

CONTROLLING OFFICER'S REPLY

DEVB(PL)122

(Question Serial No. 1436)

Head: (82) Buildings Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Buildings and Building Works
Controlling Officer: Director of Buildings (CHEUNG Tin-cheung)
Director of Bureau: Secretary for Development

Question:

In respect of processing building plans and occupation permits (OPs) of new buildings:

- 1) regarding the sections responsible for these two duties, what are their staff establishment, including ranks (and Pay Scale), manpower and professional qualifications?
- 2) regarding the Targets of “processing building plans within 60 days for new submissions”, “processing building plans within 30 days for re-submissions” and “processing within 14 days applications for occupation permits”, how are these working days calculated? Is it calculated from the first submissions by developers, followed by the completion within the timeframes examination of all the plans, verification of their compliance with existing legislation and relevant practice notes, and site inspection by the responsible sections of the Department?
- 3) what are the manpower and staff responsible for site inspection? How many staff is present for each inspection and in what ways are the inspections being recorded, such as photo taking and video recording? What are the follow-up actions if discrepancies with plans or irregularities are found?
- 4) Industry practitioners have reflected that it takes up to months for the Department to process OPs, while the Target states that 100% of the OP applications are processed within 14 days. Before developers submit formal OP applications, what are their preparatory work with the Department for the applications? Are there information kept about the first preparatory work and site inspections?

Asked by: Hon LAM Kin-fung, Jeffrey (LegCo internal reference no.: 58)

Reply:

- 1) Plan submissions and applications for occupation permits (OPs) are processed by 153 professional staff⁽¹⁾, comprising nine Chief Building Surveyors (CBS)/Chief Structural Engineers (CSE), 36 Senior Building Surveyors (SBS)/Senior Structural Engineers (SSE), and 108 Building Surveyors (BS)/Structural Engineers (SE), and 73 technical staff⁽²⁾, including 12 Senior Survey Officers (SSO)/ Senior Technical Officers (STO), 61 Survey Officers (SO)/Technical Officer (TO), in the New Building Divisions of the Buildings Department (BD). Their pay scale and professional qualifications are tabulated below –

Grade	Pay Scale	Professional Qualification
Professional Officers	CBS/CSE: Directorate Pay Scale: D1 SBS/SSE: Master Pay Scale (MPS): 45-49 BS: MPS 30-44 SE: MPS 32-44	Building Surveyor grade officers: (i) Corporate Members of the Hong Kong Institute of Surveyors (Building Surveying Division) or equivalent, plus one year's appropriate post-qualification experience; or (ii) Members of the Hong Kong Institute of Architects or equivalent. Structural Engineer grade officers: (i) Corporate Members of the Hong Kong Institution of Engineers (Structural or Civil Discipline), elected after 5 December 1975; or (ii) Possessing qualification recognised by the Hong Kong Institution of Engineers or equivalent.
Technical Officers	SSO/STO: MPS 23-29 SO/TO: MPS: 9-22	Not applicable.

Note ⁽¹⁾: Including two non-civil service contract (NCSC) building surveyors.

Note ⁽²⁾: Including three NCSC survey officers.

- 2) The time limits for processing applications for OPs and newly submitted and re-submitted plans are prescribed in the Buildings Ordinance (BO) (Cap. 123) and Building (Administration) Regulations (Cap. 123A) respectively. If BD does not refuse or approve the applications by giving notice in writing within these time limits, the appropriate approval or permit is deemed to have been given. Calculation of these statutory time limits is based on calendar days and counts from the day after an application has been received in BD in accordance with the Interpretation and General Clauses Ordinance (Cap. 1).
- 3) Depending on the type and circumstances of each application, staff of BD may carry out site inspections or random on-site audit checks. Site inspections will generally be carried out by the 108 basic professional staff (i.e. BS and SE) and 73 technical staff in paragraph 1 above. Each site inspection is normally carried out by one professional officer and one technical officer and their findings including site photographs will be recorded on file. When irregularities are identified during site inspections, the appointed registered building professionals and registered contractors will be requested to rectify the irregularities to ensure building safety. Depending on the circumstances and the nature and seriousness of the contraventions, BD may carry out investigations and instigate prosecution or disciplinary actions under the BO.
- 4) Under the BO, BD is required to process an OP application within 14 days. If an application is refused, the applicant has to rectify the outstanding issues before making another application for OP. Hence, it may take more than 14 days to successfully obtain an OP counting from the date of the first application. According to BD's record, all OP applications in 2018 have been processed (i.e. either an OP was granted or the application was refused) within the 14-day time limit.

Throughout the entire development process, BD provides enquiry service regarding compliance with or interpretation of building regulations and codes of practice to assist registered building professionals in ensuring that the proposed building and building works comply with BD's requirements.

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