

標丁學堂 KNOW YOUR BUILDING

認識《2020年建築物(小型工程)(修訂)規例》(《修訂規例》) Get to know the Building (Minor Works) (Amendment) Regulation 2020 (Amendment Regulation)



簡介 Introduction

小型工程監管制度於2010年12月31日全面實施。該制度為公眾提供一個合法、簡單、安全、方便的途徑進行小規模建築工程。在該制度實施前，除《建築物條例》第41(3)條所規定的豁免外，所有建築工程在展開前須事先獲得屋宇署的批准及同意。透過小型工程監管制度，業主可循簡化規定進行指明的小型工程，而無須事先獲得屋宇署的批准及同意。

The Minor Works Control System (MWCS), which came into full operation on 31 December 2010, provides a lawful, simple, safe and convenient way to the public in carrying out small-scale building works. Before its implementation, all building works, except for those exempted under section 41(3) of the Buildings Ordinance (BO), were required to obtain prior approval and consent of the Buildings Department (BD) before their commencement. With the MWCS, building owners may carry out specified minor works (MW) under simplified requirements without the need to obtain prior approval and consent from BD.

《修訂規例》 Amendment Regulation

小型工程監管制度為進行小規模建築工程提供簡便途徑，行之有效，普遍受到業界及公眾歡迎。為回應公眾及業界日益殷切要求擴展小型工程監管制度涵蓋更多規模較小的建築工程的願望，《修訂規例》已於2020年9月1日生效，小型工程項目及指定豁免工程項目的數目分別由126項及15項增加至187項及30項。該些項目包括：

The MWCS, proven to be a simple and convenient way in carrying out small-scale building works, is generally well-received by both the industry and the public. In response to the growing demand of the public and the industry to extend the coverage of the MWCS to more small-scale building works, the Amendment Regulation came into effect on 1 September 2020 with the numbers of MW items and designated exempted works (DEW) items increased from 126 to 187 and from 15 to 30 respectively. These items include:

1

- 安裝綠化設施，以推廣綠化和優質的建築環境，如花槽、水池、噴泉、花棚，以及栽種植物用的金屬架；
- installation of greening features which promote a green and quality built environment, such as planters, ponds, fountains, trellises and metal frames for growing of plants;



例子1: 花槽
Example 1: a planter

2

- 切合樓宇住戶實際需要的各類適意設施，如可收合遮篷、用於支承屋宇裝備裝置的構築物和金屬箱以及風罩；
- various amenity features meeting the genuine needs of building occupants, such as retractable awnings, supporting structures and metal casings for building services installations and wind guards;



例子2: 可收合的遮篷
Example 2: a retractable awning

3

- 修葺或更換幕牆、小型強化聚酯水箱和供維修保養用的豎梯。
- repair or replacement of curtain walls, small-sized reinforced polyester water tanks and cat ladders for maintenance purposes.



例子3: 修葺幕牆
Example 3: repair of curtain walls

此外，《修訂規例》新增涉及建築物內通風系統的H類型小型工程。

What's more, a new Type H MW related to the ventilation system inside a building has been added under the Amendment Regulation.

小型工程項目數目變動摘要

Summary of changes in the number of MW items

	第 I 級別 小型工程 Class I MW items	第 II 級別 小型工程 Class II MW items	第 III 級別 小型工程 Class III MW items	小型工程 項目總數 Total MW items
1. 現有小型工程項目數目 No. of extant MW items	44	40	42	126
2. 廢除的小型工程項目數目 No. of repealed MW items	4	0	5	9
3. 新增小型工程項目數目 No. of new MW items	18	28	24	70
4. 修訂的小型工程項目數目 No. of amended MW items	16	18	22	56
總數 Total [(1)-(2)+(3)]	58	68	61	187

指定豁免工程項目數目變動摘要

Summary of changes in the number of DEW items

指定豁免工程 DEW	
1. 現有指定豁免工程項目數目 No. of extant DEW items	15
2. 新增指定豁免工程項目數目 No. of new DEW items	15
3. 修訂的現有指定豁免工程項目數目 No. of amended extant DEW items	8
總數 Total = (1) + (2)	30

個案分享 Case Sharing



屋宇署採用隨機抽樣方式，選取一些小型工程呈交文件作審查，以確保有關文件及小型工程符合《建築物條例》及其附屬規例的規定。如有違規情況，本署會考慮就違例的小型工程採取執法行動及對相關人士提出檢控／採取紀律行動。以下分享一些較常見的錯誤：

BD carries out audit checks on MW submissions selected at random, in order to ensure that the submissions and proposed MW comply with the BO and its subsidiary regulations. If contraventions are found, BD will consider taking enforcement action against non-compliant MW and prosecution/disciplinary action against the person concerned. Here are some mistakes commonly seen:

BD carries out audit checks on MW submissions selected at random, in order to ensure that the submissions and proposed MW comply with the BO and its subsidiary regulations. If contraventions are found, BD will consider taking enforcement action against non-compliant MW and prosecution/disciplinary action against the person concerned. Here are some mistakes commonly seen:

個案 1 Case 1



申報的小型工程項目 MW item in the submission

2.17

工程內容：

Works description :

按照原來設計修葺結構組件的混凝土伸出物

Repair of concrete projection from a structural member in accordance with the original design



錯誤：

Incorrect :

該工程涉及修葺屬懸臂式平板的混凝土伸出物(不屬小型工程第2.17項中描述的伸出物)

The works involves repair of a concrete projection (not a projection described in MW item 2.17) which is a cantilevered slab



正確做法：

Correct :

有關工程應根據小型工程項目第1.17項進行

The works should be carried out under MW item 1.17

個案 2 Case 2



申報的小型工程項目
MW item in the submission

3.41/3.42

工程內容：

Works description :

鋪設實心地台加厚樓板

Thickening of a floor slab by laying solid screeding



錯誤：

Incorrect :

如單位內有加建用磚建造的非承重牆，以該單位的樓面面積每平方米計，加建牆壁的總長度多於：

If a non-load bearing block wall is added in the flat, the aggregate length of the additional wall per m² of the floor area of the flat is more than:

- 0.1米 (住用樓宇單位) ; 或
0.1 m (for a domestic flat); or
- 0.2米 (非住用樓宇單位)
0.2 m (for a non-domestic flat)



正確做法：

Correct :

有關工程應根據小型工程項目第1.44項進行
The works should be carried out under MW item 1.44

個案 3 Case 3



申報的小型工程項目
MW item in the submission

1.41

工程內容：

Works description :

分間住用樓宇單位(劏房)為3個或多於3個的房間，而其中最少3個房間設有廁所及用作睡覺的地方

A domestic flat subdivided into three or more rooms (sub-divided flats (SDFs)), at least three of which are provided with lavatories and used as places for sleeping



錯誤：

Incorrect :

廁所、廚房及用作居住用途的房間沒有足夠的窗戶以提供天然的照明與通風

Inadequate windows for natural lighting and ventilation provision for lavatories, kitchens and rooms used for habitation



正確做法：

Correct :

上述房間須符合《建築物(規劃)規例》第30、31及36條所訂的天然照明及通風規定

These rooms should comply with the requirements for natural lighting and ventilation stipulated in regulations 30, 31 and 36 of the Building (Planning) Regulations (B(P)R)

小型工程知多啲 Know More about MW

(1) 更換窗或玻璃外牆工程

Replacement works of windows or window walls

如有關窗或玻璃外牆不屬於現存防護欄障的任何部分，即該等窗或玻璃外牆的主框的最低點與毗鄰樓面的距離 ≥ 1.1 米，更換此類窗或玻璃外牆須按小型工程項目1.60/2.8/3.6項進行。

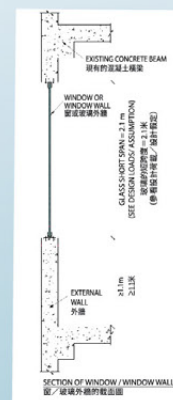
如有關窗戶或玻璃外牆的主框的最低點與毗鄰樓面的距離 < 1.1 米，豎設/改動該等窗或玻璃外牆會涉及豎設/改動防護欄障，工程進行前，應諮詢相關建築專業人士或註冊承建商，以確定符合有關的要求及規定。不過，如有關的窗或玻璃外牆位於樓梯(包括樓梯平台)或住用單位，更換此類窗戶可按小型工程項目2.8項，並根據《小型工程監管制度之技術指引》附錄X的描述進行有關加固工程。

詳情請瀏覽本署網頁《小型工程監管制度之技術指引》或向相關建築專業人士或註冊承建商諮詢專業意見。

If the window or window wall does not form part of the existing protective barrier, i.e. the distance between the lowest point of the main frame of the window or window wall and the adjoining floor ≥ 1.1 m, the replacement of such window or window wall should be carried out under MW item 1.60/2.8/3.6.

If the distance between the lowest point of the main frame of the existing window or window wall and the adjoining floor < 1.1 m, the erection/alteration of the window or window wall may involve the erection/alteration of protective barrier. Advice from building professionals or registered contractors should be sought to ensure the compliance of the relevant requirements and regulations, before the commencement of the works. However, if this type of window or window wall was located at staircase (including landing) or premises for domestic use, the replacement of such window or window wall may be carried out under MW item 2.8 and the enhancement works with descriptions specified in Appendix X of "Technical Guidelines on Minor Works Control System".

For details of the above, kindly refer to the "Technical Guidelines on Minor Works Control System" in the website of BD or seek advice from relevant building professionals or registered contractors.



小型工程項目 (窗或玻璃外牆)
MW Items (Windows or Window Walls)



小型工程項目 (防護欄障)
MW Items (Protective Barriers)

(2) 豎設、改動或拆除建築物內部的排水系統的工程

Erection, alteration or removal works of drainage systems inside buildings

有關豎設、改動或拆除建築物內部的排水系統的工程（包括反虹吸管）屬小型工程監管制度的第II級別（小型工程項目2.30）及第III級別小型工程（小型工程項目3.23及3.24），業主可按小型工程監管制度下的簡化規定委任在《建築物條例》下註冊的合資格的承建商進行，以確保物業的排水系統符合《建築物條例》及其附屬規例的規定，包括衛生設備（例如坐廁、洗手盆、浴缸）須有有效的水封（例如隔氣彎管配以反虹吸設施）。有關規定同樣適用於分間單位所涉及的排水管豎設或改動工程。

屋宇署提醒樓宇業主不應擅自改動或拆除單位的排水系統，例如因改動廚房或浴室間隔而擅自加裝排水管，或拆除坐廁的反虹吸管或洗手盆備有反虹吸氣閥的樽形隔氣彎管。

一般修葺或更換室內的分支排水管（埋置管道除外）或衛生設備（例如坐廁、洗手盆或浴缸）屬豁免審批建築工程，無須遵照小型工程監管制度便可進行。但若該工程涉及修葺主要管道，該工程屬小型工程，必須根據小型工程監管制度委任《建築物條例》下註冊的合資格的承建商進行相關工程。

業主如欲進行樓宇改動及加建工程，應先徵詢合資格的建築專業人士的意見，包括工程的可行性、工程是否屬小型工程或須事先獲屋宇署批准及同意，以確保工程不會違反《建築物條例》。

For erection, alteration or removal works of drainage systems (including the anti-syphonage pipes) inside buildings, i.e. Class II MW (MW item 2.30) and Class III MW (MW items 3.23 and 3.24) of the MWCS, owners may carry out the works in accordance with the simplified requirements under the MWCS by appointing qualified contractors registered under the BO, so as to ensure that the drainage system in their properties is in compliance with the provisions of the BO and its subsidiary regulations. In particular, every sanitary fitment (such as the water closet, wash basin and bathtub) should be provided with an effective water seal (such as a trap with anti-syphonage provision). Such requirements are also applicable to the erection or alteration works of drainage pipes involved in SDFs.

BD reminds building owners not to carry out illegal alteration or removal works of the drainage system in their flats. They include illegal addition to drainage pipes due to alteration to the layout of the kitchen or bathroom, removal of anti-syphonage pipes of the water closet or removal of bottle traps with anti-syphonage air valves of the wash basin.

Common renovation works involving repair or replacement of internal branch pipes (other than embedded pipes) or sanitary fitments (such as water closets, wash basins and bathtubs) are exempted building works. The carrying out of these works is not subject to the MWCS. But if they involve repair of main pipes, they are MW. That means qualified contractors registered under the BO should be appointed in accordance with the MWCS for carrying out such works.

Owners who intend to carry out alteration and addition works to their buildings should have prior consultation with qualified building professionals on issues including whether the works are feasible, whether they are MW, and whether BD's prior approval and consent are required, so as to ensure that the works do not contravene the BO.



標丁理法屋 “BUILD & DING” LEGAL SALON



檢控違例者是屋宇署重要的執法職責。以下為值得注意的檢控案例：

Prosecution of offenders is an integral part of BD's enforcement responsibility. Here are a few noteworthy prosecution cases:

- 一名註冊第III級別的小型工程承建商於呈交予屋宇署的文件內明知而作出失實陳述，並進行不屬於其註冊所屬的小型工程。違反《建築物條例》，於2020年12月在東區裁判法院被判罰款共15,000元。

A registered class III MW contractor was fined a total of \$15,000 at the Eastern Magistrates' Courts in December 2020 for contravention of the BO. The contractor had knowingly misrepresented a material fact in the document given to BD, and carried out minor works belonging to a class for which he was not registered.



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about this case

- 一名註冊小型工程承建商及其獲授權簽署人被裁定因進行違例建築工程而犯有行為不當，被註冊承建商紀律委員會命令除名四個月。

A registered minor works contractor and its authorized signatory were ordered by the Registered Contractors' Disciplinary Board to have their names removed from register for four months for misconducting themselves in carrying out unauthorised building works.



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Learn more
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標丁推介 “BUILD & DING” RECOMMENDATION

土地註冊處「物業把關易」服務 The Land Registry (LR)'s Property Alert Service

輕鬆為自己的物業把關! 土地註冊處為業主提供的「物業把關易」服務, 讓業主無論身處何地都可以時刻對自己物業的狀況保持警覺。業主訂購該服務後, 每當有涉及其物業的文書遞交土地註冊處註冊(例如按揭, 或由建築事務監督發出的修葺通知書或修葺令等), 業主便會收到電郵提示, 有助業主盡早發現任何在他們預期之外或可疑的文書交付註冊, 讓他們可迅速採取適當行動或尋求法律意見。

Stay aware of your property at ease! With the LR's Property Alert, property owners can stay vigilant of what is happening to their properties wherever they are. Those who subscribe to the service will receive email notifications from the LR when instruments affecting their properties (such as mortgages, repair notices and repair orders issued by the Building Authority, etc.) have been lodged for registration. It enables early detection of any unexpected or suspicious instruments delivered for registration against their properties so that they can take prompt follow-up actions or consult the lawyers.



訂購費用及方法 Subscription Fee and Application Methods



業主可選用土地註冊處提供的「一次過訂購」方式, 即只須就其物業一次過繳付港幣580元, 便可享用服務直至該物業轉手, 其間毋須續期。業主也可以郵遞方式或在網上遞交申請, 即使業主長期居於香港境外, 亦可輕鬆訂購這項服務。

Property owners can opt for the one-off subscription offered by the LR. By paying the one-off subscription fee of HK\$580, property owners can enjoy the service until change of property ownership. Service renewal is not required. Property owners may also submit their applications by post/courier service or online. Hence, even those who stay outside Hong Kong for extended periods of time can also apply for the service at ease.

查詢 Enquiries

服務詳情可到土地註冊處「物業把關易」網站查閱, 或致電土地註冊處的客戶服務熱線 3105 0000 查詢。

For further details of Property Alert, please visit the [LR's website](#) or call its Customer Service Hotline at 3105 0000.



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