

Buildings Department's response to media report regarding handling of inspection and copying of building records

The following is the Buildings Department's response regarding a media report today (November 28) about the department's handling of an application for inspection and copying of building records:

When processing applications for inspection and copying of building records under section 36G of the Buildings Ordinance (Cap. 123), the Buildings Department will need to consider the requirements under the Copyright Ordinance (Cap. 528) and the Personal Data (Privacy) Ordinance (Cap. 486) and the obligation of confidentiality. All applicants, regardless of their identities, when applying for inspection of plans, should comply with the requirements of the Buildings Ordinance, declaring that their applications are for the matters listed under section 36G(4) of the Buildings Ordinance, which are matters relating to the construction of a building; whether to ascertain a building or related building works have been completed or carried out in compliance with the provisions of the Buildings Ordinance or any other enactment; or for other purposes so specified for the Building Authority's determination on whether it is in the public interest to make available of the required information. More details are available in the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-39. The declaration has covered a considerably broad scope and will not constitute a constraint on news reporting in general.

In any event, any person using the private building records obtained through the above-mentioned channel is subject to the Personal Data (Privacy) Ordinance and is required to comply with the relevant provisions of the Copyright Ordinance.

If the department had been informed that the application for the inspection of building records as reported by the media today is related to a recent fire incident, the requested information would have been provided in view of public interest. In this regard, the department will contact the reporter as soon as possible to follow up with the reporter's application.