

**Business Facilitation Advisory Committee
Task Force on Business Liaison Groups**

Building (Minor Works) (Amendment) Regulation 2021

Purpose

This paper briefs members on the main features of the Building (Minor Works) (Amendment) Regulation 2021 (the Amendment Regulation) which came into operation on 1 September 2021.

Background

2. The Minor Works Control System (MWCS) allows building owners and occupants to carry out minor works under simplified requirements, without the need to obtain prior approval of plans and consent to the commencement of such works from the Buildings Department (BD).

3. Under the MWCS, two validation schemes, namely the Household Minor Works Validation Scheme (which covers unauthorised minor household structures) and the Signboard Validation Scheme (which covers unauthorised signboards) were implemented in 2010 and 2013 respectively.

The Minor Amenity Feature Validation Scheme

4. Through the Amendment Regulation, a new validation scheme has come into effect on 1 September 2021, namely the Minor Amenity Feature Validation Scheme (MAFVS), to cover certain unauthorised minor amenity features that already existed before 1 September 2020. For these unauthorised minor amenity features, should the requirements on validation (e.g. they are inspected, strengthened (if required) and certified structurally safe by the appointed prescribed building professional ¹ or prescribed registered

¹ Prescribed building professional includes Authorized Person or Registered Inspector and, where applicable, Registered Structural Engineer and Registered Geotechnical Engineer.

contractor²) be met, they could be retained even though they were completed or carried out without having first obtained the approval and consent from the BD before commencement of the building works concerned. All unauthorised works which commence after 1 September 2020 are not covered by the MAFVS.

5. While the legal status of the validated minor amenity features remain as 'unauthorised', the validation scheme aims to allow the continued use of such low-risk features by the building occupants. It helps to minimise the burden of owners or occupants in seeking rectification and avoid wastage of the facilities concerned.

6. The MAFVS covers 11 types of minor amenity features, comprises 21 items of Prescribed Building or Building Works (PBW). The 11 types of minor amenity features are:

- (a) Supporting structure/metal casing for a building services installation
- (b) Supporting structure for a radio base station
- (c) Supporting frame for an air-conditioning unit/light fitting projecting from an external wall
- (d) Solid fence wall
- (e) External mesh fence/metal railing
- (f) Pole
- (g) Metal gate at a fence wall
- (h) Canopy
- (i) Retractable awning
- (j) Trellis
- (k) External metal ventilation duct work/associated supporting frame

7. With the implementation of the MAFVS, trade operators who are looking for premises to start their business will have more choices. They do not have to give up choosing a premises with such features or to dismantle the unauthorised features at a cost.

² Prescribed registered contractor includes Registered General Building Contractor, Registered Specialist Contractor registered to conduct a certain category of specialised works, as well as Registered Minor Works Contractor registered to conduct certain class/type/item of minor works.

Publicity

8. BD has launched a series of public education and publicity programmes for practitioners, property management agencies and the general public on the relevant amendments. BD has also updated its website and the MWCS mobile application (available for download from [App Store](#)/[Google Play](#)/[AppGallery](#)) to render the public a better understanding of the relevant requirements.

Way Forward

9. Members are invited to note the content of this paper.

Buildings Department
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