

立法會
Legislative Council

LC Paper No. CB(1)287/12-13(07)

Ref: CB1/PL/DEV

Panel on Development

Meeting on 17 December 2012

Background brief on signboard control system

Purpose

This paper provides background information on the signboard control system and summarizes the views and concerns expressed by Members at the meetings of the Legislative Council ("LegCo") and various committees on the subject.

Background

2. Building safety is a highly complex and multi-faceted issue. If not addressed properly, the problem will only get more serious as Hong Kong's building stock continues to grow old. Unauthorized or abandoned signboards, dilapidated concrete spalling, windows installed with substandard workmanship or lacking proper maintenance, illegal alterations to internal building structure, etc. are urban time bombs waiting to strike, causing injuries and fatalities.

3. To tackle the problem of building safety in a sustainable manner, the Administration introduced in December 2011 the Buildings Legislation (Amendment) Bill 2011. The Bill sought to amend the Buildings Ordinance (Cap. 123) and the Buildings (Amendment) Ordinance 2011 (16 of 2011) to include five new measures to further enhance building safety. One of the proposed new measures was the introduction of a statutory control system to comprehensively tackle existing unauthorized signboards.

4. It is estimated that there are about 190 000 unauthorized signboards in Hong Kong. Many of them are in active use by business operations while

others are simply abandoned. The new statutory control scheme for signboards, similar to the one for specified minor household installations (small canopies, drying racks and supporting frames for air-conditioners), aims to allow the continued use of certain existing unauthorized signboards (e.g. within stipulated dimensional requirements, not blocking operation of emergency vehicles, etc.) after safety checks by registered building professionals or registered contractors. The safety checking has to be renewed once every five years. Unauthorized signboards not joining the scheme will be subject to the Buildings Department ("BD")'s enforcement actions. The detailed technical requirements of signboards under the signboard control system will be set out in an amendment regulation, which will be tabled at LegCo. The Administration will brief members on the proposed amendment regulation at the forthcoming meeting to be held on 17 December 2012.

5. Regarding new signboards, small ones will be taken care of by the minor works control system, while larger ones will continue to require the prior approval and consent of BD before erection. With the new scheme, BD will in time establish a comprehensive database of all signboards in Hong Kong and have a firmer grasp of their safety conditions to facilitate control and enforcement action.

6. The Buildings Legislation (Amendment) Bill 2011 was passed by LegCo on 16 July 2012.

Views and concerns expressed by Members

7. In considering the Buildings Legislation (Amendment) Bill 2011, some deputations considered that the period of five years for safety checking under the signboard control system might be too long. The Bills Committee was advised by the Administration that the proposed interval of five years aimed to strike a balance between the need to tackle the building safety problem arising from the existing unauthorized signboards and to avoid bringing undue inconvenience to business operators. In between the five-year interval, the signboard owner should be responsible for proper maintenance of the signboard. Where an existing signboard was rendered dangerous because of a change in circumstances or lack of proper maintenance, BD might take prompt enforcement action under section 105(1) of the Public Health and Municipal Services Ordinance (Cap. 132) to require the signboard owner to remove it or do any such work to render it safe for protecting public safety. The Administration further advised that under the Mandatory Building Inspection

Scheme¹, the inspection cycle of a building, including the common parts, external walls, projections as well as signboards, was 10 years. The requirement of safety checking on unauthorized signboard every five years under the signboard control system was considered reasonable.

8. Regarding the suggestion of some deputations for BD to collect a deposit from the signboard owner under the signboard control system, so that BD might make use of the deposit to cover the cost of demolition of the signboard if it subsequently became abandoned, the Administration explained that the primary purpose of the signboard control system was to ensure the safety of existing unauthorized signboards. The Administration was mindful that collecting deposits from signboard owners might inadvertently discourage them from joining the signboard control system. Besides, there would also be additional administrative costs in collecting and managing the deposits. To facilitate future enforcement against abandoned signboards and recovery of cost for removal and other necessary action related to such signboards, BD would require signboard owners to provide their personal particulars in the specified form under the signboard control system.

9. In deliberating the signboard control system at the Fourth LegCo, Members called on the Administration to provide effective support and assistance to owners in need which is a prerequisite for the successful implementation of various programmes. Separately, Members also considered that the Administration should foster a building safety culture in Hong Kong, so that all stakeholders involved (building owners, occupants, building professionals, property management companies, contractors and workers) would possess the self-awareness to properly observe building safety. There was also a need to speed up the registration of qualified signboard workers as registered minor works contractors prior to the implementation of the signboard control system.

¹ The Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme were introduced with the enactment of relevant amendments to the Buildings Ordinance through the Buildings (Amendment) Ordinance 2011 in June 2011 and the subsidiary legislation including the Building (Inspection and Repair) Regulation in December 2011. The legislation empowers the Building Authority to issue statutory notices to owners as necessary requiring them to carry out prescribed inspections and prescribed repairs of their buildings and windows every 10 years and 5 years respectively. The legislation also provides for matters relating to the appointment, control and duties of Registered Inspectors and Qualified Persons as well as the procedural requirements for such inspections and repairs of the buildings and windows respectively.

Relevant papers

10. A list of relevant papers with their hyperlinks is at the **Appendix**.

Council Business Division 1
Legislative Council Secretariat
13 December 2012

Signboard control system

List of relevant papers

Date of meeting	Committee	Papers/Minutes of meeting
3 December 2008	Council meeting	A written question on removal of dangerous and abandoned signboard was raised by Hon Starry LEE [Hansard , "page 99"]
14 July 2010	Council meeting	A written question on removal of abandoned signboards was raised by Hon CHEUNG Hok-ming [Hansard , "page 127"]
15 June 2011	Council meeting	An oral question on regulation of overhanging advertisement signboards outside buildings was raised by Hon IP Kwok-him [Hansard , "page 7"]
13 January 2011	Subcommittee on Building Safety and Related Issues	Administration's paper on measures to enhance building safety in Hong Kong [Paper] Minutes of the meeting [Minutes]
---	Bills Committee on Buildings (Amendment) Bill 2010	Report of the Bills Committee tabled at the Legislative Council meeting of 29 June 2011
12 January 2012	Bills Committee on Buildings Legislation (Amendment) Bill 2011	LegCo Brief on Buildings Legislation (Amendment) Bill 2011 (File Ref: DEVB(PL-B) 30/30/122)

Date of meeting	Committee	Papers/Minutes of meeting
---	Bills Committee on Buildings Legislation (Amendment) Bill 2011	<u>Report of the Bills Committee tabled at the Legislative Council meeting of 13 June 2012</u>