

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

**Response to Submission
from Mr B. W. Choy**

Purpose

This paper provides a response to the submission of 25 April 2003 from Mr B.W. Choy to the Bills Committee.

Response

2. Mr Choy has queried the rationale for the minor works control regime. Members may wish to refer to the paper on the proposed minor works control regime for the rationale for and proposed workings of the regime HPLB/BAB Paper/03/03. In short, the regime is not a free for all system. It is a control regime with different supervision requirements for different types of works depending on their nature, scale, complexity and structural implications. There are controls on the registration of minor works contractors, statutory provisions as to safety procedures, disciplinary proceedings and sanctions.

3. Mr Choy has questioned the need to register geotechnical engineers. Members may wish to note that since the 1980s, amendments to the Buildings Ordinance and its subsidiary legislation have been made in stages to specify requirements for geotechnical input in the design and construction of geotechnical elements of building works. In order to fulfill such requirements and submit the required geotechnical assessment reports and plans on geotechnical works, an Authorized Person or a Registered Structural Engineer usually has to seek specialist advice from a geotechnical engineer. The introduction of the registration system for geotechnical engineers will recognize the statutory role of these geotechnical engineers, and enable them to undertake the investigation, design and supervision of geotechnical works directly. In addition, they will be held legally responsible for the quality of their work. This is part of our effort to rationalize the building control regime and thereby enhancing public safety.

4. Mr Choy has questioned if an advertisement structure should first be declared as a building before it can be classified as a minor work. The Administration wishes to advise that a clear definition of signboard is provided under Clause 2 of the Buildings (Amendment) Bill 2003. A signboard is not defined as a building but as a kind of building works. Whether a signboard is a type of minor works would depend on its size and location. Members may wish to refer to papers HPLB/BAB Paper/01/03 and 04/03 for more details.

5. Mr Choy has questioned if the Buildings (Amendment) Bill 2003 has been carefully thought out. The Administration wishes to advise that the Bill's proposals have been the result of thorough discussions with the industry and relevant parties. Of course, we will continue to study carefully any specific proposals to further improve the Bill.

Housing, Planning and Lands Bureau
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