

政府總部  
發展局  
規劃地政科  
香港花園道美利大廈



**CB(1)364/09-10(01)**  
Planning and Lands Branch  
Development Bureau  
Government Secretariat  
Murray Building, Garden Road  
Hong Kong

本局檔號 Our Ref. DEVB(PL-B) 30/30/120

電話 Tel.: 2848 6297

來函檔號 Your Ref. CB1/SS/1/09

傳真 Fax: 2899 2916

**[Fax: 2869 6794]**

13 November 2009

Mr Wong Siu-ye  
Clerk to Subcommittee  
Legislative Council Secretariat  
Legislative Council Building  
8 Jackson Road  
Central, Hong Kong

Dear Mr. WONG,

**Subcommittee on Building (Minor Works) (Fees) Regulation**  
**Response to Subcommittee's Comments**  
**at Meeting on 9 November 2009**

Thank you for your letter of 10 November 2009. I am pleased to provide below the Administration's response.

We note the concerns of members and deputations on the operational details of the Building (Minor Works) (Fees) Regulation (Fees Regulation). We have carefully considered the views expressed during the last meeting and propose the following measures for members' consideration:

**(a) Fees for Request for Review**

As we explained at the meeting of 9 November 2009, we would further enhance the review mechanism. We propose that amendments should be made to sections 8, 17 and 21 of the Fees Regulation by including a new provision in each section stipulating that if the Building Authority substitutes the original decision to which the request for review relates with another decision, the Authority must refund the fee paid in

respect of the request. A marked-up version of the Fees Regulation, stipulating our proposed amendments, is attached at Annex for members' reference. Subject to members' views, the Secretary for Development will move a motion to make a resolution to amend the Fees Regulation.

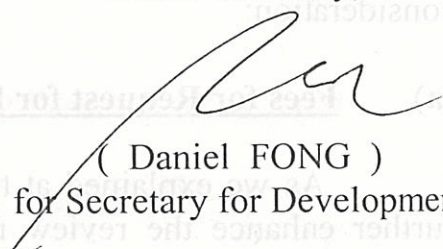
(b) **Fee Concession for Individual Practitioners whose Application Depend Solely on Experience**

We are mindful of the views of members and delegations that the difference in registration fees for practitioners with formal qualifications (\$155) and those who depend solely on their experience (\$305) may not be conducive to the latter's registration as contractors. It is our policy objective to encourage and facilitate as many practitioners as possible to register under the new minor works control system upon its implementation. In view of this, we propose to introduce a limited "early bird" incentive for those practitioners without any formal qualifications to encourage them to register. Under the proposal, during the first 12 months of the registration period, the Buildings Department will provide a subsidy of \$150 to each applicant whose first-time application of any minor works item solely relies on his/her experience. As a result, such an applicant will only need to pay \$155 for registration, which is the same as one applying in accordance with qualifications. In other words, the two types of fees will be leveled during the first twelve months of the registration period.

We trust that the above proposal will facilitate the registration of practitioners without formal qualifications and encourage them to come forward to register early.

Please let us know if you require further clarifications.

Yours sincerely,

  
( Daniel FONG )  
for Secretary for Development

cc

Director of Buildings  
Department of Justice

(Attention: Mr. S T Lam)

(Attention: Miss Selina Lau)

**Proposed Amendments to Building (Minor Works) (Fees) Regulation**

**8. Fee for request for review: application relating to one or more items of class III minor works**

(1) The fee to be paid under section 26(2)(b) of the Minor Works Regulation for a request to review a decision or recommendation made in respect of an application is \$105.

(2) If the Building Authority substitutes the decision to which the request relates with another decision under section 26(8)(a)(ii) of the Minor Works Regulation, the Authority must refund the fee paid for the request.

**17. Fee for request for review: application relating to one or more types of minor works under one or more classes**

(1) The fee to be paid under section 26(2)(b) of the Minor Works Regulation for a request to review a decision or recommendation made in respect of an application is a fee equal to the aggregate of the amounts specified in subsection (2) in respect of each proposed authorized signatory involved in the application, or part of the application, in respect of which the request is made.

(2) The amounts specified for the purposes of subsection (1) are –

- (a) if the highest class of minor works in which the individual is involved is class I, \$1,100;
- (b) if the highest class of minor works in which the individual is involved is class II, \$810;

- (c) if the individual is involved in class III minor works only, \$395.

(3) If the Building Authority substitutes the decision to which the request relates with another decision under section 26(8)(a)(ii) of the Minor Works Regulation, the Authority must refund the fee paid for the request.

**21. Fee for request for review: application for registration as registered minor works contractor (provisional)**

(1) The fee to be paid under section 26(2)(b) of the Minor Works Regulation for a request to review a decision made in respect of an application is a fee equal to the aggregate of the amounts specified in subsection (2) in respect of each proposed authorized signatory involved in the application, or part of the application, in respect of which the request is made.

(2) The amounts specified for the purposes of subsection (1) are –

- (a) if the highest class of minor works in which the individual is involved is class I, \$1,100;
- (b) if the highest class of minor works in which the individual is involved is class II, \$810;
- (c) if the individual is involved in class III minor works only, \$395.

(3) If the Building Authority substitutes the decision to which the request relates with another decision under section 26(8)(a)(ii) of the Minor Works Regulation, the Authority must refund the fee paid for the request.