



Inspect walls

Maintain windows properly



# Owners are responsible for repairing their own properties



Check and  
repair drainage systems



Remove any unauthorised  
building works



## **Owners are responsible for repairing their own properties**



### **Care instructions for lifelong guarantee:**

- Inspect walls, ceilings, beams and columns
- Properly use and maintain windows
- Check drainage systems
- No unauthorised building works
- Remove any existing unauthorised building works
- Inspect and repair regularly

Valuable item, handle with care



### **If you care for a consumer product you have bought, what about your own flat?**

To ensure a living environment is in compliance with building safety and health standards, building owners should care for their own properties.



## No unauthorised building works (UBWs)

- Prior approval of plans and consent to commencement of works from the Building Authority (the Buildings Department(BD)) are required before the owners carry out any alteration or addition works to the buildings, unless the works are exempted building works.
- If the works are designated as minor works under the Minor Works Control System (MWCS), the owners may carry out the works in accordance with the simplified requirements of the MWCS without the need for obtaining prior approval and consent from BD.
- Owners and occupiers must not erect UBWs or carry out building works associated with subdivision of a flat (commonly known as “subdivided units”) in contravention of the Buildings Ordinance.

### The Buildings Department(BD)’s measures

- Owners who carry out building works (other than minor works and exempted building works) without first obtaining the BD’s approval and consent may be prosecuted and liable on conviction to a maximum penalty of:
  - a fine of \$400,000 and imprisonment for 2 years ; and
  - a daily fine of \$20,000.
- Owners who knowingly fail to appoint a prescribed building professional or prescribed registered contractor as required under the MWCS may be prosecuted and liable on conviction to a maximum fine of \$100,000.





## Removal of UBWs

Owners should take the initiative to remove UBWs and rectify irregularities of building works associated with “subdivided units”.

### The BD’s measures

- The BD may serve a statutory removal order on:
  - the owner of the premises on which the UBW has been erected;
  - the owner of another premises if the UBW is erected on one premises but connected to that another premises and such UBW is used by the owner of that another premises; and
  - if the UBW is a signboard, a person in the following order of priority:
    - (1) the person for whom the signboard is erected;
    - (2) the person who receives rent of the signboard;
    - (3) owner of the premises on which the signboard is erected.
- The BD may register the statutory removal orders in the Land Registry.
- An owner who, without reasonable excuse, fails to comply with a statutory removal order may be prosecuted and liable on conviction to a maximum penalty of:
  - a fine of \$200,000 and imprisonment for 1 year ; and
  - a daily fine of \$20,000.
- For UBWs which are not “actionable” items under the current enforcement policy, the BD may issue warning notices to the owners and register such notices in the Land Registry. An instrument of satisfaction against the warning notices will only be registered upon the owners’ removal of the UBWs. Registration of the warning notices aims to encourage the owners to take initiative to remove the UBWS concerned and also serves as a measure of consumer protection for prospective property buyers.



## Co-operation

- Owners should co-operate with the Owners' Corporation (OC) in carrying out inspections, investigations and repair works of their building or in removing UBWs in the common parts of the building.

### The BD's measures

- An owner who, without reasonable excuse, obstructs the OC in carrying out the inspection, investigation, works or other action to comply with the BD's order or notice may be prosecuted and liable on conviction to **a maximum fine of \$10,000 and to imprisonment for 6 months.**
- An owner who, without reasonable excuse, refuses to contribute to the cost of the inspection, investigation, works or other action carried out to comply with the BD's order or notice may be prosecuted and liable on conviction to **a maximum fine of \$25,000.**
- The BD may also arrange for the required inspection, investigation and remedial works to be carried out by its consultant and contractor, and then recover the cost of the inspection, investigation and remedial works as well as the supervision charge from the owners/OC, together with a surcharge of not exceeding 20% of the above cost and supervision charge.



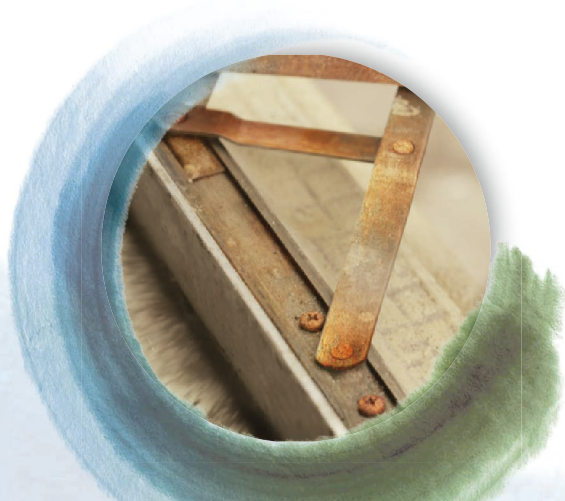


## To know your buildings more

- Owners may view the approved plans and records of the completed minor works to ensure that all the building works have complied with the Buildings Ordinance including ascertainment if there are any UBWs in the premises.

### The BD's measures

- Members of the public may, upon payment of the prescribed fees, view the approved plans and records of the completed minor works and obtain certified or non-certified copies of such plans and records. They may visit the Building Information Centre of the Buildings Department at 2/F, Buildings Department Headquarters, North Tower, West Kowloon Government Offices, 11 Hoi Ting Road, Yau Ma Tei, Kowloon for inspection of these materials or browse the BD's "Building Records Access and Viewing On-line" (BRAVO) system at the website ( <https://bravo.bd.gov.hk> ).





## Proper maintenance

### Owners should take the initiative to

- Keep their buildings, private streets and emergency vehicular accesses (EVAs) under regular and proper maintenance.
- Enlist the service of a qualified building professional or property management company to implement their maintenance programmes.
- Avoid improper use or unauthorised alteration of their buildings, streets and EVAs.

### The BD's measures

- Implementation of the Mandatory Building Inspection Scheme (MBIS) which requires the owners to appoint a Registered Inspector (RI) to carry out the prescribed inspection and to appoint a Registered Contractor (RC) to carry out the prescribed repair works found necessary from the prescribed inspection of the common parts, external walls and projections or signboards of the buildings under the supervision of a RI.
- Implementation of the Mandatory Window Inspection Scheme (MWIS) which requires the owners to appoint a Qualified Person (QP) to carry out the prescribed inspection and to appoint a RC to carry out the prescribed repair works found necessary from the prescribed inspection of all windows of the buildings under the supervision of a QP.
- Administration of the Building Safety Loan Scheme to assist the owners with financial difficulties.

- Issue of statutory orders requiring the owners to carry out proper maintenance of their buildings, the drainage systems, slopes, private streets, EVAs and other area of the common parts of the Buildings.
- An owner who, without reasonable excuse, fails to comply with a statutory repair order, investigation order or statutory notice for the MBIS may be prosecuted and liable on conviction to a maximum penalty of:
  - a fine of \$50,000 and imprisonment for 1 year; and
  - a daily fine of \$5,000.
- An owner who, without reasonable excuse, fails to comply with a statutory notice for the MWIS may be served with a penalty notice for a fixed fine of \$1,500. A repeated offender may be prosecuted and liable on conviction to a maximum penalty of:
  - a fine of \$25,000 and imprisonment for 3 months; and
  - a daily fine of \$2,000.
- The BD may also arrange for the required inspection, investigation and remedial works to be carried out by its consultant and contractor and then recover the cost of the inspection, investigation and remedial works as well as the supervision charge from the owners/OC, together with a surcharge of not exceeding 20% of the above cost and supervision charge.





## 屋宇署熱線

Buildings Department Hotline

**2626 1616**

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<https://www.bd.gov.hk>

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