

**For information**

**Panel on Development**

**Information note on implementation of  
the Validation Scheme for Unauthorised Signboards**

**PURPOSE**

This note provides an update on the implementation of the Validation Scheme for Unauthorised Signboards (Validation Scheme) under the Signboard Control System of the Buildings Department (BD).

**BACKGROUND**

2. Under the Buildings Ordinance (BO), the erection of signboards is building works and requires the prior approval of plans and consent for the commencement of works by BD. With full implementation of the Minor Works Control System (MWCS) since 31 December 2010, depending on the scale and potential risk of the works, the construction, alteration and removal of signboards is categorised as works which will continue to be subject to prior approval and consent of BD, minor works which can be carried out legally following the fast and simplified requirements under MWCS, or designated exempted works which can be carried out without obtaining prior approval and consent or following the MWCS requirements.

**Signboard Control System**

3. Apart from designated exempted works, signboards erected without obtaining the prior approval and consent of BD or following the requirements under MWCS are unauthorised building works and may be subject to enforcement action under BO. Upon identification of unauthorised signboards which are under construction or newly erected, BD will take enforcement action and issue removal orders requiring their removal. In addition, BD conducts surveillance inspections in various districts to ascertain

the general conditions of existing signboards, and carries out large-scale operations to eliminate the potential danger that may be posed by existing unauthorised signboards. In emergency situations, BD will engage its contractor to remove dangerous signboards immediately and then recover the cost of works from the signboard owners.

### **Validation Scheme for Unauthorised Signboards**

4. Taking into the consideration that many of the existing unauthorised signboards in Hong Kong are in active use for business operations and their existence carries notable value for sustaining local commercial activities and contributing to Hong Kong's prosperity, the Government has sought to rationalise the issue of unauthorised signboards in a pragmatic way. With a view to providing an additional option for signboard owners apart from removing and re-erecting unauthorised signboards under MWCS, BD has introduced the Validation Scheme since 2013 to allow the continued use of certain existing unauthorised signboards after safety inspection, strengthening (if necessary), and certification by prescribed building professionals and/or prescribed registered contractors.

5. Unauthorised signboards that fall within the prescribed technical specifications and erected before 2 September 2013 are eligible for validation upon application for joining the Validation Scheme. BD conducts random audit checks upon receipt of the validation submissions to ascertain compliance with the relevant statutory requirements as well as the safety standard of such validation and strengthening works, if any. The legal status of the validated signboards remains unchanged and they are still unauthorised building works. However, BD will not take enforcement action against them unless they become dangerous.

6. To further enhance the safety of these validated signboards, the owners should, at intervals of not more than five years, either make a fresh validation submission for the signboards concerned or remove them. This would alleviate the potential danger posed by abandoned signboards as BD would have information on those validated signboards which have not undergone the periodic safety inspection subsequently and can take appropriate action against them. The interval of five years for safety inspection aims to

strike a balance between the need to tackle the building safety problem arising from existing unauthorised signboards and to avoid bringing undue inconvenience to business operators. During the five-year interval, the signboard owners are responsible for proper maintenance of the signboards. Where an existing signboard is rendered dangerous because of a change in circumstances or lack of proper maintenance, BD may take prompt enforcement action to require the signboard owner to remove it or carry out repair works to remove the safety risk.

## **PROGRESS OF IMPLEMENTATION OF THE VALIDATION SCHEME**

7. From the implementation of the Validation Scheme in September 2013 up to May 2015, BD had received 228 validation applications, among which 71 unauthorised signboards had been validated. The remaining applications are either being processed or had been rejected due to non-compliance with the relevant requirements.

8. While the number of validated signboards may appear to be on the low side, it should be noted that minor works associated with signboards have significantly increased after implementation of the Validation Scheme. In the 32 months from 31 December 2010 to 1 September 2013, there were 2 992 cases of minor works associated with signboards, i.e. 94 cases on average per month, before the implementation of the Validation Scheme. In the 21 months from 2 September 2013 to 31 May 2015 since the implementation of the Validation Scheme, the number of cases had substantially increased to 8 350 cases, i.e. 398 cases on average per month. This shows that many signboard owners might have chosen to remove the old signboards and re-erect a signboard under MWCS instead of applying for validation.

9. To enhance public awareness of the Validation Scheme and the MWCS, BD has been disseminating relevant information to the public through different means, and will continue to do so. BD's public education and publicity initiatives include -

- (a) distributing booklets;
- (b) making available relevant guidelines on BD's website;
- (c) broadcasting Announcement in the Public Interests;

- (d) conducting briefings for the industry and public;
- (e) launching a mobile application for MWCS and the Validation Scheme; and
- (f) introducing the Validation Scheme to food business operators during their licensing applications.

10. In parallel, BD will continue to take enforcement action against unauthorised signboards in response to public reports and through its large scale operations. In 2014, 349 removal orders were issued against unauthorised signboards and 56 prosecutions were instigated against signboard owners for failure to comply with removal orders. In 2015, BD will continue to conduct large scale operations in different districts. It is estimated that 600 removal orders will be issued against unauthorised signboards in 2015.

## **REVIEW OF THE VALIDATION SCHEME**

11. BD will review the Validation Scheme at an appropriate juncture to assess its effectiveness and identify areas for improvement. We will keep the Panel on Development informed.

**Development Bureau**  
**Buildings Department**  
**July 2015**