

香港特別行政區政府

The Government of the Hong Kong Special Administration Region

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5 January 2011

Mr. Stephen Lam
Clerk to Bills Committee
Legislative Council Building
8 Jackson Road
Central

Dear Mr. Lam,

Bills Committee on Building (Amendment) Bill 2010
Administration's Response to Follow-up Issues

In response to Members' discussion at the meeting of the Bills Committee on the Buildings (Amendment) Bill 2010 (the Bill) on 23 December 2010, I am pleased to provide below information in relation to the matters about which Members enquired.

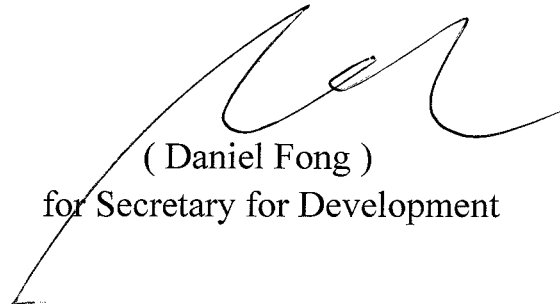
At the meeting, Members asked the Administration to provide explanation and examples of "case of emergency" specified in the proposed new 30D(6) and 30E(6). In the context of section 30D(6), cases of emergency may include emergencies relating to dilapidation of the building (e.g. loose external rendering/finishes/wall tiles, spalled/loose concrete elements with danger of falling from height and posing a risk to the public, extraordinary tilting or movement of building, dangerous/dislodged signboards with danger of falling from height and posing a risk to the public, and defective/choked drainage with serious environmental nuisance). As for section 30E(6), examples of cases of emergency may include emergencies relating to dilapidation of windows

(e.g. loose/dislodged window frames/sashes with danger of falling from height and posing a risk to the public).

Members also asked the Administration to provide information on comparable legislation or legal provisions the Administration has considered in setting the interest rate in section 33(4). The interest rate of 10% as in section 33(4) is not uncommon in such legislation which involves recovery of cost as the Bedspace Apartments Ordinance (Cap. 447) and the Lift and Escalators (Safety) Ordinance (Cap. 327).

The Buildings Department is preparing the draft practice notes/code of practice for registered inspectors in consultation with the stakeholders. We are also considering the modus operandi and implementation details of the proposed new section 30D(7). A comprehensive written response will be provided as soon as possible.

Yours sincerely,



(Daniel Fong)
for Secretary for Development

cc

Director of Buildings
Department of Justice

(Attention: Mr. S T Lam)
(Attention: Ms. Rayne Chai)