
Building (Minor Works) (Amendment) Regulation 2011

(Made by the Secretary for Development under section 38 of the Buildings Ordinance (Cap. 123))

1. Commencement

This Regulation comes into operation on a day to be appointed by the Secretary for Development by notice published in the Gazette.

2. Building (Minor Works) Regulation amended

The Building (Minor Works) Regulation (Cap. 123 sub. leg. N) is amended as set out in sections 3 to 14.

3. Section 27 amended (prescribed building professionals to be appointed for purposes of section 4A of Ordinance)

Section 27(a)—

Repeal

“person;”

Substitute

“person, or, if the works are a prescribed repair or any associated demolition works, a registered inspector assuming the role of an authorized person in respect of the works;”.

4. Section 30 amended (documents to be submitted before commencement of class I minor works)

(1) Section 30, after “works, the authorized person”—

Add

“or registered inspector”.

(2) Section 30(a)(iii), after “person”—

Add

“or registered inspector”.

(3) Section 30(a)(iv), after “person”—

Add

“or registered inspector”.

5. Section 31 amended (documents to be submitted on completion of class I minor works other than demolition works)

(1) Section 31, after “, the authorized person”—

Add

“or registered inspector”.

(2) Section 31(c)(ii), after “person”—

Add

“or registered inspector”.

(3) Section 31(c)(iii)—

Repeal

everything after “authorized person”

Substitute

“or registered inspector has certified that the works are, in his or her opinion, structurally safe;”.

6. Section 32 amended (documents to be submitted on completion of class I minor works that are demolition works)

(1) Section 32, after “, the authorized person”—

Add

“or registered inspector”.

(2) Section 32(c)(ii), after “person”—

Add

“or registered inspector”.

(3) Section 32(c)(iii)—

Repeal

everything after “authorized person”

Substitute

“or registered inspector has certified that any land or street affected by the works has an adequate margin of safety and any structure remaining on the premises is, in his or her opinion, structurally safe;”.

7. Section 37 amended (plans etc. to be signed by person preparing them)

Section 37(1)(c), after “person”—

Add

“or registered inspector”.

8. Section 42 amended (duty of prescribed building professional to supervise minor works)

Section 42(1), after “person”—

Add

“or registered inspector”.

9. Section 48 amended (duty of prescribed building professional and prescribed registered contractor on change in appointment)

(1) Section 48(2)—

Repeal

“authorized person appointed”

Substitute

“authorized person or registered inspector appointed”.

(2) Section 48(2)—

Repeal

“authorized person must”

Substitute

“authorized person or registered inspector appointed under section 27 in respect of the works must”.

- (3) Section 48(3), after “authorized person”—

Add

“or registered inspector”.

10. Section 51 amended (duty of prescribed registered contractor on ceasing to be appointed)

Section 51(1)(a), after “person”—

Add

“or registered inspector”.

11. Section 52 amended (duty of authorized person on being delivered notice under section 51(1))

- (1) Section 52, heading, after “**authorized person**”—

Add

“**or registered inspector**”.

- (2) Section 52—

Repeal

everything after “authorized person”

Substitute

“or registered inspector appointed under section 27 or nominated under section 4A(5) of the Ordinance in respect of any class I minor works must, within 7 days after the date of receipt of any notice delivered to the authorized person or registered inspector under section 51(1), submit the notice to the Building Authority.”.

12. Section 55 amended (duty of authorized person to deliver copy of prescribed plans and details etc. to prescribed registered contractor)

(1) Section 55, heading, after “**authorized person**”—

Add

“**or registered inspector**”.

(2) Section 55, after “person”—

Add

“or registered inspector”.

13. Section 62 amended (provisions relating to section 39C of Ordinance)

After section 62(2)(b)—

Add

“(ba) a registered inspector;”.

14. Schedule 1 amended (minor works)

(1) Schedule 1, Part 1, after section 2—

Add

“3. A description of an item of minor works specified in Part 3 of this Schedule that involves any alteration works must be read as including any strengthening works for that item.

4. A description of an item of minor works specified in Part 3 of this Schedule that involves any erection works must be read as including any replacement of that item.”.

(2) Schedule 1, Part 3, Division 1, item 1.17—

Repeal

“column, shear wall,”.

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- (3) Schedule 1, Part 3, Division 2, item 2.2, paragraph (c)—
Repeal
“of item 3.2”
Substitute
“of item 12 of Part 2 of Schedule 2 or item 3.2”.
- (4) Schedule 1, Part 3, Division 2, item 2.17—
Repeal
“any slab”
Substitute
“any column, shear wall, slab”.
- (5) Schedule 1, Part 3, Division 2, item 2.30, after “Erection”—
Add
“, repair”.
- (6) Schedule 1, Part 3, Division 2, item 2.30, paragraph (a)—
Repeal
“and”.
- (7) Schedule 1, Part 3, Division 2, item 2.30, paragraph (b)—
Repeal
“3.23.”
Substitute
“3.23; and”.
- (8) Schedule 1, Part 3, Division 2, item 2.30, after paragraph (b)—
Add
“(c) the works do not involve any repair or replacement of an internal branch pipe or sanitary fitment.”.
- (9) Schedule 1, Part 3, Division 3, item 3.23, after “Erection”—

Add

“, repair”.

- (10) Schedule 1, Part 3, Division 3, item 3.23, paragraph (b)—

Repeal

“and”.

- (11) Schedule 1, Part 3, Division 3, item 3.23, paragraph (c)—

Repeal the full stop

Substitute

“; and”.

- (12) Schedule 1, Part 3, Division 3, item 3.23, after paragraph (c)—

Add

“(d) the works do not involve any repair or replacement of an internal branch pipe or sanitary fitment.”.

Carrie LAM
Secretary for Development

26 October 2011

Explanatory Note

The object of this Regulation is to—

- (a) provide for the appointment of a registered inspector for any prescribed repair that is class I minor works; and
- (b) amend any minor works item in Schedule 1 to the Building (Minor Works) Regulation (Cap. 123 sub. leg. N) that may also be a prescribed repair or any of its associated demolition works.