

## **Division of Responsibilities between Authorized Person, Registered Structural Engineer and Registered Geotechnical Engineer**

### **Introduction**

The Buildings Ordinance (BO) requires the appointment of an authorized person (AP) as coordinator of building works and a registered structural engineer (RSE) for the structural elements of the building works. In the past where there were geotechnical matters and/or geotechnical elements involved, the AP and/or the RSE would take up the responsibility. In many cases, geotechnical engineers were engaged as sub-consultant for the design and supervision of the geotechnical works but the AP still had to be held statutorily responsible for the works.

2. The Buildings (Amendment) Ordinance 2004 establishes a register of geotechnical engineers and introduces the requirement for the appointment of a registered geotechnical engineer (RGE) for the geotechnical elements of building works. This will enhance the public safety since only suitably qualified and experienced geotechnical engineers may undertake the design and supervision of geotechnical works and they will be held statutorily responsible for the quality of their work.

### **Duties and functions of the RGE**

3. In order to allow time for the number of RGE to build up before imposing requirement for the appointment of an RGE for the geotechnical elements of building works, the registration system for RGE (i.e section 3, 53H & 53I) will commence operation first on 31 December 2004, and the remaining provisions pertaining to RGE will commence operation 1 year later, i.e on 31 December 2005. During the transitional period of 1 year, the AP and/or RSE will continue to take up the statutory responsibility for geotechnical elements of building works.

4. The duties and functions of a RGE under the BO are classified into “executive role” and “advisory role” as appropriate in respect of the geotechnical elements of building works as outlined at Appendix A.

### **Division of responsibilities between AP, RSE and RGE**

5. With effect from 31 December 2005, an RGE is required to be appointed for the geotechnical elements of building works as stipulated in section 4(1)(c) of the BO. The RGE will take up the statutory responsibility for the geotechnical elements. The respective responsibilities of AP, RSE and RGE in building works under the BO are mainly specified in Building (Administration) Regulation 12 with reference to the prescribed plans and documents they are required to prepare and sign. While the AP is the co-ordinator of all building works, this practice note gives detailed guidelines on the division of responsibilities in building works involving geotechnical elements as described at Appendix B. This practice note should be read in conjunction with all the

PNAPs relevant to building works involving geotechnical elements, particularly PNAP 50, 77, 83, 85, 132, 148, 161, 200, 242, 283 & 284.

6. The RGE would take up an "executive role" for tasks 2A, 2B, 4, 7A, 7B, 10 and 11. For these executive tasks, the RGE shall prepare and sign the prescribed geotechnical plans and reports. For example in task 11, the submission of monitoring reports, justifying the proper functioning of permanent anchors and horizontal drains, should be prepared and signed by the RGE. For the geotechnical works for which the RGE takes up an executive role, the RGE shall also be required to certify that the works have been carried out in accordance with the approved plans and that the works completed are geotechnically safe.

7. Tasks 1, 3, 5A, 5B, 6 and 8 are duties and functions of the RGE in an "advisory role" in geotechnical related matters. In all these advisory tasks, the geotechnical report/supporting documentation should be prepared and signed by the RGE. The signature is deemed to indicate the RGE's acceptance of responsibility for the geotechnical report/supporting documentation. The AP or RSE should be responsible to prepare and sign as appropriate the plans concerned and the associated reports and documentations relating to non-geotechnical matters.

### Sanctions

8. Similar to AP and RSE, the RGE will also be subject to prosecution or disciplinary action where an offence is committed or when matters justifying the taking of disciplinary action arise, as stipulated under section 40 and 7 respectively of the BO. The provisions of section 7 and 40 of the BO relevant to RGE will come into operation on 31 December 2005.



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Ref : BD GP/BORD/75(VIII)

First issue : December 2004 (AD/Sup)

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