



Mr Jove Chan
Clerk to Bills Committee
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Dear Mr Chan,

I would like to apologize that we have no representative to attend the Bills Committee on Buildings Legislation (Amendment) Bill 2011 Meeting on 13 February 2012. I hope my last-minute change of plan will not create inconvenience you too much.

I would like to raise some comments on the draft bills for your kind consideration.

- i. In principle, we agree to the legislation authorizing the Building Authority with Warrant from a Magistrate to enter or break into any premises for the purposes as mentioned. However, the Building Ordinance by itself is very complicated involving the compliance of major issues such as structural stability of buildings and relatively minor issues such as fire rating of doors. Since the court receive single source of evidence from Building Authority to issue Warrant for entry into individual premises, it is susceptible to misjudgment without professional knowledge. Is it possible to introduce a third party person who has the professional knowledge for providing an independent advice?
- ii. We suggest Government to promote the awareness of Building Ordinance in particular in building safety to the owners / residents.
- iii. As to the surcharge imposed on the cost recoverable, lots of dispute may be raised on the definition of essential works for the repair to satisfy the Orders. For example, painting should or should not be accounted to satisfy the Order of repairing the concrete spalling. We suggest government should establish a simple means for dispute resolution.

If you have any queries, please don't hesitate to let me know.

Wish you a fruitful meeting!

Yours sincerely,

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Ding Charn Lam Edmond
President of CIOB(HK)