

「核證食物業處所沒有違例  
建築工程」

暨

「違例招牌檢核計劃」



# 簡報要點

- 「違例招牌檢核計劃」
- 「核證食物業處所沒有違例建築工程」
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- 推行時間表

# 違例招牌檢核計劃

- 招牌的定義
- 招牌(signboard)指只是為展示任何廣告、作出任何公布或通知或展示任何視像或其他資料的目的而豎設的展示板、構架、棚架或其他構築物 - 《建築物條例》(第123章) 第2條釋義
  
- 什麼是違例招牌
- 未經建築事務監督事先批准及同意而豎設招牌；或
- 未有根據「小型工程監管制度」的簡化規定豎設招牌；及
- 相關招牌工程不屬「指定豁免工程」
- 以上招牌均屬違例招牌，屋宇署會採取執法行動予以取締

# 違例招牌檢核計劃

- 《2012年建築物法例(修訂)條例》及《2013年建築物(小型工程)(修訂)規例》
  - 於2013年9月2日全面實施
  - 申請參與檢核計劃的違例招牌，必須是在2013年9月2日之前已經存在的違例招牌，並符合《建築物(小型工程)規例》附表3第3部「訂明建築物或建築工程一覽表：建築物條例第39C(1A)條」所列的項目
  - 「違例招牌檢核計劃」並不適用於「新界豁免管制屋宇」



# 違例招牌檢核計劃

- 違例招牌通過檢核的有效期為5年，通過檢核的招牌仍屬僭建物，有效期屆滿後須重新進行檢核或把招牌拆除，否則屋宇署會採取執法行動
- 鑑於被核證的招牌已透過檢查證明其安全並符合其他設計及建造標準，屋宇署不會對該等招牌採取執法行動，但「招牌擁有人」須在有效期內妥善保養其招牌
- 如招牌因情況有變或缺乏保養而變得危險，屋宇署可根據《公眾衛生及市政條例》第105(1)條規定「招牌擁有人」拆除有關招牌或進行可令招牌回復安全的工程



# 違例招牌檢核計劃

**5 獲委任人士的資料**  
**Details of the Appointed Persons**  
 根據《建築物(小工程)規例》第 62A(3) 條的規定,本人/我們已委任乙部所填人士就本部所述的違例招牌進行檢查及核證。  
 In accordance with the provision of section 62A(3) of the Building (Minor Works) Regulation, I / we have appointed the person detailed in Part B in respect of the inspection and certification of the unauthorised signboard detailed in this Part.

**6 招牌擁有人的聲明**  
**Declaration of the Signboard Owner**  
 本人/我們謹此聲於甲2部所述位置的違例招牌作出檢核及展期/改動/加固工程,並給予甲1至甲5部的通告。  
 As the person for whom the aforesaid signboard was erected, I undertake to maintain the signboard in a structurally safe condition at all time. I also undertake to remove the unauthorised signboard if I cease to operate the business at this location and notify the Buildings Department.  
 本人/我們已閱讀並同意於《注意事項》內所列之條款。  
 I have read and hereby agree the terms and conditions as stated in the "Matters to Note" section.  
 招牌擁有人簽署/公司印處 (如適用)  
 Signature / Company Seal (if applicable) of Signboard Owner

任何失實陳述或聲明可引致法律行動。##  
 Any false certification or declaration may be subject to legal action.##

日期 Date  
 日 dd 月 mm 年 yyyy

**7 安排工程人士的聲明**  
**Declaration by the Person who Arranged the Works**  
 由安排工程的人士填寫  
 To be completed by the person who arranged the works

a. 在甲2部(a)及(b)項所述的工程由本人安排進行。  
 I am the person who arranged the works described in Part A2(i) & (ii).  
 b. 本人謹此聲稱此項工程已符合《建築物條例》(第 123 章)及核准向委任乙部所述的訂明註冊專業人士 / 訂明註冊承建商進行必要的工程。  
 I confirm that this form is duly completed and the prescribed building/professional prescribed registered contractor stated in Part B has been appointed to carry out the works as necessary in accordance with Cap. 123 and its regulations.  
 訂明註冊專業人士 Prescribed building professional  訂明註冊承建商 Prescribed registered contractor  
 c. 此就次要文件材料,本人同時以下列身分參與:  
 I am also the person involved in this validation submission as below:  
 招牌擁有人 Signboard owner  認可人士 Authorized person  註冊結構工程師 Registered structural engineer  
 註冊一般建築承建商 Registered general building contractor  C 類別小型工程 (招牌) 的註冊小型工程承建商 Registered minor works contractor registered for Type C minor works (signboard)

安排工程人士姓名  
 Name of the Person who Arranged the Works ① 姓氏先姓 Surname first

安排工程人士簽署  
 Signature of the Person who Arranged the Works

任何失實陳述或聲明可引致法律行動。##  
 Any false certification or declaration may be subject to legal action.##

日期 Date  
 日 dd 月 mm 年 yyyy

\* 根據註冊紀錄  
 \* In accordance with the registration record

**乙部 獲委任人士的責任確認及檢查及核證通知書**  
**Part B Confirmation of Appointment by the Appointed Person and Notice of Inspection and Certification**

由已獲委任人士分別填寫  
 To be completed by the respective appointed persons

**獲委任人士的責任確認書及檢查及核證通知書**  
**Confirmation of Appointment by the Appointed Person and Notice of Inspection and Certification**

1. 本人/我們謹此已獲委任為檢核甲2部(i)項所述的違例招牌的獲委任人,而檢查亦已於申報所述日期進行。  
 I/we confirm that I/we have been appointed as the appointed person for the inspection of unauthorised signboard as detailed in Part A2(i), and the inspection has been carried out on the respective date stated in Part A.  
 2. 本人/我們謹此提供招牌檢核計劃之技術指引及(認可人士、註冊註冊工程師及註冊註冊專業人員) APP-155, 現呈交受檢招牌的實際情況報告,安全檢查報告、圖則、照片及圖樣等,以顯示甲2部(i)項所述的違例招牌在檢查之時的實際狀況;以及  
 I/we certify that the unauthorised signboard detailed in Part A2(i) are structurally safe in my/our opinion and comply with the Buildings Ordinance (Cap. 123) (except section 14(1) of the Buildings Ordinance (Cap. 123) and regulation 25 of the Building (Administration) Regulations (cap.123 sub. leg. A)). Certification has been completed without alteration/strengthening works.  
 本人/我們謹此,就甲2部(i)項所述的違例招牌,本人/我們認為在結構上為安全的,並符合《建築物條例》(第 123 章)第 14(1)條及《建築物(管理)條例》(第 123 章,附屬法例 A) 第 25 條除外。核證已經完成,並無進行改動/加固工程。  
 I/we certify that the unauthorised signboard detailed in Part A2(i) are structurally safe in my/our opinion and comply with the Buildings Ordinance (Cap. 123) (except section 14(1) of the Buildings Ordinance (Cap. 123) and regulation 25 of the Building (Administration) Regulations (cap.123 sub. leg. A)). Certification has been completed without alteration/strengthening works.  
 或  
 本人/我們謹此就甲2部(i)項所述的違例招牌檢核涉及甲2部(ii)項所述的改動/加固工程,本人/我們謹此工程進行,以及由本人/我們負責工程設計、製備訂備圖則及圖樣等。在進行有關工程時,我們已考慮招牌的結構狀況,並已諮詢及監督該工程。本人/我們會在改動/加固工程完成後提交表格 SC01C。本人/我們謹此就甲2部(ii)項所述工程屬於甲部所述日期範圍。  
 I/we confirm that the unauthorised signboard detailed in Part A2(ii) will involve alteration/strengthening works detailed in Part A2(ii). I/we confirm that it is suitable to carry out the alteration/strengthening works and I am / we are responsible for the design of the works and preparation of prescribed plans and details or calculations. In carrying out the works, we have considered the structural conditions of the signboard, and we have taken up the coordination and supervision of the works. I/we will submit SC01C upon completion of the alteration/strengthening works. I/we confirm that the works detailed in Part A2(ii) are to be commenced on the respective date stated in Part A.

a. 認可人士 Authorized Person

中文姓名\* Name in Chinese\* ① 姓氏先姓 Surname first 註冊證明書編號\* Certificate of Registration Number\*  
 AP( ) ( ) ( ) ( ) ( ) ( ) / ( ) ( ) ( ) ( ) ( ) ( )  
 英文姓名\* Name in English\* ① 姓氏先姓 Surname first 註冊屆滿日期\* Date of Expiry of Registration\*  
 日 dd 月 mm 年 yyyy  
 認可人士簽署\* Signature of Authorized Person\*  
 任何失實陳述或聲明可引致法律行動。##  
 Any false certification or declaration may be subject to legal action.##  
 日期 Date  
 日 dd 月 mm 年 yyyy

\* 根據註冊紀錄  
 \* In accordance with the registration record

任何失實陳述或聲明可引致法律行動。##  
 Any false certification or declaration may be subject to legal action.##

日期 Date  
 日 dd 月 mm 年 yyyy

\* 根據註冊紀錄  
 \* In accordance with the registration record

b. 註冊結構工程師 Registered Structural Engineer

該招牌須指明進展結構,則須委任註冊結構工程師(專業(樓宇)(小型工程)牌照)或(AR000)號。  
 The signboard is a specified construction, registered structural engineer is NOT required to be appointed → 跳過乙部  
 (Under section 62A(3)(b) of the Building (Minor Works) Regulation.) Skip to Part B2

中文姓名\* Name in Chinese\* ① 姓氏先姓 Surname first 註冊證明書編號\* Certificate of Registration Number\*  
 RSE ( ) ( ) ( ) ( ) ( ) ( ) / ( ) ( ) ( ) ( ) ( ) ( )  
 英文姓名\* Name in English\* ① 姓氏先姓 Surname first 註冊屆滿日期\* Date of Expiry of Registration\*  
 日 dd 月 mm 年 yyyy  
 註冊結構工程師簽署\* Signature of Registered Structural Engineer\*  
 任何失實陳述或聲明可引致法律行動。##  
 Any false certification or declaration may be subject to legal action.##  
 日期 Date  
 日 dd 月 mm 年 yyyy

2. 訂明註冊承建商的責任確認書  
**Confirmation of Appointment by the Prescribed Registered Contractor**

不涉及改動/加固工程  
 Alteration/strengthening works are NOT involved → 不用填寫本部份  
 Not required to fill in this Part

1. 本人/我們謹此已獲委任為甲2部(i)項所述的違例招牌的改動/加固工程的訂明註冊承建商。  
 I/we confirm that I / we have been appointed as the prescribed registered contractor for the alteration/strengthening works of the unauthorised signboard in Part A2(i).  
 2. 本人/我們謹此就甲2部(i)項所述的違例招牌檢核涉及甲2部(ii)項所述的改動/加固工程,本人/我們謹此所構構的改動/加固工程屆滿日期,本人/我們會在改動/加固工程完成後向認可人士提交表格 SC01C。  
 I/we confirm that unauthorised signboard detailed in Part A2(ii) will involve alteration/strengthening works detailed in Part A2(ii). I/we confirm the date of commencement of alteration/strengthening works as stated in Part A. I/we will submit Form SC01C through the authorised person upon completion of alteration/strengthening works.

承建商名稱(中文)\* Name of Contractor (Chinese)\* ① 姓氏先姓 Surname first 獲授權簽署人姓名(中文)\* Name of the Authorized Signatory (Chinese)\*  
 承建商名稱(英文)\* Name of Contractor (English)\* ① 姓氏先姓 Surname first 獲授權簽署人姓名(英文)\* Name of the Authorized Signatory (English)\*  
 註冊證明書編號\* Certificate of Registration Number\*  
 註冊屆滿日期\* Date of Expiry of Registration\*  
 日 dd 月 mm 年 yyyy

訂明註冊承建商類別  
 Type of Prescribed Registered Contractor  
 註冊一般建築承建商 Registered general building contractor  
 C 類別小型工程 (招牌) 的註冊小型工程承建商 Registered minor works contractor registered for Type C minor works (signboard)

訂明註冊承建商簽署(獲授權簽署人)\*  
 Signature of the Prescribed Registered Contractor (Authorized Signatory)\*

任何失實陳述或聲明可引致法律行動。##  
 Any false certification or declaration may be subject to legal action.##

日期 Date  
 日 dd 月 mm 年 yyyy

\* 根據註冊紀錄  
 \* In accordance with the registration record

## 違例招牌檢核計劃的指明表格〔表格 SC01〕



# 「核證食物業處所沒有違例建築工程」

- 食物業處所沒有違建工程的政策於2006年4月18日實施
- 食物業牌照申請人通知已履行暫准及正式牌照的發牌條件時，須一併提交由合資格專業人士核證處所已符合沒有違建工程規定的證明書〔表格UBW-1 和表格UBW-2〕



# 「核證食物業處所沒有違例建築工程」

- 根據《認可人士及註冊結構工程師核證食物業處所沒有違例建築工程的指引》，指定類別的現有違建工程無須列入核證範圍內，其中包括下列的違例招牌：
  - 伸越建築界線不超過600毫米、兼最少有2.5米豎向淨空的鋪面架空伸建物，而這些伸建物不含石材、磚/瓦片、玻璃或水泥砂漿，以及並非以混凝土建造
  - 非搭建於核准簷篷上或從這類簷篷懸下的現有招牌，而其指明角柱的最大平面面積少於20平方米
- 受委託的合資格專業人士本人須採取所需步驟包括進行目測檢查，並信納有關違例招牌並非處於失修或危險的狀況

# 「核證食物業處所沒有違例建築工程」

- 有關核證只限於向發牌當局申請食物業牌照及轉讓牌照之用
- 屋宇署會根據當時的執法政策，引用《建築物條例》的規定採取行動，以拆除或糾正有關違例招牌

# 「合併核證計劃」

- 食物業牌照申請人可自願選擇：
  - 沿用現有程序，委託合資格專業人士完成「核證食物業處所沒有違例建築工程」後，並向發牌當局提交證明書〔表格UBW-1或表格UBW-2〕；或
  - \* 委託合資格專業人士「核證食物業處所沒有違例建築工程」同時完成「違例招牌檢核計劃」，並向發牌當局提交證明書〔表格UBW-1a或表格UBW-2a〕

\* 有關招牌必需屬於《認可人士及註冊結構工程師核證食物業處所沒有違例建築工程的指引》內指定類別內的違例招牌，並符合《建築物(小型工程)規例》附表3第3部「訂明建築物或建築工程一覽表：建築物條例第39C(1A)條」所列的項目的招牌

# 「合併核證計劃」

## 伸出式招牌



# 靠牆式招牌



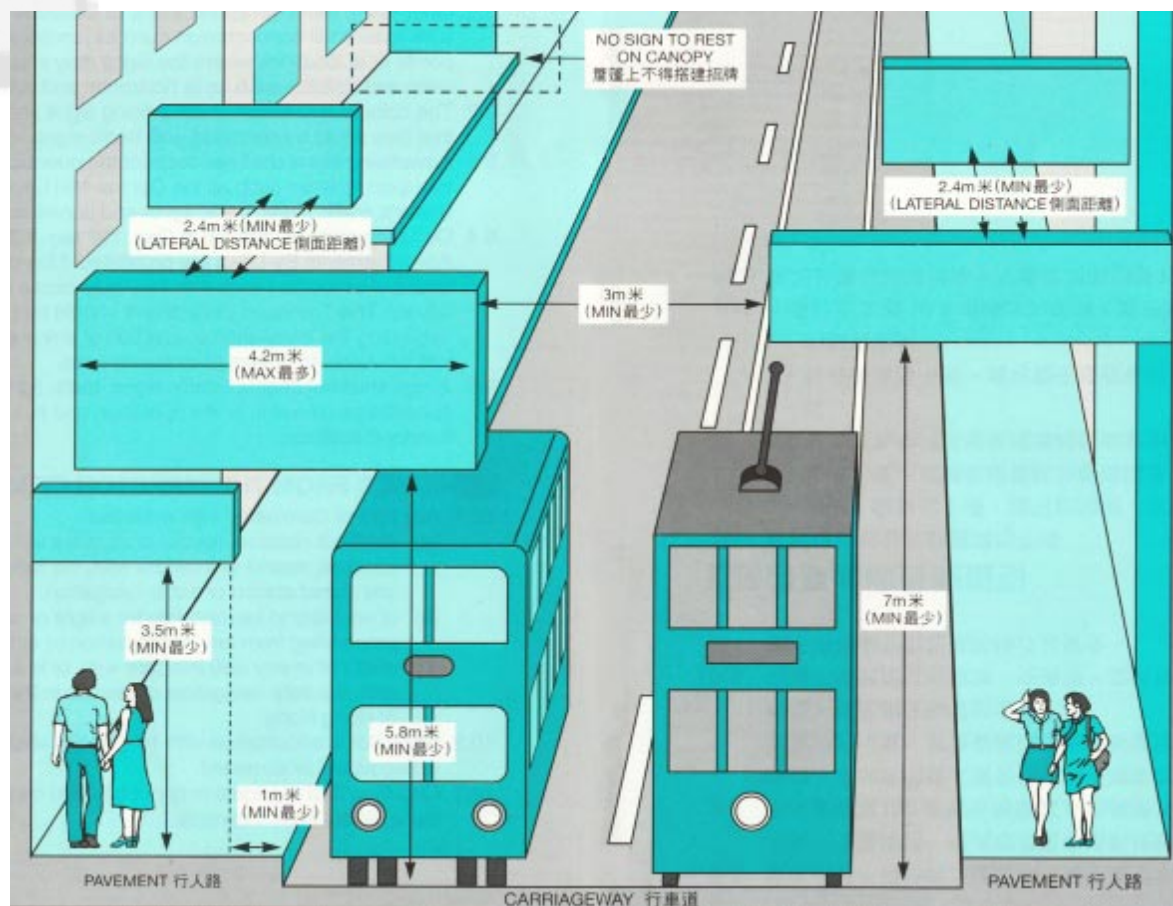
不含發光二極體的展示系統  
展示面積 > 10平方米及 ≤ 20平方米  
伸出 ≤ 600毫米



# 「合併核證計劃」

## 招牌位置及尺寸的規定

(認可人士、註冊結構工程師及註冊岩土工程師作業備考APP-126附錄B)



# 「合併核證計劃」

(e) In accordance with paragraphs 4 to 9 and Appendix C of the Guidelines of the D of B/ paragraphs 5 to 10 and Appendix C of the Guidelines of the ICU of HD\*, I attach the plan(s) showing UBW mentioned in paragraph (d) and record photos taken during my inspections showing the conditions of the subject premises and external walls of the premises and UBW mentioned in paragraph (d) to support my certification.

(f) I have taken all reasonable and practical steps to ensure the correctness of the information in this certification and referred to the following approved/record plans/documents in accordance with the Guidelines:

Description of documents (File reference of private building, excluding the properties divested to The Link Management Limited)\*

Description of documents (Applicable to New Territories Exempted Houses)\*

Description of documents (Applicable to the properties divested to The Link Management Limited)\*

(g) I understand that all matters and information covered by this certification and all the related documents submitted for this licence application will be subject to further examination, auditing and verification by the Building Authority, Lands Department or the ICU of HD (as appropriate) and that if I wilfully or negligently give false, incorrect or misleading information in this certification, I will be liable to disciplinary action under Section 7 of the Buildings Ordinance and/or other legal penalties.

\_\_\_\_\_  
Date (dd/mm/yyyy)

\_\_\_\_\_  
Signature of authorized person/registered structural engineer\*

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## 表格UBW-1

# 「合併核證計劃」

which is under application for issue/transfer\* of a provisional food business licence by  
\_\_\_\_\_  
(Name of applicant/transfer\* in English) (Name of applicant/transfer\* in Chinese).

The inspection was conducted in accordance with the Guidelines for Authorized Person and Registered Structural Engineer for Certification of Food Business Premises free of Unauthorized Building Works (Guidelines) issued by the Director of Buildings (D of B).

(b)\* I have read the Letter of Requirements addressed to the above named applicant  
(dd/mm/yyyy)<sup>(Note 1)</sup>  
dated \_\_\_\_\_ and understand the contents thereof.  
(Not applicable to transfer of food business licence)

(c)\* In accordance with paragraphs 4 to 9 of the Guidelines of the D of B, I certify that the subject premises is free of UBW except those mentioned in paragraph (d) below.

(d)\* In accordance with paragraph 6 and Appendix C of the Guidelines of the D of B and the PNAP APP-155, I have inspected the following UBW including signboard(s) # and was satisfied that they are not in dilapidated or dangerous condition and are also structurally safe:

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(e) In accordance with paragraphs 4 to 9 and Appendix C of the Guidelines of the D of B and the PNAP APP-155, I attach the plan(s) showing UBW including signboard(s)# mentioned in paragraph (d) and record photos taken during my inspections showing the conditions of the subject premises and external walls of the premises and UBW including signboard(s) mentioned in paragraph (d) to support my certification.

## 表格UBW-1a



# 「合併核證計劃」

- (e)\* In accordance with paragraph 6 of the Guidelines of the D of B/paragraph 7 of the Guidelines of the ICU of HD\*, I have inspected the following UBW\* and based on the attached supporting structural justification and my site inspection(s), I was satisfied that they are structurally safe and not in dilapidated or dangerous condition:

\_\_\_\_\_

- (f) In accordance with paragraphs 4 to 9 and Appendix C of the Guidelines of the D of B/paragraphs 5 to 10 and Appendix C of the Guidelines of the ICU of HD \*, I attach the plan(s) showing UBW mentioned in paragraphs \*(d) and \*(e) and record photos taken during my inspections showing the conditions of the subject premises and external walls of the premises and UBW mentioned in paragraphs \*(d) and \*(e) to support my certification.

- (g) I have taken all reasonable and practical steps to ensure the correctness of the information in this certification and referred to the following approved/record plans/documents in accordance with the Guidelines:

Description of documents (File reference of private building, excluding the properties divested to The Link Management Limited)\*

Description of documents (Applicable to New Territories Exempted Houses)\*

Description of documents (Applicable to the properties divested to The Link Management Limited)\*

- (h) I understand that all matters and information covered by this certification and all the related documents submitted for this licence application will be subject to further examination, auditing and verification by the Building Authority, Lands Department or the ICU of HD (as appropriate) and that if I wilfully or negligently give false, incorrect or misleading information in this certification, I will be liable to disciplinary action under Section 7 of the Buildings Ordinance and/or other legal penalties.

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## 表格UBW-2

# 「合併核證計劃」

**Part B** (To be Completed by the Authorized Person (AP)/Registered Structural Engineer(RSE) appointed under section 62A(3) of the B(MWR)

I, \_\_\_\_\_ (Surname) \_\_\_\_\_ (Other names) \_\_\_\_\_ (Name in Chinese) (Mr./Ms\*)

holder of Hong Kong Identity Card No. \_\_\_\_\_, being the authorized person/structural engineer\* registered under Section 3 of the Buildings Ordinance (Chapter 123), have been appointed as the authorized person/registered structural engineer\* for the inspection and certification of UBW including signboard(s), and do hereby certify and declare that:

(a) On \_\_\_\_\_ (date(s) of inspection (dd/mm/yyyy)) at \_\_\_\_\_ (time(s) of inspection), I personally inspected \_\_\_\_\_ (Shopsign in English) \_\_\_\_\_ (Shopsign in Chinese), situated at \_\_\_\_\_ (Address of premises)

which is under application for issue/ transfer\* of a full food business licence by \_\_\_\_\_ (Name of applicant/ transferee\* in English) \_\_\_\_\_ (Name of applicant/ transferee\* in Chinese)

The inspection was conducted in accordance with the Guidelines for Authorized Person and Registered Structural Engineer for Certification of Food Business Premises free of Unauthorized Building Works (Guidelines) issued by the Director of Buildings (D of B).

(b) \* I have read the Letter of Requirements addressed to the abovenamed applicant dated \_\_\_\_\_ (dd/mm/yyyy) (Date) on the subject premises and understand the contents thereof.  
(Not applicable to transfer of food business licence)

(c) \* In accordance with paragraphs 4 to 9 of the Guidelines of the D of B, I certify that the subject premises is free of UBW except those mentioned in paragraph (d) or (e) below.

(d) \* In accordance with paragraph 6 of the Guidelines of the D of B and the FNAP APP-155, I have inspected the following UBW including signboard(s) and was satisfied that they are not in dilapidated or dangerous condition and are also structurally safe.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Registration No.: \_\_\_\_\_  
Expiry date of registration: \_\_\_\_\_ (dd/mm/yyyy)  
Registered address: \_\_\_\_\_  
Contact Telephone No.: \_\_\_\_\_ Contact Fax No.: \_\_\_\_\_

Matters to Note :

- (1) Date of the Letter of Requirements issued by FEHD, whichever is the latest, should be stated.
- (2) This form is not applicable for any signboard which is not a specified construction under section 37(4) of the B(MWR).
- (3) This form must be signed by an AP if any signboard falls within the description of a class I minor works item under the B(MWR).

\* Please delete where appropriate. Only one AP/RSE should certify paragraph (c). In case of different UBW in the food business premises are to be certified by different authorized persons/registered structural engineers (APs/RSEs), each AP/RSE should submit a separate certification. If the AP/RSE certifying paragraph (c) is based on his/her and another AP/RSE's certification of paragraphs \*(d) and \*(e), that AP/RSE should specify in paragraph (c) of his/her certification.

# Itemize the UBW including signboard(s) with detailed description including their condition, essential dimensions and locations and use separate sheets if necessary. The itemized UBW including signboard(s) shall be indicated on the latest licence layout plan attached with this form. The separate sheets should be endorsed by the AP/RSE. The corresponding minor works item under B(MWR) for the signboard(s) must be indicated on the plan(s).

## 表格UBW-2a

# 「合併核證計劃」

- 大部分規模較小及構成潛在風險較低的違例招牌可以透過「合併核證計劃」繼續保留使用
- 如食物業牌照申請人希望繼續保留使用現存的違例招牌，可委託合資格專業人士於通知已履行暫准及正式牌照的發牌條件時，向發牌當局提交證明書〔表格UBW-1a或表格UBW-2a〕，以一併檢核相關違例招牌，藉此減省時間和成本

# 「合併核證計劃」

- 屋宇署不會對已通過檢核的招牌採取執法行動\*。因此有關食物業處所招牌得以保留，並不會影響食物業處所的運作
- 由合資格專業人士負責檢查及核證安全後，可提升現存違例招牌的安全
- 每5年重新檢核，可保證違例招牌有定期性的安全監察，促使招牌擁有人對其招牌經常作保養及維修，提高現存違例招牌的安全水平

\* 屋宇署只會對危險招牌採取執法行動

# 推行時間表

- 構思於2018年實施

# 謝謝



# 答問時間

