

**立法會**  
**Legislative Council**

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seen by the Administration)

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**Panel on Development and Panel on Home Affairs**

**Joint Subcommittee to Follow Up Issues Relating to the  
Redevelopment, Maintenance and Management of Aged Buildings**

**Minutes of the second meeting  
held on Monday, 27 May 2019, at 10:45 am  
in Conference Room 3 of the Legislative Council Complex**

**Members present** : Hon LAU Kwok-fan, MH (Chairman)  
Hon KWOK Wai-keung, JP (Deputy Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Claudia MO  
Hon CHAN Han-pan, BBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Andrew WAN Siu-kin  
Hon CHU Hoi-dick  
Dr Hon Junius HO Kwan-yiu, JP  
Hon LAM Cheuk-ting  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Hon Jeremy TAM Man-ho  
Hon Vincent CHENG Wing-shun, MH  
Hon Tony TSE Wai-chuen, BBS

**Members absent** : Hon LEUNG Che-cheung, SBS, MH, JP  
Hon SHIU Ka-chun  
Hon Tanya CHAN  
Hon CHEUNG Kwok-kwan, JP

**Public Officers** : Items I to II  
**attending**

Mr Maurice LOO Kam-wah, JP  
Deputy Secretary (Planning and Lands) 2  
Development Bureau

Ms Jasmine CHOI Suet-yung  
Principal Assistant Secretary (Planning and Lands) 3  
Development Bureau

Mrs HUI Ming-fong  
Assistant Director/Existing Buildings 1  
Buildings Department

Mr Ken NG Kin-shing  
Assistant Director/Mandatory Building Inspection  
Buildings Department

Item I

Mr Alex CHAN Yuen-tak  
Principal Assistant Secretary (Security) B  
Security Bureau

Mr CHUI Man-leung  
Assistant Director (Fire Safety)  
Fire Services Department

Mr LAU Lik-kee  
Chief Electrical and Mechanical Engineer/General  
Legislation  
Electrical and Mechanical Services Department

Mr Daniel HO Chi-wai  
Director, Building Rehabilitation  
Urban Renewal Authority

Mr Sanford POON Yuen-fong  
Assistant Director (Property Management)  
Hong Kong Housing Society

**Clerk in attendance** : Ms Wendy JAN  
Chief Council Secretary (2) 4

**Staff in attendance** : Mr Roger CHUNG  
Council Secretary (2) 4

Miss Alison HUI  
Legislative Assistant (2) 4

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Action

**I. Technical and financial assistance schemes for facilitating building maintenance and repair**  
(LC Paper Nos. CB(2)1496/18-19(01) to (02) and CB(2)1541/18-19(01))

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

Admin

2. The Joint Subcommittee requested the Administration to provide information on:

- (a) the current number of private residential or composite buildings in Hong Kong, with a breakdown by age of buildings (in age groups of 10 years each); and
- (b) the number of statutory repair orders issued by the Buildings Department requiring owners of New Territories Exempted Houses to carry out repair works in the past five years.

**II. Report on the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme**  
(LC Paper Nos. CB(2)1496/18-19(03) to (04), CB(2)1151/18-19(01) and CB(2)1540/18-19(01))

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

4. Members noted a letter from Mr SHIU Ka-chun dated 24 May 2019 on the Mandatory Building Inspection Scheme ("MBIS") and Mandatory Window Inspection Scheme ("MWIS"), which was tabled at the meeting.

*(Post-meeting note: The letter from Mr SHIU Ka-chun was issued to members vide LC Paper No. CB(2)1540/18-19(01) on 27 May 2019.)*

Admin 5. The Joint Subcommittee requested the Administration to provide information on:

- (a) the number of window-falling incidents involving buildings where the prescribed inspection and repair works of their windows under MWIS have already been completed;
- (b) whether the Administration would consider conducting tensile strength tests on the concrete of aged buildings and setting up a relevant database on concrete tensile strength so as to monitor the ageing of buildings; if so, of the details; if not, the reasons for that; and
- (c) a breakdown of the 27 873 non-compliance cases under MBIS as of end 2018 by reasons of non-compliance (e.g. owners did not respond, owners of "three-nil" buildings, owners could not afford to carry out the inspection and repair works, etc.).

### **III. Any other business**

6. The Chairman advised that the next meeting would be held on Monday, 24 June 2019 at 10:45 am to meet with the Administration on "Work of the Home Affairs Department in building management and support measures for aged buildings" and "Support measures tailored for 'three-nil' buildings provided by the Home Affairs Department".

7. There being no other business, the meeting ended at 12:44 pm.

Council Business Division 2  
Legislative Council Secretariat  
2 August 2019

**Proceedings of the second meeting of the  
Joint Subcommittee to Follow Up Issues Relating to the  
Redevelopment, Maintenance and Management of Aged Buildings  
on Monday, 27 May 2019, at 10:45 am  
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I - Technical and financial assistance schemes for facilitating building maintenance and repair</i>			
000757-003119	Chairman Administration Urban Renewal Authority ("URA")	Briefing by the Administration and URA on the overview and latest development of technical and financial assistance schemes for building owners for building maintenance and repair administered by URA, the Hong Kong Housing Society and the Buildings Department ("BD") (LC Paper No. CB(2)1496/18-19(01)).	
003120-003503	Chairman Mr Vincent CHENG Administration	<p>Mr Vincent CHENG's enquiries regarding:</p> <p>(a) whether the Administration would increase the amount of financial assistance under the Building Maintenance Grant Scheme for Elderly Owners ("the Grant Scheme");</p> <p>(b) whether the Administration would continue with the Grant Scheme in view that the funding of \$1 billion was almost used up; and</p> <p>(c) whether the Administration would abolish the means-tested requirement under the Grant Scheme.</p> <p>The Administration's response that since the launch of the Grant Scheme up to 2018, some \$636 million had been released or committed. The Administration would soon conduct a review of the scheme, covering the way forward of the scheme, the means-tested requirement and the amount of financial assistance.</p>	
003504-004444	Chairman Mr Tony TSE Administration URA	<p>Mr Tony TSE's view that some building owners might encounter difficulties in appointing consultants and contractors ("service providers") to carry out maintenance and repair works in view of their varying performance.</p> <p>Mr TSE's enquiries regarding:</p> <p>(a) whether URA would introduce measures to monitor the quality of service providers which were on URA's service providers reference list; and</p> <p>(b) how URA could ensure the accuracy of the costs of typical repair works items provided by the Cost Reference Centre under the Building Rehabilitation Platform ("the Platform"), given that costs of these works items might be affected by bid-rigging.</p>	

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		<p>The Administration's advice that some owners might be hesitant in organizing building repair works due to the lack of technical knowledge or worry of possible bid-rigging. As such, URA launched the "Smart Tender" Building Rehabilitation Facilitating Services ("Smart Tender Scheme"). In addition, URA launched the Platform to provide comprehensive and professional information along with technical support to building owners.</p> <p>URA's response that:</p> <p>(a) it was exploring with the trade the feasibility of establishing a list of service providers as reference for building owners via the Platform. The list was intended to encourage service providers to have a system to assure their service quality and integrity;</p> <p>(b) it would have difficulty in monitoring the performance of service providers as they were directly engaged by building owners; and</p> <p>(c) the Cost Reference Centre would provide cost ranges for major repair work items by making reference to the actual costs of around 800 to 1 000 cases in the past five years. URA was in active discussion with the trade on the set up of the Cost Reference Centre.</p> <p>URA's response to Mr TSE's further enquiry that both the assessment system and Cost Reference Centre would be set up in 2020 tentatively.</p>	
004445-005006	Chairman Dr Junius HO Administration	<p>Dr Junius HO expressed support for the implementation of the Operation Building Bright 2.0 ("OBB 2.0") and his enquiry regarding the current number of private residential or composite buildings in Hong Kong.</p> <p>The Administration's response that:</p> <p>(a) among the 35 000 domestic/composite buildings in Hong Kong, some 6 800 buildings were aged 50 years or above; and</p> <p>(b) under OBB 2.0, for building owners having difficulties in coordinating the prescribed inspection and repair works for the common parts of their buildings, BD would exercise its statutory power to arrange the requisite works in the owners' default and recover the cost from the owners afterwards. Eligible owners of these buildings might seek to cover all or part of the cost by claiming the subsidies available to them under OBB 2.0.</p>	Admin (paragraph 2(a) of the minutes)
005007-005629	Chairman Mr LAM Cheuk-ting URA Administration	Mr LAM Cheuk-ting's view that under the Smart Tender Scheme, URA should appoint independent consultants to conduct audit checks on the quality of repair works conducted by contractors.	

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		<p>URA's advice that building owners might engage a site inspector to closely monitor the progress and quality of the repair works for their buildings. This could ensure that problems encountered during the repair works could be addressed in a timely manner.</p> <p>The Administration's response that it would look into the relevant issues after the Smart Tender Scheme had been implemented for some time.</p>	
005630-010241	Chairman Administration URA	<p>The Chairman's view that:</p> <ul style="list-style-type: none"> <li>(a) given that building owners might be hesitant in organizing the repair works due to the lack of knowledge and worry of the high cost involved, the Administration should enhance its monitoring and support for owners throughout the whole process of the repair works;</li> <li>(b) the Administration should develop a mobile app for the Platform to facilitate usage by building owners; and</li> <li>(c) users' comments on the performance of service providers should be included in the service providers directory to be set up by URA.</li> </ul> <p>The Administration's response that there were concerns about incorporating users' comments on the service providers registered in the list.</p> <p>URA's advice that:</p> <ul style="list-style-type: none"> <li>(a) there was a mobile-friendly version of the Platform, which would be optimized for mobile devices; and</li> <li>(b) it had difficulties in verifying users' comments related to the performance of service providers since these providers were not directly monitored by URA. Nonetheless, the list of service providers to be set up in the Platform would encourage service providers to have a system to assure their service quality.</li> </ul>	
010242-010737	Chairman Mr Jeremy TAM Administration	<p>Mr Jeremy TAM's concern about the safety of the New Territories Exempted Houses ("NTEHs") since a number of these houses were aged 40 years or above and these buildings were excluded from the Mandatory Building Inspection Scheme ("MBIS") and the Mandatory Window Inspection Scheme ("MWIS"). His enquiry is about the Administration's measures to ensure the safety of these buildings.</p> <p>The Administration's advice that:</p> <ul style="list-style-type: none"> <li>(a) BD identified building safety problems of NTEHs mainly through reports from the public and inspections conducted during large-scale operations. Where irregularities were identified, BD would issue statutory repair orders requiring</li> </ul>	

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		<p>owners of NTEHs to carry out repair works if necessary; and</p> <p>(b) while domestic buildings not exceeding three storeys were excluded under MBIS and MWIS, as these buildings usually housed fewer occupants, organization of building repair works should be easier for these owners for, inter alia, protection of public safety.</p> <p>At Mr TAM's request, the Administration undertook to provide the information on the number of statutory repair orders issued by BD in the past five years requiring owners of NTEHs to carry out repair works.</p>	Admin (paragraph 2(b) of the minutes)
010738-010922	Chairman Mr Vincent CHENG Administration	<p>Mr Vincent CHENG's enquiry about the Administration's plan to allocate the unused quota after the first round of application under OBB 2.0.</p> <p>The Administration's response that the remaining quota would be allocated in the second round of application.</p>	
<i>Agenda item II - Report on the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme</i>			
010923-011157	Chairman Administration	Briefing by the Administration on the progress of the implementation of MBIS and MWIS (LC Paper No. CB(2)1496/18-19(03)).	
011158-011617	Chairman Deputy Chairman Administration	<p>The Deputy Chairman's concern that although window-falling incidents were common in Heng Fa Chuen, the owners of the buildings there had not yet been served with MWIS notices. His disappointment about the lengthy process of selecting target buildings under MWIS. He urged the Administration to speed up the selection process.</p> <p>The Administration's response that:</p> <p>(a) BD had established a selection panel ("the selection panel") to adopt a risk-based approach and tender advice on the selection of target buildings for issuing statutory notices under MWIS. In addition, BD had been selecting buildings with repeated window-falling incidents or windows in deteriorated or defective state for issuing statutory notices under MWIS. From April 2015 to April 2019, a total of 59 buildings had been chosen on such grounds; and</p> <p>(b) statutory notices under MWIS were planned to issue by August 2019 to the owners of around 10 buildings with higher potential risk in Heng Fa Chuen. Statutory MWIS notices would be issued to the owners of the remaining buildings in Heng Fa Chuen by phases.</p> <p>The Deputy Chairman's suggestion that the Administration should organize briefings to enhance the understanding of flat</p>	



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		owners of Heng Fa Chuen of the MWIS requirements.	
011618-011945	Chairman Mr Vincent CHENG Administration	<p>Mr Vincent CHENG's views that:</p> <ul style="list-style-type: none"> <li>(a) given that there were some 47 000 non-compliance cases under MWIS, the Administration should strengthen publicity on MWIS and step up its enforcement action; and</li> <li>(b) the Administration should strengthen manpower resources to support the implementation of MWIS.</li> </ul> <p>The Administration's advice that:</p> <ul style="list-style-type: none"> <li>(a) in the majority of cases, owners would comply with the requirements under MWIS upon receipt of warning letters or fixed penalty notices ("FPN"). Besides, regular briefings were conducted to explain the requirements of the inspection scheme and answer owners' enquiries; and</li> <li>(b) the Administration had from time to time reviewed the selection criteria for and the number of target buildings under MWIS.</li> </ul>	
011946-012627	Chairman Mr Jeremy TAM Administration	<p>Mr Jeremy TAM's suggestion that if building owners, before the receipt of MBIS notices, initiated inspection and repairs works for (a) their building approaching 30 years of age; and (b) the car park located at the lower level of their buildings, such buildings and car parks should be exempted from MBIS afterwards.</p> <p>The Administration's response that:</p> <ul style="list-style-type: none"> <li>(a) owners might initiate inspections and repairs for their buildings in accordance with the standards and procedures of MBIS voluntarily before the receipt of statutory notices from BD. In such cases, the buildings or the relevant parts thereof would be deemed to have fulfilled the requirements under MBIS within the inspection cycle of 10 years; and</li> <li>(b) given that a car park beneath a residential building was regarded as an integral part of that building under MBIS, owners should initiate inspections and repairs for the residential building and the car park at the same time.</li> </ul>	
012628-013302	Chairman Mr Tony TSE Administration	<p>Mr Tony TSE's concern about the workload of BD staff and BD's manpower in implementing the two inspection schemes. His enquiry about whether the selection panel would give a lower priority to buildings that had previously undergone the prescribed inspection and repair when selecting target buildings under the two inspection schemes.</p> <p>The Administration's advice that:</p>	

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		<p>(a) the selection panel adopted a risk-based approach and took into account various factors in selecting target buildings under the two inspection schemes on an annual basis. All buildings, including those that had completed the two inspection schemes, would be scored to determine the priority of action for the two schemes;</p> <p>(b) noting the volume of work involved, BD had adjusted its priority in the implementation of both inspection schemes, placing focus on taking enforcement action against non-compliance cases instead of only issuing new notices; and</p> <p>(c) the Administration would from time to time review the manpower of BD and bid for additional resources as needed in accordance with the established resource allocation procedures. Recently, BD was allocated with additional resource and manpower to support the implementation of the OBB 2.0.</p>	
013303-013900	Chairman Mr CHU Hoi-dick Administration	<p>Mr CHU Hoi-dick's enquiries regarding:</p> <p>(a) the number of window-falling incidents involving/not involving buildings where the prescribed inspection and repair works of their windows under MWIS had already been completed;</p> <p>(b) the reasons for the small number of prosecutions (i.e. 139 prosecutions) instituted among the 27 873 non-compliance cases under MBIS as of end 2018; and</p> <p>(c) the reasons for the significant number of warning letters (i.e. 83 287 warning letters) issued among the 47 968 non-compliance cases under MWIS as of end 2018.</p> <p>The Administration's response that:</p> <p>(a) some owners might have genuine difficulties in carrying out the prescribed inspection and repair works due to their lack of financial means, technical knowledge and/or organization ability. To enhance the provision of direct technical and financial assistance to needy owners to help them comply with MBIS requirements, the Administration launched OBB 2.0. BD had also engaged in-house social service teams to help owners coordinate their actions in complying with the requirements under the two inspection schemes and applying for financial assistance;</p> <p>(b) the numbers of notices issued under MWIS was 500 000, which outnumbered the same issued for MBIS by a wide margin. As such, the number of warning letters and FPNs issued for enforcement action under MWIS would be comparatively higher than that for MBIS; and</p>	

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		<p>(c) in view of the difficulties in organizing inspection and repair under MBIS, sufficient time would be allowed for owners to carry out the prescribed works. For repeated offences or non-compliance without reasonable excuse, BD would consider instigating prosecution against the concerned owners.</p>	
013901-014809	Chairman Mr CHAN Han-pan Administration	<p>Mr CHAN Han-pan's view regarding the Code of Practice for MBIS and MWIS ("CoP") that:</p> <p>(a) the suggestion of inserting a piece of stainless steel inside the window frame section when replacing a defective hinge of a window was technically not feasible; and</p> <p>(b) the Administration should include in CoP the suggestion of installing cable bracings on windows so as to prevent them from falling.</p> <p>The Administration's advice that:</p> <p>(a) according to CoP, stainless steel rivets or screws were recommended as replacements for better corrosion resistance in repairing windows. The insertion of an extra piece of stainless steel was to provide sufficient anchorage for the stainless steel rivet or screw;</p> <p>(b) the Technical Committee on CoP would examine whether there were any other better ways to enable fixing of stainless steel rivet or screw to the window frame in window repair; and</p> <p>(c) the Technical Committee on CoP would consider member's suggestion of installing cable bracings on windows as an extra safety measure in addition to window repair.</p> <p>At Mr CHAN's request, the Administration undertook to provide the information on the number of window-falling incidents involving buildings where the prescribed inspection and repair works of their windows under MWIS had already been completed.</p>	Admin (paragraph 5(a) of the minutes)
014810-015147	Chairman Administration	<p>The Chairman's view that the implementation progress of the inspection schemes was unsatisfactory. His concern about the effectiveness of the risk-based approach in selecting target buildings and the manpower of BD in implementing the two inspection schemes. The Chairman's enquiry about whether the Administration had conducted a comprehensive review of the two inspection schemes.</p> <p>The Administration's response that the selection panel had regularly reviewed its risk-based approach and the criteria in selecting target buildings under MWIS. Noting the recent window falling incidents, the selection panel would further review the selection criteria for target buildings under MWIS.</p>	

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015148-015603	Chairman Ir Dr LO Wai-kwok Administration	<p>Ir Dr LO Wai-kwok's concern that some elderly owners lacked the technical knowledge or financial resources to handle unauthorized building works in their buildings. His enquiry about whether the Administration would handle such cases flexibly.</p> <p>The Administration's advice that:</p> <p>(a) under the Building Safety Loan Scheme, individual owners might apply for loans to carry out maintenance and repair works for the common areas or privately-owned areas of their buildings. Low interest loan up to \$1 million per unit might be offered and eligible owners might apply for interest-free loan; and</p> <p>(b) the Grant Scheme provided financial assistance (maximum \$40,000 per owner) to eligible owner-occupiers aged 60 or above for carrying out repair and maintenance works for the common and privately-owned areas of their units.</p>	
015604-015742	Chairman Mr Vincent CHENG Administration	<p>Mr Vincent CHENG's suggestion that the reference costs of the prescribed window inspection and repair works should be provided by the Cost Reference Centre under the Platform.</p> <p>The Administration's response that BD had liaised with various related trade/contractor associations, which had provided a list of their members interested in providing window inspection and repair services under MWIS. BD had provided hyperlinks to such information on its website. Also, BD had at its website regularly provided cost information for window inspection and repair obtained from the market.</p>	
015743-015949	Chairman Mr CHAN Han-pan Administration	<p>Mr CHAN Han-pan's view that the Administration should take into account the conditions of aged buildings in selecting target buildings under MBIS and for redevelopment.</p> <p>At Mr CHAN's request, the Administration undertook to provide information on whether it would consider conducting tensile strength tests on the concrete of aged buildings and setting up a relevant database on concrete tensile strength so as to monitor the ageing of buildings.</p>	Admin (paragraph 5(b) of the minutes)
015950-020235	Chairman Mr CHU Hoi-dick Administration	<p>Mr CHU Hoi-dick's view that the Administration had not provided adequate support service for owners after they had engaged contractors to undertake repair works. His enquiry about whether the Administration would introduce measures under the Smart Tender Scheme to monitor the quality of repair works if the contractor had further contracted out the works after it was selected in the initial tendering process.</p> <p>The Administration's response that URA staff would provide advice to owners on the procurement of contractor services. Upon the commencement of repair works, owners might engage a site inspector to supervise the progress and quality of the repair works for their buildings.</p>	

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		At Mr CHU's request, the Administration undertook to provide the information on a breakdown of the 27 873 non-compliance cases under MBIS as of end 2018 by reasons of non-compliance (e.g. owners did not respond, owners of "three-nil" buildings, owners could not afford to carry out the inspection and repair works, etc.).	Admin (paragraph 5(c) of the minutes)
<i>Agenda item III - Any other business</i>			
020236-020306	Chairman	Date of next meeting and items for discussion.	

Council Business Division 2  
Legislative Council Secretariat  
2 August 2019