

**立法會**  
***Legislative Council***

LC Paper No. CB(1)1720/03-04

(These minutes have been seen  
by the Administration)

Ref : CB1/BC/9/02/2

**Bills Committee on Buildings (Amendment) Bill 2003**

**Minutes of eighteenth meeting held on  
Friday, 23 April 2004  
(immediately after the House Committee meeting held at 2:30 pm)  
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Cyd HO Sau-lan (Chairman)  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon Andrew WONG Wang-fat, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon LI Fung-ying, JP  
Hon Albert CHAN Wai-yip  
Hon LAU Ping-cheung  
Hon Audrey EU Yuet-mee, SC, JP
- Members absent** : Hon Margaret NG  
Hon Miriam LAU Kin-yee, JP  
Dr Hon TANG Siu-tong, JP  
Hon Abraham SHEK Lai-him, JP  
Hon WONG Sing-chi
- Public officers attending** : Ms Olivia NIP  
Deputy Secretary for Housing, Planning and Lands  
(Planning and Lands)<sup>2</sup>
- Mr Rick CHAN  
Assistant Secretary for Housing, Planning and Lands  
(Buildings)<sup>1</sup>
- Mr AU Choi-kai  
Assistant Director (Support)  
Buildings Department

Mr HO Kwok-hung  
Chief Building Surveyor (Legal)  
Buildings Department

Mr CHENG Kim-fung  
Senior Assistant Law Draftsman  
Department of Justice

**Clerk in attendance :** Miss Odelia LEUNG  
Chief Council Secretary (1)4

**Staff in attendance :** Mr LEE Yu-sung  
Senior Assistant Legal Adviser 1

Ms Connie SZETO  
Senior Council Secretary (1)4

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Action

**I. Discussion on the way forward concerning the Minor Works Control Regime in the Bill**

(LC Paper No. CB(1)1578/03-04(01) -- List of follow-up actions arising from the discussion at the meeting on 16 April 2004

LC Paper No. CB(1)1578/03-04(02) -- Information paper provided by the Administration on minor works control regime -- way forward)

The Bills Committee deliberated (Index of proceedings attached at the **Appendix**).

The way forward on the minor works control regime

2. Members noted that the purpose of the meeting was to discuss and decide the way forward on the minor works (MW) control regime in the Bill. The Administration had assessed policy, operational and drafting implications of the four different options suggested by members to deal with the MW control regime.

3. In order to allow sufficient time for conducting further consultation with the MW sector on the lists of MW and registration criteria of registered MW contractors, as well as to enable the Bills Committee to focus on the scrutiny of less controversial proposals in the Bill, members in general considered that option 1 - to delete the whole MW control regime from the Bill, was the appropriate way forward. Option 1 was also supported by the Administration

Action

because it was less complicated than other options in terms of drafting and implementation. Mr Andrew WONG, however, expressed reservation over option 1 and considered that option 3 - designating certain types of Category III and/or Category IV MW as exempted works, and option 4 - defer commencement of provisions on Category III and/or Category IV MW, could be further examined. After discussion, the Bills Committee agreed to adopt option 1.

**II. Any other business**

Meetings for May and June 2004

4. In order to allow more time for the Administration to prepare proposed Committee Stage amendments relating to option 1, Members agreed that the meeting to be held on 29 April 2004, at 2:30 pm be cancelled. The next meeting would be held on 7 May 2004, at 8:30 am.

5. In addition to the meetings already scheduled, members further agreed to schedule two more meetings on 14 May 3004, at 8:30 am, and 3 June 2004, at 8:30 am.

6. The meeting ended at 3:25 pm.

Council Business Division 1  
Legislative Council Secretariat  
10 May 2004

**Proceedings of the eighteenth meeting of the  
Bills Committee on Buildings (Amendment) Bill 2003  
on Friday, 23 April 2004  
(immediately after the House Committee meeting held at 2:30 pm)  
in Conference Room B of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000000 - 000157	Chairman	Introducing the purpose of the meeting	
000158 - 001046	Administration	<p>Briefing on the Administration's assessment on policy, operational and drafting implications of four options suggested by members to deal with the minor works (MW) control regime in the Bill (LC Paper No. CB(1)1578/03-04(02))</p> <p>The Administration's view that option 1 - to delete the whole MW control regime from the Bill, was the appropriate way forward</p> <p>The Administration's undertaking to introduce another amendment bill in the next LegCo session to take forward the revised MW control regime after further consultation with the MW sector</p>	
001047 - 001233	Ir Dr Raymond HO	Support for adopting option 1 to allow sufficient time for the Administration to conduct further consultation with the MW sector on the details of MW control regime	
001234 - 001526	Mr TAM Yiu-chung Ms LI Fung-ying	<p>Support for adopting option 1</p> <p>Emphasis that the Administration should not step up enforcement actions against unauthorized MW before enactment of the revised MW control regime unless the MW posed an imminent danger</p>	
001527 - 001636	Mr Andrew WONG	<p>Reservation over option 1</p> <p>Support for further examination of option</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		3 or 4  Express view that since MW was the major proposal in the Bill, without MW, the whole Bill might be withdrawn	
001637 - 002034	Administration	<p>The Administration's confirmation that the Buildings Department adopted a priority enforcement policy which mainly tackled unauthorized building works that were newly erected, constituted imminent danger to the public, or posed serious environmental nuisance</p> <p>The Administration's advice that it was undesirable to defer the whole Bill to the next LegCo session as this would delay implementation of other important proposals in the Bill which were supported by members</p>	
002035 - 002405	Chairman	Agreement on meeting schedule	