



香港建築師學會

The Hong Kong Institute of Architects

28 June 2011

By Email & By Post

Email : bc_04_09@legco.gov.hk

Our Ref. : BLA/LC/BAB10/RL/cw/1106

Ms Annette LAM
Clerk to the Bills Committee on Buildings (Amendment) Bill 2010
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms Lam

Buildings (Amendment) Bill 2010
Legislative Council Meeting on 29 June 2011

We understand that Hon KAM Nai-wai will move Committees stage amendments regarding the Buildings (Amendment) Bill 2010 at the meeting of Legislative Council on 29 June 2011.

The Institute does not support Hon Kam Nai-wai's proposed amendments to include the penalty of registered inspector (RI) and qualified person (QP) (in the form of fines at level 4 or 5) in the Buildings (Amendment) Bill 2010.

The draft PNAP for RI and QP requires a declaration to be signed by the RI / QP to confirm the proper tendering procedure, as well as a letter to confirm on the compliance of various ethical commitments on corruption, conflict of interest and disclosure of confidential information etc and a previous nil record of offence regarding corruption and fraud etc.

These measures are to regulate the RI / QP and hence to protect the home owners and the home owners associations. Moreover, if the RI / QP is an A.P. / RSE, he / she will face penalty under the Buildings Ordinance in case of non-compliance / violation of law. In addition, if the RI / QP is a registered professional, he / she will also face disciplinary actions under the respective professional institutes.

Therefore, we do not support the above amendment to include the penalty in the Bill.

Yours sincerely

Robert Lam *FHKIA*
Vice President

c.c. Prof Hon Patrick Lau, Member, Legislative Council (Architectural, Surveying & Planning)
Mr Thomas Chow, Permanent Secretary for Development (Planning & Lands), Development Bureau
Mr Cheung Tin Cheung, Chief Building Surveyor / Legal, Buildings Department