

**Subcommittee on Building (Inspection and Repair) Regulation,
Building (Administration) (Amendment) Regulation 2011,
Building (Minor Works) (Amendment) Regulation 2011, and
Buildings (Amendment) Ordinance 2011 (Commencement) Notice 2011**

**List of follow-up action arising from the discussion
at the meeting on 2 December 2011**

Building (Inspection and Repair) Regulation

- (1) To include in the flowchart showing the different stages of Mandatory Building Inspection Scheme (MBIS) and Mandatory Window Inspection Scheme (MWIS) the specified forms to be applied. To also provide the draft specified forms for members' reference.
- (2) To advise the consequences of the parties concerned in the event of non-compliance with the different prescribed time limits in the Regulation.
- (3) To consider providing a definition for "window" in the Regulation or Code of practice to facilitate public understanding on the coverage of MWIS.
- (4) To advise the requirements for and responsibilities of qualified persons appointed to inspect windows. To make it clear that the policy intent of MWIS is on the safety rather than legality of windows, the latter of which should be considered under MBIS. To also consider replacing the phrase "the Ordinance" in proposed section 14(1)(a) with "the Regulation" to confine the scope of inspection to safety of windows.
- (5) To advise whether the Building Authority (BA) or his representatives will actually check the proposals received under proposed section 18 before endorsing these proposals.
- (6) To advise the parties to be held liable in the event of omission of latent defects in a proposal which later turn out to have significant financial impacts beyond the affordability of building owners.
- (7) To give an undertaking that the Administration will work out a sample contract setting out clearly that owners will not be liable to pay the registered inspectors (RI) who fail to obtain prior endorsement of BA before conducting a detailed investigation on their building.

- (8) To confirm whether the duty of RI to deliver copy of each document to "the person for whom the prescribed inspection is carried out" under proposed section 30(1)(a) refers to individual owners of the building. If not, whether and how owners can have access to and obtain these documents from the Buildings Department. To also advise whether the public can have access to inspection reports.

Council Business Division 1
Legislative Council Secretariat
6 December 2011