

By post and by email at bhu_consultation@hb.gov.hk

28 January 2025

Dedicated Team on Subdivided Units,
Housing Bureau,
Housing Authority Headquarters,
33 Fat Kwong Street, Ho Man Tin, Kowloon

Dear Sir/Madam

**Views from The Hong Kong Institution of Engineers
on the Proposed Regulatory Regime on Basic Housing Units**

On behalf of the Institution, I am pleased to present to you our views and suggestions as set out in the enclosure for your consideration on the captioned subject.

With our expertise and experience, the Institution welcomes the opportunity to work with the Government on the area of concern if and when it is needed.

Thank you.

Yours faithfully



Ir Eric S C MA
President

EM/SS

Enclosure

Views from The Hong Kong Institution of Engineers on the Proposed Regulatory Regime on Basic Housing Units (BHUs)

The Hong Kong Institution of Engineers (HKIE) is pleased to express its broad agreement with the regulatory regime proposed by the Housing Bureau on Basic Housing Units (BHUs), as delineated in the Consultation Document devoted thereto.

2. This agreement notwithstanding, the HKIE would like to present the following perspectives and suggestions for the Housing Bureau's consideration.
3. According to the proposed regime, enforcement actions will be taken against both unregistered Subdivided Units (SDUs) and registered SDUs that, in the absence of professional certification, are not recognised as up-to-standard BHUs.
4. It is stated in paragraph 3.13 of the Consultation Document that a necessary condition for BHU recognition is a professional's report certifying the SDU's compliance with the relevant minimum standards and other statutory requirements (e.g. those dictated by the Buildings Department). Furthermore, Registered Professional Engineers (RPEs) in construction, Civil and Structural disciplines are listed among the professionals eligible for this certifying capacity. In this stipulation, "construction" should be rephrased as "Building" for clarification. Additionally, in view of the acknowledged relevance of Fire and Building Services engineering to living spaces' potential safety and structural hazards, the HKIE recommends extending this list to include RPEs in these two disciplines.
5. The HKIE further recommends that the liability of such certifying professionals should be clearly defined. Standard guidelines are called for to assist professionals in avoiding unnecessary pitfalls.
6. The Fire Safety (Buildings) Ordinance (Cap. 572), which came into force in July 2007, is deemed by the HKIE to be comparable to the BHU regulatory regime in certain aspects of enforcement. Nevertheless, this analogy might not have reassuring implications for BHUs. For example, the compliance rate with the Fire Safety Directions stipulated in Cap. 572 has been notably low. There is also a concerning cost-performance ratio (CPR), especially when considering the number of civil servants assigned to this task. These challenges may add to the lingering concern over the efficiency with which substandard SDUs will be eradicated.
7. The obstacles currently attendant on Cap. 572's due observance may also confront enforcement officers of the BHUs regulatory regime. The nonexistence of an Owners' Corporation for some buildings, and unlocatable landlords for some SDUs, are expected to be two conspicuous hinderances to the smooth implementation of the regime. The experience gained in enforcing Cap. 572 should be absorbed in devising solutions to the corresponding problems in formulating the final version of the BHU regulatory regime.