

政府總部  
發展局  
規劃地政科



Planning and Lands  
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來函檔號 Your Ref.

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12 April 2021

Clerk to Subcommittee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Mr. Raymond Chow)

Dear Mr. Chow,

**Proposed Resolution under Section 2(3) of  
the Buildings Ordinance (Cap. 123)**

Thank you for your email of 7 April 2021 forwarding to us a letter from the Chairlady of Wan Chai District Council in respect of the above proposed resolution. Having consulted the Buildings Department (“BD”), I write to provide the response below.

The proposed amendments to Schedule 8 to the Buildings Ordinance (“BO”) aim to include certain existing unauthorised minor amenity features as prescribed building or building works to allow the continued use of such lower risk features after safety inspection and necessary strengthening works by a prescribed building professional (“PBP”) and/or prescribed registered contractor (“PRC”) so as to meet the genuine needs of building occupants, minimise the burden of owners or occupants in seeking rectification and avoid wastage.

Various registers of the PBPs and PRCs have been uploaded to BD website and the mobile application on “Quick Guide for Minor Works” for easy reference by the general public. At present, there are about 2 000 PBPs and 19 000 PRCs which should be sufficient to meet the market needs and for the concerned owners to obtain quotations for consideration.

Owners have the primary responsibility to carry out maintenance and repairs properly for their properties and to ensure that their premises are free from unauthorised building works. Nevertheless, the Government recognises that some owners may have genuine difficulties in fulfilling these responsibilities due to lack of financial means, technical knowledge and/or ability to coordinate. In this connection, BD and the Urban Renewal Authority (“URA”) have provided various financial assistance and loan schemes to assist needy owners in carrying out the maintenance and repair works. Apart from providing financial assistance, BD and URA also offer building rehabilitation information and technical support for the owners.

Regarding access for maintenance of air-conditioners (“ACs”) installed at the external wall of a new building, the new Building (Construction) Regulation (“B(C)R”) (Cap. 123Q), which mandates the provision of adequate means of access for maintenance and repair of external building elements of a building (including external walls, curtain walls, external claddings and roof, as well as their projections), came into operation on 1 February 2021. Hence, under the B(C)R, M&R access should be provided for ACs platforms at the external wall of a building. In parallel, BD has promulgated the Code of Practice on Access for External Maintenance 2021 to provide guidance on compliance with this statutory requirement. Authorized persons are required to submit M&R access plans for new development projects demonstrating compliance with the statutory requirements to BD for approval under the BO.

Yours sincerely,



(Thomas Poon)

for Secretary for Development

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