

政府總部  
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11 April 2011

Clerk to Bills Committee  
Legislative Council Building  
8 Jackson Road, Central  
(Attention: Mr Daniel SIN)

Dear Mr SIN,

**Bills Committee on Buildings (Amendment) Bill 2010**  
**Submission on the Buildings (Amendment) Bill 2010**

Thank you for your letter dated 24 March 2011, attaching a letter of 25 February 2011 from a Mr CHAN. We are pleased to provide below information in relation to the matters which were raised in Mr CHAN's letter.

The Government conducted a two-stage public consultation in 2003 and 2005, seeking views of the community and various stakeholders including building owners, professional bodies and the building industry on the ways to tackle the long-term building neglect problem in Hong Kong. The consultation pointed to a community consensus that owners should be responsible for keeping their buildings in good repair, including shouldering the financial commitment, and that mandatory inspection schemes should be pursued. The Government thus announced in mid-2007 the plan to legislate for the implementation of the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS). The Buildings (Amendment) Bill 2010 (the Bill) was introduced in February 2010 into the Legislative Council to amend the Buildings Ordinance (Cap. 123) for the implementation of the two Schemes, which require building owners to regularly inspect and repair their buildings and windows.

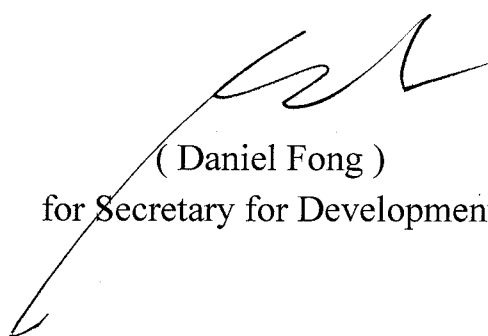
During the above-mentioned public consultations, we also sought the community's views on the age of target buildings and the inspection cycle under the two schemes. After carefully considering various factors, including the comments sought, the objective of upholding public safety and owners' onus and ability, we proposed that the MWIS should cover private buildings aged ten years or above, except domestic buildings not exceeding three storeys in height, with an inspection cycle of five years. We also proposed that under the MWIS, owners of windows who are served with a notice of the scheme should appoint a qualified person to carry out inspection of their windows, and if any defects are found, should appoint a registered contractor (who can be the same qualified person if he is also a registered contractor qualified to carry out window repair works) to repair the windows.

Under the MBIS/MWIS, owners or owners' corporations are required to appoint qualified building professionals and registered contractors to carry out the concerned inspection and repair works. The Buildings Department will monitor the progress of inspections and repair works, and ensure that building owners conduct such works in accordance with the required procedures and standards. To allow more choices for building owners and enhance market competition, we have proposed in the Bill to expand the pool of service providers for building/window inspections to include more practitioners who possess relevant qualifications and work experience in the field of building construction, repair and maintenance. The supply of such professionals will be adequate to meet the market demand. In particular, registered minor works contractors who are registered to conduct window works under the minor works control system, a substantial number of whom are individual workers, will also become eligible to conduct inspections and repair works for windows under the MWIS. The list of eligible professionals and contractors will be publicized for public's perusal.

To dovetail with the implementation of the two schemes, the Government, in collaboration with the Hong Kong Housing Society and the Urban Renewal Authority, will provide financial assistance and technical support to help owners comply with the statutory requirements of the two schemes.

Building owners are responsible for properly maintaining their buildings. We trust that the implementation of MBIS/MWIS will arrest the long-standing problem of building neglect in Hong Kong, and at the same time encourage owners to properly maintain their buildings, which will improve building safety and minimize the occurrence of incidents of window components falling from height.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DF', is written over the typed name and title.

( Daniel Fong )

for Secretary for Development

c.c.

Director of Buildings