

29 August 2003

Miss Odelia Leung
Clerk to Bills Committee on Buildings (Amendment) Bill 2003
Legislative Council Secretariat
3/F, Citibank Tower
3 Garden Road
Central
Hong Kong

Dear Miss Leung

Buildings (Amendment) Bill 2003

We thank you for your letter of 1 August and as requested would like to offer our views on the Bill as follows.

1. Minor Works

The introduction of *minor works*, and their *categorization*, and *minor works contractors*, and their *classifications*, and the many administrative, regulatory and sanctioning issues that go along with these terminologies is the crux of this Bill, but the way that these terms are defined, explained and placed in certain provisions in the Ordinance and the Regulations makes the whole thing difficult to read and the logic behind difficult to follow. The issue of *minor works* has a much wider implication to the public than the general building works that we are familiar with. The proposed amendments introduced for this particular issue are complicated and they would likely cause ambiguities in future applications. Although it is provided in the proposed amendments for the Building Authority to make clarifications where necessary, we are of the opinion that the system can be simplified and the nature/duties of the minor works/contractors defined in a much simpler and clearer manner. While we are in support of this new introduction, we must stress that it is important to have everything in the law clearly spelt out in order to avoid any possible misunderstandings in the future.

2. Registered Geotechnical Engineers

We have no objection to introducing *registered geotechnical engineer* into the plans submission and supervision regime, but we are concerned that it may result in higher construction costs and longer duration of work. Although it is not clearly stipulated in the proposed amendments, Buildings Department should be advised to take every care and consideration in its administration procedure to ensure that no bureaucratic burden will fall on the private sector because of this additional supervisory person.

3. Signboards

It seems that this is the only place, after many years of consultations and discussions amongst Government departments, to put the “*signboards*” under a specific control. In principle, we have no objection to the proposal but there are certain grey areas that would need further deliberations. For example, it is not definite when to draw a line between the *owner* and the *occupier*, and the *land* and the *premises*.

4. Emergency Vehicular Access

We have no dispute in principle of an emergency vehicular access to be provided to buildings to allow access for fire engines and emergency vehicles. However, we wish to point out that there are numerous situations either with existing buildings or new developments that would render the provision of such access impracticable. The proposed amendments to the Building (Planning) Regulations do not appear to cover all the situations, and the Government should look into whether a much simpler clause can be introduced to avoid any ambiguity, misunderstanding and arguments in the future.

We are pleased to accept your invitation of making an oral presentation to the Bills Committee on 9 September and shall advise you of the names of our representatives in due course.

Yours sincerely

Louis Loong
Secretary General