor works and nomination of additional authorized signatory;
- (d) explore and propose a statutory appeal channel, other than the Court of First Instance, for a person to lodge an appeal against the decision made by the BA or a Registration Committee under section 26 for the purpose of time and cost savings;
- (e) provide an undertaking that the Administration would promulgate in the form of practice notes the standard requirement of photographs showing the physical condition of the premises where the works were to be carried out under section 30(b). Examples and illustrations with descriptions for different scenarios should be set out in the practice notes to facilitate compliance;

- (f) provide information on measures to enhance building owners' understanding of the division of duties among the professional streams of the building industry upon the implementation of the minor works control system;
- (g) clarify whether the number of days referred to in the Regulation as calendar days and whether intervening holidays would be counted;
- (h) consider whether any administrative measures could be taken to remind the building industry of their responsibility to ensure the proper handling and disposal of construction and demolition materials after completion of minor works; and
- (i) provide a response on the feasibility and the timetable for accepting submission of simple notifications, plans, certificates of completion and documents to the BA before commencement and after completion of minor works through the Internet.

Council Business Division 1
Legislative Council Secretariat
5 May 2009