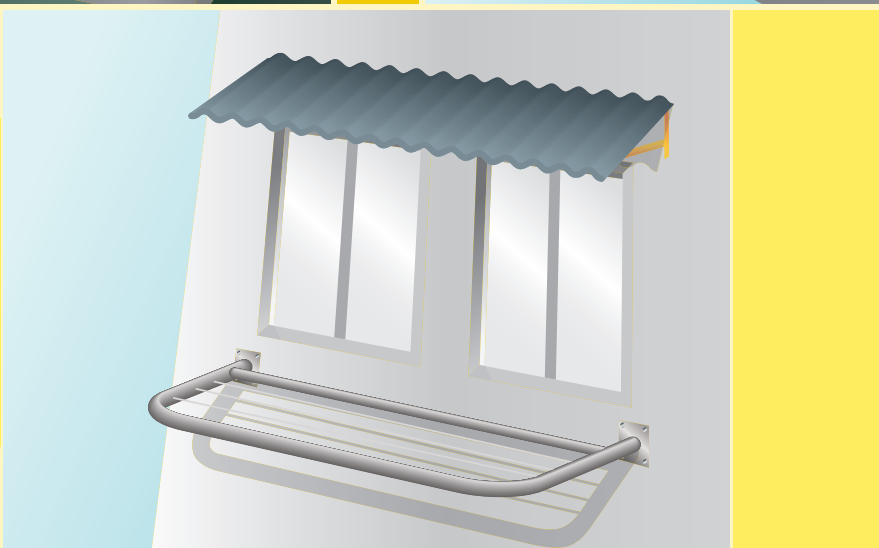
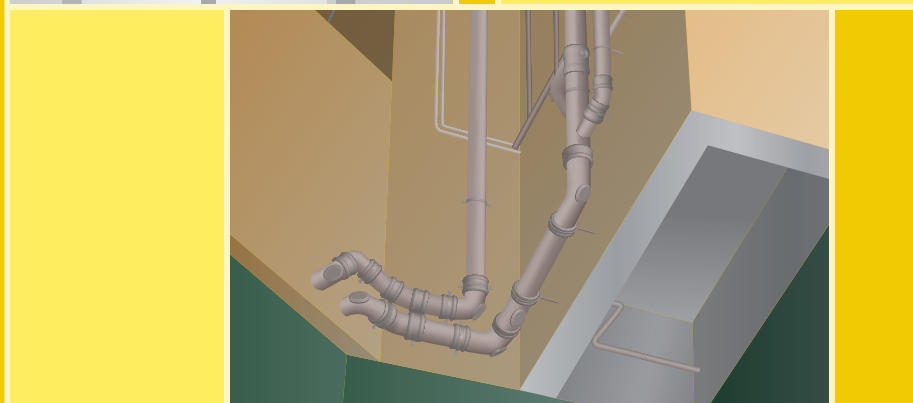
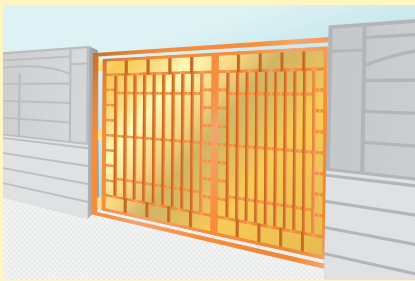


General Guidelines *on* Minor Works Control System



P r e f a c e

The Buildings Department has carried out a comprehensive review of the Buildings Ordinance (Cap. 123) with a view to rationalizing the building control regime. As a result of the review, a “minor works control system” is introduced in the Buildings Ordinance by the Buildings (Amendment) Ordinance 2008 and Building (Minor Works) Regulation.

Simplified statutory requirements are devised with objectives to improve efficiency and flexibility in the carrying out of “minor works”, enhance building safety and increase the user-friendliness of our building control regime, thus facilitating compliance. Under the new system, the existing requirements to seek prior approval for building plans and consent from the Building Authority to carry out “minor works” that are smaller in scale and pose a lower level of risk will be dispensed with.

This document intends to give the general public a clear understanding of the new “minor works control system” and to provide them with sufficient guidelines for complying with the associated new legislations.

For more technical contents, please refer to the respective pamphlets tailor-made for different stakeholders, “Technical Guidelines on Minor Works Control System” or the Building (Minor Works) Regulation.



Disclaimer

- These guidelines are for reference only. Users of these guidelines should not solely rely on the information as professional advice and are recommended to seek advice from building professionals should there be doubts about the application of the Building (Minor Works) Regulation and other related issues in the carrying out of “minor works”.
- Users of these guidelines are advised to verify the information by making reference to the website of Buildings Department (<http://www.bd.gov.hk>) before acting on it.

GENERAL GUIDELINES *on* MINOR WORKS CONTROL SYSTEM

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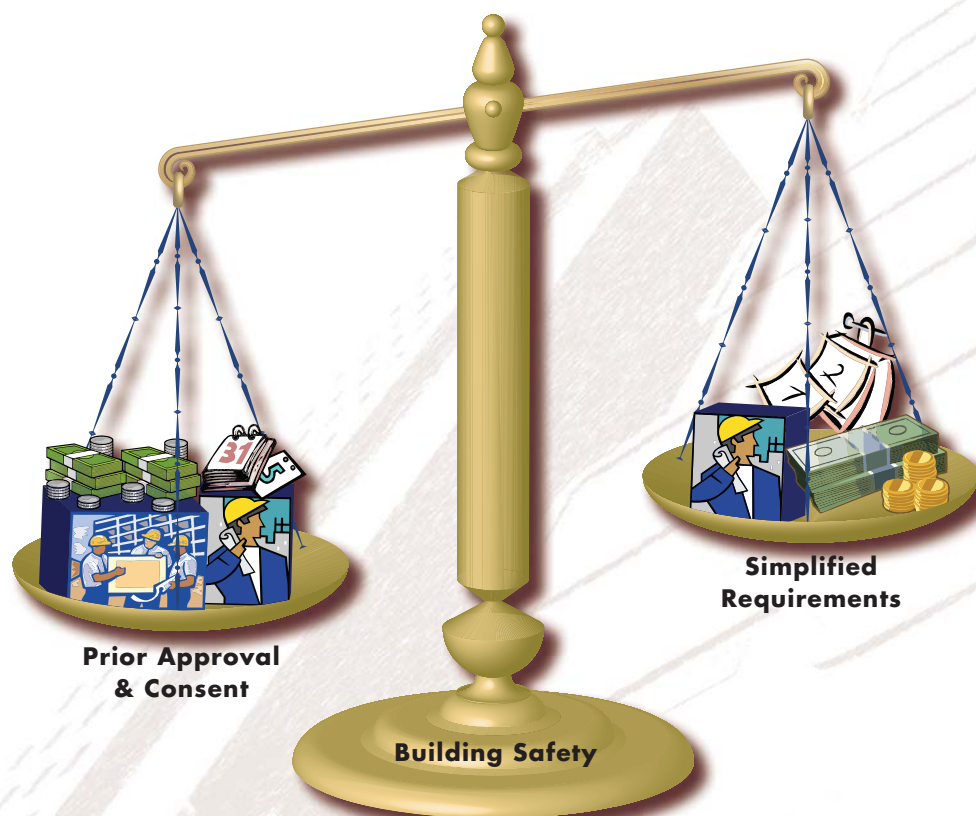
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1 Introduction

1.1 Background

- 1.1.1 Apart from the existing system under which prior approval and consent of the Building Authority ("BA") have to be sought for carrying out building works, a set of prescribed requirements that is simpler than the existing regime has been added to the Buildings Ordinance ("BO"). The detailed modus operandi of the "minor works control system" ("MWCS") is set out in the Building (Minor Works) Regulation (Cap 123N) ("B(MW)R").



- 1.1.2 This MWCS does not apply to any building specified in a "certificate of exemption" (i.e. the New Territories exempted houses under the small house policy) according to section 7(1)(a) of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

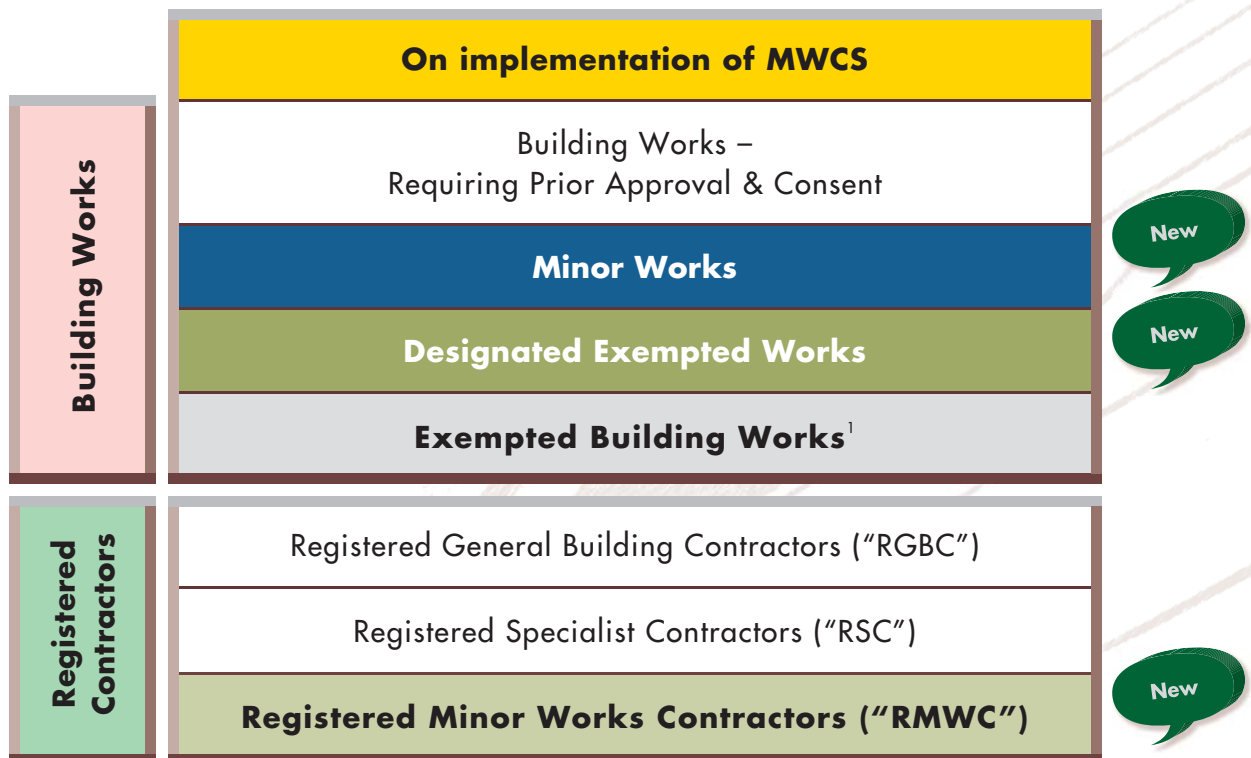
1.2 "Minor Works Control System"

- 1.2.1 A new category of building works, namely "minor works" ("MW"), and a new register of "registered minor works contractors" ("RMWC") for carrying out such "minor works", have been introduced under the BO. **In respect of "minor works", the requirement to seek BA's prior approval of building plans and consent to commence works is dispensed with.** "Minor works" are classified into three classes according to their nature, scale and complexity and the risk to safety they pose.

- 1.2.2 The works under each class are further classified into types and items that correspond to the specialization of works in the industry. Each item of "minor works" is precisely defined with their dimensions, locations and other relevant measurements specified. The specifications for the list of 118 items of "minor works" are promulgated in Part 3 of Schedule 1 of the B(MW)R.
- 1.2.3 Regarding the required qualifications of personnel undertaking "minor works", as Class I minor works are relatively more complicated, they require higher technical expertise and more stringent supervision. The other two classes of "minor works", however, can be carried out by registered contractors (including RMWC) without the involvement of Authorized Person. The control system over RMWC largely mirrors that for existing registered contractors (registered general building contractors and registered specialist contractors) under the current BO. The contractors who apply for registration as RMWC may be body corporates, partnerships or sole proprietorships and have to satisfy the BA that their personnel possess the necessary technical qualifications and work experience before they could be registered under the BO. Regardless of whether the RMWC is a company or an individual, the contractor needs to perform the same duties and bear the same obligations and responsibilities under the "minor works control system".
- 1.2.4 In respect of notification procedures, building professionals and registered contractors will be required to notify the BA before the commencement of Classes I and II minor works. Notification of the commencement of Class III minor works is not required. Nevertheless, building professionals and registered contractors are required to certify the completion of any "minor works" they have undertaken and submit the certificate to the BA.
- 1.2.5 A registration system is established for RMWC under the BO by way of regulations. Existing minor works practitioners may apply for registration as RMWC for the relevant classes, types or items of minor works as appropriate according to their qualifications and experience. A transitional period and a provisional registration arrangement are put in place to allow adequate time for the existing minor works practitioners to prepare for registration.
- 1.2.6 As stipulated under the new legislation, applicants for registration as RMWC have to satisfy the BA on their qualifications and experience. Authorized representatives of body corporates or partnerships (acting on their behalf) and individual workers, who possess relevant trade certificates, apprentice certificates or recognized skills qualifications, may apply. Some of them may need to attend top-up courses to enhance their skills before they can be qualified.
- 1.2.7 For Class III minor works, the BA will accept applications from individual workers who do not possess formal qualifications but have adequate relevant experience. For individual workers applying to register as Class III RMWC, they are required to attend a mandatory training course relating to the statutory requirements and technical skills for Class III minor works before registration.
- 1.2.8 The BA will conduct audit checks to ascertain compliance with the statutory requirements and ensure the quality and standard of "minor works". Disciplinary and prosecution actions may be taken against cases of non-compliance.

2 What's new?

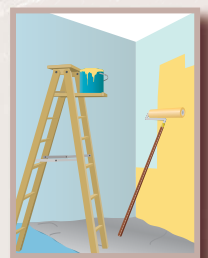
2.1 A new category of building works, "minor works" ("MW"), which are relatively simple in nature, small in scale and low risk to safety, has been introduced. A new register of contractors, who are qualified and registered to carry out such MW, registered minor works contractors ("RMWC"), has also been introduced. Different aspects of MW are discussed in Chapters 3 to 5, while the registration of the RMWC is not covered in these guidelines.



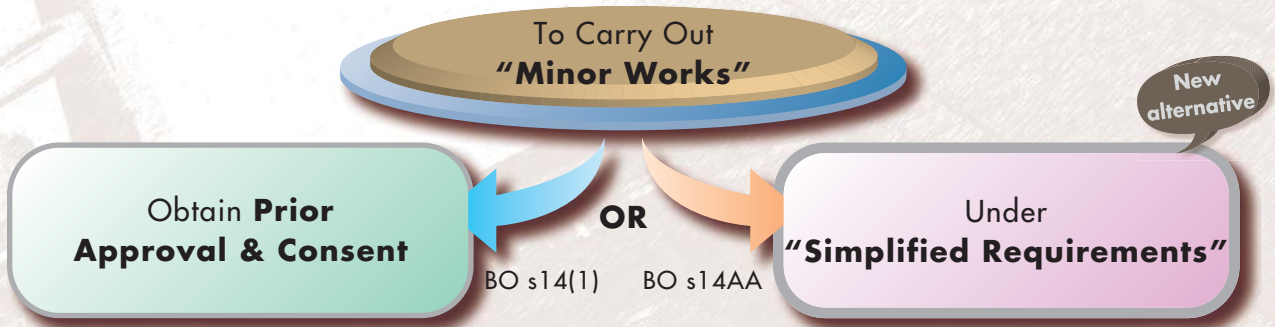
2.2 There are some building works which are relatively lower in complexity and risk to safety than MW but do not fall into "exempted building works". On the introduction of the "minor works control system" ("MWCS"), they are defined as "designated exempted works". There are 15 items of "designated exempted works" which are specified in Schedule 2 of the Building (Minor Works) Regulation ("B(MW)R"). Section 41(3B) of the Buildings Ordinance ("BO") stipulates that the "designated exempted works", when carried out on prescribed conditions, shares the same exemptions² as the "exempted building works".

1. Sections 41(3) & 41(3C) of the BO provide that certain building or drainage works may be carried out in any building with the exemptions from "seeking prior approval and consent" to commence work from the Building Authority. Examples are common household renovation works such as painting, internal plastering or wall-paper works and alteration of internal non-load bearing walls. However, the above ground drainage works such as the repair or replacement of pipeworks and fittings are now MW.







2. See Note 1 above.



2.3 A new alternative to “obtaining approval and consent” to carry out MW, namely “simplified requirements³” under MWCS has also been introduced. With the simplified administration and appointment of personnel, time and cost for carrying out of MW can be highly reduced without sacrificing quality and safety of the MW.



2.4 When comparing these two alternatives for carrying out MW, the benefits of “simplified requirements” can be tabulated as follows:

		Approval & Consent Procedures	Simplified Requirements
Submission Fee for Application for Approval of Plans 		Min. \$11,200	N/A
Statutory Processing Time 		Min. 30 days	Nil
Notification for Commencement of Works 		7 days before	7 days before for Classes I & II MW
Appointment of PBP ⁴ 		Required	Only required for Class I MW
Appointment of PRC ⁵ 		Required	
Notification for Completion of Works 		Within 14 days after completion	

3. “Simplified requirements” are the requirements prescribed in Part 6 of the B(MW)R.

4. The “prescribed building professional” (“PBP”) is an authorized person (“AP”) [and a registered structural engineer RSE (“RSE”)and/or a registered geotechnical engineer (“RGE”) if necessary].

5. The “prescribed registered contractor” (“PRC”) can be a RGBC, a RSC or a RMWC.

3 Classification of Minor Works

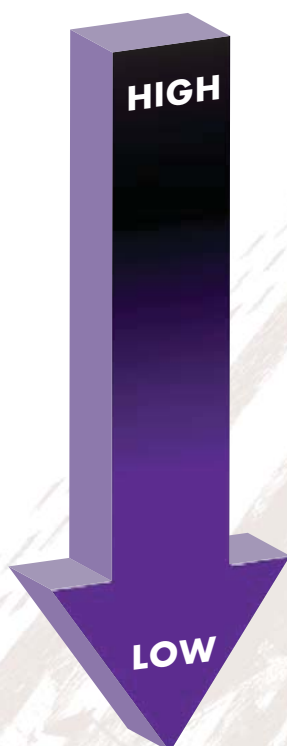
3.1 3 Classes

3.1.1 Under the Building (Minor Works) Regulation ["B(MW)R"], certain building works have been specified as "minor works". They are classified into three classes according to their nature, scale, complexity and risk to safety.

3.1.2 The three classes of "minor works" are subject to different degree of control. As Class I minor works are relatively more complicated, they require higher technical expertise and more stringent supervision⁶.

**Nature, scale,
complexity &
risk to safety**

\propto
**Degree of
Control**



Class I
(40 Items)

relatively more complicated

(e.g. erection of internal staircases connecting two floors, erection / alteration of projecting signboards with display areas $\leq 20\text{m}^2$, removal of unauthorized floor slab, etc.)



Class II
(40 Items)

comparatively less complex

(e.g. repair of external wall, repair / replacement of protective barrier, construction / alteration / repair / removal of window or window wall, etc.)



Class III
(38 Items)

**small-scale & common in
household**

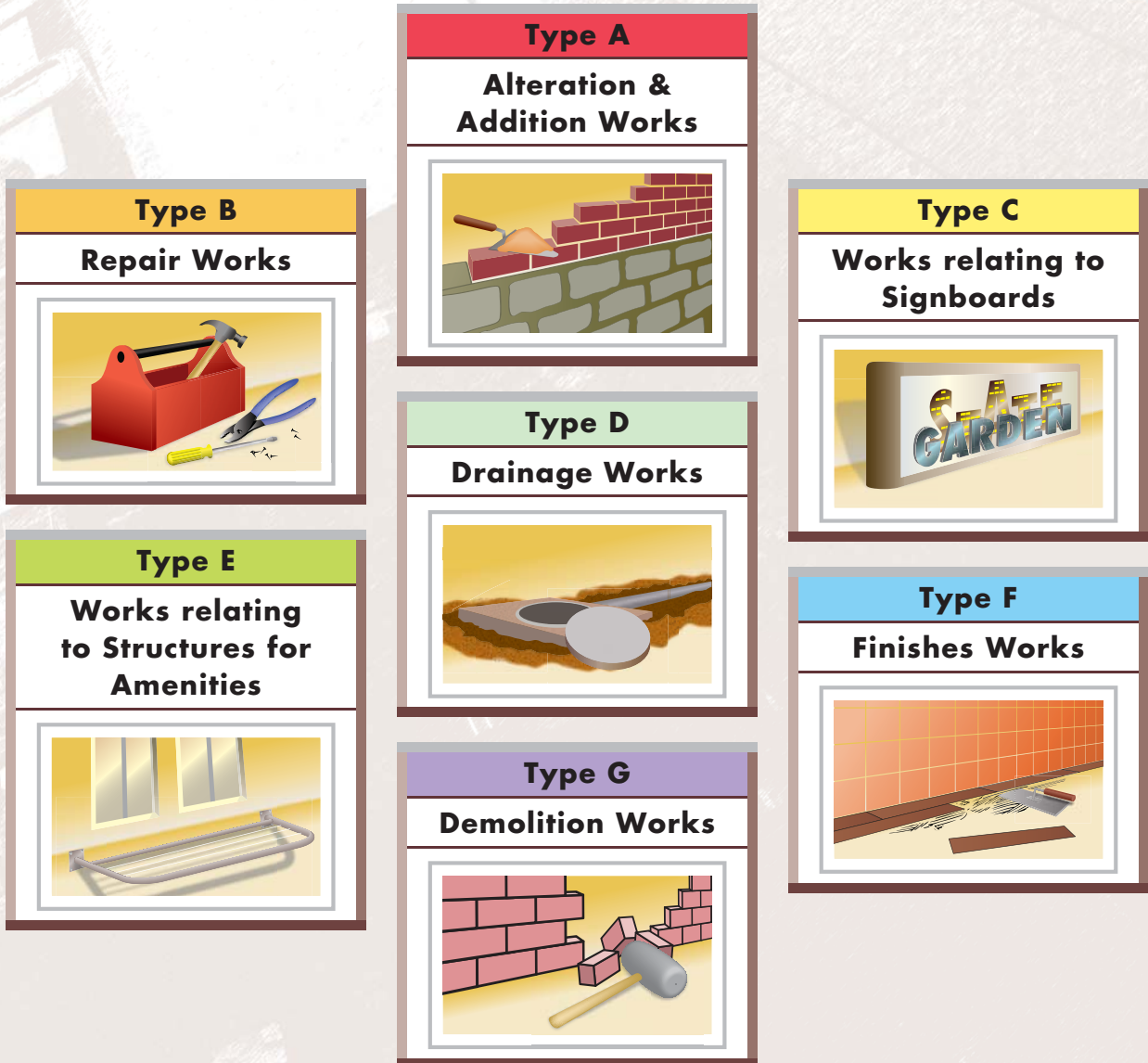
(e.g. erection / alteration / removal of supporting frame for air-conditioners, drying rack & lightweight canopy, etc.)

3.1.3 Under each class of "minor works", works are further classified into types and items.

6. See 6.2 & 6.3.

3.2 7 Types

3.2.1 There are 7 types of "minor works" corresponding to the specialization of works in the industry.



3.2.2 Part 2 of Schedule 1 of the B(MW)R lists out the minor works items under each type of works. A summary is provided at Appendix I for reference.

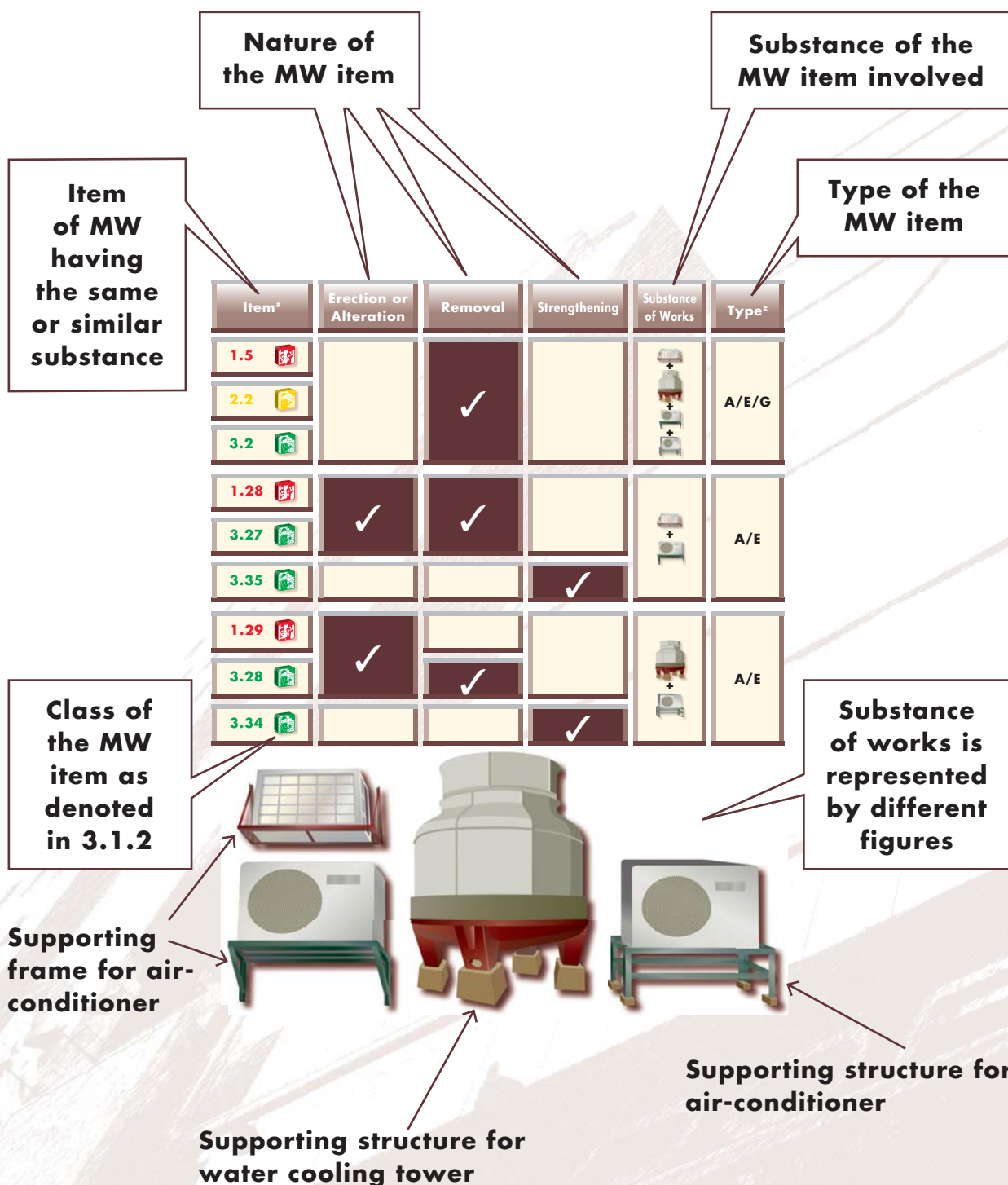
3.3 118 Items

3.3.1 Every minor works item is specific with a unique number representing it, the first digit denotes the class. For example, item 1.1, erection or alteration of any internal staircase..., is a Class I minor works item.





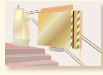

3.3.2 Detailed specifications for 118 items of "minor works" can be found in Part 3 of Schedule 1 of the B(MW)R. The details are also replicated at Appendix II for reference.

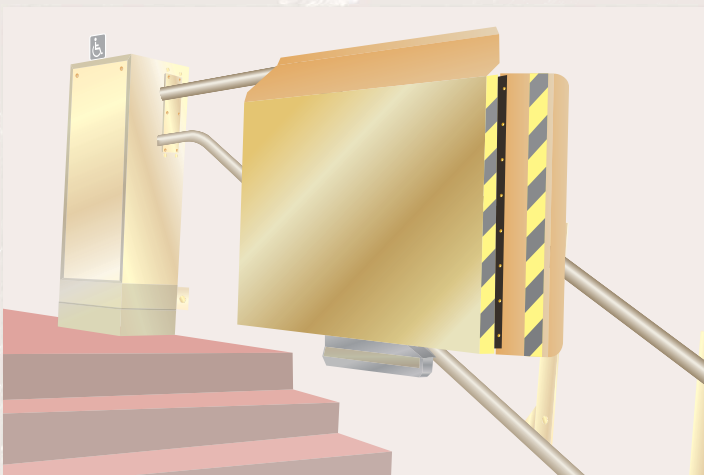
4 Categorization of "Minor Works"

To give a preliminary concept of what "minor works" ("MW") are, the 118 items are illustrated in tables by grouping those with the same or similar substance of works together. Following is a demo in relation to the supporting structure / frame for air-conditioner and water cooling tower.



4.1 Building Works Associated with Service Lift, Stairlift or Lift Platform





Item#	Installation or Alteration	Removal	Substance of Works	Type [▲]
1.3 	✓			A
1.33 		✓		A/G
1.4 	✓			A
1.34 		✓		A/G

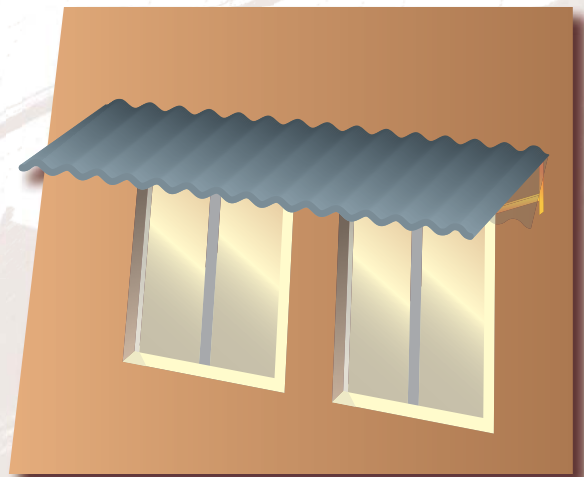
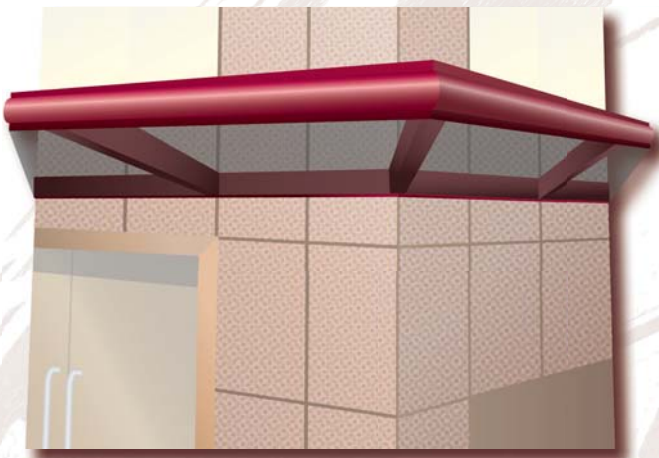


Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".

▲ Refer to 3.2 for the types of "minor works".

4.2 Canopy

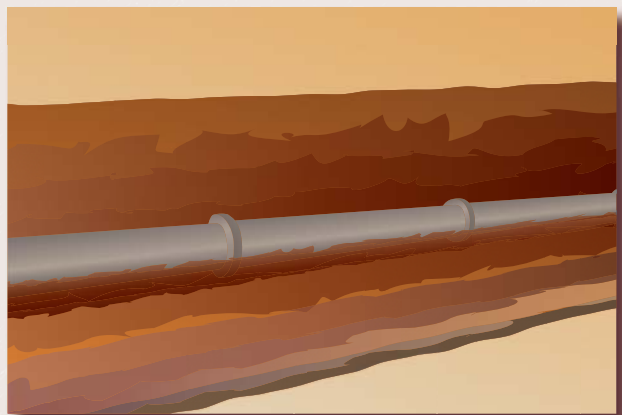
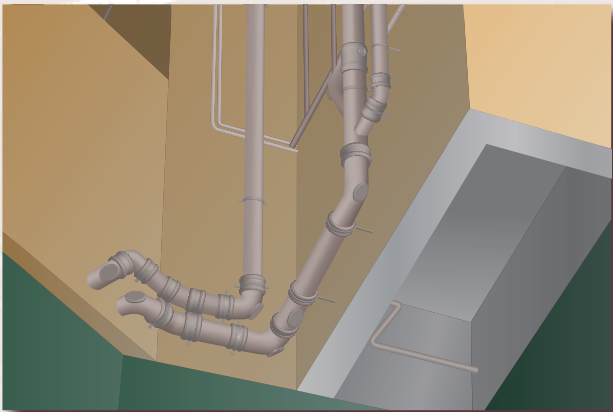
Item#	Erection	Alteration	Removal	Strengthening	Type [^]
1.27 	✓	✓	✓		A/E
3.25 					
3.37 				✓	
3.38 		✓			



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
[^] Refer to 3.2 for the types of "minor works".




4.3 Drainage

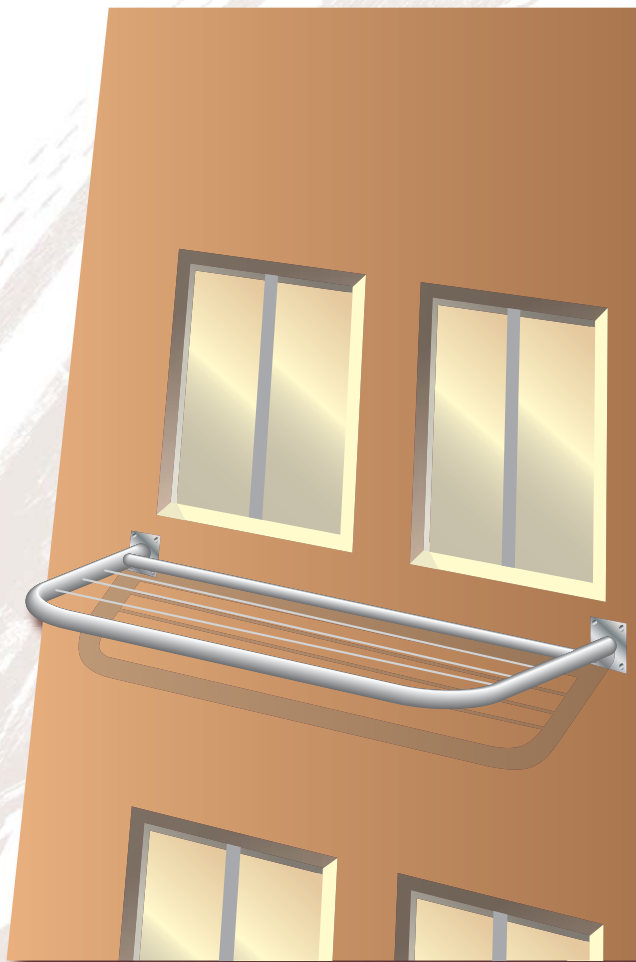
Item #	Addition or Alteration	Erection or Alteration	Removal	Repair	Substance of Works	Type [▲]	
2.30 		✓	✓			D	
3.23 			✓				
3.24 						A/D/G	
1.25 				✓		D	
1.26 	✓						
1.36 			✓				
2.28 							✓
2.29 	✓						
2.36 				✓			



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".


4.4 Drying Rack

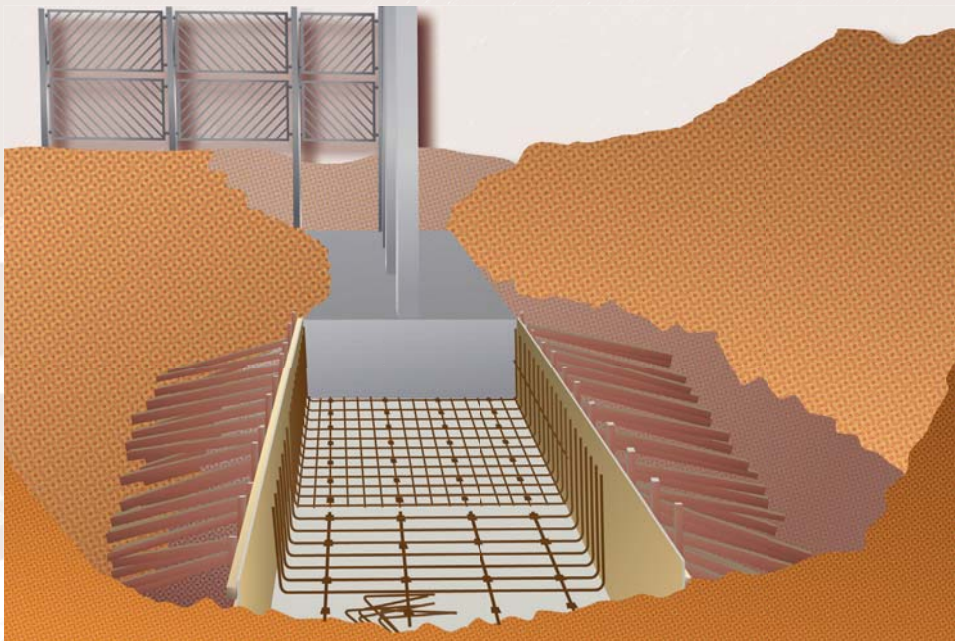
Item#	Erection or Alteration	Removal	Strengthening	Type [▲]
3.29 	✓	✓		A/E
3.30 				A/E/G
3.36 			✓	A/E



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".





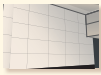

4.5 Excavation Works & Spread Footing Associated with "Minor Works"

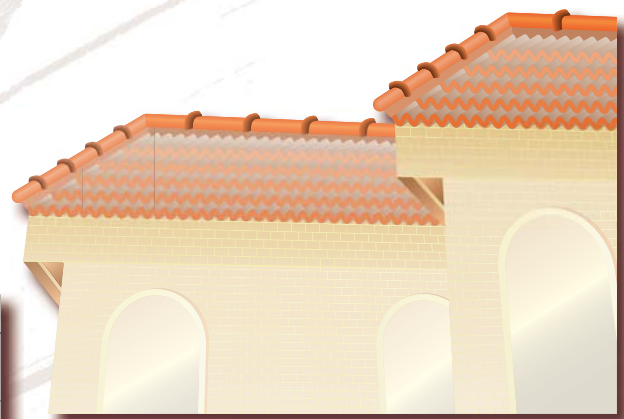
Item#	Construction or Alteration	Excavation	Type [^]
1.11 	✓		A
2.10 			
1.12 		✓	A
2.11 			








Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ^ Refer to 3.2 for the types of "minor works".

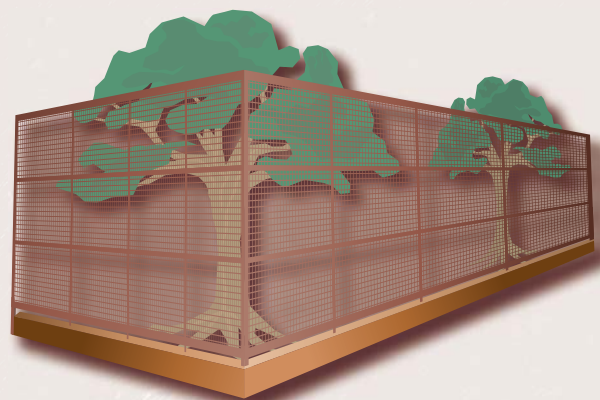
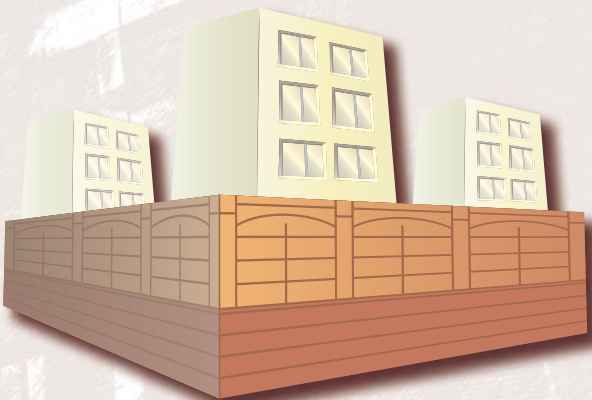
4.6 External Rendering, External Wall / Roof Tiles or Panel Fixed by Metal Dowel

Item#	Erection	Laying	Repair or Removal	Substance of Works	Type [▲]
2.34 		✓	✓		A/F
1.31 					
2.33 	✓		✓		A/F
3.31 					





4.7 Fence Wall or External Mesh Fence

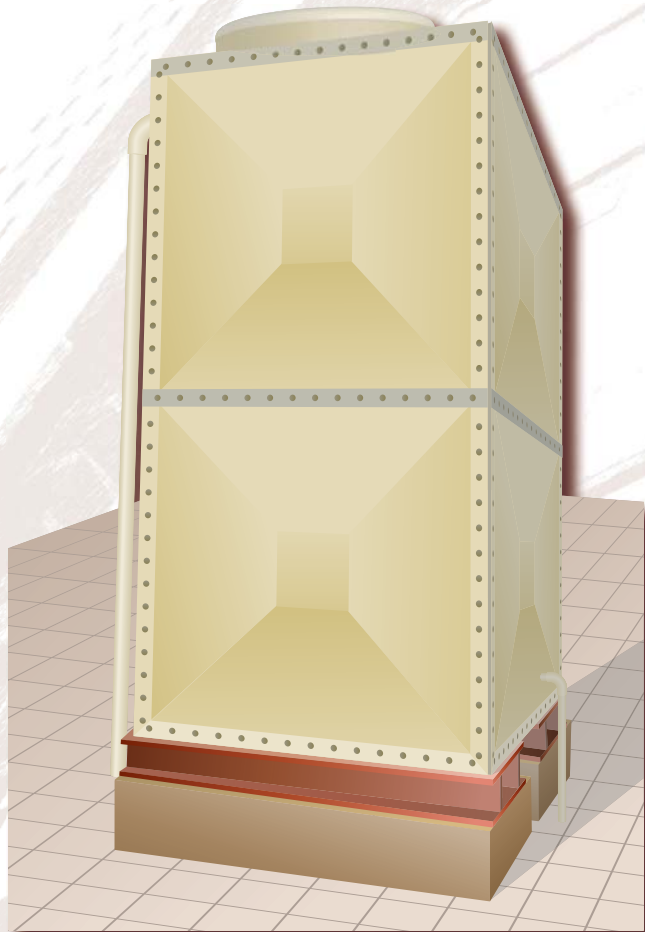
Item#	Erection or Alteration	Removal	Substance of Works	Type [▲]
1.7 	✓			A
1.9 		✓		A/G
2.6 	✓			A
3.4 		✓		A/G
1.8 	✓			A
1.10 		✓		A/G
2.7 	✓			A
3.5 		✓		A/G
				



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".


4.8 Glass Reinforced Polyester ("GRP") Water Tank

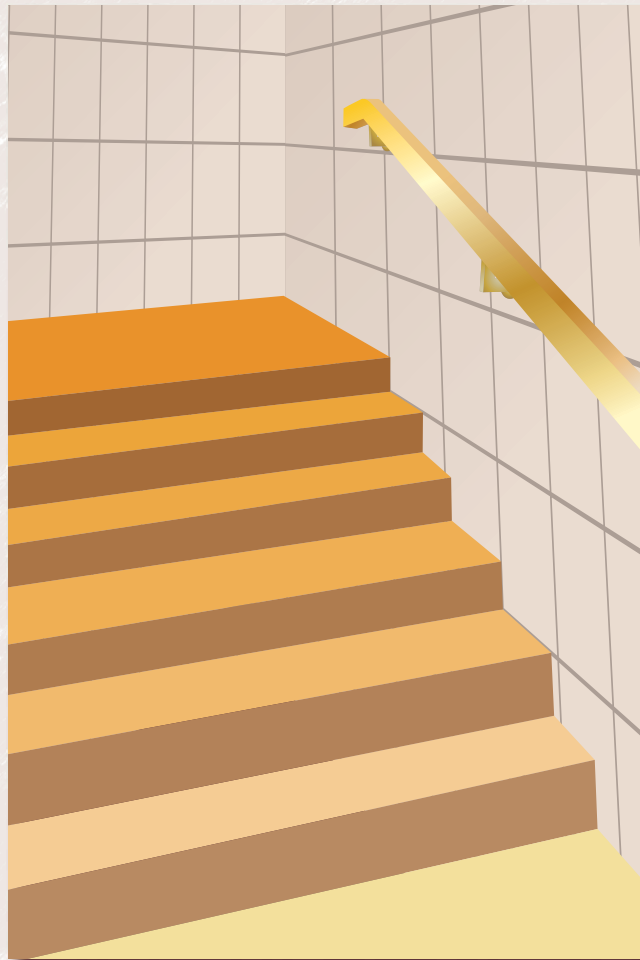
Item#	Removal	Replacement	Type [▲]
2.3 		✓	A/D
2.4 	✓		A/D/G



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".



4.9 Internal Staircase

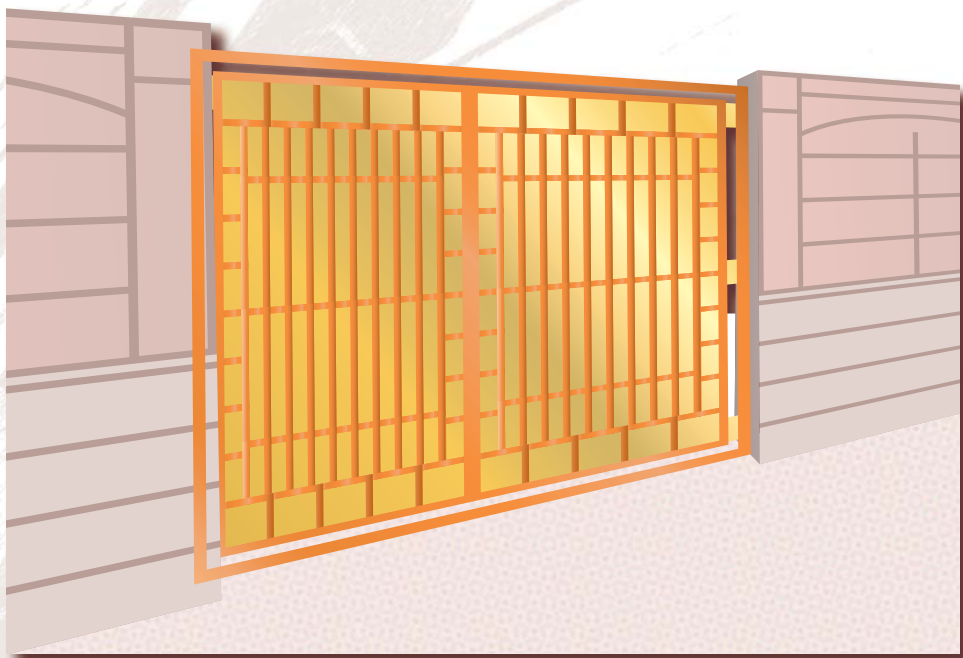
Item#	Erection or Alteration	Removal	Type [^]
1.1 	✓		A
1.32 		✓	A/G
3.1 			



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

4.10 Metal Gate on Fence Wall / at the Entrance of a Building

Item#	Erection or Alteration	Removal	Repair	Type [^]
1.16 	✓		✓	A
1.40 		✓		A/G
2.16 	✓		✓	A
2.40 				A/G
3.13 	✓	✓	✓	A
3.33 				A/G

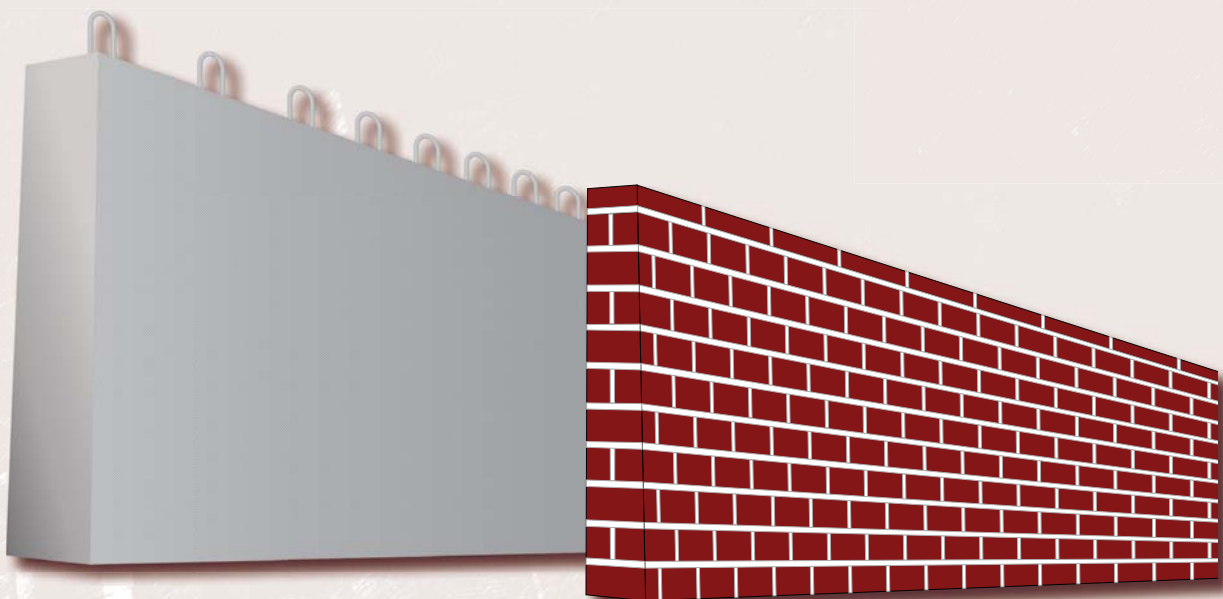


Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".

^ Refer to 3.2 for the types of "minor works".

4.11 Non-loadbearing External Reinforced Concrete / Block Wall

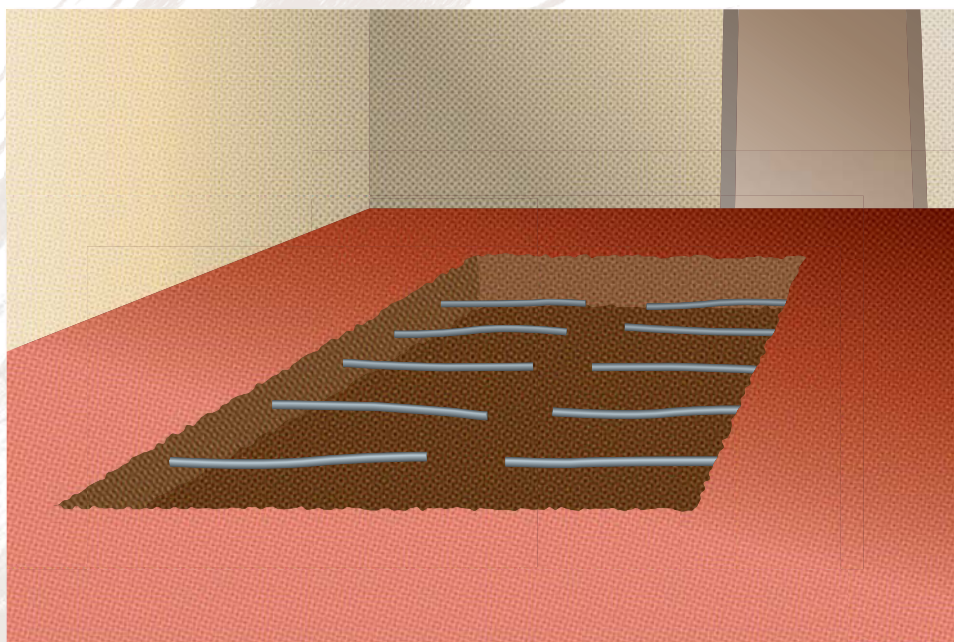
Item#	Erection or Alteration	Removal	Repair	Substance of Works	Type [▲]
1.15 	✓	✓			A
2.13 					
2.15 			✓		A/B
2.14 	✓	✓			A
3.11 					
3.12 			✓		A/B



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".




4.12 Opening in Floor Slab

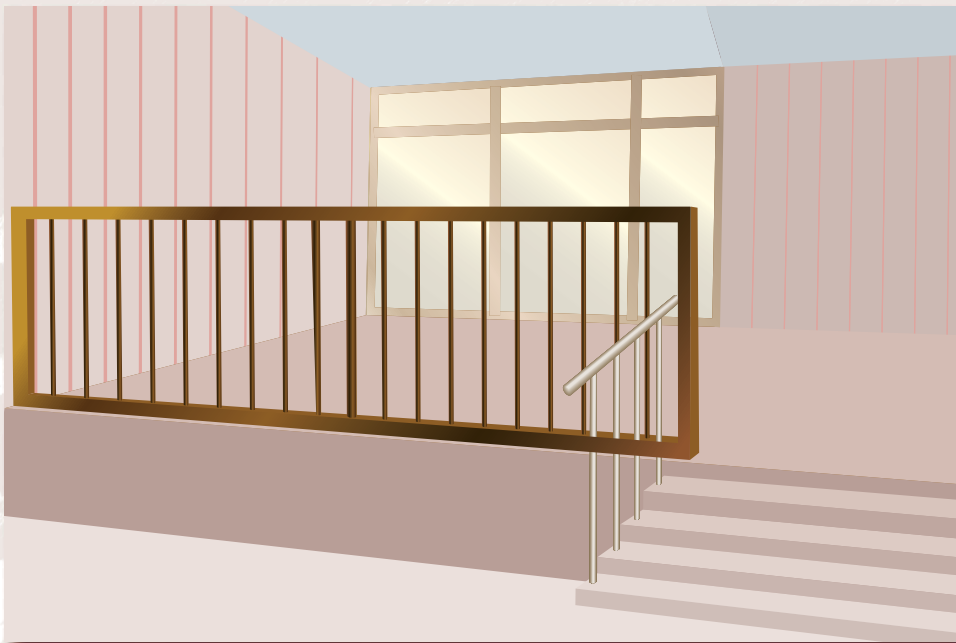
Item [#]	Formation	Reinstatement	Type [▲]
1.2 	✓		A
1.35 		✓	
2.1 	✓		A/D
2.35 		✓	A



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".



4.13 Protective Barrier

Item#	Alteration or Removal	Repair	Replacement	Type [▲]
1.6 	✓			A
2.5 		✓	✓	
3.3 				



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".



4.14 Removal of Architectural Projection, Canopy, Supporting Frame for an Air-conditioning Unit or any Associated Air Ducts, or Rack (other than a drying rack)

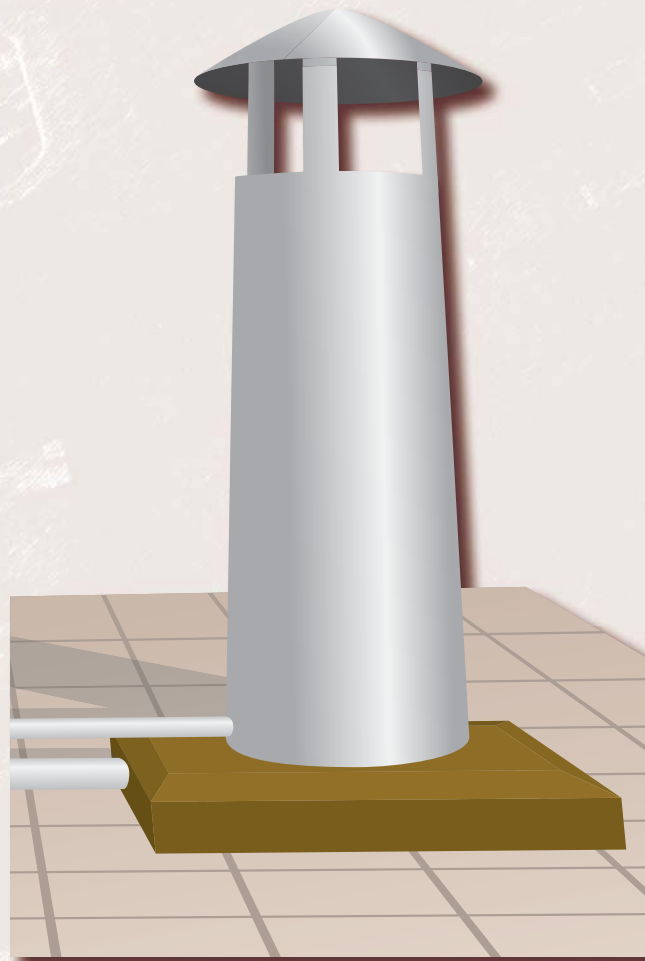
Item#	Removal	Type [▲]
2.31 	✓	A/E/G
3.26 		



Refer to Part 3 of Schedule 1 of the B[MW]R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".








4.15 Removal of Chimney

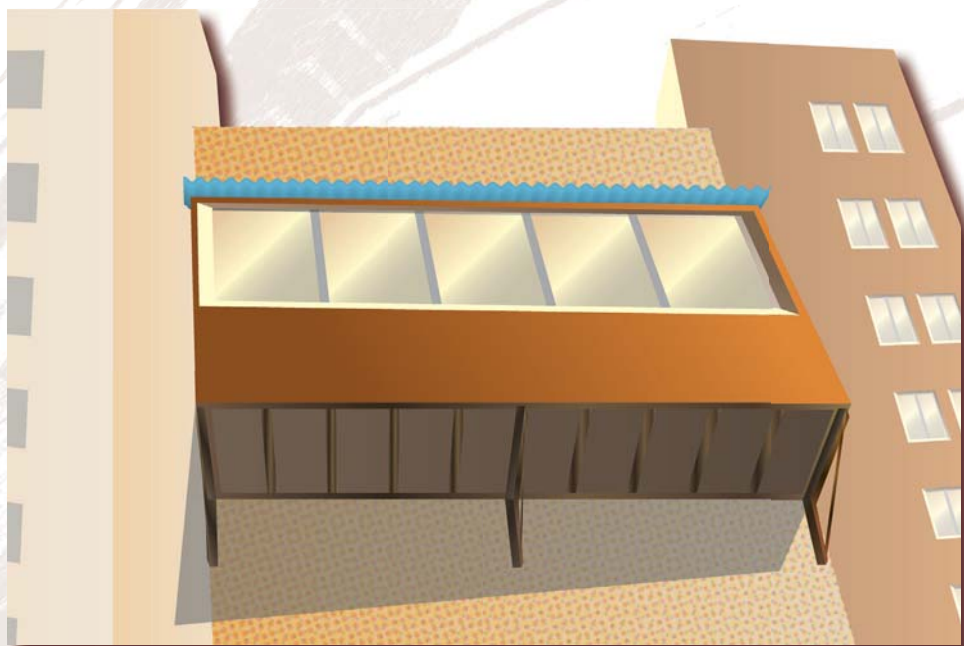
Item#	Removal	Type [▲]
1.37 	✓	A/G
2.37 		



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

4.16 Removal of Unauthorized Floor Slab or Unauthorized Structure

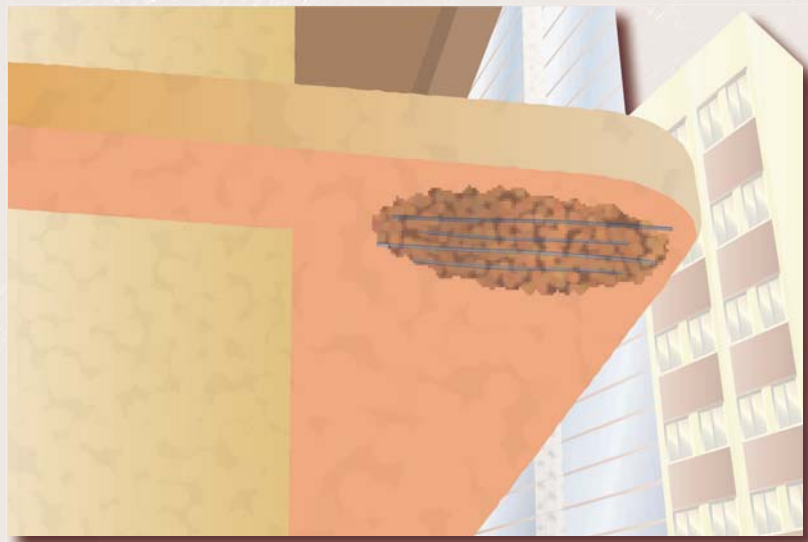
Item#	Removal	Type [▲]
1.30 	✓	A/G
1.38 		
1.39 		
2.32 		
2.38 		
2.39 		
3.32 		



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".














4.17 Repair of Structural Elements

Item#	Repair	Type [^]
1.17 	✓	A/B
2.17 		












Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

4.18 Signboard

Item#	Erection or Alteration	Removal	Surface Replacement	Type [^]
1.20 	✓			C
1.21 				
1.22 				
1.23 				
1.24 		✓		C/G
2.18 	✓			C
2.19 				
2.20 				
2.21 				
2.22 				
2.23 			✓	
2.24 		✓		C/G
2.25 		✓		C/G

Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ^ Refer to 3.2 for the types of "minor works".


















4.18 Signboard (Cont'd)

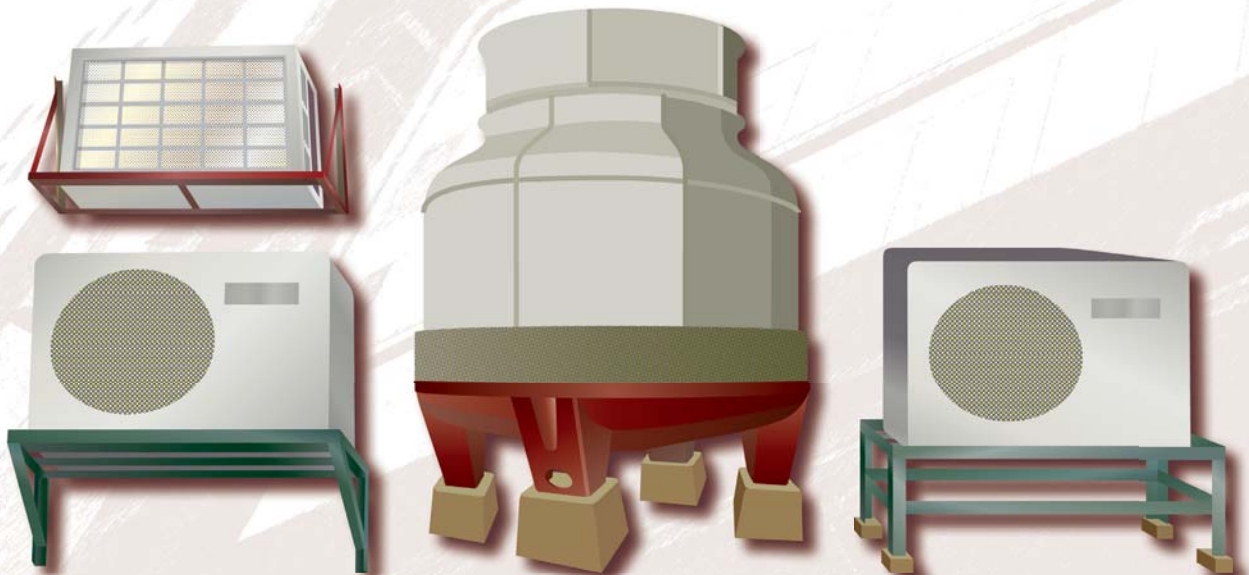
Item#	Erection or Alteration	Removal	Surface Replacement	Type [▲]	
2.26 				C/G	
2.27 					
3.16 	✓			✓	C
3.17 					
3.18 			✓		C/G
3.19 					
3.20 					
3.21 					
3.22 					



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

4.19 Supporting Structure / Frame for Air-conditioner & Water Cooling Tower







Item#	Erection or Alteration	Removal	Strengthening	Substance of Works	Type [▲]
1.5 					A/E/G
2.2 		✓			
3.2 					
1.28 	✓	✓			A/E
3.27 					
3.35 			✓		
1.29 	✓				A/E
3.28 		✓			
3.34 			✓		

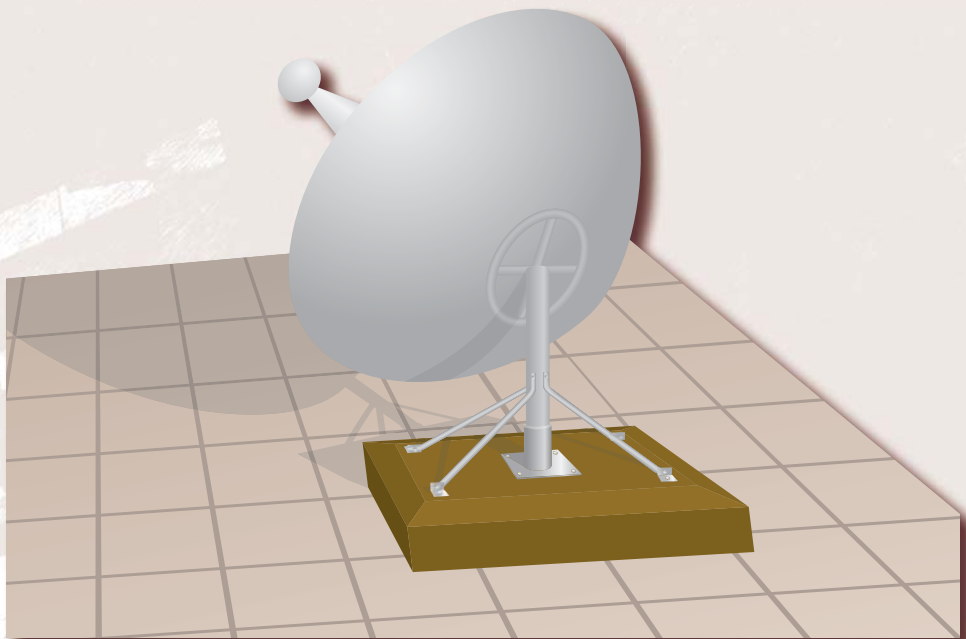


Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".

▲ Refer to 3.2 for the types of "minor works".

4.20 Supporting Structure for Antenna, Transceiver or Radio Base Station on Roof

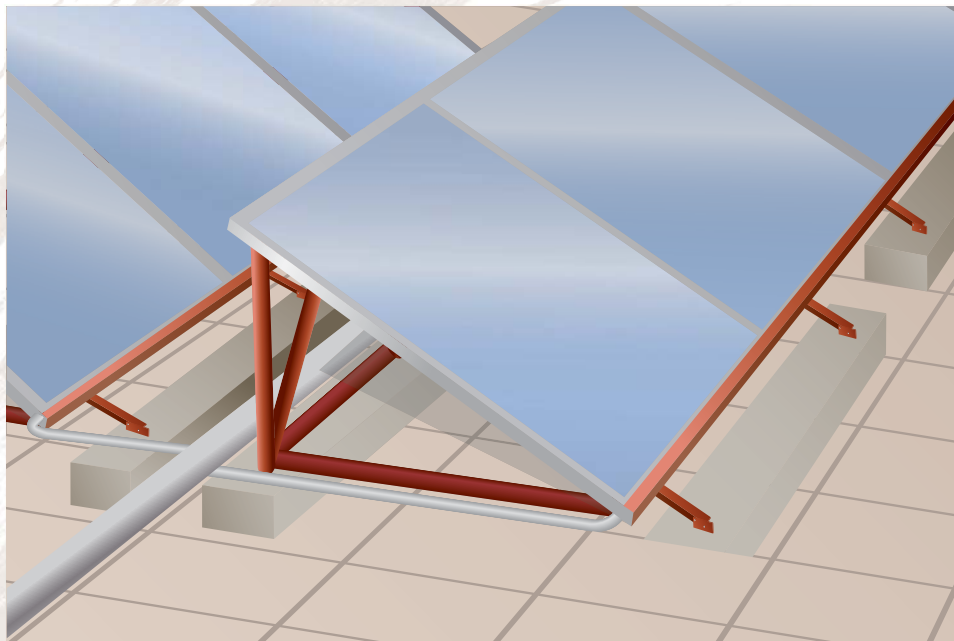
Item [#]	Erection or Alteration	Removal	Type [▲]
1.13 	✓		A
3.9 			
3.10 		✓	A/G
1.14 	✓		A
2.12 		✓	A/G
3.8 			



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

4.21 Supporting Structure for Photovoltaic System

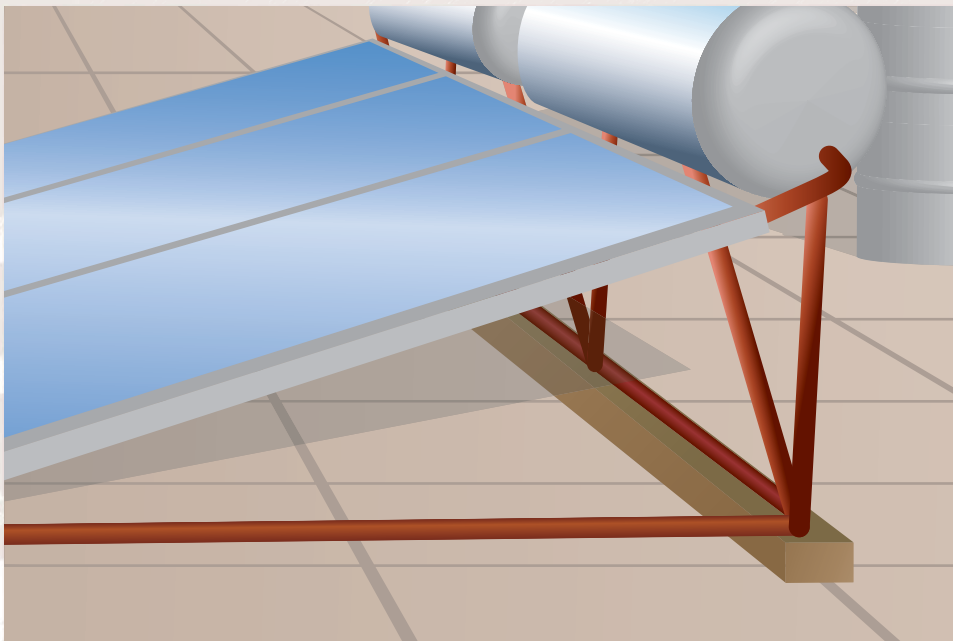
Item#	Erection or Alteration	Removal	Type [▲]
1.5 		✓	A/E/G
1.19 	✓		A/E
2.2 			A/E/G
3.2 			
3.15 	✓		A/E



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".





4.22 Supporting Structure for Solar Water Heating System

Item#	Erection or Alteration	Removal	Type [▲]
1.5 		✓	A/E/G
1.18 	✓		A/E
2.2 			A/E/G
3.2 		✓	
3.14 	✓		A/E



Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

4.23 Window or Window Wall

Item#	Alteration or Repair	Construction	Removal	Type [▲]
2.8 	✓	✓		A
2.9 			✓	A/G
3.6 	✓	✓		A
3.7 			✓	A/G



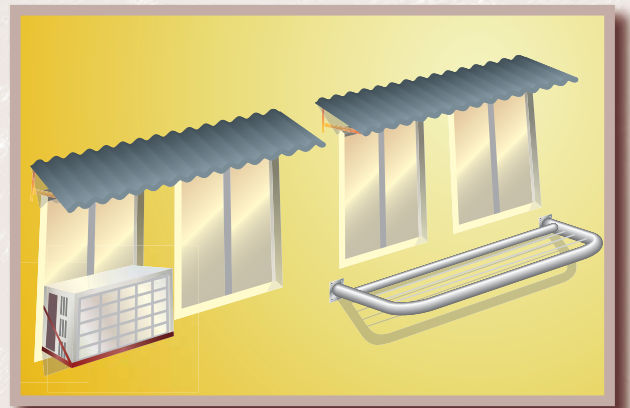
Refer to Part 3 of Schedule 1 of the B(MW)R or Appendix II for particulars of the item of "minor works".
 ▲ Refer to 3.2 for the types of "minor works".

5 Common Minor Works Items

5.1 To facilitate building owners, tenants, building professionals, registered contractors and other stakeholders to understand their interests in conducting minor works under the new system, typical categories of “minor works” commonly found at households, shops and restaurants are picked out for ease of reference.

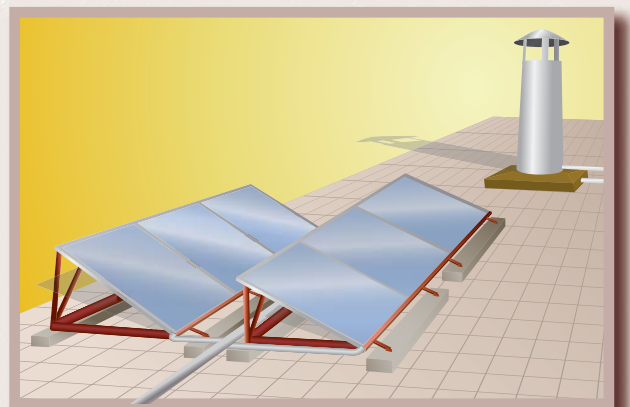
5.2 Common **households** minor works include:

- (a) removal of architectural projection, rack (other than a drying rack) or unauthorized structure (see 4.14 & 4.16);
- (b) erection, alteration, removal or strengthening⁷ of non-concrete canopy, drying rack or supporting structure / frame for an air-conditioning unit (see 4.2, 4.4 & 4.19);
- (c) erection, alteration or removal of aboveground drainage (see 4.3);
- (d) alteration, removal, repair or replacement of protective barrier (see 4.13); and
- (e) construction, alteration, repair or removal of window or window wall (see 4.23).



5.3 Common minor works in relation to **property management** include:

- (a) erection, alteration or removal of drainage, fence wall, external mesh fence or supporting structure for antenna, transceiver or radio base station on roof (see 4.3, 4.7 & 4.20);
- (b) laying, repair or removal of external rendering, external wall / roof tiles (see 4.6);
- (c) erection, alteration, removal or repair of metal gate on fence wall or at the entrance of a building or non-loadbearing external reinforced concrete / block wall (see 4.10 & 4.11);
- (d) repair of structural elements (see 4.17); and
- (e) construction, alteration, repair or removal of window or window wall (in common part, management office, etc. – see 4.23).



7. Strengthening works of any unauthorized installations at households are part of the “Validation Scheme”. See 7.2 for details.

5.4 Common minor works at **shops on ground floor** include:

- (a) removal of architectural projection, rack (other than a drying rack) or unauthorized structure (see 4.14 & 4.16);
- (b) erection, alteration, removal or strengthening of non-concrete canopy or supporting structure / frame for an air-conditioning unit / water cooling tower (see 4.2 & 4.19);
- (c) laying, repair or removal of cladding or external rendering (see 4.6);
- (d) erection, alteration or removal of internal staircase (see 4.9);
- (e) formation or reinstatement of opening in a floor slab (see 4.12); and
- (f) replacement of display surface, erection, alteration or removal of signboards (see 4.18).

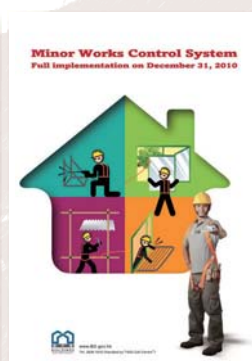
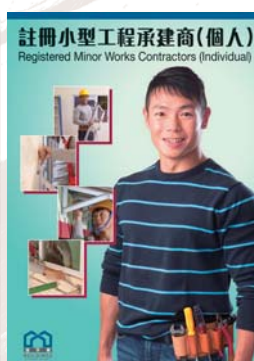
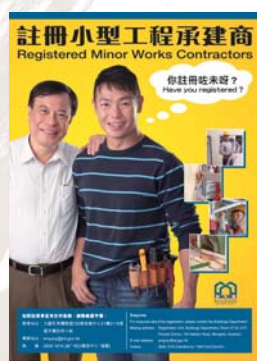


5.5 Common minor works at **restaurants** include:

- (a) removal of architectural projection, rack (other than a drying rack), unauthorized floor slab or unauthorized structure (see 4.14 & 4.16);
- (b) building works associated with installation, alteration or removal of service lift (see 4.1);
- (c) erection, alteration, removal or strengthening of non-concrete canopy or supporting structure for an air-conditioning unit / water cooling tower (see 4.2 & 4.19);
- (d) erection, alteration or removal of drainage or internal staircase (see 4.3 & 4.9);
- (e) formation or reinstatement of opening in a floor slab (see 4.12);
- (f) replacement of display surface, erection, alteration or removal of signboards (see 4.18); and
- (g) construction, alteration, repair or removal of window or window wall (see 4.23).



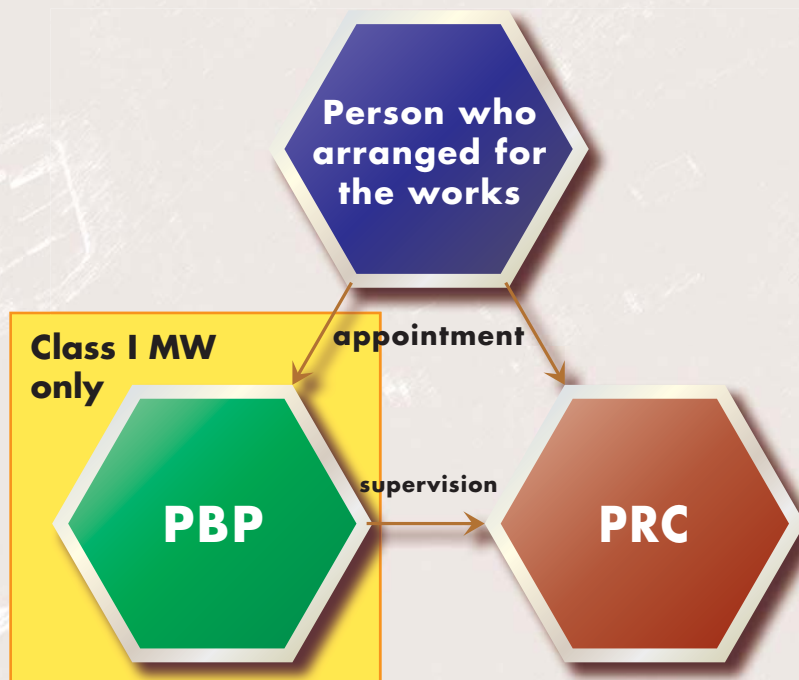
5.6 Tailor-made pamphlets with more comprehensive guidance are issued separately and can be downloaded from BD website at http://www.bd.gov.hk/english/documents/index_cglist.html.



6 Simplified Requirements for Carrying Out “Minor Works”

6.1 Persons Involved

- 6.1.1 The person who directly arranges for the commencement or carrying out of “minor works” is called **“the person who arranged for the works to be carried out.”** He may be the property owner, tenant, agent of the owner, contractor, etc.
- 6.1.2 The building professionals appointed are called the **“prescribed building professionals” (“PBP”)**, who include an Authorized Person (“AP”) and, where necessary, a Registered Structural Engineer (“RSE”) and / or a Registered Geotechnical Engineer (“RGE”).
- 6.1.3 The **“prescribed registered contractor” (“PRC”)** is the contractor appointed to carry out the “minor works.” It can be a Registered General Building Contractor (“RGBC”), a Registered Specialist Contractor (“RSC”) registered under the category of demolition works / site formation works / foundation works / ground investigation field works or a Registered Minor Works Contractor (“RMWC”).



6.2 Appointment and Duties

- 6.2.1 “The person who arranged for the works to be carried out” shall appoint PRC of different qualifications and PBP as appropriate according to the class and type of “minor works”. If Class I MW items are involved, AP should be appointed as PBP; a RSE and/or RGE may also be appointed if the works involve any structural and/or geotechnical elements respectively. Similarly, PRC who is capable to carry out all the MW items involved should be appointed. Regarding the registers of the PBP and PRC maintained by the Building Authority (“BA”), more comprehensive details will be provided in Chapter 8.

-
- 6.2.2 PBP appointed will be responsible for the design and supervision of the works while the PRC appointed will be responsible for the carrying out of the works. If PBP is not required to be appointed, i.e. no Class I minor works item is involved, the design of the works will also be responsible by the PRC appointed as well.
- 6.2.3 PRC appointed to carry out the "minor works" should be a RGBC, a RSC registered under the categories of demolition works / site formation works / foundation works / ground investigation field works where appropriate, or a RMWC registered for the type or item of "minor works" to be carried out.
- 6.2.4 A simple flow chart for recommended steps in the carrying out of "minor works" is provided in Appendix V as an easy reference.

6.3 Notification

- 6.3.1 All notifications should be submitted by the AP appointed if PBP had been appointed, otherwise, they should be submitted by the PRC appointed.
- 6.3.2 For both projects involving Class I and Class II minor works items, **notification of commencement** in the specified form with prescribed plans, supporting document and site photos should be submitted to the BA **at least 7 days before the commencement of works**.
- 6.3.3 After the verification of all works involved are "minor works", the submission will be acknowledged by the BA with a unique submission number, e.g. MW101200001, denotes the first MW submission received in December of year 2010. This submission number will be used as a unique reference for the MW submission.
- 6.3.4 **Certificate of completion** should be submitted in the specified form with the abovementioned submission number, record plans, supporting document and record photos **within 14 days after the completion of works**. Similarly, for projects in which only Class III minor works are involved, **notice and certificate** of completion should also be submitted in the specified form with record plans or description of works, supporting document and record photos (before and after the completion of works) **within 14 days after the completion of works**.
- 6.3.5 The BA will conduct audit checks upon receipt of the above notices to ascertain compliance with the statutory requirements and ensure the quality and standard of such "minor works". Disciplinary and prosecution actions may be taken against cases of non-compliance.
- 6.3.6 The BA recommends all signboard owners to display the BD reference number on their signboards to distinguish from those unauthorized ones. **The PRC appointed for those Class III minor works involving erection, alteration of signboard or replacement of the display surface** may submit a **standard form (Form MW32) requesting for a submission number** prior to the commencement of works.

7 Inspection and Certification of “Prescribed Building or Building Works” (commonly known as “Household Minor Works Validation Scheme”)

7.1 Objective

- 7.1.1 At present, building works of a minor nature have often been carried out without the “prior approval and consent” of the Building Authority (“BA”) and hence are unauthorized. Such works include works relating to supporting frames for air conditioners, drying racks and small canopies which are carried out to meet practical household needs. To rationalize these three specific types of unauthorized works and enable owners to retain them for continued use, “Household Minor Works Validation Scheme” is introduced as part of the “minor works control system” (“MWCS”).
- 7.1.2 This scheme only applies to the “prescribed building or building works” (“PB/BW”) in Schedule 3 of the Building (Minor Works) Regulation (“B(MW)R”). Currently the PB/PW in Schedule 3 include supporting structures or metal supporting frame for air-conditioning unit, drying rack and small light weight canopy meeting certain criteria, and **completed or carried out before the full implementation of the MWCS on 31 December 2010.**

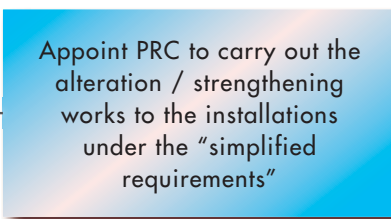
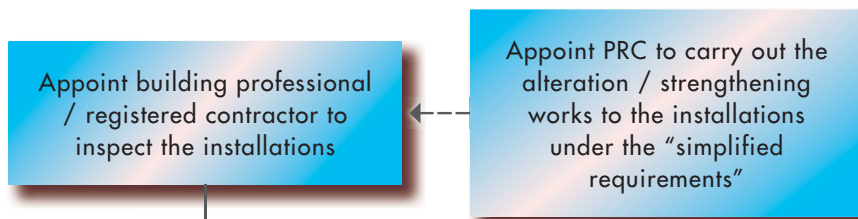


7.2 Mechanism

- 7.2.1 Subject to the inspection and certification by a building professional or registered contractor⁸ to confirm their safety and submitted to the BA in the specified form (Form MWO6), with photographs

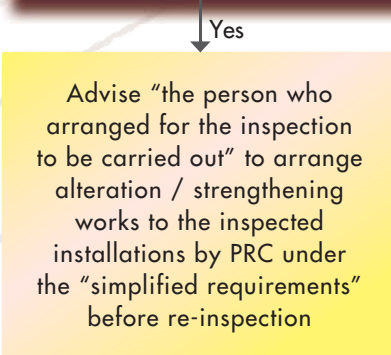
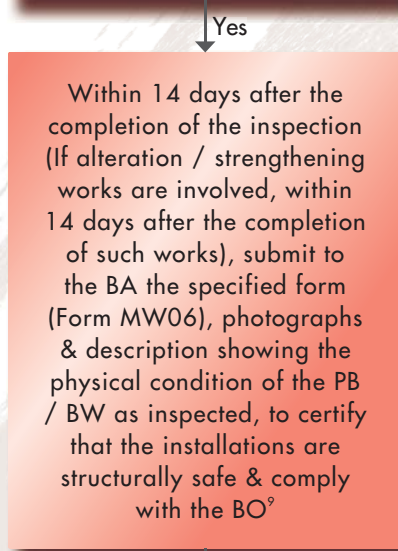
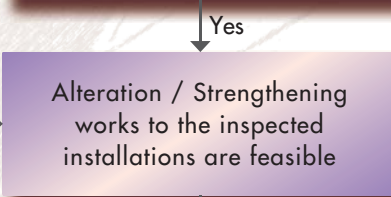
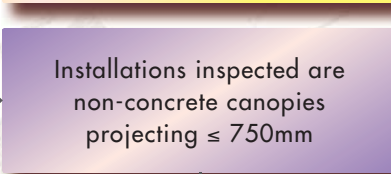
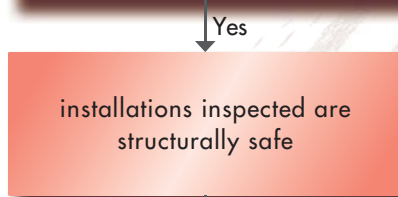
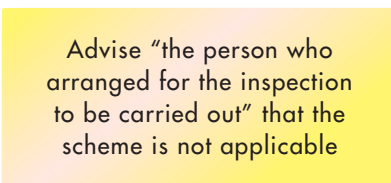
8. The building professional or registered contractor to be appointed is specified in section 62(2) of the B(MW)R: AP, RSE, RGBC, RMWC(Co) registered for Types A or E minor works or RMWC(Ind) registered for items 3.25, 3.27 to 3.29 or 3.34 to 3.38.

Person who arranged for the inspection to be carried out

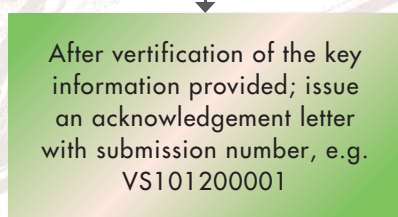


Appointed Person

- AP;
 - RSE;
 - RGBC;
 - RMWC(Co) registered for Type A minor works;
 - RMWC(Co) registered for Type E minor works;
- or
- RMWC(Ind) registered for minor works items 3.25, 3.27 to 3.29 or 3.34 to 3.38.



Building Authority



9. Except BO s.14(1) & Building (Administration) Regulation 25.

and description showing the physical condition of the PB/BW as inspected, the BA will not serve an order under section 24 or a notice under section 24C of the Buildings Ordinance ("BO") in respect of these validated structures on the ground that they have been completed or carried out without prior approval and consent. Enforcement action on these validated structures will only be taken if they pose a safety risk. Alteration and/or strengthening works¹⁰ may have to be carried out before such works can be certified.

7.2.2 The BA will conduct audit checks upon receipt of the above notice to ascertain compliance with the statutory requirements and ensure the safety standard of such PB/BW. The appointed person will be notified of any irregularity found. Disciplinary and prosecution actions may be taken against cases of non-compliance.

7.3 Status of the Validated "Prescribed Building or Building Works"

7.3.1 The legal status of those validated structures will remain unchanged, i.e. they are still unauthorized building works.

7.3.2 The insurance industry is positive to offer insurance policy for those validated structures as long as their safety condition is maintained. Interested owners may liaise with their insurance company/agent for details.

10. Precautions are required on the selection and use of rivets in alteration and/or strengthening works.

8

Registers of Building Professionals and Registered Contractors

- 8.1 The Building Authority maintains separate registers of Authorized Persons ("AP"), Registered Structural Engineers ("RSE"), Registered Geotechnical Engineers ("RGE") and registered contractors including registered minor works contractors.
- 8.2 The registers are available for public inspection at the Reception and Dispatch counter of the Buildings Department ("BD") at 12/F Pioneer Center, 750 Nathan Road, Mongkok, Kowloon or its homepage: http://www.bd.gov.hk/english/inform/index_ap.html.
- 8.3 In order to facilitate the public in identifying appropriate registered contractors to be appointed for the carrying out of various categories of building works or street works; and various classes, types or items of "minor works", every registered contractor is advised to display clearly and conspicuously his **registration number** and relevant details on his publicity materials, for example advertisements, pamphlets, brochures and business cards.
- 8.4 Any person who wishes to check whether or not a contractor or its authorized signatory is registered with the Building Authority may inspect the relevant registers at the BD or at its website as mentioned in 8.2 above.
- 8.5 Different services in building safety will be provided by the building professionals and registered contractors. The services that they are interested in providing are denoted with "1", "2", "3" and "4" in the "Remark" column of the registers.
- "1" removal of unauthorized building works and carrying out necessary consequential reinstatement works.
 - "2" maintenance and repair of buildings and drainage.
 - "3" maintenance and repair of slopes associated with buildings.
 - "4" maintenance and repair of aluminum windows.
- Any "person who arranged for the works to be carried out" or any "person who arranged for the inspection to be carried out" may check and make reference to the column of "Different Services in Building Safety" in the "Remark" of the register for appropriate services.

9 Legal Obligations and Sanctions of “the Person who Arranged for Minor Works to be Carried Out”

9.1 Legal Obligations and Sanctions under the Buildings Ordinance

- 9.1.1** Any person who intends to carry out building works should appoint appropriate personnel required by the Buildings Ordinance (“BO” or “the Ordinance”) with a view to ensuring that the works carried out comply with the Ordinance. To secure the interests of “the person who arranged for the works to be carried out”, they are recommended to use contract on the appointment of services with sufficient insurance coverage. Some standard contracts are available for public reference. For example, “Standard Form of Contract for Decoration, Repair & Maintenance Works” issued by the Hong Kong Institute of Surveyors. Regarding the appointment and tendering, the person who arranged for the works may make reference to the “Building Maintenance Guidebook” published by the Buildings Department.
- 9.1.2** According to section 4A(2) or 9AA(2) of the BO, if a person who arranged for the works to be commenced or carried out has knowingly failed to appoint the required prescribed building professional and/or prescribed registered contractor (as the case may be), he will be liable on conviction to a fine at level 6 (\$100,000 at present) under section 40(1AB) of the Ordinance.
- 9.1.3** An order for demolition, removal or alteration of the building works (other than “minor works” commenced under the “simplified requirements”) may be served under section 24 of the BO if the works have been carried out in contravention of the Ordinance or other enactment.
- 9.1.4** For “minor works” commenced under the “simplified requirements” that have been carried out in contravention of the Ordinance or other enactment, similar order for demolition, removal or alteration of the “minor works” may be served under section 24AA of the BO.
- 9.1.5** If any building works or street works have been or are being carried out in such a manner as, in the opinion of the BA, will cause or will be likely to cause a risk of injury or damage to property, an order may be served under section 24A of the BO for ceasing the constitution of such a risk.
- 9.1.6** Any person who fails to comply with an order served on him, he will be liable on conviction to a fine and imprisonment under section 40(1BA) or 40(1BB) of the Ordinance.

9.2 Other Legal Provisions

- 9.2.1** The Building Management Ordinance (Cap. 344) requires the owners to provide management of the building. If the proposed works are to be carried out in the common part, “the person who arranged for the works to be carried out” is recommended to consult and seek prior consent from the co-owners, the Incorporated Owners and/or building management (where applicable). Yet no works should be proposed in the dedicated areas and public facilities.

9.2.2 The Immigration Ordinance (Cap. 115) stipulates that the employer of any employee who is not lawfully employable is liable on conviction to a fine and imprisonment. It is advisable to check the identity of the persons employed or appointed to ensure that they are not illegal workers.

9.3 Common Law

Under the Common Law, building owners have duties of care to their properties. They include the maintenance and repair of the structures, walls and finishes of the building, and ensure their properties are free from any unauthorized building works with a view to assuring a safe and habitable environment.

9.4 Deed of Mutual Covenant

The Deed of Mutual Covenant ("DMC") is a legal document binding the building owners registered in the Land Registry. It sets out the rights, interests and obligations of the owners, occupiers, tenants and property management agents in respect of the control, administration, maintenance and management of private properties, common parts and facilities of buildings. "The person who arranged for the works to be carried out" should be mindful of the civil liabilities under the DMC of the building and make the necessary consultation as mentioned in paragraph 9.2.1 above should works involve the common part.

9.5 Liabilities to the Third Party

"The person who arranged for the works to be carried out" is also liable to insure the third party against any injury, loss or damage caused by the proposed works or arising from the properties such as the dislodgement of window sashes.

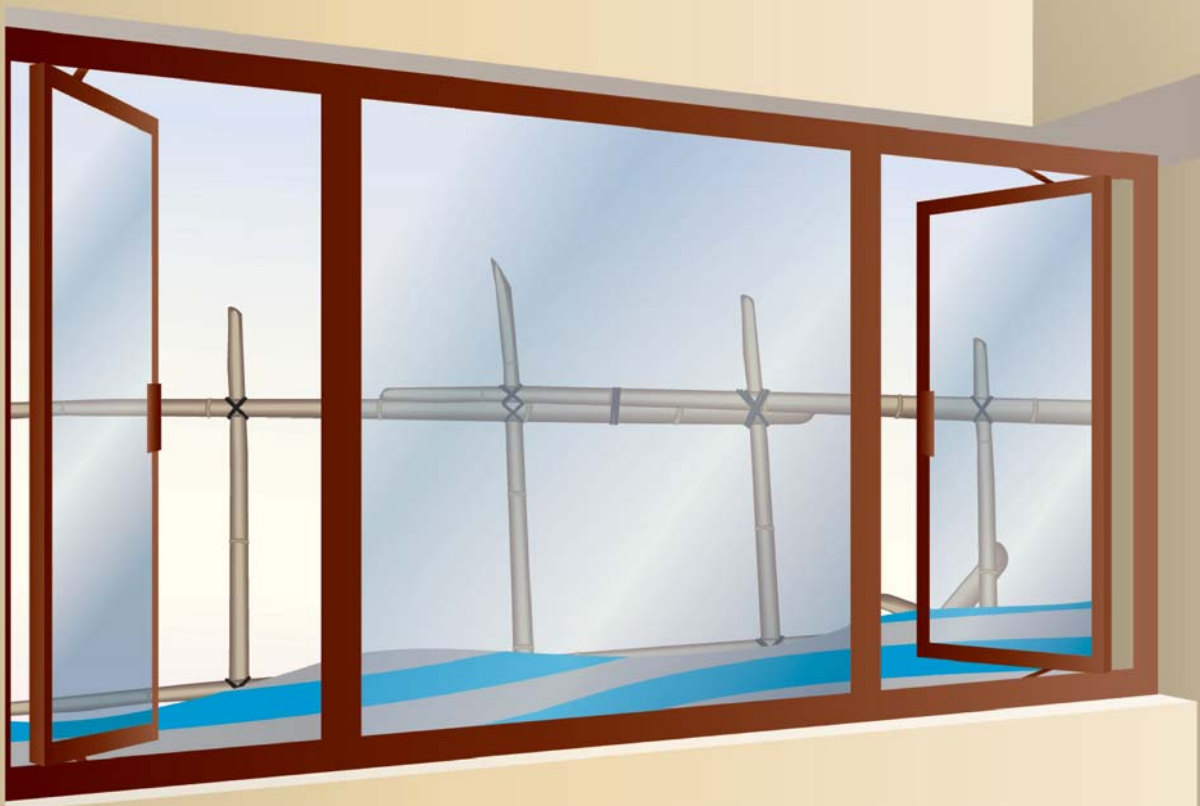
9.6 Disposal of Construction Waste

"The person who arranged for the works to be carried out" may be requested by his contractor to pay for handling the construction waste at the prescribed facilities.



10 Legal Duties, Responsibilities and Sanctions of Building Professionals & Registered Contractors in Carrying Out “Minor Works”

Under the “minor works control system”, “the person who arranged for the works to be carried out” is required to appoint building professionals and/or registered contractors to carry out “minor works”. The persons so appointed must comply with the statutory requirements, particularly the safety provisions, in performing their duties, failing which disciplinary sanction¹¹ or other penalties, including fines and imprisonment, may be imposed. The levels of the proposed sanction for “minor works” are lower than those for similar offences associated with major building works due to the lower risk they pose to safety. Summaries are provided at Appendices III and IV for reference.



11. The disciplinary proceedings can bring about suspension or removal from the register, a fine or a reprimand.

11 Frequently Asked Questions

11.1 Public Concerns

Q1: What are the responsibilities of a building owner in conducting “minor works”?

Under the “minor works control system”, building owners may themselves appoint qualified personnel to carry out “minor works” or employ an agent (for example, an interior design firm) to arrange for such appointment. The person (either the owner or the agent, as the case may be) who arranges for the appointment of “prescribed building professionals” or “prescribed registered contractor” will bear legal responsibilities (see 9.1.1 for details).

Q2: What will be the legal status of “minor works” if the carrying out of which does not adhere to the “simplified requirements”, even if an appropriate registered contractor had been appointed? Does “the person who arranged for the works to be carried out” need to bear any liability?

If it can be proved that “the person who arranged for the works to be carried out” has fulfilled his responsibility to appoint a “prescribed registered contractor” to carry out certain “minor works” and the contractor has not complied with the “simplified requirements”, he will not be liable for the act of the contractor. The “minor works” so completed, however, will be unauthorized building works (“UBW”) and the Buildings Department will base on the prevailing enforcement policy to consider if it is necessary to serve removal order on the owner requiring the demolition or alteration of the UBW.

The contractor would have committed an offence under the Building (Minor Works) Regulation and be liable to a maximum fine at level 5 (\$50,000 at present). Depending on the circumstances of the case, the contractor may also be subjected to disciplinary proceedings under the provisions of the Buildings Ordinance. The maximum penalty is removal from the register permanently.

Q3: What is the relationship between “minor works control system” and the Deed of Mutual Covenant (“DMC”)? Will the new system create an adverse impact on Owners’ Corporations (“OC”) in requiring owners to remove UBW?

There is no direct relationship between the “minor works control system” and DMC. A DMC is a private agreement amongst co-owners of a building. Any building owner should observe his duties and obligations under the DMC of his building, including not to carry out works that contravene the conditions in the DMC, regardless the works may comply with all enactments in Hong Kong.

The power of the OC to enforce against building works or “minor works” that have contravened the DMC will not be affected by the “minor works control system”.

11.2 Industrial Concerns

Q4: What are the responsibilities of building professionals or contractors?

Under the "simplified requirements", contractors can only undertake the relevant class(es) or item(s) of "minor works" for which they have been registered. Building professionals and contractors should comply with the concerned statutory and safety requirements when carrying out "minor works".

Building professionals or contractors may be liable to prosecution if they fail to submit the prescribed plans and details, certificates or supervision plans etc. This is to provide a deterrent to blatant malpractice by building professionals or contractors under the self-certification system of "minor works" since no "prior approval and consent" from the Building Authority are required. Maximum penalty is a fine at level 5 (\$50,000 at present).

Q5: It is noted that some electrical appliances companies provide the service of installation of air-conditioners. How will the "minor works" regime affect them?

After the implementation of the "minor works control system", these companies should either themselves register as a registered contractor or employ / appoint (i.e. as an agent for those who buy the air-conditioning units) a registered contractor for the erection / removal of supporting frames of air-conditioning units.

11.3 Validation Scheme

Q6: Will subsidy / incentive be provided to owners for validating their household structures?

Validation and related works are items eligible for the subsidy of the existing building maintenance assistance schemes.

Q7: What is the legal status of validated UBW? Are they legalized?

They will still be unauthorized building works after validation since at the time when they were constructed, no application to the Building Authority ("BA") was made and the BA cannot grant retrospective approval to such works. However, the BA will not serve an order under section 24 or a notice under section 24C of the Buildings Ordinance in respect of these validated structures on the ground that they have been completed or carried out without "prior approval and consent".

Q8: If an owner does not validate his UBW, what will happen?

The Buildings Department ("BD") will from time to time review the enforcement policy and consider if any adjustment is required, for example, to include those UBW which can be validated under the "Validation Scheme" as actionable items in future large scale operations.

However, BD will encourage owners to validate such UBW, as the procedures are simple and not costly.

11.4 The Control System

Q9: What will happen if a contractor or building professional ceases to complete the "minor works"? What will "the person who arranged for the works to be carried out" need to do?

If the PBP or PRC appointed for "minor works" ceases to complete his job for whatever reason, "the person who arranged for the works to be carried out" has to appoint another PBP or PRC to take up the duties and continue to complete the "minor works".

If it is the PBP who has quitted to supervise the "minor works", he has a duty to notify BA that he is ceased to be appointed. If it is the contractor who has quitted, he needs to notify the PBP or the BA, as the case may be, such cessation of appointment. In addition, the contractor has to certify that the part of the "minor works" carried out by him have been carried out in accordance with the Buildings Ordinance.

Q10: Is the "simplified requirements" the only legal way to carry out "minor works" after the full implementation of the "minor works control system"?

We believe it is desirable to provide "the person who arranged for the works to be carried out" with the flexibility in choosing between the existing "approval and consent" system and the new "minor works control system".

Some people may prefer to have their works approved by the BA, irrespective of these works being "minor works".

11.5 Others

Q11: How can I get access to the record of completed “minor works”?

Access to the completed “minor works” record is available on the internet through the BRAVO system (<http://bravo.bd.gov.hk>) or at the Building Information Centre of the Buildings Department at 13/F, Pioneer Centre, 750 Nathan Road, Mongkok, Kowloon.

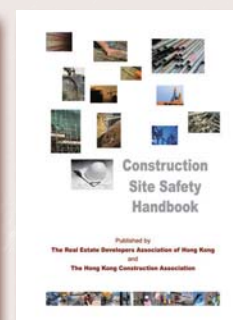
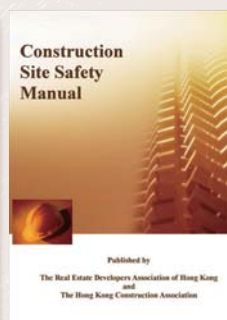
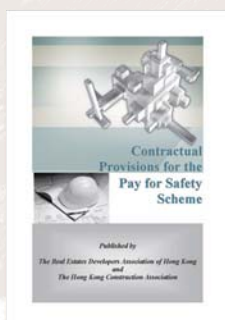


Q12: Any safety and environmental suggestions to the building owners who intend to carry out “minor works”?


Apart from following the “simplified requirements” under the MWCS as an alternative to obtaining “prior approval and consent”, building owners are also recommended to take concerted efforts in improving the site safety performance, construction waste management and environmental protection measures by adopting the concept of the “Pay for Safety Scheme” (“PFSS”) and “Pay for Safety and Environment Scheme” (“PFSES”).


Under the PFSS and PFSES, an employer is obliged to pay the contractor upon the contractor’s satisfactory completion of the safety-related items, construction wastes management items, strengthening and improvement of existing environmental protection measures items, as vetted and certified by the employer’s representative, at the pre-priced rates set out in the “Site Safety” and “Environmental Management” sections in the Bills of Quantities or Schedule of Rates if applicable.


Key elements and guidelines to implement the PFSS may be modeled on the “Construction Site Safety Manual” issued by the Development Bureau as posted on its website: http://www.devb.gov.hk/en/publications_and_press_releases/publications/construction_site_safety_manual/index.html, and the Factories and Industrial Undertakings (Safety Management) Regulation (Cap. 59AF). The Real Estate Developers Association of Hong Kong and the Hong Kong Construction Association have also jointly produced four safety management documents on website: <http://www.safetypartnering.com/smscd.htm>, for their Safety Partnering Programme launched in June 2005 to promote private sector companies in pursuit of improved site safety performance. Interested parties may approach the associations direct for details. Adjustments to the guidelines given in the above safety documents may be made taking account of the needs of particular companies, nature of works and specific site conditions.



Appendix I – Types of “Minor Works”

Class I 							
	Type						
Item	A	B	C	D	E	F	G
1.1	█						
1.2	█						
1.3	█						
1.4	█						
1.5	█				█		█
1.6	█						
1.7	█						
1.8	█						
1.9	█						█
1.10	█						█
1.11	█						
1.12	█						█
1.13	█						
1.14	█						
1.15	█						
1.16	█						
1.17	█	█			█		
1.18	█				█		
1.19	█						
1.20			█				
1.21			█				
1.22			█				
1.23			█				
1.24			█				█
1.25				█			
1.26				█			
1.27	█				█		
1.28	█				█		
1.29	█				█		
1.30	█						█
1.31	█					█	
1.32	█						█
1.33	█						█
1.34	█						█
1.35	█						
1.36				█			
1.37	█						█
1.38	█						
1.39	█						█
1.40	█						█

Class II 							
	Type						
Item	A	B	C	D	E	F	G
2.1	█			█			
2.2	█				█		█
2.3	█			█			
2.4	█			█			█
2.5	█						
2.6	█						
2.7	█						
2.8	█						
2.9	█						█
2.10	█						
2.11	█						
2.12	█						█
2.13	█						
2.14	█						
2.15	█	█					
2.16	█						
2.17	█	█					
2.18			█				
2.19			█				
2.20			█				
2.21			█				
2.22			█				
2.23			█				
2.24			█				█
2.25			█				█
2.26			█				█
2.27			█				█
2.28				█			
2.29				█			
2.30				█			
2.31	█				█		█
2.32	█						█
2.33	█					█	
2.34	█					█	
2.35	█						
2.36				█			
2.37	█						█
2.38	█						
2.39	█						█
2.40	█						█

Class III 							
	Type						
Item	A	B	C	D	E	F	G
3.1	█						█
3.2	█				█		█
3.3	█						
3.4	█						█
3.5	█						█
3.6	█						
3.7	█						█
3.8	█						█
3.9	█						
3.10	█						█
3.11	█						
3.12	█	█					
3.13	█						
3.14	█				█		
3.15	█				█		
3.16			█				
3.17			█				
3.18			█				█
3.19			█				█
3.20			█				█
3.21			█				█
3.22			█				█
3.23				█			
3.24	█			█			█
3.25	█				█		
3.26	█				█		█
3.27	█				█		
3.28	█				█		
3.29	█				█		
3.30	█				█		█
3.31	█					█	
3.32	█						█
3.33	█						█
3.34	█				█		
3.35	█				█		
3.36	█				█		
3.37	█				█		
3.38	█				█		

Appendix II – Items of “Minor Works”

Item	Description of building works
1.1	Erection or alteration of any internal staircase that is not used as a means of escape or a means of access for firefighting and rescue, provided that – (a) the works do not result in any additional load to any cantilevered slab; and (b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam.
1.2	Formation of any opening in a slab, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam; and (c) the area of the opening is more than 1 m ² but not more than 4.5 m ² .
1.3	Building works associated with the installation or alteration of any service lift, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam; (c) the rated load of the lift is not more than 250 kg; (d) the internal floor area of the lift car is not more than 1 m ² ; and (e) the internal height of the lift car is not more than 1.2 m.
1.4	Building works associated with the installation or alteration of any stairlift or lifting platform, provided that – (a) the works do not result in any additional load to any cantilevered slab; and (b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam.
1.5	Removal of any supporting structure for an air-conditioning unit, water cooling tower, solar water heating system or photovoltaic system located on a cantilevered slab with a span of more than 1 m.
1.6	Alteration or removal of any protective barrier (other than an external reinforced concrete wall or block wall), provided that the works do not result in any additional load to any cantilevered slab.
1.7	Erection or alteration of any solid fence wall, provided that – (a) the wall is erected on-grade; and (b) the height of the wall is more than 1.5 m but not more than 5 m.
1.8	Erection or alteration of any external mesh fence, provided that – (a) the fence is erected on-grade; and (b) the height of the fence is more than 3 m but not more than 10 m.
1.9	Removal of any solid fence wall, provided that – (a) the wall is erected on-grade; and (b) the height of the wall is more than 3 m.
1.10	Removal of any external mesh fence, provided that – (a) the fence is erected on-grade; and (b) the height of the fence is more than 5 m.

Item	Description of building works
1.11	Construction or alteration of any spread footing associated with the carrying out of any other minor works or designated exempted works, provided that – (a) the works involve an excavation of a depth of not more than 3 m; (b) the overall gradient of the area bounded by lines 10 m away from the location of the footing in the downhill direction is not more than 15 degrees; (c) there is no slope steeper than 15 degrees within the area mentioned in paragraph (b); (d) there is no retaining wall or terrace wall higher than 1.5 m, or below a line drawn down from the base of the footing that is 45 degrees to the horizontal, within the area mentioned in paragraph (b); (e) the allowable pressure imposed by the footing on the ground is not more than 100 kPa or (if the footing is located below the ground water level) 50 kPa; (f) the footing is not founded on soft clay or mud; (g) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; and (h) the works do not fall within the description of item 2.10.
1.12	Excavation works associated with the carrying out of any other minor works or designated exempted works, provided that – (a) the works are not carried out within area number 1 or 3 of the scheduled areas; and (b) the depth of the excavation is more than 1.5 m but not more than 3 m.
1.13	Erection or alteration of any supporting structure for an antenna or transceiver on the roof of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the structure projects beyond the external wall of the building; and (c) the structure is designed for an antenna or transceiver of more than 150 kg in weight.
1.14	Erection or alteration of any supporting structure for a radio base station solely for telecommunications services in the form of an equipment cabinet on the roof of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the length of the cabinet is not more than 1.5 m; (c) the width of the cabinet is not more than 1 m; and (d) the height of the cabinet is not more than 2.3 m.
1.15	Erection, alteration or removal of any external reinforced concrete wall (other than a load bearing wall) of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the height of the wall is more than 1.1 m but not more than 3.5 m.
1.16	Erection, alteration or repair of any metal gate at a fence wall or at an entrance to a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the weight of at least one leaf of the gate is more than 300 kg; and (d) the height of the gate is not more than 3.2 m.
1.17	Repair of any structural elements (including any column, shear wall, flat slab, cantilevered slab, ribbed slab, waffle slab, pre-stressed beam, post-tensioned beam, cantilevered beam, transfer plate, transfer beam or earth retaining structure) in accordance with the original design, provided that the works do not result in any additional load to any cantilevered slab.

Appendix II – Items of “Minor Works”

Item	Description of building works
1.18	Erection or alteration of any supporting structure for a solar water heating system on-grade or on a slab (other than a cantilevered slab), provided that – (a) the height of the structure is not more than 1.5 m; (b) the structure is designed for a solar water heating system at least one thermal collector of which is more than 200 kg in weight; and (c) if the thermal collector and the water tank of the system are integrated, the structure is designed for a system the gross weight (when the water tank is in full capacity) of which is more than 100 kg per m ² of the ground or slab area.
1.19	Erection or alteration of any supporting structure for a photovoltaic system on-grade or on a slab (other than a cantilevered slab), provided that – (a) the height of the structure is not more than 1.5 m; and (b) the structure is designed for a photovoltaic system at least one module of which is more than 200 kg in weight.
1.20	Erection or alteration of any projecting signboard, provided that – (a) the signboard does not consist of stone; (b) the works do not result in any additional load to any cantilevered slab; (c) the works do not involve the alteration of any other structural elements; (d) the display area of the signboard is more than 10m ² but not more than 20 m ² ; (e) no part of the signboard projects more than 4.2 m from the external wall to which it is fixed; and (f) the thickness of the signboard is not more than 600 mm.
1.21	Erection or alteration of any signboard on the roof of a building, provided that – (a) the signboard does not consist of stone; (b) the works do not result in any additional load to any cantilevered slab; (c) the works do not involve the alteration of any other structural elements; (d) the display area of the signboard is not more than 20 m ² ; (e) no part of the signboard projects beyond the external wall of the building; (f) the thickness of the signboard is not more than 600 mm; and (g) the distance between any part of the signboard and the level of the roof is not more than 6 m.
1.22	Erection or alteration of any wall signboard, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) if the signboard comprises a display system consisting of light emitting diodes, the display area of the signboard is more than 5 m ² but not more than 20 m ² ; (d) if the signboard does not comprise any display system consisting of light emitting diodes, the display area of the signboard is more than 10 m ² but not more than 40 m ² ; and (e) if the distance between any part of the signboard and the ground is more than 6 m, the signboard does not consist of stone.
1.23	Erection or alteration of any outdoor signboard fixed on-grade (other than the construction of a spread footing), provided that – (a) the display area of the signboard is not more than 20 m ² ; (b) the thickness of the signboard is not more than 600 mm; (c) the distance between any part of the signboard and the ground is not more than 6 m; and (d) the works do not fall within the description of item 2.21.
1.24	Removal of any signboard (other than the removal of the spread footing of any outdoor signboard), provided that the works do not fall within the description of item 11 of Part 2 of Schedule 2 or item 2.24, 2.25, 2.26, 2.27, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21 or 3.22.

Item	Description of building works
1.25	Repair of any underground drain, provided that – (a) the works involve an excavation of a depth of more than 1.5 m but not more than 3 m; (b) the distance between any point of the excavation and any structure or building is at least equal to the depth of the excavation; (c) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; (d) the works do not involve the last manhole; (e) if the works are carried out beside the crest of a slope with a gradient of not more than 30 degrees, the distance between any point of the excavation and the outer edge of the crest is at least equal to the height of the slope; (f) if the works are carried out beside the crest of a slope with a gradient of more than 30 degrees – (i) the height of the slope is not more than 3 m; and (ii) the distance between any point of the excavation and the outer edge of the crest is at least equal to 1.5 times the height of the slope; and (g) if the works are carried out beside the top of a retaining wall – (i) the height of the wall is not more than 3 m; and (ii) the distance between any point of the excavation and the wall is at least equal to 1.5 times the height of the wall.
1.26	Addition or alteration of any underground drain, provided that – (a) the works involve an excavation of a depth of more than 1.5 m but not more than 3 m; (b) the distance between any point of the excavation and any structure or building is at least equal to the depth of the excavation; (c) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; (d) the works do not involve the last manhole; and (e) if the works are carried out beside the crest of a slope – (i) the gradient of the slope is not more than 15 degrees; (ii) the height of the slope is not more than 3 m; and (iii) the distance between any point of the excavation and the outer edge of the crest is at least equal to the height of the slope.
1.27	Erection, alteration or removal of any canopy projecting from the external wall of a building over an entrance to the building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the canopy projects more than 500 mm but not more than 2 m from the wall; (c) the canopy is not constructed of concrete; and (d) the distance between the highest point of the canopy and the ground is more than 3 m.
1.28	Erection, alteration or removal of any metal supporting frame for an air-conditioning unit or any associated air ducts projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the frame projects more than 750 mm from the wall; (c) the distance between the highest point of the frame and the ground is more than 3 m; (d) the frame is designed for an air-conditioning unit of more than 100 kg in weight; and (e) the works do not fall within the description of item 3.27.
1.29	Erection or alteration of any supporting structure for an air-conditioning unit, water cooling tower or any associated air ducts on-grade or on a slab (other than a cantilevered slab), provided that – (a) the height of the structure is not more than 1.5 m; and (b) the structure is designed for an air-conditioning unit or water cooling tower, of more than 150 kg in weight.

Item	Description of building works
1.30	Removal of any unauthorized structure (other than an architectural projection, canopy, frame or rack) projecting more than 2 m from the external wall of a building, provided that, if the structure is fixed to a balcony or canopy that is a cantilevered slab, the span of the balcony or canopy is more than 1 m.
1.31	Erection, repair or removal of any panel fixed by metal dowels and fixings onto a wall inside a building, provided that the distance between the highest point of the panel and the adjoining floor is more than 10 m.
1.32	Removal of any internal staircase that is not used as a means of escape or a means of access for firefighting and rescue, provided that – (a) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam; and (b) the works do not fall within the description of item 3.1.
1.33	Building works associated with the removal of any service lift, provided that – (a) the rated load of the lift is not more than 250 kg; (b) the internal floor area of the lift car is not more than 1 m ² ; and (c) the internal height of the lift car is not more than 1.2 m.
1.34	Building works associated with the removal of any stairlift or lifting platform.
1.35	Reinstatement in accordance with the original design of a slab in respect of which an opening has been formed, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the area of the opening is more than 1m ² but not more than 4.5 m ² .
1.36	Removal of any underground drain, provided that – (a) the works involve an excavation of a depth of more than 1.5 m but not more than 3 m; (b) the distance between any point of the excavation and any structure or building is at least equal to the depth of the excavation; (c) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; (d) the works do not involve the last manhole; (e) if the works are carried out beside the crest of a slope with a gradient of not more than 30 degrees, the distance between any point of the excavation and the outer edge of the crest is at least equal to the height of the slope; (f) if the works are carried out beside the crest of a slope with a gradient of more than 30 degrees – (i) the height of the slope is not more than 3 m; and (ii) the distance between any point of the excavation and the outer edge of the crest is at least equal to 1.5 times the height of the slope; and (g) if the works are carried out beside the top of a retaining wall – (i) the height of the wall is not more than 3 m; and (ii) the distance between any point of the excavation and the wall is at least equal to 1.5 times the height of the wall.
1.37	Removal of any chimney attached to the external wall of a building or located on the roof of a building, provided that – (a) the distance between the highest point of the chimney and the level of the adjoining roof is not more than 10 m; and (b) the works do not fall within the description of item 2.37.

Item	Description of building works
1.38	Removal of any unauthorized structure located on-grade or on a slab (other than a cantilevered slab), provided that – (a) the works do not involve the alteration of any other structural elements; (b) the height of the structure is more than 5 m but not more than 10 m; (c) the structure has not more than 2 storeys; (d) the structure is not a flat slab, pre-stressed concrete construction, transfer girder, hanger, cantilevered structure with a span of more than 1.2 m or earth retaining structure; and (e) no structural element of the structure has a span of more than 6 m.
1.39	Removal of any unauthorized floor slab.
1.40	Removal of any metal gate at a fence wall or at an entrance to a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the weight of at least one leaf of the gate is more than 300 kg; and (d) the height of the gate is not more than 3.2 m.
2.1	Formation of any opening in a slab, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam; (c) the area of the opening is not more than 1m ² ; and (d) the works do not fall within the description of item 1 of Part 2 of Schedule 2.
2.2	Removal of any supporting structure for an air-conditioning unit, water cooling tower, solar water heating system or photovoltaic system, provided that – (a) the structure is located on-grade or on a slab; (b) if the slab mentioned in paragraph (a) is a cantilevered slab, the span of the slab is not more than 1 m; and (c) the works do not fall within the description of item 3.2.
2.3	Replacement of any glass reinforced polyester water tank located on the roof of a building in accordance with the original design, provided that – (a) the capacity of the tank is not more than 9 m ³ and the water head of the tank is not more than 2 m; and (b) the distance between the tank and the edge of the roof is not more than 1.5 m.
2.4	Removal of any glass reinforced polyester water tank located on the roof of a building, provided that – (a) the capacity of the tank is not more than 9 m ³ ; and (b) the distance between the tank and the edge of the roof is not more than 1.5 m.
2.5	Repair or replacement of any protective barrier (other than an external reinforced concrete wall or block wall) in accordance with the original design, provided that – (a) the works do not result in any additional load to any cantilevered slab; and (b) the difference in height between the level on which the protective barrier is located and its adjacent level is more than 2 m.
2.6	Erection or alteration of any solid fence wall, provided that – (a) the wall is erected on-grade; and (b) the height of the wall is not more than 1.5 m.
2.7	Erection or alteration of any external mesh fence, provided that – (a) the fence is erected on-grade; and (b) the height of the fence is not more than 3 m.

Appendix II – Items of “Minor Works”

Item	Description of building works
2.8	<p>Construction, alteration or repair of any window or window wall, provided that –</p> <ul style="list-style-type: none"> (a) the works do not result in any additional load to any cantilevered slab; (b) no structural element of the window or window wall has a span of more than 6 m; (c) the distance between the highest point of the window or window wall and the ground is more than 3.5 m; (d) if the distance between the highest point of the window or window wall and the ground is not more than 100 m – <ul style="list-style-type: none"> (i) the works involve the main frame of the window or window wall; or (ii) the works involve the sub-frame of the window or window wall, and the length of the sub-frame is more than 1.2 m; (e) if the distance between the highest point of the window or window wall and the ground is more than 100 m – <ul style="list-style-type: none"> (i) the area of the external wall opening for the window or window wall is not more than 6 m²; and (ii) the length or width (whichever is shorter) of the opening is not more than 1.8 m; and (f) the works do not involve the alteration of any other structural elements, except a simply supported beam that – <ul style="list-style-type: none"> (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam.
2.9	<p>Removal of any window or window wall, provided that –</p> <ul style="list-style-type: none"> (a) the height of the window or window wall is not more than 6m; (b) the works do not involve the alteration of any other structural elements; and (c) the works do not fall within the description of item 3.7.
2.10	<p>Construction or alteration of any spread footing associated with the carrying out of any other minor works or designated exempted works, provided that –</p> <ul style="list-style-type: none"> (a) the works involve an excavation of a depth of not more than 1.5 m; (b) the overall gradient of the area bounded by lines 10 m away from the location of the footing in the downhill direction is not more than 5 degrees; (c) there is no slope steeper than 15 degrees within the area mentioned in paragraph (b); (d) there is no retaining wall or terrace wall higher than 1.5 m, or below a line drawn down from the base of the footing that is 45 degrees to the horizontal, within the area mentioned in paragraph (b); (e) the allowable pressure imposed by the footing on the ground is not more than 100 kPa or (if the footing is located below the ground water level) 50 kPa; (f) the footing is not founded on soft clay or mud; and (g) the works do not involve any excavation within area number 1 or 3 of the scheduled areas.
2.11	<p>Excavation works associated with the carrying out of any other minor works or designated exempted works, provided that –</p> <ul style="list-style-type: none"> (a) the works are not carried out within area number 1 or 3 of the scheduled areas; and (b) the depth of the excavation is more than 0.3 m but not more than 1.5 m.
2.12	<p>Removal of any radio base station for telecommunications services in the form of an enclosure or equipment cabinet together with its supporting structure located on the roof of a building, provided that –</p> <ul style="list-style-type: none"> (a) the length of the station is not more than 4.5 m; (b) the width of the station is not more than 4.5 m; (c) the height of the station is not more than 2.3 m; and (d) the works do not fall within the description of item 3.8.

Item	Description of building works
2.13	<p>Erection, alteration or removal of any external reinforced concrete wall (other than a load bearing wall) of a building, provided that –</p> <ul style="list-style-type: none"> (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the height of the wall is not more than 1.1 m
2.14	<p>Erection, alteration or removal of any external block wall (other than a load bearing wall) of a building, provided that –</p> <ul style="list-style-type: none"> (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the height of the wall is more than 1.1 m but not more than 3.5m.
2.15	<p>Repair of any external reinforced concrete wall (other than a load bearing wall) of a building, provided that –</p> <ul style="list-style-type: none"> (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the height of the wall is not more than 3.5 m.
2.16	<p>Erection, alteration or repair of any metal gate at a fence wall or at an entrance to a building, provided that –</p> <ul style="list-style-type: none"> (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the weight of each leaf of the gate is not more than 300 kg; (d) the weight of at least one leaf of the gate is more than 200 kg; and (e) the height of the gate is not more than 3.2 m.
2.17	<p>Repair of any slab or beam (other than a flat slab, cantilevered slab, ribbed slab, waffle slab, pre-stressed beam, post-tensioned beam, cantilevered beam, transfer plate or transfer beam) in accordance with the original design, provided that the works do not result in any additional load to any cantilevered slab.</p>
2.18	<p>Erection or alteration of any projecting signboard, provided that –</p> <ul style="list-style-type: none"> (a) the signboard does not consist of stone; (b) the works do not result in any additional load to any cantilevered slab; (c) the works do not involve the alteration of any other structural elements; (d) the display area of the signboard is not more than 10 m²; (e) no part of the signboard projects more than 4.2 m from the external wall to which it is fixed; (f) the thickness of the signboard is not more than 600 mm; and (g) the works do not fall within the description of item 3.16.
2.19	<p>Erection or alteration of any wall signboard, provided that –</p> <ul style="list-style-type: none"> (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) if the signboard comprises a display system consisting of light emitting diodes, the display area of the signboard is not more than 5 m²; (d) if the signboard does not comprise any display system consisting of light emitting diodes, the display area of the signboard is not more than 10m²; (e) if the distance between any part of the signboard and the ground is more than 6 m, the signboard does not consist of stone; and (f) the works do not fall within the description of item 10 of Part 2 of Schedule 2 or item 3.17.

Item	Description of building works
2.20	Erection or alteration of any signboard on or hung underneath the soffit of a balcony or canopy (other than a cantilevered slab), provided that – (a) the signboard does not consist of stone; (b) the display area of the signboard is not more than 2 m ² ; (c) no part of the signboard projects beyond the balcony or canopy; (d) the height of the signboard is not more than 600 mm; and (e) the thickness of the signboard is not more than 100 mm.
2.21	Erection or alteration of any outdoor signboard fixed on-grade (other than the construction of a spread footing), provided that – (a) the display area of the signboard is not more than 10 m ² ; (b) the thickness of the signboard is not more than 600 mm; and (c) the distance between any part of the signboard and the ground is not more than 2 m.
2.22	Erection or alteration of any outdoor signboard together with a spread footing, provided that – (a) the display area of the signboard is not more than 1m ² ; (b) the thickness of the signboard is not more than 300 mm; (c) the distance between any part of the signboard and the ground is not more than 3 m; (d) the works involve an excavation of a depth of not more than 500 mm for construction of the footing; and (e) the works do not involve any excavation within area number 1 or 3 of the scheduled areas.
2.23	Replacement of the display surface of any signboard referred to in item 1.20, 1.21, 1.22, 1.23, 2.18, 2.19, 2.20, 2.21 or 2.22.
2.24	Removal of any projecting signboard, provided that – (a) the display area of the signboard is not more than 20 m ² ; and (b) the works do not fall within the description of item 3.18.
2.25	Removal of any signboard located on the roof of a building, or any outdoor signboard fixed on-grade (other than the removal of the spread footing of any outdoor signboard), provided that – (a) the display area of the signboard is not more than 20 m ² ; and (b) the works do not fall within the description of item 3.19 or 3.22.
2.26	Removal of any wall signboard, provided that – (a) if the signboard comprises a display system consisting of light emitting diodes, the display area of the signboard is not more than 20 m ² ; (b) if the signboard does not comprise any display system consisting of light emitting diodes, the display area of the signboard is not more than 40 m ² ; and (c) the works do not fall within the description of item 11 of Part 2 of Schedule 2 or item 3.20.
2.27	Removal of any signboard located on or hung underneath the soffit of a balcony or canopy (other than a cantilevered slab), provided that the works do not fall within the description of item 3.21.

Item	Description of building works
2.28	Repair of any underground drain, provided that – (a) the works involve an excavation of a depth of not more than 1.5 m; (b) the distance between any point of the excavation and any structure or building is at least equal to the depth of the excavation; (c) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; (d) the works do not involve the last manhole; (e) if the works are carried out beside the crest of a slope with a gradient of not more than 30 degrees, the distance between any point of the excavation and the outer edge of the crest is at least equal to the height of the slope; (f) if the works are carried out beside the crest of a slope with a gradient of more than 30 degrees – (i) the height of the slope is not more than 3 m; and (ii) the distance between any point of the excavation and the outer edge of the crest is at least equal to 1.5 times the height of the slope; and (g) if the works are carried out beside the top of a retaining wall – (i) the height of the wall is not more than 3 m; and (ii) the distance between any point of the excavation and the wall is at least equal to 1.5 times the height of the wall.
2.29	Addition or alteration of any underground drain, provided that – (a) the works involve an excavation of a depth of not more than 1.5 m; (b) the distance between any point of the excavation and any structure or building is at least equal to the depth of the excavation; (c) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; (d) the works do not involve the last manhole; and (e) if the works are carried out beside the crest of a slope – (i) the gradient of the slope is not more than 15 degrees; (ii) the height of the slope is not more than 3 m; and (iii) the distance between any point of the excavation and the outer edge of the crest is at least equal to the height of the slope.
2.30	Erection, alteration or removal of any aboveground drain, provided that – (a) the works do not result in any additional load to any cantilevered slab; and (b) the works do not fall within the description of item 3.23.
2.31	Removal of any architectural projection, canopy, supporting frame for an air-conditioning unit or any associated air ducts, or rack (other than a drying rack), projecting from the external wall of a building, provided that – (a) the projection, canopy, frame or rack projects more than 750 mm from the wall; (b) the projection, canopy, frame or rack is not constructed of concrete; and (c) the works do not fall within the description of item 13 or 14 of Part 2 of Schedule 2.
2.32	Removal of any unauthorized structure (other than an architectural projection, canopy, frame or rack) projecting not more than 2 m from the external wall of a building, provided that, if the structure is fixed to a balcony or canopy that is a cantilevered slab, the span of the balcony or canopy is not more than 1 m.
2.33	Erection, repair or removal of any panel fixed by metal dowels and fixings onto a wall inside a building, provided that the distance between the highest point of the panel and the adjoining floor is more than 3 m but not more than 10 m.

Appendix II – Items of “Minor Works”

Item	Description of building works
2.34	Laying, repair or removal of any external rendering, external wall tile or roof tile of a building, provided that – (a) in the case of the repair of any external rendering, the distance between the highest point of the area in respect of which the repair is to be carried out and the adjoining ground or adjoining floor is more than 3 m; (b) in the case other than the repair of any external rendering, the distance between the highest point of the rendering or tile and the adjoining ground or adjoining floor is more than 3 m; and (c) in the case of roof tile, the gradient of the roof is more than 1 in 4.
2.35	Reinstatement in accordance with the original design of a slab in respect of which an opening has been formed, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the distance between the 2 points that are farthest away from each other within the area of the opening is more than 150 mm; and (d) the area of the opening is not more than 1m ² .
2.36	Removal of any underground drain, provided that – (a) the works involve an excavation of a depth of not more than 1.5 m; (b) the distance between any point of the excavation and any structure or building is at least equal to the depth of the excavation; (c) the works do not involve any excavation within area number 1 or 3 of the scheduled areas; (d) the works do not involve the last manhole; (e) if the works are carried out beside the crest of a slope with a gradient of not more than 30 degrees, the distance between any point of the excavation and the outer edge of the crest is at least equal to the height of the slope; (f) if the works are carried out beside the crest of a slope with a gradient of more than 30 degrees – (i) the height of the slope is not more than 3 m; and (ii) the distance between any point of the excavation and the outer edge of the crest is at least equal to 1.5 times the height of the slope; and (g) if the works are carried out beside the top of a retaining wall – (i) the height of the wall is not more than 3 m; and (ii) the distance between any point of the excavation and the wall is at least equal to 1.5 times the height of the wall.
2.37	Removal of any chimney attached to the external wall of a building or located on the roof of a building, provided that – (a) the smallest cross-sectional dimension of the chimney is not more than 500 mm; and (b) the distance between the highest point of the chimney and the level of the adjoining roof is not more than 5 m.
2.38	Removal of any unauthorized structure hung underneath the soffit of a balcony or canopy (other than a cantilevered slab) or fixed to a balcony or canopy (other than a cantilevered slab).
2.39	Removal of any unauthorized single storey structure located on-grade or on a slab (other than a cantilevered slab), provided that – (a) the works do not involve the alteration of any other structural elements; (b) the height of the structure is not more than 5 m; (c) the structure is not a flat slab, pre-stressed concrete construction, transfer girder, hanger, cantilevered structure with a span of more than 1.2 m or earth retaining structure; (d) no structural element of the structure has a span of more than 6 m; and (e) the works do not fall within the description of item 3.32.

Item	Description of building works
2.40	Removal of any metal gate at a fence wall or at an entrance to a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the weight of each leaf of the gate is not more than 300 kg; (d) the weight of at least one leaf of the gate is more than 200 kg; and (e) the height of the gate is not more than 3.2 m.
3.1	Removal of the whole of any internal staircase on the lowest storey of a building that is not used as a means of escape or a means of access for firefighting and rescue, provided that – (a) the height of the staircase is not more than 1.5 m; and (b) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam.
3.2	Removal of any supporting structure for an air-conditioning unit, water cooling tower, solar water heating system or photovoltaic system, provided that – (a) the structure is located on-grade or on a slab (other than a cantilevered slab); (b) the height of the structure is more than 1 m but not more than 2 m; and (c) if the structure is located on the roof of a building – (i) the distance between any part of the structure and the edge of the roof is more than 1.5 m; or (ii) there is a protective barrier with a height of not less than 1.1 m at the edge of the roof.
3.3	Repair or replacement of any protective barrier (other than an external reinforced concrete wall or block wall) in accordance with the original design, provided that – (a) the works do not result in any additional load to any cantilevered slab; and (b) the difference in height between the level on which the protective barrier is located and its adjacent level is not more than 2 m.
3.4	Removal of any solid fence wall, provided that – (a) the wall is erected on-grade; and (b) the height of the wall is more than 1.1 m but not more than 3m.
3.5	Removal of any external mesh fence, provided that – (a) the fence is erected on-grade; and (b) the height of the fence is more than 3 m but not more than 5 m.
3.6	Construction, alteration or repair of any window or window wall, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) if the distance between the highest point of the window or window wall and the ground is more than 3.5 m but not more than 100 m – (i) the works involve the sub-frame of the window or window wall only; and (ii) the length of the sub-frame is not more than 1.2 m; (c) if the distance between the highest point of the window or window wall and the ground is not more than 3.5 m, no structural element of the window or window wall has a span of more than 6 m; and (d) the works do not involve the alteration of any other structural elements, except a simply supported beam that – (i) is not of pre-stressed construction; and (ii) is not used to support any column, flat slab or ribbed beam.

Item	Description of building works
3.7	Removal of any window or window wall, provided that – (a) the works do not involve the alteration of any other structural elements; and (b) the distance between the highest point of the window or window wall and the ground is not more than 3.5 m.
3.8	Removal of any radio base station for telecommunications services in the form of an enclosure or equipment cabinet together with its supporting structure located on the roof of a building, provided that – (a) the distance between any part of the station and the edge of the roof is more than 1.5 m; (b) the works do not involve any structural elements constructed of concrete; (c) the length of the station is not more than 4.5 m; (d) the width of the station is not more than 4.5 m; and (e) the height of the station is not more than 2 m.
3.9	Erection, alteration or removal of any supporting structure for an antenna or transceiver on the roof of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the structure projects beyond the external wall of the building; and (c) the structure is designed for an antenna or transceiver of not more than 150 kg in weight.
3.10	Removal of any supporting structure for an antenna or transceiver located on the roof of a building.
3.11	Erection, alteration or removal of any external block wall (other than a load bearing wall) of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the height of the wall is not more than 1.1 m.
3.12	Repair of any external block wall (other than a load bearing wall) of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; and (c) the height of the wall is not more than 3.5 m.
3.13	Erection, alteration, repair or removal of any metal gate at a fence wall or at an entrance to a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the weight of each leaf of the gate is not more than 200 kg; (d) the height of the gate is not more than 3.2 m; and (e) the works do not fall within the description of item 8 of Part 2 of Schedule 2.
3.14	Erection, alteration or removal of any supporting structure for a solar water heating system on-grade or on a slab (other than a cantilevered slab), provided that – (a) the height of the structure is not more than 1.5 m; (b) the structure is designed for a solar water heating system none of the thermal collectors of which is more than 200 kg in weight; (c) if the thermal collector and the water tank of the system are integrated, the structure is designed for a system the gross weight (when the water tank is in full capacity) of which is not more than 100 kg per m ² of the ground or slab area; and (d) the works do not fall within the description of item 12 of Part 2 of Schedule 2.

Item	Description of building works
3.15	Erection, alteration or removal of any supporting structure for a photovoltaic system on-grade or on a slab (other than a cantilevered slab), provided that – (a) the height of the structure is not more than 1.5 m; (b) the structure is designed for a photovoltaic system none of the modules of which is more than 200 kg in weight; and (c) the works do not fall within the description of item 12 of Part 2 of Schedule 2.
3.16	Erection, alteration or removal of any projecting signboard (including the replacement of the display surface of any signboard), provided that – (a) the signboard does not consist of stone; (b) the works do not result in any additional load to any cantilevered slab; (c) the works do not involve the alteration of any other structural elements; (d) the display area of the signboard is not more than 1 m ² ; (e) no part of the signboard projects more than 1 m from the external wall to which it is fixed; (f) the thickness of the signboard is not more than 300 mm; and (g) the distance between any part of the signboard and the ground is not more than 6 m.
3.17	Erection, alteration or removal of any wall signboard (including the replacement of the display surface of any signboard), provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the display area of the signboard is not more than 5 m ² ; (d) the distance between any part of the signboard and the ground is not more than 6 m; and (e) the works do not fall within the description of item 10 or 11 of Part 2 of Schedule 2.
3.18	Removal of any projecting signboard, provided that – (a) the display area of the signboard is not more than 2 m ² ; (b) no part of the signboard projects more than 2 m from the external wall to which it is fixed; and (c) the distance between any part of the signboard and the ground is not more than 6 m.
3.19	Removal of any signboard located on the roof of a building, provided that – (a) the display area of the signboard is not more than 5 m ² ; (b) the height of the signboard is not more than 2 m; and (c) the distance between any part of the signboard and the edge of the roof is more than 1.5 m.
3.20	Removal of any wall signboard, provided that – (a) the display area of the signboard is not more than 10 m ² ; (b) the distance between any part of the signboard and the ground is not more than 6 m; and (c) the works do not fall within the description of item 11 of Part 2 of Schedule 2.
3.21	Removal of any signboard located on or hung underneath the soffit of a balcony or canopy (other than a cantilevered slab), provided that – (a) if the signboard is located on a balcony or canopy, the display area of the signboard is not more than 5 m ² ; (b) if the signboard is hung underneath the soffit of a balcony or canopy, the display area of the signboard is not more than 2 m ² ; and (c) the height of the signboard is not more than 1 m.
3.22	Removal of any outdoor signboard fixed on-grade (other than the removal of the spread footing of any outdoor signboard), provided that – (a) the display area of the signboard is not more than 1 m ² ; and (b) the distance between any part of the signboard and the ground is not more than 3 m.

Appendix II – Items of “Minor Works”

Item	Description of building works
3.23	Erection, alteration or removal of any aboveground drain, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve any main pipe, other than the replacement of components at existing junctions; and (c) the works do not involve any embedded pipe, other than a pipe that passes through a wall or slab.
3.24	Removal of any aboveground drain the erection of which was unauthorized.
3.25	Erection, alteration or removal of any canopy projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the canopy projects more than 500 mm from the wall; (c) the canopy is not constructed of concrete; and (d) the distance between the highest point of the canopy and the ground is more than 3 m.
3.26	Removal of any architectural projection, canopy, supporting frame for an air-conditioning unit or any associated air ducts, or rack (other than a drying rack), projecting from the external wall of a building, provided that – (a) no part of the projection, canopy, frame or rack projects more than 750 mm from the wall; (b) the projection, canopy, frame or rack is not constructed of concrete; and (c) the works do not fall within the description of item 13 or 14 of Part 2 of Schedule 2.
3.27	Erection, alteration or removal of any metal supporting frame for an air-conditioning unit or any associated air ducts projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the frame projects more than 600 mm from the wall; (c) the distance between the highest point of the frame and the ground is more than 3 m; and (d) the frame is designed for an air-conditioning unit of not more than 100 kg in weight.
3.28	Erection, alteration or removal of any supporting structure for an air-conditioning unit, water cooling tower or any associated air ducts on-grade or on a slab (other than a cantilevered slab), provided that – (a) the height of the structure is not more than 1.5 m; (b) the structure is designed for an air-conditioning unit or water cooling tower, of not more than 150 kg in weight; and (c) the works do not fall within the description of item 12 of Part 2 of Schedule 2.
3.29	Erection, alteration or removal of any drying rack projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the rack projects more than 750 mm from the wall; and (c) the distance between the highest point of the rack and the ground is more than 3 m.
3.30	Removal of any drying rack projecting from the external wall of a building, provided that the works do not fall within the description of item 15 of Part 2 of Schedule 2.
3.31	Erection, repair or removal of any cladding fixed to the external wall of a building, provided that the distance between any part of the cladding and the adjoining ground or adjoining floor is not more than 6m.

Item	Description of building works
3.32	Removal of any unauthorized single storey structure located on-grade or on a slab (other than a cantilevered slab), provided that – (a) the works do not involve the alteration of any other structural elements; (b) the height of the structure is not more than 2.5 m; (c) the structure is not a flat slab, pre-stressed concrete construction, transfer girder, hanger, cantilevered structure with a span of more than 1.2 m or earth retaining structure; (d) no structural element of the structure has a span of more than 4.5 m; (e) the structure has a roofed over area of not more than 20 m ² ; and (f) if the structure is located on the roof of a building, the distance between any part of the structure and the edge of the roof is more than 1.5 m.
3.33	Removal of any metal gate at a fence wall or at an entrance to a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the works do not involve the alteration of any other structural elements; (c) the weight of each leaf of the gate is not more than 200 kg; (d) the height of the gate is not more than 3.2 m; and (e) the works do not fall within the description of item 8 of Part 2 of Schedule 2.
3.34	Strengthening of any unauthorized supporting structure for an air-conditioning unit, water cooling tower or any associated air ducts located on-grade or on a slab (other than a cantilevered slab), provided that the structure is designed for an air-conditioning unit or water cooling tower, of not more than 100 kg in weight.
3.35	Strengthening of any unauthorized metal supporting frame for an air-conditioning unit or any associated air ducts projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the frame projects more than 600 mm from the wall; (c) the frame is designed for an air-conditioning unit of not more than 100 kg in weight; and (d) if the distance between the highest point of the frame and the ground is not more than 3 m, the frame does not project over any street or common part of the building.
3.36	Strengthening of any unauthorized drying rack projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the rack projects more than 750 mm from the wall; and (c) if the distance between the highest point of the rack and the ground is not more than 3 m, the rack does not project over any street or common part of the building.
3.37	Strengthening of any unauthorized canopy projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) no part of the canopy projects more than 500 mm from the wall; (c) the canopy is not constructed of concrete; and (d) if the distance between the highest point of the canopy and the ground is not more than 3 m, the canopy does not project over any street or common part of the building.
3.38	Alteration of any unauthorized canopy projecting from the external wall of a building, provided that – (a) the works do not result in any additional load to any cantilevered slab; (b) the canopy is not constructed of concrete; (c) immediately before the alteration, the canopy projects more than 500 mm from the wall, but no part of the canopy projects more than 750 mm from the wall; (d) immediately after the alteration, no part of the canopy projects more than 500 mm from the wall; and (e) if the distance between the highest point of the canopy and the ground is not more than 3 m, the canopy does not project over any street or common part of the building.

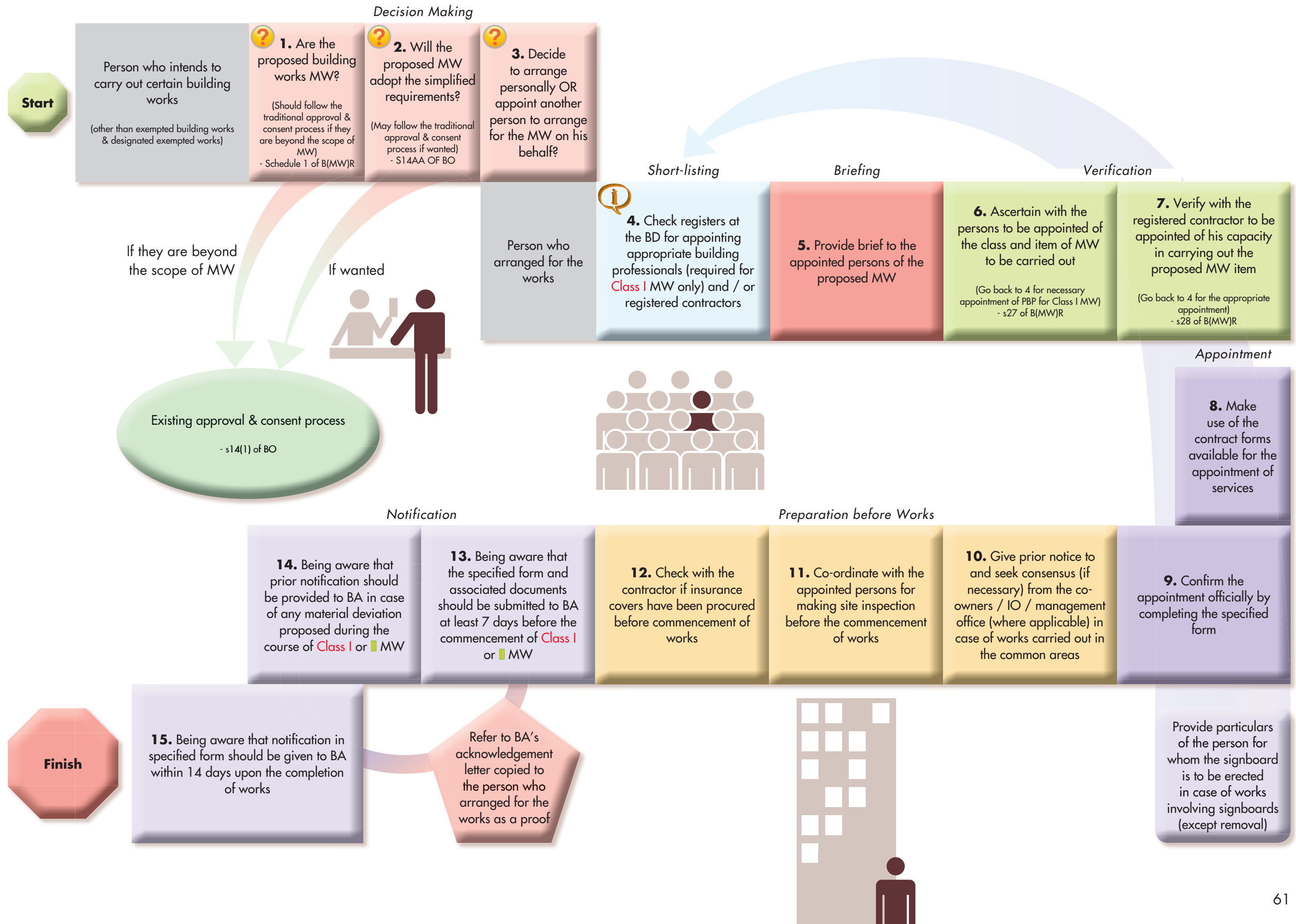
Appendix III – Duties & Responsibilities of Prescribed Building Professionals & Prescribed Registered Contractors under the “Simplified Requirements”

	Prescribed Building Professionals	Prescribed Registered Contractors	
Duties & Responsibilities under the BO & B(MW)R	Comply with BO & other enactments and notify the BA of any contravention		
	Comply with the “simplified requirements”		
	Supervise the MW periodically to ensure that there is no material deviation from the prescribed plans and details	<u>PRC registered on company basis</u> Supervise the MW continuously & keep & retain records of activities & information relevant to the supervision of the works ≥ 12 months after completion of works	
		<u>RMWC (Ind)</u> Carry out the MW personally	
	Appoint “technically competent persons” for Class I MW (if necessary)		
	Deliver a copy of prescribed plans, details & the supervision plan (as required) to the PRC	Keep all copies of prescribed plans, details & the supervision plan (if any) on site	
	Provide information to the BA per requested		
	Ensure fire services installations or equipment not affected	N/A	
	Serve notice to BA in specified form within 7 days on change of appointment of PBP, PRC or his own appointment	Notify BA in specified form within 7 days on change of appointment	
	Notify the BA in case of nomination in his place	N/A	
Cease to continue MW without the appointment of PRC	Cease to continue Class I MW without the appointment of PBP		
Liabilities to Injuries or Damages	N/A	Procure insurance on contractor’s all risks with 3 rd party indemnity & insure the 3 rd party against any injury or damage caused by the works	
	Acquire employee’s compensation insurance under the Employees’ Compensation Ordinance (Cap. 282)		

Appendix IV – Sanctions against Building Professionals & Registered Contractors

	Prescribed Building Professionals	Prescribed Registered Contractors
Sanctions under the BO that may be subject to Disciplinary Proceedings	Being negligent or misconducted himself in a professional way	Being negligent or misconducted himself
	Permitted a material deviation from a supervision plan	Deviated in a material manner from a supervision plan
	Drawn up a supervision plan that does not comply with the material requirements of the Ordinance	
	Certified “minor work” that have been carried out in contravention of the Ordinance	
	Supervised “minor works” that have caused injury to any person	Supervised / carried out “minor works” in such a manner that have caused injury to any person
	Certified or supervised building works as if it were “minor works” commenced under the “simplified requirements”	Carried out / certified building works as if it were “minor works” commenced under the “simplified requirements”
	Failed to carry out his duties	N/A
Offences under s.58 of B(MW)R	Contravened the “simplified requirements”. The maximum penalty is a fine at level 5 (\$50,000 at present)	
Offences under the BO	Failed to notify the BA of any contravention resulting from the works and shall be liable to a fine at level 5 (\$50,000 at present) under section 40(2AAAA) of the Ordinance	
	N/A	If a RMWC or RSC certifies or carries out “minor works” not belonging to the class, type or item for which he is registered, he shall be liable on conviction to a fixed fine at level 6 (\$100,000 at present), a daily fine of \$5,000 and imprisonment for 6 months under section 40(2E) of the Ordinance
	Allowed the works to be carried out or carries out the works in such a way that it will or is likely to cause injury or damage. He shall be liable on conviction to a fine of \$500,000 and imprisonment for 18 months under section 40(2B) of the Ordinance	

Appendix V – Recommended Steps for Persons who Intended to Carry Out “Minor Works” (“MW”)



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Enquiries

Any enquiry relating to the “minor works” or the new control system can be referred to the Minor Works Unit of the Buildings Department at:

 : **12/F Pioneer Centre, 750 Nathan Road, Kowloon**

 : **2626-1616 (which is handled by the “1823 call centre”)**

 : **enquiry@bd.gov.hk**

Technical Resource Centre(s) (TRC) manned by staff of the Buildings Department is set up for answering queries on “minor works”. The first TRC is located at:

**5/F Henry G Leong Yaumatei Community Centre,
60 Public Square Street, Yau Ma Tei, Kowloon**

Information on the services offered by the Buildings Department and on the legislation can also be found on our website at <http://www.bd.gov.hk>.



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