

EVIDENTIAL HEARING
BEFORE THE INDEPENDENT COMMITTEE
IN RELATION TO THE FIRE AT WANG FUK COURT IN TAI PO

OPENING ADDRESS OF THE URBAN RENEWAL AUTHORITY

1. The Urban Renewal Authority (“**URA**”) operates the Smart Tender Building Rehabilitation Facilitating Services Scheme (“**Smart Tender**”), which is a fee-based service scheme with the mission to provide technical assistance to building owners and reduce the risks of bid-rigging in the procurement of contractors for building rehabilitation works.¹
2. Wang Fuk Court was at all material times a user of Smart Tender, in relation to the renovation works causing the fire that broke out on 26 November 2025.
3. The URA has submitted two witness statements respectively of:
 - 3.1. Mr Wong Se King Peter (Director, Building Rehabilitation).² He gives an overview of relevant *systemic* matters including the background to and evolution of the URA’s facilitative role in building maintenance and rehabilitation, issues arising in procurement processes leading to the launch of Smart Tender, and its enhancement over the years.
 - 3.2. Mr Chan Yat Ho Matthew (Case Manager, Building Rehabilitation).³ Being the URA’s officer assigned to Wang Fuk Court, he was involved in and has knowledge of matters relating to the procurement processes for renovation works there, and explains matters *on the ground* about the provision of Smart Tender services to Wang Fuk Court.
4. The objective of Smart Tender is to reduce the exposure of building owners to bid-rigging, one possible *systemic* problem in the procurement process for

¹ See the URA’s press release on implementation of Smart Tender dated 10 May 2016 [WSKP#5, pp.39-42]; and its press release on refinement of Smart Tender dated 25 October 2016 [WSKP#6, pp.43-45].

² Mr Wong Se King Peter’s witness statement dated 28 January 2026 (“**WSKP**”) [WS1/33/408-430].

³ Mr Chan Yat Ho Matthew’s witness statement dated 28 January 2026 (“**CYHM**”) [WS1/34/431-447].

large-scale building maintenance and renovation works (as identified in §(2) of the Terms of Reference of the Committee).

5. This Opening Address focuses on (i) the common issues encountered in the procurement processes for large-scale building rehabilitation works; (ii) the URA's responses to the issues in launching Smart Tender and enhancing that scheme over the years; (iii) the Smart Tender services provided to Wang Fuk Court; and (iv) the Development Bureau's (recent) proposal in collaboration with the URA to launch an enhanced version of Smart Tender.

A. Common Issues in Large-scale Building Rehabilitation Works

6. Under the Mandatory Building Inspection Scheme (“**MBIS**”), the Buildings Department (“**BD**”) may issue statutory notices to owners of buildings aged 30 or above to carry out prescribed inspections and, if necessary, prescribed repairs of their buildings.⁴
7. To comply with such notices, different building professionals are appointed:
 - 7.1. The building owners (via their Owners' Corporation (“**OC**”), if any) shall appoint a registered inspector, whose name is on the register kept by the Building Authority (“**BA**”) pursuant to s.3(3B) of the Buildings Ordinance (Cap.123) (“**BO**”) [**URA#1**], to carry out the prescribed inspection.⁵ Such registered inspector is referred to as “**Inspector**”.
 - 7.2. If prescribed repair works are necessary, a registered inspector, whose name is on the same register kept by the BA as described above, shall be appointed⁶ to supervise the prescribed works. The inspector acting in this supervising/consulting role is referred to as “**Consultant**”.
 - 7.3. A registered general building contractor (“**RGBC**”) (or a registered minor works contractor as appropriate) whose name is on respective registers kept by the BA pursuant to s.8 of the BO [**URA#****], shall be appointed to carry out the prescribed works.⁷ Such professional is referred to as “**Contractor**”.

⁴ WSKP/§9 [**WS1/33/409-410**].

⁵ Section 30D(1)(a) of the BO [**URA#1**].

⁶ Section 30D(1)(b) of the BO [**URA#1**].

⁷ Sections 9, 9AA and 30F of the BO [**URA#1**].

8. The Inspector and the Consultant can be the same entity.⁸ The URA observes this has been the situation in most cases (including for Wang Fuk Court).⁹
9. The procurement of these building professionals is usually by way of tender, not least because of the substantial contract sums involved. As observed by the URA, the procurement processes were (and perhaps still are) prone to be abused by ill-intended parties in the following manner:¹⁰
 - 9.1. *Internal collusion* – members of the management committee (“MC”) of the OC colluding with bidders, with the latter being given insider information or members of the MC making biased decisions in favour of certain bidders.
 - 9.2. *Tender documents manipulation* – consultants setting (unreasonable) criteria in tender documents with the intended effect of filtering out non-colluding bidders.
 - 9.3. *Bid suppression* – selective distribution of tender invitations, thereby unduly influencing or pressuring competitors to either not submit bids or withdraw submitted bids.
 - 9.4. *Tenders return/opening manipulation* – members of the MC ignoring bids from non-colluding bidders, despite they offer more competitive pricing.
 - 9.5. *Tenders analysis manipulation* – consultants giving tender analyses in such a way as to unfairly favour colluding bidders, or disadvantages non-colluding bidders, thereby unduly influencing building owners in their decision-making.
10. *In contrast with* the Police, the Independent Commission Against Corruption (“ICAC”) and the Competition Commission, which are empowered to take and responsible for taking enforcement actions against misconduct (criminal or otherwise) in the procurement processes, the URA over the years has been playing a *facilitative* role to assist building owners/OCs in the said processes with a view to reducing/eliminating the risks of bid-rigging.

⁸ Section 30D(2) of the BO [URA#1].

⁹ WSKP/§10(c) [WS1/33/410].

¹⁰ WSKP/§11 [WS1/33/410-411].

B. The URA and Smart Tender

11. The URA was established in 2001 pursuant to the Urban Renewal Authority Ordinance (Cap.563) (“**URAO**”) as the statutory body for the purpose of carrying out urban renewal and for connected purposes. One of the URA’s purposes is to prevent the decay of the built environment in Hong Kong by *promoting* maintenance and improvement of individual buildings.¹¹
12. In 2011, the URA was tasked to implement the Urban Renewal Strategy¹² published by the Development Bureau with rehabilitation as one of its core business.¹³ In doing that, the URA shall promote rehabilitation of buildings in need of repair and provide technical and financial assistance to owners in order to promote proper maintenance of buildings.¹⁴
13. Since 2013, with a view to addressing concerns about bid-rigging, the URA has implemented a new arrangement for the tendering process for building rehabilitation works under which an *impartial* professional will be appointed to handle the process and to keep the identity of bidders anonymous until tender opening. That arrangement was proven to be a success, as evident by a substantial increase in the number of tenders submitted and the number of the lowest tender price failing within the pre-tender estimate.¹⁵
14. In his 2016 Policy Address¹⁶, the then Chief Executive expressed concerns about bid-rigging as regards certain building repair and maintenance works. The Government thereafter discussed with the URA on a pilot scheme, to be operated by the URA, to enhance technical support for building owners. This was in the context of the arrangement introduced a few years earlier.
15. Such initiative culminated in the launching of Smart Tender on 10 May 2016, with three initial core offerings further explained below. The design of Smart Tender was based on and certainly had the benefit of the practical experience obtained from the implementation of the arrangement introduced in 2013.

¹¹ Section 5 of the URAO [**URA#2**]; see also WSKP/§7 [**WS1/33/409**].

¹² WSKP#1.

¹³ WSKP#1, p.8, §11.

¹⁴ WSKP#1, p.11, §20.

¹⁵ Memorandum for Members of the URA Board (WSKP#3, pp.25-34, §2.1).

¹⁶ WSKP#2, p.24.

B1. 1st Core Offering – “DIY Tool-kits”

16. The URA publishes Chinese “DIY Tool-kits” to guide building owners/OC who have joined Smart Tender through the process of arranging and carrying out building repair works, out of the consideration that they may lack related knowledge and experience in the performance of building repair works.¹⁷
17. In particular, the “DIY Tool-kits” provides guidelines on how to prevent bid-rigging, and suggests standard templates and clauses to be included in tender documents (see e.g. Appendices 3 to 9 in Chapter 3 of Part 1). It also details the services offered by Smart Tender, explains the role of an “**Independent Consultant**”, and includes sample reports to be prepared by an Independent Consultant (see e.g. Appendices 1 to 5 in Chapter 2 of Part 2).

B2. 2nd Core Offering – Independent Consultant

18. The URA will assign an Independent Consultant, for the appointment by the building owners/OC (using Smart Tender services), such that they can obtain advice or recommendations from an independent third-party professional on matters arising in the tendering process. The URA will enter into a *bi-partite* service agreement with the building owners/OC; and a *tri-partite* agreement with the building owners/OC and the Independent Consultant.
19. Under these contracts, the URA will act as *agent* of the building owners/OC to instruct, liaise with and coordinate with the Independent Consultant.¹⁸
20. The scope of services provided by the Independent Consultant is set out in the Annex to the (template) tri-partite agreement,¹⁹ and best illustrated with reference to the following 5 key report deliverables.²⁰
21. First, in the initial stage, the Independent Consultant will prepare an **Initial Assessment Report** containing (i) basic repair/maintenance works proposal and (ii) preliminary cost estimate, for the building owners/OC’s reference.

¹⁷ Applicable version of DIY Tool-kits when Wang Fuk Court joined Smart Tender in 2018 (WSKP#13).

¹⁸ Annex I to the template bi-partite service agreement in the “DIY Tool-kits” (WSKP#13, p.821) sets out the scope of the URA’s services. The URA’s role is explained in Clause 3 of the template tri-partite agreement in the “DIY Tool-kits” (WSKP#13, p.825).

¹⁹ WSKP#15, pp.891-892; see also Chapter 2.2 in Part 2 of the “DIY Tool-kits” (WSKP#13, pp.833-834).

²⁰ For details of the five report deliverables, see WSKP/§§22-30 [WS1/33/413-415].

22. The Inspector appointed will then conduct the prescribed inspection and also prepare an **Inspection Report** in compliance with the Building (Inspection and Repair) Regulation (Cap.123P), in particular making a proposal for the prescribed repair.²¹ For the purpose of inviting the submission of tenders for the building repair works, the Consultant appointed will further prepare two documents: (i) **draft Tender Documents** and (ii) **Cost Estimates of Works**.
23. Second, the Independent Consultant will prepare a **Pre-tender Assessment Report Part 1 (“PAR1”)** to identify discrepancies and omissions (etc), and highlight any mandatory repair items (i.e. prescribed repair works) that are missing with reference to documents prepared by the Inspector/Consultant mentioned in §22 above. This aims to ensure that the submitted tenders will cover all prescribed items of repair works. Except the prescribed items, the building owners/OC (and the Consultant) are at liberty to adopt or reject the Independent Consultant’s comments in the PAR1. It is then for the building owners/OC to accept the finalised tender documents.
24. Third, the Independent Consultant will prepare a **Pre-tender Assessment Report Part 2 (“PAR2”)** to confirm four (mandatory) matters in relation to the finalised tender documents, namely, (i) they are accepted by the building owners/OC, (ii) they do not reveal the identity of the inspector or consultant, (iii) they do not require the bidders to pay administration fee, and (iv) they require the bidders to comply with the law.
25. Fourth, with reference to the building repair works set out in the finalised tender documents, the Independent Consultant will prepare an **Independent Cost Estimate** – *it will not be disclosed to any party*²² in order to avoid any collaborative efforts in bid-rigging. The document will be put into the tender box and opened only after the opening of all bids, so as to give a *benchmark comparison* to assist the building owners/OC in assessing whether any bid(s) submitted is/are unreasonably priced. After opening all bids, the Consultant will prepare a **Tender Assessment Report (“TAR”)**.
26. Fifth, the Independent Consultant will then prepare an **Assessment Report on the TAR**, identifying omissions and inadequacies in the technical review

²¹ Sections 3 to 5, 12 of the Building (Inspection and Repair) Regulation (Cap.123P) [URA#**].
²² Including the Consultant, building owners/OC, potential bidders and URA.

of tenders and the analysis provided in the TAR, and comparing the lowest tender price with the Independent Cost Estimate.²³

27. The building owners/OC will thereafter convene an owners' general meeting for the purpose of considering and, if considered fit, passing a resolution to appoint a contractor. Upon the holding of this general meeting, the provision of Smart Tender services essentially come to an end.
28. Some relevant facts in relation to Independent Consultants are as follows:
 - 28.1. At the material time, the URA appointed 3 consultancy firms (referred to internally as "Building Surveying Consultant" ("BSC")) that would be assigned to building owners/OCs *on a roster basis* for appointment by the latter as Independent Consultants.
 - 28.2. In 2017, the URA advertised in newspapers and on its own website to invite the return of Express of Interest ("EOI") by consultancy firms for appointment as BSCs. Upon receipt of EOIs, the URA invited the firms expressing interest to submit tenders for the provision of service as BSCs, and only those firms which satisfied the URA pre-approved shortlisting and selection criteria were so invited.²⁴ The three lowest conforming bidders were in the end appointed as BSCs.
 - 28.3. The rationale underlying such selection process of BSCs was that the potential bidders had already been on the URA's list or Government's list of consultants and were thus considered as sufficiently competent to provide the required services as BSCs; and that being the case, a price only assessment was done to give the best value for money.²⁵
 - 28.4. BSCs are contractually obliged to require their employees involved in the relevant services to declare, in writing, any conflict of interest in connection with any services provided under the assignment with the URA. The contractual requirement aims to ensure there is no improper

²³ See the Annex to the template tri-partite agreement at WSKP#15, p.892.

²⁴ Including but not limited to being on the pre-approved URA or Government building surveying, structural engineering and architectural consultant lists (which lists contained around 60 firms), having a minimum company size and working experience, and not having been subjected to disciplinary proceedings by their relevant professional bodies.

²⁵ For details, see WSKP/§31 [WS1/33/415-416].

connection between the relevant BSCs and bidders for appointments as consultants and contractors by the building owners/OCs.²⁶

28.5. The URA evaluates and monitors BSCs' performance *continually*, by holding a progress meeting with each BSC every 3 months, and doing a performance evaluation for each BSC every 6 months.²⁷

B3. 3rd Core Offering – Electronic Tendering Platform

29. Smart Tender provides an electronic tendering platform, with the following measures aimed to reduce the risk of bid-rigging.
30. First, to expand the pool of bidders in order to facilitate healthy competition and reduce the likelihood of improper interference in the tendering process, contractors are encouraged to register in the platform to be entitled to receive and bid for tender invitations available on the platform.²⁸
31. When the platform was launched in 2016, in order to be eligible to apply for registration as a participating contractor, the applicant must (i) hold a valid Business Registration Certificate and (ii) be a RGBC. Since September 2018, the URA has been refusing applications for registration when it comes to the knowledge of the URA that the contractor is under prosecution or has been convicted for offences under the Prevention of Bribery Ordinance (Cap.201) or the Competition Ordinance (Cap.619); and where the contractor has been registered already, suspending its registration if it comes to the knowledge of the URA that the contractor is under prosecution, or (as the case may be) removing its registration if it comes to the knowledge of the URA that the contractor has been convicted, for offences under the two said legislations.
32. Second, the platform allows (indeed, compels) bidders to remain anonymous until bids-opening with a view to minimising the risks of collusion or undue influence. The bidders are each given an individual user account to access, download and submit documents without revealing their identity. All bidders making queries are anonymised. Contractors wishing to conduct site visits

²⁶ Pursuant to Clause 4.3 of the respective BSC Contracts (WSKP#8, pp.143-144).

²⁷ WSKP/§34 [WS1/33/416].

²⁸ WSKP/§§40-43 [WS1/33/418-419].

are each given a randomised number granting their staff access to the sites, without revealing to which contractor they belong.²⁹

33. Third, contractors registered on the platform will receive tender invitations and information through the platform. It is no longer possible for the OCs to collude with bidders by sending tender invitations to colluding bidders only, or through selective information distribution.³⁰
34. Fourth, the platform provides a “Owners Download Centre” where building owners can access relevant documents and better supervise the process.³¹
35. Fifth, the URA administers a centralised collection venue for the submission of tenders. A tender must be physically submitted to designated URA offices, and *not* individual consultants or any other locations. The opening of tenders is conducted by professional accountants (or independent professionals) in the presence of representatives from the OCs. There are also the mandatory requirements of video recording.³²

B4. Expanded Scope of, and Refinements to, Smart Tender

36. Encouraged by positive responses received from stakeholders, the URA has refined and expanded the scope of Smart Tender over the years, as follows:
 - 36.1. In late October 2016, Smart Tender was expanded to cover all multi-owned private residential/composite buildings with more than three storeys in Hong Kong.³³
 - 36.2. Gradually after 2019, procurement of Authorized Persons, Registered Inspector, or Minor Works Contractors (for either Class 1 or Class 2) was made possible on the electronic tendering platform.³⁴
 - 36.3. Since April 2021, the electronic tendering platform has been made available for use by public free-of-charge in view of its advantage.³⁵

²⁹ WSKP/§44 [WS1/33/419].

³⁰ WSKP/§45 [WS1/33/419].

³¹ WSKP/§46 [WS1/33/419].

³² WSKP/§47 [WS1/33/419].

³³ WSKP#6, pp.43-45; WSKP/§49 [WS1/33/420].

³⁴ WSKP/§§52-54, 56 [WS1/33/420-421].

³⁵ WSKP#20, pp.898-900; see also WSKP/§55 [WS1/33/421].

- 36.4. Building owners/OCs participating in rehabilitation subsidy schemes such as Operation Building Bright 2.0 are required to adopt measures to prevent big-rigging. Contractors must be procured through Smart Tender.³⁶ Moreover, the use of contract templates offered by the URA has been made mandatory since 31 October 2022, out of concerns that parties colluding to achieve bid-rigging may avoid using the templates to bypass designed contractual protections for building owners/OCs.³⁷
- 36.5. After February 2024, live streaming is provided during tender opening on the electronic tendering platform to enhance transparency, thereby allowing all building owners/OCs to witness the process.³⁸

C. Wang Fuk Court

37. Mr Matthew Chan has explained chronologically the URA's involvement in the tendering process for the relevant building rehabilitation works of Wang Fuk Court. The Flow Chart appended to his statement provides an overview of the relevant documents/events at each stage of the process.
38. The URA highlights the following key factual matters.

C1. Procurement of the Inspector and Consultant

39. The Owners' Corporation of Wang Fuk Court ("**OC-WFC**") *itself* conducted the tendering process for the Inspector and Consultant. That process was **not** conducted through Smart Tender's electronic tendering platform because at the time of the OC-WFC's joining, the scope of the platform was limited to procurement of the Contractor only and had yet to be expanded.³⁹
40. That said, the OC-WFC (through ISS Facility Services ("**ISS**"), the property management company of Wang Fuk Court) provided to the URA the tender materials (from 24 bidders) for the procurement of the Inspector. Solely to assist the OC-WFC's understanding of the tender submissions, the URA on

³⁶ WSKP#12, p.691; WSKP/§50 [WS1/33/420].

³⁷ WSKP/§57 [WS1/33/421].

³⁸ WSKP#24, p.907; WSKP/§58 [WS1/33/421].

³⁹ CYHM/§20 [WS1/34/434].

30 October 2018 provided a Tender Price Summary⁴⁰ (“**URA’s Inspector TPS**”) (prepared based on the tender materials received) to the OC-WFC.⁴¹

41. The URA’s Inspector TPS was a 1-page summary presenting, in descending order, the bids submitted with the calculated unit rate per man-day for each bid based on the tender sums, and making remarks (being plain descriptions of information received from bidders). The OC-WFC was no doubt expected to exercise its own judgment in appointing the Inspector. The URA did **not** participate in the OC-WFC’s deliberation or decision-making process, and did **not** advise the OC-WFC on the reasonableness of the tender sums.⁴²
42. Will Power Architects Company Limited (“**Will Power**”) was appointed as the Inspector. It quoted a total price of HK\$222,000, being the 6th lowest out of the 24 tender documents received from the OC-WFC.⁴³ The appointment decision was made by the OC-WFC itself.
43. The URA played a similar assisting role in the procurement of the Consultant. Based on the tender submissions for that procurement (provided by the OC-WFC through ISS),⁴⁴ the URA prepared a Tender Price Summary⁴⁵ (“**URA’s Consultant TPS**”) and provided the same to OC-WFC on 30 January 2020. The document gave a numerical comparison of the bids but the URA did **not** comment on those bids. Will Power was appointed as the Consultant and its bid was the 11th lowest with a quote of HK\$308,000 among the 35 tender materials received from the OC-WFC (with the 3 lowest bids received were HK\$45,000, HK\$60,000 and HK\$78,750).⁴⁶

C2. PAR1 – by the Independent Consultant

44. The Independent Consultant assigned for the OC-WFC was RS Surveyors (“**RS Surveyors**”), operated by Rich State Management Limited. It prepared the PAR1 dated 13 November 2022⁴⁷.

⁴⁰ CYHM#13, p.866.

⁴¹ CYHM/§22 [**WS1/34/435**].

⁴² CYHM/§§22-23 [**WS1/34/435**].

⁴³ CYHM/§24 [**WS1/34/435**].

⁴⁴ CYHM#18, pp.6033-7674.

⁴⁵ CYHM#20, p.7675.

⁴⁶ CYHM/§35 [**WS1/34/437**].

⁴⁷ CYHM#25, pp.7951-7966.

45. *PARI §2.3*⁴⁸ tabled the comments from RS Surveyors on Will Power’s Cost Estimate, comparing the repair items stated in the Initial Assessment Report (prepared by RS Surveyors earlier) versus those stated in the 1st Draft Tender Document (prepared by Will Power). Items with cost estimates significantly higher or lower than the cost estimates from RS Surveyors were highlighted – at the time, pursuant to the internal guidelines given by the URA to BSCs, any difference of 30% higher or lower than cost estimates from BSCs would be deemed significantly higher or lower. Exact differences in cost estimates were not disclosed, however, for otherwise it would amount to price-fixing or communication of price sensitive information.⁴⁹
46. *PARI §4*⁵⁰ tabled the differences between cost estimates from RS Surveyors and those from Will Power. However, to prevent bid-rigging, this table was not disclosed to the OC-WFC, Will Power or any contractor.⁵¹

C3. Assessment Criteria in the Procurement of the Contractor

47. On 4 March 2023, the OC-WFC finalised the tender documents.⁵² Then, at its meeting on 17 March 2023, the OC-WFC’s MC resolved on the selection criteria for procurement of the Contractor. In the minutes of that meeting:⁵³
- 47.1. *§5.2* set out the assessment criteria that Will Power had proposed for consideration and adoption. In particular, item 8 referred to certificate of no legal proceedings over the past 2 years issued by a practising solicitor, whereas item 9 referred to the contractor having no litigation record over the last 8 years.
- 47.2. *§5.3* recorded that the OC-WFC had sought the URA’s opinion on the criteria and the URA on 15 March 2023 had replied that it had no other opinion but the diction of certain scoring should be set out clearly.
48. Indeed, apart from certain comments on the diction of the scoring of certain tender assessment criteria, the URA did **not** offer any view on the selection

⁴⁸ CYHM#25, p.7956.

⁴⁹ CYHM/§45 [WS1/34/438-439].

⁵⁰ CYHM#25, p.7958.

⁵¹ CYHM/§46 [WS1/34/439].

⁵² Minutes of the Owners’ General Meeting on 4 March 2023 (CYHM#27, pp.8117-8119).

⁵³ CYHM#29, pp.8128-8135, see p.8131.

criteria.⁵⁴ It is important to reiterate that the URA has **never** played any role in the setting of tender assessment criteria or the point scoring system in the tendering processes, whether in the present case concerning Wang Fuk Court or any other cases to avoid being perceived as biased.⁵⁵

49. The URA was concerned that the selection criteria resolved upon by the OC-WFC's MC were indeed adopted in the TAR prepared by the Consultant. As indicated in §2.1.1 in the Assessment Report on the TAR dated 27 November 2023⁵⁶ prepared by RS Surveyors, Will Power was reminded to provide the minutes of the meeting where the selection criteria had been resolved upon. At §2.1.12, Will Power was also reminded to check if some other selection criteria had been resolved upon and asked for records of the same.
50. The OC-WFC appointed Prestige Construction & Engineering Co., Limited ("**Prestige**") as the Contractor.

C4. Building Rehabilitation Company Registration Scheme ("**BRCRS**")

51. *Outside* Smart Tender, in 2021 the URA introduced the BRCRS, a one-stop platform which building owners can use to search for different categories of service providers in building rehabilitation. It should not be mixed up with contractors registered in the electronic tendering platform in Smart Tender.⁵⁷
52. The BRCRS was introduced after consultation with and studying proposals from 22 professional bodies and professionals in the building industry. As of now, it includes APs, RIs, RGBCs, Registered Minor Works Contractors (Class I), and Registered Fire Service Installation Contractors (Class 1 & 2). To be eligible to take part in the BRCRS, a service provider must:⁵⁸
 - 52.1. be qualified under the BO in the category of service that it provides;
 - 52.2. declare that it has not been convicted of bribery, anti-competition, professional misconduct or subject to disciplinary actions for the past 3 years; and

⁵⁴ Email on 15 March 2023 from Mr Brian Yam of the URA (CYHM#28, pp.8120-8127).

⁵⁵ CYHM/§51 [**WS1/34/439-440**].

⁵⁶ CYHM#38, pp.8497-8511

⁵⁷ WSKP/§§60-61 [**WS1/33/421-422**].

⁵⁸ WSKP/§62 [**WS1/33/422**].

- 52.3. take part in an assessment by Hong Kong Quality Assessment Agency (“HKQAA”), as appointed by the URA.
53. HKQAA, in short, *rates* service providers. In practice, it randomly selects a project completed by the service provider in the preceding 5 years, to check if certain items of project management measures were implemented in that project. However, the rating is not meant to be assessing the quality of their works or services. There are 24 items of project management measures for rating consultants, and 21 items for rating contractors. For example, a “YES” would be given if an item of project management measure was implemented; and if a contractor has all “YES” for all 21 items, it would be given 100%.⁵⁹
54. At the material time, Prestige was a contractor in the BRCRS given a score of 100%.⁶⁰ It may be relevant to note that being on the BRCRS (or the rating of HKQAA) was **not** one of the selection criteria set by the OC-WFC.

C5. Prestige’s Litigation Record

55. Will Power prepared the Tender Analysis Report dated 18 September 2023.⁶¹ It awarded Prestige (i) a score of 3 for having produced a certificate of no legal proceedings issued by a practising solicitors in the past 2 years; and (ii) a score of 3 for having no litigation record over the past 8 years.⁶² A score of 3 is the full score for the respective criterion.
56. Tender submissions were not considered for the purpose of the preparation of the Assessment of the TAR by the BSC. In normal circumstances, neither the URA nor the BSC would scrutinise the technical submissions from the bidders in the tendering process. After the fire, in light of media reports on Prestige’s past conviction records, the URA retrieved the tender materials of Prestige for internal investigation.
57. In the tender documents submitted, Prestige included a letter dated 7 March 2023 issued by a solicitors’ firm Messrs. Pansy Leung Tang & Chua,⁶³ which certified that Prestige had no record of having been sued by any OC and any

⁵⁹ WSKP/§63 [WS1/33/422].

⁶⁰ WSKP#25, p.909.

⁶¹ CYHM#36, pp.8314-8463.

⁶² WSKP/§71 [WS1/33/424].

⁶³ WSKP#21, p.901.

management company in the preceding 7 years; and set out the results from some kind of litigation search⁶⁴ showing Prestige had been involved in 4 civil litigations as a plaintiff. It is unknown from the documents whether the search covered *only* civil litigation, or both civil and criminal litigation.

58. After the fire, the URA engaged a solicitors' firm to do a litigation search concerning Prestige.⁶⁵ Setting a search period between January 2017 and December 2023, a search term of "Prestige Construction & Engineering Co., Limited" returned 108 results, and there were "verdicts" and "sentences" prior to Prestige's submission of tender. It appears that the litigation records submitted by Prestige in the tendering process were **incomplete**.⁶⁶
59. At the time of receiving the Tender Analysis Report from Will Power, there was nothing unusual or suspicious to alert the URA to the need to conduct a review of any underlying tender documentation simply to check if the scores had been justifiably awarded by Will Power. There was no reason, rightly or wrongly, for the URA (being only as a facilitator or an agent of the OC-WFC) to doubt Will Power's capability or integrity in doing that simple task.⁶⁷

D. Enhanced Smart Tender

60. Despite the merits of Smart Tender (acknowledged by stakeholders) and the URA's continuous efforts to refine the scheme to stamp out undue connected interests, conflicts of roles, or improper collusion across all stages of works, the URA acknowledges Smart Tender, as it now stands, may not be an end-all-be-all solution to the issues encountered in the process of tendering for large-scale building maintenance/renovation works.⁶⁸
61. Smart Tender's purpose is to reduce the risks of bid-rigging in the tendering process and it has been enhanced over the years to fulfil its mission. Yet, the statutory remit of the URA does not allow it to play the role nor assume the responsibilities of a law enforcement agency in the detection of crimes. Over the years, the most and indeed best the URA could do was to advise building owners/OCs to seek assistance from law enforcement agencies if they knew

⁶⁴ WSKP#23, pp.905-906.

⁶⁵ WSKP#26, pp.910-930.

⁶⁶ WSKP/§76 [WS1/33/425].

⁶⁷ WSKP/§74 [WS1/33/425].

⁶⁸ WSKP/§64 [WS1/33/422].

or suspected illegal activities such as bid-rigging or bribery had occurred.⁶⁹ This remains the situation.

62. Building rehabilitation is a lengthy process from the initial planning stage to completion. Without in any way evading its responsibilities as a public body, the URA believes it is unrealistic to expect the URA, with its own resources, to take up the roles and assume responsibilities of the Inspector/Consultant, or oversee their performance in the entire process of works. Nor has Smart Tender been designed to serve such purpose – for example, the necessity of repair works additional to the prescribed ones, or the technical specification (like repair methodology or choice of materials), requires the judgment call of the Inspector and/or the Consultant appointed. Such decisions should be based on the conditions of the building, and the needs and budget of building owners: these are outside the scope of Smart Tender.⁷⁰
63. The URA's stance is **not** that the prevailing regime is completely inadequate. In fact, there can be no reasonable dispute about the merits of Smart Tender, and the URA's conscientious efforts over the years in striving to improve the system. Insofar any criticism can be made or improvement can be proposed, it will be important to appreciate two major *limitations* for the URA.
64. First, as stated above, the URA shall refuse application for registration on Smart Tender's electronic tendering platform, or suspend/remove registered professionals from the pool allowed to participate in bidding, if it comes to the knowledge of the URA that the professional is being prosecuted or has been convicted for any corruption or anti-competition offence. The URA has without question done the best it possibly could over the years. Plainly, the Committee will appreciate the challenges faced by the URA in carrying out this task, because the URA can only rely on continuous monitoring of media reports to identify any potential issues with the consultants or contractors for further action. However, this may not be the most effective or reliable means to ensure the quality of professionals involved, because it all depends on the state of knowledge on the part of the URA, and there is no readily publicly available verified official records of prosecution or conviction of any person.

⁶⁹ WSKP/§65 [WS1/33/422-423].

⁷⁰ WSKP/§§25, 66 [WS1/33/414, 423].

65. Second, the URA must act independently and be seen to be independent. It has therefore always refrained in practice from expressing a value judgment on the terms of tenders submitted. It is essential that the URA refrains from doing that, since commenting on such matters can be perceived as attempts on its part to interfere in the consideration by building owners/OCs, or even deliberately favouring or disadvantaging certain bidders.⁷¹
66. Challenges for the URA existed and remain. Notwithstanding, after the fire at Wang Fuk Court, the URA has been working closely with the Government to formulate measures to strengthen and possibly expand the URA's role and functions, though such strengthening or expansion must be designed to give effect to the statutory purposes of the URA pursuant to the URAO.
67. Recently, the Development Bureau has announced to roll out an enhanced version of Smart Tender. As explained by the Secretary for Development, in the Legislative Council on 4 February 2026, it includes two new initiatives.⁷²
- 67.1. First, the URA will establish a more rigorous "pre-qualified list" of consultants and contractors, including background checks by the Police and the ICAC, such that only these "pre-qualified" parties may participate in bidding in the electronic tendering platform.
- 67.2. Second, the URA will on behalf of building owners conduct tendering and tender proposal evaluation procedures in appointing consultants and contractors. The expectation is that with the URA as a gatekeeper during the tendering process, it will be difficult to accept tender prices falling outside the reasonable range whether exceedingly low or high.
68. Further, in his Budget Speech delivered on 25 February 2026, the Financial Secretary announced that to reduce the risk of big-rigging in building repair works, the URA will launch the enhanced version of Smart Tender in the second half of 2026. For the two new initiatives, it was proposed to earmark a total of \$300 million to the URA.⁷³

⁷¹ WSKP/§36 [WS1/33/416-417].

⁷² Press release is attached herewith as Annex I retrieved from:
<https://www.info.gov.hk/gia/general/202602/04/P2026020400386.htm>.

⁷³ Extract of the Budget Speech is attached as Annex II: <https://www.budget.gov.hk/2026/eng/budget42.html>.

69. These new measures, coupled with the recommendations to be made by the Committee, may contribute to the enhancement of support given to building owners/OCs in the carrying out of large-scale building rehabilitation works.

E. Going Forward

70. In this Evidential Hearing, the URA will diligently assist the Committee on understanding all matters within the purview and knowledge of the URA.

Dated 9 March 2026.

MIKE LUI SC
ROSS M.Y. YUEN

Counsel for the URA

LCQ16: Improving management of building mainten GO

LCQ16: Improving management of building maintenance works

Following is a question by the Hon Christine Fong and a written reply by the Secretary for Development, Ms Bernadette Linn, in the Legislative Council today (February 4):

In 2012, the Government launched the Mandatory Building Inspection Scheme (MBIS). Under the MBIS, private buildings aged 30 years or above may be selected as target buildings, and the owners concerned are required to complete building inspections within a deadline and prescribe repair works upon completion of the inspections. The MBIS aims to uphold the principle of "prevention is better than cure" by tackling the problem of building neglect through inspection and maintenance. In addition, there are views that quite a number of buildings lack proper management, and owners do not have knowledge of works or building maintenance. On improving the management of building maintenance works, will the Government inform this Council:

- (1) of the current number of buildings aged 30 years in each of the 18 districts across the territory which have not yet been brought under the MBIS; whether it will consider replacing the existing "one-off major maintenance" model with a "regular building maintenance" model;
- (2) whether it will draw up standard fees and charges for consultancy services relating to building maintenance works in order to prevent bidders from undercutting with unreasonably low prices or engaging in bid-rigging by colluding to charge exorbitant costs; given that the Urban Renewal Authority (URA) has launched the Building Rehabilitation Company Registration Scheme, which aims to assess and register qualified building rehabilitation service providers as well as providing a one-stop information platform for owners to search for service providers, whether the Government knows if the URA has plans to review the scoring criteria for companies registered under the Scheme;
- (3) as there are views that carrying out multiple maintenance works simultaneously in a building may pose safety hazards to existing occupants, whether the Government will consider requiring buildings which need to undertake multiple maintenance works to split up the works into smaller projects so as to lower the project costs and reduce the risk of bid-rigging; and
- (4) whether it will consider requiring buildings under the MBIS to organise fire safety and building management-related activities, such as fire drills and building management workshops, and to keep records of such activities on file?

Reply:

President,

It is the fundamental responsibility of owners to maintain their properties in good condition. Based on this principle, the Government adopts a two-pronged approach to enhance building safety. On one hand, we encourage and support owners in the maintenance and repair of their properties. On the other hand, when dilapidated buildings pose danger to public safety, the Government will take the initiative to intervene through enforcement actions or by carrying out emergency repair works on behalf of the owners.

In consultation with the Home and Youth Affairs Bureau (HYAB) and the Security Bureau, our reply to the various parts of the question is as follows:

- (1) By the end of 2025, there were over 20 000 buildings in Hong Kong aged 30 years or above that are under the coverage of the building categories of the Mandatory Building Inspection Scheme (MBIS). Among which, about 9 000 buildings have been successively issued with MBIS notices. Among those buildings issued with notices, about 70 per cent are aged 50 years or above.

The remaining some 11 000 buildings which have not yet been issued with MBIS notices are tabulated below, breakdown by District Council (DC) districts:

DC districts	Number of buildings
Central and Western	1 506
Eastern	758
Islands	290
Kowloon City	926

Kwai Tsing	399
Kwun Tong	495
North	498
Sai Kung	310
Sha Tin	729
Sham Shui Po	662
Southern	901
Tai Po	490
Tsuen Wan	423
Tuen Mun	510
Wan Chai	1 076
Wong Tai Sin	261
Yau Tsim Mong	1 124
Yuen Long	586
Total	11 944

It should be noted that buildings do not automatically become high-risk upon reaching 30 years of age. Statistics indicate that buildings of a higher age (50 years or above), as well as those without a property management company, generally exhibit poorer condition and maintenance. Such buildings are precisely among the targets of the MBIS. The Buildings Department (BD) will continue to select buildings on a risk basis to issue MBIS notices.

To alleviate the financial burden on owners, Operation Building Bright 2.0 provides subsidies to eligible owners for carrying out repair works required for compliance with MBIS notices. At the same time, we concur with Hon Fong's concept of regular maintenance. In fact, the new Preventive Maintenance Subsidy Scheme, launched by the Urban Renewal Authority (URA) in April 2024, also promotes regular maintenance. It encourages owners to formulate building maintenance plan on a 10-year maintenance cycle basis, and to establish a special fund for owners to make continuous contributions. After three years of continuous contributions, the URA will provide a one-off grant equivalent to 10 per cent of the total contributions made by the owners over the three-year period, thereby encouraging regular contributions. Since its implementation 22 months ago, the scheme has received 18 eligible applications involving 11 400 residential units.

(2) The Development Bureau (DEVB), in collaboration with the URA, has been providing the "Smart Tender" service since 2016. This service arranges for independent professionals to provide third-party professional advice and technical support to owners (such as advising on whether the scope of works in the tender documents complies with the requirements of the MBIS and providing reference cost estimates for relevant repair works items), as well as providing an electronic tendering platform for works consultants and contractors to participate in bidding. As for the URA's Building Rehabilitation Company Registration Scheme, it aims to provide building owners with free information, including assessments of whether works consultants and contractors have engaged professional personnel in project management, and completeness of their construction management and materials management systems. These assessments focus solely on the aforementioned specific areas and do not constitute a comprehensive evaluation of the company's overall circumstances and performance in determining its suitability as a service provider.

Following the fire incident at Wang Fuk Court, the Government has immediately reviewed the current arrangements with a view to reducing the opportunities for illegal collusion among consultants, contractors, and individual owners, as well as reducing the risk of bid-rigging. In this connection, the DEVB is collaborating with the URA to formulate measures to strengthen the URA's role and functions in promoting building rehabilitation. This includes enhancing the "Smart Tender" service by establishing a more rigorous "pre-qualified list" of consultants and contractors, including background checks by the Police and the Independent Commission Against Corruption.

The DEVB also proposes that under the enhanced "Smart Tender", the URA will conduct tendering and tender proposal evaluation procedures on behalf of owners for the appointment of consultants and contractors. We believe that with the URA acting as a gatekeeper during the tendering stage, it will also be difficult to accept tender prices that fall outside the reasonable range (whether exceedingly low or high).

(3) Allocating building repair items to different contractors requires careful consideration of associated issues, such as whether the site can accommodate simultaneous operations by multiple contractors, how owners will co-ordinate collaboration between contractors, and whether this will increase overall project costs and duration. We believe that the more rigorous "pre-qualified list" and the requirement that only pre-qualified consultants and contractors may participate in bidding as mentioned in part (2) above, coupled with the URA's leading role in the selection of consultants and contractors, will not only help ensure the reasonableness of tender prices but also reduce the opportunities for collusion and the risk of bid-rigging among consultants and contractors.

Furthermore, in response to the recommendations put forward by the Task Force on Investigation and Regulation chaired by the Chief Secretary for Administration, the HYAB will strengthen the relevant provisions of the Building Management Ordinance (Cap. 344). When making decisions on works or

expenditure items, Owners' Corporations (OCs) will be required to comply with different levels of voting requirements for owners according to contract amounts. Projects of higher values require a higher threshold of quorum and voting-in-person, thereby preventing abuse of the system of proxy and being taken advantage of by criminals.

(4) The BD, the URA, the Fire Services Department (FSD) and the Home Affairs Department (HAD) have been organising regular district briefing sessions for owners, OCs, and Owners' Committees through the HAD's Central Platform on Building Management. These sessions introduce services and schemes related to building management and maintenance, including matters such as compliance with the MBIS, thereby strengthening the support provided to them.

In respect of fire safety, according to the Fire Service (Installations and Equipment) Regulations (Cap. 95B), the owner of any fire service installation or equipment (FSI) which is installed in any premises shall keep such FSI in efficient working order at all times; and have such FSI inspected by a registered contractor at least once in every 12 months.

Following the fire at Wang Fuk Court, the Government immediately established the Task Force on Strengthening Fire Safety Governance to implement both immediate measures and deploy medium to long term initiatives with the aim of enhancing fire safety. These include actively stepping up publicity, education, and training efforts for the public, OCs and property management companies (PMCs), etc. For example, encouraging them to increase the frequency of fire alarm tests to at least once in every six months, to organise at least one fire drill annually, to arrange the FSD to deliver disaster prevention and emergency preparedness seminars prior to such drills, regularly inspect means of escape and maintain proper records, as well as to check and repair all FSIs before carrying out major maintenance works.

The FSD is also committed to promoting public safety education. Ongoing efforts are being made to disseminate basic fire safety knowledge to the public through various channels, including newspaper interviews, press releases, short videos, and a wide range of activities. Besides, the FSD has newly established the Building Emergency Responders Scheme which provides specialised training for property management personnel, representatives of OCs, and residents on building fire safety and fire safety inspections. These Building Emergency Responders can assist in identifying potential safety hazards within housing estates, participate in fire safety inspections, and report risks to the FSD or PMCs, jointly enhancing fire safety in buildings. The Government is actively examining the need for legislative amendments, including elevating the abovementioned administrative measures to statutory requirements as appropriate, with a view to further safeguarding the lives and property of the public.

The HAD will continue to work closely with the FSD to arrange more fire safety talks and drills, and encourage building occupants (including buildings under the MBIS) to participate, so as to enhance residents' response capabilities in the event of a fire.

Ends/Wednesday, February 4, 2026
Issued at HKT 14:48

NNNN

[Archives](#) [Yesterday's Press Releases](#) [Back to Index Page](#) [Back to top](#)
[Today's Press Releases](#)

立法會十六題：改善樓宇維修工程的管理

去

立法會十六題：改善樓宇維修工程的管理

以下是今日（二月四日）在立法會會議上方國珊議員的提問和發展局局長甯漢豪的書面答覆：

問題：

政府於二〇一二年推出強制驗樓計劃，樓齡達30年或以上的私人樓宇有機會被揀選為目標樓宇，有關業主須於限期內完成驗樓，並在完成檢驗後訂明修葺項目。該計劃的目的是預防勝於治療，透過檢驗及維修的方式，處理樓宇失修問題。此外，有意見認為，不少樓宇缺乏管理，而且業主缺乏工程或樓宇維修相關知識。關於改善樓宇維修工程的管理，政府可否告知本會：

（一）全港18區各區現時樓齡達30年但仍未納入強制驗樓計劃的樓宇數目為何；會否研究以「大廈恆常維護」模式，取代現時「一次性大維修」的模式；

（二）會否釐定有關樓宇維修工程的顧問服務收費標準，以防止投標者以不合理的低價搶標或合謀以「天價」圍標；鑑於市區重建局（市建局）推出樓宇復修公司登記計劃，為合資格的樓宇復修工程服務提供者進行評核及登記，並提供一站式資訊平台予業主搜尋服務提供者，政府是否知悉，市建局有否計劃審視該計劃登記公司的評分標準；

（三）鑑於有意見認為，樓宇同時進行多項維修工程或對現有住戶構成安全隱患，政府會否考慮規定須進行多項維修工程的樓宇，必須分拆維修項目，以降低其工程費用並減低圍標風險；及

（四）會否研究規定強制驗樓計劃下的樓宇須舉辦防火及大廈管理相關活動，例如火警演習及大廈管理工作坊，並須記錄存檔？

答覆：

主席：

保養物業處於良好狀況是業主的基本責任。基於這一原則，政府採取雙管齊下的方式加強樓宇安全，一方面鼓勵及支援業主保養及修葺其物業，另一方面在失修樓宇構成公眾安全危險時，透過執法或先行代理業主進行修葺工程等方法主動介入處理。

就提問的各部分，經諮詢民政及青年事務局和保安局，現分別回覆如下：

（一）截至二〇二五年底，全港樓齡達30年或以上並屬於強制驗樓計劃（計劃）所涵蓋樓宇類別的有超過20 000幢，當中約9 000幢樓宇已先後獲發強制驗樓通知，獲發通知的約七成為樓齡50年或以上樓宇。

未獲發強制驗樓通知的11 000多幢樓宇，按區議會分區分布表列如下：

區議會分區	樓宇數目（幢）
中西區	1 506
東區	758
離島	290
九龍城	926
葵青	399
觀塘	495
北區	498
西貢	310
沙田	729
深水埗	662
南區	901
大埔	490
荃灣	423
屯門	510
灣仔	1 076
黃大仙	261
油尖旺	1 124
元朗	586

要指出的是，樓宇並非一踏入30年樓齡便屬高風險。數據顯示樓齡高（50年或以上），以及沒有聘用物業管理公司的樓宇，樓宇狀況及保養一般較差，而這類型樓宇正是強制驗樓計劃的目標樓宇之一。屋宇署會繼續按風險揀選樓宇發出強制驗樓通知。

為減輕業主的財政壓力，「樓宇更新大行動2.0」計劃會資助合資格業主進行為遵辦強制驗樓通知所須的維修工程。與此同時，我們認同方議員提出的恆常維護理念。事實上，市區重建局（市建局）於二〇二四年四月推出的全新「預防性維修資助計劃」，亦是提倡定期維修，推動業主為樓宇制定以10年為一個周期的維修保養計劃，並設立特別基金，讓業主向特別基金持續供款。當業主持續供款三年後，市建局會額外提供一筆過資助，金額相當於業主三年內供款總額的一成，鼓勵業主定期供款。計劃實施至今22個月，接獲18宗合資格申請，涉及11 400個住宅單位。

（二）發展局聯同市建局自二〇一六年推出「招標妥」服務，安排獨立專業人士為業主提供第三方的專業意見和技術支援（例如就招標文件的工程範疇是否符合強制驗樓計劃要求提供意見，以及為相關維修項目提供工程費用估算作參考等），以及提供電子招標平台讓工程顧問和承建商參與競投。至於市建局的「樓宇復修公司登記計劃」，則旨在為樓宇業主提供免費資訊，包括對工程顧問和承建商在項目管理方面是否有專業人員的參與、施工管理和物料管理系統等的完整性作出評核。評核只是針對上述特定範疇，並非因應公司各方面的情况和表現作綜合評估以評定其作為服務提供者的適合性。

自宏福苑火災事件後，政府已隨即檢視安排，以期減低顧問、承建商和個別業主之間可能作出非法串連的機會並減低圍標風險。就此，發展局正與市建局制定措施，加強市建局在推動樓宇維修方面的角色和功能，提升市建局的「招標妥」服務，包括制定更嚴謹的顧問及承建商「預審名單」，當中包括通過警方和廉政公署的背景審查。

發展局亦建議在加強版「招標妥」下，由市建局為業主就聘用顧問和承建商進行招標和評標工作。我們相信有了市建局在招標階段把關，一些超出合理範圍的標價（不論是過低或過高）都難以獲接納。

（三）將樓宇需要維修的項目分拆予不同承建商進行，需要小心考慮當中涉及的問題，例如地盤能否容納不同承建商同時運作、業主如何統籌各承建商之間的協作、會否增加整體工程費用及所需的時間等。我們認為上文（二）提及有關更嚴謹的「預審名單」和只有通過預審的顧問和承建商才能參與投標的規定，再加上市建局在揀選顧問和承建商時的主導角色，不但有助確定標價的合理性，也能減低顧問和承建商的串通機會和圍標風險。

此外，因應由政務司司長主持的調查及規管工作組所提出的建議，民政及青年事務局會加強《建築物管理條例》（第344章）的有關規定，要求法團在議決工程或開支項目時，要按合約金額設定不同級別的業主表決要求，包括金額越高的項目，所需業主出席及親自投票的門檻也相應提高，避免授權書制度被濫用而讓不法分子乘虛而入。

（四）屋宇署、市建局、消防處及民政事務總署一直透過民政事務總署的「大廈管理中央平台」，定期為業主、法團和業委會舉辦地區簡介會，介紹與大廈管理及維修相關的服務／計劃，包括遵辦強制驗樓計劃等事項，加強對他們的支援。

消防安全方面，根據《消防（裝置及設備）規例》（第95B章），消防裝置或設備的擁有人須保持該等裝置或設備時刻在有效操作狀態，並須每12個月由一名註冊承辦商檢查該等裝置或設備至少一次。

在宏福苑大火後，政府已經即時成立了「強化消防安全治理工作組」，推出多項即時措施及部署中長期方案，以提升消防安全。當中包括積極加強對公眾、法團及物業管理公司等等的宣傳教育和培訓工作，例如鼓勵他們加密警鐘測試至最少每半年一次、每年最少舉辦一次防火演習、在演習前安排消防處進行防災應急講座和定時巡查逃生途徑並作出妥善紀錄，以及在大維修前先檢查和維修所有消防裝置或設備。

消防處亦一直致力推動公眾安全宣傳教育，包括持續透過報章專訪、新聞稿及短片等不同形式的宣傳渠道和舉辦各式活動，向市民宣傳基本的消防安全知識。此外，消防處剛推出「樓宇應急先鋒」計劃，專門為物業管理人員、業主立法法團代表和住戶提供有關樓宇消防安全和進行消防巡查的訓練。這些「樓宇應急先鋒」可協助辨識屋苑範圍內是否出現安全隱患，並參與消防巡查及向消防處或物業管理公司報告風險，共同提升樓宇的消防安全。政府正積極研究修例需要，包括將上述合適的行政措施提升為法例要求等，以進一步保障市民的生命和財產。

民政事務總署會繼續與消防處緊密合作，安排更多消防安全講座和演練，鼓勵樓宇住戶（包括強制驗樓計劃下的樓宇）參與，提升居民在火警發生時的應變能力。

完

2026年2月4日（星期三）

香港時間14時48分

[新聞資料庫](#) [昨日新聞](#)

[返回新聞列表](#) [返回頁首](#)

[即日新聞](#)



(index.html)

繁體

(<https://www.budget.gov.hk/2026/chi/budget42.html>) •

简体

(<https://www.budget.gov.hk/2026/sim/budget42.html>) •

[Text Size \(textsize.html\)](#) [Search](#)

Budget Speech

A Caring and Inclusive Community

Supporting Work in the Aftermath of Tai Po Fire

233. The Government has provided comprehensive support for those affected from the Tai Po fire. We have just announced the long-term housing arrangements and earmarked \$4 billion accordingly.

234. To reduce the risk of bid-rigging in building repair works, the URA will launch an enhanced version of "Smart Tender" in the second half of this year. In addition to providing a more rigorous pre-qualified list, the URA will render professional advice and support for owners in engaging consultants and contractors. Besides, the URA will provide subsidies to encourage owners to utilise the paid services of "Smart Tender". For these two measures, we propose allocating a total of \$300 million to the URA.

235. DEVB is conducting a comprehensive review of the Operation Building Bright 2.0 to draw up a new subsidy scheme. We will earmark \$3 billion accordingly. Moreover, we will allocate \$1 billion to extend the Lift Modernisation Subsidy Scheme to provide subsidies to property owners.

[Previous Page \(budget41.html\)](#) | [Content \(speech.html\)](#) | [Next Page \(budget43.html\)](#)



(<https://www.w3.org/WAI/WCAG2AA-Conformance>)

Last revision date: February 25, 2026



(index.html)

English

(<https://www.budget.gov.hk/2026/eng/budget42.html>)

• 簡體

(<https://www.budget.gov.hk/2026/sim/budget42.html>)

• 字型大小 (textsize.html) 搜尋

預算案演辭

關愛共融

大埔火災後續及相關工作

233. 政府已為大埔火災受影響人士提供全方位支援。我們亦剛公布後續的長遠居住安排，並為此預留四十億元。

234. 為減低樓宇維修工程的圍標風險，市建局下半年會推出加強版「招標妥」，除提供更嚴謹的預審名單外，亦為業主就聘請顧問和承建商提供專業意見及支援。此外，市建局會提供資助，鼓勵業主善用「招標妥」的收費服務。就這兩項措施，我們建議向市建局撥款共三億元。

235. 發展局正全面檢視「樓宇更新大行動2.0」，制訂全新資助計劃，我們會為此預留三十億元。我們亦會撥款十億元延續「優化升降機資助計劃」，為業主提供資助。

[上一頁 \(budget41.html\)](#) | [目錄 \(speech.html\)](#) | [下一頁 \(budget43.html\)](#)

[新聞稿 \(press.html\)](#) | [相關文件 \(relateddoc.html\)](#) | [過去的財政預算案 \(previous.html\)](#) |
[財政預算案諮詢 \(consultation.html\)](#) | [相關網頁 \(links.html\)](#) | [聯絡我們 \(contactus.html\)](#) |
[網頁指南 \(sitemap.html\)](#) | [重要告示 \(important.html\)](#) | [私隱政策 \(privacy.html\)](#) | 2026 ©

EVIDENTIAL HEARING
BEFORE THE INDEPENDENT COMMITTEE
IN RELATION TO THE FIRE AT WANG FUK COURT IN TAI PO

LIST OF AUTHORITIES OF THE URBAN RENEWAL AUTHORITY

1. Buildings Ordinance (Cap. 123), sections 2, 3, 8, 9, 9AA, 30A to 30F
2. Urban Renewal Authority Ordinance (Cap.563), section 5
3. Building (Inspection and Repair) Regulation (Cap.123P)

Dated 9 March 2026.

MIKE LUI SC
ROSS M.Y. YUEN

Counsel for the URA

《建築物條例》
(第 123 章)
Buildings Ordinance
(Cap. 123)

版本日期
Version date
1.3.2026

經核證文本
Verified Copy

(《法例發布條例》(第 614 章)第 5 條)
(Legislation Publication Ordinance (Cap. 614), section 5)

如某內頁的頁底標明：

- “經核證文本”；及
 - 以下列表顯示的該頁的最後更新日期，
- 該頁所載條文即視作於上述“版本日期”的正確版本。

此文本所載條文，如並非正在實施，會有附註作說明。

A provision is presumed to be correctly stated as at the above version date if it is on a page marked at the bottom with:

- the words “Verified Copy”; and
- the last updated date shown in this table for the page.

Any provision included in this copy that is not in force is marked accordingly.

條文 Provision	頁數 Page number	最後更新日期 Last updated date
第 1 部 Part 1	1-1—1-136	1.9.2023
第 2 部 Part 2	2-1—2-160	1.3.2026
第 2A 部 Part 2A	2A-1—2A-22	2.8.2012
第 3 部 Part 3	3-1—3-58	20.4.2018
第 4 部 Part 4	4-1—4-30	2.8.2012
第 5 部 Part 5	5-1—5-8	2.8.2012
第 6 部 Part 6	6-1—6-18	9.2.2012

條文 Provision	頁數 Page number	最後更新日期 Last updated date
第 7 部 Part 7	7-1—7-14	2.8.2012
第 8 部 Part 8	8-1—8-4	30.6.2012
第 9 部 Part 9	9-1—9-2	9.2.2012
附表 1 First Schedule	S1-1—S1-2	30.6.1997
附表 2 Schedule 2	S2-1—S2-32	9.2.2012
附表 3 Schedule 3	S3-1—S3-4	9.2.2012
附表 4 Schedule 4	S4-1—S4-2	9.2.2012
附表 5 Schedule 5	S5-1—S5-12	3.9.2021
附表 6 Schedule 6	S6-1—S6-4	9.2.2012
附表 7 Schedule 7	S7-1—S7-12	3.1.2017
附表 8 Schedule 8	S8-1—S8-4	1.9.2021

尚未實施的條文 / 修訂 ——

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<https://www.elegislation.gov.hk>) 閱覽。

附註 ——

有關《立法會決議》(2007 年第 130 號法律公告) 所作之修訂的保留及過渡性條文，見載於該決議第 (12) 段。

Provisions / Amendments not yet in operation —

Please see Hong Kong e-Legislation (<https://www.elegislation.gov.hk>) for information of provisions and amendments not yet in operation.

Remarks —

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

本條例旨在就建築物及相關工程的規劃、設計和建造訂定條文，就使危險建築物及危險土地安全訂定條文，就為防止建築物變得不安全而對建築物作定期檢驗及相關修葺訂定條文，以及就相關事宜訂定條文。

(由 1980 年第 72 號第 2 條代替。由 2011 年第 16 號第 3 條修訂)

[1956 年 6 月 1 日] 1956 年 A45 號政府公告
(格式變更——2012 年第 1 號編輯修訂紀錄)

1. 簡稱

- (1) 本條例可引稱為《建築物條例》。
- (2) 本條例按《建築物條例(新界適用)條例》(第 121 章)規定的方式適用於新界。(由 1987 年第 60 號第 14 條代替)

2. 釋義

- (1) 在本條例中，除文意另有所指外——

人工挖掘沉箱 (hand-dug caisson) 指任何基礎或擋土構築物或其任何部分，而該基礎或構築物或該部分的建造包括由任何人在有機械工具輔助或無機械工具輔助的情況下在豎井內進行挖掘的方式在地下挖掘豎井；(由 1995 年第 6 號第 2 條增補)

土地勘测 (ground investigation) 指任何為獲取與土地狀況有關的資料而對土地作出的勘探性鑽孔、沖孔、挖掘和探測工程，並包括裝置儀器、取樣、工地測試、任何其他地盤作業及從該等作業獲取的樣本的實驗室測試；(由 1982 年第 41 號第 2 條增補)

To provide for the planning, design and construction of buildings and associated works; to make provision for the rendering safe of dangerous buildings and land; to make provision for regular inspections of buildings and the associated repairs to prevent the buildings from becoming unsafe; and to make provision for matters connected therewith.

(Replaced 72 of 1980 s. 2. Amended 16 of 2011 s. 3)

[1 June 1956] G.N.A. 45 of 1956
(Format changes—E.R. 1 of 2012)

1. Short title

- (1) This Ordinance may be cited as the Buildings Ordinance.
- (2) This Ordinance shall apply to the New Territories in the manner provided by the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121). (Replaced 60 of 1987 s. 14)

2. Interpretation

- (1) In this Ordinance, unless the context otherwise requires—

access road (通路) means a road on land held under lease, licence or otherwise from the Government or on land over which the Government has granted a right of way, providing access only to buildings used or intended to be used wholly or mainly for purposes of habitation, and which is not a street; (Added 44 of 1959 s. 2. Amended 29 of 1998 s. 105)

Architects Registration Board (建築師註冊管理局) means the Architects Registration Board established by section 4 of the Architects Registration Ordinance (Cap. 408); (Added 54 of 1996 s. 2)

土地註冊處 (Land Registry) 指《土地註冊條例》(第 128 章) 第 2(1) 條所提述的土地註冊處；(由 1996 年第 55 號第 2 條增補)

小型工程 (minor works) 指在規例中為施行本定義而被指定為小型工程的建築工程；(由 2008 年第 20 號第 3 條增補)

工程師註冊管理局 (Engineers Registration Board) 指根據《工程師註冊條例》(第 409 章) 第 3 條設立的工程師註冊管理局；(由 1996 年第 54 號第 2 條增補)

公用部分 (common parts) 具有《建築物管理條例》(第 344 章) 第 2 條給予該詞的涵義；(由 2011 年第 16 號第 4 條增補)

公眾娛樂場所 (place of public entertainment)、**公眾娛樂** (public entertainment) 具有《公眾娛樂場所條例》(第 172 章) 分別給予該兩詞的涵義；(由 1995 年第 72 號第 15 條增補)

升降機 (lift) 指《升降機及自動梯條例》(第 618 章) 第 2(1) 條所界定的升降機；(由 2012 年第 8 號第 156 條及第 160 條代替)

水管 (water pipe) 指任何並非排水渠或污水渠的輸水喉管及附連的裝置，但不包括任何組成《水務設施條例》(第 102 章) 所指的消防供水系統或內部供水系統任何部分的喉管或裝置(根據該條例第 17(2)(b) 條，該等系統的保養費用須由水務監督承擔)；(由 1996 年第 55 號第 2 條增補)

外牆 (external wall) 指建築物外部牆壁的全部或任何部分，即使與另一幢建築物的牆壁毗鄰者亦然，並包括共用牆；(由 2011 年第 16 號第 4 條增補)

authorized person (認可人士) means a person whose name is on the authorized persons' register kept under section 3(1)—

- (a) as an architect;
- (b) as an engineer; or
- (c) as a surveyor; (*Replaced 54 of 1996 s. 2*)

building (建築物) includes the whole, or any part, of any domestic or public building or building which is constructed or adapted for use for public entertainment, arch, bridge, cavern adapted or constructed to be used for the storage of petroleum products, chimney, cook-house, cowshed, dock, factory, garage, hangar, hoarding, latrine, matshed, office, oil storage installation, out-house, pier, shelter, shop, stable, stairs, wall, warehouse, wharf, workshop or tower, sea-wall, breakwater, jetty, mole, quay, cavern or any underground space adapted or constructed for occupation or use for any purpose including its associated access tunnels and access shafts, pylon or other similar structure supporting an aerial ropeway and such other structures as the Building Authority may by notice in the Gazette declare to be a building; (*Amended 44 of 1959 s. 2; 19 of 1976 s. 32; 16 of 1978 s. 2; 5 of 1983 s. 2; 68 of 1993 s. 2; 72 of 1995 s. 15*)

Building Authority (建築事務監督) means the Director of Buildings; (*Amended L.N. 76 of 1982; L.N. 94 of 1986; L.N. 291 of 1993*)

building owner (建築物擁有人) means a person desiring to build a new building or to alter an existing building and shall include the agent of and authorized person appointed by a building owner; (*Amended 91 of 1990 s. 2*)

石油產品 (petroleum products) 指原油或石油原料，並包括在所處的周圍溫度及壓力下處於液體或固體狀態的——

- (a) 半提煉石油；及
- (b) 煉油；(由 1993 年第 68 號第 2 條代替)

危險建築物 (dangerous building) 指任何建築物，而其所處狀況會導致其佔用人或使用人、或任何鄰近建築物的佔用人或使用人、或公眾遭受損傷的危險；

名冊 (register) 指根據本條例備存的名冊，包括分冊；(由 1996 年第 54 號第 2 條增補)

合資格人士 (qualified person) 指當其時不受第 7(2)(bb) 或 (d) 或 13(4)(d) 或 (e) 條所指的紀律命令所規限的名列下列任何名冊的人——

- (a) 根據第 3(1) 條備存的認可人士名冊；
- (b) 根據第 3(3) 條備存的結構工程師名冊；
- (c) 根據第 3(3B) 條備存的檢驗人員名冊；
- (d) 根據第 8A 條備存的一般建築承建商名冊；
- (e) 根據第 8A 條備存的小型工程承建商名冊或臨時小型工程承建商名冊，並名列關乎窗戶的小型工程的級別、類型及項目之下；(由 2011 年第 16 號第 4 條增補)

地下水排水工程 (groundwater drainage works) 指任何與在地面下流動、滲流或停聚的水的排放相關的工程或裝置，但不包括本條所界定的排水工程；(由 1982 年第 41 號第 2 條增補)

building works (建築工程) includes any kind of building construction, site formation works, ground investigation in the scheduled areas, foundation works, repairs, demolition, alteration, addition and every kind of building operation, and includes drainage works; (*Amended 72 of 1980 s. 3; 41 of 1982 s. 2; 52 of 1990 s. 2*)

common parts (公用部分) has the meaning given by section 2 of the Building Management Ordinance (Cap. 344); (*Added 16 of 2011 s. 4*)

composite building (綜合用途建築物) means a building that is partly domestic and partly non-domestic; (*Added 73 of 1983 s. 2*)

contraventions of the provisions of this Ordinance (違反本條例的條文) includes—

- (a) failure to comply with any order given, notice served or any condition imposed by the Building Authority under this Ordinance; (*Amended 16 of 2011 s. 4*)
- (b) in the case of building works (other than minor works commenced under the simplified requirements), material divergence or deviation from any plan approved by the Building Authority under this Ordinance;
- (c) in the case of minor works commenced under the simplified requirements, material divergence or deviation from any plan required to be submitted to the Building Authority under the simplified requirements; and
- (d) in the case of minor works commenced under the simplified requirements, failure to submit to the Building Authority any certificate required to be submitted under the simplified requirements; (*Replaced 20 of 2008 s. 3*)

地盤平整工程 (site formation works) 包括在傾斜土地上的挖掘工程、填土工程、防止山泥傾瀉工程、山泥傾瀉補救工程及地下水排水工程；(由 1980 年第 72 號第 3 條增補。由 1982 年第 41 號第 2 條修訂)

污水渠 (sewer) 不包括本條所界定的排水渠，但包括所有供多於一幢建築物及其附屬的任何建築物和庭院作排水之用的污水渠及排水渠；(由 1959 年第 44 號第 2 條增補)

自動梯 (escalator) 指《升降機及自動梯條例》(第 618 章) 第 2(1) 條所界定的自動梯；(由 2012 年第 8 號第 156 條及第 160 條代替)

住用 (domestic) 就綜合用途建築物的某部分而言，指為供居住而建或擬供居住的部分；(由 1983 年第 73 號第 2 條增補)

住用建築物 (domestic building) 指為居住用途而建或擬作居住用途的建築物，而**住用用途** (domestic purposes) 一詞亦須據此解釋；(由 1983 年第 73 號第 2 條增補)

佔用人 (occupier) 就住用建築物而言，指在其內居住的人；就任何其他建築物而言，指在該建築物內全時間工作的人；

局長 (Secretary) 指發展局局長；(由 2008 年第 20 號第 3 條增補)

私家街道 (private street) 指位於根據租契、特許或其他方式從政府取得而持有的土地上的街道，或位於政府已批予通道權的土地上的街道；(由 1959 年第 44 號第 2 條增補。由 1998 年第 29 號第 105 條修訂)

居住 (habitation) 就建築物或建築物某部分的使用而言，包括將其作為旅館、賓館、公寓、宿舍、集體寢室或相類的住宿設施而使用；(由 1983 年第 73 號第 2 條增補)

dangerous building (危險建築物) means any building in such a condition as to cause risk of injury either to the occupiers or users of such building or to the occupiers or users of any neighbouring building or to the general public;

design assumption (設計假定) means an assumption stated or implied in the design calculations or other documentation in respect of building works submitted to the Building Authority; (Added 72 of 1980 s. 3)

domestic (住用), when used in relation to a part of a composite building, means a part that is constructed or intended for habitation; (Added 73 of 1983 s. 2)

domestic building (住用建築物) means a building constructed or intended to be used for habitation and the expression **domestic purposes** (住用用途) shall be construed accordingly; (Added 73 of 1983 s. 2)

drain (排水渠) means a drain used for the drainage of one building and any buildings and yards appurtenant thereto; (Added 44 of 1959 s. 2)

drainage works (排水工程) means any work connected with the construction, repair, alteration, disconnexion, trapping and ventilation of drains or sewers; (Added 44 of 1959 s. 2)

electronic record (電子紀錄) has the same meaning as in section 2(1) of the Electronic Transactions Ordinance (Cap. 553); (Added 20 of 2008 s. 3)

emergency vehicular access (緊急車輛通道), in relation to a building, means a vehicular access used or to be used for access of a vehicle of the Fire Services Department to the building in the event of a fire or other emergency; (Added 15 of 2004 s. 2)

招牌 (signboard) 指只是為展示任何廣告、作出任何公布或通知或展示任何視像或其他資料的目的而豎設的展示板、構架、棚架或其他構築物；(由 2004 年第 15 號第 2 條增補)

表現檢討 (performance review) 指認可人士就任何建築工程所呈交的報告，述明並列出理由證明該建築工程在建造期間曾受檢查與監察，以及該建築工程所根據的岩土設計假定均屬真確；(由 1982 年第 41 號第 2 條增補)

附表所列地區 (scheduled areas) 指附表 5 所指明的各個地區；凡提述附表所列地區內任何建築物或建築工程，如該建築物或建築工程只部分位於附表所列地區的其中一個地區內，則為提述該建築物或建築工程位於該地區的部分；(由 1990 年第 52 號第 2 條代替)

非住用 (non-domestic) 就綜合用途建築物的一部分而言，指為居住以外用途而建或擬作居住以外用途的部分；(由 1983 年第 73 號第 2 條增補)

非住用建築物 (non-domestic building) 指並非住用建築物的建築物；(由 1983 年第 73 號第 2 條增補)

建築工程 (building works) 包括任何種類的建築物建造工程、地盤平整工程、附表所列地區內的土地勘測、基礎工程、修葺、拆卸、改動、加建，以及各類建築作業，此外，亦包括排水工程；(由 1980 年第 72 號第 3 條修訂；由 1982 年第 41 號第 2 條修訂；由 1990 年第 52 號第 2 條修訂)

建築事務監督 (Building Authority) 指屋宇署署長；(由 1982 年第 76 號法律公告修訂；由 1986 年第 94 號法律公告修訂；由 1993 年第 291 號法律公告修訂)

Engineers Registration Board (工程師註冊管理局) means the Engineers Registration Board established by section 3 of the Engineers Registration Ordinance (Cap. 409); (Added 54 of 1996 s. 2)

escalator (自動梯) means an escalator as defined by section 2(1) of the Lifts and Escalators Ordinance (Cap. 618); (Replaced 8 of 2012 ss. 156 & 160)

external wall (外牆) means the whole, or any part, of an outer wall of a building even though adjoining a wall of another building and includes a party wall; (Added 16 of 2011 s. 4)

frontagers (臨街處所擁有人) means, in the case of a private street the owners of premises fronting, joining or abutting on such street, and in the case of an access road the owners of premises to which such road provides access; (Added 44 of 1959 s. 2)

ground investigation (土地勘測) means any exploratory drilling, boring, excavating and probing of land for obtaining any information on ground conditions and includes the installation of instruments, sampling, field testing, any other site operation and laboratory testing of samples obtained from such operations; (Added 41 of 1982 s. 2)

groundwater drainage works (地下水排水工程) means any work or installation connected with the draining of water flowing, percolating or lying under the surface of land but does not include drainage works as defined in this section; (Added 41 of 1982 s. 2)

habitation (居住) in relation to the use of a building, or part of a building, includes use of it for hotel, guest-house, boarding-house, hostel, dormitory or similar accommodation; (Added 73 of 1983 s. 2)

建築物 (building) 包括任何住用或公共建築物或經建造或改裝作公眾娛樂用途的建築物、拱門、橋梁、經改裝或建造以用作貯存石油產品的洞穴、煙囪、廚房、牛棚、船塢、工廠、車房、飛機庫、圍板、廁所、茅棚、辦公室、貯油裝置、外屋、碼頭、遮蔽處、店舖、馬廄、樓梯、牆壁、倉庫、貨運碼頭、工場或塔、海堤、防波堤、突堤式碼頭、突堤、埠頭、經改裝或建造以供佔用或作任何用途的洞穴或任何地下空間，包括相關的隧道通道及豎井通道、塔架或其他相類的用以承托架空纜車設施的構築物，以及建築事務監督藉憲報公告宣布為建築物的其他構築物的全部或任何部分；(由 1959 年第 44 號第 2 條修訂；由 1976 年第 19 號第 32 條修訂；由 1978 年第 16 號第 2 條修訂；由 1983 年第 5 號第 2 條修訂；由 1993 年第 68 號第 2 條修訂；由 1995 年第 72 號第 15 條修訂)

建築物擁有人 (building owner) 指意欲興建新建築物或改動現有建築物的人，包括建築物擁有人的代理人及建築物擁有人所委任的認可人士；(由 1990 年第 91 號第 2 條修訂)

建築師註冊管理局 (Architects Registration Board) 指根據《建築師註冊條例》(第 408 章) 第 4 條設立的建築師註冊管理局；(由 1996 年第 54 號第 2 條增補)

指明 (specified) 就表格而言，指根據第 22(4) 條由建築事務監督指明；(由 1993 年第 68 號第 2 條增補)

hand-dug caisson (人工挖掘沉箱) means any foundation or earth-retaining structure, or part thereof, the construction of which includes the excavation of a shaft in the ground by means of digging carried out by any person inside the shaft with or without the aid of machine tools; (*Added 6 of 1995 s. 2*)

Land Registry (土地註冊處) means the Land Registry referred to in section 2(1) of the Land Registration Ordinance (Cap. 128); (*Added 55 of 1996 s. 2*)

lift (升降機) means a lift as defined by section 2(1) of the Lifts and Escalators Ordinance (Cap. 618); (*Replaced 8 of 2012 ss. 156 & 160*)

minor works (小型工程) means building works designated in the regulations as minor works for the purposes of this definition; (*Added 20 of 2008 s. 3*)

new building (新建築物) means any building hereafter erected and also any existing building of which not less than one half measured by volume is rebuilt or which is altered to such an extent as to necessitate the reconstruction of not less than one half of the superficial area of the main walls;

non-domestic (非住用), when used in relation to a part of a composite building, means a part that is constructed or intended for use otherwise than for habitation; (*Added 73 of 1983 s. 2*)

non-domestic building (非住用建築物) means a building that is not a domestic building; (*Added 73 of 1983 s. 2*)

occupier (佔用人) means in the case of domestic buildings a person resident therein and in the case of other buildings means a person carrying on an occupation full-time in such building;

指明文件 (specified document) 指 ——

- (a) 根據本條例或為施行本條例而擬備、發出或給予的文件，或向建築事務監督呈交或由建築事務監督批准的圖則，或根據《1935 年建築物條例》(1935 年第 18 號) 或為施行該條例而擬備、發出或給予的文件，或向建築事務監督呈交或由建築事務監督批准的圖則；或
- (b) 該文件或圖則的任何部分；(由 2011 年第 16 號第 4 條代替)

指明文件紀錄 (specified document record) 指 ——

- (a) 根據第 36C(a) 條製作的指明文件的紀錄；
- (b) 根據第 36C(b) 條製作的電子紀錄；或
- (c) 根據第 36C(c) 條製作的電子紀錄的副本；

(由 2008 年第 20 號第 3 條增補)

訂明建築專業人士 (prescribed building professional) 指認可人士、註冊結構工程師、註冊岩土工程師或註冊檢驗人員；(由 2008 年第 20 號第 3 條增補。由 2011 年第 16 號第 4 條修訂)

訂明修葺 (prescribed repair) 指規例訂明的對建築物的任何修葺或測試；(由 2011 年第 16 號第 4 條增補)

訂明註冊承建商 (prescribed registered contractor) 指註冊一般建築承建商、註冊專門承建商或註冊小型工程承建商；(由 2008 年第 20 號第 3 條增補)

訂明資格 (prescribed qualification) 指根據本條例或由有關的註冊條例就名列有關名冊或註冊紀錄冊而訂明的資格；(由 1996 年第 54 號第 2 條增補)

oil storage installation (貯油裝置) means any tank having a capacity of not less than 110 000 litres, or a group of tanks any one of which is a tank having a capacity of not less than 110 000 litres, constructed above ground level for the purpose of storing petroleum products; (*Added 16 of 1978 s. 2. Amended 68 of 1993 s. 2*)

owner (擁有人) includes any person holding premises direct from the Government whether under lease, licence or otherwise, any mortgagee in possession and any person receiving the rent of any premises, solely or with another, on his own behalf or that of any person, or who would receive the same if such premises were let to a tenant, and where such owner as above defined cannot be found or ascertained or is absent from Hong Kong or is under disability, the agent of such owner; (*Amended 29 of 1998 s. 105; 62 of 2000 s. 3*)

performance review (表現檢討) means a report in respect of building works, submitted by an authorized person, stating and justifying that the building works have been inspected and monitored in the course of construction and that the geotechnical design assumptions upon which the building works have been based are valid; (*Added 41 of 1982 s. 2*)

petroleum products (石油產品) means crude petroleum or petroleum feed-stock and includes—

- (a) semi-refined petroleum; and
- (b) wholly refined petroleum,

which is liquid or solid at ambient temperatures and pressures; (*Replaced 68 of 1993 s. 2*)

place of public entertainment (公眾娛樂場所) and **public entertainment** (公眾娛樂) have the same meanings assigned to them, respectively, by the Places of Public Entertainment Ordinance (Cap. 172); (*Added 72 of 1995 s. 15*)

訂明檢驗 (prescribed inspection) 指規例訂明的對建築物的任何檢查或評估；(由 2011 年第 16 號第 4 條增補)

專門工程 (specialized works) 指根據第 2A 條被指定為專門工程的建築工程或街道工程；(由 2008 年第 20 號第 3 條代替)

排水工程 (drainage works) 指與排水渠或污水渠的建造、修葺、改動、截斷、隔氣和通風相關的任何工程；(由 1959 年第 44 號第 2 條增補)

排水渠 (drain) 指供一幢建築物及其附屬的任何建築物及庭院作排水之用的排水渠；(由 1959 年第 44 號第 2 條增補)

規例 (regulations) 指根據本條例訂立的規則及規例；

設計假定 (design assumption) 指就建築工程向建築事務監督呈交的設計計算資料或其他文件內所述明或隱含的假定；(由 1980 年第 72 號第 3 條增補)

通風系統 (ventilating system) 指用以引進或排出空氣的機械系統；(由 1971 年第 23 號第 2 條增補)

通路 (access road) 指並非街道而位於根據租契、特許或其他方式從政府取得而持有的土地上的道路，或位於政府已批予通道權的土地上的道路，而該等道路只供通往完全或主要用作或擬用作居住用途的建築物；(由 1959 年第 44 號第 2 條增補。由 1998 年第 29 號第 105 條修訂)

plan (圖則) includes drawings, details, diagrams, calculations, structural details, structural calculations, geotechnical details and geotechnical calculations; (Added 44 of 1959 s. 2. Amended 15 of 2004 s. 2)

prescribed building professional (訂明建築專業人士) means an authorized person, a registered structural engineer, a registered geotechnical engineer or a registered inspector; (Added 20 of 2008 s. 3. Amended 16 of 2011 s. 4)

prescribed inspection (訂明檢驗) means an examination or assessment of a building as prescribed in the regulations; (Added 16 of 2011 s. 4)

prescribed qualification (訂明資格) means the qualification prescribed under this Ordinance or by the respective Registration Ordinance for inclusion in the respective register; (Added 54 of 1996 s. 2)

prescribed registered contractor (訂明註冊承建商) means a registered general building contractor, registered specialist contractor or registered minor works contractor; (Added 20 of 2008 s. 3)

prescribed repair (訂明修葺) means a repair or testing of a building as prescribed in the regulations; (Added 16 of 2011 s. 4)

private street (私家街道) means a street on land held under lease, licence or otherwise from the Government or on land over which the Government has granted a right of way; (Added 44 of 1959 s. 2. Amended 29 of 1998 s. 105)

qualified person (合資格人士) means a person whose name is for the time being on any of the following registers—

- (a) authorized persons' register kept under section 3(1);
- (b) structural engineers' register kept under section 3(3);
- (c) inspectors' register kept under section 3(3B);

測量師註冊管理局 (Surveyors Registration Board) 指根據《測量師註冊條例》(第 417 章) 第 3 條設立的測量師註冊管理局；
(由 1996 年第 54 號第 2 條增補)

街道 (street) 包括任何坊、短巷或巷、公路、里、道路、道路橋、行人路或通道 (不論是否能穿過的)，或其任何部分；

街道工程 (street works) 指為任何私家街道或通路的建造、平整或鋪設而進行的任何工程，包括路面鋪設、渠道敷設、排水及照明，或為該等街道或通路的重新建造、改動或修葺而進行的任何工程；(由 1959 年第 44 號第 2 條增補)

註冊一般建築承建商 (registered general building contractor) 指當其時名列根據第 8A 條備存的一般建築承建商名冊的人；
(由 1996 年第 54 號第 2 條增補)

註冊小型工程承建商 (registered minor works contractor) 指當其時名列根據第 8A 條備存的小型工程承建商名冊或臨時小型工程承建商名冊的人；(由 2008 年第 20 號第 3 條增補)

註冊事務委員會 (Registration Committee) 指認可人士註冊事務委員會、結構工程師註冊事務委員會、岩土工程師註冊事務委員會、檢驗人員註冊事務委員會或承建商註冊事務委員會 (視情況所需而定)；(由 1996 年第 54 號第 2 條增補。由 2004 年第 15 號第 2 條修訂；由 2011 年第 16 號第 4 條修訂)

(d) register of general building contractors kept under section 8A;

(e) register or provisional register of minor works contractors, under the class, type and item of minor works in respect of windows, kept under section 8A,

and who is not subject to any disciplinary order under section 7(2)(bb) or (d) or 13(4)(d) or (e); (*Added 16 of 2011 s. 4*)

register (名冊) means a register maintained under this Ordinance and includes a sub-register; (*Added 54 of 1996 s. 2*)

registered architect (註冊建築師) means a person whose name is on the register of registered architects established and maintained under section 8 of the Architects Registration Ordinance (Cap. 408); (*Added 54 of 1996 s. 2*)

registered general building contractor (註冊一般建築承建商) means a person whose name is for the time being on the register of general building contractors maintained under section 8A; (*Added 54 of 1996 s. 2*)

registered geotechnical engineer (註冊岩土工程師) means a person whose name is for the time being on the geotechnical engineers' register kept under section 3(3A); (*Added 15 of 2004 s. 2*)

registered inspector (註冊檢驗人員) means a person whose name is for the time being on the inspectors' register kept under section 3(3B); (*Added 16 of 2011 s. 4*)

registered minor works contractor (註冊小型工程承建商) means a person whose name is for the time being on the register or provisional register of minor works contractors maintained under section 8A; (*Added 20 of 2008 s. 3*)

註冊岩土工程師 (registered geotechnical engineer) 指當其時名列根據第 3(3A) 條備存的岩土工程師名冊的人；(由 2004 年第 15 號第 2 條增補)

註冊建築師 (registered architect) 指名列根據《建築師註冊條例》(第 408 章) 第 8 條設置和備存的註冊建築師註冊紀錄冊的人；(由 1996 年第 54 號第 2 條增補)

註冊專門承建商 (registered specialist contractor) 指當其時名列根據第 8A 條備存的專門承建商名冊的人；(由 1996 年第 54 號第 2 條增補)

註冊專業工程師 (registered professional engineer) 指名列根據《工程師註冊條例》(第 409 章) 第 7 條設置和備存的註冊專業工程師註冊紀錄冊的人；(由 1996 年第 54 號第 2 條增補)

註冊專業測量師 (registered professional surveyor) 指名列根據《測量師註冊條例》(第 417 章) 第 7 條設置和備存的註冊專業測量師註冊紀錄冊的人；(由 1996 年第 54 號第 2 條增補)

註冊條例 (Registration Ordinance) 指《建築師註冊條例》(第 408 章)、《工程師註冊條例》(第 409 章) 或《測量師註冊條例》(第 417 章)(視屬何情況而定)；(由 1996 年第 54 號第 2 條增補)

註冊結構工程師 (registered structural engineer) 指當其時名列根據第 3(3) 條備存的結構工程師名冊的人；(由 1974 年第 52 號第 2 條增補)

註冊檢驗人員 (registered inspector) 指當其時名列根據第 3(3B) 條備存的檢驗人員名冊的人；(由 2011 年第 16 號第 4 條增補)

貯油裝置 (oil storage installation) 指為貯存石油產品而在地面上建造的任何油缸或一組油缸，而該油缸的容量，或該組油缸其中一個的容量，不少於 110 000 升；(由 1978 年第 16 號第 2 條增補。由 1993 年第 68 號第 2 條修訂)

registered professional engineer (註冊專業工程師) means a person whose name is on the register of registered professional engineers established and maintained under section 7 of the Engineers Registration Ordinance (Cap. 409); (Added 54 of 1996 s. 2)

registered professional surveyor (註冊專業測量師) means a person whose name is on the register of registered professional surveyors established and maintained under section 7 of the Surveyors Registration Ordinance (Cap. 417); (Added 54 of 1996 s. 2)

registered specialist contractor (註冊專門承建商) means a person whose name is for the time being on the register of specialist contractors maintained under section 8A; (Added 54 of 1996 s. 2)

registered structural engineer (註冊結構工程師) means a person whose name is for the time being on the structural engineers' register kept under section 3(3); (Added 52 of 1974 s. 2)

Registration Committee (註冊事務委員會) means an Authorized Persons Registration Committee, a Structural Engineers Registration Committee, a Geotechnical Engineers Registration Committee, an Inspectors Registration Committee or a Contractors Registration Committee, as the case requires; (Added 54 of 1996 s. 2. Amended 15 of 2004 s. 2; 16 of 2011 s. 4)

Registration Ordinance (註冊條例) means the Architects Registration Ordinance (Cap. 408), the Engineers Registration Ordinance (Cap. 409) or the Surveyors Registration Ordinance (Cap. 417), as the case may be; (Added 54 of 1996 s. 2)

regulations (規例) means rules and regulations made under this Ordinance;

新建築物 (new building) 指今後建成的任何建築物，以及任何以體積計不少於一半是重新興建的現有建築物，或任何曾予改動而其程度致使主牆的表面面積不少於一半需要重新建造的現有建築物；

違反本條例的條文 (contraventions of the provisions of this Ordinance) ——

- (a) 包括不遵從建築事務監督根據本條例作出的命令、送達的通知或施加的條件；(由 2011 年第 16 號第 4 條修訂)
- (b) 就建築工程 (根據簡化規定展開的小型工程除外) 而言，包括嚴重偏離建築事務監督根據本條例批准的圖則，或與之嚴重相歧；
- (c) 就根據簡化規定展開的小型工程而言，包括嚴重偏離根據簡化規定須呈交予建築事務監督的圖則，或與之嚴重相歧；及
- (d) 就根據簡化規定展開的小型工程而言，包括沒有向建築事務監督呈交根據簡化規定須呈交的證明書；(由 2008 年第 20 號第 3 條代替)

電子紀錄 (electronic record) 的涵義與《電子交易條例》(第 553 章) 第 2(1) 條中該詞的涵義相同；(由 2008 年第 20 號第 3 條增補)

圖則 (plan) 包括繪圖、詳圖、簡圖、計算資料、結構詳圖、結構計算資料、岩土詳圖及岩土計算資料；(由 1959 年第 44 號第 2 條增補。由 2004 年第 15 號第 2 條修訂)

scheduled areas (附表所列地區) means the areas specified in Schedule 5 and references to a building or building works in the scheduled areas are, in the case of a building or building works situated partly in one of the scheduled areas, references to that part of the building or building works so situated; (Replaced 52 of 1990 s. 2. Amended 16 of 2011 s. 4)

Secretary (局長) means the Secretary for Development; (Added 20 of 2008 s. 3)

sewer (污水渠) does not include a drain as defined in this section, but includes all sewers and drains used for the drainage of more than one building and any buildings and yards appurtenant thereto; (Added 44 of 1959 s. 2)

signboard (招牌) means a hoarding, framework, scaffolding or other structure erected solely for the purpose of displaying any advertisement, making any announcement or notification, or displaying any visual image or other information; (Added 15 of 2004 s. 2)

simplified requirements (簡化規定) means any requirements prescribed in the regulations as simplified requirements for the purposes of this definition; (Added 20 of 2008 s. 3)

site formation works (地盤平整工程) includes excavations on sloping land, filling, landslip preventive works, landslip remedial works and ground water drainage works; (Added 72 of 1980 s. 3. Amended 41 of 1982 s. 2)

specialized works (專門工程) means building works or street works designated as specialized works under section 2A; (Replaced 20 of 2008 s. 3)

specified (指明), in relation to a form, means specified by the Building Authority under section 22(4); (Added 68 of 1993 s. 2)

監工計劃書 (supervision plan) 指載列遵從根據第 39A 條發出的技術備忘錄而製備的建築工程或街道工程的安全管理計劃的計劃書；(由 1996 年第 54 號第 2 條增補。由 2004 年第 15 號第 2 條修訂)

綜合用途建築物 (composite building) 指部分屬住用而部分屬非住用的建築物；(由 1983 年第 73 號第 2 條增補)

緊急車輛通道 (emergency vehicular access) 就任何建築物而言，指用作或將會用作供消防處車輛在火警或其他緊急情況中通往該建築物的任何車輛通道；(由 2004 年第 15 號第 2 條增補)

認可人士 (authorized person) 指名列根據第 3(1) 條備存的認可人士名冊的以下人士——

- (a) 以建築師身分名列於名冊者；
- (b) 以工程師身分名列於名冊者；或
- (c) 以測量師身分名列於名冊者；(由 1996 年第 54 號第 2 條代替)

specified document (指明文件) means—

- (a) a document made, issued or given, or a plan submitted to or approved by the Building Authority, under or for the purposes of this Ordinance or the Buildings Ordinance 1935 (18 of 1935); or
- (b) any part of the document or plan; (*Added 20 of 2008 s. 3*)

specified document record (指明文件紀錄) means—

- (a) a record of a specified document made under section 36C(a);
- (b) an electronic record made under section 36C(b); or
- (c) a copy of an electronic record made under section 36C(c); (*Added 20 of 2008 s. 3*)

street (街道) includes the whole or any part of any square, court or alley, highway, lane, road, road-bridge, footpath, or passage whether a thoroughfare or not;

street works (街道工程) means any work for the construction, formation or laying out of any private street or access road, including the surfacing, channelling, draining and lighting thereof, or for the reconstruction, alteration or repair thereof; (*Added 44 of 1959 s. 2*)

supervision plan (監工計劃書) means a plan setting out the plan of safety management of building works or street works prepared in compliance with the technical memorandum issued under section 39A; (*Added 54 of 1996 s. 2. Amended 15 of 2004 s. 2*)

擁有人 (owner) 包括任何根據租契、特許或以其他方式直接從政府取得而持有處所的人、任何管有承按人、任何單獨或與他人共同為其本人或為任何人收取任何處所租金的人，或若處所租給租客時任何本會收取該處所租金的人；此外，在不能尋獲或不能確定符合上述定義的擁有人時，或在符合上述定義的擁有人不在香港或無行為能力時，則此詞亦包括如此的擁有人的代理人；(由 1998 年第 29 號第 105 條修訂)

臨街處所擁有人 (frontagers) 就任何私家街道而言，指臨向、連接或緊連該街道的處所的擁有人；就任何通路而言，則指該通路通往的處所的擁有人；(由 1959 年第 44 號第 2 條增補。由 2008 年第 20 號第 3 條修訂)

簡化規定 (simplified requirements) 指在規例中為施行本定義而訂明為簡化規定的任何規定。(由 2008 年第 20 號第 3 條增補)

(由 1993 年第 43 號第 2 條修訂；由 1996 年第 54 號第 2 條修訂)

- (1A) 凡本條例提述某人核證根據簡化規定展開的小型工程，指該人核證根據規例規定須就該小型工程核證的事情。(由 2008 年第 20 號第 3 條增補)
- (1B) 如小型工程在沒有第 14(1) 條所指的建築事務監督的批准及同意下展開或進行，而——

Surveyors Registration Board (測量師註冊管理局) means the Surveyors Registration Board established by section 3 of the Surveyors Registration Ordinance (Cap. 417); (Added 54 of 1996 s. 2)

ventilating system (通風系統) means a mechanical system for introducing or exhausting air; (Added 23 of 1971 s. 2)

water pipe (水管) means any water carrying pipe and fittings thereto other than a drain or sewer but does not include any pipe or fitting forming any part of a fire service or inside service within the meaning of the Waterworks Ordinance (Cap. 102) the costs of maintenance of which shall, under section 17(2)(b) of that Ordinance, be borne by the Water Authority. (Added 55 of 1996 s. 2)

(Amended 43 of 1993 s. 2; 54 of 1996 s. 2)

- (1A) Where this Ordinance refers to a person's certifying minor works commenced under the simplified requirements, it means the certification by the person of anything that is required by the regulations to be certified in respect of such minor works. (Added 20 of 2008 s. 3)
- (1B) For the purposes of this Ordinance, minor works that are commenced or carried out without the approval and consent of the Building Authority under section 14(1) are to be regarded as minor works commenced under the simplified requirements if—

- (a) 一名訂明建築專業人士或訂明註冊承建商，已就該工程獲委任；或
- (b) 該工程是由訂明註冊承建商展開或進行的，則為施行本條例，該工程視為根據簡化規定展開的小型工程。(由 2008 年第 20 號第 3 條增補)
- (2) 根據本條例向建築事務監督施加的職責及授予的權力，可由獲屋宇署署長一般地或就個別情況授權而在附表 4 中指明的任何政府部門的任何人員執行和行使，該人員並須受建築事務監督的指示所規限。(由 1982 年第 76 號法律公告修訂；由 1985 年第 73 號第 2 號修訂；由 1986 年第 94 號法律公告修訂；由 1993 年第 291 號法律公告修訂)
- (3) 立法會可藉決議修訂附表 4、5 或 8。(由 1985 年第 73 號第 2 條增補。由 1995 年第 6 號第 2 條修訂；由 2000 年第 62 號第 3 條修訂；由 2012 年第 24 號第 3 條修訂)
- (4) 凡第 1 或 7 部提述在任何名冊註冊，須解釋作某人的姓名列入、重新列入、保留或繼續保留於有關的名冊內(視情況所需而定)。(由 1994 年第 77 號第 2 條增補)
- (編輯修訂——2012 年第 1 號編輯修訂紀錄)

2A. 專門工程的指定

- (1) 建築事務監督可指定任何類別的建築工程或街道工程為專門工程。
- (2) 建築事務監督須在憲報公布根據第 (1) 款作出的指定。
- (3) 根據第 (2) 款作出的公布不是附屬法例。
- (由 2008 年第 20 號第 4 條增補)

- (a) a prescribed building professional or a prescribed registered contractor has been appointed in respect of the works; or
- (b) the works are commenced or carried out by a prescribed registered contractor. *(Added 20 of 2008 s. 3)*
- (2) The duties imposed on and the powers granted to the Building Authority under this Ordinance may be carried out and exercised by an officer of any Department of the Government specified in Schedule 4 who is authorized by the Director of Buildings either generally or particularly and subject to his instructions. *(Amended L.N. 76 of 1982; 73 of 1985 s. 2; L.N. 94 of 1986; L.N. 291 of 1993; 16 of 2011 s. 4)*
- (3) The Legislative Council may by resolution amend Schedule 4, 5 or 8. *(Added 73 of 1985 s. 2. Amended 6 of 1995 s. 2; 16 of 2011 s. 4; 24 of 2012 s. 3)*
- (4) Any reference in Part 1 or 7 to registration in any register shall be construed as the inclusion, retention, further retention or restoration of a person's name in or to the relevant register, as the case may require. *(Added 77 of 1994 s. 2)*
- (Amended E.R. 1 of 2012)*

2A. Designation of specialized works

- (1) The Building Authority may designate any category of building works or street works as specialized works.
- (2) The Building Authority shall notify in the Gazette a designation under subsection (1).
- (3) The notification in subsection (2) is not subsidiary legislation.
- (Addd 20 of 2008 s. 4)*

第 1 部**認可人士、註冊結構工程師、註冊岩土工程師、註冊
檢驗人員及註冊承建商**

(由 1974 年第 52 號第 3 條修訂；由 1987 年第 43 號第 44 條修訂；由 1996 年第 54 號第 3 條修訂；由 2004 年第 15 號第 3 條修訂；由 2011 年第 16 號第 5 條修訂)

3. 認可人士、結構工程師、岩土工程師及檢驗人員的名冊

(由 2011 年第 16 號第 6 條修訂)

- (1) 建築事務監督須備存一份所有按照本條例有資格執行認可人士職責及職能的人的名冊(以下稱為**認可人士名冊**)。
- (2) 認可人士名冊包含——
 - (a) 建築師名單；
 - (b) 工程師名單；及
 - (c) 測量師名單。(由 1996 年第 54 號第 4 條代替)
- (3) 建築事務監督須備存一份所有按照本條例有資格執行結構工程師職責及職能(此等職責及職能是關於建築工程或街道工程的較高深結構設計的)的人的名冊(以下稱為**結構工程師名冊**)。

Part 1**Authorized Persons, Registered Structural Engineers,
Registered Geotechnical Engineers, Registered
Inspectors and Registered Contractors**

(Part 1 replaced 44 of 1959 s. 3. Amended 52 of 1974 s. 3; 43 of 1987 s. 44; 54 of 1996 s. 3; 15 of 2004 s. 3; 16 of 2011 s. 5)

**3. Registers of authorized persons, structural engineers,
geotechnical engineers and inspectors**

(Amended 16 of 2011 s. 6)

- (1) The Building Authority shall keep a register (hereinafter referred to as the **authorized persons' register**) of all persons who are qualified to perform the duties and functions of an authorized person in accordance with this Ordinance.
- (2) The authorized persons' register contains—
 - (a) a list of architects;
 - (b) a list of engineers; and
 - (c) a list of surveyors. (Replaced 54 of 1996 s. 4)
- (3) The Building Authority shall keep a register (hereinafter referred to as the **structural engineers' register**) of all persons who are qualified to perform the duties and functions of structural engineers (relating to more advanced structural designs of building works or street works) in accordance with this Ordinance.

1-31
第 123 章第 1 部
第 3 條

- (3A) 建築事務監督須備存一份所有按照本條例有資格執行岩土工程師職責及職能(此等職責及職能是關於建築工程或街道工程的岩土設計的)的人的名冊(以下稱為**岩土工程師名冊**)。(由 2004 年第 15 號第 4 條增補)
- (3B) 建築事務監督須備存一份名冊(**檢驗人員名冊**), 載列所有按照本條例有資格執行檢驗人員職責及職能的人。(由 2011 年第 16 號第 6 條增補)
- (3C) 檢驗人員名冊包含——
- (a) 建築師名單;
 - (b) 工程師名單; 及
 - (c) 測量師名單。(由 2011 年第 16 號第 6 條增補)
- (4) 建築事務監督須每年在憲報刊登——
- (a) 認可人士名冊中每份名單所列的人的姓名;(由 2004 年第 15 號第 4 條修訂)
 - (b) 結構工程師名冊所列的人的姓名;(由 2004 年第 15 號第 4 條修訂; 由 2011 年第 16 號第 6 條修訂)
 - (c) 岩土工程師名冊所列的人的姓名; 及 (由 2004 年第 15 號第 4 條增補。由 2011 年第 16 號第 6 條修訂)
 - (d) 檢驗人員名冊中每份名單所列的人的姓名。(由 2011 年第 16 號第 6 條增補)

Part 1
Section 31-32
Cap. 123

- (3A) The Building Authority shall keep a register (hereinafter referred to as the **geotechnical engineers' register**) of all persons who are qualified to perform the duties and functions of geotechnical engineers (relating to geotechnical designs of building works or street works) in accordance with this Ordinance. (*Added 15 of 2004 s. 4*)
- (3B) The Building Authority must keep a register (the **inspectors' register**) of all persons who are qualified to perform the duties and functions of inspectors in accordance with this Ordinance. (*Added 16 of 2011 s. 6*)
- (3C) The inspectors' register contains—
- (a) a list of architects;
 - (b) a list of engineers; and
 - (c) a list of surveyors. (*Added 16 of 2011 s. 6*)
- (4) The Building Authority shall publish annually in the Gazette the names of—
- (a) the persons included in each of the lists in the authorized persons' register; (*Amended 15 of 2004 s. 4*)
 - (b) the persons included in the structural engineers' register; (*Amended 15 of 2004 s. 4; 16 of 2011 s. 6*)
 - (c) the persons included in the geotechnical engineers' register; and (*Added 15 of 2004 s. 4. Amended 16 of 2011 s. 6*)
 - (d) the persons included in each of the lists in the inspectors' register. (*Added 16 of 2011 s. 6*)

- (5) 建築事務監督須設立 4 個有足夠成員的委員團，並從該等委員團委出分別稱為認可人士註冊事務委員會、結構工程師註冊事務委員會、岩土工程師註冊事務委員會及檢驗人員註冊事務委員會的委員會。建築事務監督可就上述每類委員會在同一時間委出多於一個註冊事務委員會。(由 1996 年第 54 號第 4 條代替。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (5A) 註冊事務委員會的職能是進行以下事宜，以協助建築事務監督考慮要求名列於有關名冊的申請——
- (a) 審查申請人的資格；
 - (b) 作出有關的註冊事務委員會認為需要的查訊，以確定申請人是否具備有關的經驗；
 - (c) 與申請人進行專業面試；及
 - (d) 就接受、押後或拒絕要求名列於有關名冊的申請，向建築事務監督提供意見。(由 1996 年第 54 號第 4 條增補)
- (5B) 認可人士註冊事務委員會由以下人士組成——
- (a) 由建築師註冊管理局從認可人士名冊的建築師名單中提名的認可人士 4 名；
 - (b) 由工程師註冊管理局從認可人士名冊的工程師名單中提名的認可人士 2 名；
 - (c) 由測量師註冊管理局從認可人士名冊的測量師名單中提名的認可人士 1 名；

- (5) The Building Authority is to establish 4 panels with sufficient members from whom he is to appoint committees to be known respectively as Authorized Persons Registration Committees, Structural Engineers Registration Committees, Geotechnical Engineers Registration Committees and Inspectors Registration Committees. The Building Authority may appoint more than one Registration Committee of each type at any one time. *(Replaced 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)*
- (5A) The function of a Registration Committee is to assist the Building Authority in considering applications for inclusion in the relevant register by—
- (a) examining the qualifications of applicants;
 - (b) inquiring as the relevant Registration Committee considers necessary to ascertain whether an applicant has the relevant experience;
 - (c) conducting professional interviews with applicants; and
 - (d) advising the Building Authority to accept, defer or reject applications for inclusion in the relevant register. *(Added 54 of 1996 s. 4)*
- (5B) An Authorized Persons Registration Committee consists of—
- (a) 4 authorized persons nominated by the Architects Registration Board from the list of architects in the authorized persons' register;
 - (b) 2 authorized persons nominated by the Engineers Registration Board from the list of engineers in the authorized persons' register;
 - (c) 1 authorized person nominated by the Surveyors Registration Board from the list of surveyors in the authorized persons' register;

- (d) 由建築事務監督提名的屋宇署助理署長一名；及
- (e) 由建築事務監督從按照第 (5E) 款獲提名的人之中選出的人 1 名。 (由 1996 年第 54 號第 4 條增補)
- (5C) 結構工程師註冊事務委員會由以下人士組成 ——
- (a) 由工程師註冊管理局提名的註冊結構工程師 3 名；
- (b) 由建築師註冊管理局從認可人士名冊的建築師名單中提名的認可人士 1 名；
- (c) 由測量師註冊管理局從認可人士名冊的測量師名單中提名的認可人士 1 名；
- (d) 由建築事務監督提名的屋宇署助理署長一名；及
- (e) 由建築事務監督從按照第 (5E) 款獲提名的人之中選出的人 1 名。 (由 1996 年第 54 號第 4 條增補)
- (5CA) 岩土工程師註冊事務委員會由以下人士組成 ——
- (a) 由工程師註冊管理局提名的註冊岩土工程師 3 名；
- (b) 由建築師註冊管理局從認可人士名冊的建築師名單中提名的認可人士 1 名；
- (c) 由測量師註冊管理局從認可人士名冊的測量師名單中提名的認可人士 1 名；

- (d) an Assistant Director of Buildings nominated by the Building Authority; and
- (e) 1 person selected by the Building Authority from among the persons nominated in accordance with subsection (5E). *(Added 54 of 1996 s. 4)*
- (5C) A Structural Engineers Registration Committee consists of—
- (a) 3 registered structural engineers nominated by the Engineers Registration Board;
- (b) 1 authorized person nominated by the Architects Registration Board from the list of architects in the authorized persons' register;
- (c) 1 authorized person nominated by the Surveyors Registration Board from the list of surveyors in the authorized persons' register;
- (d) an Assistant Director of Buildings nominated by the Building Authority; and
- (e) 1 person selected by the Building Authority from among the persons nominated in accordance with subsection (5E). *(Added 54 of 1996 s. 4)*
- (5CA) A Geotechnical Engineers Registration Committee consists of—
- (a) 3 registered geotechnical engineers nominated by the Engineers Registration Board;
- (b) 1 authorized person nominated by the Architects Registration Board from the list of architects in the authorized persons' register;
- (c) 1 authorized person nominated by the Surveyors Registration Board from the list of surveyors in the authorized persons' register;

- (d) 由工程師註冊管理局提名的註冊結構工程師 1 名；
 - (e) 由建築事務監督提名作為其代表的人 1 名；
 - (f) 由土木工程拓展署署長提名的職級屬政府土力工程師的公職人員 1 名；及
 - (g) 由建築事務監督從按照第 (5E) 款獲提名的人之中選出的人 1 名。 (由 2008 年第 20 號第 5 條代替)
- (5CB) 檢驗人員註冊事務委員會由以下人士組成——
- (a) 由建築師註冊管理局從檢驗人員名冊的建築師名單中提名的註冊檢驗人員 1 名；
 - (b) 由工程師註冊管理局從檢驗人員名冊的工程師名單中提名的註冊檢驗人員 1 名；
 - (c) 由測量師註冊管理局從檢驗人員名冊的測量師名單中提名的註冊檢驗人員 1 名；
 - (d) 由建築事務監督提名作為其代表的人 1 名；及
 - (e) 由建築事務監督從按照第 (5E) 款獲提名的人之中選出的人 1 名。 (由 2011 年第 16 號第 6 條增補)
- (5D) 建築事務監督須委任一名屋宇署人員出任每個註冊事務委員會的秘書，該人員並非任何一個註冊事務委員會的成員，亦不得投票。 (由 1996 年第 54 號第 4 條增補)

- (d) 1 registered structural engineer nominated by the Engineers Registration Board;
 - (e) 1 person nominated by the Building Authority as his representative;
 - (f) 1 public officer of the rank of Government Geotechnical Engineer nominated by the Director of Civil Engineering and Development; and
 - (g) 1 person selected by the Building Authority from among the persons nominated in accordance with subsection (5E). (Replaced 20 of 2008 s. 5)
- (5CB) An Inspectors Registration Committee consists of—
- (a) 1 registered inspector nominated by the Architects Registration Board from the list of architects in the inspectors' register;
 - (b) 1 registered inspector nominated by the Engineers Registration Board from the list of engineers in the inspectors' register;
 - (c) 1 registered inspector nominated by the Surveyors Registration Board from the list of surveyors in the inspectors' register;
 - (d) 1 person nominated by the Building Authority as the Building Authority's representative; and
 - (e) 1 person selected by the Building Authority from among the persons nominated in accordance with subsection (5E). (Added 16 of 2011 s. 6)
- (5D) The Building Authority is to appoint an officer of the Buildings Department as the secretary of each Registration Committee, who is not a member of either Registration Committee and may not cast a vote. (Added 54 of 1996 s. 4)

1-39
第 123 章第 1 部
第 3 條Part 1
Section 31-40
Cap. 123

- (5E) 為施行第 (5B)、(5C)、(5CA) 及 (5CB) 款，建築事務監督須邀請其認為適合的團體提名人選，供其考慮分別委任為各註冊事務委員會的成員。(由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (5F) 根據第 5A 條獲委任為認可人士、註冊結構工程師及註冊岩土工程師紀律委員團成員者，不得是註冊事務委員會(檢驗人員註冊事務委員會除外)成員。(由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (5FA) 根據第 5A 條獲委任為註冊檢驗人員紀律委員團成員者，不得是檢驗人員註冊事務委員會成員。(由 2011 年第 16 號第 6 條增補)
- (5G) 註冊事務委員會(岩土工程師註冊事務委員會及檢驗人員註冊事務委員會除外)會議的法定人數為下述成員——(由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (a) 委員會主席；
 - (b) 根據第 (5B)(d) 或 (5C)(d) 款提名的屋宇署助理署長；及
 - (c) 3 名其他成員(如屬認可人士註冊事務委員會)及 2 名其他成員(如屬結構工程師註冊事務委員會)。(由 1996 年第 54 號第 4 條增補)
- (5GA) 岩土工程師註冊事務委員會會議的法定人數為下述成員——
- (a) 委員會主席；

- (5E) For the purpose of subsections (5B), (5C), (5CA) and (5CB), the Building Authority is to invite such bodies as the Building Authority may think fit to nominate persons for the Building Authority to consider for appointment to each of the respective Registration Committees. (Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (5F) A person appointed to be a member of the Authorized Persons', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board Panel under section 5A must not be a member of a Registration Committee (other than an Inspectors Registration Committee). (Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (5FA) A person appointed to be a member of the Registered Inspectors' Disciplinary Board Panel under section 5A must not be a member of an Inspectors Registration Committee. (Added 16 of 2011 s. 6)
- (5G) The quorum for a meeting of a Registration Committee (other than a Geotechnical Engineers Registration Committee or an Inspectors Registration Committee) is— (Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (a) the Chairman of the committee;
 - (b) the Assistant Director of Buildings nominated under subsection (5B)(d) or (5C)(d); and
 - (c) 3 other members for an Authorized Persons Registration Committee and 2 other members for a Structural Engineers Registration Committee. (Added 54 of 1996 s. 4)
- (5GA) The quorum for a meeting of a Geotechnical Engineers Registration Committee is—
- (a) the Chairman of the committee;

- (b) 第 (5CA)(e) 款所指的建築事務監督的代表；(由 2008 年第 20 號第 5 條修訂)
- (c) 根據第 (5CA)(f) 款提名的公職人員；及 (由 2008 年第 20 號第 5 條修訂)
- (d) 2 名其他成員。(由 2004 年第 15 號第 4 條增補)
- (5GB) 檢驗人員註冊事務委員會會議的法定人數為下述成員——
- (a) 委員會主席；
- (b) 第 (5CB)(d) 款所指的建築事務監督的代表；及
- (c) 1 名其他成員。(由 2011 年第 16 號第 6 條增補)
- (5H) 在註冊事務委員會 (檢驗人員註冊事務委員會除外) 聆聽要求名列於名冊的申請的會議中——(由 2011 年第 16 號第 6 條修訂)
- (a) 如屬認可人士註冊事務委員會，最少須有一名成員亦是名列於申請人意欲名列的認可人士名冊內同一名單；(由 2004 年第 15 號第 4 條修訂)
- (b) 如屬結構工程師註冊事務委員會，最少須有一名成員為註冊結構工程師；及 (由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2008 年第 20 號第 5 條修訂)
- (c) 如屬第 (5CA)(a) 款所指的岩土工程師註冊事務委員會，最少須有一名成員為根據該款獲提名的註冊專業工程師。(由 2004 年第 15 號第 4 條增補。由 2008 年第 20 號第 5 條修訂)
- (d) (由 2008 年第 20 號第 5 條廢除)
- (5I) 註冊事務委員會主席由其成員選出。(由 1996 年第 54 號第 4 條增補)

- (b) the Building Authority's representative under subsection (5CA)(e); (*Amended 20 of 2008 s. 5*)
- (c) the public officer nominated under subsection (5CA)(f); and (*Amended 20 of 2008 s. 5*)
- (d) 2 other members. (*Added 15 of 2004 s. 4*)
- (5GB) The quorum for a meeting of an Inspectors Registration Committee is—
- (a) the Chairman of the committee;
- (b) the Building Authority's representative under subsection (5CB)(d); and
- (c) 1 other member. (*Added 16 of 2011 s. 6*)
- (5H) At least one member of the Registration Committee (other than an Inspectors Registration Committee) at a meeting hearing an application for inclusion in a register must be— (*Amended 16 of 2011 s. 6*)
- (a) for an Authorized Persons Registration Committee, on the same list in the authorized persons' register as that on which the applicant wishes to be included; (*Amended 15 of 2004 s. 4*)
- (b) for a Structural Engineers Registration Committee, a registered structural engineer; and (*Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 20 of 2008 s. 5*)
- (c) for a Geotechnical Engineers Registration Committee under subsection (5CA)(a), a registered professional engineer nominated under that subsection. (*Added 15 of 2004 s. 4. Amended 20 of 2008 s. 5*)
- (d) (*Repealed 20 of 2008 s. 5*)
- (5I) The Chairman of a Registration Committee is elected by its members. (*Added 54 of 1996 s. 4*)

1-43
第 123 章第 1 部
第 3 條Part 1
Section 31-44
Cap. 123

- (5J) 註冊事務委員會須按照建築事務監督所指示的次數舉行會議。 (由 1996 年第 54 號第 4 條增補)
- (6) 每名要求名列認可人士名冊、結構工程師名冊、岩土工程師名冊或檢驗人員名冊的申請人，須以指明的表格向有關的註冊事務委員會秘書呈交申請。 (由 1993 年第 68 號第 3 條修訂；由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (6A) 第 (6) 款所提述的申請人須 ——
- (a) (由 2004 年第 15 號第 4 條廢除)
- (b) (i) 於呈交申請時，繳付處理其申請的訂明費用，該費用將不予發還；
- (ii) 於申請獲得批准時，繳付將其姓名列入和保留於適當的名冊的各別訂明費用。 (由 2000 年第 39 號第 2 條代替)
- (7) 任何人除非 ——
- (a) 已取得訂明資格；及
- (b) 在第 (7AA) 款的規限下，獲有關的註冊事務委員會推薦名列於名冊， (由 2011 年第 16 號第 6 條修訂)
- 否則不得名列於名冊。 (由 1996 年第 54 號第 4 條代替)
- (7AA) 任何人如符合下列說明，可在沒有獲檢驗人員註冊事務委員會推薦的情況下，列入檢驗人員名冊 ——
- (a) 該人屬認可人士或註冊結構工程師，並有規例訂明的有關經驗；或

- (5J) A Registration Committee is required to meet as often as the Building Authority directs. (Added 54 of 1996 s. 4)
- (6) Every applicant for inclusion in the authorized persons' register, the structural engineers' register, the geotechnical engineers' register or the inspectors' register shall submit his application in the specified form to the secretary of the respective Registration Committee. (Amended 68 of 1993 s. 3; 15 of 2004 s. 4; 16 of 2011 s. 6)
- (6A) An applicant under subsection (6)—
- (a) (Repealed 15 of 2004 s. 4)
- (b) shall pay—
- (i) upon submission of the application, the non-refundable prescribed fee for processing of the application;
- (ii) upon the application being granted, the respective prescribed fees for inclusion and retention of his name in the appropriate register. (Replaced 39 of 2000 s. 2)
- (7) A person must not be included in a register unless—
- (a) he has obtained the prescribed qualifications; and
- (b) subject to subsection (7AA), he is recommended by the respective Registration Committee for inclusion. (Replaced 54 of 1996 s. 4. Amended 16 of 2011 s. 6)
- (7AA) A person may be included in the inspectors' register without recommendation by an Inspectors Registration Committee if the person is—
- (a) an authorized person or a registered structural engineer with relevant experience as prescribed in the regulations; or

- (b) 在自《2011 年建築物 (修訂) 條例》(2011 年第 16 號) 第 6 條生效 * 起計的 12 個月期間內 ——
- (i) 該人屬由建築師註冊管理局提名的註冊建築師，並於獲提名前在建築物設計、建造、修葺及保養方面有不少於 5 年經驗；
 - (ii) 該人屬由工程師註冊管理局提名的註冊專業工程師，並於獲提名前在建築物設計、建造、修葺及保養方面有不少於 5 年經驗；或
 - (iii) 該人屬由測量師註冊管理局提名的註冊專業測量師，並於獲提名前在建築物設計、建造、修葺及保養方面有不少於 5 年經驗。(由 2011 年第 16 號第 6 條增補)
- (7A) 如要求名列於名冊的申請人不符合第 (7) 款的規定，建築事務監督須拒絕申請。(由 1996 年第 54 號第 4 條增補)
- (7B) 如要求名列於名冊的申請人符合第 (7) 款的規定，則建築事務監督除非基於其認為適合拒絕申請的其他理由，否則須批准申請。(由 1996 年第 54 號第 4 條增補)
- (7C) 建築事務監督須以書面 ——
- (a) 向申請人述明拒絕名列於名冊的申請的理由；
 - (b) 向有關的註冊事務委員會述明拒絕名列於名冊的申請的理由，
- 而該等理由必須參照第 (7) 及 (7B) 款的規定。(由 1996 年第 54 號第 4 條增補)

- (b) within the period of 12 months beginning on the commencement* of section 6 of the Buildings (Amendment) Ordinance 2011 (16 of 2011)—
- (i) a registered architect nominated by the Architects Registration Board with not less than 5 years of experience in building design, construction, repair and maintenance before the nomination;
 - (ii) a registered professional engineer nominated by the Engineers Registration Board with not less than 5 years of experience in building design, construction, repair and maintenance before the nomination; or
 - (iii) a registered professional surveyor nominated by the Surveyors Registration Board with not less than 5 years of experience in building design, construction, repair and maintenance before the nomination. (Added 16 of 2011 s. 6)
- (7A) If an applicant for inclusion in a register fails to satisfy subsection (7), the Building Authority shall refuse the application. (Added 54 of 1996 s. 4)
- (7B) If an applicant for inclusion in a register satisfies subsection (7), the Building Authority shall grant the application unless for other reasons he thinks fit to refuse the application. (Added 54 of 1996 s. 4)
- (7C) The Building Authority shall give reasons in writing to—
- (a) the applicant for the refusal of an application for inclusion in a register;
 - (b) the respective Registration Committee for the refusal of an application for inclusion in a register,
- and the reasons must refer to the requirements of subsections (7) and (7B). (Added 54 of 1996 s. 4)

- (7D) 在第 (7)、(7A)、(7B) 及 (7C) 款中，**名冊** (register) 指根據第 (1) 款備存的認可人士名冊、根據第 (3) 款備存的結構工程師名冊、根據第 (3A) 款備存的岩土工程師名冊或根據第 (3B) 款備存的檢驗人員名冊 (視乎情況所需而定)。(由 2011 年第 16 號第 6 條代替)
- (8) 在符合第 (7) 款的規定下，任何人可名列多於一份下述名冊——(由 2004 年第 15 號第 4 條修訂)
- (a) 認可人士名冊；
 - (b) 結構工程師名冊；
 - (c) 岩土工程師名冊；及
 - (d) 檢驗人員名冊，(由 2011 年第 16 號第 6 條增補)
- 並且可在認可人士名冊或檢驗人員名冊中名列多於 1 份名單。(由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (9) 對於每項要求名列認可人士名冊中任何名單、結構工程師名冊、岩土工程師名冊或檢驗人員名冊中任何名單的申請 (由第 (7AA) 款所述的人提出的申請除外)，建築事務監督須在有關的註冊事務委員會考慮該申請的會議的日期起計 3 個月內——(由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (a) 在申請人繳付第 (6A)(b)(ii) 款所述的訂明費用後，將申請人姓名刊登於憲報，並記入認可人士名冊中適當的名單、結構工程師名冊或岩土工程師名冊 (視屬何情況而定)；或 (由 2000 年第 39 號第 2 條修訂；由 2004 年第 15 號第 4 條修訂)

- (7D) In subsections (7), (7A), (7B) and (7C), **register** (名冊) means the authorized persons' register kept under subsection (1), the structural engineers' register kept under subsection (3), the geotechnical engineers' register kept under subsection (3A) or the inspectors' register kept under subsection (3B), as the case requires. (Replaced 16 of 2011 s. 6)
- (8) Subject to subsection (7), a person's name may be included in more than one of the following registers— (Amended 15 of 2004 s. 4)
- (a) the authorized persons' register;
 - (b) the structural engineers' register;
 - (c) the geotechnical engineers' register; and
 - (d) the inspectors' register, (Added 16 of 2011 s. 6)
- and in more than one list in the authorized persons' register or the inspectors' register. (Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (9) In respect of every application for inclusion in any list in the authorized persons' register, in the structural engineers' register, in the geotechnical engineers' register or in any list in the inspectors' register (except for an application made by a person mentioned in subsection (7AA)), the Building Authority shall within 3 months from the date of the meeting of the respective Registration Committee at which the application was considered— (Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (a) on payment by the applicant of the prescribed fees mentioned in subsection (6A)(b)(ii), publish in the Gazette and enter in the appropriate list or, as the case may be, register the name of that applicant; or (Replaced 39 of 2000 s. 2)

1-49
第 123 章第 1 部
第 3 條

- (b) 通知申請人其申請押後一段期間，為期不超過 12 個月；或
- (c) 拒絕其申請。
- (9AA) 對於每項由第 (7AA) 款所述的人提出的、要求名列檢驗人員名冊中任何名單的申請，建築事務監督須在接獲申請的日期後 1 個月內——
- (a) 在申請人繳付第 (6A)(b)(ii) 款所述的訂明費用後，將申請人姓名刊登於憲報，並記入檢驗人員名冊中適當的名單；或
- (b) 拒絕該申請。 (由 2011 年第 16 號第 6 條增補)
- (9A) 如根據第 (9)(b) 款申請被押後，則於再次考慮該申請時，須——
- (a) 予以接受，使申請人在繳付訂明費用後，得以列入認可人士名冊中適當的名單，或得以在結構工程師名冊中註冊 (視屬何情況而定)；或
- (b) 予以拒絕。 (由 1987 年第 57 號第 3 條增補)
- (9B) 如——
- (a) 任何人的姓名根據本條列入或重新列入或保留於認可人士名冊、結構工程師名冊、岩土工程師名冊或檢驗人員名冊內，(由 2011 年第 16 號第 6 條修訂)
- (b) (由 2004 年第 15 號第 4 條廢除)
- 則該人可按照第 (9C) 款向建築事務監督申請將其姓名繼續保留或保留 (視何者適當而定) 於名冊內，為期 5 年。(由 1994 年第 77 號第 3 條增補。由 2004 年第 15 號第 4 條修訂)

Part 1
Section 31-50
Cap. 123

- (b) inform the applicant that his application is deferred for a period not exceeding 12 months; or
- (c) refuse his application.
- (9AA) For an application made by a person mentioned in subsection (7AA) for inclusion in any list in the inspectors' register, the Building Authority must within 1 month after the date of receiving the application—
- (a) on payment by the applicant of the prescribed fees mentioned in subsection (6A)(b)(ii), publish in the Gazette and enter in the appropriate list the name of that applicant; or
- (b) refuse the application. (*Added 16 of 2011 s. 6*)
- (9A) An application that has been deferred under subsection (9)(b) shall, when it comes up for consideration again—
- (a) be accepted, so that the applicant is included in the appropriate list or registered, as the case may be, upon payment of the prescribed fee; or
- (b) be refused. (*Added 57 of 1987 s. 3*)
- (9B) A person—
- (a) whose name is included or retained in or restored to the authorized persons' register, the structural engineers' register, the geotechnical engineers' register or the inspectors' register, under this section, (*Amended 16 of 2011 s. 6*)
- (b) (*Repealed 15 of 2004 s. 4*)
- may apply to the Building Authority, in accordance with subsection (9C), for the further retention or retention, as may be appropriate, of his name in the register for a period of 5 years. (*Added 77 of 1994 s. 3. Amended 15 of 2004 s. 4*)

- (9C) 根據第 (9B) 款提出的申請 ——
- (a) 須以指明的表格提出；
 - (b) 所提出的方式會致使建築事務監督在不早於有關註冊有效期屆滿日期之前 4 個月但又不遲於該日期前 28 天接獲申請；(由 1996 年第 54 號第 4 條代替。由 2008 年第 20 號第 5 條修訂)
 - (c) 附有相關的訂明費用；及 (由 1994 年第 77 號第 3 條增補。由 2008 年第 20 號第 5 條修訂)
 - (d) 附有根據有關的註冊條例發出的有效註冊證明書或註冊續期證明書文本一份。(由 1996 年第 54 號第 4 條增補)
- (9D) 除非申請人具備註冊為認可人士、註冊結構工程師、註冊岩土工程師或註冊檢驗人員的訂明資格，否則建築事務監督須拒絕根據第 (9B) 款提出的申請。(由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (9E) 如認可人士、結構工程師、岩土工程師或檢驗人員在時限內提出保留註冊的申請，並繳付保留註冊的費用，則除有關的紀律委員會另有決定外，其註冊繼續有效，直至其所提出的保留註冊的申請獲建築事務監督作出最後決定為止。(由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
- (10) (由 2004 年第 15 號第 4 條廢除)
- (11) 建築事務監督可在以郵遞方式將其意向通知寄往下述的人最後為人所知的地址後，將其姓名從認可人士名冊、結構工程師名冊、岩土工程師名冊或檢驗人員名冊刪除 —— (由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)

- (9C) An application under subsection (9B) shall be—
- (a) in the specified form;
 - (b) made so as to be received by the Building Authority not earlier than 4 months and not later than 28 days prior to the date of the expiry of the relevant registration; (Replaced 54 of 1996 s. 4. Amended 20 of 2008 s. 5)
 - (c) accompanied by the appropriate prescribed fee; and (Added 77 of 1994 s. 3. Amended 20 of 2008 s. 5)
 - (d) accompanied by a copy of a valid certificate of registration or of renewal of registration issued under the respective Registration Ordinance. (Added 54 of 1996 s. 4)
- (9D) The Building Authority shall refuse an application under subsection (9B) unless the applicant holds the prescribed qualifications for registration as an authorized person, a registered structural engineer, a registered geotechnical engineer or a registered inspector. (Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (9E) The registration of an authorized person, structural engineer, geotechnical engineer or inspector will continue to be in force if he makes an application for retention within the time limit and pays the retention fee until his application for retention is finalised by the Building Authority, subject to any decision of the relevant Disciplinary Board. (Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)
- (10) (Repealed 15 of 2004 s. 4)
- (11) The Building Authority may remove from the authorized persons' register, the structural engineers' register, the geotechnical engineers' register or the inspectors' register, after sending by post notice of his intention to the last known address of the person, the name of any person who— (Amended 15 of 2004 s. 4; 16 of 2011 s. 6)

- (a) 已身故的人；或
- (b) 就某專業而名列於名冊但並非正在從事該專業的人。(由 1976 年第 75 號第 2 條代替。由 1994 年第 77 號第 3 條修訂)
- (c) (由 1994 年第 77 號第 3 條廢除)
- (11A) 在符合第 (11AA) 款的規定下，建築事務監督須在以下情況下，從認可人士名冊、結構工程師名冊、岩土工程師名冊或檢驗人員名冊刪除某人的姓名或名稱——(由 2011 年第 16 號第 6 條修訂)
- (a) 建築事務監督沒有收到該人按照第 (9C) 款提出的申請；或
- (b) 建築事務監督根據第 (9D) 款拒絕該人的申請，並以掛號郵遞方式，寄出通知往該人最後為人所知的地址，將該項拒絕告知該人。(由 2008 年第 20 號第 5 條代替)
- (11AA) 根據第 (11A)(a) 款從名冊刪除某姓名或名稱，在緊接有關現行註冊的屆滿日期之後生效。(由 2008 年第 20 號第 5 條增補)
- (11AB) 根據第 (11A)(b) 款給予的通知須指明刪除的生效日期，而該日期不得早於有關現行註冊的屆滿日期。(由 2008 年第 20 號第 5 條增補)
- (11B) 如建築事務監督獲通知某認可人士、註冊結構工程師、註冊岩土工程師或註冊檢驗人員已不再具備其藉以註冊的訂明資格，則建築事務監督須將根據本條列入或重新列入或保留於認可人士名冊、結構工程師名冊、岩土工程師名冊或檢驗人員名冊內的有關姓名刪除。(由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)

- (a) is deceased; or (*Amended 77 of 1994 s. 3*)
- (b) is not practising the profession in respect of which the name of that person was included in the register. (*Replaced 75 of 1976 s. 2. Amended 77 of 1994 s. 3*)
- (c) (*Repealed 77 of 1994 s. 3*)
- (11A) Subject to subsection (11AA), the Building Authority shall remove the name of a person from the authorized persons' register, the structural engineers' register, the geotechnical engineers' register or the inspectors' register if the Building Authority— (*Amended 16 of 2011 s. 6*)
- (a) does not receive an application made by the person in accordance with subsection (9C); or
- (b) has refused an application made by the person under subsection (9D) and sent a notice by registered post to his last known address notifying him of the refusal. (*Replaced 20 of 2008 s. 5*)
- (11AA) The removal of a name under subsection (11A)(a) becomes effective immediately after the date of expiry of the existing registration. (*Added 20 of 2008 s. 5*)
- (11AB) A notice under subsection (11A)(b) shall specify the effective date of removal, which shall not be earlier than the date of expiry of the existing registration. (*Added 20 of 2008 s. 5*)
- (11B) The Building Authority shall remove a name included or retained in or restored to the authorized persons' register, the structural engineers' register, the geotechnical engineers' register or the inspectors' register under this section if the Building Authority receives notice that an authorized person, a registered structural engineer, a registered geotechnical engineer or a registered inspector has ceased to hold the prescribed qualifications by virtue of which he was registered. (*Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6*)

1-55
第 123 章第 1 部
第 3 條

- (11C) 建築事務監督須以預付郵費的掛號郵件，將根據第 (11B) 款從名冊除名的通知寄往被除名的人最後為人所知的地址。(由 1996 年第 54 號第 4 條增補)
- (12) 如根據第 (11A)、(11B) 或 (11C) 款將任何人除名，該人可於有關註冊有效期屆滿之日起計 2 年內，申請將其姓名重新列入有關名冊。(由 1994 年第 77 號第 3 條代替)
- (13) 根據第 (12) 款提出的申請須 ——
- (a) 以指明的表格提出；
 - (b) (由 1996 年第 54 號第 4 條廢除)
 - (c) 附同重新名列於名冊所需的訂明費用，及保留註冊 5 年所需的訂明費用；及 (由 1994 年第 77 號第 3 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)
 - (d) 附同根據有關的註冊條例發出的有效註冊證明書或註冊續期證明書文本一份。(由 1996 年第 54 號第 4 條增補)
- (13A) 除非申請人具備註冊為認可人士、註冊結構工程師、註冊岩土工程師或註冊檢驗人員的訂明資格，否則建築事務監督須拒絕根據第 (12) 款提出的申請。(由 1996 年第 54 號第 4 條增補。由 2004 年第 15 號第 4 條修訂；由 2011 年第 16 號第 6 條修訂)

Part 1
Section 31-56
Cap. 123

- (11C) The Building Authority shall give notice of the removal of a name from a register under subsection (11B), by prepaid registered post to the person's last known address. *(Added 54 of 1996 s. 4)*
- (12) A person whose name is removed under subsection (11A), (11B) or (11C) may, within 2 years beginning on the date the relevant registration expires, apply for the restoration of his name to the relevant register. *(Replaced 77 of 1994 s. 3)*
- (13) An application under subsection (12) shall—
- (a) be in the specified form;
 - (b) *(Repealed 54 of 1996 s. 4)*
 - (c) be accompanied by the prescribed fee for such restoration and the prescribed fee for retention of registration for 5 years; and *(Added 77 of 1994 s. 3. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)*
 - (d) be accompanied by a copy of a valid certificate of registration or of renewal of registration issued under the respective Registration Ordinance. *(Added 54 of 1996 s. 4)*
- (13A) The Building Authority shall refuse an application under subsection (12) unless the applicant holds the prescribed qualifications for registration as an authorized person, a registered structural engineer, a registered geotechnical engineer or a registered inspector. *(Added 54 of 1996 s. 4. Amended 15 of 2004 s. 4; 16 of 2011 s. 6)*

- (14) 凡建築事務監督批准根據第 (6)、(9B) 或 (12) 款提出的申請——
- (a) 他須就有關註冊向申請人發出註冊證明書，證明書有效至該項註冊有效期屆滿時為止；及
 - (b) 如屬根據第 (12) 款提出的申請，他須將申請人的姓名重新列入有關名冊。*(由 1994 年第 77 號第 3 條增補)*
- (15) 根據本條作出的註冊——
- (a) 由以下日期起生效——
 - (i) 如屬將某人的姓名列入或重新列入名冊的情況，則由將姓名列入或重新列入名冊之日起生效；及
 - (ii) 如屬將某人的姓名保留或繼續保留於名冊內的情況，則由上次註冊有效期屆滿之日起生效；及
 - (b) 除非紀律委員會命令將該人的姓名從有關名冊中刪除，否則註冊有效期須於按照 (a) 段計算的註冊生效日期起計滿 5 年時屆滿。*(由 1996 年第 54 號第 4 條代替。由 2004 年第 15 號第 4 條修訂)*
- (16) 建築事務監督須在發出拒絕申請的通知時，以書面述明決定不將某人的姓名列入、重新列入或保留於名冊內的理由。*(由 1996 年第 54 號第 4 條增補)*

- (14) Where the Building Authority allows an application made under subsection (6), (9B) or (12) he shall—
- (a) issue to the applicant as regards the relevant registration a certificate of registration, which shall be in effect until the expiry of that registration; and
 - (b) in the case of an application under subsection (12), restore the name of the applicant to the relevant register. *(Added 77 of 1994 s. 3)*
- (15) A registration under this section shall—
- (a) be effective, in the case of—
 - (i) an inclusion in or restoration to a register of a person's name, from the date of such inclusion or restoration; and
 - (ii) a retention or further retention of a person's name in a register, from the date of the expiry of the previous registration; and
 - (b) expire, unless the person's name is removed from the relevant register by order of a disciplinary board, at the expiry of 5 years from the effective date of registration calculated in accordance with paragraph (a). *(Replaced 54 of 1996 s. 4. Amended 15 of 2004 s. 4)*
- (16) The Building Authority is required to give reasons in writing for a decision not to include, retain or restore a person's name in a register at the time of giving notice of the refusal. *(Added 54 of 1996 s. 4)*

1-59
第 123 章

第 1 部
第 4 條

- (17) 建築事務監督須將第(18)款指明的資料於任何合理時間內供公眾查閱，以利便任何公眾人士確定——
- (a) 他是否正在就與根據本條例進行的任何活動有關連的事宜，與根據本條註冊的人往來；及
- (b) 經如此註冊的人的詳情。(由 2008 年第 20 號第 5 條增補)
- (18) 為施行第(17)款而指明的資料是根據本條註冊的人的姓名或名稱、註冊號碼及註冊的屆滿日期。(由 2008 年第 20 號第 5 條增補)
- (由 1974 年第 52 號第 4 條代替。由 1996 年第 54 號第 4 條修訂)

編輯附註：

* 生效日期：2011 年 12 月 30 日。

4. 認可人士、註冊結構工程師或註冊岩土工程師的委任及職責

- (1) 除第(1A)款另有規定外，每一名將由他人代為進行建築工程或街道工程的人——(由 2008 年第 20 號第 6 條修訂)
- (a) 須委任一名認可人士，作為有關的建築工程或街道工程的統籌人；(由 2004 年第 15 號第 5 條修訂)
- (b) (如本條例有所規定)須就該建築工程或街道工程中關於結構的部分，委任一名註冊結構工程師；及(由 1996 年第 54 號第 5 條修訂；由 2004 年第 15 號第 5 條修訂)
- (c) (如本條例有所規定)須就該建築工程或街道工程中關於岩土的部分，委任一名註冊岩土工程師。(由 2004 年第 15 號第 5 條增補)

Part 1
Section 4

1-60
Cap. 123

- (17) The Building Authority shall make available the information specified in subsection (18) for public inspection at any reasonable time to facilitate any member of the public to ascertain—
- (a) whether he is, in relation to any matter connected with any activity under this Ordinance, dealing with a person registered under this section; and
- (b) the particulars of a person so registered. (*Added 20 of 2008 s. 5*)
- (18) The information specified for the purposes of subsection (17) is the name, the registration number and the expiry date of the registration of any person registered under this section. (*Added 20 of 2008 s. 5*)
- (*Replaced 52 of 1974 s. 4. Amended 54 of 1996 s. 4*)

Editorial Note:

* Commencement date: 30 December 2011.

4. Appointment and duties of authorized person, registered structural engineer or registered geotechnical engineer

- (1) Subject to subsection (1A), every person for whom building works or street works are to be carried out shall appoint— (*Amended 20 of 2008 s. 6*)
- (a) an authorized person as the co-ordinator of such building works or street works; (*Amended 15 of 2004 s. 5*)
- (b) a registered structural engineer for the structural elements of such building works or street works if so required under this Ordinance; and (*Amended 54 of 1996 s. 5; 15 of 2004 s. 5*)
- (c) a registered geotechnical engineer for the geotechnical elements of such building works or street works if so required under this Ordinance. (*Added 15 of 2004 s. 5*)

8. 承建商註冊事務委員會

- (1) 建築事務監督須設立一個有足夠成員的委員團，並從該委員團委出委員會，稱為承建商註冊事務委員會。建築事務監督可在同一時間委出多於一個註冊事務委員會。
- (2) 承建商註冊事務委員會的職能是進行以下事宜，以協助建築事務監督考慮要求名列於名冊的申請——
- (a) 審查申請人的資格；
 - (b) 作出有關的註冊事務委員會認為需要的查訊，以確定申請人是否具備有關的經驗；
 - (c) 與申請人進行面試；及
 - (d) 就接受、押後或拒絕要求名列於有關名冊的申請，向建築事務監督提供意見。
- (3) 就協助建築事務監督考慮要求名列於根據第 8A(1)(a) 條備存的一般建築承建商名冊的申請而委出的承建商註冊事務委員會而言，該承建商註冊事務委員會由以下人士組成——（由 2004 年第 15 號第 9 條修訂）
- (a) 建築事務監督的代表；
 - (b) 3 名人士，由建築師註冊管理局、工程師註冊管理局及測量師註冊管理局各自從認可人士名單、註

- board. (*Amended 54 of 1996 s. 8; 25 of 1998 s. 2; 16 of 2011 s. 10*)
- (b) The practice in relation to any such appeal shall be subject to any rules of court made under the High Court Ordinance (Cap. 4). (*Amended 25 of 1998 s. 2*)
- (c) (*Repealed 16 of 2011 s. 10*)
- (*Replaced 52 of 1974 s. 6. Amended 15 of 2004 s. 8; 16 of 2011 s. 10*)
- (*Format changes—E.R. 2 of 2012*)

8. Contractors Registration Committee

- (1) The Building Authority is to establish a panel with sufficient members from whom he is to appoint committees to be known as Contractors Registration Committees. The Building Authority may appoint more than one Registration Committee at any one time.
- (2) The function of a Contractors Registration Committee is to assist the Building Authority in considering applications for inclusion in a register by—
- (a) examining the qualifications of applicants;
 - (b) inquiring as the relevant Registration Committee considers necessary to ascertain whether an applicant has the relevant experience;
 - (c) conducting interviews with applicants; and
 - (d) advising the Building Authority to accept, defer or reject applications for inclusion in the relevant register.
- (3) In relation to a Contractors Registration Committee appointed to assist the Building Authority in considering applications for inclusion in a register of general building contractors kept under section 8A(1)(a), the Contractors Registration Committee consists of— (*Amended 15 of 2004 s. 9*)

- 冊結構工程師名單及註冊岩土工程師名單中提名 1 人；(由 2004 年第 15 號第 9 條修訂)
- (c) 由香港建造商會有限公司提名的人士 3 名；
- (d) 由香港機電工程承建商協會提名的人士 1 名；
- (e) 由建築事務監督從其認為適合的團體所提名的人士之中選出的人士 1 名。
- (3A) 就協助建築事務監督考慮要求名列於根據第 8A(1)(b) 條備存的專門承建商名冊的申請而委出的承建商註冊事務委員會而言，該承建商註冊事務委員會由以下人士組成——
- (a) 建築事務監督的代表；
- (b) 3 名人士，由建築師註冊管理局、工程師註冊管理局及測量師註冊管理局各自從認可人士名單、註冊結構工程師名單及註冊岩土工程師名單中提名 1 人；
- (c) 由香港建造商會有限公司提名的人士 3 名；及
- (d) 由建築事務監督從其認為適合的團體所提名的人士之中選出的人士 2 名。(由 2004 年第 15 號第 9 條增補)
- (4) 承建商註冊事務委員會須按照建築事務監督所指示的次數舉行會議。
- (5) 任何人如屬認可人士、註冊結構工程師及註冊岩土工程師紀律委員會或註冊承建商紀律委員會的成員，則並無資格獲委任為承建商註冊事務委員會的成員。(由 2004 年第 15 號第 9 條修訂)
- (6) 委員會各成員在委員會成員之中選出主席，但人選不得為建築事務監督代表。
- (7) 建築事務監督委任一名屋宇署人員出任委員會秘書，該人員並非委員會的成員，亦不得投票。
- (8) 委員會會議的法定人數為主席、建築事務監督代表及委員會 3 名其他成員。
- (由 1996 年第 54 號第 9 條代替)

- (a) the Building Authority's representative;
- (b) 3 persons, 1 of whom is nominated by each of the Architects Registration Board, the Engineers Registration Board and the Surveyors Registration Board from the lists of authorized persons, registered structural engineers and registered geotechnical engineers; (Amended 15 of 2004 s. 9)
- (c) 3 persons nominated by The Hong Kong Construction Association Ltd.;
- (d) 1 person nominated by The Hong Kong E & M Contractors' Association Limited;
- (e) 1 person selected by the Building Authority from among persons nominated by such bodies as the Building Authority may think fit.
- (3A) In relation to a Contractors Registration Committee appointed to assist the Building Authority in considering applications for inclusion in a register of specialist contractors kept under section 8A(1)(b), the Contractors Registration Committee consists of—
- (a) the Building Authority's representative;
- (b) 3 persons, 1 of whom is nominated by each of the Architects Registration Board, the Engineers Registration Board and the Surveyors Registration Board from the lists of authorized persons, registered structural engineers and registered geotechnical engineers;
- (c) 3 persons nominated by The Hong Kong Construction Association Ltd.; and
- (d) 2 persons selected by the Building Authority from among persons nominated by such bodies as the Building Authority may think fit. (Added 15 of 2004 s. 9)

1-91
第 123 章

第 1 部
第 8A 條

Part 1
Section 8A

1-92
Cap. 123

8A. 承建商名冊等

- (1) 建築事務監督須備存——
- (a) 一份一般建築承建商名冊，所載列的承建商有資格執行一般建築承建商的職責；(由 2008 年第 20 號第 10 條修訂)
 - (b) 一份專門承建商名冊，所載列的專門承建商有資格進行其所名列的分冊所屬類別所指明的專門工程；及 (由 2008 年第 20 號第 10 條修訂)
 - (c) 一份小型工程承建商名冊或臨時小型工程承建商名冊，所載列的小型工程承建商有資格進行在名冊中指明的屬於該等承建商註冊所屬級別、類型及項目

- (4) A Contractors Registration Committee is required to meet as often as the Building Authority directs.
- (5) A person who is a member of the Authorized Persons', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board Panel or the Registered Contractors' Disciplinary Board Panel is not eligible for appointment to the Contractors Registration Committee. *(Amended 15 of 2004 s. 9)*
- (6) The members of the committee elect the Chairman from the members of the committee other than the representative of the Building Authority.
- (7) The Building Authority appoints an officer of the Buildings Department as the secretary of the committee, who is not a member of the committee and may not cast a vote.
- (8) A quorum for a meeting of the committee is the Chairman, the Building Authority's representative and 3 other members of the committee.

(Replaced 54 of 1996 s. 9)

8A. Registers of contractors, etc.

- (1) The Building Authority is to keep—
- (a) a register of general building contractors who are qualified to perform the duties of a general building contractor; *(Amended 20 of 2008 s. 10)*
 - (b) a register of specialist contractors who are qualified to carry out specialized works specified in the category in the sub-register in which they are entered; and *(Amended 20 of 2008 s. 10)*
 - (c) a register or provisional register of minor works contractors who are qualified to carry out minor works belonging to the class, type and item specified in the

1-107
第 123 章

第 1 部
第 8F 條

的理由。

(由 1996 年第 54 號第 9 條增補)

8F. 生效日期

- (1) 註冊由以下日期起生效——
 - (a) 就初次註冊或重新名列於名冊而言，由註冊或重新名列於名冊之日起生效；及
 - (b) 就註冊續期而言，由上次註冊有效期屆滿之日起生效。
- (2) 除非紀律委員會命令將承建商的姓名或名稱從有關名冊中刪除，否則註冊有效期在註冊證明書指明的期間屆滿時即告屆滿。
- (3) 任何對註冊有效期屆滿的提述，須按照本條解釋。(由 2004 年第 15 號第 13 條修訂)
(由 1996 年第 54 號第 9 條增補)

8G. (由 2004 年第 15 號第 14 條廢除)

9. 註冊承建商的委任及職責

- (1) 任何人須委任註冊一般建築承建商代為進行並非下列工程的建築工程或街道工程——(由 2008 年第 20 號第 12 條修訂)
 - (a) 專門工程；及
 - (b) 小型工程。(由 2008 年第 20 號第 12 條修訂)
- (2) 任何人須委任註冊專門承建商代為進行該承建商的註冊所屬類別的專門工程(指定為小型工程的專門工程除外)。(由 2008 年第 20 號第 12 條修訂)
- (3) 如任何人就非專門工程的建築工程或街道工程委任的註冊一般建築承建商不願意或不能行事，則該人須委任另一名註冊一般建築承建商繼續代為進行工程。

Part 1
Section 8F

1-108
Cap. 123

register at the time of giving notice of the refusal.

(Added 54 of 1996 s. 9)

8F. Effective dates

- (1) A registration is effective—
 - (a) for an initial registration or a restoration to a register, from the date of the registration or restoration; and
 - (b) for a renewal of registration, from the date of the expiry of the previous registration.
- (2) A registration expires on the expiry of the period specified in the certificate of registration unless the contractor's name is removed from the relevant register by order of a disciplinary board.
- (3) A reference to the expiry of a registration is construed according to this section. (Amended 15 of 2004 s. 13)
(Added 54 of 1996 s. 9)

8G. (Repealed 15 of 2004 s. 14)

9. Appointment and duties of registered contractors

- (1) A person is required to appoint a registered general building contractor to carry out for him building works or street works other than— (Amended 20 of 2008 s. 12)
 - (a) specialized works; and
 - (b) minor works. (Amended 20 of 2008 s. 12)
- (2) A person is required to appoint a registered specialist contractor to carry out for him specialized works (other than the specialized works designated as minor works) of the category for which the contractor is registered. (Amended 20 of 2008 s. 12)

1-109
第 123 章第 1 部
第 9 條

- (4) 如任何人就專門工程委任的註冊專門承建商不願意或不能行事，則該人須委任另一名註冊專門承建商繼續代為進行該承建商的註冊所屬類別的專門工程。
- (5) 獲委任進行非專門工程的建築工程或街道工程的註冊一般建築承建商，須——
- 按照其監工計劃書不斷監督工程的進行；
 - 就以下情況向建築事務監督作出通知：建築事務監督就工程批准的任何圖則所顯示的工程，如予進行即會導致違反規例；及
 - 全面遵從本條例的條文。
- (6) 獲委任進行專門工程的註冊專門承建商，須——
- 按照其監工計劃書不斷監督工程的進行；
 - 就以下情況向建築事務監督作出通知：建築事務監督就工程批准的任何圖則所顯示的工程，如予進行即會導致違反規例；及
 - 全面遵從本條例的條文。
- (7) *(由 2004 年第 15 號第 15 條廢除)*
(由 1996 年第 54 號第 10 條代替)

Part 1
Section 91-110
Cap. 123

- (3) A person is required to appoint another registered general building contractor to continue to carry out for him building works or street works other than specialized works if the appointed registered general building contractor for the works is unwilling or unable to act.
- (4) A person is required to appoint another registered specialist contractor to continue to carry out for him specialized works of the category for which the contractor is registered if the appointed registered specialist contractor for the works is unwilling or unable to act.
- (5) A registered general building contractor appointed to carry out building works or street works other than specialized works is required to—
- provide continuous supervision to the carrying out of the works in accordance with his supervision plan;
 - notify the Building Authority of any contravention of the regulations that would result from carrying out the works shown in the plan approved by the Building Authority for the works; and
 - comply generally with this Ordinance.
- (6) A registered specialist contractor appointed to carry out specialized works is required to—
- provide continuous supervision to the carrying out of the works in accordance with his supervision plan;
 - notify the Building Authority of any contravention of the regulations that would result from carrying out the works shown in the plan approved by the Building Authority for the works; and
 - comply generally with this Ordinance.
- (7) *(Repealed 15 of 2004 s. 15)*

(Replaced 54 of 1996 s. 10)

9AA. 訂明註冊承建商的委任及職責：小型工程

- (1) 本條既適用於在獲得第 14(1) 條所指的建築事務監督的批准及同意下展開或進行的小型工程，亦適用於在沒有該項批准及同意下展開或進行的小型工程。
- (2) 如本條適用的小型工程已展開或進行，而安排展開或安排進行該工程的人，明知而沒有按規例規定就該工程委任訂明註冊承建商，該人即屬犯罪。
- (3) 為施行第 (2) 款，如某人已委任另一人安排展開或安排進行小型工程，則作出委任的人並不視為安排展開或安排進行小型工程的人。
- (4) 獲委任進行展開的小型工程（並非根據簡化規定展開的）的訂明註冊承建商，須——
 - (a) 按照其監工計劃書，不斷監督該小型工程的進行；
 - (b) 在建築事務監督就該小型工程批准的圖則所顯示的任何工程一旦進行便會導致規例遭違反的情況下，將該可能出現的違反情況通知建築事務監督；及
 - (c) 全面遵守本條例。
- (5) 獲委任進行根據簡化規定展開的小型工程的訂明註冊承建商，須遵從關於小型工程的簡化規定。
- (6) 在不影響第 (5) 款的一般性的原則下，獲委任進行根據簡化規定展開的小型工程的訂明註冊承建商，亦須——
 - (a) 不斷監督根據簡化規定展開的小型工程的進行；
 - (b) 須就根據簡化規定展開的小型工程呈交予建築事務監督的圖則所顯示的任何工程一旦進行便會導致規例遭違反的情況下，將該可能出現的違反情況通知建築事務監督；及
 - (c) 全面遵守本條例。

(由 2008 年第 20 號第 13 條增補)

9AA. Appointment and duties of prescribed registered contractors: minor works

- (1) This section applies both to minor works that are commenced or carried out with the approval and consent of the Building Authority under section 14(1) and to minor works that are commenced or carried out without that approval and consent.
- (2) If minor works to which this section applies have been commenced or carried out and the person who arranged for the works to be commenced or carried out has knowingly failed to appoint a prescribed registered contractor required by the regulations to be appointed in respect of the minor works concerned, that person commits an offence.
- (3) For the purposes of subsection (2), a person who has appointed another person to arrange for the commencement or carrying out of minor works is not to be regarded as a person who arranged for the commencement or carrying out of minor works.
- (4) A prescribed registered contractor appointed to carry out minor works commenced otherwise than under the simplified requirements shall—
 - (a) provide continuous supervision in relation to the carrying out of the minor works in accordance with his supervision plan;
 - (b) notify the Building Authority of any contravention of the regulations which would result from the carrying out of any works shown in the plan approved by the Building Authority for the minor works; and
 - (c) comply generally with this Ordinance.
- (5) A prescribed registered contractor appointed to carry out minor works commenced under the simplified requirements

1-113
第 123 章

第 1 部
第 9A 條

Part 1
Section 9A

1-114
Cap. 123

9A. 就註冊事務委員會的決定而提出的上訴

- (1) 任何人如因註冊事務委員會根據本部作出的決定而感到受屈，可向原訟法庭法官提出上訴。
- (2) 當有任何上訴提出時，法官可確認、推翻或更改註冊事務委員會的決定。(由 2011 年第 16 號第 12 條修訂)
- (3) 上訴的常規不得與任何根據《高等法院條例》(第 4 章)訂立的法院規則相抵觸。
- (4) (由 2011 年第 16 號第 12 條廢除)
(由 1996 年第 54 號第 10 條增補。由 1998 年第 25 號第 2 條修訂)

10. (由 1993 年第 43 號第 3 條廢除)

shall, in relation to the works, comply with the simplified requirements.

- (6) Without affecting the generality of subsection (5), the prescribed registered contractor appointed to carry out minor works commenced under the simplified requirements shall also—
 - (a) provide continuous supervision in relation to the carrying out of the minor works commenced under the simplified requirements;
 - (b) notify the Building Authority of any contravention of the regulations which would result from the carrying out of any works shown in the plan required to be submitted to the Building Authority in respect of the minor works commenced under the simplified requirements; and
 - (c) comply generally with this Ordinance.

(Added 20 of 2008 s. 13)

9A. Appeals from Registration Committees

- (1) A person who is aggrieved by a decision of a Registration Committee under this Part may appeal to a judge of the Court of First Instance.
- (2) On an appeal the judge may confirm, reverse or vary the decision of the Registration Committee. *(Amended 16 of 2011 s. 12)*
- (3) The practice for the appeal is subject to any rules of court made under the High Court Ordinance (Cap. 4).
- (4) *(Repealed 16 of 2011 s. 12)*

(Added 54 of 1996 s. 10. Amended 25 of 1998 s. 2)

10. *(Repealed 43 of 1993 s. 3)*

第 2A 部**建築物的檢驗及修葺**

(第 2A 部由 2011 年第 16 號第 20 條增補)
(格式變更——2012 年第 2 號編輯修訂紀錄)

30A. 適用範圍

本部不適用於不超過 3 層高的住用建築物。

30B. 擁有人對建築物進行訂明檢驗及訂明修葺的義務

- (1) 本條適用於樓齡達 30 年或以上的建築物。
- (2) 第 (1) 款所述的建築物的樓齡，由建築事務監督——
 - (a) (如建築事務監督根據第 21(2) 條就該建築物發出佔用許可證) 按該佔用許可證發出的日期斷定；及
 - (b) (如屬其他情況) 按建築事務監督可得的證據斷定。
- (3) 建築事務監督可藉向建築物的任何擁有人送達書面通知，規定在指明的限期內，對該建築物的公用部分進行訂明檢驗及 (如有需要) 訂明修葺。
- (4) 如建築物的外牆不屬該建築物的公用部分，建築事務監督可藉向該外牆的擁有人送達書面通知，規定在指明的限期內，對該外牆進行訂明檢驗及 (如有需要) 訂明修葺。
- (5) 在不局限第 (3) 及 (4) 款的原則下，建築事務監督可藉向建築物的擁有人送達書面通知，規定在指明的限期內，對與該擁有人在該建築物的處所相連並由該擁有人或該處所的任何佔用人佔用或使用的任何伸出物 (規例所訂明者)，進行訂明檢驗及 (如有需要) 訂明修葺。

Part 2A**Inspection and Repair of Building**

(Part 2A added 16 of 2011 s. 20)
(Format changes—E.R. 2 of 2012)

30A. Application

This Part does not apply to a domestic building not exceeding 3 storeys in height.

30B. Obligation on owners to carry out prescribed inspection and prescribed repair in respect of buildings

- (1) This section applies to any building aged 30 years or above.
- (2) The age of a building mentioned in subsection (1) is to be determined by the Building Authority—
 - (a) if an occupation permit in respect of the building is issued by the Building Authority under section 21(2), according to the date the occupation permit is issued; and
 - (b) in any other case, according to the evidence available to the Building Authority.
- (3) The Building Authority may by notice in writing served on any owner of a building require a prescribed inspection and, if necessary, prescribed repair in respect of the common parts of the building to be carried out within a specified time.
- (4) If an external wall of a building is not in the common parts of the building, the Building Authority may by notice in writing served on the owner of the external wall require a prescribed inspection and, if necessary, prescribed repair in respect of the external wall to be carried out within a specified time.

2A-3
第 123 章第 2A 部
第 30B 條

- (6) 在不局限第 (3) 及 (4) 款的原則下，如有招牌豎設在建築物的某處所上，建築事務監督可藉向以下人士送達書面通知——
- (如該招牌為某人而豎設) 該人；
 - (如不能尋獲該人) 在該招牌出租的情況下會收取任何租金或其他金錢代價的人，或正收取該等租金或代價的人；或
 - (如不能尋獲 (a) 及 (b) 段所提述的人) 該處所的擁有人，
- 規定在指明的限期內，對該招牌進行訂明檢驗及 (如有需要) 訂明修葺。
- (7) 在根據第 (3)、(4)、(5) 或 (6) 款送達的通知中，建築事務監督可就建築物的有關部分指明——
- 須委任註冊檢驗人員對該建築物部分進行訂明檢驗的最後日期；
 - 對該建築物部分的訂明檢驗須完成的最後日期；及
 - 對該建築物部分的訂明修葺 (如第 (8) 款規定須進行) 須完成的最後日期。
- (8) 如對建築物的任何有關部分的訂明檢驗，顯示該建築物部分已變得危險或可變得危險，則獲送達通知的擁有人須按照本條例，對該建築物部分進行訂明修葺，使該建築物部分變得安全。
- (9) 建築事務監督可安排將根據第 (3)、(4)、(5) 或 (6) 款送達的通知，以註冊摘要的方式，在土地註冊處針對通知所關乎的建築物而註冊。
- (10) 如根據第 (3)、(4)、(5) 或 (6) 款送達的通知不獲遵從，則建築事務監督可無需再行通知而進行或安排進行——
- 建築事務監督認為就該通知而言屬必需的、對該建築物的公用部分、外牆、伸出物或招牌的任何檢驗；及

Part 2A
Section 30B2A-4
Cap. 123

- (5) Without limiting subsections (3) and (4), the Building Authority may by notice in writing served on an owner of a building require a prescribed inspection and, if necessary, prescribed repair in respect of any projection as prescribed in the regulations that is connected to that owner's premises in the building and is occupied or used by that owner or any occupier of that premises to be carried out within a specified time.
- (6) Without limiting subsections (3) and (4), if a signboard is erected on a building, the Building Authority may by notice in writing served on—
- the person for whom the signboard is erected;
 - if that person cannot be found, the person who would receive any rent or other money consideration if the signboard were hired out or the person who is receiving such rent or money consideration; or
 - if the persons referred to in paragraphs (a) and (b) cannot be found, the owner of the premises in the building on which the signboard is erected,
- require a prescribed inspection and, if necessary, prescribed repair in respect of the signboard to be carried out within a specified time.
- (7) In a notice served under subsection (3), (4), (5) or (6), the Building Authority may specify for a relevant part of a building—
- the date by which a registered inspector must be appointed to carry out a prescribed inspection in respect of that part of the building;
 - the date by which a prescribed inspection in respect of that part of the building is required to be completed; and

2A-5
第 123 章

第 2A 部
第 30B 條

Part 2A
Section 30B

2A-6
Cap. 123

- (b) 建築事務監督在顧及對該建築物的檢驗的結果後（不論該項檢驗由建築事務監督根據 (a) 段進行或安排進行，或由根據第 30D(1)(a) 條委任的註冊檢驗人員進行）認為對使該建築物變得安全屬必需或合宜的任何修葺工程。
- (11) 建築事務監督根據第 (10) 款進行或安排進行的檢驗及修葺工程的費用，可作為欠政府的債項向下列的人追討——（由 2012 年第 24 號第 12 條修訂）
- (a) （如根據第 (3)、(4)、(5) 或 (6) 款送達的通知沒有根據第 (9) 款在土地註冊處註冊）獲送達該通知的人；或
- (b) （如根據第 (3)、(4)、(5) 或 (6) 款送達的通知已根據第 (9) 款在土地註冊處註冊）於下列日期屬該建築物的有關部分的擁有人——
- (i) （如建築事務監督只是已進行或安排進行第 (10)(a) 款所述的檢驗）該項檢驗完成的日期；或
- (ii) （如建築事務監督已進行或安排進行修葺工程，不論建築事務監督是否亦已進行或安排進行第 (10)(a) 款所述的檢驗）第 (10)(b) 款所述的修葺工程完成的日期。
- (12) 第 (3)、(4)、(5) 或 (6) 款所指的通知獲遵從後，在該通知的日期後的 10 年期屆滿前，不得根據該款，就該建築物的同一部分送達新的通知。
- (13) 在本條中，提述對建築物的部分的檢驗或修葺，不包括對該建築物窗戶的檢驗或修葺。

- (c) the date by which a prescribed repair in respect of that part of the building, as may be required under subsection (8), is required to be completed.
- (8) If a prescribed inspection in respect of a relevant part of a building shows that that part of the building has been rendered dangerous, or is liable to become dangerous, the owner on whom the notice is served must carry out a prescribed repair in respect of that part of the building, in accordance with this Ordinance, to render that part of the building safe.
- (9) The Building Authority may cause a notice served under subsection (3), (4), (5) or (6) to be registered by memorial in the Land Registry against the building to which the notice relates.
- (10) If a notice served under subsection (3), (4), (5) or (6) is not complied with, the Building Authority may, without further notification, carry out or cause to be carried out—
- (a) any inspection in respect of the common parts, external wall, projection or signboard of the building that the Building Authority considers necessary for the purpose of that notice; and
- (b) any repair works that the Building Authority considers necessary or expedient to render the building safe, having had regard to the findings of an inspection in respect of the building, whether the inspection is carried out or caused to be carried out by the Building Authority under paragraph (a), or by a registered inspector appointed under section 30D(1)(a).
- (11) The cost of the inspection and repair works that the Building Authority has carried out or has caused to be carried out under subsection (10) is recoverable as a debt due to the Government from— (*Amended 24 of 2012 s. 12*)

2A-7
第 123 章

第 2A 部
第 30C 條

Part 2A
Section 30C

2A-8
Cap. 123

- (a) if the notice served under subsection (3), (4), (5) or (6) has not been registered with the Land Registry under subsection (9), the person on whom the notice is served; or
- (b) if the notice served under subsection (3), (4), (5) or (6) has been registered with the Land Registry under subsection (9), the person who is the owner of the relevant part of the building—
 - (i) as at the date of completion of the inspection if the Building Authority has carried out or has caused to be carried out the inspection mentioned in subsection (10)(a) only; or
 - (ii) as at the date of completion of the repair works mentioned in subsection (10)(b) if the Building Authority has carried out or has caused to be carried out the repair works, whether or not the Building Authority has also carried out or has also caused to be carried out the inspection mentioned in subsection (10)(a).
- (12) After a notice under subsection (3), (4), (5) or (6) (the *preceding notice*) has been complied with, a fresh notice in respect of the same part of the building must not be served under that subsection before the expiry of 10 years after the date of the preceding notice.
- (13) In this section, a reference to an inspection or repair of any part of a building does not include an inspection or repair of the windows in the building.

30C. 擁有人就窗戶進行訂明檢驗及訂明修葺的義務

- (1) 本條適用於樓齡達 10 年或以上的建築物。
- (2) 第 (1) 款所述的建築物的樓齡，由建築事務監督——

30C. Obligation on owners to carry out prescribed inspection and prescribed repair in respect of windows

- (1) This section applies to any building aged 10 years or above.

2A-9
第 123 章

第 2A 部
第 30C 條

Part 2A
Section 30C

2A-10
Cap. 123

- (a) (如建築事務監督根據第 21(2) 條就該建築物發出佔用許可證) 按該佔用許可證發出的日期斷定；及
- (b) (如屬其他情況) 按建築事務監督可得的證據斷定。
- (3) 除第 (4) 款另有規定外，建築事務監督可藉向建築物的任何擁有人送達書面通知，規定在指明的限期內，對該建築物的窗戶進行訂明檢驗及 (如有需要) 訂明修葺。
- (4) 如建築物的任何窗戶由該建築物的任何擁有人獨家使用，或由該擁有人的處所的任何佔用人獨家使用，建築事務監督可藉只向該擁有人送達書面通知，規定在指明的限期內，對該窗戶進行訂明檢驗及 (如有需要) 訂明修葺。
- (5) 在根據第 (3) 或 (4) 款送達的通知中，建築事務監督可就建築物窗戶指明——
- (a) 須委任合資格人士對該窗戶進行訂明檢驗的最後日期；
- (b) 對該窗戶的訂明檢驗須完成的最後日期；及
- (c) 對該窗戶的訂明修葺 (如第 (6) 款規定須進行) 須完成的最後日期。
- (6) 如對建築物窗戶的訂明檢驗，顯示該窗戶已變得危險或可變得危險，則獲送達通知的擁有人須按照本條例，對該窗戶進行訂明修葺，使該窗戶變得安全。
- (7) 建築事務監督可安排將根據第 (3) 或 (4) 款送達的通知，以註冊摘要的方式，在土地註冊處針對通知所關乎的建築物而註冊。
- (8) 如根據第 (3) 或 (4) 款送達的通知不獲遵從，則建築事務監督可無需再行通知而進行或安排進行——
- (a) 建築事務監督認為就該通知而言屬必需的、對有關窗戶的任何檢驗；及
- (b) 建築事務監督在顧及對該窗戶的檢驗的結果後 (不論該項檢驗由建築事務監督根據 (a) 段進行或安排進行，或由根據第 30E(1)(a) 條委任的合資格人士進行)

- (2) The age of a building mentioned in subsection (1) is to be determined by the Building Authority—
- (a) if an occupation permit in respect of the building is issued by the Building Authority under section 21(2), according to the date the occupation permit is issued; and
- (b) in any other case, according to the evidence available to the Building Authority.
- (3) Subject to subsection (4), the Building Authority may by notice in writing served on any owner of a building require a prescribed inspection and, if necessary, prescribed repair in respect of the windows in the building to be carried out within a specified time.
- (4) If any window in a building is exclusively used by an owner of the building or any occupier of that owner's premises, the Building Authority may by notice in writing served only on that owner require a prescribed inspection and, if necessary, prescribed repair in respect of the window to be carried out within a specified time.
- (5) In a notice served under subsection (3) or (4), the Building Authority may specify for a window in a building—
- (a) the date by which a qualified person must be appointed to carry out a prescribed inspection in respect of that window;
- (b) the date by which a prescribed inspection in respect of that window is required to be completed; and
- (c) the date by which a prescribed repair in respect of that window, as may be required under subsection (6), is required to be completed.
- (6) If a prescribed inspection in respect of a window in a building shows that the window has been rendered dangerous, or is

2A-11
第 123 章第 2A 部
第 30C 條

認為對使該窗戶變得安全屬必需或合宜的任何修葺工程。

- (9) 建築事務監督根據第 (8) 款進行或安排進行的檢驗及修葺工程的費用，可作為欠政府的債項向下列的人追討——（由 2012 年第 24 號第 12 條修訂）
- (a) （如根據第 (3) 或 (4) 款送達的通知沒有根據第 (7) 款在土地註冊處註冊）獲送達該通知的人；或
- (b) （如根據第 (3) 或 (4) 款送達的通知已根據第 (7) 款在土地註冊處註冊）於下列日期屬該建築物的有關部分的擁有人——
- (i) （如建築事務監督只是已進行或安排進行第 (8)(a) 款所述的檢驗）該項檢驗完成的日期；或
- (ii) （如建築事務監督已進行或安排進行修葺工程，不論建築事務監督是否亦已進行或安排進行第 (8)(a) 款所述的檢驗）第 (8)(b) 款所述的修葺工程完成的日期。
- (10) 第 (3) 或 (4) 款所指的通知獲遵從後，在該通知的日期後的 5 年期屆滿前，不得根據該款，就同一窗戶送達新的通知。

Part 2A
Section 30C2A-12
Cap. 123

liable to become dangerous, the owner on whom the notice is served must carry out a prescribed repair in respect of the window, in accordance with this Ordinance, to render the window safe.

- (7) The Building Authority may cause a notice served under subsection (3) or (4) to be registered by memorial in the Land Registry against the building to which the notice relates.
- (8) If a notice served under subsection (3) or (4) is not complied with, the Building Authority may, without further notification, carry out or cause to be carried out—
- (a) any inspection in respect of the window concerned that the Building Authority considers necessary for the purpose of that notice; and
- (b) any repair works that the Building Authority considers necessary or expedient to render the window safe, having had regard to the findings of an inspection in respect of the window, whether the inspection is carried out or caused to be carried out by the Building Authority under paragraph (a), or by a qualified person appointed under section 30E(1)(a).
- (9) The cost of the inspection and repair works that the Building Authority has carried out or has caused to be carried out under subsection (8) is recoverable as a debt due to the Government from— (*Amended 24 of 2012 s. 12*)
- (a) if the notice served under subsection (3) or (4) has not been registered with the Land Registry under subsection (7), the person on whom the notice is served; or
- (b) if the notice served under subsection (3) or (4) has been registered with the Land Registry under subsection (7), the person who is the owner of the relevant part of the building—

2A-13
第 123 章

第 2A 部
第 30D 條

Part 2A
Section 30D

2A-14
Cap. 123

30D. 註冊檢驗人員的委任及職責

- (1) 任何須由他人代為對任何建築物進行訂明檢驗或訂明修葺的人，須委任——
 - (a) 一名註冊檢驗人員進行訂明檢驗；及
 - (b) 一名註冊檢驗人員監督訂明修葺。
- (2) 根據第 (1)(b) 款獲委任的註冊檢驗人員，可以是根據第 (1)(a) 款獲委任的同一註冊檢驗人員。
- (3) 根據第 (1)(a) 款獲委任的註冊檢驗人員——
 - (a) 除規例另有豁免外，須親自進行訂明檢驗；及
 - (b) 須全面遵守本條例。
- (4) 根據第 (1)(b) 款獲委任的註冊檢驗人員——
 - (a) 須對訂明修葺的進行，提供妥善監督；
 - (b) 須確保使用的修葺物料——

- (i) as at the date of completion of the inspection if the Building Authority has carried out or has caused to be carried out the inspection mentioned in subsection (8)(a) only; or
- (ii) as at the date of completion of the repair works mentioned in subsection (8)(b) if the Building Authority has carried out or has caused to be carried out the repair works, whether or not the Building Authority has also carried out or has also caused to be carried out the inspection mentioned in subsection (8)(a).

- (10) After a notice under subsection (3) or (4) (the *preceding notice*) has been complied with, a fresh notice in respect of the same window must not be served under that subsection before the expiry of 5 years after the date of the preceding notice.

30D. Appointment and duties of registered inspectors

- (1) Any person for whom a prescribed inspection or prescribed repair in respect of a building is to be carried out must appoint—
 - (a) a registered inspector to carry out the prescribed inspection; and
 - (b) a registered inspector to supervise the prescribed repair.
- (2) The registered inspector appointed under subsection (1)(b) may be the same registered inspector appointed under subsection (1)(a).
- (3) A registered inspector appointed under subsection (1)(a) must—
 - (a) carry out the prescribed inspection personally unless otherwise exempted by the regulations; and

2A-15
第 123 章第 2A 部
第 30D 條

- (i) 並非欠妥，並符合本條例；及
- (ii) 以本條例就該等物料所規定的方式，予以混合、預備、應用、使用、豎立、建造、放置或固定；
- (c) 如就某建築物獲委任，以監督訂明修葺，須確保該建築物安全或已被致使安全；及
- (d) 須全面遵守本條例。
- (5) 根據第 (1)(a) 款獲委任進行訂明檢驗的註冊檢驗人員——(由 2012 年第 24 號第 12 條修訂)
 - (a) 須將在該訂明檢驗過程中發現的任何緊急情況，通知建築事務監督；及
 - (b) (如該訂明檢驗根據第 30B(3) 條進行) 亦須將任何符合以下說明的建築工程，通知建築事務監督——
 - (i) 該工程已經或正在於違反本條例任何條文的情況下——
 - (A) 對建築物的公用部分進行；
 - (B) 對建築物的任何外牆、屋頂或平台(公用部分除外)進行；
 - (C) 對任何與建築物毗鄰的庭院或斜坡進行；或
 - (D) 對建築物臨向或緊連的任何街道進行；及
 - (ii) 該工程是在該訂明檢驗過程中找出的。(由 2012 年第 24 號第 12 條修訂)
- (6) 根據第 (1)(b) 款獲委任監督訂明修葺的註冊檢驗人員，須將在監督該訂明修葺期間發現的任何緊急情況，通知建築事務監督。
- (7) 根據第 (1)(a) 或 (b) 款獲委任的註冊檢驗人員，不得同時擔任為同一建築物部分進行訂明修葺的承建商。

Part 2A
Section 30D2A-16
Cap. 123

- (b) comply generally with this Ordinance.
- (4) A registered inspector appointed under subsection (1)(b) must—
 - (a) provide proper supervision of the carrying out of the prescribed repair;
 - (b) ensure the repair materials to be used—
 - (i) are not defective and comply with this Ordinance; and
 - (ii) have been mixed, prepared, applied, used, erected, constructed, placed or fixed in the manner required for such materials under this Ordinance;
 - (c) ensure the building, for which the registered inspector is appointed to supervise the prescribed repair, is safe or has been rendered safe; and
 - (d) comply generally with this Ordinance.
- (5) A registered inspector appointed under subsection (1)(a) to carry out a prescribed inspection must— (*Amended 24 of 2012 s. 12*)
 - (a) notify the Building Authority of any case of emergency that is revealed during the course of the prescribed inspection; and
 - (b) if the prescribed inspection is carried out under section 30B(3), also notify the Building Authority of any building works—
 - (i) that have been or are being carried out in contravention of any provision of this Ordinance to—
 - (A) the common parts of the building;
 - (B) any external wall, roof or podium of the building (other than the common parts);

2A-17
第 123 章第 2A 部
第 30D 條Part 2A
Section 30D2A-18
Cap. 123

- (8) 如根據第 (1)(a) 或 (b) 款獲委任以代某人或將代某人進行訂明檢驗或訂明修葺的註冊檢驗人員，變得不願意行事，或不論因終止委任或任何其他理由而變得不能行事，則該人須委任另一名註冊檢驗人員，取代原來的註冊檢驗人員。
- (9) 根據第 (1)(a) 款獲委任的註冊檢驗人員，即使因患病或不在香港，而暫時不能行事，亦不得提名另一名註冊檢驗人員代其行事。
- (10) 根據第 (1)(b) 款獲委任的註冊檢驗人員，如因患病或不在香港，而在某期間暫時不能行事，可提名另一名註冊檢驗人員在該期間代其行事。
- (11) 在本條中，提述建築物的檢驗或修葺，不包括對該建築物窗戶的檢驗或修葺。

- (C) any yard or slope adjoining the building; or
- (D) any street on which the building fronts or abuts; and
- (ii) that are identified during the course of the prescribed inspection. (*Amended 24 of 2012 s. 12*)
- (6) A registered inspector appointed under subsection (1)(b) to supervise a prescribed repair must notify the Building Authority of any case of emergency that is revealed during the course of supervision of the prescribed repair.
- (7) A registered inspector appointed under subsection (1)(a) or (b) must not act, at the same time, as a contractor to carry out the prescribed repair for the same part of the building.
- (8) If a registered inspector appointed under subsection (1)(a) or (b) becomes unwilling to act or unable, whether by reason of termination of appointment or for any other reason, to act, the person for whom the prescribed inspection or prescribed repair is to be, or is being, carried out must appoint another registered inspector to act instead of the original registered inspector.
- (9) A registered inspector appointed under subsection (1)(a) is not allowed to nominate another registered inspector to act in his or her stead even though he or she is temporarily unable to act by reason of illness or absence from Hong Kong.
- (10) If a registered inspector appointed under subsection (1)(b) is temporarily unable to act by reason of illness or absence from Hong Kong, he or she may nominate another registered inspector to temporarily act in his or her stead for the period of illness or absence.
- (11) In this section, a reference to an inspection or repair of a building does not include an inspection or repair of the windows in the building.

30E. 合資格人士的委任及職責

- (1) 任何須由他人代為對建築物窗戶進行訂明檢驗或訂明修葺的人，須委任——
 - (a) 合資格人士進行該項訂明檢驗；及
 - (b) 合資格人士監督該項訂明修葺。
- (2) 根據第 (1)(b) 款獲委任的合資格人士，可以是根據第 (1)(a) 款獲委任的同一合資格人士。
- (3) 如根據第 (1)(a) 款獲委任的合資格人士屬自然人，該合資格人士須——
 - (a) 親自進行訂明檢驗；及
 - (b) 全面遵守本條例。
- (4) 如根據第 (1)(a) 款獲委任的合資格人士並非自然人，該合資格人士的代表（規例所訂明者）須——
 - (a) 親自進行訂明檢驗；及
 - (b) 全面遵守本條例。
- (5) 根據第 (1)(b) 款獲委任的合資格人士——
 - (a) 須對訂明修葺的進行，提供妥善監督；
 - (b) 須確保使用的修葺物料——
 - (i) 並非欠妥，並符合本條例；及
 - (ii) 以本條例就該等物料所規定方式，予以混合、預備、應用、使用、豎立、建造、放置或固定；
 - (c) 如就某窗戶獲委任，以監督訂明修葺，須確保該窗戶安全或已被致使安全；及
 - (d) 須全面遵守本條例。
- (6) 如根據第 (1)(a) 或 (b) 款獲委任的合資格人士屬註冊一般建築承建商，或屬註冊小型工程承建商，該合資格人士亦可擔任進行訂明修葺的承建商。

30E. Appointment and duties of qualified persons

- (1) Any person for whom a prescribed inspection or prescribed repair in respect of a window in a building is to be carried out must appoint—
 - (a) a qualified person to carry out the prescribed inspection; and
 - (b) a qualified person to supervise the prescribed repair.
- (2) The qualified person appointed under subsection (1)(b) may be the same qualified person appointed under subsection (1)(a).
- (3) If a qualified person appointed under subsection (1)(a) is a natural person, the qualified person must—
 - (a) carry out the prescribed inspection personally; and
 - (b) comply generally with this Ordinance.
- (4) If a qualified person appointed under subsection (1)(a) is not a natural person, a representative of the qualified person as prescribed in the regulations must—
 - (a) carry out the prescribed inspection personally; and
 - (b) comply generally with this Ordinance.
- (5) A qualified person appointed under subsection (1)(b) must—
 - (a) provide proper supervision of the carrying out of the prescribed repair;
 - (b) ensure the repair materials to be used—
 - (i) are not defective and comply with this Ordinance; and
 - (ii) have been mixed, prepared, applied, used, erected, constructed, placed or fixed in the manner required for such materials under this Ordinance;

2A-21
第 123 章

第 2A 部
第 30F 條

- (7) 根據第 (1)(a) 或 (b) 款獲委任的合資格人士，須將在該訂明檢驗或監督該訂明修葺（視乎情況所需而定）期間發現的任何緊急情況，通知建築事務監督。
- (8) 如根據第 (1)(a) 或 (b) 款獲委任以代某人或將代某人進行訂明檢驗或訂明修葺的合資格人士，變得不願意行事，或不論因終止委任或任何其他理由而變得不能行事，則該人須委任另一名合資格人士，取代原來的合資格人士。
- (9) 根據第 (1)(a) 或 (b) 款獲委任的合資格人士，即使因患病或不在香港，而暫時不能行事，亦不得提名另一名合資格人士代其行事。

30F. 註冊一般建築承建商及註冊小型工程承建商的職責

獲委任對建築物某部分進行訂明修葺的註冊一般建築承建商或註冊小型工程承建商，須確保該建築物部分已被致使安全。

Part 2A
Section 30F

2A-22
Cap. 123

- (c) ensure the window, for which the qualified person is appointed to supervise the prescribed repair, is safe or has been rendered safe; and
- (d) comply generally with this Ordinance.
- (6) If a qualified person appointed under subsection (1)(a) or (b) is a registered general building contractor or registered minor works contractor, the qualified person may also act as a contractor to carry out the prescribed repair.
- (7) A qualified person appointed under subsection (1)(a) or (b) must notify the Building Authority of any case of emergency that is revealed during the course of the prescribed inspection or supervision of the prescribed repair (as the case requires).
- (8) If a qualified person appointed under subsection (1)(a) or (b) becomes unwilling to act or unable, whether by reason of termination of appointment or for any other reason, to act, the person for whom the prescribed inspection or prescribed repair is to be, or is being, carried out must appoint another qualified person to act instead of the original qualified person.
- (9) A qualified person appointed under subsection (1)(a) or (b) is not allowed to nominate another qualified person to act in his or her stead even though he or she is temporarily unable to act by reason of illness or absence from Hong Kong.

30F. Duties of registered general building contractors and registered minor works contractors

A registered general building contractor or registered minor works contractor appointed to carry out a prescribed repair must ensure the part of the building for which the contractor is appointed to carry out the prescribed repair has been rendered safe.

《市區重建局條例》
(第 563 章)
Urban Renewal Authority Ordinance
(Cap. 563)

版本日期
Version date
1.9.2023

經核證文本
Verified Copy

(《法例發布條例》(第 614 章)第 5 條)
(Legislation Publication Ordinance (Cap. 614), section 5)

如某內頁的頁底標明：

- “經核證文本”；及
 - 以下列表顯示的該頁的最後更新日期，
- 該頁所載條文即視作於上述“版本日期”的正確版本。

此文本所載條文，如並非正在實施，會有附註作說明。

A provision is presumed to be correctly stated as at the above version date if it is on a page marked at the bottom with:

- the words “Verified Copy”; and
- the last updated date shown in this table for the page.

Any provision included in this copy that is not in force is marked accordingly.

條文 Provision	頁數 Page number	最後更新日期 Last updated date
第 I 部 Part I	1-1—1-6	1.10.2022
第 II 部 Part II	2-1—2-12	9.7.2020
第 III 部 Part III	3-1—3-6	9.7.2020
第 IV 部 Part IV	4-1—4-16	9.7.2020
第 V 部 Part V	5-1—5-44	1.9.2023
第 VI 部 Part VI	6-1—6-10	9.7.2020
第 VII 部 Part VII	7-1—7-4	9.7.2020

條文 Provision	頁數 Page number	最後更新日期 Last updated date
第 VIII 部 Part VIII	8-1—8-12	9.7.2020
附表 Schedule	S-1—S-14	9.7.2020

尚未實施的條文 / 修訂 ——

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<https://www.elegislation.gov.hk>) 閱覽。

Provisions / Amendments not yet in operation —

Please see Hong Kong e-Legislation (<https://www.elegislation.gov.hk>) for information of provisions and amendments not yet in operation.

2-3
第 563 章第 II 部
第 5 條Part II
Section 52-4
Cap. 563

- (e) 4 名其他非執行董事，須屬公職人員。
- (2) 所有董事會的成員，包括主席在內，均須由行政長官委任，任期不得超過 3 年。
- (3) 行政總監憑藉擔任該職位即同時出任董事會副主席。
- (4) 董事會是市建局的決策及執行機構，並據此須以市建局的名義行使由本條例或憑藉本條例授予該局的權力，以及執行由本條例或憑藉本條例委予該局的職責。
- (5) 行政總監是市建局的最高行政人員。在董事會的指示下，行政總監連同其他執行董事負責管理市建局的事務，並在該等指示下，負有董事會所指派的其他職責。
- (6) 附表對董事會及其成員均具效力。

5. 市建局的宗旨

市建局的宗旨為——

- (a) 作為一個依法設立的法人團體而取代土發公司，負責透過進行、鼓勵、推廣及促進市區重建，改善香港的住屋水平及已建設環境；
- (b) 透過將老舊失修區重建成經妥善規劃，並(如適當的話)設有足夠交通設施、其他基礎建設及社區設

- (c) 2 other executive directors, not being public officers;
- (d) not less than 7 other non-executive directors, not being public officers; and
- (e) 4 other non-executive directors who are public officers.
- (2) All members of the Board of the Authority, including the Chairman, shall be appointed by the Chief Executive for a term not exceeding 3 years.
- (3) The Managing Director is, by virtue of holding that office, the Deputy Chairman of the Board of the Authority.
- (4) The Board of the Authority shall be the governing and executive body of the Authority and as such shall, in the name of the Authority, exercise and perform the powers and duties as are conferred and imposed on the Authority by, or by virtue of, this Ordinance.
- (5) The Managing Director is the administrative head of the Authority. Together with the other executive directors, the Managing Director is responsible, subject to the direction of the Board of the Authority, for administering the affairs of the Authority and, subject to that direction, has such other responsibilities as may be assigned by the Board of the Authority.
- (6) The Schedule shall have effect with respect to the Board of the Authority and its members.

5. Purposes of Authority

The purposes of the Authority are to—

- (a) replace the Land Development Corporation as the body corporate established by statute having the responsibility of improving the standard of housing and the built environment of Hong Kong by undertaking, encouraging, promoting and facilitating urban renewal;

施的新發展區，從而改善香港的住屋水平及已建設環境，以及已建設區的布局；

- (c) 更良好地利用香港已建設環境中失修地區的土地，並騰出土地以應付各種發展需要；
- (d) 透過促進對個別建築物的結構穩定性、外部修飾的完整性以及消防安全方面的保養和改善，以及促進改善香港已建設環境的外觀及狀況，從而防止該已建設環境頹敗；
- (e) 保存有歷史、文化或建築學價值的建築物、地點及構築物；及
- (f) 從事行政長官在諮詢市建局後藉憲報刊登的命令而准許的其他活動，以及執行該等命令指派予市建局的其他職責。

6. 市建局的一般權力

- (1) 市建局有權進行任何有利於或有助於達到第 5 條所指明或准許或賦予的宗旨、或為了達到該等宗旨而附帶引起的事情，並且須行使該等權力以改善香港的住屋水平及已建設環境。
- (2) 在不損害第 (1) 款的一般性的原則下，市建局有權而且可——
 - (a) 與任何人訂立合約（包括僱用合約）或其他協議；
 - (b) 為市建局的運作而擬備業務綱領草案及業務計劃草案；

- (b) improve the standard of housing and the built environment of Hong Kong and the layout of built-up areas by replacing old and dilapidated areas with new development which is properly planned and, where appropriate, provided with adequate transport and other infrastructure and community facilities;
- (c) achieve better utilization of land in the dilapidated areas of the built environment of Hong Kong and to make land available to meet various development needs;
- (d) prevent the decay of the built environment of Hong Kong by promoting the maintenance and improvement of individual buildings as regards their structural stability, integrity of external finishes and fire safety as well as the improvement of the physical appearance and conditions of that built environment;
- (e) preserve buildings, sites and structures of historical, cultural or architectural interest; and
- (f) engage in such other activities, and to perform such other duties, as the Chief Executive may, after consultation with the Authority, permit or assign to it by order published in the Gazette.

6. General power of Authority

- (1) The Authority shall have power to do anything which is expedient for or conducive or incidental to the attainment of the purposes declared in or permitted or assigned under section 5 and shall exercise that power so as to improve the standard of housing and the built environment of Hong Kong.
- (2) Without prejudice to the generality of subsection (1), the Authority shall have power to and may—
 - (a) enter into contracts, including employment contracts, or other agreements with any person;

《建築物(檢驗及修葺)規例》
(第 123 章, 附屬法例 P)

Building (Inspection and Repair) Regulation
(Cap. 123 sub. leg. P)

版本日期
Version date
31.3.2022

經核證文本
Verified Copy

(《法例發布條例》(第 614 章) 第 5 條)
(Legislation Publication Ordinance (Cap. 614), section 5)

如某內頁的頁底標明：

- “經核證文本”；及
 - 以下列表顯示的該頁的最後更新日期，
- 該頁所載條文即視作於上述“版本日期”的正確版本。

此文本所載條文，如並非正在實施，會有附註作說明。

A provision is presumed to be correctly stated as at the above version date if it is on a page marked at the bottom with:

- the words “Verified Copy”; and
- the last updated date shown in this table for the page.

Any provision included in this copy that is not in force is marked accordingly.

條文 Provision	頁數 Page number	最後更新日期 Last updated date
第 1 部 Part 1	1-1—1-2	2.8.2012
第 2 部 Part 2	2-1—2-8	30.6.2012
第 3 部 Part 3	3-1—3-12	30.6.2012
第 4 部 Part 4	4-1—4-22	30.6.2012
第 5 部 Part 5	5-1—5-4	31.3.2022
附表 1 Schedule 1	S1-1—S1-2	10.9.2020
附表 2 Schedule 2	S2-1—S2-2	10.9.2020

尚未實施的條文 / 修訂 ——

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<https://www.elegislation.gov.hk>) 閱覽。

Provisions / Amendments not yet in operation —

Please see Hong Kong e-Legislation (<https://www.elegislation.gov.hk>) for information of provisions and amendments not yet in operation.

制定史

本為 2011 年第 146 號法律公告——2012 年第 2 號編輯修訂紀錄，
2020 年第 5 號編輯修訂紀錄，2021 年第 224 號法律公告

Enactment History

Originally L.N. 146 of 2011 — E.R. 2 of 2012, E.R. 5 of 2020, L.N. 224
of 2021

《建築物(檢驗及修葺)規例》

Building (Inspection and Repair) Regulation

(第 123 章, 附屬法例 P)

(Cap. 123 sub. leg. P)

目錄

Contents

條次		頁次	Section		Page
	第 1 部			Part 1	
	導言			Preliminary	
1.	(已失時效而略去)	1-1	1.	(Omitted as spent)	1-2
2.	釋義	1-1	2.	Interpretation	1-2
	第 2 部			Part 2	
	為施行本條例而訂明的事宜			Matters Prescribed for Purposes of Ordinance	
	第 1 分部 —— 訂明檢驗			Division 1—Prescribed Inspection	
3.	引言	2-1	3.	Introductory	2-2
4.	訂明檢驗的涵蓋範圍	2-1	4.	Scope of prescribed inspection	2-2
5.	訂明檢驗的標準	2-3	5.	Standard of prescribed inspection	2-4
	第 2 分部 —— 訂明修葺			Division 2—Prescribed Repair	
6.	引言	2-5	6.	Introductory	2-6
7.	訂明修葺的涵蓋範圍	2-5	7.	Scope of prescribed repair	2-6
8.	訂明修葺的標準	2-5	8.	Standard of prescribed repair	2-6
	第 3 分部 —— 伸出物			Division 3—Projection	
9.	伸出物	2-5	9.	Projection	2-6

條次		頁次	Section	Page
	第 4 分部 —— 合資格人士的代表		Division 4—Representative of Qualified Person	
10.	為施行本條例第 30E(4) 條而訂明的合資格人士的代表	2-7	10. Representative of qualified person for purpose of section 30E(4) of Ordinance	2-8
	第 3 部 須就訂明檢驗及訂明修葺向建築事務監督呈交的文件		Part 3 Documents to be Submitted to Building Authority for Prescribed Inspection and Prescribed Repair	
	第 1 分部 —— 委任註冊檢驗人員及合資格人士的通知		Division 1—Notification of Appointment of Registered Inspector and Qualified Person	
11.	委任註冊檢驗人員及合資格人士的通知	3-1	11. Notification of appointment of registered inspector and qualified person	3-2
	第 2 分部 —— 訂明檢驗及訂明修葺完成時須向建築事務監督呈交的文件		Division 2—Documents to be Submitted to Building Authority on Completion of Prescribed Inspection and Prescribed Repair	
12.	建築物的訂明檢驗完成時須呈交的文件	3-1	12. Documents to be submitted on completion of prescribed inspection in respect of buildings	3-2
13.	建築物的訂明修葺完成時須呈交的文件	3-5	13. Documents to be submitted on completion of prescribed repair in respect of buildings	3-6
14.	窗戶的訂明檢驗及訂明修葺完成時須呈交的文件	3-7	14. Documents to be submitted on completion of prescribed inspection and prescribed repair in respect of windows	3-8
	第 4 部 註冊檢驗人員、合資格人士及註冊承建商的職責		Part 4 Duties of Registered Inspector, Qualified Person and Registered Contractor	
	第 1 分部 —— 註冊檢驗人員就詳細調查所負的職責		Division 1—Duty of Registered Inspector in respect of Detailed Investigation	

條次	頁次	Section	Page
15.	適用範圍	15.	Application 4-2
16.	釋義	16.	Interpretation 4-2
17.	詳細調查	17.	Detailed investigation 4-2
18.	註冊檢驗人員有責任尋求建築事務監督認可建議	18.	Duty of registered inspector to obtain endorsement of proposal from Building Authority 4-4
19.	建築事務監督的決定	19.	Decision of Building Authority 4-4
20.	註冊檢驗人員在安排進行詳細調查時的職責	20.	Duty of registered inspector in arranging for detailed investigation 4-4
21.	聘用專門人員	21.	Engagement of specialist 4-6
	第 2 分部 —— 註冊檢驗人員就監督訂明修葺所負的職責		Division 2—Duty of Registered Inspector in respect of Supervision of Prescribed Repair
22.	建築物的訂明修葺的建議及經修訂建議	22.	Proposal and revised proposal for prescribed repair in respect of buildings 4-6
	第 3 分部 —— 合資格人士就監督訂明修葺所負的職責		Division 3—Duty of Qualified Person in respect of Supervision of Prescribed Repair
23.	窗戶的訂明修葺的建議及經修訂建議	23.	Proposal and revised proposal for prescribed repair in respect of windows 4-8
	第 4 分部 —— 註冊檢驗人員就委任代表所負的職責		Division 4—Duty of Registered Inspector in respect of Appointment of Representative
24.	委任註冊檢驗人員的代表	24.	Appointment of representative of registered inspector 4-10
25.	建築事務監督有權否決代表的委任	25.	Power of Building Authority to reject appointment of representative 4-10

條次		頁次	Section		Page
	第 5 分部 —— 註冊檢驗人員或合資格人士就委任的變更所負的職責			Division 5—Duty in respect of Change of Appointment of Registered Inspector or Qualified Person	
26.	適用範圍	4-11	26.	Application	4-12
27.	註冊檢驗人員及合資格人士停止行事時的職責	4-11	27.	Duty of registered inspector and qualified person on cessation to act	4-12
28.	註冊檢驗人員在根據本條例第 30D(10) 條作出提名的情況所負的職責	4-11	28.	Duty of registered inspector in case of nomination under section 30D(10) of Ordinance	4-12
29.	如註冊檢驗人員或合資格人士不願意或不能行事則訂明修葺不得進行	4-13	29.	Prescribed repair must not be carried out if registered inspector or qualified person becomes unwilling or unable to act	4-14
	第 6 分部 —— 註冊檢驗人員、合資格人士及註冊承建商的一般職責			Division 6—General Duties of Registered Inspector, Qualified Person and Registered Contractor	
30.	註冊檢驗人員及合資格人士交付文件副本的職責	4-15	30.	Duty of registered inspector and qualified person to deliver copy of document	4-16
31.	註冊檢驗人員及合資格人士向建築事務監督提供所需資料的職責	4-19	31.	Duty of registered inspector and qualified person to provide to Building Authority any information as may be required	4-20
32.	註冊承建商在地盤備存檢驗報告的職責	4-21	32.	Duty of registered contractor to keep inspection report on site	4-22
	第 5 部 雜項			Part 5 Miscellaneous	
33.	填寫文件	5-1	33.	Completion of document	5-2
34.	報告及建議所採用物料及格式	5-1	34.	Material and form of report and proposal	5-2

條次		頁次
35.	擬備和簽署報告及建議	5-1
36.	本規例施加的職責或責任不影響條例或其他成文法則所施加的任何其他職責或責任	5-3
附表 1	建築物公用部分(外牆除外)的訂明檢驗項目列表	S1-1
附表 2	建築物外牆的訂明檢驗項目列表	S2-1

Section		Page
35.	Preparation of and signature on report and proposal	5-2
36.	Duty imposed by this Regulation not to prejudice any other duty imposed by Ordinance or other enactment	5-4
Schedule 1	List of Items for Prescribed Inspection in respect of Common Parts (other than External Walls) of Buildings	S1-2
Schedule 2	List of Items for Prescribed Inspection in respect of External Walls of Buildings	S2-2

《建築物(檢驗及修葺)規例》

(第 123 章第 38 條)
(略去制定語式條文——2012 年第 2 號編輯修訂紀錄)

[2012 年 6 月 30 日] 2012 年第 83 號法律公告

第 1 部

導言

1. (已失時效而略去——2012 年第 2 號編輯修訂紀錄)
2. **釋義**
在本規例中——
獲授權簽署人 (authorized signatory)——
 - (a) 就註冊一般建築承建商而言，指本條例第 8B(2)(d) 條所述，由該承建商為施行本條例而委任以代其行事的人；或
 - (b) 就註冊小型工程承建商而言，指該承建商的獲授權簽署人(《建築物(小型工程)規例》(第 123 章，附屬法例 N) 第 2(1) 條所界定者)。

Building (Inspection and Repair) Regulation

(Cap. 123, section 38)
(Enacting provision omitted—E.R. 2 of 2012)

[30 June 2012] L.N. 83 of 2012

Part 1

Preliminary

1. (Omitted as spent—E.R. 2 of 2012)
2. **Interpretation**
In this Regulation—
authorized signatory (獲授權簽署人)—
 - (a) in relation to a registered general building contractor, means a person appointed by the contractor to act for the contractor for the purposes of the Ordinance as mentioned in section 8B(2)(d) of the Ordinance; or
 - (b) in relation to a registered minor works contractor, means an authorized signatory, as defined in section 2(1) of the Building (Minor Works) Regulation (Cap. 123 sub. leg. N), of the contractor.

第 2 部

為施行本條例而訂明的事宜

第 1 分部 —— 訂明檢驗

3. 引言

為施行本條例第 2(1) 條中**訂明檢驗**的定義，現將任何對建築物進行的、符合第 4 及 5 條規定的檢查或評估，訂明為訂明檢驗。

4. 訂明檢驗的涵蓋範圍

- (1) 第 3 條所述的檢查或評估 ——
 - (a) 就建築物公用部分而言，須涵蓋附表 1 及 2 指明的項目中所有適用者(包括在各項目上的飾面)的組成部分；
 - (b) 就建築物外牆而言，須涵蓋附表 2 指明的項目中所有適用者(包括在各項目上的飾面)的組成部分；
 - (c) 就第 9 條訂明的建築物的伸出物而言，須涵蓋該伸出物(包括在該伸出物上的飾面)的組成部分；
 - (d) 就豎設在建築物上的招牌而言，須涵蓋該招牌的展示面、嵌固件及支承構築物；及
 - (e) 就建築物窗戶而言，須涵蓋該窗戶的組成部分。
- (2) 第(1)(a)款中對公用部分的提述，不包括公用部分的窗戶。
- (3) 第(1)(b)款中對外牆的提述，不包括外牆上的窗戶。
- (4) 在本條中 ——
飾面 (finish) 包括任何牆磚或瓦片、批盪、覆蓋層或假天花板。

Part 2

Matters Prescribed for Purposes of Ordinance

Division 1—Prescribed Inspection

3. Introductory

For the purpose of the definition of *prescribed inspection* in section 2(1) of the Ordinance, an examination or assessment of a building that satisfies sections 4 and 5 is prescribed as a prescribed inspection.

4. Scope of prescribed inspection

- (1) An examination or assessment mentioned in section 3 must cover—
 - (a) with regard to the common parts of a building, the components of all applicable items (including the finish to each item) specified in Schedules 1 and 2;
 - (b) with regard to an external wall of a building, the components of all applicable items (including the finish to each item) specified in Schedule 2;
 - (c) with regard to a projection of a building prescribed in section 9, the components of the projection (including the finish to the projection);
 - (d) with regard to a signboard erected on a building, the display surfaces, fixings and supporting structures of the signboard; and
 - (e) with regard to a window in a building, the components of the window.

5. 訂明檢驗的標準

- (1) 第 3 條所述的檢查或評估，須參照第 (2) 款指明的標準進行，以 ——
 - (a) 確定建築物是否安全，或是否可變得危險或已變得危險；
 - (b) 找出建築物的任何欠妥或不完備之處；及
 - (c) 提出任何訂明修葺的建議。
- (2) 第 (1) 款提述的標準是 ——
 - (a) (凡有關建築物是按照經建築事務監督就該建築物批准的圖則建成的) 該圖則所顯示的工程標準；
 - (b) 根據《建築物(小型工程)規例》(第 123 章，附屬法例 N) 向建築事務監督呈交的、關於有關建築物的圖則所顯示的工程標準；
 - (c) 按照《消防安全(商業處所)條例》(第 502 章) 或《消防安全(建築物)條例》(第 572 章) 就有關建築物完成的改善工程的標準；及
 - (d) 於有關建築物興建當時通行的建築物設計和建造標準。
- (3) 如第 (2) 款指明的標準中，有多於一項適用於某建築物，則須參照其中的最新近者。

- (2) The reference to the common parts in subsection (1)(a) does not include any window in the common parts.
- (3) The reference to an external wall in subsection (1)(b) does not include any window on the external wall.
- (4) In this section—
finish (飾面) includes any tiling, rendering, cladding or false ceiling.

5. Standard of prescribed inspection

- (1) An examination or assessment mentioned in section 3 must be carried out by reference to the standards specified in subsection (2) to—
 - (a) ascertain whether a building is safe or liable to become dangerous, or has been rendered dangerous;
 - (b) identify any defect or deficiency of a building; and
 - (c) make proposal for any prescribed repair.
- (2) The standards referred to in subsection (1) are—
 - (a) the standard of works as shown in any plan approved by the Building Authority in respect of the building, according to which the building was completed;
 - (b) the standard of works as shown in any plan in respect of the building submitted to the Building Authority under the Building (Minor Works) Regulation (Cap. 123 sub. leg. N);
 - (c) the standard of improvement works completed in respect of the building in accordance with the Fire Safety (Commercial Premises) Ordinance (Cap. 502) or the Fire Safety (Buildings) Ordinance (Cap. 572); and
 - (d) the standard of building design and construction prevalent at the time of construction of the building.

第 2 分部 —— 訂明修葺**6. 引言**

為施行本條例第 2(1) 條中**訂明修葺**的定義，現將任何對建築物進行的、符合第 7 及 8 條規定的修葺或測試，訂明為訂明修葺。

7. 訂明修葺的涵蓋範圍

第 6 條所述的修葺或測試，須按情況所需，涵蓋所有按第 5(1)(b) 條的規定找出的有欠妥或不完備之處的任何項目。

8. 訂明修葺的標準

- (1) 第 6 條所述的修葺的效果，須令有關建築物在修葺後已變得安全。
- (2) 第 6 條所述的測試，須為下述目的而進行 ——
 - (a) 核實訂明檢驗所得結果；或
 - (b) 證明有關建築物屬安全或已變得安全。
- (3) 進行第 (1) 款所指的修葺或第 (2) 款所指的測試，須參照第 5(2) 條指明的標準。
- (4) 如第 5(2) 條指明的標準中，有多於一項適用於某建築物，則須參照其中的最新近者。

第 3 分部 —— 伸出物**9. 伸出物**

- (3) If more than one standard specified in subsection (2) is applicable to a building, reference is to be made to the latest of the applicable standards.

Division 2—Prescribed Repair**6. Introductory**

For the purpose of the definition of *prescribed repair* in section 2(1) of the Ordinance, a repair or testing of a building that satisfies sections 7 and 8 is prescribed as a prescribed repair.

7. Scope of prescribed repair

A repair or testing mentioned in section 6 must cover, as the case requires, all of the items identified as being defective or having deficiencies under section 5(1)(b).

8. Standard of prescribed repair

- (1) A repair mentioned in section 6 must be carried out to the effect that the building has been rendered safe after the repair.
- (2) A testing mentioned in section 6 must be carried out to—
 - (a) verify any finding made in a prescribed inspection; or
 - (b) prove that the building is safe or has been rendered safe.
- (3) A repair under subsection (1) or a testing under subsection (2) must be carried out by reference to the standards specified in section 5(2).
- (4) If more than one standard specified in section 5(2) is applicable to a building, reference is to be made to the latest of the applicable standards.

Division 3—Projection**9. Projection**

- (1) 為施行本條例第 30B(5) 條，現將以下項目訂明為伸出物——
- (a) 露台；
 - (b) 外廊；
 - (c) 花盤架；
 - (d) 晾衣架；
 - (e) 第 (2) 款描述的窗戶簷篷；
 - (f) 為屋宇裝備裝置(排水系統除外)而設的任何支承構築物；
 - (g) 與(f)段所述的屋宇裝備裝置相關的任何喉管或管道。
- (2) 第 (1)(e) 款提述的窗戶簷篷，指自建築物的外牆伸出，並符合下述說明的任何構築物——
- (a) 位於任何開口之上；
 - (b) 不負荷樓面重量；及
 - (c) 以懸臂或托架承托或支撐。

第 4 分部 —— 合資格人士的代表

10. 為施行本條例第 30E(4) 條而訂明的合資格人士的代表

為施行本條例第 30E(4) 條，就合資格人士屬註冊一般建築承建商或註冊小型工程承建商的情況而言，現將該承建商的獲授權簽署人訂明為該人士的代表。

- (1) For the purpose of section 30B(5) of the Ordinance, each of the following is prescribed as a projection—
- (a) a balcony;
 - (b) a verandah;
 - (c) a planter box;
 - (d) a drying rack;
 - (e) a window canopy as described in subsection (2);
 - (f) any supporting structure for a building service installation (excluding any drainage system);
 - (g) any pipe or duct that is associated with the building service installation mentioned in paragraph (f).
- (2) A window canopy referred to in subsection (1)(e) is a structure projecting from an external wall of a building that is—
- (a) located above an opening;
 - (b) not carrying any floor load; and
 - (c) either cantilevered or supported by brackets.

Division 4—Representative of Qualified Person

10. Representative of qualified person for purpose of section 30E(4) of Ordinance

For the purpose of section 30E(4) of the Ordinance, if a qualified person is a registered general building contractor or registered minor works contractor, an authorized signatory of the contractor is prescribed as a representative of the qualified person.

第 3 部

須就訂明檢驗及訂明修葺向建築事務監督呈交的文件

第 1 分部 —— 委任註冊檢驗人員及合資格人士的通知

11. 委任註冊檢驗人員及合資格人士的通知

- (1) 根據本條例第 30D(1)(a) 或 (b) 條獲委任的註冊檢驗人員，或根據本條例第 30E(1)(a) 或 (b) 條獲委任的合資格人士，須於獲委任當日之後 7 日內，採用指明表格，將該項委任通知建築事務監督。
- (2) 有關通知須經下述的人簽署 ——
 - (a) 有關註冊檢驗人員或合資格人士；及
 - (b) 由他人代為進行訂明檢驗或訂明修葺的人。

第 2 分部 —— 訂明檢驗及訂明修葺完成時須向建築事務監督呈交的文件

12. 建築物的訂明檢驗完成時須呈交的文件

- (1) 本條不適用於就建築物窗戶進行的訂明檢驗。
- (2) 根據本條例第 30D(1)(a) 條獲委任的註冊檢驗人員，須於對建築物進行的訂明檢驗完成後 7 日內，向建築事務監督呈交 ——
 - (a) 包括下述內容的檢驗報告 ——

Part 3

Documents to be Submitted to Building Authority for Prescribed Inspection and Prescribed Repair

Division 1—Notification of Appointment of Registered Inspector and Qualified Person

11. Notification of appointment of registered inspector and qualified person

- (1) A registered inspector appointed under section 30D(1)(a) or (b), or a qualified person appointed under section 30E(1)(a) or (b), of the Ordinance must, within 7 days after the date of appointment, notify the Building Authority of the appointment in the specified form.
- (2) The notification must be signed by—
 - (a) the registered inspector or qualified person; and
 - (b) the person for whom the prescribed inspection or prescribed repair is to be carried out.

Division 2—Documents to be Submitted to Building Authority on Completion of Prescribed Inspection and Prescribed Repair

12. Documents to be submitted on completion of prescribed inspection in respect of buildings

- (1) This section does not apply to a prescribed inspection in respect of a window in a building.
- (2) A registered inspector appointed under section 30D(1)(a) of the Ordinance must, within 7 days after completion of a

- (i) 該人員就訂明檢驗採用的方法的陳述；
 - (ii) 訂明檢驗所得結果的報告，包括任何檢驗紀錄及測試結果；
 - (iii) 對訂明檢驗所得結果的評估；
 - (iv) (如適用的話) 令有關建築物變得安全所需的訂明修葺的建議；及
 - (v) (如適用的話) 該人員根據本條例第 30D(5)(b) 條須通知建築事務監督的任何建築工程的報告；及
- (b) 採用指明表格的證明書，而該人員須在該證明書上證明——
- (i) 該人員已按照本條例，對有關建築物進行訂明檢驗；
 - (ii) 該人員認為——
 - (A) 該建築物屬安全，無需進行任何訂明修葺；或
 - (B) 該建築物已變得危險，或可變得危險，有需要對該建築物進行訂明修葺，以令該建築物變得安全；及
 - (iii) (a) 段所述的檢驗報告，是按照本條例擬備的。
- (3) 如——
- (a) 有需要對某建築物進行訂明修葺；而
 - (b) 另一名註冊檢驗人員根據本條例第 30D(1)(b) 條獲委任，

則根據本條例第 30D(1)(a) 條獲委任的註冊檢驗人員，亦須在該項修葺完成後 14 日內，向建築事務監督呈交採用指明表格的證明書，而該人員須在該證明書上證明，該人員並非獲委任進行該項修葺的註冊承建商的合夥人、董事或獲授權簽署人。

prescribed inspection in respect of a building, submit to the Building Authority—

- (a) an inspection report that includes—
 - (i) a statement of the methods that the registered inspector has adopted for the prescribed inspection;
 - (ii) a report on the findings of the prescribed inspection, including any inspection record and test result;
 - (iii) an assessment on the findings of the prescribed inspection;
 - (iv) (if applicable) a proposal for the prescribed repair required to render the building safe; and
 - (v) (if applicable) a report of any building works that the registered inspector is required to notify the Building Authority under section 30D(5)(b) of the Ordinance; and
- (b) a certificate in the specified form in which the registered inspector certifies that—
 - (i) the registered inspector has carried out a prescribed inspection in respect of the building in accordance with the Ordinance;
 - (ii) in the opinion of the registered inspector—
 - (A) the building is safe and no prescribed repair is required; or
 - (B) the building has been rendered dangerous, or is liable to become dangerous, and a prescribed repair is required to be carried out to render the building safe; and
 - (iii) the inspection report mentioned in paragraph (a) is prepared in accordance with the Ordinance.

13. 建築物的訂明修葺完成時須呈交的文件

- (1) 本條不適用於就建築物窗戶進行的訂明修葺。
- (2) 根據本條例第 30D(1)(b) 條獲委任的註冊檢驗人員，須於對建築物進行的訂明修葺完成後 14 日內，向建築事務監督呈交 ——
 - (a) 包括下述內容的完工報告 ——
 - (i) 對該項修葺作出的報告，包括已進行的修葺工程的紀錄、使用的物料的報告或證明書、為該項修葺而採用的測試方法的陳述，及已進行測試所得結果的紀錄；及
 - (ii) (如第 12(2)(a)(iv) 條所述的該項修葺的建議被修訂) 所有該等修訂的陳述；及
 - (b) 採用指明表格的證明書，而該人員須在該證明書上證明 ——
 - (i) 該項修葺已按照本條例進行；
 - (ii) 該項修葺已按照第 12(2)(a)(iv) 條所述的建議進行，或已按照第 22(2) 條所述的經修訂建議進行；

(3) If—

- (a) a prescribed repair in respect of the building is required to be carried out; and
 - (b) a different registered inspector is appointed under section 30D(1)(b) of the Ordinance,
- the registered inspector appointed under section 30D(1)(a) of the Ordinance must also submit to the Building Authority, within 14 days after completion of the prescribed repair, a certificate in the specified form in which the registered inspector certifies that the registered inspector is not a partner, director, or authorized signatory of the registered contractor appointed to carry out the prescribed repair.

13. Documents to be submitted on completion of prescribed repair in respect of buildings

- (1) This section does not apply to a prescribed repair in respect of a window in a building.
- (2) A registered inspector appointed under section 30D(1)(b) of the Ordinance must, within 14 days after completion of a prescribed repair in respect of a building, submit to the Building Authority—
 - (a) a completion report that includes—
 - (i) a report on the prescribed repair, including any record of repair works carried out, report or certificate of the materials used, statement of the methods of testing adopted for the prescribed repair and record of the result of the testing conducted; and
 - (ii) (if revisions have been made to the proposal for the prescribed repair mentioned in section 12(2)(a)(iv)) an account of all the revisions made; and

- (iii) 該人員認為，在該項修葺完成後，該建築物已變得安全；及
- (iv) (a) 段所述的完工報告，是按照本條例擬備的；及
- (c) 採用指明表格的證明書，而該人員須在該證明書上證明，該人員並非獲委任進行該項修葺的註冊承建商的合夥人、董事或獲授權簽署人。

14. 窗戶的訂明檢驗及訂明修葺完成時須呈交的文件

- (1) 如無需進行訂明修葺，根據本條例第 30E(1)(a) 條獲委任的合資格人士，須於訂明檢驗完成後 14 日內，向建築事務監督呈交採用指明表格的證明書，而該人士須在該證明書上證明——
 - (a) 該人士或該人士的代表已按照本條例，就窗戶進行訂明檢驗；及
 - (b) 該人士認為，該窗戶屬安全，無需進行訂明修葺。
- (2) 根據本條例第 30E(1)(a) 及 (b) 條獲委任的合資格人士，須於訂明修葺完成後 14 日內，向建築事務監督呈交採用指明表格的證明書，而該人士須在該證明書上證明——
 - (a) 該人士或該人士的代表已按照本條例就窗戶進行訂明檢驗；

- (b) a certificate in the specified form in which the registered inspector certifies that—
 - (i) the prescribed repair has been carried out in accordance with the Ordinance;
 - (ii) the prescribed repair has been carried out in accordance with the proposal mentioned in section 12(2)(a)(iv), or the revised proposal mentioned in section 22(2);
 - (iii) in the opinion of the registered inspector, the building has been rendered safe after completion of the prescribed repair; and
 - (iv) the completion report mentioned in paragraph (a) is prepared in accordance with the Ordinance; and
- (c) a certificate in the specified form in which the registered inspector certifies that the registered inspector is not a partner, director, or authorized signatory of the registered contractor appointed to carry out the prescribed repair.

14. Documents to be submitted on completion of prescribed inspection and prescribed repair in respect of windows

- (1) A qualified person appointed under section 30E(1)(a) of the Ordinance must, if no prescribed repair is required, within 14 days after completion of a prescribed inspection, submit to the Building Authority a certificate in the specified form in which the qualified person certifies that—
 - (a) the qualified person, or a representative of the qualified person, has carried out a prescribed inspection in respect of a window in accordance with the Ordinance; and
 - (b) in the opinion of the qualified person, the window is safe and no prescribed repair is required.

- (b) 該人士認為，該窗戶已變得危險，或可變得危險，有需要進行訂明修葺，以令該窗戶變得安全；
 - (c) 該項修葺已按照本條例進行；及
 - (d) 該人士認為，在該項修葺完成後，該窗戶已變得安全。
- (3) 如根據本條例第 30E(1)(a) 及 (b) 條獲委任就建築物窗戶進行訂明檢驗及監督訂明修葺的，是不同的合資格人士，則第 (4) 及 (5) 款適用。
- (4) 根據本條例第 30E(1)(a) 條獲委任的合資格人士，須於訂明檢驗完成後 7 日內，向建築事務監督呈交 ——
- (a) 包括下述內容的檢驗報告 ——
 - (i) 該項檢驗所得結果的報告，包括任何檢驗紀錄及測試結果；
 - (ii) 對該項檢驗所得結果的評估；及
 - (iii) (如適用的話) 令有關窗戶變得安全所需的訂明修葺的建議；及
 - (b) 採用指明表格的證明書，而該人士須在該證明書上證明 ——
 - (i) 該人士或該人士的代表已按照本條例進行訂明檢驗；及
 - (ii) 該人士認為，該窗戶已變得危險，或可變得危險，有需要進行訂明修葺，以令該窗戶變得安全。
- (5) 根據本條例第 30E(1)(b) 條獲委任的合資格人士，須於訂明修葺完成後 14 日內，向建築事務監督呈交採用指明表格的證明書，而該人士須在該證明書上證明 ——
- (a) 該項修葺已按照本條例進行；
 - (b) 該項修葺已按照第 (4)(a)(iii) 款所述的建議進行，或已按照第 23(2) 條所述的經修訂建議進行；及

- (2) A qualified person appointed under section 30E(1)(a) and (b) of the Ordinance must, within 14 days after completion of a prescribed repair, submit to the Building Authority a certificate in the specified form in which the qualified person certifies that—
- (a) the qualified person, or a representative of the qualified person, has carried out a prescribed inspection in respect of a window in accordance with the Ordinance;
 - (b) in the opinion of the qualified person, the window has been rendered dangerous, or is liable to become dangerous, and a prescribed repair is required to be carried out to render the window safe;
 - (c) the prescribed repair has been carried out in accordance with the Ordinance; and
 - (d) in the opinion of the qualified person, the window has been rendered safe after completion of the prescribed repair.
- (3) Subsections (4) and (5) apply if different qualified persons are appointed under section 30E(1)(a) and (b) of the Ordinance to carry out a prescribed inspection and supervise a prescribed repair in respect of a window in a building.
- (4) A qualified person appointed under section 30E(1)(a) of the Ordinance must, within 7 days after completion of a prescribed inspection, submit to the Building Authority—
- (a) an inspection report that includes—
 - (i) a report on the findings of the prescribed inspection, including any inspection record and test result;
 - (ii) an assessment on the findings of the prescribed inspection; and

3-11
第 123P 章

第 3 部 —— 第 2 分部
第 14 條

- (c) 該人士認為，在該項修葺完成後，有關窗戶已變得安全。
-

Part 3—Division 2
Section 14

3-12
Cap. 123P

- (iii) (if applicable) a proposal for the prescribed repair required to render the window safe; and
- (b) a certificate in the specified form in which the qualified person certifies that—
- (i) the qualified person, or a representative of the qualified person, has carried out the prescribed inspection in accordance with the Ordinance; and
 - (ii) in the opinion of the qualified person, the window has been rendered dangerous, or is liable to become dangerous, and a prescribed repair is required to be carried out to render the window safe.
- (5) A qualified person appointed under section 30E(1)(b) of the Ordinance must, within 14 days after completion of a prescribed repair, submit to the Building Authority a certificate in the specified form in which the qualified person certifies that—
- (a) the prescribed repair has been carried out in accordance with the Ordinance;
 - (b) the prescribed repair has been carried out in accordance with the proposal mentioned in subsection (4)(a)(iii), or the revised proposal mentioned in section 23(2); and
 - (c) in the opinion of the qualified person, the window has been rendered safe after completion of the prescribed repair.
-

第 4 部

註冊檢驗人員、合資格人士及註冊承建商的職責

第 1 分部 —— 註冊檢驗人員就詳細調查所負的職責

15. 適用範圍

本分部不適用於就建築物窗戶進行的訂明檢驗。

16. 釋義

在本分部中 ——

詳細調查 (detailed investigation) 指第 17 條所述的詳細檢查或評估。

17. 詳細調查

如在對建築物進行訂明檢驗的過程中 ——

- (a) 根據本條例第 30D(1)(a) 條獲委任的註冊檢驗人員，識別出該建築物中有任何嚴重的欠妥之處，構成結構不穩，或構成對健康的嚴重危害情況；或
- (b) 不能確定該建築物中的欠妥之處的範圍或成因，

則可為提出訂明修葺的建議，而對附表 1 或 2 指明的任何項目，或對任何伸出物或招牌，進行詳細檢查或評估，以確定該欠妥之處的嚴重性，或該欠妥之處的範圍或成因。

Part 4

Duties of Registered Inspector, Qualified Person and Registered Contractor

Division 1—Duty of Registered Inspector in respect of Detailed Investigation

15. Application

This Division does not apply to a prescribed inspection in respect of a window in a building.

16. Interpretation

In this Division—

detailed investigation (詳細調查) means any detailed examination or assessment mentioned in section 17.

17. Detailed investigation

If, during the course of a prescribed inspection in respect of a building—

- (a) a registered inspector appointed under section 30D(1)(a) of the Ordinance identifies any serious defect in the building constituting structural instability or serious health hazard; or
- (b) the extent or cause of a defect in the building cannot be ascertained,

then, for the purpose of making a proposal for a prescribed repair, a detailed examination or assessment of any item specified in Schedule 1 or 2, or any projection or signboard, may be conducted to ascertain the seriousness, or extent or cause, of the defect.

18. 註冊檢驗人員有責任尋求建築事務監督認可建議

- (1) 如根據本條例第 30D(1)(a) 條獲委任的註冊檢驗人員認為，為提出訂明修葺的建議，有必要進行詳細調查，則該人員須——
 - (a) 將進行詳細調查的意向，以書面通知建築事務監督；及
 - (b) 向建築事務監督呈交詳細調查的建議，以供認可。
- (2) 第 (1)(b) 款所述的建議，內容須包括——
 - (a) 進行詳細調查的目的；
 - (b) 詳細調查的建議涵蓋範圍、方法及詳情；
 - (c) 採用所建議方法的理據；及
 - (d) 需要接受詳細調查的所有建築物欠妥之處的概要，並隨附任何有註明的相片及有記號的圖則。

19. 建築事務監督的決定

- (1) 建築事務監督可認可根據第 18(1)(b) 條呈交的建議的全部或部分，或拒絕認可該建議。
- (2) 建築事務監督須於收到第 18(1) 條所述的通知及建議後 28 日內，將建築事務監督根據第 (1) 款作出的決定，通知有關註冊檢驗人員，並(如建築事務監督拒絕認可該建議的話)說明拒絕的理由。

20. 註冊檢驗人員在安排進行詳細調查時的職責**18. Duty of registered inspector to obtain endorsement of proposal from Building Authority**

- (1) If a registered inspector appointed under section 30D(1)(a) of the Ordinance considers that a detailed investigation is necessary for making a proposal for a prescribed repair, the registered inspector must—
 - (a) notify the Building Authority in writing of the intention to conduct a detailed investigation; and
 - (b) submit to the Building Authority a proposal of the detailed investigation for endorsement.
- (2) The proposal mentioned in subsection (1)(b) must include—
 - (a) the purpose of conducting a detailed investigation;
 - (b) the proposed scope, method and particulars of the detailed investigation;
 - (c) the justification for the proposed method; and
 - (d) a summary of all building defects subject to the detailed investigation, accompanied by any annotated photo and marked-up plan.

19. Decision of Building Authority

- (1) The Building Authority may endorse (whether in whole or in part), or refuse to endorse, a proposal submitted under section 18(1)(b).
- (2) The Building Authority must, within 28 days after receiving a notification and proposal mentioned in section 18(1), notify the registered inspector of the Building Authority's decision under subsection (1) and, if the Building Authority refuses to endorse the proposal, state the reason for the refusal.

20. Duty of registered inspector in arranging for detailed

- (1) 除第 (2) 款另有規定外，註冊檢驗人員 ——
- (a) 不得在收到建築事務監督對建議的認可前，展開任何詳細調查；及
 - (b) 須按照建築事務監督所認可的有關建議或建議的部分，安排進行詳細調查。
- (2) 儘管有第 (1) 款的規定，凡 ——
- (a) 由他人代為進行訂明檢驗的人已獲妥為通知，得悉建築事務監督已根據第 19(1) 條拒絕認可詳細調查的建議的全部或部分；而
 - (b) 該名由他人代為進行訂明檢驗的人依然決定著手展開該調查，
- 則註冊檢驗人員仍可安排進行該調查。

21. 聘用專門人員

- (1) 註冊檢驗人員可按情況所需，聘請及監督專門人員進行詳細調查。
- (2) 就本條例第 30D(3)(a) 條而言，第 (1) 款屬一項豁免。

第 2 分部 —— 註冊檢驗人員就監督訂明修葺所負的職責**22. 建築物的訂明修葺的建議及經修訂建議**

- (1) 除第 (2) 款另有規定外，根據本條例第 30D(1)(b) 條獲委任監督某建築物的訂明修葺的註冊檢驗人員，須確保該項修葺是按照第 12(2)(a)(iv) 條所述的建議進行。

investigation

- (1) Subject to subsection (2), a registered inspector—
 - (a) must not commence any detailed investigation before receiving the Building Authority's endorsement of the proposal; and
 - (b) must arrange for the detailed investigation in accordance with the proposal, or any part of the proposal, as endorsed by the Building Authority.
- (2) Despite subsection (1), a registered inspector may still arrange for a detailed investigation the proposal of which is not endorsed (whether in whole or in part) by the Building Authority under section 19(1), so long as—
 - (a) the person for whom the prescribed inspection is carried out has been duly informed of the Building Authority's refusal; and
 - (b) the person decides nevertheless to proceed with the detailed investigation.

21. Engagement of specialist

- (1) A registered inspector may, as the case requires, engage and supervise a specialist to carry out a detailed investigation.
- (2) Subsection (1) is an exemption for the purpose of section 30D(3)(a) of the Ordinance.

Division 2—Duty of Registered Inspector in respect of Supervision of Prescribed Repair**22. Proposal and revised proposal for prescribed repair in respect of buildings**

- (1) Subject to subsection (2), a registered inspector appointed under section 30D(1)(b) of the Ordinance must ensure that a

- (2) 如在有關訂明修葺進行期間，有某事情顯露，或有某情況發生，而有關注冊檢驗人員因應該事情或情況，認為有必要修訂有關建議，則該人員須於該事情顯露或該情況發生後 7 日內，向建築事務監督呈交經修訂建議。

第 3 分部 —— 合資格人士就監督訂明修葺所負的職責

23. 窗戶的訂明修葺的建議及經修訂建議

- (1) 除第 (2) 款另有規定外，根據本條例第 30E(1)(b) 條 (而非本條例第 30E(1)(a) 條) 獲委任監督某窗戶的訂明修葺的合資格人士，須確保該項修葺是按照第 14(4)(a)(iii) 條所述的建議進行。
- (2) 如在有關訂明修葺進行期間，有某事情顯露，或有某情況發生，而有合資格人士因應該事情或情況，認為有必要修訂有關建議，則該人士須於該事情顯露或該情況發生後 7 日內，向建築事務監督呈交經修訂建議。

第 4 分部 —— 註冊檢驗人員就委任代表所負的職責

prescribed repair is carried out, in accordance with a proposal mentioned in section 12(2)(a)(iv), in respect of the building for which the registered inspector is appointed to supervise the prescribed repair.

- (2) If, during the course of the prescribed repair, certain matter is revealed or circumstance arises in response to which the registered inspector considers it necessary to revise the proposal, the registered inspector must submit a revised proposal to the Building Authority within 7 days after the matter is revealed or circumstance arises.

Division 3—Duty of Qualified Person in respect of Supervision of Prescribed Repair

23. Proposal and revised proposal for prescribed repair in respect of windows

- (1) Subject to subsection (2), a qualified person appointed under section 30E(1)(b) (but not appointed under section 30E(1)(a) of the Ordinance must ensure that a prescribed repair is carried out, in accordance with a proposal mentioned in section 14(4)(a)(iii), in respect of the window for which the qualified person is appointed to supervise the prescribed repair.
- (2) If, during the course of the prescribed repair, certain matter is revealed or circumstance arises in response to which the qualified person considers it necessary to revise the proposal, the qualified person must submit a revised proposal to the Building Authority within 7 days after the matter is revealed or circumstance arises.

Division 4—Duty of Registered Inspector in respect of Appointment of Representative

24. 委任註冊檢驗人員的代表

- (1) 根據本條例第 30D(1)(b) 條獲委任的註冊檢驗人員，可委任代表，以代該人員履行在監督訂明修葺方面的職責。
- (2) 根據第 (1) 款委任代表的註冊檢驗人員，須於作出委任不少於 7 日前，將作出委任的意向，以書面通知建築事務監督。
- (3) 如根據第 (1) 款作出的委任有任何變更（委任代表除外），有關註冊檢驗人員須於該變更的日期之後 7 日內，將該事宜以書面通知建築事務監督。
- (4) 第 (2) 款所述的通知，須載有代表的詳細資料、資格及經驗。
- (5) 儘管有代表根據第 (1) 款獲委任，有關註冊檢驗人員就監督有關訂明修葺負有個人責任。

25. 建築事務監督有權否決代表的委任

- (1) 如建築事務監督認為，擬根據第 24(1) 條委任的代表的資格或經驗，就履行本條例所規定須由代表履行的職責而言，屬不足夠或不適合，則建築事務監督可否決該項委任。
- (2) 建築事務監督如根據第 (1) 款否決委任，須 ——
 - (a) 將該項否決及否決理由，以書面通知有關註冊檢驗人員；及
 - (b) 在該通知中，指明該項否決的日期。

24. Appointment of representative of registered inspector

- (1) A registered inspector appointed under section 30D(1)(b) of the Ordinance may appoint a representative to perform any duty in supervising a prescribed repair on behalf of the registered inspector.
- (2) A registered inspector appointing a representative under subsection (1) must, not less than 7 days before making the appointment, notify the Building Authority in writing of the intended appointment.
- (3) If there is any change in the appointment (other than an appointment of a representative) made under subsection (1), the registered inspector must, within 7 days after the date of the change, notify the Building Authority in writing of that fact.
- (4) The particulars, qualifications and experience of a representative must be provided in the notification mentioned in subsection (2).
- (5) Despite the appointment of a representative under subsection (1), the registered inspector is held personally responsible for the supervision of the prescribed repair.

25. Power of Building Authority to reject appointment of representative

- (1) The Building Authority may reject an appointment of a representative under section 24(1) if the Building Authority considers that the qualifications or experience of the intended representative is not sufficient or suitable for the purpose of performing the duty required of the representative under the Ordinance.
- (2) In a case of rejection under subsection (1), the Building Authority must—

4-11
第 123P 章第 4 部 —— 第 5 分部
第 26 條

- (3) 根據第 (1) 款遭否決的委任，自根據第 (2)(b) 款指明的日期起失效。

第 5 分部 —— 註冊檢驗人員或合資格人士就委任的變更所負的職責

26. 適用範圍

如已有委任註冊檢驗人員或合資格人士的通知根據第 11(1) 條作出，本分部適用。

27. 註冊檢驗人員及合資格人士停止行事時的職責

如根據本條例第 30D(1)(a) 或 (b) 條獲委任的註冊檢驗人員，或根據本條例第 30E(1)(a) 或 (b) 條獲委任的合資格人士，變得不願意行事，或變得不能行事，則該人員或人士須於其停止行事的日期之後 7 日內，將該事宜以書面通知建築事務監督。

28. 註冊檢驗人員在根據本條例第 30D(10) 條作出提名的情況所負的職責

- (1) 如根據本條例第 30D(1)(b) 條獲委任的註冊檢驗人員 (**提名人**)，已根據本條例第 30D(10) 條提名另一名註冊檢驗人員 (**被提名人**) 暫時代提名人行事，則提名人須於提名日期之後 7 日內，向建築事務監督呈交採用指明表格的通知書，說明——
- (a) 提名人已根據本條例第 30D(10) 條，提名被提名人暫時代提名人行事；及

Part 4—Division 5
Section 264-12
Cap. 123P

- (a) notify the registered inspector in writing of the rejection and the reason for the rejection; and
- (b) specify the date of the rejection in the notice.
- (3) An appointment rejected under subsection (1) ceases to have effect from the date specified under subsection (2)(b).

Division 5—Duty in respect of Change of Appointment of Registered Inspector or Qualified Person

26. Application

This Division applies if a notification of appointment of a registered inspector or qualified person has been made under section 11(1).

27. Duty of registered inspector and qualified person on cessation to act

If a registered inspector appointed under section 30D(1)(a) or (b), or a qualified person appointed under section 30E(1)(a) or (b), of the Ordinance becomes unwilling or unable to act, the registered inspector or qualified person must, within 7 days after the date on which the registered inspector or qualified person has ceased to act, notify the Building Authority in writing of that fact.

28. Duty of registered inspector in case of nomination under section 30D(10) of Ordinance

- (1) If a registered inspector (**nominator**) appointed under section 30D(1)(b) of the Ordinance has nominated another registered inspector (**nominee**) under section 30D(10) of the Ordinance to temporarily act in the place of the nominator, the nominator must, within 7 days after the date of the nomination, submit to the Building Authority a notification in the specified form, stating—

- (b) 提名人及被提名人均已確認該項提名。
- (2) 如被提名人的提名中止，提名人須於該項提名中止的日期之後 7 日內，將該事宜以書面通知建築事務監督。

29. 如註冊檢驗人員或合資格人士不願意或不能行事則訂明修葺不得進行

- (1) 如根據本條例第 30D(1)(b) 條獲委任監督訂明修葺的註冊檢驗人員，變得不願意行事，或變得不能行事，而並無任何人根據本條例第 30D(10) 條獲提名代該人員行事，則該項修葺須停工，直至下述情況發生為止——
- (a) 另一名註冊檢驗人員根據本條例第 30D(1)(b) 條獲委任，以取代原來的註冊檢驗人員監督該項修葺；及
- (b) 該項新委任的通知根據第 11(1) 條作出。
- (2) 如根據本條例第 30E(1)(b) 條獲委任監督訂明修葺的合資格人士，變得不願意行事，或變得不能行事，則該項修葺須停工，直至下述情況發生為止——
- (a) 另一名合資格人士根據本條例第 30E(1)(b) 條獲委任，以取代原來的合資格人士監督該項修葺；及
- (b) 該項新委任的通知根據第 11(1) 條作出。

- (a) that the nominator has nominated the nominee to temporarily act in the place of the nominator under section 30D(10) of the Ordinance; and
- (b) that both the nominator and nominee have confirmed the nomination.
- (2) If a nominee ceases to be nominated, the nominator must, within 7 days after the date of cessation, notify the Building Authority in writing of that fact.

29. Prescribed repair must not be carried out if registered inspector or qualified person becomes unwilling or unable to act

- (1) If a registered inspector appointed under section 30D(1)(b) of the Ordinance becomes unwilling or unable to act and no person is nominated under section 30D(10) of the Ordinance to act in the place of the registered inspector, the prescribed repair for which the registered inspector is appointed to supervise must cease until—
- (a) another registered inspector is appointed under section 30D(1)(b) of the Ordinance to replace the original registered inspector to supervise the prescribed repair; and
- (b) notification of the new appointment is made under section 11(1).
- (2) If a qualified person appointed under section 30E(1)(b) of the Ordinance becomes unwilling or unable to act, the prescribed repair for which the qualified person is appointed to supervise must cease until—
- (a) another qualified person is appointed under section 30E(1)(b) of the Ordinance to replace the original qualified person to supervise the prescribed repair; and

第 6 分部 —— 註冊檢驗人員、合資格人士及註冊承建商的一般職責**30. 註冊檢驗人員及合資格人士交付文件副本的職責**

- (1) 根據本條例第 30D(1)(a) 條獲委任進行訂明檢驗的註冊檢驗人員，須 ——
- (a) 在該項檢驗完成後 7 日內，將根據第 12(2) 條向建築事務監督呈交的各份文件的副本，交付予由該人員代為進行該項檢驗的人；及
- (b) (如有需要進行訂明修葺，而另一名註冊檢驗人員根據本條例第 30D(1)(b) 條獲委任) 在根據第 12(2) 條呈交文件的日期之後 2 個月內，或在該項修葺開始前 (兩者以較早者為準)，將該等副本交付予該另一名人員。
- (2) 根據本條例第 30D(1)(b) 條獲委任監督訂明修葺的註冊檢驗人員 ——
- (a) 須 ——
- (i) 在該項修葺開始前，將根據第 12(2) 條向建築事務監督呈交的各份文件的副本，交付予獲委任進行該項修葺的註冊承建商；及
- (ii) (如有根據第 22(2) 條向建築事務監督呈交經修訂建議) 在向建築事務監督呈交該經修訂建議的同日，將該經修訂建議的副本，交付予該承建商；及
- (b) 須在根據第 13(2) 及 (如適用的話) 22(2) 條向建築事務監督呈交各份文件的同一日，將該等文件的副本，交付予由他人代為進行該項修葺的人。

- (b) notification of the new appointment is made under section 11(1).

Division 6—General Duties of Registered Inspector, Qualified Person and Registered Contractor**30. Duty of registered inspector and qualified person to deliver copy of document**

- (1) A registered inspector appointed under section 30D(1)(a) of the Ordinance to carry out a prescribed inspection must deliver a copy of each document submitted to the Building Authority under section 12(2) to—
- (a) the person for whom the prescribed inspection is carried out, within 7 days after completion of the prescribed inspection; and
- (b) (if a prescribed repair is required and a different registered inspector is appointed under section 30D(1)(b) of the Ordinance) the registered inspector appointed under that section, within 2 months after the date of submission under section 12(2), or before the commencement of the prescribed repair, whichever is the earlier.
- (2) A registered inspector appointed under section 30D(1)(b) of the Ordinance to supervise a prescribed repair must deliver to—
- (a) the registered contractor appointed to carry out the prescribed repair—
- (i) a copy of each document submitted to the Building Authority under section 12(2), before the commencement of the prescribed repair; and
- (ii) (if a revised proposal is submitted to the Building Authority under section 22(2)) a copy of the

- (3) 根據本條例第 30E(1)(a) 條獲委任進行訂明檢驗的合資格人士 ——
- (a) (如無需進行訂明修葺) 須在根據第 14(1) 條向建築事務監督呈交文件的同一日, 將該文件的副本, 交付予由他人代為進行該項檢驗的人; 或
- (b) (如有需要進行訂明修葺, 而另一名合資格人士根據本條例第 30E(1)(b) 條獲委任) 須 ——
- (i) 在根據第 14(4) 條呈交各份文件的日期之後 1 個月內, 或在該項修葺開始前 (兩者以較早者為準), 將該等文件的副本, 交付予根據第 30E(1)(b) 條獲委任的合資格人士; 及
- (ii) 在向建築事務監督呈交該等文件的同一日, 將該等副本, 交付予由他人代為進行該項檢驗的人。
- (4) 根據本條例第 30E(1)(b) 條獲委任監督訂明修葺 (但並非根據本條例第 30E(1)(a) 條獲委任) 的合資格人士 ——
- (a) 如並非亦作為註冊承建商進行該項修葺, 須 ——
- (i) 在該項修葺開始前, 將根據第 14(4)(a) 條向建築事務監督呈交的各份文件的副本, 交付予獲委任進行該項修葺的註冊承建商; 及
- (ii) (如有經修訂建議根據第 23(2) 條呈交予建築事務監督) 在向建築事務監督呈交該經修訂建議的同一日, 將該經修訂建議的副本, 交付予該承建商; 及
- (b) 須在根據第 14(5) 及 (如適用的話) 23(2) 條向建築事務監督呈交各份文件的同一日, 將該等文件的副本, 交付予由他人代為進行該項修葺的人。
- (5) 如根據本條例第 30E(1)(a) 及 (b) 條獲委任的, 是同一名合資格人士, 該人士須在根據第 14(2) 條向建築事務監督呈交文件的同一日, 將該文件的副本, 交付予由他人代為進行有關訂明修葺的人。

- revised proposal, on the same day on which the revised proposal is submitted to the Building Authority; and
- (b) the person for whom the prescribed repair is carried out, a copy of each document submitted to the Building Authority under sections 13(2) and (if applicable) 22(2), on the same day on which the documents are submitted to the Building Authority.
- (3) A qualified person appointed under section 30E(1)(a) of the Ordinance to carry out a prescribed inspection must deliver—
- (a) (if no prescribed repair is required) a copy of the document submitted to the Building Authority under section 14(1) to the person for whom the prescribed inspection is carried out, on the same day on which the document is submitted to the Building Authority; or
- (b) (if a prescribed repair is required and a different qualified person is appointed under section 30E(1)(b) of the Ordinance) a copy of each document submitted to the Building Authority under section 14(4) to—
- (i) the qualified person appointed under section 30E(1)(b) of the Ordinance, within 1 month after the date of submission under section 14(4), or before the commencement of the prescribed repair, whichever is the earlier; and
- (ii) the person for whom the prescribed inspection is carried out, on the same day on which the documents are submitted to the Building Authority.
- (4) A qualified person appointed under section 30E(1)(b) (but not appointed under section 30E(1)(a)) of the Ordinance to supervise a prescribed repair must deliver to—
- (a) (if the qualified person does not also act as a registered contractor to carry out the prescribed repair) the

31. 註冊檢驗人員及合資格人士向建築事務監督提供所需資料的職責

如註冊檢驗人員或合資格人士，已就訂明檢驗或訂明修葺擬備根據第 12(2) 或 (3)、13(2)、14(1)、(2)、(4) 或 (5)、18(1)(b)、22(2) 或 23(2) 條向建築事務監督呈交的文件，則該人員或人士須向建築事務監督提供建築事務監督要求的、關於該項檢驗或修葺的任何進一步資料。

31. Duty of registered inspector and qualified person to provide to Building Authority any information as may be required

If a registered inspector or qualified person has prepared any document in respect of a prescribed inspection or prescribed repair that is submitted to the Building Authority under section 12(2) or (3), 13(2), 14(1), (2), (4) or (5), 18(1)(b), 22(2) or 23(2), the registered inspector or qualified person must provide to the Building Authority any additional information that the Building Authority may require with regard to the prescribed inspection or prescribed repair.

- registered contractor appointed to carry out the prescribed repair—
- (i) a copy of each document submitted to the Building Authority under section 14(4)(a), before the commencement of the prescribed repair; and
 - (ii) (if a revised proposal is submitted to the Building Authority under section 23(2)) a copy of the revised proposal, on the same day on which the revised proposal is submitted to the Building Authority; and
- (b) the person for whom the prescribed repair is carried out, a copy of each document submitted to the Building Authority under sections 14(5) and (if applicable) 23(2), on the same day on which the documents are submitted to the Building Authority.
- (5) If the same qualified person is appointed under section 30E(1)(a) and (b) of the Ordinance, the qualified person must deliver to the person for whom the prescribed repair is carried out a copy of the document submitted to the Building Authority under section 14(2), on the same day on which the document is submitted to the Building Authority.

32. 註冊承建商在地盤備存檢驗報告的職責

獲委任進行訂明修葺的註冊承建商 ——

- (a) 須在進行該項修葺的地盤，備存根據第 12(2)(a) 或 14(4)(a) 條，及根據第 22(2) 或 23(2) 條 (視情況所需而定) 向建築事務監督呈交的各份文件的副本；及
- (b) 須在建築事務監督要求的時間，向建築事務監督提供該等副本。

32. Duty of registered contractor to keep inspection report on site

A registered contractor appointed to carry out a prescribed repair must—

- (a) keep, on the site on which the prescribed repair is carried out, a copy of the documents submitted to the Building Authority under sections 12(2)(a) or 14(4)(a), and 22(2) or 23(2) (as the case requires); and
- (b) produce the copy to the Building Authority at the time that the Building Authority may require.

第 5 部

雜項

33. 填寫文件

根據本規例須呈交的文件，須——

- (a) 清楚和正確地填寫，以提供須予提供的資料；並
- (b) 妥為簽署。

34. 報告及建議所採用物料及格式

- (1) 根據本規例須呈交的報告或建議，須——(2021 年第 224 號法律公告)
 - (a) 以清楚及易於理解的方式擬備和呈示；及
 - (b) 如以印本形式呈交——在適當及耐久的物料上擬備和呈示。(2021 年第 224 號法律公告)
- (2) 在本條中——

印本形式 (hard copy form) 指紙張形式，或能夠在沒有設備的輔助下供閱讀的相類形式。(2021 年第 224 號法律公告)

35. 擬備和簽署報告及建議

- (1) 根據本規例須就訂明檢驗呈交的報告或建議——
 - (a) 須由根據本條例第 30D(1)(a) 條就該項檢驗獲委任的註冊檢驗人員擬備，或由根據本條例第 30E(1)(a) 條就該項檢驗獲委任的合資格人士擬備，視情況所需而定，或在該人員或人士(視情況所需而定)的監督或指示下擬備；及

Part 5

Miscellaneous

33. Completion of document

Any document required to be submitted under this Regulation must be—

- (a) clearly and correctly completed to supply the information required; and
- (b) duly signed.

34. Material and form of report and proposal

- (1) Any report or proposal required to be submitted under this Regulation must be prepared and presented—(L.N. 224 of 2021)
 - (a) in a clear and intelligible manner; and
 - (b) if submitted in hard copy form—on a suitable and durable material. (L.N. 224 of 2021)
- (2) In this section—

hard copy form (印本形式) means a paper form or similar form capable of being read without the aid of any equipment. (L.N. 224 of 2021)

35. Preparation of and signature on report and proposal

- (1) Any report or proposal required to be submitted under this Regulation in relation to a prescribed inspection must be—
 - (a) prepared by, or under the supervision or direction of, as the case requires, a registered inspector appointed under section 30D(1)(a), or a qualified person appointed under

5-3
第 123P 章第 5 部
第 36 條

- (b) 須經該人員或人士簽署。
- (2) 根據本規例須就訂明修葺呈交的報告或經修訂建議——
- (a) 須由根據本條例第 30D(1)(b) 條就該項修葺獲委任的註冊檢驗人員擬備，或由根據本條例第 30E(1)(b) 條就該項修葺獲委任的合資格人士擬備，視情況所需而定，或在該人員或人士(視情況所需而定)的監督或指示下擬備；及
- (b) 須經該人員或人士簽署。
- (3) 註冊檢驗人員或合資格人士如根據第(1)或(2)款簽署報告、建議或經修訂建議，即視作已同意就該報告或建議，承擔在本條例下的所有責任。

36. 本規例施加的職責或責任不影響條例或其他成文法則所施加的任何其他職責或責任

本規例向某人施加的職責或責任，並不影響本條例任何其他條文或任何其他成文法則向該人施加的職責或責任。

Part 5
Section 365-4
Cap. 123P

- section 30E(1)(a), of the Ordinance for the prescribed inspection; and
- (b) signed by the registered inspector or qualified person.
- (2) Any report or revised proposal required to be submitted under this Regulation in relation to a prescribed repair must be—
- (a) prepared by, or under the supervision or direction of, as the case requires, a registered inspector appointed under section 30D(1)(b), or a qualified person appointed under section 30E(1)(b), of the Ordinance for the prescribed repair; and
- (b) signed by the registered inspector or qualified person.
- (3) A registered inspector or qualified person signing a report, proposal or revised proposal under subsection (1) or (2) is regarded as having agreed to assume all responsibilities under the Ordinance regarding the report or proposal.

36. Duty imposed by this Regulation not to prejudice any other duty imposed by Ordinance or other enactment

A duty imposed on a person by this Regulation does not affect any duty imposed on the person by any other provision of the Ordinance or any other enactment.

S1-1
第 123P 章

附表 1

Schedule 1

S1-2
Cap. 123P

附表 1

[第 4 及 17 條]

Schedule 1

[ss. 4 & 17]

建築物公用部分(外牆除外)的訂明檢驗項目列表

List of Items for Prescribed Inspection in respect of Common Parts (other than External Walls) of Buildings

(E.R. 5 of 2020)

1. 建築物的構築物，包括轉移構築物、懸臂式構築物及外露的樁帽。
2. 消防安全設施，包括——
 - (a) 逃生途徑；
 - (b) 消防和救援進出途徑；及
 - (c) 耐火結構。
3. 地面上和地底下的排水系統的共用排水喉，包括任何相關的嵌固件。
4. 固定附着物和裝置，包括金屬閘、圍牆、防護欄障、護牆、欄杆及天窗。

1. Building structures including transfer structures, cantilevered structures and exposed pile caps.
2. Fire safety provisions including—
 - (a) means of escape;
 - (b) means of access for fire fighting and rescue; and
 - (c) fire resisting construction.
3. Common drain pipes of aboveground and underground drainage systems, including any associated fixings.
4. Fixtures and installations including metal gates, fence walls, protective barriers, parapets, balustrades and skylights.

S2-1
第 123P 章

附表 2

Schedule 2

S2-2
Cap. 123P

附表 2

[第 4 及 17 條]

建築物外牆的訂明檢驗項目列表

1. 建築物的構築物，包括轉移構築物及懸臂式構築物
2. 非結構項目，包括鰭狀飾件、柵檔及金屬百葉窗
3. 幕牆
4. 附屬物、建築上的伸出物，及固定附着物和裝置(包括金屬閘、防護欄障、護牆及欄杆)

(2020 年第 5 號編輯修訂紀錄)

Schedule 2

[ss. 4 & 17]

List of Items for Prescribed Inspection in respect of External Walls of Buildings

1. Building structures including transfer structures and cantilevered structures
2. Non-structural items including fins, grilles and metal louvers
3. Curtain walls
4. Appendages, architectural projections, and fixtures and installations (including metal gates, protective barriers, parapets and balustrades)

(E.R. 5 of 2020)