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31 May 2007

Ms Anita SIT

Clerk to the Panel on Planning, Lands and Works,
Legislative Council Secretariat,
Legislative Council Building,
8 Jackson Road, Central,
Hong Kong

Dear Ms SIT,

Buildings (Amendment) Bill 2007
Minor Works Control System – Supplementary Information

At the meeting of the LegCo Panel on Planning, Lands and Works (the Panel) on 27 March 2007, the Housing, Planning and Lands Bureau (HPLB) briefed Panel Members on the proposed “Buildings (Amendment) Bill 2007 – Minor Works Control System”. While Members generally supported the policy direction of the proposal, some Members had queries on Class III minor works under the proposed Minor Works Control System and requested further information from the Administration. In this regard, we now enclose the supplementary information on exempted building works and Class III minor works (**Annex I**) for your onward transmission to Panel Members for information. We also enclose the detailed technical information of these works (**Annex II**). Since such information is more technical in nature, I would be grateful if the Secretariat could keep a record of it for reference by interested Members.

HPLB will submit the Buildings (Amendment) Bill 2007 to the Legislative Council in due course, with details of different classes of minor works put in the form of subsidiary legislation for Members' scrutiny. For further enquiries, please contact Mr. Edward TO (Principal Assistant Secretary of HPLB) at 2848 6288 or Mr. Jerry CHEUNG (Assistant Secretary of HPLB) at 2848 6297.

(Edward TO)
for Secretary for Housing, Planning and Lands

c.c. Director of Buildings

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**Buildings (Amendment) Bill 2007
Minor Works Control System
Supplementary Information
on Exempted Building Works
and Class III Minor Works**

Exempted Works

Under section 41(3) of the extant Buildings Ordinance, building works not involving structural alteration can be carried out in any building without approval from the Building Authority (BA). We plan to introduce legislative amendments through the Buildings (Amendment) Bill 2007 so as to specify more clearly that building works satisfying the following criteria are to be exempted:

- (i) works located and carried out inside buildings;
- (ii) works not involving alteration of structural elements of buildings;
and
- (iii) works not bearing any load other than that due to their own weight.

2. Apart from works that comply with the above requirements, we will also designate certain small-scale building works that are simple and of low risk in nature as “specified exempted works” which include, for instance, water tanks and small-sized signboard works. Common household renovation works, such as painting, internal rendering/plastering/wall-paper works, alteration of internal non-load bearing partition walls and installation of internal lighting systems, are regarded as exempted works. For all building works identified as exempted works, it is not necessary to submit building plans for the BA’s prior approval and acquire the BA’s consent to commence works. Moreover, it is not necessary to appoint registered professionals and registered contractors to carry out such works.

Class III Minor Works

3. Class III minor works mainly comprise common household works and should be carried out by Registered Minor Works Contractors (RMWCs) (including those registered in the capacity of a company and an individual). However, appointment of registered professionals to design and supervise the

works is not required. Upon completion of the works, records should be submitted to the BA. Specific technical requirements of the works concerned (such as dimensions, specifications and positions) will be set out in the future legislation. Some examples of common household works of small scale are listed below:

- (i) canopies;
- (ii) supporting frames for air-conditioning units;
- (iii) drying racks;
- (iv) windows;
- (v) addition or alteration of drainage works (not involving the public drainage system); and
- (vi) demolition of simple unauthorized building works (UBWs).

4. Below are some common examples of Class III Minor Works of non-household nature:

- (i) signboards;
- (ii) supporting structures for large air-conditioning units or water cooling towers;
- (iii) window walls; and
- (iv) structures associated with radio base stations for telecommunication services.

5. Detailed technical information about Class III Minor Works is kept at the Secretariat of the LegCo Panel on Planning, Lands and Works for reference of Members.

Household Minor Works Validation Scheme

6. At present, there are a number of aforementioned household minor works completed without the BA's prior approval and consent and are therefore regarded as UBWs under the extant legislation. We appreciate that these items and works are of practical household use, and therefore propose to introduce a targeted validation scheme to rationalise such household minor works and to allow owners to retain these features for continued use. The scheme will cover

supporting frames for air conditioning units, drying racks and small canopies projecting over windows. Building owners are required to appoint building professionals or RMWCs to inspect and certify, that the completed minor works could meet the safety requirements. After inspection, such completed works may have to be altered, improved and/or strengthened to meet the safety standards before they can be certified. The required alteration, improvement and/or strengthening works thus carried out are Class III Minor Works. RMWCs commissioned by building owners have to submit certification reports to the Buildings Department (BD). BD will not take enforcement action against works that are validated as safe.

Housing, Planning and Lands Bureau
May 2007

**Buildings (Amendment) Bill 2007
Minor Works Control System
Technical Information
on the Exempted Buildings Works
and Class III Minor Works**

Exempted Works

1. Under section 41(3) of the extant Buildings Ordinance (BO), building works not involving structural alteration can be carried out in any building without approval from the Building Authority (BA). We plan to amend the legislation so as to specify more clearly that building works satisfying the following criteria are to be exempted:
 - works located and carried out inside buildings;
 - works not involving alteration of structural elements of buildings; and
 - works not bearing any load other than that due to their own weight.

Common household renovation works, for instance, painting, internal rendering/plastering/wall-paper works, alteration of internal non-load bearing partition walls and installation of internal lighting systems, are regarded as “exempted works”.

2. Exempted building works may be carried out without the BA’s prior approval of the plans and consent to the commencement of works. Appointment of registered professionals and registered contractors is also not required.
3. Other than building works exempted under section 41 (3) of the BO as mentioned in paragraph 1 above, some minor works that do not fully satisfy the criteria set out in paragraph 1 but are relatively simple and of less risk in nature will be designated as “specified exempted works”. Similar to the general exempted works, these specified exempted buildings works can be carried out in

the manner described in paragraph 2 above.

Household Minor Works Validation Scheme

- At present, there are household minor works already completed without prior approval and consent of the BA, and so are unauthorized building works.
 - Such works, however, serve practical household purposes. It is therefore proposed to introduce a validation scheme for household minor works so as to rationalise such works to allow building owners to retain them for continued use.
 - The scheme will cover supporting frames for air-conditioning units, drying racks and small canopies projecting over windows.
 - Building owners have to appoint building professionals or Registered Minor Works Contractors (RMWCs) to inspect and certify, that the finished works have met the safety requirements.
 - Depending on the circumstances, alteration, improvement and/or reinforcement works may be required for some of these works in order to meet the safety requirements before certification.
 - The required alteration, improvement and/or reinforcement works are Class III Minor Works.
 - Acceptance of these works is subject to the submission of certification reports to the Buildings Department (BD).
 - Upon validation, BD will not take enforcement action against these works unless they are found to be dangerous.
- * Listed below are the technical details of Class III Minor Works. Details of the regulatory regime will be submitted to the Legislative Council in the form of subsidiary legislation.

Class III Minor Works

- Comprise mainly common household works.
- Have to be carried out by RMWCs (including those registered in the capacity of a company and an individual), but appointment of registered professionals to design and supervise the works is not required.
- Records to be submitted to the BA upon completion of the works.
- Specific technical requirements of the works concerned (such as dimensions, specifications and positions) will be set out in the future legislation.

A) Common Household Class III Minor Works and associated Specified Exempted Works

Item	Class III Minor Works	Specified Exempted Works
	Works in relation to canopies, metal supporting frames of air-conditioning units or racks (other than drying racks)	
1	Erection or alteration of a canopy (other than a rack or a drying rack) – (a) projecting not more than 500 mm from the external wall; (b) at a height not less than 2.5 m above ground level; and (c) not of concrete construction	Erection or alteration of a canopy (other than a rack or a drying rack) of a ground floor unit – (a) projecting not more than 500 mm from the external wall; (b) at a height not more than 3 m above the adjoining ground level; (c) not projecting over street or common part of a building; and (d) not of concrete construction
2	Removal of a canopy or rack (including the supporting frame for an air-conditioning unit) – (a) projecting not more than 750 mm from the external wall; and (b) not involving concrete construction	

Item	Class III Minor Works	Specified Exempted Works
3	Strengthening of an unauthorized canopy (other than a rack or drying rack) projecting not more than 500 mm from the external wall. The canopy should not be of concrete construction	
4	Alteration of an unauthorized architectural projection or canopy (other than a rack or drying rack), originally projecting more than 750 mm from the external wall, to a size not more than 500 mm from the same wall. The architectural projection or canopy should not be of concrete construction	
5	<p>Erection or alteration of metal supporting frames of an air-conditioning unit –</p> <p>(a) projecting not more than 600 mm from the external wall;</p> <p>(b) at a height not less than 2.5 m above ground level; and</p> <p>(c) with weight of the air-conditioning unit not more than 100 kg including the associated provision for disposal of condensation water from the unit (if applicable))</p>	<p>Erection or alteration of metal supporting frames of an air-conditioning unit for a ground floor unit–</p> <p>(a) projecting not more than 600 mm from the external wall;</p> <p>(b) at a height not more than 3 m above ground level;</p> <p>(c) not projecting over street or common part of a building; and</p> <p>(d) with weight of the air-conditioning unit not more than 100 kg (including the associated provision for disposal of condensation water from the unit (if applicable))</p>
6	<p>Strengthening of the unauthorized supporting structure for an air-conditioning unit or water cooling tower where -</p> <p>(a) the weight of the unit or tower is not more than 100 kg;</p> <p>(b) the supporting structure is located on slab other than cantilevered slab construction; and</p> <p>(c) the supporting structure will not be enlarged as a result of the strengthening or alteration works</p>	

Item	Class III Minor Works	Specified Exempted Works
7	Strengthening of the unauthorized metal supporting frame for an air-conditioning unit weighing not more than 100 kg and if applicable, including the associated provision for disposal of condensation water from the unit, if applicable. The supporting frame should be projecting not more than 600 mm from the external wall	
	Works in relation to drying racks	
8	<p>Erection or alteration of a drying rack -</p> <p>(a) projecting not more than 750 mm from the external wall; and</p> <p>(b) at a height not less than 2.5 m above ground level</p>	<p>Erection or alteration of a drying rack-</p> <p>(a) projecting not more than 750 mm from the external wall;</p> <p>(b) at a height not more than 3 m above the adjoining level of ground; and</p> <p>(c) not projecting over street or common part of a building</p>
9	Removal of a drying rack projecting from the external wall	
10	<p>Strengthening of an unauthorized drying rack-</p> <p>(a) projecting not more than 750 mm from the external wall; and</p> <p>(b) at a height not less than 2.5 m above ground level</p>	
	Works in relation to drainage systems	
11	<p>Addition or alteration of drainage works not buried underground:</p> <p>(a) not involving embedded pipes, except those passing through walls or slabs; and</p> <p>(b) not involving main pipes, except the replacement of original connecting</p>	

Item	Class III Minor Works	Specified Exempted Works
	components	
12	Removal of unauthorized drainage works not buried underground	
	Works in relation to windows	
13	Construction, alteration or replacement of a window involving sub-frame only- (a) the highest point of which is at a height not more than 100 m above ground level; and (b) the width and height of the sub-frame involved are both not more than 1.2 m	
14	Removal of a window, the highest point of which is at a height not more than 3.5 m above ground level	
	Works in relation to external walls	
15	Construction or alteration of an external block wall, not being a load-bearing wall, with a height not more than 1.1 m	
16	Repair of an external block wall, not being a load-bearing wall, with a height not more than 3.5 m	
	Works in relation to unauthorized building works	
17	Removal of an unauthorized single-storey structure on ground or slab (i.e. roof or flat roof) satisfying the following criteria – (a) the structure is not more than 2.5 m tall; (b) the structure has a roofed area not more than 20 m ² ; (c) the structure is not a flat slab, cantilevered structure with a span more than 1.2 m or earth retaining structure ;	

Item	Class III Minor Works	Specified Exempted Works
	<p>(d) its structural elements have a clear span not more than 4.5 m; and</p> <p>(e) if located on the roof, any part of the structure shall be more than 1.5 m from the perimeter of the roof</p>	

B) Common Non-Household Class III Minor Works and the associated Specified Exempted Works

Item	Class III Minor Works	Specified Exempted Works
	Works in relation to supporting structures for air-conditioning units or water cooling towers	
1	<p>Removal of the supporting structure for an air-conditioning unit or water cooling tower -</p> <p>(a) supported on ground or slab;</p> <p>(b) the concerned slab not being cantilevered slab construction; and</p> <p>(c) the supporting structure is at a height not more than 2 m</p> <p>If the structure is located on the roof, it should be at a distance more than 1.5 m from the perimeter of the roof</p>	<p>Removal of supporting structure for an air-conditioning unit or water cooling tower supported on ground or slab and the supporting structure is at a height not more than 1 m and-</p> <p>(a) at a distance more than 1.5m from the perimeter of the roof; or</p> <p>(b) protective barriers at a height not less than 1.1 m erected at the perimeter of the roof</p>
2	<p>Erection or alteration of the supporting structure not more than 1.5 m tall for an air-conditioning unit or a water cooling tower-</p> <p>(a) where the structure is located on ground or slab other than cantilevered slab construction; and</p> <p>(b) the concerned air-conditioning unit or water cooling tower weighing not more than 150 kg</p>	

Item	Class III Minor Works	Specified Exempted Works
	Works in relation to signboards	
3	<p>Erection or alteration of a signboard (including replacement of the display surface) projecting from the external wall having –</p> <p>(a) a display area not more than 1 m²;</p> <p>(b) a projection more than 600 mm but not more than 1 m from the external wall;</p> <p>(c) a thickness not more than 300 mm; and</p> <p>(d) a distance not more than 6 m from any part of the signboard to ground level</p>	
4	<p>Erection or alteration of a signboard (including replacement of the display surface) affixed to the external wall having –</p> <p>(a) a display area not more than 5 m²;</p> <p>(b) projecting not more than 600 mm from the external wall; and</p> <p>(c) a distance not more than 6 m from any part of the signboard to ground level</p>	
5	<p>Erection or alteration of a signboard (including replacement of the display surface) in the form of an individual character, letter, logo, graphic or symbol supported independently, each having –</p> <p>(a) a display area not more than 1 m²;</p> <p>(b) a projection not more than 150 mm from the external wall;</p> <p>(c) a distance not more than 6 m from any part of the signboard to ground level; and</p> <p>(d) not being erected on a common sign structure</p>	<p>Erection or alteration of a signboard in the form of an individual character, letter, logo, graphic or symbol supported independently, each having –</p> <p>(a) a display area not more than 1 m²;</p> <p>(b) a projection not more than 150 mm from the external wall;</p> <p>(c) a distance not more than 3 m from any part of the signboard to ground level; and</p> <p>(d) not being erected on a common sign structure</p>

Item	Class III Minor Works	Specified Exempted Works
6	Removal of a signboard projecting more than 600 mm from the external wall having – (a) a display area not more than 2 m ² ; (b) a projection not more than 2 m from the external wall to any part of the signboard; and (c) a distance not more than 6 m from any part of the signboard to ground level	
7	Removal of a signboard located at the rooftop of a building having- (a) a display area not more than 5 m ² and a height not more than 2 m; and (b) a distance more than 1.5 m from any part of the signboard to the perimeter of the roof	
8	Removal of a signboard affixed to the external wall projecting not more than 600 mm from the wall having – (a) a display area not more than 10 m ² ; and (b) a distance not more than 6 m from any part of the signboard to ground level	
9	Removal of a signboard in the form of an individual character, letter, logo, graphic or symbol supported independently, each having – (a) a display area not more than 1 m ² ; and (b) a distance not more than 6 m from any part of the signboard to ground level;	Removal of a signboard in the form of an individual character, letter, logo, graphic or symbol supported independently, each having – (a) display area not more than 1 m ² ; and (b) a distance not more than 3 m from any part of the signboard to ground level;
10	Removal of a signboard located on or hung underneath the soffit of a balcony or canopy not being a cantilevered slab construction having – (a) a display area not more than 5 m ² , if located on the balcony or canopy; (b) a display area not more than 2 m ² , if hung	

Item	Class III Minor Works	Specified Exempted Works
	<p>underneath the balcony or canopy; and</p> <p>(c) a vertical dimension not more than 1 m</p>	
11	<p>Removal of an outdoor signboard affixed to ground (excluding the spread footing) having –</p> <p>(a) a display area not more than 1 m²; and</p> <p>(b) a distance not more than 3 m from any part of the signboard to ground level</p>	
	Works in relation to window walls	
12	<p>Construction, alteration or replacement of a window wall involving sub-frame only-</p> <p>(a) the highest point of which is at a height not more than 100 m above ground level; and</p> <p>(b) the width and height of the sub-frame involved are both not more than 1.2 m</p> <p>If the window wall is located on ground floor, the works may involve both the main frame and sub-frame-</p> <p>(a) the highest point of which is at a height not more than 3.5 m above ground level; and</p> <p>(b) with the span of its structural elements not more than 6 m</p>	
13	<p>Removal of a window wall, the highest point of which is at a height not more than 3.5 m above ground level</p>	
	Works in relation to radio base stations for telecommunication services	
14	<p>Removal of a radio base station for telecommunication services which is installed in the form of enclosures or cabinets (with supporting structures) within or on the roof-</p> <p>(a) the maximum overall size of the base station is not more than 4.5 m x 4.5 m x 2 m (length</p>	

Item	Class III Minor Works	Specified Exempted Works
	<p>x width x height);</p> <p>(b) not involving concrete construction; and</p> <p>(c) being at a distance more than 1.5 m from the perimeter of the roof</p>	
15	Building works associated with the construction or alteration of a radio base station (comprising antennae or transceivers) for telecommunication services on the roof, with the weight of the antennae or transceivers not more than 150 kg and the associated building works do not project beyond the external wall	
16	Removal of building works associated with a radio base station for telecommunication services, with the station installed by erection of antennae and transceivers only	
	Others	
17	Removal of the whole internal staircase on ground level with a total height not more than 1.5 m, the staircase not being used as a means of escape or means of access for firefighting and rescue purposes	
18	Repair or replacement of protective barriers, where there is a difference in adjacent levels not more than 2 m	
19	Removal of a fence wall with a height not more than 3 m or an external mesh fence with a height not more than 5 m, located on ground	Removal of a fence wall or with a height not more than 1.1 m or an external mesh fence with a height not more than 3 m, located on ground
20	Erection, alteration, repair or removal of a metal gate at the fence wall or entrance to a building with the weight of any leaf of the metal gate not more than 200 kg	Erection, alteration, repair or removal of a metal gate at the fence wall or entrance to a building with the weight of any leaf of the metal gate not more than 100 kg

Item	Class III Minor Works	Specified Exempted Works
21	Erection, alteration or repair of the cladding fixed to the exterior of an external wall of a building, the wall not being an outer wall of a canopy or balcony and at a height not more than 6 m from the level of the adjoining floor	

C) Other Specified Exempted Works

Item	Specified Exempted Works
	Works in relation to water tanks
1	Replacement of a glass-reinforced-polyester water tank of capacity not more than 9 m ³ and a water head of not more than 2 m supported on slab, other than cantilevered slab construction; all in accordance to the original design. If the structure is located on roof, it should be at a distance more than 1.5m from the perimeter of the roof
2	Removal of a water tank or unauthorized water tank of glass-reinforced-polyester construction of capacity not more than 9 m ³ . If the structure is located on roof, it should be at a distance more than 1.5m from the perimeter of the roof
	Others
3*	Formation or reinstatement of an opening of size not more than 150 mm (i.e. length, width and diameter) in floor slab or roof slab. In case there is more than one opening formed, the minimum spacing between the centres of any two openings should not be less than 450 mm
4*	Excavation works at a depth not more than 0.3 m associated with minor works
5*	Erection, alteration or repair of external rendering or external wall tiles of a building at a height not more than 3 m from the level of the adjoining floor

* Items 3 to 5 are building works normally carried out with other minor works.