

Chapter:	123A	Building (Administration) Regulations	Gazette Number	Version Date
		Empowering section	E.R. 1 of 2012	09/02/2012

(Cap 123, section 38)

[1 January 1960]

(Originally G.N.A. 82 of 1959)

(*Format changes—E.R. 1 of 2012)

Note:

* The format of the whole Regulations has been updated to the current legislative styles.

Part:	1	Preliminary	E.R. 1 of 2012	09/02/2012
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Regulation:	1	Citation	E.R. 1 of 2012	09/02/2012
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These regulations may be cited as the Building (Administration) Regulations.

Regulation:	2	Interpretation	E.R. 1 of 2012	09/02/2012
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In these regulations, unless the context otherwise requires-

authorized persons' register (認可人士名冊) means the register kept under section 3(1) of the Ordinance; (L.N. 188 of 1974)

bulk excavation (大型挖掘工程) means all excavation except excavation for ground investigation, public utility trenches, drains, sewers, piles or caissons; (L.N. 233 of 1982)

geotechnical design assumption (岩土設計假定) means an assumption regarding-

- (a) geological conditions;
- (b) ground water and surface water conditions;
- (c) site history;
- (d) location and nature of services, utilities, drains and sewers;
- (e) existing site formation;
- (f) foundations of existing buildings (whether on the site or adjacent or nearby);
- (g) shear strength of materials;
- (h) effect of the proposed works; and
- (i) any other geotechnical matters,

on the basis of which the margin of safety of any building, street or natural, formed or man-made land is demonstrated to be adequate in a submission to the Building Authority; (L.N. 75 of 1981)

geotechnical engineers' register (岩土工程師名冊) means the register kept under section 3(3A) of the Ordinance; (15 of 2004 s. 34)

inspectors' register (檢驗人員名冊) means the register kept under section 3(3B) of the Ordinance; (L.N. 147 of 2011)

site formation plans (地盤平整工程圖則) means the site formation plans prescribed in regulation 8; (L.N. 75 of 1981)

structural engineers' register (結構工程師名冊) means the register kept under section 3(3) of the Ordinance; (L.N. 188 of 1974)

water authority (水務監督) and **waterworks** (水務設施) have the meaning assigned to them by section 2 of the Water works Ordinance (Cap 102). (L.N. 63 of 1966)

(54 of 1996 s. 23)

Part:	2	Authorized Persons, Registered Structural Engineers, Registered Geotechnical Engineers, Registered Inspectors and Registered Contractors*	E.R. 1 of 2012	09/02/2012
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Note:

*** (Replaced L.N. 147 of 2011)**

Regulation:	3	Qualification for inclusion in register	E.R. 1 of 2012	09/02/2012
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- (1) A person shall not be included in the list of architects in the authorized persons' register unless he is a registered architect and complies with paragraph (6). (54 of 1996 s. 24)
- (2) A person shall not be included in the list of engineers in the authorized persons' register unless he is a registered professional engineer in the civil or structural engineering discipline and complies with paragraph (6). (54 of 1996 s. 24)
- (3) A person shall not be included in the list of surveyors in the authorized persons' register unless he is a registered professional surveyor and complies with paragraph (6). (54 of 1996 s. 24)
- (4) A person shall not be included in the structural engineers' register unless he—
 - (a) is a registered professional engineer in the structural or the civil engineering discipline, and in the latter case unless he has such practical experience in structural engineering as may be approved by the Structural Engineers Registration Committee; and
 - (b) complies with paragraph (6). (54 of 1996 s. 24)
- (4A) A person shall not be included in the geotechnical engineers' register unless he—
 - (a) is a registered professional engineer in the geotechnical engineering discipline; and
 - (b) complies with paragraph (6). (15 of 2004 s. 36)
- (4B) A person must not be included in the list of architects in the inspectors' register unless—
 - (a) the person is an authorized person in the list of architects in the authorized persons' register and complies with paragraph (8);
 - (b) the person is a registered architect and complies with paragraph (9); or
 - (c) the person is nominated in accordance with section 3(7AA)(b)(i) of the Ordinance. (L.N. 147 of 2011)
- (4C) A person must not be included in the list of engineers in the inspectors' register unless—
 - (a) the person is an authorized person in the list of engineers in the authorized persons' register, or a registered structural engineer, and complies with paragraph (8);
 - (b) the person is a registered professional engineer in the building or structural engineering discipline and complies with paragraph (9);
 - (c) the person is a registered professional engineer in the building services (building), civil or materials (building) engineering discipline and complies with paragraph (10); or
 - (d) the person is nominated in accordance with section 3(7AA)(b)(ii) of the Ordinance. (L.N. 147 of 2011)
- (4D) A person must not be included in the list of surveyors in the inspectors' register unless—
 - (a) the person is an authorized person in the list of surveyors in the authorized persons' register and complies with paragraph (8);
 - (b) the person is a registered professional surveyor in the building surveying division and complies with paragraph (9);
 - (c) the person is a registered professional surveyor in the quantity surveying division and complies with paragraph (10); or
 - (d) the person is nominated in accordance with section 3(7AA)(b)(iii) of the Ordinance. (L.N. 147 of 2011)
- (4E) A person falling within—
 - (a) subparagraph (a) or (c) of paragraph (4B);
 - (b) subparagraph (a) or (d) of paragraph (4C); or
 - (c) subparagraph (a) or (d) of paragraph (4D),
 may be included, as provided in that paragraph, in the list of architects, the list of engineers or the list of surveyors in the inspectors' register without recommendation by an Inspectors Registration Committee. (L.N. 147 of 2011)

- (5) (Repealed 54 of 1996 s. 24)
- (6) Subject to paragraph (7), every applicant under this regulation shall, for a continuous period of 1 year within the 3 years preceding the date of his application, have had such practical experience gained in Hong Kong as the Registration Committee considers appropriate in the case of his application. (L.N. 147 of 2011)
- (7) Paragraph (6) does not apply to an applicant for inclusion in the inspectors' register. (L.N. 147 of 2011)
- (8) An applicant for inclusion in the inspectors' register under paragraph (4B)(a), (4C)(a) or (4D)(a) must satisfy the Building Authority that, within the 7 years preceding the date of application, the applicant has had appropriate practical experience gained in Hong Kong in any building repair and maintenance project as an authorized person, registered structural engineer, registered architect, registered professional engineer or registered professional surveyor. (L.N. 147 of 2011)
- (9) An applicant for inclusion in the inspectors' register under paragraph (4B)(b), (4C)(b) or (4D)(b) must, for a period or periods in aggregate of not less than 1 year within the 3 years preceding the date of application, have had the practical experience in building construction, repair and maintenance gained in Hong Kong that the Inspectors Registration Committee considers appropriate in the case of the application. (L.N. 147 of 2011)
- (10) An applicant for inclusion in the inspectors' register under paragraph (4C)(c) or (4D)(c) must, for a period or periods in aggregate of not less than 3 years and of which at least 1 year falls within the 3 years preceding the date of application, have had the practical experience in building construction, repair and maintenance gained in Hong Kong that the Inspectors Registration Committee considers appropriate in the case of the application. (L.N. 147 of 2011)

(L.N. 188 of 1974; L.N. 70 of 1987)

Regulation:	4	Requirements upon application for inclusion in register	E.R. 1 of 2012	09/02/2012
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- (1) Every person (other than a person mentioned in regulation 3(4B)(a) or (c), (4C)(a) or (d) or (4D)(a) or (d)) applying for inclusion in the authorized persons' register, structural engineers' register, geotechnical engineers' register or inspectors' register must— (15 of 2004 s. 37; L.N. 147 of 2011)
 - (a) produce, to the Registration Committee, documentary evidence to prove compliance with the requirements of regulation 3; (L.N. 188 of 1974)
 - (b) satisfy the Registration Committee of his suitability for inclusion in the authorized persons' register, structural engineers' register, geotechnical engineers' register or inspectors' register and, if required by the Registration Committee, attend a professional interview before the Registration Committee; and (L.N. 70 of 1987; 15 of 2004 s. 37; L.N. 147 of 2011)
 - (c) (Repealed 54 of 1996 s. 25)
- (1A) A person mentioned in regulation 3(4B)(a) or (c), (4C)(a) or (d) or (4D)(a) or (d) applying for inclusion in the inspectors' register must produce to the Building Authority documentary evidence to prove compliance with the requirements of regulation 3. (L.N. 147 of 2011)
- (2) Every professional interview shall be conducted by the Registration Committee. (L.N. 188 of 1974; 54 of 1996 s. 25)

Regulation:	4A	Requirements for inclusion in registers of general building contractors and specialist contractors	E.R. 1 of 2012	09/02/2012
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- (1) Every person making application to be included in the register of general building contractors or the register of specialist contractors shall-
 - (a) produce to the relevant Contractors Registration Committee documentary evidence to prove that he is suitable for registration in the relevant register or sub-register in terms of qualifications, experience and competence;
 - (b) in the case where the applicant is a body corporate, produce to the relevant Contractors Registration Committee documentary evidence relating to the directors, other officers and any person appointed by the applicant to act for it for the purposes of the Ordinance to show the qualifications, experience and competence of those persons; and
 - (c) satisfy the relevant Contractors Registration Committee that he or it is suitable to be registered in the relevant register or sub-register.

- (2) An applicant, or if the applicant is a body corporate, the directors, other officers and any person appointed by the applicant to act for it for the purposes of the Ordinance, shall attend an interview before the relevant Contractors Registration Committee if the Committee requires him or it to attend.

(L.N. 514 of 1997; 15 of 2004 s. 38)

Regulation:	5	Authorized person, registered structural engineer or registered geotechnical engineer not to act as contractor, etc. without disclosure to client	E.R. 1 of 2012	09/02/2012
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No authorized person, registered structural engineer or registered geotechnical engineer shall act as a contractor or deal in building materials or receive any payment, commission, advantage or benefit of any kind whatsoever, either directly or indirectly, from any contractor, sub-contractor or supplier of building materials or other goods used in or in connexion with any building works or street works without disclosing the fact, in writing, to his client.

(L.N. 188 of 1974; 15 of 2004 s. 39)

Regulation:	5A	Registered inspector not to deal in building materials etc. without disclosure to client	E.R. 1 of 2012	09/02/2012
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A registered inspector must not deal in building materials or receive any payment, commission, advantage or benefit of any kind, whether directly or indirectly, from any contractor, sub-contractor or supplier of building materials or other goods used in or in connection with any building works without disclosing the fact, in writing, to the registered inspector's client.

(L.N. 147 of 2011)

Part:	3	Plans, Certificates and Notices	E.R. 1 of 2012	09/02/2012
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Regulation:	6	Delivery of notices, plans, etc.	E.R. 1 of 2012	09/02/2012
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General

- (1) Every notice, form, certificate, plan or other document required by the Ordinance or regulations made thereunder to be sent to the Building Authority shall be sent to him by post or by delivering the same to his office during office hours.
- (2) Where any plans submitted to the Building Authority for his approval or the building works or street works shown thereon do not comply with the provisions of the Ordinance or regulations, the Building Authority may charge the applicant the prescribed fee in respect of every further submission to the Building Authority of such plans: (L.N. 63 of 1966; L.N. 188 of 1974; L.N. 120 of 1991)
Provided that such fee shall not be chargeable where the Building Authority is satisfied that a further submission of any plans was occasioned by a bona fide misinterpretation of the provisions of the Ordinance or regulations.

Regulation:	7	Completion of notices, etc. and signature thereon	E.R. 1 of 2012	09/02/2012
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Every notice, form, certificate or other document prescribed or specified for the purposes of the Ordinance and regulations shall be clearly and correctly completed to supply the information required therein and shall be duly signed.

(L.N. 347 of 1993)

Regulation:	8	Prescribed plans in respect of building works	E.R. 1 of 2012	09/02/2012
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Plans

- (1) The plans and details set out hereunder are prescribed, for the purposes of the Ordinance and regulations, in respect of building works-

- (a) plans of every floor and of the roof of the building, on which there shall be shown full dimensions, the thickness of walls, the position of all windows, soil fitments, waste fitments and water storage tanks, and the intended use of every part of the building;
- (b) plans showing-
 - (i) all elevations of the building;
 - (ii) the level of adjacent streets in relation to a known datum and to the levels of the site and the building;
 - (iii) the width of every street adjacent to the site; and
 - (iv) the position, depth and construction of any well;
- (ba) if so required by the Building Authority, a geotechnical assessment of the adequacy of the site for the proposed building works shall accompany the plans prescribed in sub-paragraph (a), (b), (c) or (h) and the geotechnical assessment shall include plans and sections of the proposed site formation works and foundation works; (L.N. 75 of 1981)
- (baa) (Repealed L.N. 514 of 1997)
- (bb) a site formation plan showing-
 - (i) all site formation works and associated surfacewater drainage works incorporating the requirements of the report prescribed in sub-sub-paragraph (E);
 - (ii) the existing nature of the site and the surrounds (including accurate survey plan with ground level contours, geological conditions, groundwater conditions and surfacewater conditions) and particulars of structures, foundations, public utilities, drains and sewers and other services on and adjacent to the site;
 - (iii) safety precautions to be taken whilst carrying out the building works during periods of heavy rainfall;
 - (iv) a schedule of the geotechnical design assumptions;
 - (v) the sequence of the building works and methods to be employed;
 - (vi) if so required by the Building Authority, specifications and any other relevant particulars; (L.N. 233 of 1982)
 - (vii) in area number 1 of the scheduled areas, the envelope of all bulk excavation by means of cross-sections and horizontal plan drawings marked up with levels above the Hong Kong Principal Datum, (L.N. 233 of 1982; 52 of 1990 s. 10)

and the site formation plan shall be accompanied by supporting documentation including-

 - (A) an explanatory guide to the submission;
 - (B) a report containing the results of a study including topography, geology, groundwater, surfacewater, site history, public utilities, drains and sewers and other services, and local geotechnical records;
 - (C) a report containing the results of ground investigation including comprehensive details of equipment and procedures used; (L.N. 233 of 1982)
 - (D) a report containing the results of site monitoring of groundwater conditions;
 - (E) a report containing critical examination and interpretation of sub-sub-paragraphs (B), (C) and (D), a schedule of the geotechnical design assumptions, discussion of anticipated geotechnical problems and an outline of variations of the works which should be adopted if, during the carrying out of the building works, a geotechnical design assumption is revealed as being erroneous so that compliance with regulation 20 of the Building (Construction) Regulations (Cap 123 sub. leg. B) could no longer be demonstrated and containing geotechnical requirements for the design and construction of the site formation works including testing, inspecting and maintenance requirements; (L.N. 439 of 1990)
 - (F) stability analyses sufficient to demonstrate compliance with regulation 20 of the Building (Construction) Regulations (Cap 123 sub. leg. B); design calculations for site formation works; calculations of the effect of the building works on groundwater conditions, the site and any building, structure and land; and calculations for and consideration of all other relevant geotechnical matters. All such analyses and calculations shall be paginated and prefaced by a comprehensive index; (L.N. 75 of 1981; L.N. 439 of 1990)
- (bc) if so required by the Building Authority, an excavation and lateral support plan showing-
 - (i) all excavation and lateral support work (including any ground treatment and any dewatering) incorporating the requirements of the report prescribed in sub-sub-paragraph (E);
 - (ii) the existing nature of the site and the surrounds (including an accurate survey plan with ground level contours, geological conditions, groundwater conditions and surface water conditions) and particulars of streets, structures, foundations, public utilities, water mains, drains, sewers and other services and the dimensioned location of water carrying services and foundations on and adjacent to the site;

- (iii) a schedule of the geotechnical design assumptions;
 - (iv) the sequence of all sub-surface building works and methods to be employed;
 - (v) the particulars of the monitoring to be carried out for building and ground movements and variations in piezometric levels; and
 - (vi) other specifications and relevant particulars,
- and the excavation and lateral support plan shall be accompanied by supporting documentation including-
- (A) an explanatory guide to the submission;
 - (B) a report containing the results of a study including topography, geology, groundwater, surface water, site history, public utilities, water mains, drains and sewers and other services, and local geotechnical records;
 - (C) a report containing the results of site investigation and laboratory testing including comprehensive details of equipment and procedures used;
 - (D) a report containing the results of site monitoring of groundwater conditions;
 - (E) a report containing critical examination and interpretation of sub-sub-paragraphs (B), (C) and (D), a schedule of the geotechnical design assumptions, discussion of anticipated geotechnical problems, and an outline of variations of the works which should be adopted if, during the carrying out of the building works, a geotechnical design assumption is revealed as being erroneous so that compliance with regulation 4 of the Building (Construction) Regulations (Cap 123 sub. leg. B) could no longer be demonstrated and containing geotechnical requirements for the design and construction of the excavation and lateral support works including testing, inspecting and monitoring requirements; and
 - (F) analyses sufficient to demonstrate compliance with regulation 4 of the Building (Construction) Regulations (Cap 123 sub. leg. B), design calculations for the lateral support systems, calculations of the effect of the building works on groundwater conditions, the site and any building, structure, street, land or services, and calculations for and consideration of all other relevant geotechnical matters, all such analyses and calculations being paginated and prefaced by a comprehensive index; (L.N. 438 of 1990)
- (bd) (Repealed L.N. 514 of 1997)
- (c) one or more sections showing the foundations, the levels of the site and the lowest floor of the building, the height of the building, the clear height of every storey, the position of windows and of the floors and the level of the roof of every adjoining or adjacent building, the maximum gradient boundary-to-boundary across the site, the maximum depth of excavation, the maximum thickness of filling and the volume of all excavation and all filling; (L.N. 75 of 1981)
 - (d) a foundation plan-
 - (i) showing the size and position of foundations together with a full report of the site investigation work undertaken and details of any grouting work to the ground proposed to be carried out; and
 - (ii) in area number 2 or 4 of the scheduled areas, accompanied by supporting documentation including- (L.N. 347 of 1993)
 - (A) an explanatory guide to the submission;
 - (B) a report containing the results of a study including topography, geology, groundwater, surfacewater, site history, public utilities, drains and sewers and other services, and local geotechnical records;
 - (C) a report containing the results of ground investigation including comprehensive details of equipment and procedures used;
 - (D) a report containing the results of site monitoring of groundwater conditions;
 - (E) a report containing critical examination and interpretation of sub-subparagraphs (B), (C) and (D), a schedule of the geotechnical design assumptions, discussion of anticipated geotechnical problems and containing geotechnical requirements for the design and construction of the foundation works including testing, inspecting and maintenance requirements;
 - (F) design calculations for foundation works; (52 of 1990 s. 10)
 - (e) a drainage plan, showing the size and depth of drains or sewers; connexions to a public sewer or drain or nullah, any other method for the disposal of drainage, the position of disconnecting traps, and the means of ventilation;
 - (f) a block plan, showing the size and position of the building and of other buildings in the immediate vicinity, and neighbouring streets;
 - (g) where the position of the site is not clearly identifiable from such block plan, a key plan showing the position of the site;

- (h) a diagrammatic plan, with full dimensions and calculations, showing-
 - (i) the height, site coverage, plot ratio and disposition of the building in accordance with regulations 19, 20 and 21 of the Building (Planning) Regulations (Cap 123 sub. leg. F); and (L.N. 51 of 1969; L.N. 57 of 1988; L.N. 438 of 1990)
 - (ii) any open space required, by regulations 25, 27 and 28 of the Building (Planning) Regulations (Cap 123 sub. leg. F), for the building;
 - (i) plans showing structural details, together with one set of structural calculations for the structural works; (L.N. 438 of 1990)
 - (j) in respect of any canopy, bridge or other projection over a street or unleased Government land, plans showing clearly the nature and dimension of such projection; (L.N. 79 of 1992; 29 of 1998 s. 105)
 - (k) details showing-
 - (i) the area of usable floor space, which expression shall have the meaning assigned to it by regulation 3 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I);
 - (ii) the number and type of soil fitments and waste fitments to be provided in the building; and
 - (iii) (Repealed L.N. 79 of 1992)
 - (l) in the scheduled areas, a ground investigation plan showing- (52 of 1990 s. 10)
 - (i) the location, size and depth, or the criteria for determining them, of all exploratory works including boring, drilling, probing, testing, installation of and measurement by instruments and sampling of soil and rock, and the equipment and procedures for carrying out the exploratory works;
 - (ii) the equipment and procedures for carrying out laboratory testing and the criteria for selecting test samples; and
 - (iii) if so required by the Building Authority, specifications, reporting format and any other relevant particulars; (L.N. 233 of 1982; L.N. 362 of 1984)
 - (m) where regulation 72 of the Building (Planning) Regulations (Cap 123 sub. leg. F) applies, plans showing in detail the provision made for persons with a disability in accordance with that regulation. (L.N. 362 of 1984; L.N. 241 of 1997)
- (2) In this regulation, the expressions **soil fitment** (便溺污水設備) and **waste fitment** (廢水設備) have the meaning assigned to them by the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I).
- (3) The plans set out hereunder are prescribed, for the purposes of the Ordinance and regulations, in respect of demolition works-
- (a) a plan showing the construction and condition of the building to be demolished, including sections showing slopes and ground supported by it, and all affected buildings, structures, streets, land and services;
 - (b) a plan showing the existing nature of the site and surrounds (including an accurate survey plan with ground level contours and sections showing slopes and ground supported by the building to be demolished) and all necessary removal of ground;
 - (c) a plan showing the sequence, equipment and procedures for the demolition works;
 - (d) a plan showing the support to be provided to the building to be demolished and any slopes and ground supported by it and all affected buildings, structures, streets, land and services at each stage of the demolition works;
 - (e) a plan showing all precautionary measures for the protection of the public including dust screens, catch fans, hoardings and covered walkways;
 - (f) a plan showing the support to be provided to all affected buildings, structures, streets, land and services at each stage of the demolition works; (L.N. 514 of 1997)
- (4) The prescribed plans for demolition works must be accompanied by-
- (a) a stability report of the building to be demolished and all affected buildings, structures, streets, land and services;
 - (b) structural calculations for supports where the Building Authority considers it appropriate;
 - (c) a stability report with calculations demonstrating that the demolition works will not render inadequate the margin of safety of, or cause damage to, any building, structure, street, land and services;
 - (d) a stability report with calculations demonstrating that the proposed use of equipment or mechanical plant will not render inadequate the margin of safety of, or cause damage to, any building, structure, street, land and services. (L.N. 514 of 1997; L.N. 608 of 1997)
 - (e) (Repealed L.N. 608 of 1997)

Regulation:	9	Prescribed plans in respect of street works	E.R. 1 of 2012	09/02/2012
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The plans set out hereunder are prescribed, for the purposes of the Ordinance and regulations, in respect of street works-

- (a) a key plan showing the site of the private street or access road;
- (b) a layout plan;
- (c) longitudinal sections, both vertical and horizontal;
- (d) cross sections; (L.N. 438 of 1990)
- (e) typical road sections; and (L.N. 438 of 1990)
- (f) in respect of any foundation and structural works for a street, a foundation plan showing the size the position of foundations together with a full report of the site investigation work undertaken and details of any grouting work to the ground proposed to be carried out and plans showing structural details together with one set of calculations for the structural works. (L.N. 438 of 1990)

Regulation:	10	Power of Building Authority to require additional plans, etc.	E.R. 1 of 2012	09/02/2012
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The Building Authority may, where he considers it necessary, require additional plans, enlarged details, other documents and information regarding the supply of water, specifications of and the use of any special materials, or such other particulars as he may consider necessary.

Regulation:	11	Plans to be submitted in duplicate	E.R. 1 of 2012	09/02/2012
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- (1) Every plan submitted to the Building Authority for his approval shall be submitted in duplicate, and the Building Authority may require the submission of such additional copies of any such plan as he considers necessary. (L.N. 188 of 1974; L.N. 241 of 1976)
- (2) Every report of site investigation and all details of ground treatment work proposed in connexion with plans submitted to the Building Authority shall be submitted in duplicate. (L.N. 188 of 1974; L.N. 438 of 1990; L.N. 439 of 1990)

Regulation:	11A	Foundation plan to be submitted with site formation plan	E.R. 1 of 2012	09/02/2012
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In respect of building works in area number 1 of the scheduled areas, the foundation plan prescribed in regulation 8(1)(d) shall be submitted to the Building Authority for his approval with the site formation plan prescribed in regulation 8(1)(bb).

(L.N. 233 of 1982; 52 of 1990 s. 11)

Regulation:	12	Plans, etc. to be signed by person who prepared them	E.R. 1 of 2012	09/02/2012
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- (1) Subject to paragraphs (2) and (5), all plans, structural details and calculations submitted to the Building Authority for approval shall be prepared and signed by an authorized person, and his signature shall be deemed to be his assumption of all responsibility for the plan, structural details or calculations, as the case may be. (15 of 2004 s. 40)
- (2) Subject to paragraph (3), all foundation plans, structural details and calculations required under regulations 8(1)(d) and (i) and 9(f) shall be prepared and signed by a registered structural engineer, and his signature shall be deemed to be his assumption of all responsibility for the plans, structural details or calculations, as the case may be.
- (3) In the case of building works to which paragraph (4) applies, all foundation plans, structural details and calculations required under regulation 8(1)(d) and (i) may be prepared and signed by an authorized person, and his signature shall be deemed to be his assumption of all responsibility for the plans, structural details or calculations, as the case may be.
- (4) Paragraph (3) applies to any building works where-
 - (a) the height of the construction does not exceed 10 m;

- (b) the span of any structural element of the construction does not exceed 6 m;
 - (c) the structural elements are constructed of timber, masonry, steel, plain concrete or reinforced concrete;
 - (d) the foundations of the construction are of the spread footing type with a ground bearing pressure not exceeding 300 kPa and founded at not more than 2 m below existing ground level; and
 - (e) there is no structural alteration to any existing structural elements designed by a registered structural engineer.
- (5) All geotechnical plans, geotechnical assessment, geotechnical details and calculations, geotechnical reports, site investigation reports or ground investigation reports required under or pursuant to regulation 8(1)(b)(iv), (ba), (bb), (bc), (d) and (l), (3) and (4)(c) shall be prepared and signed by a registered geotechnical engineer, and his signature shall be deemed to be his assumption of all responsibility for the geotechnical plans, geotechnical assessment, geotechnical details and calculations, geotechnical reports, site investigation reports or ground investigation reports, as the case may be. (15 of 2004 s. 40)

(L.N. 438 of 1990)

Regulation:	13	Ratio of plans	E.R. 1 of 2012	09/02/2012
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- (1) Plans and sections of building works shall be drawn to a ratio of not less than 1:100:
Provided that, in the case of very extensive building works, the Building Authority may accept plans drawn to a ratio of not less than 1:200.
- (2) (a) Every key plan submitted in respect of street works shall be drawn to a ratio of not less than 1:2500.
(b) Every layout plan so submitted shall be drawn to a ratio of not less than 1:200.
(c) Longitudinal sections so submitted shall-
(i) if horizontal, be drawn to a ratio of not less than 1:500; and
(ii) if vertical, be drawn to a ratio of not less than 1:200.
(d) Cross sections so submitted shall be drawn to a ratio of not less than 1:200.
(e) Typical road sections so submitted shall be drawn to a ratio of not less than 1:50.
- (3) Every block plan shall be drawn to a ratio of not less than 1:500.

(L.N. 294 of 1976)

Regulation:	14	Plans to be clear and material thereof	E.R. 1 of 2012	09/02/2012
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- (1) Every plan submitted to the Building Authority for his approval shall be drawn or reproduced in a clear and intelligible manner on suitable and durable material.
- (2) Engineering drawings shall not be reproduced, for submission to the Building Authority, on ferro-prussic prints.
- (3) One copy of every plan shall be so coloured as to clearly differentiate existing work from new work and one part of any new work from the other parts thereof. (L.N. 241 of 1976)

Regulation:	15	Power of Building Authority to refuse to accept plans	E.R. 1 of 2012	09/02/2012
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The Building Authority may refuse to accept plans from 2 or more authorized persons, registered structural engineers or registered geotechnical engineers, in respect of works at the same premises.

(L.N. 188 of 1974; 15 of 2004 s. 41)

Regulation:	16	(Repealed L.N. 241 of 1976)		30/06/1997
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Regulation:	17	(Repealed L.N. 438 of 1990)		30/06/1997
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Certificates

Regulation:	18	Building (Administration) Regulations	E.R. 1 of 2012	09/02/2012
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- (1) Where any building works consist of repairs, alterations or additions to any building, the authorized person who has prepared the plans in respect of such building works shall, at the time such plans are submitted to the

Building Authority for his approval, send to the Building Authority a certificate, in the specified form, that he has inspected such building and that it is, in his opinion, capable of bearing the loads and stresses which may be increased or altered in any way by reason of such repairs, alterations or additions. (L.N. 347 of 1993)

- (2) Where such building has been constructed in such a manner as to require the services of a registered structural engineer such certificate shall be signed by the registered structural engineer and countersigned by the authorized person appointed in respect of the building works.

(L.N. 188 of 1974)

Regulation:	18A	Certificate by authorized person, etc. to be submitted with plans	E.R. 1 of 2012	09/02/2012
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Where plans of any building works or street works are submitted to the Building Authority for his approval there shall be submitted, together with the plans, a certificate, which shall be in the specified form, by the authorized person, registered structural engineer or registered geotechnical engineer, as the case may be, who prepared the plans or under whose supervision the plans were prepared, that- (L.N. 347 of 1993; 15 of 2004 s. 42)

- (a) the plans were prepared by him or under his supervision or direction; and
- (b) to the best of his knowledge and belief the plans comply in all respects with the Ordinance and the regulations made thereunder.

(L.N. 10 of 1975; L.N. 241 of 1976; L.N. 438 of 1990)

Regulation:	19	Authorized person, registered structural engineer or registered geotechnical engineer who has prepared plans submitted to Building Authority to notify Building Authority if he ceases to be engaged	E.R. 1 of 2012	09/02/2012
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Notices

Where an authorized person, registered structural engineer or registered geotechnical engineer who has prepared any plans or other details of any building works or street works, which have been submitted to the Building Authority for his approval, ceases, for any reason, to act on behalf of the person for whom such building work or street works are to be carried out, he shall, in writing, within 7 days thereof notify the Building Authority that he has so ceased to act.

(L.N. 188 of 1974; 15 of 2004 s. 43)

Regulation:	20	Notification to Building Authority before commencement of building works or street works	E.R. 1 of 2012	09/02/2012
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- (1) Not less than 7 days before the commencement of any building works or street works, the authorized person appointed in respect of the building works or street works shall, in the specified form, furnish to the Building Authority- (L.N. 347 of 1993)
 - (a) a notification, signed by the authorized person, of the appointment of the registered general building contractor, registered specialist contractor or registered minor works contractor in respect thereof and of the date upon which the building works or street works are to be commenced; and
 - (b) an acceptance of such appointment, a confirmation of the date upon which the building works or street works are to be commenced and an undertaking of responsibility for strict compliance with the provisions of the Ordinance and regulations, signed by the registered general building contractor, registered specialist contractor or registered minor works contractor. (L.N. 514 of 1997; 20 of 2008 s. 34)
- (2) Not less than 7 days before the commencement of any building works or street works, the authorized person, the registered structural engineer or the registered geotechnical engineer appointed in respect of the building works or street works shall, where a supervision plan is required- (15 of 2004 s. 44)
 - (a) notify the building Authority in writing of the appointment of any technically competent person under regulation 37; and
 - (b) provide the Building Authority with the personal particulars, qualifications and experience of the technically competent person appointed under regulation 37. (L.N. 514 of 1997)
- (3) Not less than 7 days before the commencement of any building works or street works, the registered general building contractor or the registered specialist contractor appointed in respect of the building works or street

works shall, where a supervision plan is required-

- (a) notify the Building Authority in writing of the appointment of any technically competent person under regulation 41; and
- (b) provide the Building Authority with the personal particulars, qualifications and experience of the technically competent person appointed under regulation 41. (L.N. 514 of 1997)

(G.N.A. 97 of 1961; L.N. 188 of 1974; L.N. 438 of 1990)

Regulation:	21	(Repealed L.N. 438 of 1990)		30/06/1997
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Regulation:	22	Building Authority to be notified on change of authorized person, registered structural engineer, registered geotechnical engineer, registered contractor, etc.	E.R. 1 of 2012	09/02/2012
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- (1) Where, in accordance with the provisions of the Ordinance, another authorized person, registered structural engineer, registered geotechnical engineer, registered general building contractor, registered specialist contractor or registered minor works contractor is appointed in respect of building works or street works, the person for whom the building works or street works, as the case may be, are being carried out shall, in writing, notify the Building Authority of the name of such authorized person, registered structural engineer, registered geotechnical engineer, registered general building contractor, registered specialist contractor or registered minor works contractor within 7 days of his appointment. (L.N. 514 of 1997)
- (2) Where an authorized person, registered structural engineer, registered geotechnical engineer, registered general building contractor, registered specialist contractor or registered minor works contractor appointed in respect of building works or street works has, during the carrying out of any such works, become unable or unwilling to act, in the case of a registered structural engineer, any structural work, in the case of a registered geotechnical engineer, any geotechnical work, in the case of an authorized person, all works, and in the case of a registered general building contractor, registered specialist contractor or registered minor works contractor, the building works or street works for which he is appointed, shall cease until another authorized person, registered structural engineer, registered geotechnical engineer, registered general building contractor, registered specialist contractor or registered minor works contractor, has been appointed and the Building Authority has been notified in accordance with paragraph (1). (L.N. 514 of 1997; L.N. 608 of 1997)
- (3) An authorized person, registered structural engineer or registered geotechnical engineer is required to notify the Building Authority in writing of a change in the appointment of any technically competent person appointed under regulation 37 within 7 days of the change and to provide the Building Authority with the personal particulars, qualifications and experience of the new technically competent person appointed under that regulation. (L.N. 514 of 1997; L.N. 180 of 2009)
- (4) A registered general building contractor, registered specialist contractor or registered minor works contractor is required to notify the Building Authority in writing of a change in the appointment of any technically competent person appointed under regulation 41 within 7 days of the change and to provide the Building Authority with the personal particulars, qualifications and experience of the new technically competent person appointed under that regulation. (L.N. 514 of 1997; L.N. 180 of 2009)
- (5) An authorized person, registered structural engineer or registered geotechnical engineer is required to cease that part of the works, which in accordance with the supervision plan, is under the supervision of the technically competent person appointed under regulation 37, on the cessation of such appointment until a new technically competent person is appointed. (L.N. 514 of 1997)
- (6) A registered general building contractor, registered specialist contractor or registered minor works contractor is required to cease that part of the works, which in accordance with the supervision plan, is under the supervision of the technically competent person appointed under regulation 41, on the cessation of such appointment until a new technically competent person is appointed. (L.N. 514 of 1997; L.N. 608 of 1997)
- (7) Where any operator of powered mechanical plant or equipment used or proposed to be used in demolition works is appointed, a registered specialist contractor is required to notify the Building Authority in writing of a change in the appointment of the operator within 7 days of the change and to provide the Building Authority with the personal particulars, qualifications and experience of the new operator of the plant or equipment. (L.N. 514 of 1997; L.N. 608 of 1997)

(L.N. 438 of 1990; 15 of 2004 s. 45; 20 of 2008 s. 35)

Regulation:	23	Information to be supplied to Building Authority respecting appointments, etc.	E.R. 1 of 2012	09/02/2012
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- (1A) Where an authorized person, registered structural engineer or registered geotechnical engineer is appointed in respect of any building works or street works under section 4(1) of the Ordinance, the person for whom the building works or street works, as the case may be, are to be carried out shall furnish to the Building Authority in the specified form, a notice of the appointment and the confirmation by the authorized person, registered structural engineer or registered geotechnical engineer of his acceptance of the appointment. (L.N. 347 of 1993)
- (1) Where an authorized person, registered structural engineer or registered geotechnical engineer who has been appointed in respect of any building works or street works ceases, for any reason, to be so appointed, he shall, within 7 days thereof notify the Building Authority in writing that he has so ceased to be appointed.
- (2) Where an authorized person, registered structural engineer or registered geotechnical engineer so appointed has nominated another authorized person, registered structural engineer or registered geotechnical engineer to act in his stead under section 4(2) of the Ordinance, he shall, not later than 7 days thereafter, notify the Building Authority in the specified form of such nomination and shall include in the notice the confirmation by such other authorized person, registered structural engineer or registered geotechnical engineer of his acceptance of the nomination. (L.N. 347 of 1993)

(L.N. 51 of 1969; L.N. 188 of 1974; 15 of 2004 s. 46)

Regulation:	24	Duties of registered contractor who ceases to be appointed	E.R. 1 of 2012	09/02/2012
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Where a registered general building contractor, registered specialist contractor or registered minor works contractor appointed in respect of building works or street works ceases, for any reason, to be so appointed, he shall, within 7 days thereof, deliver to the authorized person appointed in respect of the building works or street works for submission to the Building Authority in accordance with the provisions of regulation 38 notice, in the specified form, that he has so ceased to be appointed, and shall, in such form, certify that the building works or street works, as the case may be, carried out by him have been carried out in accordance with the provisions of the Ordinance and regulations.

(L.N. 188 of 1974; L.N. 438 of 1990; L.N. 347 of 1993; L.N. 514 of 1997; 20 of 2008 s. 36)

Regulation:	25	Certificate to be given by registered contractor and authorized person on completion of building works	E.R. 1 of 2012	09/02/2012
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- (1) Within 7 days of the completion of any building works in respect of which he has been appointed, the registered general building contractor, registered specialist contractor or registered minor works contractor shall, in the form specified for building works resulting in a new building or not so resulting, as the case may be, certify that the new building has been erected or the building works carried out in accordance with the provisions of the Ordinance and regulations, and the plans approved in respect of the new building and the building works by the Building Authority, and shall, within the said 7 days, deliver such certificate to the authorized person, registered structural engineer or registered geotechnical engineer, as the case may be, appointed in respect of the building works. (15 of 2004 s. 47)
- (2) Within 14 days of the completion of any building works, other than demolition works, in respect of which he has been appointed, the authorized person shall, in the form specified for building works resulting in a new building or not so resulting, as the case may be, delivered to him, in accordance with the provisions of paragraph (1), by the registered general building contractor, registered specialist contractor and registered minor works contractor appointed in respect thereof, certify that the new building has been erected or the building works carried out in accordance with the provisions of the Ordinance and regulations, and the plans approved in respect of the new building and the building works by the Building Authority, and that the new building or such building works, as the case may be, are in his opinion structurally safe and shall, within the said 14 days, send such certificate to the Building Authority.
- (3) Where the form specified for building works, other than demolition works, resulting in a new building or not so resulting, as the case may be, is delivered to the registered structural engineer or registered geotechnical engineer appointed in respect of the building works, in accordance with the provisions of paragraph (1), by the registered general building contractor, registered specialist contractor and registered minor works contractor appointed in respect thereof, the registered structural engineer or registered geotechnical engineer shall within 7 days of the

receipt thereof certify that the new building has been erected or the building works carried out in accordance with the provisions of the Ordinance and regulations, and the plans approved in respect of the new building and the building works by the Building Authority, and that the new building or such building works, as the case may be, are in his opinion structurally or geotechnically (as the case may be) safe, and shall deliver such certificate to the authorized person who shall within 7 days of the receipt thereof send the same to the Building Authority. (L.N. 188 of 1974; 15 of 2004 s. 47)

- (4) Within 14 days of the completion of any demolition works in respect of which he has been appointed, the authorized person, registered structural engineer and registered geotechnical engineer shall, in the form specified for demolition works, certify to the Building Authority that- (15 of 2004 s. 47)
- (a) the demolition works have been completed in accordance with the approved plans;
 - (b) any structure or building remaining on the site is, in his opinion, structurally safe; and
 - (c) any land or street affected by the demolition works has an adequate margin of safety. (L.N. 514 of 1997) (L.N. 188 of 1974; L.N. 347 of 1993; L.N. 514 of 1997; 20 of 2008 s. 37)

Regulation:	25A	Certificates as to supply of water	E.R. 1 of 2012	09/02/2012
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- (1) On the completion of any new building in which any water closet fitment, trough water closet, latrine fitment or urinal has been provided in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I), the authorized person appointed in respect of the building works shall send to the Building Authority together with the certificate referred to in regulation 25(2)-
- (a) a certificate by the water authority to the effect that a permanent connexion to the building of a supply of water from the waterworks has been made in accordance with regulation 10A of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I);
 - (b) where the Building Authority has under regulation 10A(3)(b) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I) permitted the connexion to the building of a supply of water from a well within the site of the building-
 - (i) a certificate by the authorized person appointed in respect of the building works to the effect that a permanent connexion to the building of a supply of water from a well within the site of the building has been made in accordance with regulation 10A of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I); and
 - (ii) a certificate by the authorized person appointed in respect of the building works in respect of such well in accordance with regulation 10A(7) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I); or (L.N. 439 of 1990)
 - (c) where the Building Authority has under regulation 10A(3)(c) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I) permitted or directed the connexion to the building of a supply of water other than a supply of water from the waterworks or from a well within the site of the building, a certificate from the authorized person appointed in respect of the building works to the effect that a permanent connexion to the building of such supply has been made in accordance with regulation 10A of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I).
- (2) On the completion of any new building in which any waste fitment or shower has been provided in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I), the authorized person appointed in respect of the building works shall send to the Building Authority together with the certificate referred to in regulation 25(2)-
- (a) a certificate from the water authority to the effect that a permanent connexion to the building of a supply of water from the waterworks has been made in accordance with regulation 10A of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I);
 - (b) where the Building Authority has under regulation 10A(3)(b) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I) permitted the connexion to the building of a supply of water from a well within the site of the building-
 - (i) a certificate by the authorized person appointed in respect of the building works to the effect that a permanent connexion to the building of a supply of water from a well within the site of the building has been made in accordance with regulation 10A of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I); and
 - (ii) a certificate by the authorized person appointed in respect of the building works in respect of such well

in accordance with regulation 10A(7) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I); or (L.N. 439 of 1990)

- (c) where the Building Authority has under regulation 10A(3)(c) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I) permitted or directed the connexion to the building of a supply of water other than a supply of water from the waterworks or from a well within the site of the building, a certificate by the authorized person appointed in respect of the building works to the effect that a permanent connexion to the building of such supply has been made in accordance with regulation 10A of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I).
- (3) The water authority shall issue a certificate required under this regulation within 10 days of receiving an application in writing therefor.

(L.N. 63 of 1966; L.N. 188 of 1974)

Regulation:	26	Certificate to be given by registered contractor and authorized person on completion of street works	E.R. 1 of 2012	09/02/2012
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- (1) Within 7 days of the completion of any street works in respect of which he has been appointed, the registered general building contractor or the registered specialist contractor shall, in the specified form, certify that such works have been carried out in accordance with the provisions of the Ordinance and regulations and shall, within the said 7 days, deliver such certificate to the authorized person appointed in respect of the street works.
- (2) Within 14 days of the completion of any street works in respect of which he has been appointed, the authorized person shall, in the specified form delivered to him, in accordance with paragraph (1), by the registered general building contractor or the registered specialist contractor appointed in respect thereof, certify that such works have been carried out in accordance with the plans approved in respect thereof by the Building Authority and shall, within the said 14 days, send such certificate to the Building Authority.

(L.N. 188 of 1974; L.N. 347 of 1993; L.N. 514 of 1997)

Regulation:	27	(Repealed L.N. 438 of 1990)		30/06/1997
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Regulation:	28	Certificate to be given by authorized person, registered structural engineer, registered geotechnical engineer and registered contractor engaged in respect of emergency work	E.R. 1 of 2012	09/02/2012
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Every authorized person, registered structural engineer and registered geotechnical engineer engaged to supervise, and registered general building contractor, registered specialist contractor and registered minor works contractor engaged to carry out, any work of emergency shall, within 48 hours thereof, certify, on the form specified for the purposes of section 19 of the Ordinance, that he has been so engaged.

(L.N. 188 of 1974; L.N. 347 of 1993; L.N. 514 of 1997; 15 of 2004 s. 48; 20 of 2008 s. 38)

Part:	4	Procedure in connexion with Approval of Plans and Consent for Commencement of Building Works and Street Works	E.R. 1 of 2012	09/02/2012
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Regulation:	29	Application for approval	E.R. 1 of 2012	09/02/2012
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- (1) Save as provided in regulation 33, application for approval of plans of building works or street works shall be made in the specified form and shall be accompanied by such documents as are required under these regulations. (G.N.A. 97 of 1961; L.N. 188 of 1974; L.N. 347 of 1993)
- (1A) The Building Authority may charge the applicant the prescribed fee in respect of an application made under paragraph (1). (L.N. 120 of 1991)
- (2) Subject to regulation 11A, any one or more of such plans may be submitted for approval separately. (L.N. 233

of 1982)

- (3) Without prejudice to regulation 30(3), the submission of further particulars or other plans consequent upon the refusal of the Building Authority to give his approval under section 16(1)(i) or (2)(f) of the Ordinance shall be deemed to be a fresh application in respect of the plans which the Building Authority had refused to approve. (L.N. 152 of 1971; L.N. 121 of 1973)

Regulation:	30	Approval of plans	E.R. 1 of 2012	09/02/2012
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- (1) The approval of the Building Authority in respect of the plans submitted to him shall be signified by-
- (a) notice in writing served on the person making application therefor; and (L.N. 347 of 1993)
 - (b) the stamping, signing and dating of one copy of such plans, other than structural calculations and geotechnical calculations, which shall be returned to the authorized person, registered structural engineer or registered geotechnical engineer. (L.N. 188 of 1974; 15 of 2004 s. 49)
- (2) The Building Authority may, upon application therefor, give separate approval for any one or more of the plans submitted.
- (3) For the purposes of section 15 of the Ordinance, the period after which the Building Authority shall be deemed to have given his approval of plans submitted to him shall be-
- (a) in relation to plans which are submitted for the first time to the Building Authority for approval, 60 days from the date on which the plans were submitted;
 - (b) in relation to plans which, having been previously submitted to the Building Authority for approval, are submitted to him again for approval so extensively revised as to constitute, in the opinion of the Building Authority, a major revision of such plans, 60 days from the date on which the plans were last submitted;
 - (c) in relation to any other plans which, having been previously submitted to the Building Authority for approval, are submitted to him again for approval, 30 days from the date on which the plans were last submitted. (L.N. 121 of 1973)
- (4) If the Building Authority is of the opinion that plans submitted to him again for approval constitute a major revision of any plans previously submitted to him for approval, he shall notify the appointed authorized person, registered structural engineer or registered geotechnical engineer accordingly, not later than 30 days from the date on which the plans were last submitted. (L.N. 188 of 1974; 15 of 2004 s. 49)
- (5)-(6) (Repealed L.N. 233 of 1982)

Regulation:	31	Application for consent to commence	E.R. 1 of 2012	09/02/2012
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- (1) Subject to paragraph (2), any application for the consent of the Building Authority for the commencement of any building works or street works shown on any approved plans shall be made in the specified form. (L.N. 514 of 1997; L.N. 608 of 1997)
- (2) The application for the consent of the Building Authority for the commencement of any demolition works must be accompanied by the personal particulars, qualifications and experience of the operators of any powered mechanical plant or equipment proposed to be used in the demolition works. (L.N. 514 of 1997; L.N. 608 of 1997)

(L.N. 347 of 1993)

Regulation:	32	Consent to commencement	E.R. 1 of 2012	09/02/2012
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- (1) The consent of the Building Authority to the commencement of any building works or street works shall be signified by notice in writing served on the person applying therefor. (L.N. 347 of 1993)
- (2) The Building Authority may give his consent to the commencement of any part of any building works the plans of which have been approved.
- (3) The period referred to in section 15 of the Ordinance in connexion with consent being deemed to have been given shall be 28 days. (L.N. 136 of 1964)
- (4)-(5) (Repealed L.N. 233 of 1982)

Regulation:	32A	(Repealed L.N. 233 of 1982)		30/06/1997
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Regulation:	33	Alterations or additions to building works and street works	E.R. 1 of 2012	09/02/2012
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- (1) Where it is desired to alter or add to any building works or street works for the commencement of which consent has been given, application shall be made in writing to the Building Authority and shall be accompanied by-
- plans showing the alterations or additions; and
 - the notice of consent given under regulation 32(1) relating to the building works or street works. (L.N. 347 of 1993)
- (1A) The Building Authority may charge the applicant the prescribed fee in respect of an application made under paragraph (1). (L.N. 120 of 1991)
- (2) The provisions of section 15 of the Ordinance shall apply to such an application, and the period within which consent is to be deemed to have been given shall be 28 days.
- (3) The Building Authority may give his approval of plans submitted under this regulation and may consent to the commencement of the building works or street works shown therein, and he shall signify such approval and consent-
- on the plans submitted in the manner prescribed by regulation 30; and
 - by adding such plans to the list of plans in the notice of consent. (L.N. 347 of 1993)

Regulation:	34	Consent to the resumption of suspended work	E.R. 1 of 2012	09/02/2012
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Where under the provisions of section 20 of the Ordinance the Building Authority renews his consent for the commencement of any building works or street works he shall endorse a note of such renewal on the notice of consent relating to the building works or street works.

(L.N. 347 of 1993)

Part:	5	Duties of Authorized Person, Registered Structural Engineer or Registered Geotechnical Engineer and Registered Contractors Appointed in respect of Building Works or Street Works*	E.R. 1 of 2012	09/02/2012
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Note:

* (L.N. 188 of 1974; 15 of 2004 s. 50)

Regulation:	35	Duties imposed by this Part not to prejudice any other duties imposed by Ordinance or other regulations	E.R. 1 of 2012	09/02/2012
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The duties imposed, by the regulations in this Part, upon an authorized person, registered structural engineer, registered geotechnical engineer, registered general building contractor, registered specialist contractor or registered minor works contractor appointed in respect of building works or street works shall be without prejudice to any duties imposed upon such authorized person, registered structural engineer, registered geotechnical engineer, registered general building contractor, registered specialist contractor or registered minor works contractor by any other provision of the Ordinance or regulations.

(L.N. 188 of 1974; L.N. 514 of 1997; 15 of 2004 s. 51; 20 of 2008 s. 39)

Regulation:	36	Duty of authorized person to supply copy of plans of building works or street works to registered contractor	E.R. 1 of 2012	09/02/2012
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**Authorized person, registered structural engineer
or registered geotechnical engineer**

(15 of 2004 s. 52)

- (1) The authorized person appointed in respect of any building works or street works shall supply to the registered general building contractor, registered specialist contractor and registered minor works contractor appointed in respect thereof a copy, stamped, signed and dated, in accordance with regulation 30, by the Building Authority, of every plan approved by the Building Authority and a copy of any supervision plan in respect of the building works or street works, as the case may be. (L.N. 188 of 1974)
- (2) Where the structural details or geotechnical details have been prepared by a registered structural engineer or a registered geotechnical engineer, as the case may be, and approved by the Building Authority it shall be the responsibility of the authorized person to ensure that the registered general building contractor, registered specialist contractor and registered minor works contractor are supplied with a copy thereof. (L.N. 188 of 1974; 15 of 2004 s. 53)

(L.N. 514 of 1997; 20 of 2008 s. 40)

Regulation:	37	Duty of authorized person, registered structural engineer or registered geotechnical engineer	E.R. 1 of 2012	09/02/2012
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- (1) The authorized person appointed in respect of any building works or street works shall give such periodical supervision and make such inspections as may be necessary to ensure that the building works or street works are being carried out in general accordance with the provisions of the Ordinance and regulations, the plans approved in respect thereof by the Building Authority, the supervision plan prepared in compliance with the technical memorandum issued under section 39A of the Ordinance (if required) and any order made or condition imposed, pursuant to any provision of the Ordinance or regulations in that behalf, by the Building Authority.
- (2) The registered structural engineer or the registered geotechnical engineer appointed in respect of any building works or street works shall give such periodical supervision and make such inspections as may be necessary to ensure that the structural works or geotechnical works, as the case may be, are being carried out in general accordance with the provisions of the Ordinance and regulations, the plans approved in respect thereof by the Building Authority, the supervision plan prepared in compliance with the technical memorandum issued under section 39A of the Ordinance (if required) and any order made or condition imposed, pursuant to any provision of the Ordinance or regulations in that behalf, by the Building Authority. (15 of 2004 s. 54)
- (3) Where a supervision plan is required, the authorized person, the registered structural engineer and the registered geotechnical engineer are each required to appoint such number of technically competent persons as appropriate to give such supervision as may be required under the supervision plan on each site for which the authorized person, the registered structural engineer and the registered geotechnical engineer are appointed under section 4 of the Ordinance. (15 of 2004 s. 54)
- (4) The Building Authority has the power to reject or revoke the appointment of any person as a technically competent person appointed under paragraph (3) if the Building Authority is not satisfied that the qualifications or experience of the person appointed are sufficient for him to carry out the duties required of him.

(L.N. 514 of 1997)

Regulation:	38	Duty of authorized person or registered structural engineer to submit to Building Authority notice under regulation 24	E.R. 1 of 2012	09/02/2012
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The authorized person appointed in respect of any building works or street works shall submit to the Building Authority, within 7 days of his receipt thereof, any notice to the Building Authority delivered to him under regulation 24.

(L.N. 188 of 1974; L.N. 438 of 1990)

Regulation:	39	Fees in respect of additional inspection upon completion of building works or street works	E.R. 1 of 2012	09/02/2012
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Where, on the completion of any building works or street works, more than one inspection thereof is, in the opinion of the Building Authority, necessary by reason of any contravention of the provisions of the Ordinance or regulations or by any incorrect information, the authorized person, registered structural engineer or registered geotechnical engineer appointed in respect thereof may be required to pay the prescribed fee in respect of every such additional inspection.

Regulation:	40	Duty of registered contractor to keep approved plans and supervision plans on site	E.R. 1 of 2012	09/02/2012
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Registered contractors

The registered general building contractor, registered specialist contractor and registered minor works contractor appointed in respect of building works shall keep on the site of the building works or street works, and shall produce to the Building Authority at such times as he requires, all plans and supervision plans of the building works or street works supplied to him, in accordance with the provisions of regulation 36, by the authorized person, registered structural engineer or registered geotechnical engineer appointed in respect thereof.

(L.N. 188 of 1974; L.N. 514 of 1997; 15 of 2004 s. 56; 20 of 2008 s. 41)

Regulation:	41	Duty of registered contractor to supervise	E.R. 1 of 2012	09/02/2012
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- (1) The registered general building contractor, registered specialist contractor and registered minor works contractor appointed in respect of building works or street works shall, during the carrying out thereof, give continuous supervision thereto to ensure that the building works or street works, as the case may be, are carried out in accordance with the provisions of the Ordinance and regulations and with the plans approved in respect thereof and with any order made or condition imposed, pursuant to any provision of the Ordinance or regulations in that behalf, by the Building Authority and the supervision plan prepared in compliance with the technical memorandum issued under section 39A of the Ordinance (if required). (L.N. 514 of 1997)
- (2) Where a supervision plan is required, the registered general building contractor, registered specialist contractor and registered minor works contractor are each required to appoint such number of technically competent persons as appropriate to give such supervision as may be required under the supervision plan on each site for which the registered general building contractor, registered specialist contractor and registered minor works contractor are appointed under section 9 or 9AA of the Ordinance. (L.N. 514 of 1997)
- (3) The Building Authority has the power to reject or revoke the appointment of any person as a technically competent person appointed under paragraph (2) if the Building Authority is not satisfied that the qualifications or experience of the person appointed are sufficient for him to carry out the duties required of him. (L.N. 514 of 1997)
- (4) A registered general building contractor, registered specialist contractor and registered minor works contractor are required to keep records of activities and information relevant to the supervision of the building works or street works of any site for which they are appointed. (L.N. 514 of 1997)
- (5) The Building Authority may inspect the records and information required to be kept under paragraph (4) at any reasonable time. (L.N. 514 of 1997)
- (6) The registered general building contractor, registered specialist contractor and registered minor works contractor are required to retain the records and information required to be kept under paragraph (4) for at least 12 months after the submission of the certificate on completion of the final stage of the building works or street works of the site. (L.N. 514 of 1997)

(20 of 2008 s. 42)

Part:	6	Fees and Forms	E.R. 1 of 2012	09/02/2012
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Regulation:	42	Fees	E.R. 1 of 2012	09/02/2012
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The fees set out in the Table hereunder are prescribed for the purposes of the Ordinance and regulations-

Table of Fees

By whom
payable

Amount

1.	(a)	(i) For each application for inclusion of name in each list of the authorized persons' register or in the structural engineers' register or geotechnical engineers' register.	Person applying for inclusion in register.	\$4150
		(ii) For each inclusion of name in each list of the authorized persons' register or in the structural engineers' register or geotechnical engineers' register.	Successful applicant seeking inclusion in register.	\$335
	(b)	For each application for retention of name in each list of the authorized persons' register or in the structural engineers' register or geotechnical engineers' register.	Authorized person or registered structural engineer or registered geotechnical engineer seeking retention in register.	\$1200 for retention for a period of 5 years.
	(c)	For each application for restoration of name in each list of the authorized persons' register or in the structural engineers' register or geotechnical engineers' register.	Person seeking restoration to register.	\$125
(39 of 2000 s. 7; 15 of 2004 s. 57; L.N. 221 of 2004)				
1A.	(a)	(i) For each application for inclusion of name in each list of the inspectors' register by a person referred to in section 3(7AA).	Person applying for inclusion in register.	\$900
		(ii) For each application for inclusion of name in each list of the inspectors' register other than that referred to in subparagraph (i).	Person applying for inclusion in register.	\$3850
		(iii) For each inclusion of name in each list of the inspectors' register.	Successful applicant seeking inclusion in register.	\$1360 for inclusion for a period of 5 years.
	(b)	For each application for retention of name in each list of the inspectors' register.	Registered inspector seeking retention in register.	\$1180 for retention for a period of 5 years.
	(c)	For each application for restoration of name in each list of the inspectors' register.	Person seeking restoration to	\$1370 for restoration for a period of 5 years.

register.

(16 of 2011 s. 38)

2. (a) For application for registration as a general building contractor-
- Person seeking registration.
- (i) a basic fee shall be payable, covering the applicant as an individual or, where the applicant is a partnership or a corporation, the first person appointed by the applicant to act for it; \$5020
- (ii) in addition to the basic fee, where the applicant is a partnership or a corporation, for each additional person appointed in the application to act for it. \$4140
- (b) For entry of name in the register of general building contractors. Person seeking entry in the register. \$1180 for registration for a period of 3 years.
- (c) For renewal of registration in the register of general building contractors. Person seeking renewal. \$1910 for renewal of registration for a period of 3 years.
- (d) For application for restoration of name to the register from which the name of the general building contractor has been removed. Person seeking restoration to the register. \$1140 for restoration and \$1180 for registration for a period of 3 years.
- (e) If at any time prior to the expiry of its registration (including a registration that has been renewed or restored), a registered general building contractor which is a partnership or a corporation makes any appointment of a person to act for it, regardless of whether such appointment results in the replacement of, or is in addition to, persons already appointed, then for an application for the approval of each person so appointed. Registered general building contractor. \$4390

(L.N. 441 of 1997; 15 of 2004 s. 57; L.N. 221 of 2004)

3-4. (Repealed 43 of 1987 s. 44)

- 4A. (a) For application for registration as a specialist contractor, for each sub-register in the register of specialist contractors specified in the application-
- Person seeking registration.
- (i) a basic fee shall be payable, covering the applicant as an individual or, where the applicant is a partnership or a \$5020

corporation, the first person appointed by the applicant to act for it;		
(ii) in addition to the basic fee, where the applicant is a partnership or a corporation, for each additional person appointed in the application to act for it.		\$4140
(b) For entry of name in each sub-register in the register of specialist contractors specified in the application.	Person seeking entry in the sub-register.	\$1180 for registration for a period of 3 years.
(c) For renewal of registration in each sub-register in the register of specialist contractors.	Person seeking renewal.	\$1910 for renewal of registration for a period of 3 years.
(d) For application for restoration of name to each sub-register in the register of specialist contractors from which the name of the specialist contractor has been removed.	Person seeking restoration to the sub-register.	\$1140 for restoration and \$1180 for registration for a period of 3 years.
(e) If at any time prior to the expiry of its registration (including a registration that has been renewed or restored), a registered specialist contractor which is a partnership or a corporation makes any appointment of a person to act for it, regardless of whether such appointment results in the replacement of, or is in addition to, persons already appointed, then for an application for the approval of each person so appointed.	Registered specialist contractor.	\$4390

(L.N. 441 of 1997; 15 of 2004 s. 57; L.N. 221 of 2004; L.N. 221 of 2004)

5. (Repealed L.N. 79 of 1992)

6. (Repealed 54 of 1996 s. 26)

7. For the purposes of regulations 6(2), 29 and 33-
for any resubmission - Free

For the purposes of this item, a resubmission means-

- (i) a further submission of a plan of building works or an amendment plan of an approved plan under regulation 6(2); or
- (ii) a submission of an amendment plan of an approved plan of building works under regulation 29 or 33.

(L.N. 220 of 1991; L.N. 185 of 1992)

7A. For the purposes of regulations 29 and 33-

- (a) for a new plan or a major revision of such plan of building works in respect of-

- | | | |
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| (i) a proposed new industrial building of a gross floor area of 20000 square metres or less | Applicant | \$2160 for every 100 square metres or part thereof, subject to a minimum charge of \$8230 |
| (ii) a proposed new industrial building of a gross floor of more than 20000 square metres | Applicant | \$1740 for every 100 square metres or part thereof, subject to a minimum charge of \$432400 |
| (iii) a proposed new building for which there is no accountable gross floor area, such as a transformer station, an oil storage installation, a petrol filling station, a jetty or similar structure | Applicant | \$11200 for each size of 841 mm by 594 mm or part thereof of the plan (L.N. 185 of 1992; L.N. 367 of 1992) |
| (iv) (Repealed L.N. 185 of 1992) | | |
| (v) a proposed new non-industrial building of a gross floor area of 10000 square metres or less | Applicant | \$3430 for every 100 square metres or part thereof, subject to a minimum charge of \$8230 |
| (vi) a proposed new non-industrial building of a gross floor area of more than 10000 square metres | Applicant | \$2750 for every 100 square metres or part thereof, subject to a minimum charge of \$343400 |

For the purposes of this paragraph, **industrial building** (工業建築物) includes a factory, a workshop and a godown.

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|---|-----------|---|
| (b) for a new plan or a major revision of such plan of alteration and addition works or other building works not resulting in a new building. | Applicant | \$11200 for each size of 841 mm by 594 mm or part thereof of the plan |
|---|-----------|---|

(L.N. 220 of 1991; L.N. 185 of 1992; L.N. 355 of 1993; L.N. 366 of 1994; L.N. 269 of 1995)

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| 8. For the purposes of regulation 39. | Authorized person or registered structural engineer or registered geotechnical engineer. | \$2420 |
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(L.N. 209 of 1991; L.N. 313 of 1994; L.N. 191 of 1995; L.N. 442 of 1997; 15 of 2004 s. 57)

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| 9. For the purposes of regulation 73(5) of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap 123 sub. leg. I). | Registered general building contractor or registered specialist contractor. | \$925 |
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(L.N. 209 of 1991; L.N. 313 of 1994; L.N. 191 of 1995; L.N. 441 of 1997)

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| 10. (a) For issue under section 36G(2) of the Ordinance of a certified copy, print or extract of or from a | | |
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document made, issued or given under or for the purposes of the Ordinance or the Buildings Ordinance 1935 (18 of 1935), or a certified copy, print or extract of or from a specified document record that is made from the document, that is in-

(i) paper form	Applicant	\$45	}	for applicants who have not inspected the document or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$8.5	}	for applicants who have inspected the document or record pursuant to section 36G(3) of the Ordinance immediately before the issue
(ii) microfilm form	Applicant	\$45	}	for applicants who have not inspected the document or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$8.5	}	for applicants who have inspected the document or record pursuant to section 36G(3) of the Ordinance immediately before the issue
(iii) electronic form	Applicant	\$45	}	for applicants who have not inspected the document or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$8.0	}	for applicants who have inspected the document or record pursuant to section 36G(3) of the Ordinance immediately before the issue

(b) For issue under section 36G(2) of the Ordinance of a certified copy, print or extract of or from a plan submitted to or approved by the Building Authority under or for the purposes of the Ordinance or the Buildings Ordinance 1935 (18 of 1935), or a certified copy, print or extract of or from a specified document record that is made from the plan, that is in-

(i) paper form	Applicant	\$155	}	for applicants who have not inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$58	}	for applicants who have inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue
(ii) microfilm form	Applicant	\$125	}	for applicants who have not inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$52	}	for applicants who have inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue
(iii) electronic form	Applicant	\$93	}	for applicants who have not inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$42	}	for applicants who have inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue

(15 of 2004 s. 57; 20 of 2008 s. 43; 16 of 2011 s. 38)

11. (a) For issue under section 36G(1) of the Ordinance of a copy, a print or an extract of or from a document made, issued or given under or for the purposes of the Ordinance or the Buildings Ordinance 1935 (18 of 1935), or a copy, a print or an extract of or from a specified document record that is made from the document, that is in-

(i) paper form	Applicant	\$38	}	for applicants who have not inspected the document or record pursuant to section 36G(3) of the Ordinance	\$1.6	}	for applicants who have inspected the document or record pursuant to section 36G(3) of the Ordinance
(ii) microfilm form	Applicant	\$38	}	for applicants who have not inspected the document or record pursuant to section 36G(3) of the Ordinance	\$1.6	}	for applicants who have inspected the document or record pursuant to section 36G(3) of the Ordinance

(iii) electronic form	Applicant	\$38	} of the Ordinance \$1.4	} immediately
			} immediately	} before the issue
			} before the issue	}

(b) For issue under section 36G(1) of the Ordinance of a copy, a print or an extract of or from a plan submitted to or approved by the Building Authority under or for the purposes of the Ordinance or the Buildings Ordinance 1935 (18 of 1935), or a copy, a print or an extract of or from a specified document record that is made from the plan, that is in-

(i) paper form	Applicant	\$135	} for applicants who have not inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue	\$40	} for applicants who have inspected the plan or record pursuant to section 36G(3) of the Ordinance immediately before the issue
(ii) microfilm form	Applicant	\$110		\$34	
(iii) electronic form	Applicant	\$74		\$24	

(15 of 2004 s. 57; 20 of 2008 s. 43; 16 of 2011 s. 38)

12. (a) For inspection under section 36G(3) of the Ordinance of a specified document or a specified document record, that is in-

(i) paper form	Applicant	\$80 for one or more specified documents or specified document records kept in the same file in paper form
(ii) microfilm form	Applicant	\$58 for one or more specified documents or specified document records originally kept in the same file in paper form
(iii) electronic form	Applicant	\$36 for one or more specified documents or specified document records originally kept in the same file in paper form

For the purposes of this item, 2 or more files are regarded as the same file if they bear the same file reference number.
(15 of 2004 s. 57; 20 of 2008 s. 43)
(L.N. 188 of 1974; L.N. 331 of 1985; L.N. 103 of 1993)

Regulation:	43	(Repealed L.N. 347 of 1993)		30/06/1997
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Part:	7	Miscellaneous	E.R. 1 of 2012	09/02/2012
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Regulation:	44	Duty of authorized person, registered structural engineer or registered geotechnical engineer who has prepared plans to supply to Building Authority such information as he may require	E.R. 1 of 2012	09/02/2012
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Every authorized person, registered structural engineer or registered geotechnical engineer who has prepared any plans which have been submitted to the Building Authority for his approval shall supply to the Building Authority such

information as he may require with regard to such plans or to the building works or street works shown thereon.
(L.N. 188 of 1974; 15 of 2004 s. 58)

Regulation:	45	Duty of authorized person, registered structural engineer, registered geotechnical engineer, registered inspector, registered contractor, etc. to notify Building Authority of change of business address*	E.R. 1 of 2012	09/02/2012
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Every authorized person, registered structural engineer, registered geotechnical engineer, registered inspector, registered general building contractor, registered specialist contractor and registered minor works contractor shall notify the Building Authority in the specified form of any change in the address at which he carries on business, within 14 days thereof.

(L.N. 59 of 1971; L.N. 188 of 1974; 43 of 1987 s. 44; L.N. 531 of 1994; L.N. 514 of 1997; 15 of 2004 s. 59; L.N. 180 of 2009; 16 of 2011 s. 39)

Note:

*** (Amended 16 of 2011 s. 39)**

Regulation:	46	Power of Building Authority to require new plans in certain cases	E.R. 1 of 2012	09/02/2012
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Where several alterations have been made to the original design of a building and such alterations have been shown on amended plans submitted to the Building Authority for his approval, the Building Authority may require new plans to be delivered to him showing the building as it has been completed.

Regulation:	47	Notice under section 25 of Ordinance to be accompanied by plan	E.R. 1 of 2012	09/02/2012
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Every notice under section 25 of the Ordinance shall be accompanied by a block plan showing the size and position of the building, the number of the lot on which it is erected and its relationship to adjoining buildings.

Regulation:	48	Regulations do not apply to minor works commenced under simplified requirements	E.R. 1 of 2012	09/02/2012
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These regulations do not apply in respect of minor works commenced under the simplified requirements.
(20 of 2008 s. 44)

Schedule:		Schedule (Repealed L.N. 347 of 1993)	E.R. 1 of 2012	09/02/2012
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