

Bills Committee on Buildings (Amendment) Bill 2003

**List of follow-up actions arising from the discussion
at the meeting on 23 September 2003**

The Administration was requested to -

- (a) re-assess the minor works control scheme with respect to the following aspects:

Need

- whether it is necessary to impose control over the carrying out of works which are very minor in nature, such as erection of metal supporting frame for air-conditioning unit and of drying rack. Members are concerned whether such minor works are exempted under section 41(3) of the existing Buildings Ordinance (BO);
- how the submission of as-built plans and certificate of completion to the Building Authority (BA) after completion of Category III minor works enhances safety of the works;

Feasibility

- whether it is feasible to implement the proposed minor works control regime, in particular in respect of Category III minor works as some contractors currently engaged in those works may not be able to provide as-built plans of the works done;
- whether it is practicable and cost-effective on the part of BA to keep and manage a huge amount of as-built plans expected to be submitted for Category III minor works;

Impact

- how the minor works control regime would affect existing contractors engaged in minor works;
- how existing contractors engaged in minor works could be consulted on the minor works control regime;

- whether the provision of top-up courses for contractors who do not have the appropriate academic qualifications for registration as minor works contractors is sufficient to meet the demand for such courses; the number of places in such courses and the amount of course fees contemplated;
- how members of the public could be informed of the minor works control regime and its implications;

Liability

- whether it is an offence for owners who have appointed with or without knowledge unregistered contractors to carry out minor works; and
 - whether it is appropriate that conviction of offences in relation to minor works and of offences of a serious nature under the BO attracts the same levels of fines and imprisonment terms.
- (b) provide a sample of an as-built plan for erection of supporting frame for air-conditioning unit under Category III minor works;
- (c) compile a list of building works which will be regarded as exempted works under the BO;
- (d) give examples of existing laws which provide for a fine of \$1,500,000 and imprisonment for three years for conviction of offences. There has been concern that the three years' imprisonment for the offence of failure to notify BA of contravention of regulations resulting from carrying out buildings works shown in approved plans is too severe; and
- (e) advise whether the present drafting of the proposed section 40(2AA) imposes a strict liability.