

Reply from Development Bureau to Request from Independent Committee to Fire at Wang Fuk Court in Tai Po

This paper aims to provide information to the Independent Committee to Fire at Wang Fuk Court in Tai Po (“**IC**”) in response to the request conveyed by way of letter of 4 June 2026 (“**Request**”) from Lo & Lo, the solicitors for the IC.

2. By way of background information, since late last year, the Development Bureau (“**DEVB**”) in collaboration with the Buildings Department (“**BD**”) and Urban Renewal Authority (“**URA**”) have been formulating measures on two fronts to address risk areas in our existing regimes as revealed by the Tai Po Wang Fuk Court (“**WFC**”) fire incident. First, we have expanded the scope of legislative proposals to the Buildings Ordinance (“**BO**”) formulated last year to include new proposals targeted towards stepping up regulation of large-scale building repairs as well as prescribed building professionals (“**PBPs**”) and registered contractors (“**RCs**”) engaged in such works. Our plan is to submit the amendment bill to the Legislative Council in the fourth quarter of 2026 after taking into account the recommendations of the IC. Secondly, we are working with URA to reform and re-design the “Smart Tender” services to combat bid rigging while providing more effective practical assistance to owners in carrying out repair works for their buildings. Our target is to have the enhanced “Smart Tender” services launched by URA in the fourth quarter of 2026. We set out below the progress with our follow up action in respect of the above two major areas, which we believe will also address some of the questions raised in the Request.

I. Stepping up regulation of large-scale building repairs and PBPs/RCs involved

3. Before the WFC fire incident, DEVB and BD have started a review of the BO and conducted public consultation on initial legislative amendment proposals focusing on the handling of unauthorised building works, the non-compliances with statutory notices in relation to Mandatory Building Inspection Scheme Works and the tightening of regulatory actions towards building professionals. Since the WFC fire incident, we are

considering how the scope of our legislative amendment proposals should be widened to step up controls of large-scale building repairs, better regulate how these works should be carried out, and strengthen the registration and disciplinary systems for PBPs and RCs. As of now, the major legislative proposals being considered include: –

- (a) subjecting large-scale building repairs works that are currently mostly Class II minor works (“**MW**”) requiring no prior approval from BD to more stringent control and tougher penalty including the need to obtain BD’s prior approval for prescribed plans and supervision plans before works commencement;
- (b) better delineating the duties of building inspection and works supervision;
- (c) empowering BD to prescribe (i) requirements for temporary precautionary measures and fire safety protective measures; and (ii) safety distance between buildings for carrying out repair works concurrently, and introducing new offence requiring compliance with safety standards of specified building materials;
- (d) empowering BD to de-register PBPs and RCs direct without going through disciplinary procedures in case of violations of Prevention of Bribery Ordinance (Cap. 201) (“**POBO**”) and Competition Ordinance (Cap. 619) (“**CO**”);
- (e) increasing penalties (possible levels being considered) for PBPs and RCs for BO contraventions, including those for direct involvement in works causing serious injury or death; and
- (f) strengthening the registration and disciplinary systems including (i) empowering BD to renew registration of RCs for shorter period and with conditions for RCs involved in serious incidents; (ii) allowing disciplinary boards to issue multiple sanctions such as reprimand together with temporary de-registration; (iii) increasing maximum fine handed down by disciplinary board; (iv) refining the composition of disciplinary boards to allow such boards to be

formed more easily to deal with disciplinary cases in a more timely manner.

4. Apart from amending the BO, we also see a need to be more vigorous in the discharge of BD's regulatory functions and law enforcement. To this end, BD has since December 2025 stepped up its monitoring role by carrying out surprise inspections to sites of large-scale building repair works at least once every six months to check whether aspects regulated by the BO are in order. To address the problem of "rubber stamp" registered inspectors ("RIs"), BD has stepped up random checks under the current practice, including confirming with property management companies/building owners whether the inspection was conducted personally by the RIs. Depending on the severity of irregularities identified, BD will issue warning letters. PBPs including RIs with repeated warning letters of malpractice will be referred to disciplinary board for follow-up. BD is also planning to publish the list of building inspection and repair works undertaken by PBPs to facilitate public monitoring.

II. *Reforming and Redesigning "Smart Tender" services*

5. The revamp exercise is driven by DEVB with inputs from URA and other concerned parties. Under DEVB's steer, URA is aiming to launch the enhanced "Smart Tender" services in the fourth quarter of 2026 with dual objectives of combating bid rigging and providing more effective practical assistance to owners in hiring PBPs and RCs for repair works. Specifically, with more stringent pre-qualification criteria (item (a) below), coupled with URA's deeper and more substantial involvement in the selection of PBPs and RCs (item (b) below), as well as URA and BD's monitoring of PBP and RC's performance at the inspection and works stage (items (c) and (d) below), the tightened-up procedures are expected to better enable owners to engage fit and proper PBPs and RCs. We hope this can restore a clean and healthy market environment that can in turn attract more PBPs and RCs to join the building repair business. Subject to further deliberation, the enhanced "Smart Tender" services being formulated include –

- (a) establishing more rigorous “pre-qualified lists” of PBPs and RCs to ensure that only the fit and proper companies or individuals can be included in the lists and participate in tenders under the enhanced “Smart Tender”. Three lists will be drawn up, one for consultants responsible for building inspection, one for consultants supervising RC’s performance, and the other for RCs. Our initial design of the pre-qualified lists is that there will be four key areas of minimum requirements, namely –
 - (i) technical competence (which covers the requirements on professional qualifications and staffing, etc.);
 - (ii) integrity (which includes not subjecting to POBO and CO convictions and prosecutions, and background checks by Police and Independent Commission Against Corruption (“**ICAC**”), etc.);
 - (iii) financial capability (which covers the minimum capital requirement, etc.);
 - (iv) past performance (which includes BO convictions, disciplinary records from BD, Professional Registration Boards (“**PRBs**”) and professional bodies, and URA’s assessment of the performance of consultants under enhanced “Smart Tender”, etc.);

Additional requirements over and above the above listing criteria will be included in tender documents for PBP and RC procurement should the size and complexity of the building repair works call for such inclusion.

- (b) URA will assume a stronger and more substantive role in the selection of PBPs and RCs by gatekeeping quality of tender documents before tender invitation, issuing and evaluating tenders, and recommending no more than 3 tenderers for owners to consider after tender assessment. Owners receiving government maintenance subsidies have to choose one to employ out of the recommended tenderers. URA will also revamp the tender documents for hiring PBPs and

RCs to reduce room for ambiguity or manoeuvre, strengthen requirements for declaration of interest particularly with associated companies, and allow competition on equal footing;

- (c) all inspection reports prepared by consultants for owners of buildings subscribing to enhanced “Smart Tender” service will be sent to BD for vetting and further discussion with owners on any repair works required will be premised on the inspection report as accepted by BD; and
- (d) at the works stage, for owners receiving government maintenance subsidies, URA will require PBPs to report to URA when there are significant variations to the scope of works or increase in project costs, so that URA may offer independent advice to owners. In addition, both URA (as service provider of enhanced Smart Tender service) and BD (as enforcement authority of BO) will perform their respective roles in monitoring the performance of PBPs responsible for works supervision. As regards the performance of the RCs, apart from acting swiftly upon receipt of complaints/referrals, as mentioned in paragraph 4 above, since December 2025, BD has been carrying out surprise inspections to sites of large-scale building repair works at least once every six months to ensure RCs’ delivery of their statutory duties.

Together with URA, we are finalising details of the enhanced measures and we have publicly mentioned the aim of announcing the details in mid-2026 for stakeholders’ consultation thereafter, and for PBPs and RCs to apply for joining the pre-qualified lists. As mentioned above, our aim is to roll out the new services in the fourth quarter of 2026.

6. To provide a more solid foundation for URA to formulate the implementation arrangements, as announced in the 2026-27 Budget, the Government has earmarked a total of \$300 million for implementing the enhanced services, with \$100 million as start-up capital for URA to establish a subsidiary company dedicated to providing the enhanced

“Smart Tender” service; and the remaining \$200 million to enable the offer of the enhanced “Smart Tender” service to owners at concessionary service fees.

7. To compile and maintain the “pre-qualified lists” and carry out tender assessment, URA will need access to conviction and disciplinary records being held by parties within and outside the Government. Under DEVB’s coordination, URA is firming up information-sharing arrangements with parties concerned, so that there will be regular information update on URA’s database. URA will also explore using AI system to facilitate more effective information processing. Should URA identify any anomalies during tender evaluation, URA will alert relevant law enforcement agencies for more follow-up. Over time after URA has accumulated sufficient cost data of repair works through tenders received through the enhanced Smart Tender services, such data will be made available publicly to enhance information transparency.

8. We believe the above paragraphs will give an overview of follow up action being taken on the stepping up of regulatory action under the BO and the enhancement of tender and other support services for owners. Our specific responses to the Request are set out below.

(1) The BD relied on the Independent Checking Unit (“ICU”) to carry out investigation of cases, but if the ICU would not take the initiative to carry out site inspections, many cases of non-compliance and site safety hazards might not be identified prior to the completion of the Mandatory Building Inspection Scheme (“MBIS”) works or MW or not known at all if such non-compliances and hazards happen when works is underway. Kindly describe and explain how the DEVB proposes to tackle the said loophole in the supervisory regime in respect of MBIS works and MW of residential estates under Home Ownership Scheme.

9. Apart from acting swiftly upon receipt of complaints/referrals, as mentioned in paragraph 4 above, since December 2025, BD has been carrying out surprise inspections to sites of large-scale building repair works at least once every six months to ensure RCs’ delivery of their statutory duties. The same inspection protocol has been conveyed by BD

to ICU which has followed suit as a party acting under BD's delegated authority by inspecting high-risk sites every four months. Furthermore, we acknowledge that BD should strengthen its supervisory functions over ICU which is acting under BD's delegated authority. Through existing institutional set-ups and new arrangements, BD will more proactively review and discuss MBIS cases with ICU and monitor the handling of such cases. Specific measures include –

- (a) expanding the content of the six-monthly reports submitted by ICU to BD to include active MBIS cases so that the half-yearly management level meeting between Deputy Director of BD and Head (ICU) can monitor progress and discuss handling of specific cases;
- (b) increasing the frequency of regular working-level liaison meetings from annually to quarterly to discuss enforcement targets, enforcement and implementation details, as well as specific cases, so as to ensure consistency between the practices of ICU and BD;
- (c) rationalising the existing consultation mechanism at working level so that all consultations (including verbal consultations) require clearance by a directorate officer from BD and are properly recorded for reference by all ICU staff;
- (d) opening up BD's training courses and experience-sharing sessions to ICU staff; and
- (e) establishing a mutual secondment mechanism between BD and ICU to enhance understanding of each other's standard practices and culture.

(2) Based on the evidence of Mr. Te Chi Wang of the Home Affairs Department ("HAD"), after the fire broke out at WFC, there were discussions amongst the DEVB, the URA, the HAD and HK Institute of Surveyors ("HKIS") on how best to deal with enquiries or complaints from owners in relation to building renovation works. Kindly provide details of the said discussions (including

written records of such discussions) and any conclusions, findings or recommendations following such discussions.

10. Since December 2025, DEVB and the Home and Youth Affairs Bureau (“**HYAB**”) / HAD have been working together, in consultation with URA and HKIS, with a view to providing professional advice and support to owners’ corporations (“**OCs**”)/owners in relation to building repair works, in particular those OCs / owners having engaged Will Power Architects Company Limited (“**WPA**”) as consultant or Prestige Construction and Engineering Company Limited (“**Prestige**”) as contractor.

11. After taking stock of the status and needs of the OCs / owners who have engaged WPA or Prestige, the Government considered that as WPA currently under prosecution can no longer perform its statutory role under BO, priority assistance should be targeted towards OCs / owners having engaged WPA as consultant and with repair works commenced. To safeguard the interest of these OCs/owners, it is necessary to ascertain the value of works completed and payment owed to contractor, as well as to prepare tender documents for appointment of a replacement repair works consultant.

12. In this connection, URA announced on 9 June 2026¹ that it would assist about 37 cases (those which have engaged WPA and have received URA’s maintenance subsidies or support services) to engage an Independent Reviewer (“**IR**”) to conduct third-party assessment, ascertain the fees for unpaid completed works but not yet paid, as well as prepare tender documents for the appointment of a new works consultant, with a view to facilitating the timely procurement of new works consultant upon the launch of the enhanced “Smart Tender” in the fourth quarter of 2026. On behalf of relevant OCs / owners, URA will help procure the IR service which will also be fully subsidised by URA. As for a few other cases not receiving URA’s subsidies or services, URA stands ready to provide technical support to relevant OCs / owners to engage an IR on a fee-paying basis.

¹ <https://www.ura.org.hk/en/news-centre/press-releases/20260609>

13. URA has been reaching out to all estates known to have engaged WPA and commenced repair works to see whether its assistance is required in engaging an IR. Where an OC decides to accept URA's assistance, URA will enter into a service agreement with the OC authorising URA to undertake the engagement of the IR on its behalf. In accordance with the Building Management Ordinance, the OC is required to convene an owners' meeting to pass a resolution for the appointment of the IR, following which the OC shall enter into a service contract with the IR.

14. As for cases where WPA has been engaged as consultant but with works contract not yet signed, owners should first terminate the contract with WPA, and then consider engaging a new works consultant through the enhanced "Smart Tender" to be launched by URA in the fourth quarter of 2026. In order to facilitate owners' termination of WPA services, DEVB has, in consultation with URA and the HKIS, compiled a set of reference materials for OCs. The District Offices have been providing relevant reference materials and arranging briefings by URA and HKIS to these OCs and owners where necessary.

15. Regarding cases where Prestige has been engaged as the contractor while their consultant is not WPA, since qualified consultants have been engaged for these maintenance works, the consultants have the responsibility to assist owners in supervising their contractors' work and addressing any issues that arise during the course of the works. Hence, the owners should discuss possible solutions with their consultants, including terminating the existing works contracts, and consider seeking legal advice where necessary. The District Offices will continue to contact affected OCs and owners to provide appropriate support. The DEVB issued a press statement on 10 June 2026² to set out the above assistances.

(3) Based on the witness statement of Pang Yuk Lung, Michael of the BD, convictions or disciplinary records including those under the BO (collectively, "BD Convictions") of any PBPs, i.e. AP, Registered Structural Engineers ("RSE"), Registered Geotechnical Engineers ("RGE") or RI under section 2 of the BO, "may lead to" actions by the professional registration boards (viz.

² <https://www.info.gov.hk/gia/general/202606/10/P2026061000893.htm>

Architects Registration Board, Engineers Registration Board, Surveyors Registration Board) (the said boards will be referred to collectively as “PRBs”). Please advise whether there exists any referral mechanism for the BA to refer BD Convictions to the PRBs. If so, kindly describe and explain such referral mechanism. If not, kindly explain whether the DEVB will consider establishing such referral mechanism.

- (4) Pursuant to the relevant sections of the Architects Registration Ordinance (Cap. 408), Engineers Registration Ordinance (Cap. 409), and Surveyors Registration Ordinance (Cap. 417), registration boards of the respective professions are set up to, amongst others, receive, examine, accept or reject applications for registration and renewal of registration as a registered architect/engineer/surveyor; deal with disciplinary offences in accordance with the ordinances, etc. The boards shall consist of certain number of members appointed by the professional bodies as prescribed in the ordinances and, in addition, may include one member appointed by the Chief Executive. Currently all the three relevant registration boards consist of a government representative as the member.**
- (5) To be eligible for registration as RI, a person must possess the required years of experience as, amongst others, a registered architect, registered professional engineer or registered professional surveyor. Apart from regulating the RI profession through BD Convictions, please advise whether DEVB would explore with the relevant professional bodies on how to enhance the regulatory and disciplinary regimes regarding the professionals’ malpractices as revealed in the Evidential Hearing of the Committee, including whether and if so how more swift disciplinary actions can be taken when a RI professional has clearly been engaging in non-compliant behaviours continuously and deliberately to protect public interest. For the case of WFC, it is noted that (a) the RI concerned was hardly involved in the supervision of works and merely acted as a rubber stamp to deal with paper work, and the RI took up the assignment on this basis from the onset; and/or (b) the RI repeatedly delegated his duties**

to a person who may lack the necessary competency or qualification to handle the technical issues arising during the site visits and material testing conducted jointly with ICU.

16. The current referral mechanism between BD and PRBs/professional bodies cover disciplinary records under BO only. We agree to extending the mechanism to BO convictions. Subject to advice from the Department of Justice, BD is aiming to share BO convictions with PRBs/professional bodies starting from a date in the fourth quarter of 2026 to be determined. We will also explore with PRBs/professional bodies as to how Government can assist them in taking disciplinary actions in a timely manner.

17. In respect of RI acting as rubber stamp as revealed in the case of WFC, please see paragraph 4 above on measures taken by BD to enforce against such malpractices.

(6) The BA has established 4 committees (viz. the Authorized Persons Registration Committee, Structural Engineers Registration Committee, Geotechnical Engineers Registration Committee and Inspectors Registration Committee) to assess the qualification and experience of applicants for inclusion in the corresponding Registers of AP, RSE, RGE or RI. Contractors Registration Committees are also appointed to assist the BA in considering applications for inclusion in (i) a register of general building contractors, and (ii) a register of specialist contractors. PNAP APP-7 issued by the BD sets out the procedures for application for registration as AP, RSE, RGE and RI, whilst PNAP APP-96 issued by the BD sets out the procedures for application for registration of general building contractors and specialist contractors.

(7) After the fire at WFC, the DEVB and the BD proposed to reform the registration and disciplinary systems for PBP (i.e. AP, RSE, RGE and RI) and Registered Contractors (“RCs”) to ensure professional quality and integrity, and in cases of violations of the POBO, disciplinary action may be taken, and such violations may also be considered in registration renewal.

(8) In light of paragraphs 6 and 7 above:

- (a) Please describe and explain how the registration systems for PBPs and RCs are proposed to be reformed.**

...

- (d) Please describe and explain how the disciplinary process and penalties for PBPs and RCs would be reformed (including specifying the sanctions to be imposed on PBPs and RCs in case of violations of the POBO).**

18. On the reform of the registration and disciplinary systems, please refer to paragraphs 3(d), (e) and (f) above.

- (b) Pursuant to paragraph 2(b) of PNAP APP-7 and section 3(7AA)(a) of the BO, a person may be included in the Register of Inspectors without recommendation by an Inspectors Registration Committee if the person is an AP or a RSE with the requisite experience as set out in paragraph 4(b) of PNAP APP-7. Please explain whether there are any proposed reforms to this route for experienced APs or RSEs to be included in the Register of Inspectors.**

19. Under BO, an RI may carry out prescribed inspections and supervise prescribed repair works only under MBIS. On the other hand, APs and RSEs have a much wider statutory role, who may be appointed for the design and supervision of building works and street works falling within the scope of BO, covering superstructure, foundation, demolition, alteration and addition works and repairs to existing buildings. APs and RSEs are subject to more stringent admission requirements for registration than RIs.

20. When BO was amended in 2010 for introduction of MBIS, it was proposed that APs and RSEs whose competency were already proven would be allowed to apply for registration as RIs, provided that they possess the relevant experience in repair works. We consider it

reasonable for the APs or RSEs who possess the requisite experience in repair works to be included in the register of inspectors without the need to go through the interview and assessment. Such an arrangement could encourage more qualified practitioners to register as RI for taking up large-scale building repair works.

- (c) According to section 13(2)(c) of Building (Inspector and Repair) Regulation (Cap.123P), an RI must, within 14 days after completion of a prescribed repair in respect of a building, submit to the BA a certificate in the specified form in which the RI certifies that the RI is not a partner, director, or authorized signatory of the RC appointed to carry out the prescribed repair. To minimise the risk of collusion amongst parties involved in the prescribed repair works, kindly explain whether the DEVB would consider reforms to the existing regulations in this regard, including by requiring RIs to submit certificates or statutory declarations that the RI has no conflict of interests before the commencement of prescribed repair works.**

21. We agree to the suggestion of requiring PBP (including RI) appointed to supervise repair works to declare **before** commencement of the repair works that he/she has no conflict of interests with RC appointed to carry out the prescribed repair. We will consider taking this forward in the context of the BO amendment exercise. If there is evidence showing that an RI has made false declaration, BD may take prosecution action under section 40(2A)(c) of BO or disciplinary action on the subject RI.

22. Separately, under the enhanced “Smart Tender” being formulated, we intend to specify that the RI pre-qualified to do building inspections for owners subscribing to the enhanced “Smart Tender” service will not be permitted to take up the role of supervising repair works for all cases under the enhanced service. Nor can he or she be related to the RCs taking up the works. PBPs and RCs participating in tender exercises will also be required to declare their interest with OCs/owners, property management companies, associated companies, etc.

- (9) Kindly explain whether a system analogous to the “centralized**

processing system” of the BD for processing building plans could be devised such that the relevant Government bureaux / departments (“B/Ds”) and / or the PRBs are consulted and their input/comments are collated by the BD with respect to malpractices, violations, criminal conduct, as well as record of convictions and disciplinary actions involving RIs and RCs appointed for MBIS works. In particular, does the DEVB agree that such a centralised system would enable the BD to exchange information with relevant Government B/Ds and stakeholders in a more efficient way.

23. We agree that having a centralised system capturing malpractices as well as conviction and disciplinary records of PBPs and RCs would be useful to information exchange and BD’s processing of applications for registration and renewal. We will explore with BD how best this should be pursued.

(10)After the fire at WFC, the DEVB has collaborated with the URA to strengthen the URA’s role in promoting building rehabilitation. This includes enhancing the URA’s “Smart Tender” service by establishing a more rigorous “pre-qualified list” of consultants and contractors, including background checks by the Police and the ICAC. Further, under the enhanced “Smart Tender” service, the URA will conduct tendering and tender proposal evaluation procedures on behalf of owners for the appointment of consultants and contractors. In this regard, kindly describe and explain:

- (a) what are the requirements and assessment criteria to join the more rigorous “pre-qualified list” of consultants and contractors under the enhanced “Smart Tender” service;**
- (b) what background checks are proposed to be carried out under the enhanced “Smart Tender” service (in addition to those carried out by the Police and the ICAC);**
- (c) how the “pre-qualified list” reconciles with the list of service providers under the Building Rehabilitation Company Registration Scheme (“BRCRS”); whether the enhanced**

measures to be implemented for the “pre-qualified list” will also be applied to the BRCRS list or to other similar "white lists" as maintained by Government B/Ds, statutory bodies and organisations;

- (d) what assistance is proposed to be rendered by the DEVB to the URA in this regard; and**
- (e) what mechanisms are proposed by the DEVB to share information about building maintenance-related crimes and malpractices by the DEVB, other relevant Government B/Ds (e.g. the Police) and stakeholders to the URA to assist the URA in compiling the said “pre-qualified” list of consultants and contractors.**

24. For (a), (b), (d) and (e), please refer to paragraphs 5(a), 6 and 7. For (c), our plan is for the “pre-qualified lists” to replace the BRCRS list after enhanced “Smart Tender” is rolled out in the fourth quarter of 2026.

Development Bureau
June 2026