

**Second Meeting of
the Business Facilitation Advisory Committee**

***Agenda Item 4 : Report on the Consultancy Study on
Private Certification of Building Submissions***

Purpose

This paper provides a brief background on the consultancy study on private certification of building submissions and reports on the purpose and scope, progress and work plan of the study.

Background

2. The Task Force to Review the Construction Stage of the Development Process [Construction Task Force (CTF)] is considering private certification as one of the measures to speed up the building approval process through entrusting part of the checking currently undertaken by the Buildings Department to private building professionals. As consultation with various industry stakeholders had revealed several fundamental issues requiring in-depth examination, the CTF commissioned this consultancy study in February 2006 to examine the subject holistically before making recommendations to the Business Facilitation Advisory Committee (BFAC) on whether private certification is worthy of further consideration. Before commissioning this study, the CTF had clarified the objectives and scope of the study at the meeting of the Legislative Council Panel on Planning, Lands and Works (PLW Panel) in December 2005 and the PLW Panel had not raised any objection to the proposal to proceed with the study.

3. The Hong Kong Senior Government Officers Association and 13 associations/unions of engineering/professional staff have recently written to the Chief Executive and approached Members of the Legislative Council Panel on Public Service to express their concerns about the consultancy study and the impact of private certification of building submissions on civil servants. As requested by the Panel on Public Service, the CTF has provided the Panel with the requisite information on the study.

Purpose and Scope of the Study

4. The overall objective of the study is to consider the feasibility of improving the building approval process through undertaking appropriate checking of building design and certification by private professionals while retaining the existing check and balance for assuring the health and safety of building users and the general public and minimizing changes to the statutory framework.

5. The specific scope of the study includes –
 - (a) documenting the current procedures for making, processing and approving building submissions;
 - (b) ascertaining the problems and issues arising from the building submission process that affect the cost and programme of property development;
 - (c) identifying the problems and issues that can be tackled through private certification and assessing the effectiveness of private certification in resolving them;
 - (d) ascertaining the benefits of private certification as well as drawbacks, risks and issues which may affect its implementation and formulating solutions;
 - (e) developing an implementation strategy for private certification; and
 - (f) formulating proposals for conducting and monitoring trials on private certification.

6. While the study includes development of solutions for implementation issues and formulation of implementation proposal, these are only ancillary tasks for verifying the feasibility of private certification. The study would not formulate any recommendation on whether private certification should be pursued or whether any trial scheme should be implemented.

Progress of the Study

7. The Study Consultants have completed studies on the private certification systems of five selected countries including Australia, China (Shanghai and Shenzhen), Japan, Singapore and the United Kingdom (England and Scotland). The Study Consultants have also conducted interviews with various stakeholders including staff unions, government departments, professional institutions, trade associations, client organizations and academic institutions to gather their views on the current problems and issues affecting the building submission process and their comments on the private certification proposal. The Study Consultants will take into account the research findings in formulating the recommendations of the study. The Study Consultants are now in the process of developing recommendations for the study.

Work Plan

8. Under the existing work plan, the Draft Final Report of the study will be circulated to relevant stakeholders including the staff unions for comments in July 2006. Their feedback will be considered in refining the recommendations of the study and preparing the Final Report. The CTF will formulate its recommendations on private certification after examination of the Final Report. The tentative plan of the CTF is to submit its recommendations on private certification to the Provisional Construction Industry Co-ordination Board and the BFAC for consideration in October and November/December 2006 respectively. The recommendations of the CTF will be presented to the relevant LegCo Panels in early 2007. Recommendations on the way forward will be made to the Government for consideration after parties concerned have completed their deliberations.

Presentation

9. The Study Consultants will present to Members the findings and progress of the study during the meeting and answer questions about the study.

Economic Analysis and Business Facilitation Unit,
Financial Secretary's Office
Babtie Asia Ltd
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