

政府總部  
發展局  
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20 May 2008

Clerk to Bills Committee  
(Attn : Ms. YUE Tin-po)  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong

Dear Ms. Yue,

**Buildings (Amendment) Bill 2007**  
**Response to Bills Committee's Enquiries at the Meeting on 27 March 2008**

At the Bills Committee meeting of the Buildings (Amendment) Bill 2007 held on 27 March 2008, Members enquired about:

- (a) the existing legislative framework and policy on the regulation of light trespass and enhancement of energy efficiency, whether the latter will cover the legislation of light trespass; and
- (b) measures to regulate neon signs, with particular reference to the toxic gas contained therein.

We have consulted the Environment Bureau, the Environmental Protection Department, the Electrical and Mechanical Services Department ("EMSD") and the Department of Health. A consolidated response is set out in the following paragraphs.

### **Regulation over Light Trespass**

The current Advertisement Regulations (Cap. 132 subsidiary legislation) contain certain provisions to regulate illuminated signboards in respect of road safety and fire safety. Under section 11 of the Regulations, no person shall erect any sign which interferes with road traffic. Under section 12 of the Regulations, the Director of Fire Services is empowered to remove any light sign that appears to be a source of serious risk of fire. According to current procedures, if owners or residents of a building consider that lighting from advertisement signboards causes nuisance to them, they may initiate civil proceedings to pursue the liabilities of the owners of the signboards.

Members also asked whether the Administration's proposal for mandatory implementation of the Building Energy Codes would cover the control of light trespass. We have consulted the Environment Bureau. The Administration proposes to legislate for designated types of new and existing buildings to comply with the above Building Energy Codes issued by the EMSD to further promote building energy efficiency. The aim of the proposal is to ensure that buildings comply with the basic energy efficiency requirements and adopt fixed building services installations that are energy efficient. The legislation does not include the control of light trespass.

### **Neon Signs**

In our letter dated 20 March (LC Paper No. CB(1)1114/07-08(02)), the Administration explained about the control by the Buildings Department ("BD") over the structural, fire and positional safety of signboards (including neon signs) under the Buildings Ordinance (Cap 123), and the control by the EMSD over electrical safety of the electrical installation of signboards under the Electricity Ordinance (Cap 406) and the Electricity (Wiring) Regulations.

Besides, according to the information provided by the Department of Health, inert gas is the most commonly used gas in neon signs, and that this kind of gas is non-toxic. A small amount of mercury may be discharged when fluorescent and energy-saving lamps break. However, the risk of mercury poisoning under normal use conditions is very low.

To assist building professionals in complying with the requirements of the Waste Disposal (Chemical Waste) (General) Regulation, the Environmental Protection Department has also published its "Waste Producer Guidelines – Disposal of Mercury-containing Lamps" for reference of

building professionals for proper disposal of disused lamps. If broken or deactivated fluorescent tubes are found when repairing advertisement signboards, collection service can be arranged for parties concerned for disposal at Tsing Yi Chemical Waste Processing Centre. Moreover, as said in the last paragraph of our letter dated on 20 March (LC Paper No. CB(1)1114/07-08(02)), if dangerous signboards (including those with exposed or broken fluorescent tubes) or abandoned signboards are identified, staff of the BD will serve Dangerous Structure Removal Notices on the owners of the signboards under the Public Health and Municipal Services Ordinance (Cap. 132).

Yours sincerely,



(Jerry Cheung)

for Secretary for Development

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