

Land and Development Advisory Committee holds meeting

At its meeting today (February 18), the Land and Development Advisory Committee (LDAC) was briefed on the proposed amendments to the Buildings Ordinance (Cap. 123) in three aspects, namely speeding up building inspection and repair, rationalising the policy for handling unauthorised building works (UBWs), and enhancing building works safety.

Members generally supported the guiding principles and major directions of the proposals. Apart from increasing deterrence against non-compliance with Mandatory Building Inspection Scheme (MBIS) notices and Mandatory Window Inspection Scheme (MWIS) notices (such as introducing fixed penalty, increasing the penalty levels and introducing a new offence in respect of personal injury or property damage caused by dilapidated external walls of buildings), Members emphasised the importance of providing financial and technical support to building owners and owners' corporations, especially elderly owners and those with limited means. Members agreed with the adoption of a pragmatic and facilitating approach in handling "minor UBWs" on the one hand, and enhancing enforcement effectiveness and deterrence against "serious UBWs" on the other. On enhancing building works safety, Members generally agreed with the proposals to enhance construction site safety through strengthening enforcement and enhancing registration and disciplinary systems.

Specifically, regarding the Government's proposals to expedite building inspection and repair, Members suggested that the Government should raise awareness of the relevant regulatory requirements among the public and provide more support for the building owners in complying with MBIS and MWIS notices. For example, leaflets which present information in layman's terms should be published to facilitate understanding of the Buildings Ordinance by members of the public.

On handling UBWs, Members supported the Government's proposal to expand the scope of the Minor Works Control System and Designated Exempted Works by adopting a pragmatic and facilitating approach in handling "minor UBWs", and to review the scope on a regular basis. Members acknowledged the Government's intention to increase penalties and pool enforcement resources against "serious UBWs", especially those which posed significant risks to structural and public safety. Some Members also suggested that the Government should require owners to engage registered building professionals to identify the presence of UBWs for rectification before a property transaction, so as to better protect the interests of purchasers, while some Members suggested the Government to consider regularising some existing UBWs that were verified safe by relevant building professionals.

Members also emphasised the importance of enhancing building works safety and reducing the number of accidents at construction sites. Members suggested clearly delineating the roles and legal responsibilities of

different key parties involved under the Buildings Ordinance, so that appropriate measures could be taken by all parties to improve building works safety at construction sites. Members also considered that more analysis on the statistics on accidents in construction sites would be conducive to identifying and addressing the root causes of accidents in a targeted manner. Training and education for key personnel and workers on site should also be strengthened.

The Government is engaging the relevant stakeholders as well as members of the general public as part of the two-month consultation exercise, which will run until February 28, 2025. The Government will take into account the suggestions of the Members and the views collected during the consultation period when finalising the proposals. The target is to introduce an amendment bill into the Legislative Council in the first half of 2026.