

## 5 Exempted Building Works (“EBW”)

- 5.1 Under section 41(3) of the Buildings Ordinance (“BO”), except drainage works, ground investigation in the “scheduled areas”, site formation works or “minor works”, building works not involving the structure of the building may be carried out in any building without “obtaining prior approval and consent” from the Building Authority (“BA”), and the appointment of building professionals<sup>11</sup> and registered contractors<sup>12</sup>.
- 5.2 Exemption also applies to drainage works (except “minor works”) in any building on conditions under section 41(3C) of the BO.
- 5.3 Such building or drainage works mentioned above are generally called “exempted building works”. The works shall not be carried out in contravention of any regulation, i.e. the works shall comply with building standards stipulated in the regulations and related codes of practice.
- 5.4 “The person who arranged for the works to be carried out” should appoint a competent contractor. If in doubts, advice from the building professionals or the BA is encouraged for ensuring that the works to be carried out are really EBW.
- 5.5 The contractors should ensure that the EBW to be carried out will not contravene any regulations. Should any contravention be identified, an order made under section 24 of the BO may be served requiring the demolition or alteration of such building works to put an end to the contravention or to make the works complying with the regulations.
- 5.6 Although it is not required to obtain approval before the carrying out of the EBW, contractors are always reminded to observe the good practices of checking the approved building records on the internet through the BRAVO system (<http://bravo.bd.gov.hk>) or from the “Building Information Centre” (“BIC”) of the Buildings Department before the commencement of works. Adequate safety and precautionary measures (detailed in Chapter 11) should always be provided by the contractors to protect themselves, the public and avoid any possible damages to the properties.

11. Building professionals include the AP, RSE and/or RGE

12. Registered contractors include RGBC, RSC or RMWC.