

Code of Practice on Building Management & Maintenance

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1.0 INTRODUCTION

- 1.1** This Code of Practice on Building Management and Maintenance is issued by the Secretary for Home Affairs, as the Authority under the Building Management Ordinance (Cap.344) (BMO), under section 44(1)(b) of the Ordinance.
- 1.2** The purpose of this Code of Practice is to publicize standards and practices of management and safety in relation to the common parts of a building that are to be observed and followed by an owners' corporation (OC). Other persons/bodies charged with the duty to manage the common parts of a building, like owners' committees, managers, building management agents, property management companies, are also advised to follow this Code of Practice to achieve effective management and maintenance.

2.0 BUILDING MANAGEMENT

2.1 Organization of owners

- 2.1.1** The owners of a building may appoint a management committee (MC) and establish an OC under the BMO to manage, control and administer the common parts of the building.
- 2.1.2** The OC may employ a manager, building management agent or property management company to carry out the day-to-day management, control and administration of the common parts on behalf of the owners.
- 2.1.3** A member of the MC shall not solicit or accept any advantage from any supplier or contractor. Any agent or employee of the OC is also prohibited from soliciting or accepting any advantage in connection with his duty unless with the permission of the OC. An agent or employee shall declare any conflict of interest relating to his duties.

2.2 Management of common parts

- 2.2.1** All common parts of a building shall be maintained in a state of good and serviceable repair and clean condition, and in accordance with the deed of mutual covenant of the building.

- 2.2.2 Regular inspection and maintenance shall be carried out to the building service systems to ensure that such systems are in good order and serviceable conditions. Any emergency repair work as may be required to such system shall be attended to promptly.
- 2.2.3 All common facilities and amenities including recreational and sports facilities shall be maintained in good and serviceable condition and in compliance with the Public Health and Municipal Services Ordinance (Cap.132).
- 2.2.4 Any landscaping area shall be maintained in a good and clean condition.
- 2.2.5 Any lighting installations in the common parts shall be maintained in a state of good and serviceable condition.

2.3 Environmental hygiene

- 2.3.1 Refuse, garbage, junk and/or abandoned building materials in the common parts shall be collected on a daily basis and transported to a refuse collection point designated for disposal.
- 2.3.2 All staircases, corridors, lift lobbies, entrance lobbies/halls, passageways, lightwells and any refuse room/chamber including refuse chute and associated facilities shall be cleansed at least once every week.
- 2.3.3 Any water seepage or pipe leakage found in the common parts shall be rectified as soon as possible.

2.4 Security

- 2.4.1 Any provision of security and guarding services including the employment of security personnel shall comply with the Security and Guarding Services Ordinance (Cap.460).

2.5 Insurance

- 2.5.1 OCs shall take out insurance in respect of any staff employed by them as required by the Employees' Compensation Ordinance (Cap.282).
- 2.5.2 OCs may insure and keep insured the building or any part

thereof to the reinstatement value against fire and other risks.

- 2.5.3 OCs are strongly advised to procure third party risks insurance in respect of the common parts of the building under its management. This will become a mandatory requirement upon implementation of the Building Management (Third Party Risks Insurance) Regulation.

2.6 Financial Management

- 2.6.1 OCs shall be prudent in the financial management of the building.
- 2.6.2 OCs shall properly prepare their budgets, keep and disburse the funds of the OC and maintain their books and records of account and other financial records in relation to the management, control and administration of common parts in accordance with the requirements in the BMO.

2.7 Water supply

- 2.7.1 Water pumps, tanks and associated pipeworks shall be maintained in a good and serviceable condition.
- 2.7.2 Fresh water storage tanks shall be cleansed at least once every three months or more frequently if necessary.

2.8 Communication among owners

- 2.8.1 The MC shall consult the owners at a general meeting of the OC on the channels of communication among owners on any business relating to the management of the building and advise the manager, building management agent or property management company accordingly. The manager, building management agent or property management company shall adopt the approach decided by the owners.
- 2.8.2 The MC shall hold regular meetings with the manager, building management agent or property management company whom the OC has employed to carry out the day-to-day management, control and administration of the common parts of the building. Minutes of meetings shall be prepared and displayed in a prominent place in the building for information of owners.

2.9 Deed of mutual covenant

- 2.9.1 A deed of mutual covenant (DMC) is a document registered in the Land Registry which defines the rights, interests and obligations of owners among themselves.
- 2.9.2 Owners shall be aware of the terms and conditions of the DMC of their building and shall perform the duties and exercise the rights as stipulated in the DMC.
- 2.9.3 A copy of the DMC shall be made available for inspection at the management office (if any) and for the making of copies by owners at their expense. A Chinese/English translation of the original DMC shall also be made available for inspection. However, the translation is only intended as an explanatory document and not intended to carry any legal weight over the original DMC.

3.0 FIRE SAFETY

3.1 For the purpose of this Code of Practice—

3.1.1 A fire hazard means –

- (a) any removal from any building of any fire service installation or equipment which was provided in such building in accordance with plans certified by the Director of Fire Services for the purposes of section 16 of the Buildings Ordinance (Cap.123);
- (b) the presence in any building of any fire service installation or equipment which for lack of proper maintenance or for any other reason is not in efficient working order;
- (c) inadequate means of egress from any premises in a building to street level outside the building or using such means of egress for a purpose which gives rise to any circumstance described in (d) below;
- (d) any other matter or circumstance which materially

increases the likelihood of fire or other calamity or the danger to life or property that would result from the outbreak of fire or the occurrence of any other calamity, or which would materially hamper the Fire Services Department in the discharge of its duties in the event of fire or other calamity.

3.1.2 Fire service installations or equipment means any installation or equipment manufactured, used or designed to be used for the purposes of –

- (a) extinguishing, attacking, preventing or limiting a fire;
- (b) giving warning of a fire;
- (c) providing access to any premises or place for the purpose of extinguishing, attacking, preventing or limiting a fire;
- (d) facilitating the evacuation from any premises in case of fire;
- (e) providing a stand-by power supply to an installation or equipment the purposes of which are mentioned in (a) to (d) above in the event of the loss of normal power supply.

3.2 Abatement of fire hazards

- 3.2.1 All means of escape shall be free from obstruction at all times.
- 3.2.2 All gates/doors at the building entrance and the rooftop shall be readily opened from within the premises without the use of a key.
- 3.2.3 No metal gate or roller shutter shall be installed across any means of escape.
- 3.2.4 Smoke stop doors shall be in good working condition and properly closed at all times.
- 3.2.5 Emergency vehicular access shall be free from obstruction at all times.

- 3.2.6 Fire service installations or equipment provided in buildings shall not be removed or obstructed.
- 3.2.7 Fire service installations or equipment provided in buildings shall be maintained in efficient working order at all times.
- 3.2.8 Fire service installations or equipment shall be inspected by a registered fire service installation contractor at least once every 12 months.
- 3.2.9 All ventilating systems provided in buildings shall be kept in safe and efficient working order at all times.
- 3.2.10 Fire shutters and dampers shall be maintained in good working order.
- 3.2.11 Every damper, filter and precipitator in a ventilating system shall be inspected by a registered specialist contractor in the appropriate category at intervals not exceeding 12 months.

Notes

- (a) The Director of Fire Services may, pursuant to sections 3, 14(1) and 15(1) of the Fire Services (Fire Hazard Abatement) Regulation (Cap.95F) and section 8 of the Fire Service (Installations and Equipment) Regulations (Cap.95B), institute fire hazard abatement action or direct prosecution as appropriate against the owner, tenant, occupier or person in charge of the building who fails to comply with any of the requirements as mentioned above.
- (b) Pursuant to sections 10(1), 10(2) and 16(1) of the Fire Services (Fire Hazard Abatement) Regulation (Cap.95F), the Director of Fire Services may further apply to a magistrate to make respectively –
 - (i) a fire hazard order requiring a person to comply with the requirements specified in a Fire Hazard Abatement Notice;
 - (ii) a prohibition order prohibiting the use of premises for specified purposes; and
 - (iii) a removal order requiring the removal of an obstruction to the means of escape or the removal of an unsuitable locking device.
- (c) Pursuant to the Fire Service (Installations and Equipment) Regulations, no person other than a registered Fire Service Installation Contractor shall maintain, inspect or repair any fire service installation or equipment which is installed in any premises.

3.3 Storage of dangerous goods

- 3.3.1 Dangerous goods mean any of the substances, materials or articles to which the Dangerous Goods Ordinance shall apply to –

- (a) explosives;
- (b) gases;
- (c) flammable liquids or solids;
- (d) substances liable to spontaneous combustion;
- (e) substances that, in contact with water, emit flammable gases;
- (f) oxidizing substances;
- (g) organic peroxides;
- (h) toxic substances;
- (i) corrosive substances.

3.3.2 Under the Dangerous Goods Ordinance (Cap.295), no person shall manufacture or store any dangerous goods in excess of the licensed quantity.

3.4 Regular inspection of fire safety provisions

3.4.1 The OC shall carry out routine inspections on fire safety provisions of the building in accordance with the Fire Safety Checklist for buildings and irregularities identified shall be rectified as soon as possible.

4.0 BUILDING SAFETY

4.1 Regular building inspections enable timely maintenance and repairs to common building defects. It is advisable for OCs to enlist the service of qualified building professionals (e.g. architect, engineer or surveyor) to assist them in planning and implementing a planned building maintenance programme. Structural repairs shall be carried out under the supervision of an Authorized Person and/or Registered Structural Engineer registered under the Buildings Ordinance (Cap.123).

4.2 Structural elements

4.2.1 If there is cracking, spalling, bulging or deformation of structural elements (columns, beams, floor slabs, structural walls and cantilevered balconies/canopies) or exposing of reinforcement bars, the OC shall appoint an Authorized Person and/or Registered Structural Engineer registered under the Buildings Ordinance to check the condition and, if necessary,

submit remedial proposals to the Building Authority, for consideration.

4.3 External walls

- 4.3.1 Minor cracking, damage, spalling or bulging of cement rendering, concrete surface, wall tiles or other finishes and delaminated mosaic tiles shall be repaired, including the removal of the defective and loose parts.
- 4.3.2 Minor cracking, damage or spalling in window hoods, sills, fins, architectural features, air-conditioning platform or rusty racks shall be repaired, including the removal of the defective and loose parts.
- 4.3.3 Any dampness or water staining marks shall be traced for eliminating the source of dampness. The affected wall finishes shall be repaired, including the making good or replacement of the damaged wall finishes.
- 4.3.4 Defective protective barriers or railings shall be repaired or replaced.

4.4 Canopies and balconies

- 4.4.1 Canopies and balconies shall not be overloaded and misused. They shall be free of all attachments and shall not be used for stockpiling. They shall be kept in dry condition and properly drained.

4.5 Internal walls

- 4.5.1 Minor cracking, spalling or bulging of concrete surface, loose plaster or other finishes shall be repaired including the removal of the defective and loose parts.
- 4.5.2 Water seepage, staining marks or mould growth on wall surface shall be rectified. The source of dampness shall be traced and eliminated and the affected wall finishes shall be made good, repaired or replaced.

4.6 Floors and ceilings

- 4.6.1 Any minor cracking, spalling or bulging of concrete ceiling slabs and loose plaster shall be repaired, including the removal

of the defective and loose parts.

- 4.6.2 Any water seepage shall be rectified including the tracing and elimination of the source of dampness and making good, repairing or replacement of the affected finishes.
- 4.6.3 Any defective finishes of flooring including hollowness or lifting shall be repaired and made good, including the removal of the defective parts.

4.7 Roofs/Flat roofs

- 4.7.1 Water ponding on the roof/flat roof shall be rectified including the repairing of the damaged roof/flat roof slab and laying finishes to ensure good drainage.
- 4.7.2 In respect of defective water proofing materials and/or movement joints, a specialist roofing contractor shall be appointed to rectify the defects, including the repairing or replacement of the defective materials.
- 4.7.3 Defective roof/flat roof railings, barriers or parapets shall be repaired or replaced.
- 4.7.4 Roofs/flat roofs shall not be overloaded and misused. They shall be free of significant attachments which adversely affect the structure of the building and shall not be used for stockpiling. They shall be kept in dry condition and properly drained.

4.8 Windows and doors

- 4.8.1 Distorted, rusty or defective windows and door frames shall be repaired or replaced.
- 4.8.2 Any water seepage around window and door openings shall be identified and rectified, including the resealing of gaps between the frame and wall opening if necessary.
- 4.8.3 Any defective glazing and louvers, including putty failure, broken/missing of glazing beads and broken glazing, shall be repaired or replaced.

4.8.4 Defective ironmongery including hinges, stays, fasteners, door closers and locks shall be repaired or replaced.

4.9 Drainage

4.9.1 The following defects of above-ground drains shall be repaired or rectified-

- (a) Defective pipe fixing
- (b) Rusty pipes
- (c) Choking and unsanitary condition
- (d) Vegetation growth

4.9.2 Any choking or unsanitary condition of underground drains shall be cleared or rectified.

4.9.3 Defective manhole covers shall be repaired or replaced.

4.9.4 The cause of any water seepage of pipe ducts shall be established and rectified, including the making good of loose plaster.

If extensive or major defects are found in the building elements mentioned in 4.3 to 4.9 above, the OC shall appoint an Authorized Person and/or Registered Structural Engineer registered under the Buildings Ordinance to check the condition and, if necessary, submit remedial proposals to the Building Authority for consideration.

4.10 Unauthorized building works

4.10.1 No unauthorized building works or alteration shall be carried out, or unauthorized structures erected in the common parts.

4.11 Management of smoke stop and fire doors

4.11.1 The doors of the smoke lobby, fireman's lift lobby, staircase, switch room and rooms containing air-conditioning plant or similar hazardous installations shall be kept in good repair condition including the door hinges, glazed panels and door closers.

4.11.2 These doors shall be kept in a closed position.

4.11.3 These doors shall not be removed or replaced with doors

having a lower fire resistance such as ordinary glass doors.

4.12 Management of means of escape

- 4.12.1 Doors or gates shall not swing out onto exit routes such as the common corridor, staircase and rear lane causing obstruction to the exit routes.
- 4.12.2 Doors or gates at common parts shall be readily opened from inside without the use of a key.
- 4.12.3 Doors giving access to the roof of a single-staircase building shall be readily opened from inside without the use of a key.
- 4.12.4 Exhaust fans, air-conditioning units or similar installations shall not be installed in the smoke lobby or staircase. No opening shall be formed in the smoke lobby or staircase walls for such installations or for doors or windows.
- 4.12.5 Exit routes shall be free of any obstruction caused by unauthorized structures such as racks, shelves, cabinets and store rooms.
- 4.12.6 Adequate lighting shall be provided for the exit routes and shall be kept in good condition.

4.13 Management of fire resisting construction

- 4.13.1 The walls of switch rooms and rooms containing air-conditioning plant or similar hazardous installations shall be kept in good condition and free of unprotected openings.
- 4.13.2 Electric cables and similar installations in staircases shall be enclosed by fire resisting walls or ducting. Such walls and ducting shall be kept in good condition. Any access panels thereto shall be kept in a closed position.

4.14 Management of access for firefighting and rescue

- 4.14.1 The walls of fireman's lift lobby shall be kept in good condition and free of unprotected openings.

4.15 Public telecommunications and broadcasting services installations

- 4.15.1 Cabling facilities (which include risers, ducts, conduits, cable trays, junction boxes, equipment rooms, etc) located in common parts of the building used for the installation of cables and equipment of public telecommunications and broadcasting services shall be maintained in good and serviceable condition and protected against any risk of fire, flooding and vandalism.
- 4.15.2 For the provision of access to, and use of the cabling facilities for telecommunications and broadcasting services, the “*Guidelines for Property Owners, Developers and Managers for the Provision of Facilities within Property Developments for Access to Public Telecommunications and Broadcasting Services*” issued by the Office of the Telecommunications Authority shall be adhered to.
- 4.15.3 To facilitate the provision of competitive telecommunication and broadcasting services to the residents in a building, the OC as well the manager, building management agent or property management company shall be aware of their duty in rendering assistance to service providers in the installation and maintenance of their in-building networks. Details can be found in the document entitled “*Information Note for Incorporated Owners and Building Management Office of Building Regarding Access to Buildings by Network Operators with section 14 Authorization Granted by the Telecommunications Authority under the Telecommunications Ordinance*” issued by the Office of the Telecommunications Authority.

Notes

- (a) The above technical contents are guidelines for building management purposes the compliance of which may not constitute full compliance of other legislation applicable to building and fire safety. OCs shall seek professional advice on the technical standards and relevant legislation as far as possible.
- (b) In establishing the need for basic building maintenance and repair works, the extent and location of defects have to be taken into account. Any repair works required shall preferably be carried out by a Registered General Building Contractor registered under the Buildings Ordinance (Cap.123).
- (c) Where a building is left in a state of disrepair or has been altered to such an extent as to generate concerns on public safety, the Building Authority may initiate enforcement action under the Buildings Ordinance (Cap.123) and order the OC to carry out investigation, repair or restatement works as necessary.

- (d) For technical standards relating to means of escape, means of access for firefighting and rescue and fire resisting construction, please refer to the codes of practices published by the Buildings Department.
- (e) For standards on reinstatement of buildings or parts thereof affected by unauthorized building works, please refer to the plans approved by the Building Authority and/or the Buildings Ordinance (Cap.123).

5.0 SLOPE SAFETY

- 5.1 Any slope or retaining wall for which an owner is responsible shall be maintained in a state of good condition in accordance with “*Geoguide 5 – Guide to Slope Maintenance*” published by the Geotechnical Engineering Office of the Civil Engineering and Development Department.

6.0 ELECTRICAL, GAS, LIFT AND ESCALATOR INSTALLATIONS

- 6.1 Any electrical installations, gas installations, lift and escalator in the common parts of a building shall be maintained in accordance with the relevant statutory requirements and Codes of Practice published or approved by the Director of Electrical and Mechanical Services.

6.1.1 Electrical installations

An electrical installation shall comply with the relevant requirements of the Electricity Ordinance (Cap.406) and its subsidiary Electricity (Wiring) Regulations (Cap.406 sub.leg.), and the Code of Practice for the Electricity (Wiring) Regulations. These include, but are not limited to, the following –

- (a) All electrical work including inspection, maintenance and repair on electrical installation shall only be carried out by an electrical contractor and electrical worker registered under the Electricity (Registration) Regulations (Cap.406 sub.leg.).

- (b) The OC shall request the registered electrical worker/registered electrical contractor to confirm and certify the compliance with the requirements of the Electricity Ordinance after inspection and testing of completed electrical work. The certificate (EMSD Form WR1) issued by the registered electrical worker shall be properly kept by the OC.
- (c) The OC, being the owner of the building electrical installation, shall not allow connection of power supply to any electrical installation that is likely to cause an electrical accident. If the electrical installation is likely to cause an electrical accident, the OC shall immediately arrange for necessary repair.
- (d) The OC shall maintain the installed standby generator, if any, in safe working order.
- (e) Pursuant to Reg.20 of the Electricity (Wiring) Regulations (Cap.406 sub.leg.), an electrical installation in a building with an approved loading exceeding 100 Amperes shall be inspected, tested and certified at least once every 5 years. This is commonly known as the periodic inspection, testing and certification (PITC) of electrical installations. The OC shall submit the PITC certificate (EMSD Form WR2) issued by the registered electrical worker/registered electrical contractor to the Electrical and Mechanical Services Department for endorsement within two weeks after the date of the certificate. After endorsement, the PITC certificate shall be properly kept by the OC and be made available for inspection by the Electrical and Mechanical Services Department if requested.
- (f) The OC shall arrange another PITC for the building electrical installation before the current PITC certificate expires (i.e. within five years from the date of the certificate).

Notes

The above technical contents are guidelines for building management purposes the compliance of which may not constitute full compliance with the Electricity Ordinance and other legislation applicable to electrical safety. OCs shall seek professional advice on the

technical standards and relevant legislation.

6.1.2 Gas installations

The gas service pipes which include gas meter control valves and service valves shall comply with the following Ordinance, Regulations and Code of Practice –

- (a) Gas Safety Ordinance (Cap.51);
- (b) Gas Safety (Gas Supply) Regulations (Cap.51 sub.leg.);
- (c) Gas Safety (Installation and Use) Regulations (Cap.51 sub.leg.);
- (d) Gas Safety (Miscellaneous) Regulations (Cap.51 sub.leg.);
- (e) Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations (Cap.51 sub.leg.); and
- (f) Code of Practice GU06: LPG Installation for Catering Purposes in Commercial Premises.

In particular, all gas installation work including fabrication, connection, disconnection, testing, commissioning, decommissioning, maintenance, repair or replacement shall only be carried out by Registered Gas Installers (RGIs) employed by Registered Gas Contractors (RGCs).

The OC shall arrange RGIs employed by RGCs to inspect and maintain the gas service pipe, including gas meter control valve and service valve, in good condition once every 18 months and shall keep records of inspection and maintenance for a period of not less than two years after the gas installation work concerned was carried out.

6.1.3 Lifts and escalators

The maintenance of lifts and escalators shall comply with the following Ordinance and Code of Practice –

- (a) Lifts and Escalators (Safety) Ordinance (Cap.327);

- (b) Code of Practice on the Design and Construction of Lifts and Escalators; and
- (c) Code of Practice for Lift Works and Escalator Works.