
**Occupation of New Buildings
Buildings Ordinance section 21**

This PNAP summarizes how the Building Authority (BA) processes an application for an occupation permit (OP).

2. By law the BA must process an application for an OP within 14 days. As time is of the essence, it is essential that the authorized person (AP) co-operates fully. Apart from ensuring that all building works are satisfactorily completed in accordance with the approved plans and in full compliance with the Buildings Ordinance and Regulations, the AP should ensure that the requisite certificates, record plans and schedules are submitted with the formal application (BA 13). Applications without the requisite certificates will be processed as far as practicable but if at all possible this should be avoided.

3. On receipt of an application, the Development Division building surveyor will arrange with the AP an early appointment for inspection. It is expected that in turn the AP will make the necessary arrangements with the registered general building contractor.

4. During an inspection all parts of the building works must be available for examination. If the inspection reveals that building works controlled under the Buildings Ordinance are blatantly incomplete, e.g. sanitary fitments or fire doors have not been installed, the application will be summarily refused. In such cases, a fresh application (BA 13) would have to be made. In serious cases, consideration would be given to instigating disciplinary proceedings under the Buildings Ordinance for prematurely certifying the building completed.

5. Plant and machinery, such as an extensive air conditioning installation, that has been required under the Buildings Ordinance and Regulations to be operational on completion of the building should be made available for inspection. Generally speaking, provided it is structurally safe to do so, there is no objection to plant and fixtures required by the users of the building being installed before an OP is issued. Such installations should not, however, unduly hamper inspection of the completed building works.

6. If the inspection reveals only minor matters to be rectified, the BA will accept the AP's written confirmation and, when appropriate, photographic proof that rectification has been made prior to the expiry of the 14-day period. This should, however, be submitted in good time to allow for preparation of the OP.

7. Refusals of applications will in the first instance be notified by fax; a formal letter will follow by post. In addition to the statutory grounds for refusal, other comments and observations may be included in additional paragraphs for information and any action deemed appropriate.

/8. Following

8. Following a refusal, except in the case of a premature application, a formal resubmission of an application (BA 13) is not required. On receipt of written notification from the AP that the refusal items have been rectified to his satisfaction, the BA will within 14 days carry out a reinspection (if required) and either issue the OP or again formally refuse the application.

9. Section 21 of the Buildings Ordinance details the statutory procedures required for the occupation of a new building. PNAP 53 and PNRC 25 provide information on the submission of amendment plans, record plans and schedules.

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Occupation Permits