

Minor Works Control System

Implementation

The Buildings Ordinance (“BO”) has been amended by the Buildings (Amendment) Ordinance 2008 and a set of new regulations, the Building (Minor Works) Regulation [“B(MW)R”] has been made to introduce a new system, the Minor Works Control System (“MWCS”) to control the carrying out of minor works. Apart from the old 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 are simpler than the old system has been added to the BO by the above Amendment Ordinance and new regulations. The MWCS comes into operation on 31 December 2010.

Classification of Minor Works

2. A new category of building works, namely “minor works”, and a new register of “registered minor works contractors” (“RMWCs”) 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 for building plans and consent to commence the works can be dispensed with. Minor works are classified into three classes according to their nature, scale and complexity as well as the risk to safety they pose:

- (a) Class I minor works are relatively more complicated minor works, e.g. installation of internal staircases connecting two floors;
- (b) Class II minor works are comparatively less complex works, e.g. repair of external walls; and
- (c) Class III minor works cover small-scale minor works, mostly carried out in household settings, e.g. erection of supporting frames for air-conditioners.

3. The various items of minor works are described in Schedule 1 of the B(MW)R.

The Simplified Requirements

4. As an alternative to obtaining prior approval and consent from the BA, minor works can be carried out under the simplified requirements of the MWCS, the requirements of which are tabulated as follows for reference:

Minor works involved Requirements	Class I	Class II	Class III
Appointment (of the Appointed Person)	<ul style="list-style-type: none"> ♦ PBP to design and supervise the works; and ♦ PRC to carry out the works 	<ul style="list-style-type: none"> ♦ PRC to prepare and submit the plans and documents, to supervise and carry out the works 	
Submission	<u>AP</u>	<u>PRC</u>	<ul style="list-style-type: none"> ♦ <u>PRC</u> Notice and Certificate of Completion of Works
	<ul style="list-style-type: none"> ♦ Notice of Commencement of Works; and ♦ Certificate of Completion of Works 		

PBP : Prescribed Building Professionals – an Authorized Person (AP), [if necessary, and a Registered Structural Engineer (RSE) and/or a Registered Geotechnical Engineer (RGE)]

PRC : Prescribed Registered Contractor – Registered General Building Contractor (RGBC), Registered Specialist Contractor (RSC) or Registered Minor Works Contractor (RMWC)

5. The workflow of the simplified requirements and the documents required to be submitted are summarized in Appendix A.

6. Some requirements and general guidance to streamline and expedite the processing of submissions are provided in Appendix B. The specified forms and standard forms for use under the simplified requirements are listed in Appendix C.

General Reminders

7. Under section 55 of the B(MW)R, the AP appointed in respect of any Class I minor works is required to provide a copy of the prescribed plans, details of the works and supervision plan (as required) submitted under the simplified requirements to the PRC for their keeping on site. The AP shall also remind the PRC to keep a copy of the Buildings Department’s acknowledgement letter for the “Notice of Commencement of Works” on site for inspection by officers of the Buildings Department (BD).

8. If the minor works involve common parts of a building, the AP should remind “the person who arranged for the works to be carried out” to pay attention to the civil liabilities under the deed of mutual covenant of the building. The AP should also notify the management office concerned, the Incorporated Owners or the related owner(s) about the minor works to be carried out.

9. The AP should remind the PRC to take appropriate measures to ensure the proper disposal of construction waste.

10. Where a supervision plan is required, the PBP and PRC are reminded to comply with the requirements under the Technical Memorandum for Supervision Plans (TM) and the Code of Practice for Site Supervision.

11. When the AP, RSE or RGE ceases to be appointed or nominated as the PBP in respect of any Class I minor works, he should submit the standard form to notify the BA within 7 days after the date of the cessation. When the PRC ceases to be appointed in respect of any Class I minor works, he should deliver the specified form to the AP within 7 days after the date of the cessation. The AP should submit the form to the BA within 7 days after the date of receipt of such form.

Minor Works Relating to Signboards

12. In order to facilitate the distinction of the signboards erected or altered under the simplified requirements from those unauthorized signboards, it is recommended that the minor works submission numbers be displayed on the signboards erected or altered under the simplified requirements. Standards and guidelines on display of these numbers are provided in Appendix D. Similar arrangement is also recommended for those signboards which have been erected or altered with prior approval and consent from the BA as set out in PNAP APP-126.

Minor Works Relating to Radio Base Station, Antenna or Transceiver on Roof

13. For minor works relating to radio base station, antenna or transceiver on roof, the AP and RSE should make reference to Appendix E for more details.

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

14. It is recognized that some unauthorized minor amenity structures may have been erected to meet practical household needs before the full implementation of the MWCS on 31 December 2010. They include metal supporting frames for air-conditioning units or water cooling towers, drying racks and small canopies. They are known as the prescribed building or building works (PB/BW), which are described in Schedule 3 of the B(MW)R. Under the new section 39C of the BO and section 62 of the B(MW)R, an AP, RSE, RGBC or RMWC¹ can be appointed to inspect and certify that the PB/BW are structurally safe and comply with the BO². Upon certification, no enforcement action will be taken against the three types of minor unauthorized structures unless their safety conditions change. Alteration and/or strengthening works may be carried out before such minor structures can be certified.

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Note ¹ RMWCs who are registered for type A minor works, type E minor works or item 3.25, 3.27, 3.28, 3.29, 3.34, 3.35, 3.36, 3.37 or 3.38 of Class III minor works

Note ² Except BO section 14(1) and Building (Administration) Regulation 25

15. A flow chart showing the steps of processing the submissions and the documents required to be submitted under the “Household Minor Works Validation Scheme” are provided in Appendix A.

No Referral of Plans

16. Unlike the “centralized processing of building plans”, the documents submitted to the BD for the carrying out of minor works under the simplified requirements and for the inspection and certification of PB/BW will **not** be referred to other government departments. If the proposed minor works involves the jurisdictions of other government departments, the AP or PRC should consult and obtain necessary approval or consent from the relevant government departments accordingly.

No Submission Fee Required

17. All submissions under the simplified requirements and for the inspection and certification of PB/BW are free of charge.

Technical Guidelines on Minor Works Control System

18. The “Technical Guidelines on Minor Works Control System” has been published by the BD, providing detailed guidance on compliance with the simplified requirements to the registered contractors and practitioners in the building industry. These Guidelines are available at the BD’s website (<http://www.bd.gov.hk>) under the “Codes of Practice and Design Manuals” page of the “Publication” section.

19. A similar practice note is issued to all Registered Contractors.

(AU Choi-kai)
Building Authority

Ref. : BD GP/BORD/113

First issue December 2010 (AD/Sup)

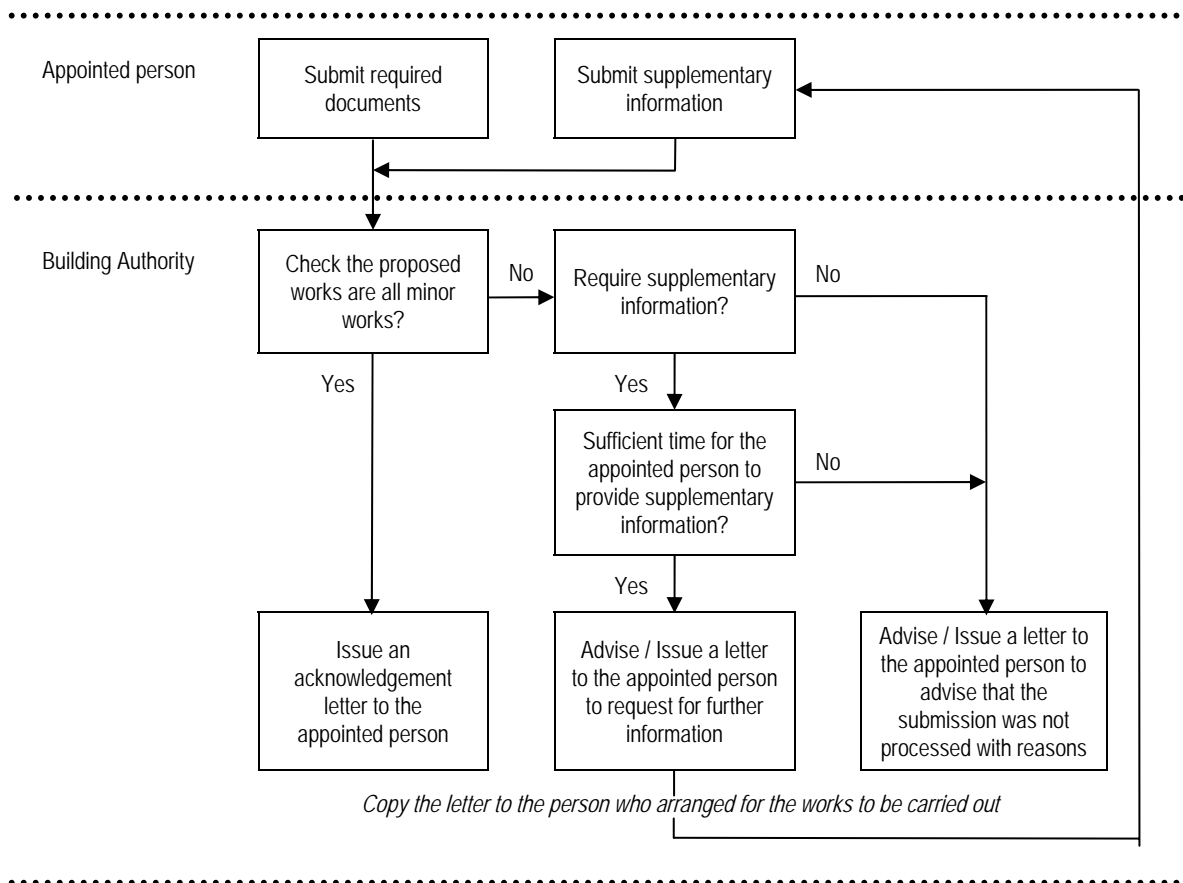
This revision June 2012 (AD/CS)

– Appendices B and C amended

Administrative Procedures for Processing Minor Works Submissions and the Inspection and Certification of Prescribed Building or Building Works

Processing of Minor Works Submissions

1. General steps of processing the minor works submissions are as follows:



Notes:

- (i) A unique submission number, for example, *MW101200001*, will be issued with the acknowledgement letter mentioned above. The submission number assigned is the identification for the whole submission, which should be used in all future correspondence; and
- (ii) The PBP is required to keep all relevant documents, such as records of site supervision, structural calculations, test reports and certificates, etc. and provide to the BA when required. Section 56 of the B(MW)R refers.

/Documents.....

Documents Required to be Submitted

Classes I & II	Notice of Commencement of Works (a) specified form* ; (b) photographs; (c) coloured prescribed plans and details of the works; (d) supervision plan as required by the TM (for Class I only); and (e) other relevant documents ¹ (if any)
	Certificate of Completion of Works (a) specified form* ; (b) photographs; (c) revised coloured prescribed plans and details of the works showing the minor deviations (if any, refer to paragraph 2 for details); and (d) other relevant documents ² (if any)
Class III	Notice and Certificate of Completion of Works (a) specified form* ; (b) photographs; (c) coloured plans or description of works; and (d) other relevant documents ² (if any)

* The specified forms are listed in both Appendix A to PNAP APP-60 and Appendix C to this PNAP.

Note ¹ e.g. geotechnical assessment, ground investigation report, structural calculations, test reports and certificates, etc.

Note ² e.g. schedule of building materials and products, test reports and certificates, etc.

Minor Deviations of Completed Minor Works and Additional Minor Works Items

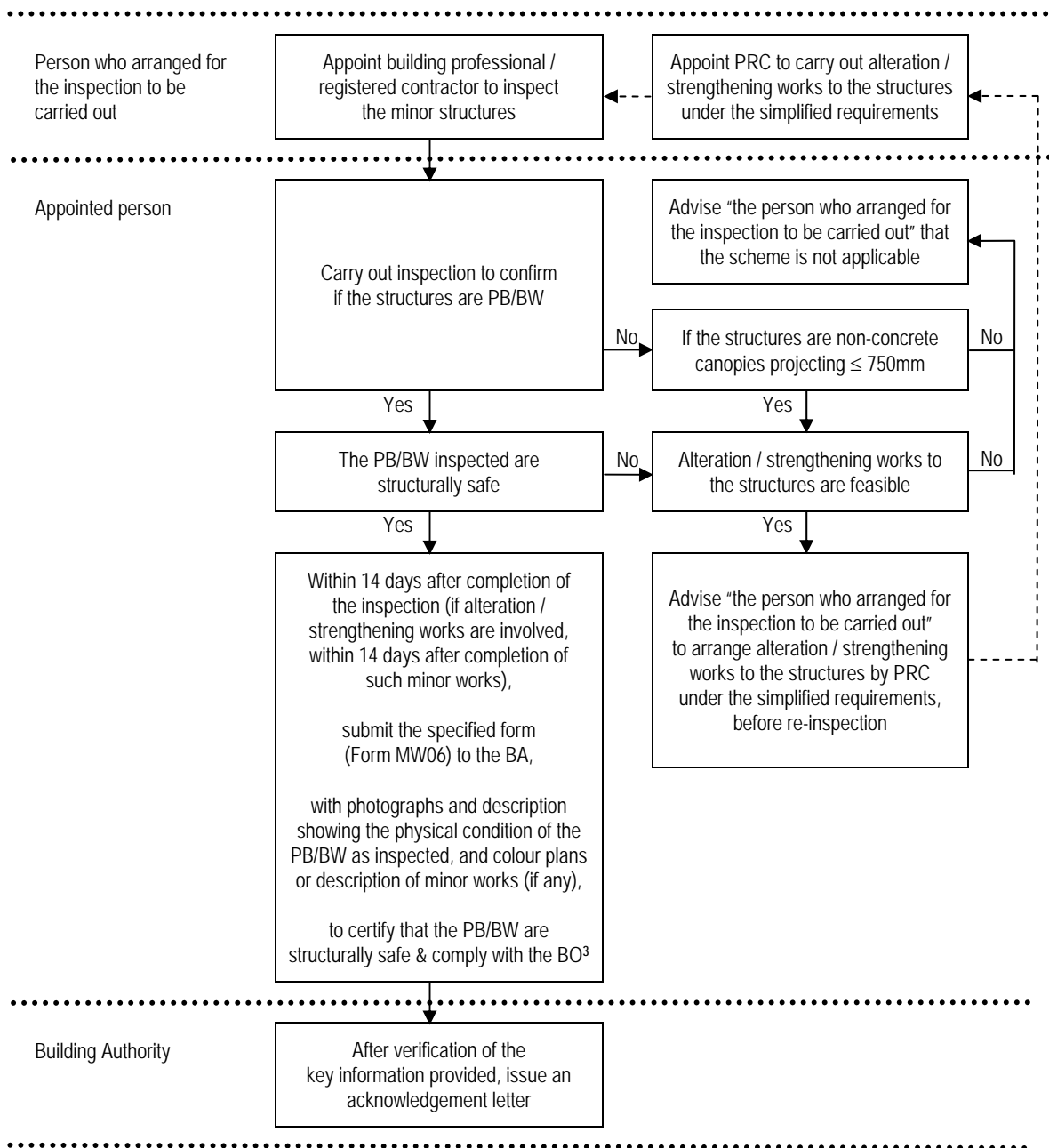
2. After receiving the BD's acknowledgement letter for the "Notice of Commencement of Works", there may be a need for the appointed person to slightly amend his proposal to suit the actual site situation. If the minor deviations from the submitted prescribed plans and details of the works do not affect the original design assumptions and still tally with the descriptions (including reduction in quantity) of the submitted minor works items, the appointed person may submit the revised plans and details with the "Certificate of Completion of Works" after completion of the works.

3. However, if the change affects the original design assumptions; or does not tally with the descriptions (including increase in quantity) of the submitted minor works items; or involves additional minor works items, a new "Notice of Commencement of Works" should be submitted to the BA not less than 7 days before commencement of the works. To simplify the submission, the specified form for additional minor works items can be used to incorporate the additional items into the same submission. Other than the specified form, the documents required to be submitted are similar to those submitted with the "Notice of Commencement of Works", and all the proposed minor works (including the additional minor works items) should be **coloured** on the revised prescribed plans and details, with those additional items **delineated** for easy identification.

/Processing.....

Processing of the Inspection and Certification of Prescribed Building or Building Works (PB/BW)

4. The following flow chart shows the steps of processing the submissions for the inspection and certification of PB/BW and the documents required to be submitted:



Note ³ Except BO section 14(1) and Building (Administration) Regulation 25

Minor Amendments to the Submitted Specified Forms, Plans and Documents

5. The administrative procedures mentioned in PNAP ADM-14 are not applicable to the submissions of minor works and the inspection and certification of PB/BW. However, minor amendments by the PBP or PRC on the submitted specified forms, plans and other documents may be arranged at the BD depending on the circumstances of individual cases.

(12/2010)

**Requirements and Guidelines for Plans and Documents
Submitted under the Minor Works Control System**

To facilitate the processing of plans and documents submitted under the simplified requirements of the Minor Works Control System, the following requirements and guidelines should be met:

1. Every plan and section of minor works must be drawn to a ratio of not less than 1:100. Every block plan must be drawn to a ratio of not less than 1:500, B(MW)R section 38 refers.
2. Photographs to be submitted should clearly show the physical conditions of the premises immediately before the commencement and after the completion of minor works, B(MW)R sections 30(b), 31(b), 32(b), 33(b), 34(b), 35(b) and 36(c) refer. The “before” photographs are intended to prove that the proposed minor works have not been commenced before the minor works submission while the “after” photographs are to facilitate the identification of the completed works, particularly in cases of Class III minor works which may not be accompanied with plans showing the minor works. Generally, 4R-size photographs are acceptable for these purposes. The “before” and “after” photographs should be taken from the same angle to facilitate the understanding and comparison of the site situation. A mark should be indicated on plans showing the angle of photo-taking with photo numbers.
3. For minor works associated with building and drainage repairs of an entire building, the prescribed building professional (PBP) or prescribed registered contractor (PRC), as the case may be, should clearly indicate on the prescribed plans the details and locations of the repair works involved. Wide-angled photographs showing extensive areas of the external elevations, drainage system and premises involved are acceptable. It is not necessary to submit close-up photographs showing every spot or location of the minor works if details and location of which have already been clearly indicated on the prescribed plans.
4. The AP should provide clearly the location and address of the minor works or the prescribed building or building works on plans and documents. The address of the premises shown on the “Demand for Rates and/or Government Rent” issued by the Rating and Valuation Department is recommended to be used.
5. All supplementary documents should be submitted with the standard form MW33.
6. Coloured plan not larger than A3 size is recommended.
7. The PBP shall refer to paragraphs (1) – (3) in Appendix A to PNAP ADM-10 for general guidelines on drawing standards, except that paragraph 3(i) is only applicable to a plan larger than A3 size.

- * For effective communication, the PBP and PRC should ensure that their contact information as recorded in the Registration Unit of the BD is correct and updated.

(Rev. 6/2012)

**List of Specified Forms and Standard Forms under the
Minor Works Control System**

The specified forms and standard forms for use under the Minor Works Control System are listed in the following table. They can be downloaded from the website of the Buildings Department (www.bd.gov.hk) or obtained from the Receipt and Despatch Section of the Buildings Department's headquarters at 12/F, Pioneer Centre, 750 Nathan Road, Kowloon during office hours.

Specified Forms:

Form No.	Title	Issue/Revision Date
MW01	Notice of Commencement of Minor Works under the Simplified Requirements (with Prescribed Building Professionals Appointed)	06/2012
MW02	Certificate of Completion of Minor Works under the Simplified Requirements (with Prescribed Building Professionals Appointed)	
MW03	Notice of Commencement of Minor Works under the Simplified Requirements (without Prescribed Building Professional Appointed)	
MW04	Certificate of Completion of Minor Works under the Simplified Requirements (without Prescribed Building Professional Appointed)	
MW05	Notice and Certificate of Completion of Class III Minor Works under the Simplified Requirements	
MW06	Notice of Inspection and Certification of Prescribed Building or Building Works	
MW07	Notice of Change in Appointment of Registered Structural Engineer, Registered Geotechnical Engineer or Prescribed Registered Contractor under the Simplified Requirements	
MW08	Notice of Change in Appointment of Authorized Person or Registered Inspector under the Simplified Requirements	

/Specified.....

Specified Forms (cont'd):

Form No.	Title	Issue/Revision Date
MW09	Notice of Nomination by Prescribed Building Professional Appointed of Another Prescribed Building Professional to Act in His Place for the Period of Temporary Inability to Act under the Simplified Requirements	06/2012
MW10	Notice of Prescribed Registered Contractor on Ceasing to be Appointed under the Simplified Requirements	
MW11	Notice of Commencement of Additional Minor Works under the Simplified Requirements (with Prescribed Building Professionals Appointed)	
MW12	Notice of Commencement of Additional Minor Works under the Simplified Requirements (without Prescribed Building Professional Appointed)	

Standard Forms:

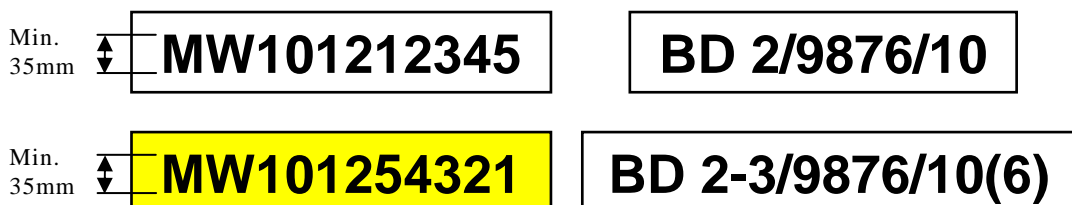
Form No.	Title	Issue/Revision Date
MW31	Notice of Prescribed Building Professional on Ceasing to be Appointed or Nominated under the Simplified Requirements	06/2012
MW32	Request for Submission Number for Class III Minor Works Relating to the Erection or Alteration of Signboard under the Simplified Requirements	
MW33	Submission of Supplementary Documents or Information under the Simplified Requirements	

(Rev. 6/2012)

**Standards and Guidelines on
Display of Minor Works Submission Number or
BD Reference Number on Signboards**

Registered Minor Works Contractors and Registered General Building Contractors are strongly recommended to display minor works submission numbers and BD reference numbers on signboards erected or altered under the simplified requirements and signboards erected or altered with prior approval and consent from the BA respectively so as to distinguish them from unauthorized signboards. The standards and guidelines for displaying such numbers are as follows:

1. The letters and digits should be in black colour with a **white** background in the following cases:
 - (i) in case of a signboard erected under the simplified requirements, the minor works submission number should be displayed, e.g. MW101212345;
 - (ii) in case of a signboard erected or altered with prior approval and consent from the BA, the BD reference number should be displayed, e.g. BD 2/9876/10 or BD 2-3/9876/10(6); and
 - (iii) in case of any new works being carried out for alteration of the signboards mentioned in (i) or (ii) above (excluding solely replacement of display surfaces), the new number should be displayed. Any existing number shown should be removed to avoid unnecessary confusion.
2. The letters and digits of minor works submission number should be in black colour with a **yellow** background in case any minor works being carried out for alteration or replacement of display surfaces of those existing signboards without authorization or not being erected under the simplified requirements.
3. All letters should be in block capitals. All letters and digits should be minimum 35mm high and in the font style of “Arial” as shown below.



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4. The above number should be displayed on durable material securely affixed at a conspicuous position on the signboard, in order to be seen at the following suggested locations:
- (i) the nearest pavement or pedestrian way, in case of a projecting signboard, a signboard erected on/hung underneath the soffit of a balcony/canopy or a signboard fixed on-grade;
 - (ii) the nearest or the opposite pavement or pedestrian way, in case of a wall signboard; and
 - (iii) the main roof of the building, in case the signboard has been erected on the roof of a building.

(12/2010)

Minor Works Relating to Radio Base Station, Antenna or Transceiver on Roof

Items of minor works relating to radio base station (solely for telecommunication services in the form of an equipment cabinet), antenna or transceiver on roof include items 1.13, 1.14, 2.12, 3.8, 3.9 and 3.10, which may be carried out under the simplified requirements. For detailed descriptions of the items, please refer to Schedule 1 of the Building (Minor Works) Regulation.

2. The attention of AP and RSE is drawn to that the public telecommunication operators have to ensure their radio base stations meet the requirements of all relevant government departments and obtain approvals from the Office of the Telecommunications Authority (OFTA), Town Planning Board, Buildings Department and Lands Department, where necessary, before they would be allowed to install radio base stations on rooftops and/or mount the antennas on external walls of buildings.

3. For erection or alteration of supporting structures of radio base station, antenna or transceiver on roof, the AP appointed is required to submit to the OFTA a declaration stating that the proposed radio base station is in compliance with the BD's requirements. The AP and RSE shall make reference to "*Guidance Note for Submission of Applications by Public Telecommunications Operators for the Installation of Radio Base Stations for Public Telecommunications Services in Buildings and on Rooftops*" issued by the OFTA for details.

4. The AP and RSE should remind the owner of the premises that works for removing supporting structures of radio base station, antenna or transceiver and equipment cabinet of radio base station on roof may also be minor works under the simplified requirements.