

Preliminary Draft of
Building (Minor Works and Related Matters) Regulation
and
Schedule of Minor Works

The Building (Minor Works and Related Matters) Regulation ("the Regulation"), to be made by the Secretary for Development under the Buildings Ordinance (Cap 123) as amended by the proposed Buildings (Amendment) Bill 2007, delineates the detailed modus operandi of the minor works control system.

2 The schedule of minor works has been worked out in consultation with the building industry and frontline minor works practitioners. It contains the specifications and detailed definition of the minor works items. In response to the comments of the Bills Committee of the then Buildings (Amendment) Bill 2003, we include the schedule as a part of the Regulation in our current proposal. However, we note that a number of deputations have recommended not to stipulate the schedule in the subsidiary legislation but to promulgated it in a code of practice to allow flexibility for future amendments. We stand ready to discuss with the Bills Committee such suggestion.

3 To facilitate Members' scrutiny of the Buildings (Amendment) Bill 2007, we attach a preliminary draft of the Regulation (Annex A) and the schedule of minor works (Annex B). The preliminary draft Regulation and schedule are subject to amendments with reference to the comments agreed by the Bills Committee and further revision by the Law Draftsman.

Development Bureau
February 2008

Preliminary Draft of
Building (Minor Works and Related Matters) Regulation

PART A: PRELIMINARY

A1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Development by notice published in the Gazette.

A2. Interpretation

(1) In this Regulation, unless the context otherwise requires –

“authorized representative” (獲授權代表) means any person appointed by an applicant applying for registration under section D1.1(1)(a), D4.1(1) or I1(1) to act for him for the purposes of the Ordinance and its regulations;

“designated exempted works” (指明豁免工程) means any building works specified in Schedule 5;

“Minor Works Contractors Registration Committee” (小型工程承建商註冊事務委員會) means any committee appointed under section C1;

“prescribed plans and details” (訂明圖則及詳圖) means the plans and details prescribed in regulation 8 of the Building (Administration) Regulations (Cap. 123 sub. leg. A);

“provisional register” (臨時名冊) means the provisional register of minor works contractors kept under section 8A(1)(c) of the Ordinance;

“register” (名冊) means the register of minor works contractors kept under section 8A(1)(c) of the Ordinance;

“registered minor works contractor” (註冊小型工程承建商) means a person whose name is for the time being on the register;

“registered minor works contractor (provisional)” (註冊小型工程承建商(臨時)) means a person whose name is for the time being on the provisional register.

PART B: MATTERS DESIGNATED OR PRESCRIBED FOR PURPOSES OF ORDINANCE

B1. Minor works

(1) For the purposes of the definition of “minor works” in section 2 of the Ordinance, class I minor works, class II minor works and class III minor works are designated as minor works.

(2) In this Regulation –

- (a) “class I minor works” (第 I 級別小型工程) means any building works specified in Schedule 1;
- (b) “class II minor works” (第 II 級別小型工程) means any building works specified in Schedule 2;
- (c) “class III minor works” (第 III 級別小型工程) means any building works specified in Schedule 3,

and any reference to class shall be construed accordingly.

(3) In this Regulation, a reference to any type of minor works under any class of minor works (however described) is a reference to any minor works specified under a heading referring to that type as appearing in Schedule 1, 2 or 3 (as the case may be) in which that class of minor works is specified, and any reference to type shall be construed accordingly.

(4) In this Regulation, a reference to any item of minor works under any type of any class of minor works (however described) is a reference to any minor works specified under a heading referring to that item as appearing in Schedule 1, 2 or 3 (as the case may be) in which that type of that class of minor works is specified, and any reference to item shall be construed accordingly.

B2. Prescribed requirements

(1) For the purposes of the definition of “prescribed requirements” in section 2 of the Ordinance, the requirements in Part F are prescribed as prescribed requirements.

(2) The prescribed requirements in Part F apply to prescribed requirement minor works.

B3. Designated exempted works

For the purposes of section 41(3B) of the Ordinance, the building works specified in Schedule 5 are designated as designated exempted works.

PART C: MINOR WORKS CONTRACTORS REGISTRATION COMMITTEE

C1. Establishment of Minor Works Contractors Registration Committee

(1) The Building Authority is to establish a panel with sufficient members from whom he is to appoint committees to be known as the Minor Works Contractors Registration Committees.

(2) The Building Authority may appoint more than one Minor Works Contractors Registration Committee at any one time.

C2. Function of Minor Works Contractors Registration Committee

The function of a Minor Works Contractors Registration Committee is to assist the Building Authority in considering applications under this Regulation by –

- (a) examining the qualifications of applicants;
- (b) inquiring as the Committee considers necessary to ascertain whether an applicant has the qualifications required of him for the purposes of his application under this Regulation;
- (c) conducting interviews with applicants; and

- (d) advising or recommending the Building Authority to allow or refuse the applications.

C3. Composition of Minor Works Contractors Registration Committee

(1) A Minor Works Contractors Registration Committee is to consist of –

- (a) 1 person nominated by the Building Authority as the Building Authority may think fit;
- (b) 1 authorized person or registered structural engineer selected by the Building Authority from among persons nominated by the Architects Registration Board, the Engineers Registration Board or the Surveyors Registration Board; and
- (c) 1 person selected by the Building Authority from among persons –
 - (i) being appointed or previously appointed to act for a prescribed registered contractor for the purposes of the Ordinance and its regulations; and
 - (ii) nominated by such bodies as the Building Authority may think fit.

(2) A person who is a member of the Authorized Persons', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board Panel appointed under section 5A of the Ordinance, or the Registered Contractors' Disciplinary Board Panel appointed under section 11A of the Ordinance, is not eligible for appointment to the Committee.

(3) The members of the Committee shall elect from among themselves a member to preside as the Chairman of the Committee.

(4) The Building Authority shall appoint an officer of the Buildings Department as the secretary of the Committee, who is not a member of the Committee and may not cast a vote at any meeting of the Committee.

**C4. Meeting of Minor Works Contractors
Registration Committee**

(1) A Minor Works Contractors Registration Committee is to meet as often as the Building Authority directs.

(2) No meeting of the Committee is to be commenced in the absence of any of its members.

PART D: REGISTRATION AS MINOR WORKS CONTRACTOR

Division 1 – Application for Registration as Minor Works Contractor

D1.1. Application for registration as minor works contractor

(1) An applicant may apply to the Building Authority for registration as a minor works contractor for –

- (a) one or more types of minor works under one or more classes of minor works; or
- (b) one or more items of minor works under one or more types of class III minor works –
 - (i) by virtue of his qualifications; or
 - (ii) by virtue of his experience.

(2) The application shall be in the specified form and accompanied by the prescribed fee.

D1.2. Qualifications for registration as minor works contractor under section D1.1(1)(a)

(1) An applicant applying for registration under section D1.1(1)(a) shall satisfy the Building Authority on –

- (a) the appropriate qualifications, competence and experience of –
 - (i) his authorized representative; and
 - (ii) if the applicant is a corporation, one of its directors;

- (b) his ability to have access to plants and resources;
- (c) the ability of his authorized representative to understand any type of minor works for which he has applied for registration through relevant experience and a general knowledge of the basic statutory requirements; and
- (d) if the applicant is a corporation, the adequacy of its management structure.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account the relevant experience acquired in Hong Kong by –

- (a) the applicant's authorized representative; and
- (b) if the applicant is a corporation, one of its directors.

D1.3. Qualifications for registration as minor works contractor under section D1.1(1)(b)(i)

(1) An applicant applying for registration under section D1.1(1)(b)(i) shall satisfy the Building Authority on –

- (a) his qualifications, competence, ability and skills to personally carry out any item of minor works for which he has applied for registration; and
- (b) the completion by him of a course of training related to class III minor works that is recognized by the Building Authority.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account whether the applicant is a registered skilled worker under the Construction Workers Registration Ordinance (Cap. 583) for a designated trade

which relates to any item of minor works for which he has applied for registration.

D1.4. Qualifications for registration as minor works contractor under section

D1.1(1)(b)(ii)

(1) An applicant applying for registration under section D1.1(1)(b)(ii) shall satisfy the Building Authority on –

- (a) his competence, experience, ability and skills to personally carry out any item of minor works for which he has applied for registration; and
- (b) the completion by him of a course of training related to class III minor works that is recognized by the Building Authority.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account the relevant experience acquired in Hong Kong by the applicant.

D1.5. Determination of application for registration under section D1.1(1)(a)

(1) In the case of an application for registration under section D1.1(1)(a), the Building Authority may refer the application, in whole or in part, to a Minor Works Contractors Registration Committee for recommendation.

(2) Where the Building Authority does not refer an application to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of receipt of the application under section D1.1(1)(a) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(3) Where the Building Authority refers an application, in whole or in part, to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of the meeting of the Committee at which the application or part of the application (as the case may be) is considered –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(4) Where an application is allowed, in whole or in part, under subsection (2) or (3), the Building Authority shall, on payment by the applicant of the prescribed fee –

- (a) publish the applicant's name in the Gazette together with the particulars of the type or types of minor works for which he is qualified to be registered;
- (b) enter the applicant's name in the register together with the particulars of the type or types of minor works for which he is qualified to be registered; and
- (c) issue a certificate of registration endorsed with the particulars of the type or types of minor works for which he is qualified to be registered.

(5) Where the Building Authority refers an application, in whole or in part, to the Minor Works Contractors Registration Committee, the Building Authority shall not allow the application, in whole or in part (as the case may be), under subsection (3) unless the Committee so recommends it.

(6) Where the Building Authority refuses an application, in whole or in part, under subsection (2) or (3), the Building Authority shall give reasons for the refusal in writing to the applicant.

D1.6. Determination of application for registration under section D1.1(1)(b)(i) or (ii)

(1) The Building Authority shall, within 3 months after the date of receipt of an application under section D1.1(1)(b)(i) or (ii) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(2) Where an application is allowed, in whole or in part, under subsection (1), the Building Authority shall –

- (a) publish the applicant's name in the Gazette together with the particulars of the item or items of class III minor works for which he is qualified to be registered;
- (b) enter the applicant's name in the register together with the particulars of the item or items of class III minor works for which he is qualified to be registered; and
- (c) issue a certificate of registration endorsed with the particulars of the item or items of class III minor works for which he is qualified to be registered.

(3) Where the Building Authority refuses an application, in whole or in part, under subsection (1), the Building Authority shall give reasons for the refusal in writing to the applicant.

D1.7. Validity period of registration as minor works contractor

A registration under section D1.5 or D1.6 expires upon the expiry of 3 years beginning on the date of entry of the applicant's name in the register under section D1.5 or D1.6 (as the case may be) unless the applicant's name is removed from the register by order of a disciplinary board under section 13(4) of the Ordinance.

Division 2 – Application for Renewal of Registration as Minor Works Contractor

D2.1. Application for renewal of registration as minor works contractor

(1) A registered minor works contractor may apply to the Building Authority for the renewal of his registration.

(2) The application shall be –

(a) in the specified form and accompanied by the prescribed fee;

(b) accompanied by –

(i) a declaration in the specified form setting out whether the applicant has any conviction, disciplinary or suspension records, and if so, the details of such records;

(ii) updated information on matters supplied on previous applications for the registration sought to be renewed; and

(iii) such information and documents as the Building Authority may reasonably require to be satisfied that the applicant is suitable to continue to be registered; and

(c) received by the Building Authority not earlier than 4 months and not later than 28 days prior to the date of the expiry of the registration sought to be renewed.

(3) Notwithstanding sections D1.7, D2.4, D3.4 and I4, where a registered minor works contractor has duly made an application for renewal of his registration under subsections (1) and (2), the registration of the applicant shall continue to be in force until his application for renewal is determined by the Building Authority unless his name is removed from the register by order of a disciplinary board under section 13(4) of the Ordinance.

D2.2. Qualifications for renewal of registration

(1) An applicant applying for renewal of registration under section D2.1(1) shall satisfy the Building Authority that he is still suitable for registration on the register.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matter in subsection (1).

D2.3. Determination of application for renewal of registration

(1) In the case of an application for renewal of registration under section D2.1(1), the Building Authority may refer the application, in whole or in part, to a Minor Works Contractors Registration Committee for advice.

(2) Where the Building Authority does not refer an application to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of receipt of the application under section D2.1(1) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(3) Where the Building Authority refers an application, in whole or in part, to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of the meeting of the Committee at which the application or part of the application (as the case may be) is considered –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(4) Where an application is allowed, in whole or in part, under subsection (2) or (3), the Building Authority shall issue a certificate of registration endorsed with the particulars of the type or types of minor works or the item or items of class III minor works for which the applicant is qualified to be registered.

(5) Where the Building Authority refuses an application, in whole or in part, under subsection (2) or (3), the Building Authority shall give reasons for the refusal in writing to the applicant.

D2.4. Validity period of renewed registration

A registration renewed under section D2.3 expires upon the expiry of 3 years beginning on the date of expiry of the previous registration unless the applicant's name is removed from the register by order of a disciplinary board under section 13(4) of the Ordinance.

D2.5. Removal of name of registered minor works contractor

(1) The Building Authority shall remove the name of a registered minor works contractor from the register if the Building Authority –

- (a) does not receive an application for renewal of registration in accordance with section D2.1; or
- (b) has refused an application under section D2.3(2) or (3) and sent a notice by registered post to his last known address notifying him of the refusal.

(2) The removal of a name under subsection (1)(a) shall be effective immediately after the date of expiry of the existing registration.

(3) The notice in subsection (1)(b) shall specify the effective date of removal, which shall not be earlier than the date of expiry of the existing registration.

Division 3 – Application for Restoration of Registration as Minor Works Contractor

D3.1. Application for restoration of registration as minor works contractor

(1) A person whose name is removed under section D2.5(1) may, within 2 years after the date of expiry of the registration, apply for restoration of his name to the register.

- (2) The application shall be –
 - (a) in the specified form and accompanied by the prescribed fee;
 - (b) accompanied by –
 - (i) a declaration in the specified form setting out whether the applicant has any conviction, disciplinary or suspension records, and if so, the details of such records; and
 - (ii) such information and documents as the Building Authority may reasonably require to be satisfied that the applicant is suitable to be registered.

D3.2. Qualifications for restoration of registration

(1) An applicant applying for restoration of name to the register under section D3.1(1) shall satisfy the Building Authority that he is suitable for registration on the register.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matter in subsection (1).

D3.3. Determination of application for restoration of registration

(1) In the case of an application for restoration of name to the register under section D3.1(1), the Building Authority may refer the application, in whole or in part, to a Minor Works Contractors Registration Committee for advice.

(2) Where the Building Authority does not refer an application to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of receipt of the application under section D3.1(1) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(3) Where the Building Authority refers an application, in whole or in part, to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of the meeting of the Committee at which the application or part of the application (as the case may be) is considered –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(4) Where an application is allowed, in whole or in part, under subsection (2) or (3), the Building Authority shall issue a certificate of registration endorsed with the particulars of the type or types of minor works or the item or items of class III minor works for which the applicant is qualified to be registered.

(5) Where the Building Authority refuses an application, in whole or in part, under subsection (2) or (3), the Building Authority shall give reasons for the refusal in writing to the applicant.

D3.4. Validity period of restored registration

A registration restored under section D3.3 expires upon the expiry of 3 years beginning on the date of restoration of the applicant's name to the register unless the applicant's name is removed from the register by order of a disciplinary board under section 13(4) of the Ordinance.

Division 4 – Application for Registration of Additional Type or Item of Minor Works

D4.1. Application for registration of additional type or item of minor works

(1) A registered minor works contractor who is registered under section D1.1(1)(a) may apply to the Building Authority for addition to his

registration as a minor works contractor for one or more additional types of minor works under one or more classes of minor works.

(2) A registered minor works contractor who is registered under section D1.1(1)(b)(i) or (ii) may apply to the Building Authority for addition to his registration as a minor works contractor for one or more additional items of minor works under one or more types of class III minor works –

- (a) by virtue of his qualifications; or
- (b) by virtue of his experience.

(3) The application under subsection (1) or (2) shall be in the specified form and accompanied by the prescribed fee.

D4.2. Qualifications for registration of additional type of minor works under section D4.1(1)

(1) An applicant making an application under section D4.1(1) shall satisfy the Building Authority on –

- (a) the appropriate qualifications, competence and experience of –
 - (i) his authorized representative; and
 - (ii) if the applicant is a corporation, one of its directors;
- (b) his ability to have access to plants and resources;
- (c) the ability of his authorized representative to understand any additional type of minor works for which he has applied for registration through relevant experience and a general knowledge of the basic statutory requirements; and
- (d) if the applicant is a corporation, the adequacy of its management structure.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account the relevant experience acquired in Hong Kong by –

- (a) the applicant's authorized representative; and
- (b) if the applicant is a corporation, one of its directors.

D4.3. Qualifications for registration of additional item of class III minor works under section D4.1(2)(a)

(1) An applicant making an application under section D4.1(2)(a) shall satisfy the Building Authority on his qualifications, competence, ability and skills to personally carry out any additional item of minor works for which he has applied for registration.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account whether the applicant is a registered skilled worker under the Construction Workers Registration Ordinance (Cap. 583) for a designated trade which relates to any additional item of minor works for which he has applied for registration.

D4.4. Qualifications for registration of additional item of class III minor works under section D4.1(2)(b)

(1) An applicant making an application under section D4.1(2)(b) shall satisfy the Building Authority on –

- (a) his competence, experience, ability and skills to personally carry out any additional item of minor works for which he has applied for registration; and
- (b) the completion by him of a course of training related to class III minor works that is recognized by the Building Authority.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account the relevant experience acquired in Hong Kong by the applicant.

D4.5. Determination of application for registration of additional type of minor works under section D4.1(1)

(1) In the case of an application under section D4.1(1), the Building Authority may refer the application, in whole or in part, to a Minor Works Contractors Registration Committee for recommendation.

(2) Where the Building Authority does not refer an application to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of receipt of the application under section D4.1(1) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(3) Where the Building Authority refers an application, in whole or in part, to the Minor Works Contractors Registration Committee, the Building Authority shall, within 3 months after the date of the meeting of the Committee at which the application or part of the application (as the case may be) is considered –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(4) Where an application is allowed, in whole or in part, under subsection (2) or (3), the Building Authority shall –

- (a) publish the applicant's name in the Gazette together with the particulars of the additional type or types of minor works for which he is qualified to be registered;

- (b) amend the entry of the applicant in the register by stating the particulars of the additional type or types of minor works for which he is qualified to be registered; and
- (c) issue a certificate of registration endorsed with the particulars of all types of minor works for which he is qualified to be registered.

(5) Where the Building Authority refers an application, in whole or in part, to the Minor Works Contractors Registration Committee, the Building Authority shall not allow the application, in whole or in part (as the case may be), under subsection (3) unless the Committee so recommends it.

(6) Where the Building Authority refuses an application, in whole or in part, under subsection (2) or (3), the Building Authority shall give reasons for the refusal in writing to the applicant.

D4.6. Determination of application for registration of additional item of minor works under section D4.1(2)(a) or (b)

(1) The Building Authority shall, within 3 months after the date of receipt of an application under section D4.1(2)(a) or (b) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(2) Where an application is allowed, in whole or in part, under subsection (1), the Building Authority shall –

- (a) publish the applicant's name in the Gazette together with the particulars of the additional item or items of class III minor works for which he is qualified to be registered;
- (b) amend the entry of the applicant in the register by stating the particulars of the additional item or items of class III minor works for which he is qualified to be registered; and

(c) issue a certificate of registration endorsed with the particulars of all items of class III minor works for which he is qualified to be registered.

(3) Where the Building Authority refuses an application, in whole or in part, under subsection (1), the Building Authority shall give reasons for the refusal in writing to the applicant.

D4.7. Validity period of additional registration

A registration under section D4.5 or D4.6 (“additional registration”) expires upon the date of expiry of the registration by which the applicant has been registered without the additional registration.

Division 5 – Appeals

D5.1. Appeals against decision of Building Authority and Minor Works Contractors Registration Committee

(1) A person who is aggrieved by a decision of the Building Authority or a Minor Works Contractors Registration Committee under this Part may appeal to the Court of Appeal.

(2) The Court of Appeal shall not hear an appeal against the decision of the Building Authority or the Minor Works Contractors Registration Committee (as the case may be) under this Part unless a notice of such appeal is given within 3 months after the date of the decision.

(3) On an appeal, the Court of Appeal –

(a) shall consider –

- (i) the reasons of the Building Authority or the Minor Works Contractors Registration Committee (as the case may be); and
- (ii) the submissions made on behalf of the parties to the appeal on the findings of fact and law made by the Building Authority or the Minor Works

Contractors Registration Committee (as the case may be); and

- (b) may call for the original record of the evidence taken and any document put in evidence before the Building Authority or the Minor Works Contractors Registration Committee (as the case may be).

(4) The Court of Appeal may, on special grounds being shown, consider any additional evidence not adduced before the Building Authority or the Minor Works Contractors Registration Committee (as the case may be).

(5) On an appeal, the Court of Appeal may confirm, reverse or vary the decision of the Building Authority or the Minor Works Contractors Registration Committee (as the case may be) under this Part.

(6) The practice for the appeal is subject to any rules of court made under the High Court Ordinance (Cap. 4).

PART E: APPOINTMENT OF PERSONS IN RESPECT OF MINOR WORKS

E1. Appointment of persons for purposes of section 4A of Ordinance

For the purposes of section 4A(1) of the Ordinance, the following persons shall be appointed in respect of class I minor works –

- (a) an authorized person;
- (b) where the minor works involve any structural elements, a registered structural engineer; and
- (c) where the minor works involve any geotechnical elements, a registered geotechnical engineer.

E2. Appointment of persons for purposes of section 9AA of Ordinance

For the purposes of section 9AA(1) of the Ordinance, the following persons shall be appointed in respect of any minor works –

- (a) a registered general building contactor;
- (b) where the minor works to be carried out by the person fall within the description of any minor works specified in column 1 of Schedule 4, a registered specialist contractor who is registered for the category of specialized works specified in column 2 of that Schedule opposite to the description;
- (c) a registered minor works contractor who is registered for the type or item (as the case may be) of minor works to be carried out by the person; or
- (d) a registered minor works contractor (provisional) who is registered for the type of minor works to be carried out by the person.

PART F: PRESCRIBED REQUIREMENTS

Division 1 – Control of Minor Works

F1.1. Interpretation of Division 1

In this Division, “date of completion” (完工日期), in relation to any minor works, means the date when the minor works are completed in accordance with the requirements set out in sections F1.3(1)(b), F1.4(1)(b), F1.5 (a) and F1.6(a), as may be applicable.

F1.2. Requirements before commencement of class I minor works and class II minor works

(1) Not less than 7 days before the commencement of any class I minor works, any authorized person appointed under section 4A(1) of the Ordinance in respect of the minor works shall deliver to the Building Authority –

- (a) a notification, in the specified form and signed by the person for whom the minor works are to be carried out, of

- the appointment of each person appointed under section 4A(1) or (3) or 9AA(1) or (2) of the Ordinance (“appointed person”) in respect of the minor works;
- (b) in relation to each appointed person, the following, in the specified form and signed by the appointed person –
 - (i) an acceptance of his appointment;
 - (ii) a confirmation of the date on which the minor works are to be commenced; and
 - (iii) an undertaking to comply with the Ordinance and its regulations;
 - (c) photographs showing the physical condition of the premises where the minor works are to be carried out;
 - (d) prescribed plans and details of the minor works;
 - (e) if required by the technical memorandum issued under section 39A of the Ordinance, a supervision plan;
 - (f) a certificate, in the specified form and signed by the authorized person, the registered structural engineer or the registered geotechnical engineer (as the case may be), certifying that the prescribed plans and details referred to in paragraph (d) were prepared by him or under his supervision or direction and to the best of his knowledge and belief the prescribed plans and details comply in all respects with the Ordinance and its regulations; and
 - (g) in the case of minor works comprising repairs, alterations or additions to any building, a certificate –
 - (i) in the specified form and signed by the authorized person, certifying that he has inspected such building and it is, in his opinion, capable of bearing the loads and stresses which may be

increased or altered in any way as a result of such repairs, alterations or additions; and

- (ii) where such building has been constructed in such a manner as to require the service of a registered structural engineer, in the specified form and signed by the registered structural engineer and countersigned by the authorized person.

(2) Before the commencement of any class II minor works, any prescribed registered contractor appointed under section 9AA(1) of the Ordinance in respect of the minor works shall deliver to the Building Authority –

- (a) a notification, in the specified form and signed by the person for whom the minor works are to be carried out, of the appointment of the prescribed registered contractor;
- (b) the following, in the specified form and signed by the prescribed registered contractor –
 - (i) an acceptance of his appointment;
 - (ii) a confirmation of the date on which the minor works are to be commenced; and
 - (iii) an undertaking to comply with the Ordinance and its regulations;
- (c) photographs showing the physical condition of the premises where the minor works are to be carried out;
- (d) prescribed plans and details of the minor works;
- (e) a certificate, in the specified form and signed by the prescribed registered contractor, certifying that the prescribed plans and details referred to in paragraph (d) were prepared by him or under his supervision or direction and to the best of his knowledge and belief the prescribed plans and details comply in all respects with the Ordinance and its regulations; and

- (f) in the case of minor works comprising repairs, alterations or additions to any building, a certificate, in the specified form and signed by the prescribed registered contractor, certifying that he has inspected such building and it is, in his opinion, capable of bearing the loads and stresses which may be increased or altered in any way as a result of such repairs, alterations or additions.

F1.3. Documents to be given on completion of class I minor works other than demolition works

(1) Within 7 days after the date of completion of any class I minor works other than demolition works –

- (a) where the minor works completed are different from those shown in the prescribed plans and details delivered to the Building Authority under section F1.2(1)(d), any authorized person appointed under section 4A(1) or (3) of the Ordinance in respect of the minor works shall deliver the plans showing the minor works as completed to the prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works; and
- (b) any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works shall –
- (i) certify, in the specified form, that the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under paragraph (a) or section F1.2(1)(d); and

- (ii) deliver the certificate together with photographs showing the minor works as completed to any registered structural engineer, registered geotechnical engineer or both (as the case may be) appointed under section 4A(1) or (3) of the Ordinance in respect of the minor works or, if there is no registered structural engineer or registered geotechnical engineer appointed under that section in respect of the minor works, any authorized person appointed under that section.

(2) If a certificate is delivered to any registered structural engineer, registered geotechnical engineer or both (as the case may be) under subsection (1)(b)(ii), the registered structural engineer, registered geotechnical engineer or both (as the case may be), on being satisfied with the matters certified in the certificate, shall, within 7 days after the date of receipt of the certificate –

- (a) certify in the certificate that the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under subsection (1)(a) or section F1.2(1)(d), and –
 - (i) in the case of the registered structural engineer, the minor works are in his opinion structurally safe; or
 - (ii) in the case of the registered geotechnical engineer, the minor works are in his opinion geotechnically safe; and
- (b) deliver the certificate together with photographs showing the minor works as completed to the authorized person appointed under section 4A(1) or (3) of the Ordinance in respect of the minor works.

(3) If a certificate is delivered to any authorized person under subsection (1) or (2), the authorized person, on being satisfied with the matters certified in the certificate, shall, within 7 days after the date of receipt of the certificate –

- (a) certify in the certificate that the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under subsection (1)(a) or section F1.2(1)(d), and the minor works are in his opinion structurally safe;
- (b) deliver the certificate together with photographs showing the minor works as completed to the Building Authority; and
- (c) if any plans have been delivered by him to the prescribed registered contractor under subsection (1)(a), deliver the plans to the Building Authority.

F1.4. Documents to be given on completion of class I minor works that are demolition works

(1) Within 7 days after the date of completion of any class I minor works that are demolition works –

- (a) where the minor works completed are different from those shown in the prescribed plans and details delivered to the Building Authority under section F1.2(1)(d), the authorized person appointed under section 4A(1) or (3) of the Ordinance in respect of the minor works shall deliver the plans showing the minor works as completed to the prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works; and

- (b) any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works shall –
- (i) certify, in the specified form, that the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under paragraph (a) or section F1.2(1)(d); and
 - (ii) deliver the certificate together with photographs showing the minor works as completed to any registered structural engineer, registered geotechnical engineer or both (as the case may be) appointed under section 4A(1) or (3) of the Ordinance in respect of the minor works or, if there is no registered structural engineer or registered geotechnical engineer appointed under that section in respect of the minor works, any authorized person appointed under that section.

(2) If a certificate is delivered to any registered structural engineer, registered geotechnical engineer or both (as the case may be) under subsection (1)(b)(ii), the registered structural engineer, registered geotechnical engineer or both (as the case may be), on being satisfied with the matters certified in the certificate, shall, within 7 days after the date of receipt of the certificate –

- (a) certify in the certificate that the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under subsection (1)(a) or section F1.2(1)(d), any land or street affected by the demolition works has an adequate margin of safety, and –

- (i) in the case of the registered structural engineer, any structure remaining on the premises is in his opinion structurally safe; or
 - (ii) in the case of the registered geotechnical engineer, any structure remaining on the premises is in his opinion geotechnically safe; and
- (b) deliver the certificate together with photographs showing the minor works as completed to the authorized person appointed under section 4A(1) or (3) of the Ordinance in respect of the minor works.

(3) If a certificate is delivered to an authorized person under subsection (1) or (2), the authorized person, on being satisfied with the matters certified in the certificate, shall, within 7 days after the date of receipt of the certificate –

- (a) certify in the certificate that –
 - (i) the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under subsection (1)(a) or section F1.2(1)(d);
 - (ii) any structure remaining on the premises is in his opinion structurally safe; and
 - (iii) any land or street affected by the demolition works has an adequate margin of safety;
- (b) deliver the certificate together with photographs showing the minor works as completed to the Building Authority; and
- (c) if any plans have been delivered by him to the prescribed registered contractor under subsection (1)(a), deliver the plans to the Building Authority.

F1.5. Documents to be given on completion of class II minor works other than demolition works

Within 14 days after the date of completion of any class II minor works other than demolition works, any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works shall –

- (a) where the minor works completed are different from those shown in the prescribed plans and details delivered to the Building Authority under section F1.2(2)(d), deliver the plans showing the minor works as completed to the Building Authority;
- (b) certify, in the specified form, that the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under paragraph (a) or section F1.2(2)(d), and the minor works are in his opinion structurally safe; and
- (c) deliver the certificate together with photographs showing the minor works as completed to the Building Authority.

F1.6. Documents to be given on completion of class II minor works that are demolition works

Within 14 days after the date of completion of any class II minor works that are demolition works, any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works shall –

- (a) where the minor works completed are different from those shown in the prescribed plans and details delivered to the Building Authority under section F1.2(2)(d), deliver the plans showing the minor works as completed to the Building Authority;
- (b) certify, in the specified form, that –

- (i) the minor works have been carried out in accordance with the Ordinance and its regulations and the prescribed plans and details delivered under paragraph (a) or section F1.2(2)(d);
 - (ii) any structure remaining on the premises is in his opinion structurally safe; and
 - (iii) any land or street affected by the demolition works has an adequate margin of safety; and
- (c) deliver the certificate together with photographs showing the minor works as completed to the Building Authority.

F1.7. Documents to be given on completion of class III minor works

(1) Within 14 days after the date of completion of any class III minor works, any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works shall deliver to the Building Authority –

- (a) a notification, in the specified form and signed by the person for whom the minor works have been carried out, of the appointment of the prescribed registered contractor;
- (b) the following, in the specified form and signed by the prescribed registered contractor –
 - (i) an acceptance of his appointment;
 - (ii) a confirmation of the dates on which the minor works are commenced and completed; and
 - (iii) an undertaking to comply with the Ordinance and its regulations;
- (c) the plans or description of works showing the minor works as completed signed by the prescribed registered contractor;

- (d) a certificate, in the specified form and signed by the prescribed registered contractor, certifying that the minor works have been carried out in accordance with the Ordinance and its regulations and the plans or description of works referred to in paragraph (c); and
- (e) photographs showing the physical condition of the premises immediately before the commencement and after the completion of the minor works.

(2) In addition to the requirements under subsection (1), if the prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any minor works under that subsection is a prescribed registered minor works contractor registered under section D1.1(1)(b)(i) or (ii), the prescribed registered contractor shall also deliver to the Building Authority a certificate, in the specified form, certifying that he has personally carried out and completed the minor works.

Division 2 – General Duties of Authorized Person, Registered Structural Engineer, Registered Geotechnical Engineer and Prescribed Registered Contractor Appointed or Nominated in Respect of Minor Works

F2.1. Duty of authorized person, registered structural engineer, registered geotechnical engineer and prescribed registered contractor on being appointed or nominated

(1) Where any authorized person, registered structural engineer or registered geotechnical engineer is appointed under section 4A(3) of the Ordinance, or any prescribed registered contractor is appointed under section 9AA(2) of the Ordinance, in respect of any minor works, he shall, within 7 days after the date of the appointment, deliver to the Building Authority –

- (a) a notification, in the specified form and signed by the person for whom the minor works are to be carried out, of his appointment;
- (b) the following, in the specified form and signed by him –
 - (i) an acceptance of his appointment; and
 - (ii) an undertaking to comply with the Ordinance and its regulations; and
- (c) if required by the technical memorandum issued under section 39A of the Ordinance, a revised supervision plan.

(2) Where any authorized person, registered structural engineer or registered geotechnical engineer appointed under section 4A(1) or (3) of the Ordinance in respect of any minor works has nominated another authorized person, registered structural engineer or registered geotechnical engineer (as the case may be) under section 4A(4) of the Ordinance to act in his place, the new authorized person, registered structural engineer or registered geotechnical engineer (as the case may be) shall, within 7 days after the date of the nomination, deliver to the Building Authority –

- (a) a notification, in the specified form and signed by the person for whom the minor works are to be carried out, of his nomination; and
- (b) the following, in the specified form and signed by him –
 - (i) an acceptance of his nomination; and
 - (ii) an undertaking to comply with the Ordinance and its regulations.

F2.2. Duty of authorized person, registered structural engineer, registered geotechnical engineer and prescribed registered contractor on becoming unable or unwilling to act

Where any authorized person, registered structural engineer or registered geotechnical engineer appointed under section 4A(1) of the Ordinance, or any

prescribed registered contractor appointed under section 9AA(1) of the Ordinance, in respect of any minor works has, during the carrying out of any such minor works, become unable or unwilling to act, the carrying out of the minor works for which he is appointed shall discontinue until another authorized person, registered structural engineer, registered geotechnical engineer or registered contractor (as the case may be) has been appointed in respect of the minor works under section 4A(3) or 9AA(2) of the Ordinance.

F2.3. Duty of authorized person, registered structural engineer, registered geotechnical engineer and prescribed registered contractor on change of business address

Any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance, or any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance, in respect of any minor works shall notify the Building Authority, in the specified form, of any change in the address at which he carries on business, within 14 days after the date of the change.

F2.4. Duty of person who has prepared plans to supply to Building Authority such information as may be required

Where any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance, or any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance, in respect of any minor works has prepared any plans which have been delivered to the Building Authority under this Regulation, he shall supply to the Building Authority such information as the Building Authority may require with regard to such plans or to the minor works shown on the plans.

Division 3 – Duties of Authorized Person, Registered Structural Engineer and Registered Geotechnical Engineer Appointed or Nominated in Respect of Minor Works

F3.1. Duty of authorized person, registered structural engineer and registered geotechnical engineer on ceasing to be appointed or nominated

Where any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works ceases to be appointed or nominated, he shall notify the Building Authority in writing of that fact within 7 days after the date of the cessation.

F3.2. Duty of authorized person on being delivered notice under section F4.1(1)

Any authorized person appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works shall deliver to the Building Authority any notice delivered to him under section F4.1(1) within 7 days after the date of receipt of the notice.

F3.3. Duty of authorized person, registered structural engineer and registered geotechnical engineer to supervise minor works

(1) Any authorized person appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works shall give such periodical supervision and make such inspections as may be necessary to ensure that the minor works are being carried out in accordance with –

- (a) the Ordinance and its regulations;
- (b) the plans delivered in respect of the minor works to the Building Authority; and

- (c) any order made or condition imposed in that behalf, pursuant to any provision of the Ordinance or its regulations, by the Building Authority.

(2) Any registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works shall give such periodical supervision and make such inspections as may be necessary to ensure that the structural works or geotechnical works (as the case may be) are being carried out in accordance with subsection (1)(a), (b) and (c).

(3) Where the technical memorandum issued under section 39A of the Ordinance requires the appointment of any technically competent person to supervise the carrying out of any class I minor works, any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of the minor works shall –

- (a) appoint such number of technically competent persons as appropriate to give such supervision as may be required under the supervision plan on each premises for which the authorized person, the registered structural engineer or the registered geotechnical engineer (as the case may be) is appointed or nominated;
- (b) notify the Building Authority in writing of the appointment of any technically competent person appointed under paragraph (a); and
- (c) provide the Building Authority with the personal particulars, qualifications and experience of the technically competent persons appointed under paragraph (a).

F3.4. Duty of authorized person, registered structural engineer and registered

geotechnical engineer in respect of technically competent person

(1) Any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works shall –

- (a) notify the Building Authority in writing of any change in the appointment of any technically competent person appointed under section F3.3(3)(a) within 14 days after the date of the change; and
- (b) provide the Building Authority with the personal particulars, qualifications and experience of the new technically competent person appointed under section F3.3(3)(a).

(2) Any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works shall not commence or shall discontinue (as may be applicable) the carrying out of any part of the minor works, which is under the supervision of the technically competent person appointed under section F3.3(3)(a) under the supervision plan, on the cessation of the appointment until a new technically competent person is appointed in respect of the minor works under section F3.3(3)(a).

F3.5. Duty of authorized person to deliver copy of prescribed plans and details to prescribed registered contractor

Any authorized person appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of any class I minor works shall deliver to a prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works a copy of the prescribed plans and details and, if required by the technical memorandum issued under section 39A

of the Ordinance, the supervision plan which have been delivered to the Building Authority.

Division 4 – Duties of Prescribed Registered Contractor Appointed in Respect of Minor Works

F4.1. Duty of prescribed registered contractor on ceasing to be appointed

(1) Where any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any class I minor works ceases to be appointed, he shall, within 7 days after the date of the cessation –

- (a) deliver to the authorized person appointed or nominated under section 4A(1), (3) or (4) of the Ordinance in respect of the minor works a notice, in the specified form, of that fact; and
- (b) certify, in the specified form, that the minor works carried out by him have been carried out in accordance with the Ordinance and its regulations.

(2) Where any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any class II minor works ceases to be appointed, he shall, within 7 days after the date of the cessation –

- (a) deliver to the Building Authority a notice, in the specified form, of that fact; and
- (b) certify, in the specified form, that the minor works carried out by him have been carried out in accordance with the Ordinance and its regulations.

F4.2. Duty of prescribed registered contractor to supervise minor works and keep records and information relevant to supervision of minor works

(1) Any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any minor works shall, during the

carrying out of the minor works, give continuous supervision in relation to the carrying out of the minor works to ensure that the minor works are being carried out in accordance with –

- (a) the Ordinance and its regulations;
- (b) the plans delivered in respect of the minor works to the Building Authority; and
- (c) any order made or condition imposed in that behalf, pursuant to any provision of the Ordinance or its regulations, by the Building Authority.

(2) Where the technical memorandum issued under section 39A of the Ordinance requires the appointment of any technically competent persons to supervise the carrying out of any class I minor works, any registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of the minor works shall –

- (a) appoint such number of technically competent persons as appropriate to give such supervision as may be required under the technical memorandum on each premises for which the registered contractor is appointed;
- (b) notify the Building Authority in writing of the appointment of any technically competent persons appointed under paragraph (a); and
- (c) provide the Building Authority with the personal particulars, qualifications and experience of the technically competent persons appointed under paragraph (a).

(3) Any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any minor works shall –

- (a) keep records of activities and information relevant to the supervision of the minor works for which he is appointed;
- (b) retain the records and information required to be kept under paragraph (a) for at least 12 months after the

delivery of the certificate and plans required under this Regulation on completion of the minor works.

(4) This section does not apply to a registered minor works contractor who is registered under section D1.1(1)(b)(i) or (ii).

F4.3. Duty of prescribed registered contractor in respect of technically competent person

(1) Any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any class I minor works shall –

- (a) notify the Building Authority in writing of any change in the appointment of any technically competent person appointed under section F4.2(2)(a) within 14 days after the date of the change; and
- (b) provide the Building Authority with the personal particulars, qualifications and experience of the new technically competent person appointed under section F4.2(2)(a).

(2) Any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any class I minor works shall not commence or shall discontinue (as may be applicable) the carrying out of any part of the minor works, which is under the supervision of the technically competent person appointed under section F4.2(2)(a) under the supervision plan, on the cessation of the appointment until a new technically competent person is appointed in respect of the minor works under section F4.2(2)(a).

F4.4. Duty of prescribed registered contractor to keep record of prescribed plans and details and supervision plans on premises

Any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance in respect of any class I minor works or class II minor works shall –

- (a) keep on the premises on which the minor works are carried out copies of all prescribed plans and details delivered to the Building Authority under section F1.2(1)(d) or (2)(d) (as the case may be) and all supervision plans (if any) delivered to the Building Authority; and
- (b) produce to the Building Authority at such time as the Building Authority may require the plans and details referred to in paragraph (a).

F4.5. Duty of registered minor works contractor to carry out minor works personally

Any registered minor works contractor who is registered under section D1.1(1)(b)(i) or (ii) and appointed in respect of any class III minor works shall –

- (a) carry out the minor works personally; and
- (b) ensure that the minor works are carried out in accordance with –
 - (i) the Ordinance and its regulations;
 - (ii) the plans or description of works delivered to the Building Authority under section F1.7; and
 - (iii) any order made or condition imposed in that behalf, pursuant to any provision of the Ordinance or its regulations, by the Building Authority.

Division 5 – Plans

F5.1. Plans to be delivered in duplicate

Every plan of minor works delivered to the Building Authority under this Regulation shall be delivered in duplicate and accompanied by such additional copies of any such plan as the Building Authority considers necessary.

F5.2. Plans, etc. to be signed by person preparing them

(1) Subject to subsection (2), all foundation plans, structural details or calculations for class I minor works required under section F1.2(1)(d) shall be prepared and signed by a registered structural engineer, and he shall, upon signing any of the documents, be regarded as undertaking to assume all responsibility under the Ordinance and its regulations for the documents so signed by him.

(2) In the case of class I minor works to which regulation 12(4) of the Building (Administration) Regulations (Cap. 123 sub. leg. A) applies, all foundation plans, structural details or calculations for such minor works required under section F1.2(1)(d) may be prepared and signed by an authorized person, and he shall, upon signing any of the documents, be regarded as undertaking to assume all responsibility under the Ordinance and its regulations for the documents so signed by him.

(3) All geotechnical plans, geotechnical assessment, geotechnical details or calculations and geotechnical reports for class I minor works required under section F1.2(1)(d) shall be prepared and signed by a registered geotechnical engineer, and he shall, upon signing any of the documents, be regarded as undertaking to assume all responsibility under the Ordinance and its regulations for the documents so signed by him.

(4) Subject to subsections (1), (2) and (3), all other prescribed plans and details for class I minor works required to be delivered to the Building Authority under this Part shall be prepared and signed by an authorized person, and he shall, upon signing of the documents, be regarded as undertaking to assume all responsibility under the Ordinance and its regulations for the documents so signed by him.

(5) All prescribed plans and details for class II minor works and class III minor works required to be delivered to the Building Authority under this Part shall be prepared and signed by a prescribed registered contractor, and he

shall, upon signing any of the documents, be regarded as undertaking to assume all responsibility under the Ordinance and its regulations for the documents so signed by him.

F5.3. Ratio of plans

(1) Every plan and section of minor works required to be delivered to the Building Authority under this Regulation shall be drawn to a ratio of not less than 1:100.

(2) Every block plan of minor works required to be delivered to the Building Authority under this Regulation shall be drawn to a ratio of not less than 1:500.

F5.4. Plans to be clear and material of plan

(1) Every plan of minor works required to be delivered to the Building Authority under this Regulation shall be drawn or reproduced in a clear and intelligible manner on suitable and durable material.

(2) One copy of every plan of minor works required to be delivered to the Building Authority under this Regulation shall be so coloured as to clearly differentiate existing works from new works and one part of any new works from the other parts of the new works.

PART G: PROVISIONS RELATING TO SECTION 39C OF ORDINANCE

G1. Provisions relating to section 39C of Ordinance

(1) For the purposes of the definition of “prescribed building or building works” in section 39C(6)(b) of the Ordinance, the building or building works specified in column 1 of Schedule 6 are prescribed as prescribed building or building works.

(2) For the purposes of section 39C(2) of the Ordinance, in relation to any building or building works prescribed under subsection (1), the following persons shall be appointed to inspect the building or building works –

- (a) an authorized person;
- (b) a registered structural engineer;
- (c) a registered general building contractor;
- (d) a registered specialist contractor who is registered for the category of specialized works specified in column 2 of Schedule 6 opposite to the building or building works specified in column 1 of that Schedule; or
- (e) a registered minor works contractor or a registered minor works contractor (provisional) who is registered for item XX of type E of class III minor works.

(3) For the purposes of section 39C(3) of the Ordinance, the person appointed under subsection (2) shall, within 14 days of the completion of the inspection, deliver to the Building Authority –

- (a) a notification, in the specified form and signed by the person for whom the inspection has been carried out, of his appointment;
- (b) the following, in the specified form and signed by him –
 - (i) an acceptance of his appointment; and
 - (ii) a confirmation of the date on which the building or building works are inspected;
- (c) a certificate, in the specified form and signed by him, certifying that the building or building works are, in his opinion, structurally safe and are in compliance with the Ordinance (except section 14(1) of the Ordinance) and its regulations (except regulation 25 of the Building (Administration) Regulations (Cap. 123 sub. leg. A)); and

- (d) photographs or description showing the condition of the building or building works as inspected.

PART H: MISCELLANEOUS

H1. Offences

Any person who, without reasonable excuse, contravenes section F1.2(1) or (2), F1.3(1)(a) or (b), (2)(a) or (b) or (3), F1.4(1)(a) or (b), (2)(a) or (b) or (3), F1.5, F1.6 or F1.7(1) or (2) commits an offence and is liable on conviction to a fine at level 5.

H2. Power of Building Authority to refuse to accept plans

Where any plan of minor works is required under this Regulation from an authorized person, a registered structural engineer, a registered geotechnical engineer or a prescribed registered contractor, the Building Authority may refuse to accept plans of minor works from 2 or more persons as such authorized person, registered structural engineer, registered geotechnical engineer or prescribed registered contractor (as the case may be).

H3. Power of Building Authority to reject appointment of technically competent person

(1) The Building Authority may reject the appointment of any person as a technically competent person appointed under section F3.3(3)(a) or F4.2(2)(a) if the Building Authority is not satisfied that the qualifications or experience of the person appointed is sufficient for him to carry out the duties required of him under any supervision plan required by the technical memorandum issued under section 39A of the Ordinance.

(2) If the appointment of any person is rejected under subsection (1), the Building Authority shall notify the authorized person, registered structural engineer, registered geotechnical engineer or prescribed registered contractor (as the case may be) who appointed the person as a technically competent person of

the rejection by sending a notice to him by registered post to his last known address and specify the date of rejection in the notice.

(3) The appointment of any person rejected under subsection (1) shall cease to have effect from the date specified in the notice referred to in subsection (2).

H4. Power of Building Authority to inspect records and information

The Building Authority may inspect the records and information required to be kept under section F4.2(3) at any reasonable time.

H5. Duties imposed by this Regulation not to prejudice any other duties imposed by Ordinance or other regulations

The imposition of duties by this Regulation on any authorized person, registered structural engineer or registered geotechnical engineer appointed or nominated under section 4A(1), (3) or (4) of the Ordinance or any prescribed registered contractor appointed under section 9AA(1) or (2) of the Ordinance is without prejudice to any duties imposed on such authorized person, registered structural engineer, registered geotechnical engineer or prescribed registered contractor by any other provision of the Ordinance and its regulations or any other enactment.

H6. Receipt of plans not to confer title to land, etc.

An acknowledgment of receipt of any plan or other documents in respect of any minor works by the Building Authority does not –

- (a) confer any title to land;
- (b) constitute a waiver of any term in any lease or licence; or
- (c) grant any exemption from, or permit any contravention of, the Ordinance and its regulations or any other enactment.

**PART I: TRANSITIONAL – REGISTRATION AS MINOR WORKS
CONTRACTOR (PROVISIONAL)**

**I1. Application for registration as minor works
contractor (provisional)**

(1) Within 2 years after the date of commencement of this section, an applicant may apply to the Building Authority for registration as a minor works contractor (provisional) for one or more types of minor works under one or more classes of minor works.

(2) The application shall be in the specified form and accompanied by the prescribed fee.

**I2. Qualifications for registration as minor
works contractor (provisional)**

(1) An applicant applying for registration under section I1(1) shall satisfy the Building Authority on –

- (a) the appropriate experience of –
 - (i) his authorized representative; and
 - (ii) if the applicant is a corporation, one of its directors;
- (b) the ability of his authorized representative to understand any type of minor works for which he has applied for registration through relevant experience and a general knowledge of the basic statutory requirements; and
- (c) if the applicant is a corporation, the adequacy of its management structure.

(2) The Building Authority may require the applicant to deliver to him relevant information and documentary evidence relating to the matters set out in subsection (1).

(3) In considering the application, the Building Authority shall take into account the relevant experience acquired in Hong Kong by –

- (a) the applicant's authorized representative; and

- (b) if the applicant is a corporation, one of its directors.

I3. Determination of application for registration as minor works contractor (provisional)

(1) The Building Authority shall, within 30 days after the date of receipt of an application for registration under section I1(1) –

- (a) allow the application, in whole or in part; or
- (b) refuse the application.

(2) Where an application is allowed, in whole or in part, under subsection (1), the Building Authority shall, on payment by the applicant of the prescribed fee –

- (a) publish the applicant's name in the Gazette together with the particulars of the type or types of minor works for which he is qualified to be registered;
- (b) enter the applicant's name in the provisional register together with the particulars of the type or types of minor works for which he is qualified to be registered; and
- (c) issue a certificate of registration endorsed with the particulars of the type or types of minor works for which he is qualified to be registered.

(3) Where the Building Authority refuses an application, in whole or in part, under subsection (1), the Building Authority shall give reasons for the refusal in writing to the applicant.

I4. Validity period of registration as minor works contractor (provisional)

A registration under section I3 expires upon the expiry of 2 years after the date of commencement of this section unless –

- (a) the applicant's name is removed from the provisional register by order of a disciplinary board under section 13(4) of the Ordinance; or

- (b) the applicant is registered as a minor works contractor under section D1.5(2) or (3).

Schedule of Minor Works**Table 1: Types of Minor Works under Each Class**

Types	Item Nos		
	Class I	Class II	Class III
Type A - Alteration, addition, reinstatement or removal works to existing building	1.1 - 1.15	2.1- 2.14	3.1 - 3.10, 3.12, 3.32 - 3.37
Type B- Repair works	1.16	2.13, 2.15, 2.16	3.11
Type C - Signboard including associated building works	1.17 - 1.21	2.17 - 2.28	3.13 - 3.21
Type D - Drainage works in or for existing building and installation or alteration of water tank	1.2, 1.6, 1.22, 1.23	2.1, 2.3, 2.4, 2.29 - 2.31	3.22, 3.23
Type E - Structures for Amenities	1.5, 1.14, 1.24 - 1.27	2.2, 2.12, 2.32, 2.33	3.2, 3.10, 3.24 - 3.29, 3.33 - 3.37
Type F - Wall Finishes Works	1.28	2.34, 2.35	3.30
TYPE G - Removal of building works (including unauthorized building works) to existing building and associated reinstatement works	1.5, 1.9, 1.14, 1.21, 1.27, 1.29 - 1.36	2.2, 2.4, 2.8, 2.11, 2.12, 2.24 - 2.28, 2.32, 2.33, 2.36 - 2.41	3.1, 3.2, 3.4, 3.6, 3.7, 3.9, 3.10, 3.16 - 3.21, 3.23, 3.25, 3.29, 3.31 - 3.37

Table 2: Building Works Designated as Minor Works

Item	Minor Works	Remark
Building Works Designated as Class I Minor Works (36 Items)		
1.1	Erection or alteration of any internal staircase which is not used as a means of escape or means of access for firefighting and rescue.	Subject to footnotes (1) and (2)
1.2	Formation of any opening of an area of more than 1m ² but not more than 4.5 m ² in the floor slab or roof slab.	Subject to footnotes (1) and (2)
1.3	Building works associated with installation or alteration of lifts. The rated load and the car floor area of every lift do not exceed 250 kg and 1 m ² respectively.	Subject to footnotes (1) and (2)
1.4	Building works associated with installation or alteration of any stairlift or lifting platform.	Subject to footnotes (1) and (2)
1.5	Removal of any supporting structure or unauthorized supporting structure for any air-conditioning unit or water cooling tower. The structure is located on a cantilevered slab with a span of more than 1m	
1.6	Installation or alteration of any glass reinforced polyester water tank with a capacity of not more than 9 m ³ and a water head of not more than 2 m supported on a slab other than a cantilevered slab.	
1.7	Alteration of any protective barrier (other than external reinforced concrete or block wall).	Subject to footnote (2)
1.8	Construction or alteration of any fence wall with a height of more than 1.5 m but not more than 5 m or any external mesh fence with a height of more than 3m but not more than 10 m, erected on ground (other than a slab).	
1.9	Removal of any fence wall or unauthorized fence wall with a height of more than 3 m or any external mesh fence or unauthorized external mesh fence with a height of more than 5 m erected on ground (other than a slab).	
1.10	<p>Construction or alteration of any spread footing associated with minor works or exempted works that complies with the following description –</p> <ul style="list-style-type: none"> (a) the construction involves an excavation of a depth of more than 1.5 m but not more than 3 m; (b) the gradient of the area bounded by lines 10m away from the location of the spread footing in the downhill direction is not more than 1 in 4; (c) there is no slope, retaining wall or terrace wall steeper than 15 degrees and higher than 1.5m within the area mentioned in paragraph (b); (d) the allowable pressure imposed on the ground shall not exceed 100 kPa, or 50 kPa if the ground water level is located above the footing; and 	Subject to footnote (4)

Item	Minor Works	Remark
	(e) the spread footing is not founded on soft clay or mud	
1.11	Excavation works associated with minor works of a depth of more than 1.5m but not more than 3 m.	Subject to footnote (4)
1.12	Construction or alteration of any radio base station for telecommunication services i.e. a structure in the form of enclosure or cabinet with supporting frame for housing telecommunication equipment, within or on the roof. The size of the structure does not exceed 4.5 m in length, 4.5 m in width and 3.2 m in height.	Subject to footnote (2)
1.13	Building works associated with the construction or alteration of any radio base station on the roof for placing antenna or transceiver. The weight of the antenna or transceiver exceeds 150 kg and the associated building works do not project beyond the external wall.	Subject to footnote (2)
1.14	Construction or alteration of any external reinforced concrete wall (other than a load bearing wall) with a height of more than 1.1 m but not more than 3.5 m.	Subject to footnotes (1) and (2)
1.15	Erection, alteration or repair of any metal gate on a fence wall or at the entrance to a building that complies with the following description – (a) the weight of any leaf of the metal gate is more than 300 kg; and (b) the height of the metal gate is not more than 3.2m.	Subject to footnotes (1) and (2)
1.16	Repair of structural elements (including column, shear wall, flat slab, cantilevered slab, ribbed slab, waffle slab, pre-stressed beam, post-tensioned beam, cantilevered beam, transfer plate, transfer beam and earth retaining structure) in accordance with the original design.	Subject to footnote (2)
1.17	Erection or alteration of any signboard projecting more than 600mm from an external wall that complies with the following description – (a) the display area of the signboard is more than 10 m ² but not more than 20 m ² ; (b) the signboard projects not more than 4.2m from the external wall; and (c) the thickness of the signboard does not exceed 600mm.	Subject to footnotes (1) to (3) and (6)
1.18	Erection or alteration of any signboard located at the rooftop of a building that complies with the following description — (a) the display area of the signboard does not exceed 20 m ² ; (b) the thickness of the signboard does not exceed 600 mm; and (c) no part of the signboard projects more than 6 m from the level of the roof and no part of the signboard projects beyond the external wall	Subject to footnotes (1) to (3) and (6)
1.19	Erection or alteration of any signboard affixed to an external wall that	Subject to footnotes

Item	Minor Works	Remark
	<p>complies with the following description –</p> <ul style="list-style-type: none"> (a) the display area of the signboard is more than 5 m² but not more than 20 m² for a signboard displaying moving visual representational images; (b) the display area of the signboard is more than 10 m² but not more than 40 m² for a signboard not displaying moving visual representational images; (c) no part of the signboard projects more than 600mm from the external wall; and (d) there is a clear space of not less than 3m from any part of the signboard to the level of ground. 	<p>(1), (2) and (6). If the distance from any part of the signboard to the level of the ground is more than 6 m, footnote (3) is also applicable.</p>
1.20	<p>Erection or alteration of any outdoor signboard fixed to the ground (other than construction of the spread footing) that complies with the following description –</p> <ul style="list-style-type: none"> (a) the display area of the signboard not more than exceed 20 m²; (b) the height of any part of the signboard does not exceed 6m; (c) the thickness of the signboard does not exceed 600 mm; and (d) the works under this item do not include that under item 2.21 	<p>Subject to footnotes (1) and (6)</p>
1.21	<p>Removal of any signboard or unauthorized signboard (including signboard displaying moving visual images but excluding any spread footing of outdoor signboard) and the removal works under this item do not include that under items 2.24-2.28, 3.16-3.19 and 3.21.</p>	
1.22	<p>Repair of any underground drainage works that complies with the following description –</p> <ul style="list-style-type: none"> (a) the works involve any excavation of a depth of more than 1.5 m but not more than 3 m; (b) the distance between the works and any structure or building is at least equal to the depth of the excavation; (c) in case the works are located beside a slope with a gradient of not more than 30 degrees, the distance between the works and the crest of the slope is at least equal to the height of the slope; (d) in case the works are located beside a slope with a gradient of more than 30 degrees and a height of not more than 3m, the distance between the works and the crest of the slope is at least equal to 1.5 times the height of the slope; and (e) in case the works are located beside a retaining wall with a height of not more than 3m, the distance between the works and the retaining wall is at least equal to 1.5 times the height of the retaining wall. 	<p>Subject to footnotes (4) and (5)</p>
1.23	<p>Addition or alteration of any underground drainage works that complies with the following description –</p>	<p>Subject to footnotes (4) and (5)</p>

Item	Minor Works	Remark
	<p>(a) the works involve any excavation of a depth of more than 1.5 m but not more than 3 m;</p> <p>(b) the distance of the works from any structure or building is at least equal to the depth of the excavation; and</p> <p>(c) in case the works are located beside a slope with a gradient of not more than 15 degrees and a height of not more than 3m, the distance between the works and the crest of the slope is at least equal to the height of the slope.</p>	
1.24	<p>Erection or alteration of any canopy projecting more than 500 mm but not more than 2 m from the external wall over the main entrance of a building. The distance from the highest point of the canopy to the level of ground is more than 3m and the canopy is not of concrete construction.</p>	Subject to footnote (2)
1.25	<p>Erection or alteration of any metal supporting frame for air-conditioning unit that complies with the following description –</p> <p>(a) the frame projects more than 600 mm but not more than 750 mm from the external wall;</p> <p>(b) the distance from the highest point of the frame to the level of ground is more than 3 m;</p> <p>(c) the weight of the air-conditioning unit is more than 100 kg ;</p> <p>(d) and the frame has an associated provision for disposal of condensation water from the air-conditioning unit (if applicable); and</p> <p>(e) the frame does not project more than 600 mm over street</p>	Subject to footnote (2)
1.26	<p>Erection or alteration of any supporting structure for air-conditioning unit or water cooling tower located on ground or a slab (other than a cantilevered slab) that complies with the following description –</p> <p>(a) the supporting structure has a height of not more than 1.5 m; and</p> <p>(b) the weight of the air-conditioning unit or water cooling tower is more than 150 kg</p>	
1.27	<p>Removal of any unauthorized structure (other than architectural projection, canopy or rack) projecting from the external wall. The removal works under this item do not include that under item 2.33.</p>	
1.28	<p>Erection, alteration or repair of any panel fixed by metal dowels and fixings onto a wall inside a building and the highest point of the panel is more than 10 m above the level of adjoining floor.</p>	
1.29	<p>Removal of any internal staircase or unauthorized internal staircase with a height of not less than 1.5 m which is not used as a means of escape or means of access for firefighting and rescue.</p>	Subject to footnote (1)
1.30	<p>Removal of any building works or unauthorized building works associated with a lift, stairlift or lifting platform. The rated load and the car floor area of every lift do not exceed 250 kg and 1 m² respectively.</p>	

Item	Minor Works	Remark
1.31	Reinstatement of any approved floor slab or roof slab with an opening of size of more than 1 m ² but not more than 4.5 m ² .	Subject to footnotes (1) and (2)
1.32	<p>Removal of any underground drainage works or unauthorized drainage works that complies with the following description –</p> <p>(b) (a) the works involve any excavation of a depth of more than 1.5 m but not more than 3 m; the distance of the works from any structure or building is at least equal to the depth of the excavation;</p> <p>(c) in case the works are located beside a slope with a gradient of not more than 30 degrees, the distance between the works and the crest of the slope is not less than the height of the slope;</p> <p>(d) in case the works are located beside a slope with a gradient of more than 30 degrees and a height of not more than 3m, the distance between the works and the crest of the slope is not less than 1.5 times the height of the slope; and</p> <p>(e) in case the works are located beside a retaining wall of not more than 3m high, the distance between the works and the retaining wall is not less than 1.5 times the height of the retaining wall.</p>	Subject to footnotes (4) and (5)
1.33	Removal of any chimney or unauthorized chimney attached to the external wall or located on the roof with the highest point of the chimney at a height of but not more than 10 m from the level of the roof. The removal works under this item do not include that under item 2.38	
1.34	<p>Removal of any unauthorized structure on ground or a slab (other than a canopy or balcony) which complies with the following description –</p> <p>(a) the height of the structure is more than 5 m but not more than 10 m and two storeys;</p> <p>(b) the structure is not a flat slab, a pre-stressed concrete construction, a transfer girder, a hanger, a cantilevered structure with a span more than 1.2 m or an earth retaining structure supporting adjacent ground;</p> <p>(c) any structural element has a clear span of not more than 6 m; and</p> <p>(d) if the structure involves concrete construction, its roofed over area is not more than 30 m².</p>	Subject to footnote (1)
1.35	Removal of any unauthorized floor slab.	
1.36	<p>Removal of any metal gate or unauthorized metal gate on a fence wall or at the entrance to a building that complies with the following description -</p> <p>(a) the weight of any leaf of the metal gate is more than 300 kg; and</p> <p>(b) the height of the metal gate is not more than 3.2 m.</p>	Subject to footnotes (1) and (2)
Building Works Designated as Class II Minor Works (41 items)		

Item	Minor Works	Remark
2.1	Formation or reinstatement of any opening with the smallest dimension of not less than 150 mm and not more than 1 m ² in size in the floor slab or roof slab.	Subject to footnotes (1) and (2)
2.2	Removal of any supporting structure or unauthorized supporting structure for air-conditioning unit or water cooling tower supported on ground or a slab. If the slab is a cantilevered slab, the span of the slab shall not be more than 1 m. The removal works under this item do not include that under item 3.2	
2.3	Replacement of any glass reinforced polyester water tank of capacity of not more than 9 m ³ and a water head of not more than 2 m supported on a slab (other than a cantilevered slab). The design of the water tank is to be in accordance with the design of the original water tank. The works under this item do not include replacement of water tank located on the roof of more than 1.5 m from the perimeter of the roof.	
2.4	Removal of any water tank or unauthorized water tank of glass reinforced polyester construction of capacity of not more than 9 m ³ . The removal works under this item do not include replacement of water tank located on the roof of more than 1.5 m from the perimeter of the roof.	
2.5	Repair or replacement of any protective barrier (other than an external reinforced concrete or block wall) where there is a difference in adjacent levels of more than 2 m. The repaired or replaced protective barrier is of the same design as the original protective barrier.	Subject to footnote (2)
2.6	Construction or alteration of any fence wall with a height of not more than 1.5 m or any external mesh fence with a height of not more than 3 m above ground level and located on ground other than a slab.	
2.7	<p>Construction, alteration or replacement of any window or window wall that complies with the following description -</p> <p>(a) the span of its structural elements is not more than 6 m; and</p> <p>(b) in case the highest point of the window or window wall exceeds 100 m above the level of ground-</p> <p style="padding-left: 40px;">(i) the area of the external wall opening is not more than 6 m²; and</p> <p style="padding-left: 40px;">(ii) the smallest dimension of the external wall opening is not more than 1.8 m; or</p> <p>(c) in case the highest point of the window or window wall does not exceed 100 m above the level of ground, the works do not include that under item 3.5</p>	Subject to footnotes (1) and (2)
2.8	Removal of any window or window wall or unauthorized window or window wall, with a height of not more than 6 m. The works do not involve any reinstatement of any approved structural elements. The removal works under this item do not include that under item 3.6	
2.9	Construction or alteration of any spread footing associated with minor works or exempted works that complies with the following description-	Subject to footnote (4)

Item	Minor Works	Remark
	<p>(a) the construction involves any excavation of a depth of not more than 1.5 m;</p> <p>(b) the gradient of the area bounded by lines 10m away from the location of the spread footing in the downhill direction is not more than 1 in 10;</p> <p>(c) there is no slope, retaining wall or terrace wall steeper than 15 degrees and higher than 1.5m within the area mentioned in paragraph (b);</p> <p>(d) the allowable pressure imposed on the ground shall not exceed 100 kPa, or 50 kPa if the ground water level is located above the footing; and</p> <p>(e) the spread footing is not founded on soft clay or mud</p>	
2.10	Excavation works associated with any minor works and involve any excavation of a depth of more than 0.3 m but not more than 1.5 m.	Subject to footnote (4)
2.11	Removal of any radio base station for telecommunication services in the form of enclosure or cabinet together with supporting structure within or on the rooftop. The size of the base station is not more than 4.5 m in length, 4.5 m in width and 3.2 m in height. The removal works under this item do not include that under item 3.7	
2.12	Construction or alteration of any external reinforced concrete wall (other than a load bearing wall) with a height of not more than 1.1 m or any external block wall (other than a load bearing wall) with a height of more than 1.1 m but not more than 3.5 m.	Subject to footnotes (1) and (2)
2.13	Repair or replacement of any external reinforced concrete wall (other than a load bearing wall) with a height of not more than 3.5 m.	Subject to footnotes (1) and (2)
2.14	<p>Erection, alteration or repair of any metal gate on a fence wall or at the entrance to a building that complies with the following description -</p> <p>(a) the weight of any leaf of the metal gate is more than 200 kg but not more than 300 kg; and</p> <p>(b) the height of the metal gate is not more than 3.2 m.</p>	Subject to footnotes (1) and (2)
2.15	Repair of any slab or beam (not being a flat slab, a cantilevered slab, a ribbed slab, a waffle slab, a pre-stressed beam, a post-tensioned beam, a cantilevered beam or a transfer plate or transfer beam) in accordance with the original design. The works do not affect the stability of any cantilevered structure	Subject to footnote (2)
2.16	Repair of external rendering or external wall tiles of a building at a height of more than 3 m from the level of ground or adjoining floor.	
2.17	<p>Erection or alteration of any signboard projecting more than 600 mm from an external wall that complies with the following description -</p> <p>(a) the display area of the signboard is more than 1 m² but not more than 10 m²;</p>	Subject to footnotes from (1) to (3) and (6)

Item	Minor Works	Remark
	<p>(b) the signboard projects not more than 4.2m from the external wall;</p> <p>(c) the thickness of the signboard does not exceed 600 mm; and</p> <p>(d) the works under this item do not include that under item 3.13</p>	
2.18	<p>Erection or alteration of any signboard affixed to the external wall that complies with the following description -</p> <p>(a) the display area of the signboard is not more than 5 m² for a signboard displaying moving visual representational images;</p> <p>(b) the display area of the signboard is not more than 10 m² for a signboard not displaying moving visual representational images;</p> <p>(c) no part of the signboard projects more than 600 mm from the external wall; and</p> <p>(d) the works under this item do not include that under item 3.14</p>	Subject to footnotes (1), (2) and (6). If the distance from any part of the signboard to the level of the ground is more than 6 m, footnote (3) is also applicable.
2.19	<p>Erection or alteration of any signboard in the form of individual character, letter, logo, graphic or symbol supported independently that complies with the following description -</p> <p>(a) the display area of the signboard is not more than 1 m²;</p> <p>(b) the projection or thickness of the signboard is not more than 150 mm from the external wall; and</p> <p>(c) the distance from the highest point of the signboard to the level of ground is more than 6 m</p>	Subject to footnotes (1), (3) and (6).
2.20	<p>Erection or alteration of any signboard located on or hung underneath the soffit of a balcony or canopy (not being a cantilevered slab) that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 2 m²;</p> <p>(b) the vertical dimension of the signboard does not exceed 600 mm;</p> <p>(c) the thickness of the signboard does not exceed 100 mm; and</p> <p>(d) no part of the signboard projects beyond the external wall of the balcony or canopy.</p>	Subject to footnote (3) and (6)
2.21	<p>Erection or alteration of any outdoor signboard fixed on the ground (excluding construction of the spread footing) that complies with the following description -</p> <p>(a) the display area of the signboard is not more than 10 m²;</p> <p>(b) the height of any part the signboard does not exceed 2 m; and</p> <p>(c) the thickness of the signboard does not exceed 600 mm.</p>	Subject to footnote (1) and (6)

Item	Minor Works	Remark
2.22	<p>Erection or alteration of any outdoor signboard fixed to any spread footing that complies with the following description -</p> <ul style="list-style-type: none"> (a) the display area of the signboard is not more than 1 m²; (b) the height of any part of the signboard does not exceed 3 m; (c) the thickness of the signboard does not exceed 300 mm; and (d) the works involve any excavation of a depth of not more than 500 mm for the construction of the spread footing. 	Subject to footnote (4) and (6)
2.23	Replacement of the display surface of signboard for items 1.17-1.20 and 2.17-2.22.	
2.24	Removal of any signboard or unauthorized signboard projecting more than 600 mm from the external wall. The display area of the signboard is more than 2 m ² but not more than 20 m ² . The removal works under this item do not include that under item 3.16	Subject to footnote (6)
2.25	Removal of any signboard or unauthorized signboard located at the rooftop of a building or any outdoor signboard or unauthorized outdoor signboard fixed to the ground (excluding the spread footing). The display area of the signboard is not more than 20 m ² . The removal works under this item do not include that under item 3.17	Subject to footnote (6)
2.26	<p>Removal of any signboard or unauthorized signboard affixed to and projects not more than 600 mm from the external wall that complies with the following description -</p> <ul style="list-style-type: none"> (a) the display area of the signboard is not more than 20 m² for a signboard displaying moving visual representational images; (b) the display area of the signboard is not more than 40 m² for a signboard not displaying moving visual representational images; and (c) the removal works under this item do not include that under item 3.18 	Subject to footnote (6)
2.27	Removal of any signboard or unauthorized signboard in the form of individual character, letter, logo, graphic or symbol. The display area of the signboard is more than 1 m ²	Subject to footnote (6)
2.28	(a) Removal of any signboard or unauthorized signboard located on or hung underneath the soffit of a balcony or canopy (not being a cantilevered slab). The removal works under this item do not include that under item 3.20	
2.29	<p>Repair of any underground drainage works. that complies with the following description –</p> <ul style="list-style-type: none"> (a) the works involve any excavation of a depth of not more than 1.5m; (b) the distance between the works and any structure or building is at least equal to the depth of the excavation; 	Subject to footnotes (4) and (5)

Item	Minor Works	Remark
	<p>(c) in case the works are located beside a slope with a gradient of not more than 30 degrees, the distance between the works and the crest of the slope is at least equal to the height of the slope;</p> <p>(d) in case the works are located beside a slope with a gradient of more than 30 degrees and a height of not more than 3m, the distance between the works and the crest of the slope is at least equal to 1.5 times the height of the slope; and</p> <p>(e) in case the works are located beside a retaining wall with a height of not more than 3m, the distance between the works and the retaining wall is at least equal to 1.5 times the height of the retaining wall.</p>	
2.30	<p>Addition or alteration of any underground drainage works that complies with the following description –</p> <p>(a) the works involve any excavation of a depth of not more than 1.5m ;</p> <p>(b) the distance of the works from any structure or building is not less than the depth of the excavation; and</p> <p>(c) in case the works are located beside a slope with a gradient of not more than 15 degrees and a height of not more than 3m, the distance between the works and the crest of the slope is not less than the height of the slope.</p>	Subject to footnotes (4) and (5)
2.31	Addition or alteration of aboveground drainage works which do not include that under item 3.22	Subject to footnote (2)
2.32	Removal of any architectural projection, canopy, supporting frame for air-conditioning unit or rack (other than drying rack) or removal of any unauthorized architectural projection, canopy, supporting frame for air-conditioning unit or rack (other than drying rack), projecting more than 750 mm from external wall and such projection, canopy, frame or rack is not of concrete construction.	
2.33	Removal of any unauthorized structure (other than architectural projection, canopy or rack) projecting not more than 2 m from the external wall. If the unauthorized structure is affixed to the canopy or balcony of cantilevered slab construction, the span of the canopy or balcony does not exceed 1 m.	
2.34	Erection, alteration or repair of any panel fixed by metal dowels and fixings onto a wall inside a building and any part of the panel is at a height of more than 3 m but not more than 10 m from the level of adjoining floor.	
2.35	Erection, alteration or repair of any external rendering or external wall tiles of a building at a height of more than 3 m from the level of ground or adjoining floor.	
2.36	Reinstatement of any approved floor slab or roof slab for an opening with the smallest dimension of not less than 150 mm and an area of not more than 1 m ² .	Subject to footnotes (1) and (2)
2.37	Removal of any underground drainage works or unauthorized underground drainage works that complies with the following description –	Subject to footnotes (4) and (5)

Item	Minor Works	Remark
	<p>(a) the works involve any excavation of a depth of not more than 1.5 m;</p> <p>(b) the distance between the works and any structure or building is not less than the depth of the excavation;</p> <p>(c) in case the works are located beside a slope with a gradient of not more than 30 degrees, the distance between the works and the crest of the slope is not less than the height of the slope;</p> <p>(d) in case the works are located beside a slope with a gradient of more than 30 degrees and a height of not more than 3 m, the distance between the works and the crest of the slope is not less than 1.5 times the height of the slope; and</p> <p>(e) in case the works are located beside a retaining wall with a height of not more than 3m, the distance between the works and the retaining wall is not less than 1.5 times the height of the retaining wall.</p>	
2.38	Removal of any chimney or unauthorized chimney attached to the external wall or located on the roof. The smallest cross-sectional dimension of the chimney is not more than 500 mm and its highest point is not more than 5 m from the level of the adjoining roof.	
2.39	Removal of any unauthorized structure hanging or affixed to a canopy or balcony (other than a cantilevered slab).	
2.40	<p>Removal of any unauthorized single-storey structure on ground or a slab (other than canopy or balcony) that complies with the following description -</p> <p>(a) the height of the structure is not more than 5 m;</p> <p>(b) the structure is not a flat slab, a pre-stressed concrete construction, a transfer girder, a hanger, a cantilevered structure with a span more than 1.2 m or an earth retaining structure supporting adjacent ground;</p> <p>(c) the structural elements have a clear span not more than 6 m; and</p> <p>(d) the removal works under this item do not include that under item 3.31</p>	Subject to footnote (1)
2.41	<p>Removal of any metal gate or unauthorized metal gate on a fence wall or at the entrance to a building that complies with the following description -</p> <p>(a) the weight of any leaf of the metal gate is more than 200 kg but not more than 300 kg; and</p> <p>(b) the height of the metal gate is not more than 3.2 m.</p>	Subject to footnotes (1) and (2)
Building Works Designated as Class III Minor Works (37 Items)		
3.1	Removal of the whole of any internal staircase or unauthorized internal staircase on ground storey with a height of not more than 1.5 m. The staircase is not used as a means of escape or means of access for firefighting and rescue.	Subject to footnote (1)

Item	Minor Works	Remark
3.2	<p>Removal of any supporting structure or unauthorized supporting structure for air-conditioning unit or water cooling tower. The supporting structure is erected on ground or a slab (other than a cantilevered slab) and is of a height of more than 1 m but not more than 2 m. If the structure is located on roof, the works shall comply with the following description –</p> <p>(a) the distance from the supporting structure to the perimeter of the roof is more than 1.5 m; or</p> <p>(b) protective barrier with a height of not less than 1.1 m is provided at the perimeter of the roof</p>	
3.3	<p>Repair or replacement of any protective barrier (other than an external reinforced concrete or block wall), where there is a difference in adjacent levels of not more than 2 m. The repaired or replaced protective barrier is of the same design as the original protective barrier.</p>	Subject to footnote (2)
3.4	<p>Removal of any fence wall or unauthorized fence wall with a height of more than 1.1 m but not more than 3 m or any external mesh fence or unauthorized external mesh fence with a height of more than 3 m but not more than 5 m, erected on ground (other than a slab).</p>	
3.5	<p>Construction, alteration or replacement of any window or window wall that complies with the following description -</p> <p>(a) in case the highest point of the window or window wall is at a height of more than 3.5 m but not more than 100 m above ground level, the works involve the sub-frame only and the largest dimension of the sub-frame is not more than 1.2 m;</p> <p>(b) in case the highest point of the window or window wall is not more than 3.5 m above level of ground, the span of its structural elements is not more than 6 m.</p>	Subject to footnotes (1) and (2)
3.6	<p>Removal of any window or window wall or unauthorized window or window wall that the highest point of the window or window wall is at a height of not more than 3.5 m above ground level and the works do not involve any reinstatement of any approved structural elements</p>	
3.7	<p>Removal of any radio base station for telecommunication services in the form of enclosure or cabinet with supporting structure within or on the rooftop. The maximum size of the base station is not more than 4.5 m in length, 4.5 m in width and 2m in height. The works do not involve concrete construction and any part of the base station is at a distance of more than 1.5 m from the perimeter of the roof.</p>	
3.8	<p>Building works associated with the construction or alteration of any radio base station on the roof for placing antenna or transceiver. The antenna or transceiver does not exceed 150 kg in weight and the associated building works do not project beyond the external wall.</p>	Subject to footnote (2)
3.9	<p>Removal of any building works or unauthorized building works associated with any radio base station for placing antenna or transceiver.</p>	

Item	Minor Works	Remark
3.10	Construction or alteration of any external block wall (other than a load-bearing wall) with a height of not more than 1.1 m.	Subject to footnotes (1) and (2)
3.11	Repair of any external block wall (other than a load-bearing wall) with a height of not more than 3.5 m.	Subject to footnotes (1) and (2)
3.12	<p>Erection, alteration or repair of any metal gate on a fence wall or at the entrance to a building that complies with the following description –</p> <p>(a) the weight of any leaf of the metal gate not more than 200 kg;</p> <p>(b) the height of the metal gate is not more than 3.2 m; and</p> <p>(c) this item does not include the metal gate of which the weight of each leaf is not more than 100 kg, height of each leaf is not more than 2.2 m and width of each leaf is not more than 1.2 m</p>	Subject to footnotes (1) and (2)
3.13	<p>Erection or alteration of any signboard (including the replacement of the display surface of the signboard) projecting more than 600 mm from an external wall that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 1 m²;</p> <p>(b) the signboard projects not more than 1m from the external wall;</p> <p>(c) the thickness of the signboard is not more than 300 mm; and</p> <p>(d) the distance from any part of the signboard to the level of ground is not more than 6 m.</p>	Subject to footnotes (1) to (3) and (6)
3.14	<p>Erection or alteration of any signboard (including the replacement of the display surface of the signboard) affixed to external wall that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 5 m²;</p> <p>(b) no part of the signboard projects not more than 600 mm from the external wall; and</p> <p>(c) the distance between any part of the signboard to the level of ground is not more than 6 m.</p>	Subject to footnotes (1), (2) and (6)
3.15	<p>Erection or alteration of any signboard (including the replacement of the display surface of the signboard) in the form of individual character, letter, logo, graphic or symbol that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 1 m²;</p> <p>(b) the projection or thickness of the signboard is not more than 150 mm from the external wall;</p> <p>(c) the distance from any part of the signboard to the level of ground not more than 6 m; and</p> <p>(d) the distance from the highest point of the signboard to the level of</p>	Subject to footnotes (1) and (6)

Item	Minor Works	Remark
	ground is more than 3m	
3.16	<p>Removal of any signboard or unauthorized signboard projecting more than 600 mm from external wall that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 2 m² ;</p> <p>(b) the signboard projects not more than 2m from the external wall; and</p> <p>(c) the distance from any part of the signboard to the level of ground is not more than 6 m.</p>	Subject to footnote (6)
3.17	<p>Removal of any signboard or unauthorized signboard located at the rooftop of building that complies with the following description -</p> <p>(a) the display area of the signboard is not more than 5 m² and the height of the signboard is not more than 2 m; and</p> <p>(b) the distance from any part of the signboard to the perimeter of the roof is more than 1.5m.</p>	Subject to footnote (6)
3.18	<p>Removal of any signboard or unauthorized signboard affixed to and projects not more than 600 mm from the external wall that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 10 m²; and</p> <p>the distance from any part of the signboard to the level of ground is not more than 6 m</p> <p>.</p>	Subject to footnote (6)
3.19	<p>Removal of any signboard or unauthorized signboard in the form of individual character, letter, logo, graphic or symbol that complies with the following description –</p> <p>(a) the display area of the signboard is not more than 1 m²;</p> <p>(b) the distance from any part of the signboard to the level of ground is more than 3m but not more than 6 m; and</p> <p>(c) the distance from the highest point of the signboard to the level of ground is more than 3 m</p>	Subject to footnote (6)
3.20	<p>Removal of any signboard or unauthorized signboard located on or hung underneath the soffit of a balcony or canopy (other than a cantilevered slab) that complies with the description –</p> <p>(a) in case the signboard is located on such balcony or canopy, the display area of the signboard is not more than 5 m²;</p> <p>(b) in case the signboard is hung underneath the soffit of such balcony or canopy, the display area of the signboard is not more than 2 m²; and</p> <p>(c) the vertical dimension of the signboard is not more than 1 m.</p>	Subject to footnote (6)

Item	Minor Works	Remark
3.21	Removal of any outdoor signboard or unauthorized outdoor signboard affixed to the ground (excluding the spread footing) that complies with the following description – (a) the display area of the signboard does not exceed 1 m ² ; and (b) the distance between any part of the signboard to the level of the ground is not more than 3 m.	Subject to footnote (6)
3.22	Addition or alteration of any aboveground drainage works that complies with the following description – (a) the works do not involve embedded pipes (other than pipes passing through wall or slab); and (b) main pipes (other than the replacement of components at existing junctions).	Subject to footnote (2)
3.23	Removal of any unauthorized aboveground drainage works.	Subject to footnote (5)
3.24]	Erection or alteration of any canopy projecting not more than 500 mm from the external wall. The distance from the highest point of the canopy to the level of ground is more than 3 m and the canopy is not of concrete construction.	Subject to footnote (2)
3.25	Removal of any architectural projection, canopy, supporting frame for air-conditioning unit or rack (other than drying rack) or any unauthorized architectural projection, canopy, supporting frame for air-conditioning unit or rack (other than drying rack) projecting not more than 750 mm from external wall and is not of concrete construction.	
3.26	Erection or alteration of any metal supporting frames of air-conditioning unit that complies with the following description – (a) the frame does not project more than 600 mm from the external wall; (b) the distance from the highest point of the frame to the level of ground is more than 3m ; (c) the weight of the air-conditioning unit is more than 100 kg; and (d) the frame has an associated provision for disposal of condensation water from the air-conditioning unit (if applicable).	Subject to footnote (2)
3.27	Erection or alteration of any supporting structure for air-conditioning unit or water cooling tower located on ground or a slab (other than a cantilevered slab) and complies with the following description- (a) the structure is not more than 1.5 m high; and (b) the air-conditioning unit or water cooling tower has a weight of not more than 150 kg	
3.28	Erection or alteration of any drying rack that complies with the following	Subject to footnote

Item	Minor Works	Remark
	description (a) the drying rack does not project more than 750 mm from the external wall; and (b) the distance from the highest point of the rack to the level of ground more than 3m	(1)
3.29	Removal of any drying rack or unauthorized drying rack projecting from an external wall.	
3.30	Erection, alteration or repair of any cladding fixed to the exterior of an external wall of a building. The distance from any part of the cladding to the level of the adjoining floor is not more than 6m	
3.31	Removal of any unauthorized single-storey structure on the ground or a slab (other than canopy or balcony) that complies with the following description – (a) the height of the structure is not more than 2.5 m; (b) the structure is not a flat slab, a pre-stressed concrete construction, a transfer girder, a hanger, a cantilevered structure with a span more than 1.2 m or an earth retaining structure supporting adjoining ground level; (c) the structural elements have a clear span of not more than 4.5 m; (d) the structure has a roofed over area of not more than 20 m ² ; and (e) in case the structure is located on the roof, any part of the structure is at a distance of more than 1.5 m from the perimeter of the roof	Subject to footnote (1)
3.32	Removal of any metal gate on a fence wall or at the entrance to a building that complies the following description - (a) the weight of any leaf of the metal gate is not more than 200 kg; (b) the height of the metal gate is not more than 3.2 m; and (c) this item does not include the metal gate of which the weight of each leaf is not more than 100 kg, height of each leaf is not more than 2.2 m and width of each leaf is not more than 1.2 m	Subject to footnotes (1) and (2)
3.33	Strengthening of any unauthorized supporting structure for air-conditioning unit or water cooling tower that complies the following description - (a) the weight of the air-conditioning unit or waer cooling tower is not more than 100 kg; (b) the supporting structure is located on ground or a slab (other than a cantilevered slab); and (c) the supporting structure will not be enlarged as a result of the strengthening works.	

Item	Minor Works	Remark
3.34	Strengthening of any unauthorized metal supporting frame for air-conditioning unit, and the associated provision for disposal of condensation water from the unit (if applicable). The weight of the air-conditioning unit is not more than 100 kg. The supporting frame does not project more than 600 mm from the external wall and the distance from the highest point of the frame to the level of ground is more than 3 m	Subject to footnote (2)
3.35	Strengthening of any unauthorized drying rack that complies the following description - (a) the drying rack does not project more than 750 mm from the external wall; and (b) the distance from the highest point of the rack to the level of ground is more than 3 m	Subject to footnote (2)
3.36	Strengthening of any unauthorized architectural projection or canopy (other than rack or drying rack) which projects not more than 500 mm from the external wall. The distance from the highest point of the architectural projection or canopy to the level of ground is more than 3 m and the projection or canopy is not of concrete construction.	Subject to footnote (2)
3.37	Alteration of any unauthorized architectural projection or canopy (other than rack or drying rack), from a size which projects more than 500 mm but not more than 750 mm from external wall, to a size which projects not more than 500 mm from external wall. The projection or canopy is not of any concrete construction.	Subject to footnote (2)

In this schedule, unless otherwise stated, “signboard” does not include those signboards displaying moving visual representational images (that is, images comprising sequences of visual images capable of being seen as moving images).

Footnote:

- (1) Works not involving any alteration, with or without subsequent reinstatement, of approved structural elements except:
 - (a) removal of simply supported beams not of pre-stressed construction and not supporting any columns, flat slab or ribbed beam; or
 - (b) filling of openings in slabs for which the openings are supported by beams all around and the slabs are not of pre-stressed construction
- (2) Works not resulting in additional load to cantilevered slab construction
- (3) Signboards not to be attached with stone or materials alike
- (4) Works do not involve excavation in Area No. 1 or 3 of the Scheduled Areas specified in the Fifth Schedule of the Buildings Ordinance
- (5) Works not involving the last manhole

- (6) “Display area” and “thickness” of a signboard means the area of the largest planar surface and the smallest dimension respectively of a virtual rectangular prism, with all parts of the signboard (including its supporting structure but excluding structural members solely for preventing lateral movement of the signboard) contained within that rectangular prism.