

# 強制驗樓計劃

**Mandatory Building Inspection Scheme  
(MBIS)**

&

# 強制驗窗計劃

**Mandatory Window Inspection Scheme  
(MWIS)**



# Content

- **Purpose**
- **Legislation**
- **Scope & Standard of MBIS**
- **Requirement and Procedures of MBIS / MWIS**
- **Duties and Registration of Service Providers**
- **Code of Practice (CoP) for MBIS and MWIS**
- **Legal Liability of Owners / Owners' Cooperation**
- **Assistance to the Owners**

# Purpose

**"Prevention is better than cure"**

If owners can regularly inspect their buildings, identify problems at an early stage and carry out remedial works timely, accidents can be avoided.



# Legislation

- **Buildings (Amendment) Ordinance 2011**  
[B(A)O 2011]
  - introducing MBIS & MWIS
- **Building (Inspection and Repair) Regulation [B(I&R)R]**
  - setting the scopes, standards and procedural requirements for carrying out prescribed building/window inspection and repair
- **Building (Administration) (Amendment) Regulation 2011**
  - establishing a new inspectors' register under the BO

# B(A)O 2011

## MBIS (強制驗樓計劃)

- applies to private buildings\* aged 30 years or above
- owners are required to appoint **registered inspector (RI)** to carry out prescribed building inspection and supervise prescribed repair in every 10 years

## MWIS (強制驗窗計劃)

- applies to private buildings\* aged 10 years or above
- owners are required to appoint **qualified person (QP)** to carry out prescribed window inspection and supervise prescribed repair in every 5 years

\* except domestic building not exceeding 3 storeys in height

# B(A)O 2011

## “Prescribed inspection”

means an examination or assessment of a building as prescribed in the B(I&R)R

## “Prescribed Repair”

means a repair or testing of a building as prescribed in the B(I&R)R

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## Scope of Prescribed Inspection

Prescribed inspection under MBIS covers the following parts of a building:

- **Common parts**
- **External walls**
- **Projections**
- **Signboards**

Covering the following building elements:

1. External elements and other physical elements;
2. Structural elements;
3. Fire safety elements;
4. Drainage system; and
5. Identification of unauthorized building works in common parts and external walls

## 1. Common Parts

- **Building structures:** columns / beams / slabs including transfer structures, cantilevered structures and exposed pile caps
- **Fire safety provisions** including:
  - (a) means of escape;
  - (b) means of access for fire fighting and rescue; and
  - (c) fire resisting construction.
- **Common drain pipes of aboveground and underground drainage systems,** including any associated fixings
- **Fixtures and installations** including metal gates, fence walls, protective barriers, parapets, balustrades and skylights

## 2. External walls

- **Building structures** including transfer structures and cantilevered structures.
- **Non-structural items** including fins, grilles and metal louvers.
- **Curtain walls**
- **Appendages, architectural projections, and fixtures and installations** (including metal gates, protective barriers, parapets and balustrades).

## 3. **Projection**

- a balcony
- a verandah
- a planter box
- a drying rack
- a window canopy
- any supporting structure for a building service installation (excluding any drainage system)
- any pipe or duct that is associated with the building service installation mentioned above

## 4. Signboard

- A signboard erected on a building including the display surfaces, fixings and supporting structures of the signboard

## Requirement of Prescribed Inspection

**RI shall carry out an examination or assessment of a building under MBIS to :**

- **ascertain whether a building is safe or liable to become dangerous, or has been rendered dangerous;**
- **identify any defect or deficiency of a building; and**
- **make proposal for any prescribed repair**

# B(I&R)R

## Standard of Works

- **Shown in the approved plans of the building;**
- **Shown in any plan submitted to the BA under the Building (Minor Works) Regulation;**
- **Standard of improvement works completed in accordance with the Fire Safety (Commercial Premises) Ordinance or the Fire Safety (Buildings) Ordinance;**
- **Standard of building design and construction prevalent at the time of construction of the building.**

**If more than one standard specified is applicable to a building, reference is to be made to the latest of the applicable standards.**

## Scope of Prescribed Repair

Covers all defective or deficient items identified in the prescribed inspection

## Standard of Prescribed Repair

- To render the building safe after the repair
- A testing to:
  - a) verify the findings of prescribed inspection; or
  - b) prove the building is safe or has been rendered safe
- Standard of works – same as for prescribed inspection

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# Selection of target buildings for MBIS and MWIS

Annual Target - **2,000** MBIS buildings and **5,800** MWIS buildings (of which 2,000 are synchronized with MBIS buildings) - target buildings to be selected at quarterly intervals

**Selection Panel** comprising representatives from:

- professional bodies (HKIA, HKIE, HKIS)
- relevant non-governmental organizations (HKHS)
- property management professionals (HKAPMC)
- District Councils
- relevant government departments (HAD)

# Procedures under MBIS

1. The BD issues pre-notification letters to the owners of the selected buildings 6 months before the issue of statutory notices to alert them to get prepared and organized for carrying out the required prescribed inspection and repair.
2. Six months after the pre-notification letters are issued, the BD issues statutory notices to the owners of the selected buildings requiring them to carry out the prescribed inspection and the prescribed repair works if found necessary within the specified time frame.
3. The building owners / OCs must appoint an RI to carry out the required inspection within the specified time frame.
4. The RI must carry out the prescribed inspection personally, unless exempted by the relevant provisions of the subsidiary legislation.
5. Where the RI considers that a prescribed repair is required, the owners concerned must appoint a registered general building contractor (RGBC) or a registered minor works contractor (RMWC) to carry out the prescribed repair under the supervision of an RI (who may be the same as or different from the RI that carried out the prescribed inspection, as the owners may decide).
6. Upon completion of the prescribed inspection and prescribed repair, the RI so appointed must submit an inspection report and a completion report respectively, together with a certificate in the specified form, to the BA for record and audit check.

# Procedures under MBIS

Six months after the pre-notification letters are issued, BD issues statutory **notices** to the owners

(within 12 months)

+ 3 months

+3 months

+6 months

Owner(s) to appoint Registered Inspector (RI)

RI to carry prescribed inspection and submit completion certificate, report and if necessary a repair proposal

If prescribed repair is required, owner(s) to appoint a RGBC and a RI

RC to carry out the prescribed repair works

RI to supervise the prescribed repair works

RI to submit completion report

- extra 3 months allowed for building without OC
- cost of prescribed inspection does not include the cost of prescribed repair

# Procedures under MWIS

1. The BD issues pre-notification letters to the OC or posts the letters at a conspicuous part of the selected building at least 1 month before the issue of statutory notices.
2. The BD issues statutory notices to the owners of the selected buildings, requiring them to carry out the prescribed inspection and the prescribed repair works if found necessary.
3. The building owners served with a notice must appoint a QP to carry out the required inspection within the specified time frame.
4. The QP must carry out the prescribed inspection personally.
5. Where the QP considers that a prescribed repair is required, the owners concerned must appoint an RMWC (who is registered for the minor works in respect of windows) or an RGBC to carry out the prescribed repair under the supervision of a QP (who may be the same as or different QP, as the owners may decide).
6. If the QP is an RMWC or RGBC, the QP may also act as the contractor to carry out the prescribed repair.
7. Upon completion of the prescribed inspection and prescribed repair, the appointed QP must submit a certificate in the specified form to the BA for record and audit check.

# Procedures under MWIS

1 month after the pre-notification letters are issued, BD issues statutory **notices** to the owners

(within 6 months)

+ 3 months

+ 3 months

The owner(s) to appoint Qualified Person (QP)

If prescribed repair is required, the owner(s) to appoint RMWC / RGBC and QP

QP to carry out prescribed inspection

RMWC / RGBC to carry out the prescribed repair works  
QP to supervise the prescribed repair works

QP to submit completion report

- extra 3 months allowed for building without OC

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# Service Providers

Service providers include:

## Mandatory Building Inspection Scheme (MBIS)

carry out prescribed inspection /  
supervise prescribed repair

Registered Inspector (RI)

carry out prescribed repair

An Registered General Building Contractor  
(RGBC) or  
Registered Minor Works Contractor (RMWC)

## Mandatory Window Inspection Scheme (MWIS)

carry out prescribed inspection /  
supervise prescribed repair

Qualified Person (QP)

carry out prescribed repair

an RMWC (who is registered for the minor  
works in respect of windows)  
or  
an RGBC

# Registered Inspector (RI) (註冊檢驗人員)

- A person whose name is in the **inspectors' register** under the BO. They include:
  - **Authorized Persons**
  - **Registered Structural Engineers**
  - **Registered Architects**
  - **Registered Professional Engineers**  
(Building, Building Services (Building), Civil, Materials (Building) & Structural)
  - **Registered Professional Surveyors**  
(Building Surveying & Quantity Surveying)

# Duties of RI

## Inspection stage

- Carry out the prescribed inspection personally
- Comply with the BO
- Notify BA of any case of emergency
- Record and notify BA any unauthorized building works (UBWs) in common parts of the building , on the exterior other than the common parts of the building (such as external wall, roof or podium , yard or slope adjoining the building) or on the street on which the building fronts or abuts.

# Duties of RI

## Detailed Investigation (DI)

- (a) **Serious defect constituting structural instability or serious health hazard; or**
- (b) **Extent or cause of a defect cannot be ascertained**

### **The RI must:**

- **Notify the BA in writing**
- **Submit to the BA a proposal of the DI for endorsement**
- **Arrange for the DI in accordance with the endorsed proposal**

**(Remark : The RI may engage a specialist and supervise him/her to carry out a DI)**

# Duties of RI

## Repair stage

- Provide proper supervision of the carrying out of the prescribed repair.
- Ensure the repair materials to be used:
  - (i) are not defective and comply with the BO; and
  - (ii) have been mixed, prepared, applied, used, erected, constructed, placed or fixed in the manner required for such materials under the BO
- Ensure the building is safe or has been rendered safe.
- Comply with the BO
- Notify the BA of any case of emergency

# Responsibilities of RI for submission of documents to the BA

- **Notification of appointment of RI** in the specified form within 7 days after the date of appointment
- **Submissions within 7 days after completion of prescribed inspection**
  - (i) Inspection report; and
  - (ii) Certificate of Building Inspection
- **Submissions within 14 days after completion of prescribed repair**
  - (i) Completion report;
  - (ii) Certificate of Building Repair; and
  - (iii) Certificate certifying that the RI is not a partner, director, or authorized signatory of the registered contractor appointed to carry out the prescribed repair
- **Document to BA for record and audit check**

# Qualified Person (QP) (合資格人士)

**A person whose name is in one of the registers under the BO. They include:**

- **Authorized Persons' Register**
- **Structural Engineers' Register**
- **Inspectors' Register**
- **General Building Contractors' Register**
- **Minor Works Contractors' Register (registered for the class, type and item of minor works in respect of windows)**

# Duties of QP

## Inspection stage

- Carry out the prescribed inspection personally\*
  - Comply with the BO
  - Notify BA of any case of emergency
- \* If the QP appointed is a **not a natural person**, a **representative** of the QP

# Duties of QP

## Repair stage

- Provide proper supervision of the carrying out of the prescribed repair
- Ensure the repair materials to be used:
  - (i) are not defective and comply with the BO; and
  - (ii) have been mixed, prepared, applied, used, erected, constructed, placed or fixed in the manner required for such materials under the BO
- Ensure the windows are safe or have been rendered safe.
- Comply with the BO
- Notify the BA of any case of emergency

**Remark : QP who is a RGBC or RMWC may also act as the contractor for the prescribed repair**

# Responsibilities of QP for submission of documents to the BA

**Appointment Stage** - Notification of appointment of QP within 7 days after the date of appointment

## **Prescribed Inspection Stage** -

- If **no** prescribed repair is required, submission of a Certificate of Window Inspection (no repair) within 14 days after completion of a prescribed inspection

## **Prescribed Repair Stage**

- If **same** QP is appointed for prescribed inspection **and** the prescribed repair, submission of a Certificate of Window Inspection and Repair within 14 days after completion of a prescribed repair
- If during the course of the prescribed repair, submission of a revised proposal within 7 days if QP considers necessary upon certain matter is revealed or circumstance arises.

Remark:

If a **different** QP is appointed to supervise prescribed repair,

- i) the QP appointed for prescribed inspection: submit to BA an inspection report and a Certificate of Window Inspection within 7 days after completion of a prescribed inspection
- ii) the QP appointed for the prescribed repair: submit a Certificate of Window Repair (CWR) within 14 days after completion of a prescribed repair

# Duties of Registered Contractor

- The registered contractor ( RC ) appointed to carry out the necessary **rectification and repair works** under the MBIS ( a **RGBC** or **RMWC**) who are qualified to carry out the rectification and repair works, whose names are under the registers kept by the BA.
- RMWCs are qualified to carry out minor works belonging to the class, type and item for which they are registered.
- A RGBC or RMWC appointed to carry out a prescribed repair must ensure the part of the building for which the contractor is appointed to carry out the prescribed repair has been **rendered safe** .

# Regulation of Service Providers

The Government will ensure proper regulation of service providers through the following measures under the BO and its subsidiary regulations including the (B(I&R)R):

- Establish a register and regulatory mechanism under the BO, as well as Inspector Registration Committees to scrutinize the professional standards for registration as RIs.
- Issue detailed guidelines on the requirements and standards of building inspections, window inspections and repair works, the Code of Practice for MBIS and MWIS and Practice Note on Best Practices on Tendering Procedures.
- Conduct random detailed audit checks of inspection reports submitted by RIs, and impose appropriate sanctions for irregularities identified.
- Issue publicity materials and provide enquiry/complaint channels on malpractices of RIs/QPs.

# **Registration of Registered Inspectors (RI) for MBIS**

## **Qualification**

- **Authorized Persons (APs)**
- **Registered Structural Engineers (RSEs)**
- **Registered Architects (RAs)**
- **Registered Professional Engineers (RPEs)**  
(Building, Building Services (Building), Civil, Materials (Building)  
& Structural)
- **Registered Professional Surveyors (RPSs)**  
(Building Surveying & Quantity Surveying)

# Registration of Registered Inspectors (RI) for MBIS

Qualification	Experience
<p><b>AP/RSE</b></p>	<ul style="list-style-type: none"> <li>✓ Have experience gained in Hong Kong as an AP, RSE, RA, RPE or RPS in any building repair and maintenance project within the 7 years preceding the date of application (Note: AP/RSE may be included in the inspectors' register <u>without</u> recommendation by an Inspectors Registration Committee (IRC))</li> </ul>
<p><b>RA, RPE</b> (Building &amp; Structural) / <b>RPS</b> (Building Surveying)</p>	<ul style="list-style-type: none"> <li>✓ Practical experience in building construction, repair and maintenance gained in Hong Kong</li> <li>✓ For a period or periods in aggregate of not less than 1 year</li> <li>✓ Within the 3 years preceding the date of application</li> </ul>
<p><b>RPE</b> (Civil, Building Services (Building) Materials (Building)) / <b>RPS</b> (Quantity Surveying)</p>	<ul style="list-style-type: none"> <li>✓ Practical experience in building construction, repair and maintenance gained in Hong Kong</li> <li>✓ For a period or periods in aggregate of not less than 3 years</li> <li>✓ At least 1 year falls within the 3 years preceding the date of application</li> </ul>

# Registered Inspectors (RI)

## Professional Interview

### ➤ Inspectors Registration Committee (IRC)

- Assist the BA in considering applications for inclusion in the inspectors' register
- Examine the qualifications and experience of the applicants
- Conduct professional interviews with the applicants

# Registered Inspectors (RI)

## Application: Form BA 1 & Prescribed Application Fee

	Document required
<b>AP/RSE</b>	<ul style="list-style-type: none"> <li>• Documents to substantiate the current registration with the Architects/Engineers/Surveyors Registration Board</li> <li>• Documents to substantiate the current registration under the BO as an AP/RSE</li> <li>• Account of practical experience gained in Hong Kong including building repair and maintenance</li> </ul>
<b>RA/RPE/ RPS</b>	<ul style="list-style-type: none"> <li>• Copy of certificate of the academic and professional qualification indicated on Form BA1</li> <li>• Documents to substantiate the first and current registration with the Architects/Engineers/Surveyors Registration Board</li> <li>• Account of practical experience gained in Hong Kong including building construction, repair and maintenance</li> </ul>

# Registered Inspectors (RI)

## Reference

**BD Website: [www.bd.gov.hk](http://www.bd.gov.hk)**

- **PNAP APP-7**
- **Form BA1**
- **Advisory Notes**
- **Schedule of Fees and Charges**

## Enquiry

**By mail: Registration Unit of the Buildings Department, Room 2118, 21/F, Pioneer Centre, 750 Nathan Road, Kowloon**

**By fax: 2625 0437**

**By email: [enquiry@bd.gov.hk](mailto:enquiry@bd.gov.hk)**

**By phone: 2626 1616 (handled by 1823 Call Centre)**

# Content

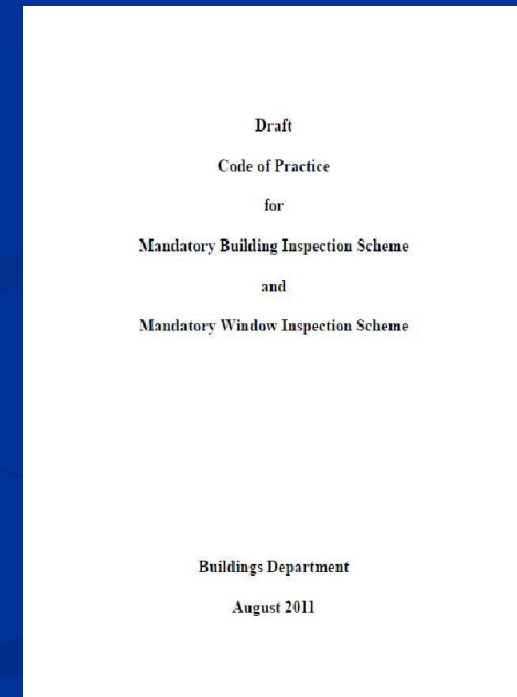
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# Code of Practice for MBIS and MWIS (CoP)

- ☞ Specifies the details of technical standard and procedural requirements for the **RI / QP** to carry out prescribed inspection and to supervise the necessary prescribed repair of buildings and windows; and the **RC** to carry out the necessary repair works
- ☞ Provides guidance on the requirement of compliance

## CoP covers:

- **Duties of RI / RC**
- **Inspection and Assessment**
- **Detailed Investigation**
- **Rectification and Repair**
- **Supervision and Control**
- **Reporting**



Draft CoP

BD Website : <http://www.bd.gov.hk>



## *Example: Columns / Walls / Beams / Slabs*

### ② Inspection requirement :

The following defects, and any other defects that having safety concern, shall be identified :

- Dampness;
- Rust stains or corrosion of reinforcement;
- Cracks or signs of distress;
- **Spalling;**
- Delamination;
- Exposed reinforcement;
- Void and honey combing;
- Deformation or displacement; and
- Abnormal separation of the building from adjoining buildings.

## ➤ Rectification and Repair

Repair Methods and proof tests for the following items :

- Reinforced Concrete, such as **spalling** and cracks
- Structural Steel
- Masonry and Brickworks
- Regular Maintenance

### ➤ *Example: Spalling*

- Patch repair
- Recasting
- Hammer tapping test / Pull off test / Rebound hammer test

# CoP

## ➤ Supervision and Control

- Scope of repair/ safety & security measures /  
Supervision requirements of RI & RC

## ➤ Reporting

- Inspection Report
- Completion Report  
(for record and audit check)

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# Legal Liabilities of Owners/ Owners' Corporations

According to the B(A)O 2011, if without reasonable excuse do not comply with a statutory notice, BA may:

- initiate prosecution proceedings against the owners;
- also arrange for the required inspection and repair works to be carried out by government consultant and contractor , and
- then recover the cost of inspection and repair works from the owners, plus a surcharge of not exceeding 20% of the cost.

# Offence (I)

	Content	Fine/imprisonment
<b>MBIS</b>	do not comply with a statutory notice for mandatory building inspection without any reasonable excuse	<ul style="list-style-type: none"> <li>■ A fine of \$50 000;</li> <li>■ A fine of \$5 000 / day; and</li> <li>■ imprisonment for 1 year</li> <li>■ The BD may also arrange for the required inspection and repair works to be carried out by its consultant and contractor , and then recover the cost of inspection and repair works from the owners, together with a surcharge of not exceeding 20% of the cost</li> </ul>
<b>MWIS</b>	do not comply with a statutory notice for mandatory window inspection without any reasonable excuse	<p><b>Initially</b></p> <ul style="list-style-type: none"> <li>■ penalty notice for a fixed fine of \$1,500</li> </ul> <p><b>Repeated Offenders:</b></p> <ul style="list-style-type: none"> <li>■ \$25 000</li> <li>■ A fine of \$2 000/day</li> <li>■ imprisonment for 3 months</li> <li>■ The BD may also arrange for the required inspection and repair works to be carried out by its consultant and contractor , and then recover the cost of inspection and repair works from the owners, together with a surcharge of not exceeding 20% of the cost</li> </ul>

## Offence (II)

Content	Fine/imprisonment
<ul style="list-style-type: none"> <li>■ a) <b>obstruct a person</b> employed or engaged by the owners' corporation in the carrying out of any inspection, investigation, works or other action that is required for the purpose of complying with the order or notice; or</li> <li>■ (b) <b>refuse to allow</b> a person employed or engaged by the owners' corporation access to or the use of any premises, which is reasonably necessary for the carrying out of any inspection, investigation, works or other action that is required for the purpose of complying with the order or notice.</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>A fine of \$10 000</b></li> <li>■ <b>Imprisonment of 6 months</b></li> </ul>
<ul style="list-style-type: none"> <li>■ <b>Refuse to contribute</b> to the cost of the inspection, investigation, works or other action that is required for the purpose of complying with the notice.</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>A fine of \$25 000</b></li> </ul>

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# Assistance for Owners

- 🔥 **Owners may contact the BD on matters regarding the enforcement of the statutory notices.**
- 🔥 **A one-stop contact point will be provided for contacting the HKHS/URA for the provision of the technical and financial assistance.**
- 🔥 **Eligible owners may obtain various forms of assistance and support from the HKHS/URA and the Government at different stages of the two mandatory inspection schemes.**

# Voluntary Building Assessment Scheme (VBAS)

- The HKHS will launch the Voluntary Building Assessment Scheme (VBAS) to give positive recognition to well-managed and properly maintained buildings.
- Buildings certified by the VBAS will be recognized by the BD for having fulfilled the requirements under the MBIS and MWIS (in respect of windows in common parts only) within the respective inspection cycles.

# Timely repaired



Before



after

# Implementation Timetable

- Registration of RIs has commenced on **30 December 2011**
- Full implementation of the MBIS and MWIS will commence in the **2<sup>nd</sup> quarter of 2012**

# Enquiry

**Any enquiry about the schemes and complaint about malpractices of RIs and QPs in the carrying out of the prescribed inspection and prescribed repair may be addressed to the Buildings Department:**

- **Mailing address: Mandatory Building Inspection Division, Buildings Department, 12/F, Pioneer Centre, 750 Nathan Road, Mongkok, Kowloon**
- **Hotline: 2626 1616 (handled by 1823 Call Centre)**
- **Webpage: <http://www.bd.gov.hk>**

Thank you