



ICWCI (Hong Kong)

**THE INSTITUTE OF CLERKS OF WORKS AND CONSTRUCTION INSPECTORATE
(HONG KONG)**

工程監督及建設監理學會(香港)

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5 July 2010

(By registered post and fax)

honorary fellows

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Clerk to Bills Committee on Buildings (Amendment) Bill 2010
8 Jackson Road, Central,
Hong Kong

Attention: Mr. WONG Siu-yee
Legislative Council Secretariat

Dear Sirs,

Re: Buildings (Amendment) Bill 2010
Mandatory Building Inspection Scheme (MBIS) and
Mandatory Window Inspection Scheme (MWIS)

In respect of consultation on the mandatory inspection schemes for buildings and windows through legislation (for the proposed scheme (MBIS) covers private buildings aged 30 years or above, except domestic buildings not exceeding 3-storey in height, and for the proposed scheme (MWIS) covers private buildings aged ten years or above, except domestic buildings not exceeding 3-storey in height), which are scheduled to be implemented by end of 2011, we would like to express our views on the Schemes and Qualifications and Experience for the **Registered Inspectors (RI)** and **Qualified Persons (QP)** for (MBIS) and (MWIS) respectively for your perusal and consideration of the following:

1. We [ICWCI (Hong Kong)] agree in principle that The Government proposed the introduction of the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) to the Bills Committee on Buildings (Amendment) Bill 2010.
2. The proposed consultation of the reinforcement of regular inspections of the general health of older buildings and windows are considered the right steps towards making Hong Kong a safer place to live. We agree that both types of inspections can help early identification of potential problems in dilapidated buildings. If proceed properly, the building owners, owners' committees, owners' corporation and occupiers carry out repair and maintenance to dwellings that should improve the life of the aging buildings and to avoid disaster of building collapse like the 5 - storey old building at 45J Ma Tau Way Road, Kowloon.



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3. The Bill introduces new class of service providers, **Registered Inspectors (RI)**, to perform building inspection services, and **Qualified Persons (QP)**, to carry out window inspections. Apart from inclusive of the Authorized Person (AP) and Registered Structural Engineers (RSE), and the Registered Architects, Registered Professional Engineers and Registered Professional Surveyors of relevant disciplines possessing relevant work experience may be registered as (RI) for carrying out inspections for the MBIS / MWIS, there are a number of construction personnel who are well qualified to conduct such inspections and should be included in the list of Registered Inspectors (RI) for MBIS and Qualified Persons (QP) for MWIS.
4. It is noted that the long-term building neglect has been a long-standing problem in Hong Kong. The presence of aging buildings lacking proper care and maintenance poses potential threats to residents and the public at large. Defects such as structural deterioration, defective fire services installation and concrete spalling pose safety hazards not only to the building occupants, but also to other building users and pedestrians nearby. The lack of proper maintenance and improper use of windows also pose a serious threat to public safety. It is therefore a considerable number of (RI) & (QP) are required for the current (MBIS) and (MWIS) schemes.
5. Owners, including elderly owners, carrying out building maintenance may apply for such grants or loans under (MBIS) / (MWIS). To resolve the costs issue for carrying out the 2 proposed schemes, increasing the Registered Inspectors and Qualified Persons are one of the positive ways to resolve the costs issue, otherwise the low income group or even the retirees can not afford the costs and may be forced to commit the offences under the new law.
6. We agree that prior registration by Buildings Department for (RI) and (QP) are required as proposed in the Bill. We suggest adopting system similar to the TCP from T1 to T5 of various grades for the SSSP. Minimum qualifications and experience required for each grade of (RI) and (QP) are to be specified or may refer to the TCP system.

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7. We and the public are concerned about the supply of (RI) and (QP) to meet the demand for buildings and windows inspections. They are worried that with too small a pool of professionals, it will be difficult to achieve a given number of inspections and repairs within a specific timeframe and the fees for professional services will be high. Increasing the Qualified Inspectors and Qualified Persons for carrying out inspections for the MBIS / MWIS in order to meet the annual target of inspecting and repairing 2,000 old buildings. Such an approach will help increase the supply of registered service providers for MBIS / MWIS, and keep the costs down through increased competition.
8. Based on the requirements of the schemes, the proposed persons with TCP-T3 (holding a minimum qualification of higher certificate or higher diploma with minimum total relevant working experience of 5 years or above) are the competent persons to conduct the MBIS and MWIS if they are included into the list of (RI) and (QP). This will increase the numbers of (RI) and (QP) thereby reducing its inspection cost significantly which in return will benefit to the end users, owners, owners' committees, owners' corporation and occupiers of the buildings.
9. The (AP) / (RSE) Professionals and (RA), (RPE) and (RPS) may have limited time or make the cost higher in conduct, personally, on-site inspections and inspections at critical stages only for the (MBIS) and (MWIS) works. It will be better to provide (RI) / (QP) for full time supervision on site so that any site matters and or instant site safety can be resolved on time.
10. Our Clerks of Works and Inspectors of Works with the designation title of (MICWCI / FICWCI) are competent persons and the right front line inspectors to act as the Registered Inspectors (RI) and Qualified Persons (QP) with the required qualifications of relevant disciplines possessing relevant work experience in these 2 schemes. Both our qualified Clerks of Works and Inspectors of Works are familiar with the building construction, repair and maintenance works, they are working in the frontier of construction sites from day to day to monitor the progress, site safety quality and structural issues to meet the stipulated standard and requirements for the works in the public and private construction works in Hong Kong in the past decades.

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Please include our Institute members, holding the designation title (MICWCI/FICWCI) as one of the professional groups to carry out mandatory inspections, with disciplines (Building Studies, Architectural Studies, Structural Engineering, and Civil Engineering) and relevance of experience and qualifications **into the list of (RI) and (QP).** Our Institute is very happy to provide more information to you in regard of the above-mentioned disciplines.

Should there be any further consultations on this matter, please feel free to contact the undersigned at 6056 4632 or our Chairman of Advisory and Development Committee Mr. Garry Ho at 9088 0227. We will come to meet you to discuss this issue in details or to participate in any coming consultations or forums.

We are looking forwards to your favorable reply soon.

Yours faithfully,

DICK LI

Dick T H Li
Chairman

cc Secretary for Development Mrs. Carrie Lam
Director of Buildings Mr AU Choi-kai, JP
ICWCI(HK) Honorary Advisor – Ir Dr the Honourable Raymond Ho Chung-tai
Professor Patrick LAU Sau Sing, SBS
U K Headquarters
All Council Members / Honorary Advisors / Council Advisors