

7 March 2011

Dear Mr Chan,

**Submissions regarding the Buildings Energy Efficiency
(Registered Energy Assessors) Regulation**

The Subcommittee on Buildings Energy Efficiency (Fees) Regulation and Buildings Energy Efficiency (Registered Energy Assessors) Regulation (REA Regulation) has forwarded to us your emails to the Hon Patrick Lau dated 25 February 2011 and 4 March 2011. I was authorised to give you a reply. This reply will be sent to the Hon Lau's office and I understand that his assistant will forward the reply to you accordingly.

I would first like to give you some background of our work on promoting building energy efficiency in Hong Kong. Since 1998, the Electrical and Mechanical Services Department (EMSD) has been operating a voluntary Hong Kong Energy Efficiency Registration Scheme for Buildings to promote compliance with the Building Energy Codes (BEC), which stipulates the minimum energy efficiency standards and requirements on four types of building services installations (i.e. electrical, lighting, air-conditioning and lift and escalator installations). Under that scheme, designers, architects, building developers, property management agencies etc. can submit relevant details of their building for assessment of compliance with the BEC. The Scheme requires the certification of information about the design parameters of relevant building services installations by a Registered Professional Engineer (RPE) of relevant discipline under the Engineers Registration Ordinance.

As voluntary compliance with BEC appears not to be forthcoming in Hong Kong, we considered it necessary to pursue mandatory compliance. The Government concluded a 3-month public consultation on the proposed mandatory implementation of BEC in March 2008. The majority of the views received agreed that the Government's proposal was in the right direction for promoting energy efficiency and conservation in buildings and supported the implementation of the mandatory scheme. Both the Hong Kong

Institute of Architects and the Hong Kong Institute of Surveyors generally supported the legislative framework.

After the conclusion of the public consultation, we have been gauging views on the detailed arrangements of the legislative proposal through various channels. The Environment Bureau and EMSD established a Trade Task Force and a Technical Task Force with representatives from professional bodies, major chambers of commerce, property management companies, real estate developers and retail associations, which served as platforms for discussing the legislative proposal.

The Buildings Energy Efficiency Ordinance (the Ordinance), which mandates the compliance with BEC concerning the energy efficiency of building services installations in buildings, was enacted in November 2010. In working out the legislative framework, we believe that the requirement under the mandatory scheme should be equally stringent, if not more, than the existing voluntary scheme. In determining the eligible persons to be registered as Registered Energy Assessors (REA), who perform specific functions under the Ordinance, the primary focus was the core engineering professional competence required. Specifically, an REA needs to ascertain whether the design, installation and completion of the four types of relevant buildings services installations covered by the Ordinance comply with the mandatory requirements in the BEC. Examples of some engineering parameters covered are the coefficient of performance of air-conditioning equipment, power distribution loss in electrical installations, power quality, motor efficiency, total harmonic distortion of lifts and escalators and the lighting power density of lighting installations, etc. We consider that these matters should better be handled by personnel with professional engineering background.

That said, under section 5(2) of the REA Regulation, the Director of Electrical and Mechanical Services (the Director) may allow any person from other professions who can satisfy the Director that his knowledge, qualification, education, experience and training, when considered as a whole, are comparable to his counterparts who are RPEs (to be registered under section 5(1)(a)) or members of the Hong Kong Institution of Engineers (HKIE) or persons having equivalent

qualification recognized by the HKIE (to be registered under section 5(1)(b)) to apply for registration as REA.

(Philip Har)
for Secretary for the Environment