

立法會
Legislative Council

Ref : CB2/SS/7/12

LC Paper No. CB(2)1782/12-13
(These minutes have been seen
by the Administration)

**Subcommittee on Building (Minor Works) (Amendment) Regulation 2013 and
Buildings Legislation (Amendment) Ordinance 2012 (Commencement) Notice**

**Minutes of the third meeting
held on Thursday, 27 June 2013, at 8:30 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Ir Dr Hon LO Wai-kwok, BBS, MH, JP (Chairman)
Hon Cyd HO Sau-lan
Hon CHAN Hak-kan, JP
Hon WU Chi-wai, MH
Hon KWOK Wai-keung

Member absent : Hon CHAN Han-pan
Hon Tony TSE Wai-chuen

Public Officers attending : Development Bureau

Mr Rex CHANG Wai-yuen, JP
Deputy Secretary for Development (Planning and Lands) 2

Mr Ryan CHIU Pit-ming
Principal Assistant Secretary for Development (Planning
and Lands) 3

Miss Irene CHEUNG Hoi-ying
Assistant Secretary (Building) 2

Buildings Department

Mr HUI Siu-wai, JP
Deputy Director of Buildings

Mr Robinson CHUNG Kam-yin
Chief Professional Officer / Minor Works & Signboard
Control

Mr Tommy TAM Wing-cheung
Chief Building Surveyor / Legal Services

Ms Lisa CHU Yuen-man,
Senior Building Surveyor / Legislation

Department of Justice

Mr Allen LAI Kai-pang,
Senior Government Counsel

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (2) 3

Staff in attendance : Mr YICK Wing-kin
Assistant Legal Adviser 8

Ms Wendy LO
Council Secretary (2) 3

Mrs Fanny TSANG
Legislative Assistant (2) 3

Action

I. Meeting with the Administration

[DEVB (PL-B) 30/30/122, LC Paper Nos. CB(2)1289/12-13(01) and CB(2)1464/12-13(01)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

Admin 2. The Administration was requested to provide the enforcement figures of the Buildings Department's large scale operation against large unauthorized signboards in the past few years.

(Post-meeting Note: The Administration provided the supplementary information on 4 July 2013 vide LC Paper No. CB(2)1525/12-13.)

3. The Subcommittee completed the clause-by-clause examination of the Building (Minor Works) (Amendment) Regulation 2013 ("Amendment Regulation") and the Buildings Legislation (Amendment) Ordinance 2012 (Commencement) Notice ("Commencement Notice").

Action

4. The Subcommittee did not object to the Amendment Regulation and the Commencement Notice and would not propose any amendment. Members agreed that the Subcommittee would make a verbal report on its deliberations to the House Committee on 5 July 2013.

II. Any other business

5. There being no other business, the meeting ended at 10:05 am.

Council Business Division 2
Legislative Council Secretariat
11 September 2013

**Proceedings of the third meeting of the
Subcommittee on Building (Minor Works) (Amendment) Regulation 2013 and
Buildings Legislation (Amendment) Ordinance 2012 (Commencement) Notice
on Thursday, 27 June 2013, at 8:30 am
in Conference Room 3 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000815 - 000952	Chairman	Opening remarks	
000953 - 001644	Chairman Mr WU Chi-wai Administration	<p>Mr WU Chi-wai's enquiry on whether the Buildings Department ("BD") would notify the Owners' Corporations ("OCs") concerned of erection of new signboards at the common parts of their buildings in every case as a standing practice.</p> <p>The Administration's advice that regarding erection of signboards under the Minor Works Control System, BD would notify OCs or the management companies of the buildings concerned if the building works involved the common parts of their buildings (e.g. erection of signboards on the external wall of buildings).</p> <p>Mr WU's view that BD should, in approving the application for erection of new signboards, remind OCs/the management companies concerned to exercise their rights under the civil law regarding the management of their buildings.</p>	
001645 - 002229	Chairman Ms Cyd HO Administration	<p>Ms Cyd HO's view that government departments should make concerted efforts to tackle the signboard problem in Hong Kong. Her suggestion that business operators should be required to indicate whether there were signboards that had yet to be removed when they submitted their notification on cancellation of business registration in writing to the Business Registration Office upon closure of business operations and such information should be furnished to BD for taking follow-up actions against abandoned signboards.</p> <p>The Administration's responses that -</p> <p>(a) based on the information collected during enforcement operations, the Signboard Control Unit of BD established in 2011 had already been consolidating the information on authorized signboards and dangerous/abandoned signboards for compilation of the database on signboards; and</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		<p>(b) BD was also analyzing the information about unauthorised signboards collected during the stock-taking exercise of unauthorized building works conducted by consultants for compilation of the database.</p>	
002230 - 002700	<p>Ms Cyd HO Chairman Administration</p>	<p>Ms Cyd HO's concern about the binding effect of the technical guidelines which had set out the documents and information required to be submitted for validation under the proposed Signboard Control System ("SBCS").</p> <p>The Administration's explanation about the existing three-tier framework regulating building safety standards and requirements as detailed in the Administration's paper [LC Paper No. CB(2)1390/12-13(01)] and that the arrangement of providing the industry with the technical details encountered in practice in technical guidelines had been operating effectively and well received by the industry and the public.</p>	
002711 - 003553	<p>Ms Cyd HO Chairman Administration Mr WU Chi-wai</p>	<p>The Administration's briefing on the SC01 application form for validation attached as annex 1 to the Administration's response to the issues raised at the meeting on 19 June 2013 [LC Paper No. CB(2)1464/12-13(01)].</p> <p>Ms Cyd HO's suggestion that signboard owner should also be required to declare that he/she would undertake to remove the unauthorized signboard when the shop was moved to other locations under part 6 ("Declaration of signboard owner") in the SC01 application form.</p> <p>The Administration undertook to consider Ms HO's suggestion.</p>	
003554 - 004736	<p>Chairman Ms Cyd HO Administration Chairman Administration</p>	<p>The Administration's briefing on the SC02-03 application forms for validation and SC01C-02C certificates of completion attached as annexes 2 to 5 to the Administration's paper.</p> <p>Ms Cyd HO's view that the validation applicants should be reminded in the application forms to submit the requisite information for validation.</p> <p>The Administration's explanations that -</p> <p>(a) BD would remind the validation applicants in the "Matters to Note" page of the application forms that</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		<p>supporting documents, including photographs showing the physical condition of the premises before the commencement of the works, prescribed plans and details of the works, etc., should be included in the application submission; and</p> <p>(b) the detailed information to be submitted for validation for different types of signboards were clearly set out in paragraph 4 and the relevant appendix of the Practice Note.</p>	
004737 - 005243	Chairman Mr WU Chi-wai Administration	<p>In response to Mr WU Chi-wai's enquiry about the BD's enforcement actions against large unauthorized signboards that were not eligible for joining the validation scheme under SBCS, the Administration's advice that apart from taking necessary actions upon receiving reports on large unauthorized signboards from the public, BD had launched large scale operations against large unauthorized signboards in the past few years and would continue to do so in future.</p> <p>The Administration was requested to provide the enforcement figures of BD's large scale operation against large unauthorised signboards in the past few years.</p>	Admin (paragraph 2 of the minutes)
Clause-by-clause examination of the subsidiary legislation			
005244 - 012356	Chairman Administration	<p><u>The Buildings Legislation (Amendment) Ordinance 2012 (Commencement) Notice (L.N.74 of 2013)</u> ("Commencement Notice") with reference to sections 3, 6, 7, 8, 9 and 10 of the Building Legislation (Amendment) Ordinance 2012.</p> <p><u>The Building (Minor Works) (Amendment) Regulation 2013 (L.N.73 of 2013)</u> ("Amendment Regulation")</p> <p>Members raised no question on the above subsidiary legislation.</p>	
012357 - 013438	Chairman Administration Ms Cyd HO	<p>Expression of concern of the Chairman and Ms Cyd HO over the light pollution problem caused by signboards.</p> <p>The Chairman's view that consideration should be given to reminding the industry in the technical guidelines the need to observe the requirements on external lighting installations issued by the Environmental Bureau in planning erection of signboards.</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		Ms Cyd HO called on BD to work with related departments to address the light pollution problem of signboards. Her enquiry and the Administration's explanations about the considerations of BD in approving of erection of signboards with lighting installations.	
013439 - 013555	Chairman Ms Cyd HO	The Subcommittee did not object to the Amendment Regulation and the Commencement Notice and would not propose any amendment. Members agreed that the Subcommittee would make a verbal report on its deliberations to the House Committee on 5 July 2013. Closing remarks	

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Legislative Council Secretariat
11 September 2013