

政府總部  
發展局  
規劃地政科



Planning and Lands  
Branch  
Development Bureau  
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來函檔號 Your Ref. CB(1) 755/19-20(01)

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15 June 2020

Clerk to Subcommittee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Doris Lo)

Dear Ms Lo,

**Subcommittee on Building (Minor Works) (Amendment) Regulation 2020  
and Building (Planning) (Amendment) Regulation 2020**

**View from the Hong Kong Institution of Engineers**

Thank you for your email of 11 June 2020 forwarding to us a letter from the Hong Kong Institution of Engineers (“HKIE”) in respect of the above amendment regulations. Having consulted the Buildings Department, I write to provide the response below.

To encourage building owners to carry out timely and proper maintenance to their slopes or retaining walls, certain types of relevant repair works that are of routine nature are designated as Class III minor works (“MW”) item 3.53 under the Building (Minor Works) (Amendment) Regulation 2020 (“B(MW)(A)R”). Such works cover repairs of (i) any pointing in a masonry retaining wall; (ii) the hard cover of any natural, formed or man-made slope; (iii) any surface drainage channel, catch-pit or sand-trap connected to a slope; and (iv) any surface drainage channel, catch-pit or sand-trap connected to a retaining wall which do not involve any excavation of a depth of more than 300 mm. Having considered their nature, scale and complexity as well as the risk that they impose, we consider it appropriate to designate such works as a Class III MW item, which only requires

the appointment of a Class III MW contractor for carrying out the works without the need for prior notification to the Buildings Department before works commencement. The relevant repair works can therefore be done in a timely manner.

The new Designated Exempted Works (“DEW”) item 25 to be introduced under the B(MW)(A)R covers the addition, alteration, repair or removal of any surface drainage channel on-grade subject to two conditions, namely (a) the depth of the channel is not more than 300 mm; and (b) the channel is not for any natural formed or man-made slop or any retaining wall. The depth control in condition (a) aligns with that of the extant DEW item 9 which restricts any excavation more than 300 mm, with the depth being measured vertically from the highest point of the channel to the soil beneath the channel. To address HKIE’s concern, the method of measurement on the depth of surface channel will be described in the updated Technical Guidelines on Minor Works Control System for practitioners’ reference.

As regards condition (b), we consider it necessary to maintain the condition given the risks of relevant works in relation to surface drainage channels for natural, formed or man-made slopes or any retaining walls. It should be noted that essential repairs of surface drainage channels for natural, formed or man-made slopes or any retaining walls which do not involve any excavation of a depth of more than 300 mm will be designated as Class III MW item 3.53 under the B(MW)(A)R as described above. Given the simplified control requirements for Class III MW items, the relevant repair works can therefore be done in a timely manner.

Yours faithfully,

( Calvin Tang )  
for Secretary for Development

c.c. Secretary for Justice (Attn: Mr Gary Li)  
Director of Buildings (Attn: Mr W C Tam)