

Buildings Energy Efficiency (Amendment) Ordinance 2025

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HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 24 OF 2025



John KC LEE
Chief Executive
19 June 2025

An Ordinance to amend the Buildings Energy Efficiency Ordinance and its subsidiary legislation to extend the scope of regulation to more types of buildings; to provide for publication of certain technical information in energy audit reports and to shorten the intervals of energy audit to be carried out in respect of specified buildings; and to provide for related matters.

[]

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Buildings Energy Efficiency (Amendment) Ordinance 2025.
- (2) This Ordinance comes into operation on a day to be appointed by the Secretary for Environment and Ecology by notice published in the Gazette.

2. Enactments amended

The enactments specified in Parts 2 and 3 are amended as set out in those Parts.

Part 2

Amendments to Buildings Energy Efficiency Ordinance (Cap. 610)

3. Section 2 amended (interpretation)

(1) Section 2—

Renumber the section as section 2(1).

(2) Section 2(1)—

Add in alphabetical order

“*data centre* (數據中心) means a place for housing and operating computer systems, servers, telecommunications equipment and associated support components in a secure and controlled environment principally for providing data storage, data processing and data distribution services;

Note—

Examples of associated support components are—

- (a) uninterruptible power supply;
- (b) cooling system;
- (c) environmental control system;
- (d) fire services system; and
- (e) security system.

Data Disclosure Form (公開資料表格) means a Data Disclosure Form mentioned in section 22;

relevant date (有關日期) means the date on which Part 2 (except sections 9 and 10) of the Buildings Energy Efficiency (Amendment) Ordinance 2025 (24 of 2025) comes into operation;”.

(3) After section 2(1)—

Add

“(2) A note in the text of this Ordinance is for information only and has no legislative effect.”.

4. Section 7 substituted

Section 7—

Repeal the section

Substitute

“7. Application of Part 2

- (1) This Part applies to a prescribed building (other than a building of type 14 or 15 specified in Schedule 1) in respect of which a consent to the commencement of building works for superstructure construction is given after 21 September 2012.
- (2) This Part applies to a prescribed building of types 14 and 15 specified in Schedule 1 in respect of which a consent to the commencement of building works for superstructure construction is given after the relevant date.”.

5. Section 16 substituted

Section 16—

Repeal the section

Substitute

“16. Application of Part 3

- (1) If major retrofitting works carried out in respect of any central building services installation of, or any building services installation that serves any unit or common area of, a prescribed building (other than a

building of type 14 or 15 specified in Schedule 1) are completed after 21 September 2012, this Part applies to the building.

- (2) If major retrofitting works carried out in respect of any central building services installation of, or any building services installation that serves any unit or common area of, a building of types 14 and 15 specified in Schedule 1 are completed after the relevant date, this Part applies to the building.”.

6. Section 21 amended (application of Part 4)

- (1) Section 21(1)—

Repeal

“subsection (2)”

Substitute

“subsections (2), (3) and (4)”.

- (2) After section 21(2)—

Add

- “(3) This Part does not apply to a building specified in Schedule 4 (other than a building of type 10 or 11 specified in that Schedule) if—

- (a) the gross floor area of the building does not exceed 7 000 m²; and
- (b) an energy audit is required to be carried out in respect of it on or after the relevant date.

- (4) This Part does not apply to a building if the Director is advised in writing by the head of a department of the Government that carrying out an energy audit in respect of the building would be contrary to the interests of national security.

(5) In subsection (3)—

gross floor area (總樓面面積) has the meaning given by regulation 23(3)(a) of the Building (Planning) Regulations (Cap. 123 sub. leg. F).

(6) In subsection (4)—

building (建築物) includes a portion of a building.”.

7. Section 22 amended (energy audit requirement)

(1) Section 22(1)—

Repeal

“no longer than 10 years”

Substitute

“specified in Schedule 5”.

(2) Section 22(2)—

Repeal

everything after “a building”

Substitute

“(whether or not issued with a Certificate of Compliance Registration) must be carried out according to the schedule specified in Schedule 6.”.

(3) Section 22—

Repeal subsection (3).

(4) Section 22(5)—

Repeal

everything after “Form, send”

Substitute

“the following documents to the Director—

(a) a copy of the Energy Audit Form;

- (b) an energy audit report on the audit; and
- (c) a Data Disclosure Form, for publishing the technical information contained in the energy audit report.”.

(5) Section 22(6), after “Audit Form”—

Add

“or a Data Disclosure Form”.

(6) After section 22(6)—

Add

“(6A) The Director may publish the technical information contained in a Data Disclosure Form—

- (a) by making the information available for inspection free of charge on a website specified by the Director; and
- (b) by providing the information for members of the public to inspect free of charge at all reasonable times.”.

(7) Section 22(7), before “issued”—

Add

“or a Data Disclosure Form”.

(8) Section 22(7), after “another Energy Audit Form”—

Add

“or another Data Disclosure Form (as the case may be)”.

8. Sections 25A and 25B added

Part 4, after section 25—

Add

“25A. Energy audit for buildings affected by section 21(2), (3) or (4) or 25

(1) If—

- (a) under section 21(2), this Part does not apply to a building; and
- (b) subsequently the Director is no longer satisfied in the manner mentioned in that section (whether or not the Director receives a notice under section 25B),

this Part applies to the building with effect from the date of expiry of the 12-month period after the date of the declaration under section 21(2).

(2) If—

- (a) under section 21(3), this Part does not apply to a building; and
- (b) subsequently the Director is satisfied that any condition specified in that section is no longer met (whether or not the Director receives a notice under section 25B),

this Part applies to the building with effect from the date on which the Director is so satisfied.

(3) If—

- (a) under section 21(4), this Part does not apply to a building; and
- (b) subsequently the head of a department of the Government sends a notice in writing to the Director stating that carrying out an energy audit in respect of the building would no longer be contrary to the interests of national security,

this Part applies to the building with effect from the date of the notice.

(4) If—

- (a) any building services installation in a building is exempted under section 25(3); and
- (b) subsequently the Director withdraws the exemption under section 25(6) by a notice in writing specifying a date of withdrawal issued to the owner of the building,

section 22 applies to the building services installation in the building with effect from the date.

(5) If—

- (a) this Part applies to a building under subsection (1), (2) or (3) with effect from a date; or
- (b) section 22 applies to any building services installation in a building under subsection (4) with effect from a date,

the owner of the building must cause an energy audit to be carried out in respect of the central building services installations of, or the building services installations in (as the case may be), the building in accordance with section 22(4) within the 12-month period after the date or, if the period is extended under subsection (6), the period as extended.

- (6) The Director may, on an application in writing by the owner of the building concerned, extend the 12-month period specified in subsection (5) if the Director is satisfied that there is a reasonable ground for the extension.

- (7) An energy audit carried out in compliance with subsection (5) is to be regarded as an energy audit carried out in compliance with section 22.
- (8) An owner of a building who contravenes subsection (5) commits an offence and is liable on conviction to a fine at level 5.

25B. Owner of building affected by section 21(2) or (3) must notify changes in circumstance

If this Part does not apply to a building under section 21(2) or (3), the owner of the building must, within 28 days after becoming aware of any change in the circumstance of the building that may affect the non-application of this Part to the building, send a notice of the change in writing to the Director.”.

9. Section 34 amended (appeal board panel)

- (1) Section 34(1)(d)—

Repeal

“; and”

Substitute a semicolon.

- (2) After section 34(1)(d)—

Add

“(da) not more than 10 members who are corporate members of the Hong Kong Institution of Engineers and are in the energy discipline;”.

- (3) Section 34(1)(e)—

Repeal the full stop

Substitute

“; and”.

- (4) After section 34(1)(e)—

Add

“(f) not more than 10 members who are professional members of the Hong Kong Institute of Qualified Environmental Professionals.”.

- (5) Section 34(2)—

Repeal

“5 disciplines mentioned in paragraphs (a), (b), (c), (d) and (e)”

Substitute

“7 disciplines mentioned in paragraphs (a), (b), (c), (d), (da), (e) and (f)”.

10. Section 35 amended (appeal board)

Section 35(2)—

Repeal

“5” (wherever appearing)

Substitute

“7”.

11. Section 43 amended (Secretary may amend Schedules)

- (1) Section 43(1)—

Repeal

“or 4”

Substitute

“, 4 or 5”.

- (2) Section 43(2)—

Repeal

“5”

Substitute

“6”.

12. Section 48 amended (false information etc. prohibited)

(1) Section 48(1), after “Form of Compliance”—

Add

“, Data Disclosure Form”.

(2) Section 48(2), after “Form of Compliance”—

Add

“, a Data Disclosure Form”.

13. Section 49 amended (offences relating to registered energy assessors)

Section 49(2), after “Form of Compliance”—

Add

“, Data Disclosure Form”.

14. Part 11 heading amended (transitional provision)

Part 11, English text, heading—

Repeal

“Provision”

Substitute

“Provisions”.

15. Section 52 amended (energy audit carried out before Part 4 commences)

(1) Section 52, heading—

Repeal

“Part 4 commences”

Substitute

“21 September 2012”.

- (2) Section 52(a)—

Repeal

“the commencement of Part 4”

Substitute

“21 September 2012”.

- (3) Section 52(c)—

Repeal

“the commencement date of Part 4”

Substitute

“21 September 2012”.

- (4) Section 52—

Repeal

“on the commencement of Part 4, as an energy audit carried out on the commencement of Part 4”

Substitute

“as from 21 September 2012, as an energy audit carried out on that date”.

16. Section 53 added

After section 52—

Add

“53. Energy audit carried out on or after 21 September 2012 but before relevant date

- (1) If an energy audit is carried out—

(a) in respect of a building (other than a building of type 1 or 2 specified in Schedule 4) in accordance with a specified code of practice on or after 21 September 2012 but before the relevant date; and

(b) by a registered energy assessor,
the audit is regarded, as from the relevant date, as an energy audit carried out on the relevant date.

(2) In this section—

specified code of practice (指明《守則》) means a code of practice concerning an energy audit in respect of a building that is identified by the Director under section 40(3) on or after 21 September 2012.”.

17. Schedule 1 amended (buildings that require Certificate of Compliance Registration and Form of Compliance)

(1) Schedule 1, heading—

Repeal

“Buildings that Require Certificate of Compliance Registration and Form of Compliance”

Substitute

“Prescribed Buildings”.

(2) Schedule 1—

Repeal

“[ss. 2”

Substitute

“[ss. 2, 7, 16”.

(3) Schedule 1—

Repeal items 8 and 9

Substitute

“8. Building that is occupied principally for community services including a community hall, a social services centre and a composite building occupied as both such places.

9. Building that is occupied principally for municipal services including a market, a cooked food centre, a library, a cultural centre, an indoor games hall and a composite building occupied as 2 or more such places.”.

(4) Schedule 1, after item 13—

Add

“14. Building that is occupied principally as a data centre.

15. A portion of an industrial building that is occupied principally as a data centre.”.

18. Schedule 4 amended (buildings that require energy audit)

(1) Schedule 4—

Repeal

“& 43]”

Substitute

“, 43 & 53 & Schs. 5 & 6]”.

(2) Schedule 4, after item 2—

Add

“3. Building that is occupied principally for an education purpose.

4. Building that is occupied principally for community services including a community hall, a social services centre and a composite building occupied as both such places.
5. Building that is occupied principally for municipal services including a market, a cooked food centre, a library, a cultural centre, an indoor games hall and a composite building occupied as 2 or more such places.
6. Building that is occupied principally for medical and health care services including a hospital, clinic and rehabilitation centre.
7. Building that is owned by the Government and used principally for the accommodation of people during the performance of any function of the Government.
8. Passenger terminal building of an airport.
9. Railway station.
10. Building that is occupied principally as a data centre.
11. A portion of an industrial building that is occupied principally as a data centre.”.

19. Schedule 5 substituted

Schedule 5—

Repeal the Schedule

Substitute

“Schedule 5

[ss. 22 & 43]

Interval of Energy Audit to be Carried Out under Section 22(1)

Part 1

Definitions

1. In this Schedule—

audit date (審核日期), in relation to a building (or a portion of a building) specified in Schedule 4, means the starting date of an energy audit that is carried out in respect of the central building services installations of the building (or the portion of the building) under section 22(1).

Part 2

Type 1 or 2 Building

2. For a building of type 1 or 2 specified in Schedule 4—

Preceding audit date (including first audit date)	Period within which the next energy audit must be carried out
Falls before the relevant date	10 years after the preceding audit date
Falls on or after the relevant date	5 years after the preceding audit date

Part 3

Type 3, 4, 5, 6, 7, 8, 9, 10 or 11 Building

3. For a building of type 3, 4, 5, 6, 7, 8, 9, 10 or 11 specified in Schedule 4—

Preceding audit date (including first audit date)	Period within which the next energy audit must be carried out
Falls on or after the relevant date	5 years after the preceding audit date

20. **Schedule 6 added**
After Schedule 5—
Add

“Schedule 6

[ss. 22 & 43]

Schedule of First Energy Audit to be Carried
Out under Section 22(2)

Part 1

Definitions

1. In this Schedule—
Certificate (證明書) means a Certificate of Compliance
Registration.

Part 2

Type 1 or 2 Building with Certificate

2. For a building of type 1 or 2 specified in Schedule 4
issued with a Certificate—

Date on which the building is first issued with a Certificate	Period within which the first energy audit must be carried out
Falls before the relevant date	10 years after the date on which the building is first issued with a Certificate
Falls on or after the relevant date	5 years after the date on which the building is first issued with a Certificate

Part 3

Type 3, 4, 5, 6, 7, 8, 9 or 10 Building with Certificate

3. For a building of type 3, 4, 5, 6, 7, 8, 9 or 10 specified in Schedule 4 issued with a Certificate—

Date on which the building is first issued with a Certificate	Period within which the first energy audit must be carried out
Falls before the relevant date	Whichever of the following that expires later— (a) 10 years after the date on which the building is first issued with a Certificate; or (b) 1 year after the relevant date
Falls on or after the relevant date	5 years after the date on which the building is first issued with a Certificate

Part 4

Type 1 or 2 Building with No Certificate

4. For a building of type 1 or 2 specified in Schedule 4 that is not issued with a Certificate—

Date on which occupation approval in respect of the building is issued	Period within which the first energy audit must be carried out
Falls on or after 1 January 1988	12 months after 21 September 2012
Falls after 31 December 1977 but before 1 January 1988	24 months after 21 September 2012
Falls after 31 December 1969 but before 1 January 1978	36 months after 21 September 2012
Falls on or before 31 December 1969	48 months after 21 September 2012

Part 5

Type 3, 4, 5, 6, 7, 8, 9 or 10 Building with No Certificate

5. For a building of type 3, 4, 5, 6, 7, 8, 9 or 10 specified in Schedule 4 that is not issued with a Certificate—

Date on which occupation approval in respect of the building is issued	Period within which the first energy audit must be carried out
Falls on or after 1 January 1988	12 months after the relevant date

Date on which occupation approval in respect of the building is issued	Period within which the first energy audit must be carried out
Falls after 31 December 1977 but before 1 January 1988	24 months after the relevant date
Falls after 31 December 1969 but before 1 January 1978	36 months after the relevant date
Falls on or before 31 December 1969	48 months after the relevant date

Part 6

**Portion of Industrial Building Occupied
Principally as Data Centre**

6. For a portion of an industrial building that is occupied principally as a data centre—

Date on which the data centre starts operation	Period within which the first energy audit must be carried out
Falls before the relevant date	1 year after the relevant date
Falls on or after the relevant date	5 years after the date on which the data centre starts operation

7. In this Part—

date on which the data centre starts operation (數據中心開始營運日期), in relation to a portion of an industrial building that is occupied principally as a data centre, means the date on which the central building services installations serving that portion of the building start to consume electricity.”.

Part 3

Amendments to Buildings Energy Efficiency (Registered Energy Assessors) Regulation (Cap. 610 sub. leg. B)

21. Section 5 amended (determination of application)

- (1) Section 5(1)(a)(i)—

Repeal

“or building services”

Substitute

“, building services or energy”.

- (2) Section 5(1)(a)(iv)—

Repeal

“or”.

- (3) Section 5(1)(b)(i)—

Repeal

“or building services”

Substitute

“, building services or energy”.

- (4) Section 5(1)(b)(iv)—

Repeal the full stop

Substitute

“; or”.

- (5) After section 5(1)(b)—

Add

“(c) the applicant—

- (i) is a professional member of the Hong Kong Institute of Qualified Environmental Professionals, or has an equivalent qualification recognized by the Institute as being of a standard not lower than that of a professional member of the Institute;
- (ii) has had at least 3 years practical experience in engineering works relating to energy efficiency in buildings acquired while being such a member;
- (iii) has the knowledge required for the performance of the duties and functions of a registered energy assessor under the Ordinance; and
- (iv) is a fit and proper person to be registered.”.

(6) Section 5(2)(a)(i)—

Repeal

“or (b)”

Substitute

“, (b) or (c)”.

(7) Section 5(3)—

Repeal

“or (b)(iv)”

Substitute

“, (b)(iv) or (c)(iv)”.

22. Section 6 amended (renewal of registration)

(1) Section 6(5)(b)—

Repeal

“or”.

- (2) After section 6(5)(b)—

Add

“(ba) where the registration sought to be renewed was granted by virtue of section 5(1)(c), the Director is satisfied that the applicant meets the criteria set out in that section; or”.

23. Section 9 amended (removal from Register of Registered Energy Assessors)

- (1) After section 9(1)(d)—

Add

“(da) where the person is registered by virtue of section 5(1)(c), the person does not meet or no longer meets the criterion set out in section 5(1)(c)(i);”.

- (2) Section 9(2), after “(d),”—

Add

“(da),”.

- (3) After section 9(4)(b)—

Add

“(ba) in the case of a removal under subsection (1)(da), the person meets the criterion set out in section 5(1)(c)(i);”.

24. Section 12 amended (registered energy assessors cease to hold qualification)

Section 12(2)(a)—

Repeal

“or (b), the qualification mentioned in section 5(1)(a)(i) or (b)(i)”

Substitute

“, (b) or (c), the qualification mentioned in section 5(1)(a)(i), (b)(i) or (c)(i)”.

25. Section 15 amended (disciplinary board panel)

- (1) After section 15(1)(d)—

Add

“(da) not more than 10 members who are corporate members of the Hong Kong Institution of Engineers and are in the energy discipline;”.

- (2) Section 15(1)(e)—

Repeal

“and”.

- (3) After section 15(1)(e)—

Add

“(ea) not more than 10 members who are professional members of the Hong Kong Institute of Qualified Environmental Professionals; and”.

- (4) Section 15(2)—

Repeal

“5 disciplines mentioned in paragraphs (a), (b), (c), (d) and (e)”

Substitute

“7 disciplines mentioned in paragraphs (a), (b), (c), (d), (da), (e) and (ea)”.

- (5) Section 15(3)(b)—

Repeal

“(d) or (e)”

Substitute

“(d), (da), (e) or (ea)”.

26. Section 16 amended (disciplinary board)

Section 16(2)—

Repeal

“5 members appointed from 5”

Substitute

“7 members appointed from 7”.