

Mandatory Implementation of Building Energy Codes

**Updates on the
Legislative Framework**



After Public Consultation ...

- Trade Task Force;
- Technical Task Force;
- Business Impact Assessment; and
- Consultation meetings with other bodies

Changes to the legislative proposal have been made, taken into account views collected and findings of the Business Impact Assessment



Mandatory Implementation of the BEC (OLD)

Coverage

- Commercial buildings (e.g. offices, shopping complex, hotels and guesthouses)
- Commercial portion of composite buildings
- Common areas of residential buildings
- Common areas of industrial buildings
- Educational buildings
- Community buildings (e.g. community center, elderly home, youth centre)
- Institutional buildings (e.g. fire station, police station)
- Municipal buildings (e.g. library, cultural centre)
- Hospitals and clinics



Mandatory Implementation of the BEC (REVISED)

Coverage

- **Commercial buildings (e.g. offices, shopping complex)**
- Commercial portion of composite buildings
- Common areas of residential buildings
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- **Hotels and guesthouses**
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Mandatory Implementation of the BEC

Definition of Owners (OLD)

- Same definition of “owner” in the Buildings Ordinance (Cap. 123) and includes the agent responsible for property management of his/her building



Mandatory Implementation of the BEC

Definition of Owners (REVISED)

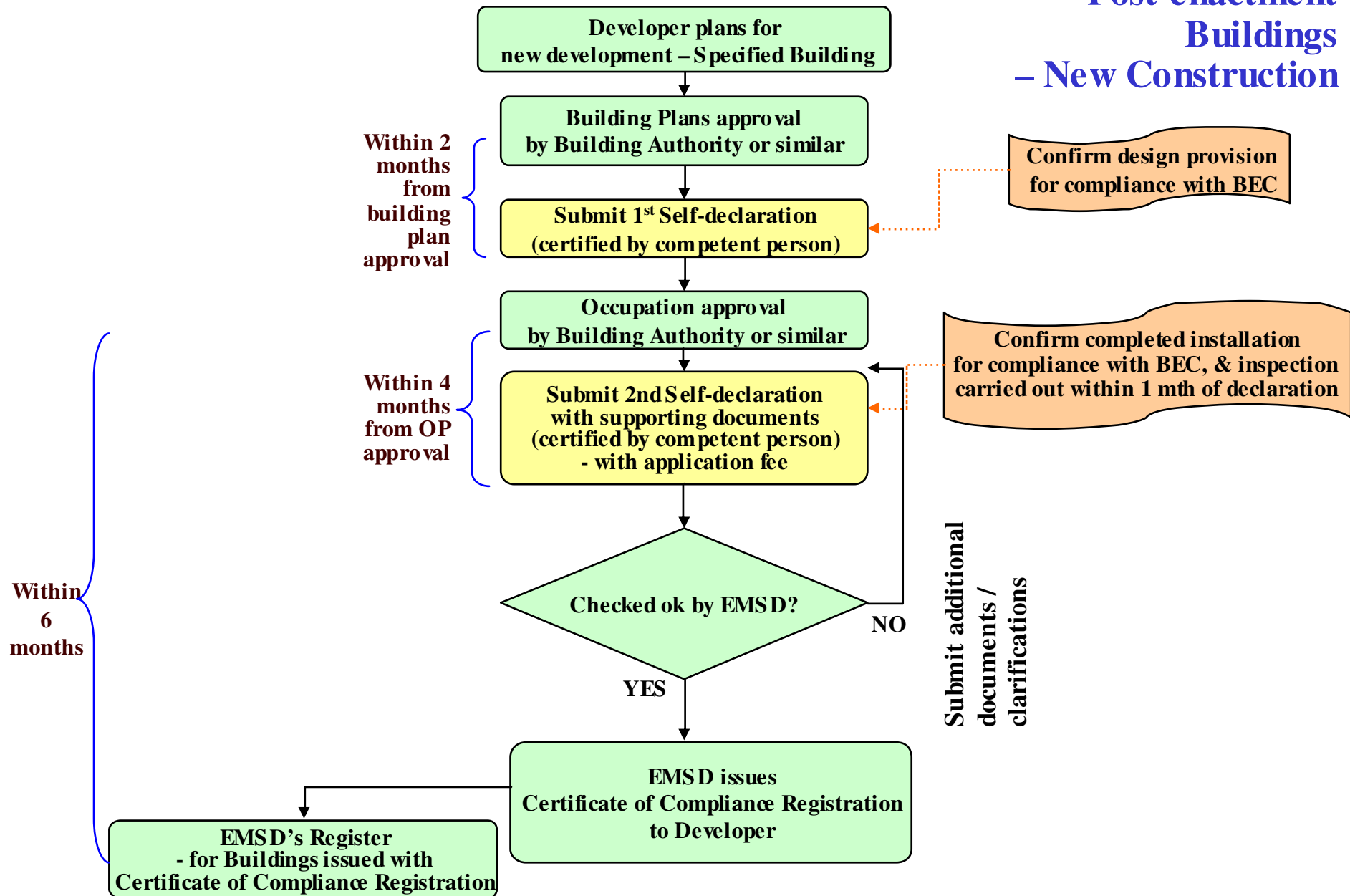
- Same definition of “owner” in the Buildings Ordinance (Cap. 123) ~~and includes the agent responsible for property management of his/her building~~



Post-enactment Buildings

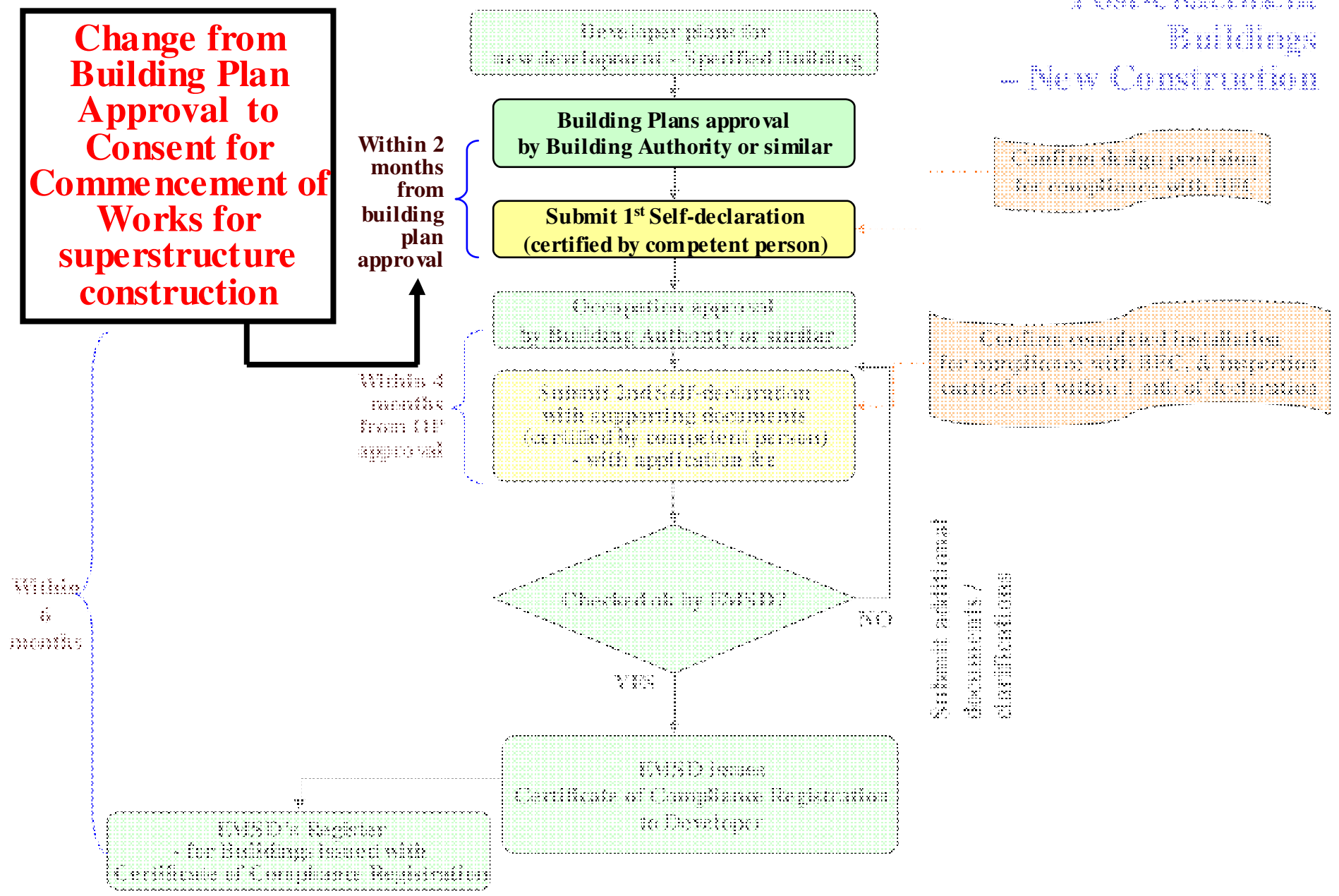
- Buildings that obtain the consent for commencement of works for superstructure construction from the Building Authority after the new legislation comes into operation

Post-enactment Buildings – New Construction

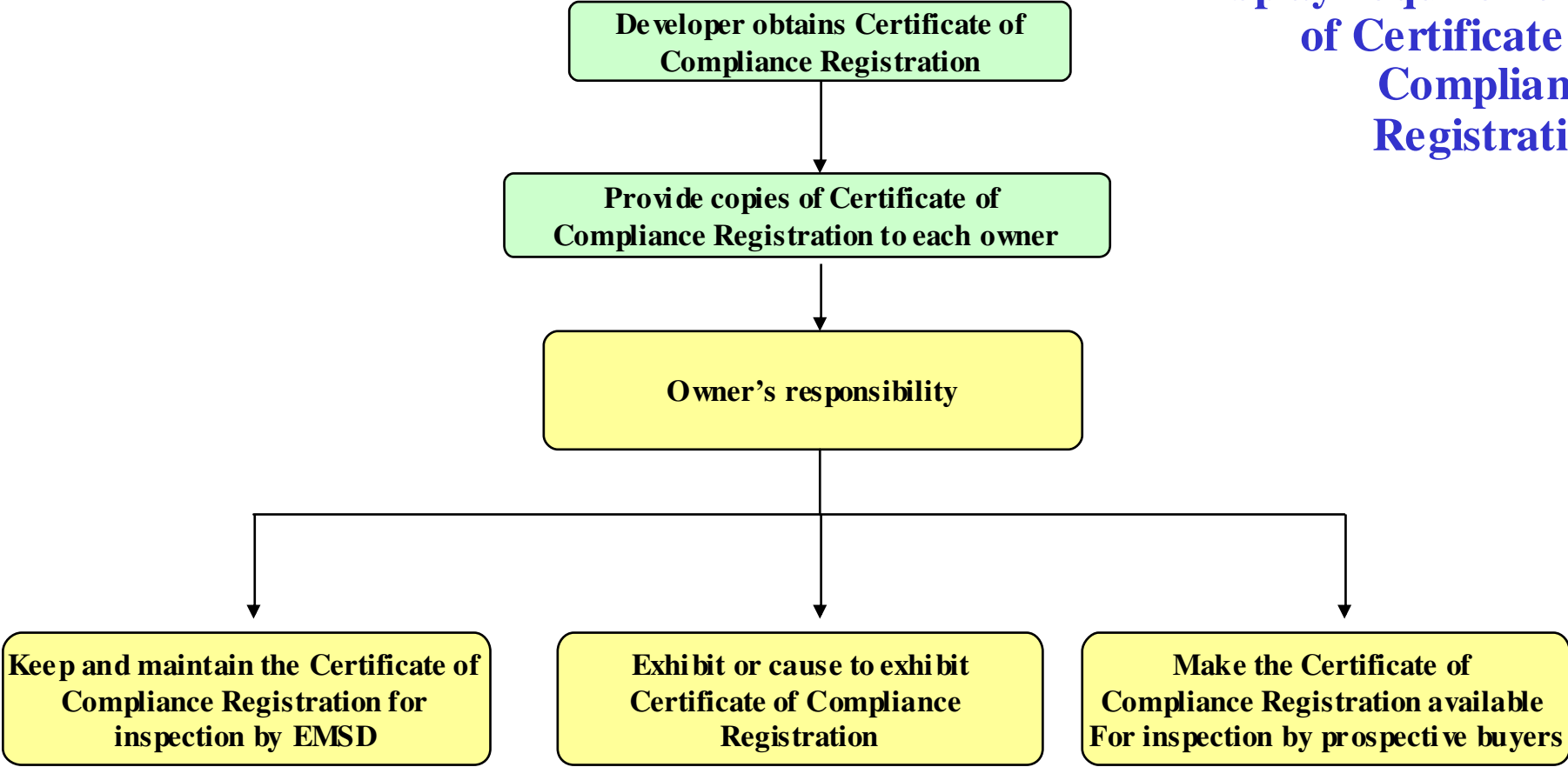


Change from Building Plan Approval to Consent for Commencement of Works for superstructure construction

Post-enactment Buildings - New Construction



**Display requirements
of Certificate of
Compliance
Registration**



Public can obtain relevant information in EMSD's Register

Developer obtains Certificate of Compliance Registration

Display requirements of Certificate of Compliance Registration

~~Provide copies of Certificate of Compliance Registration to each owner~~

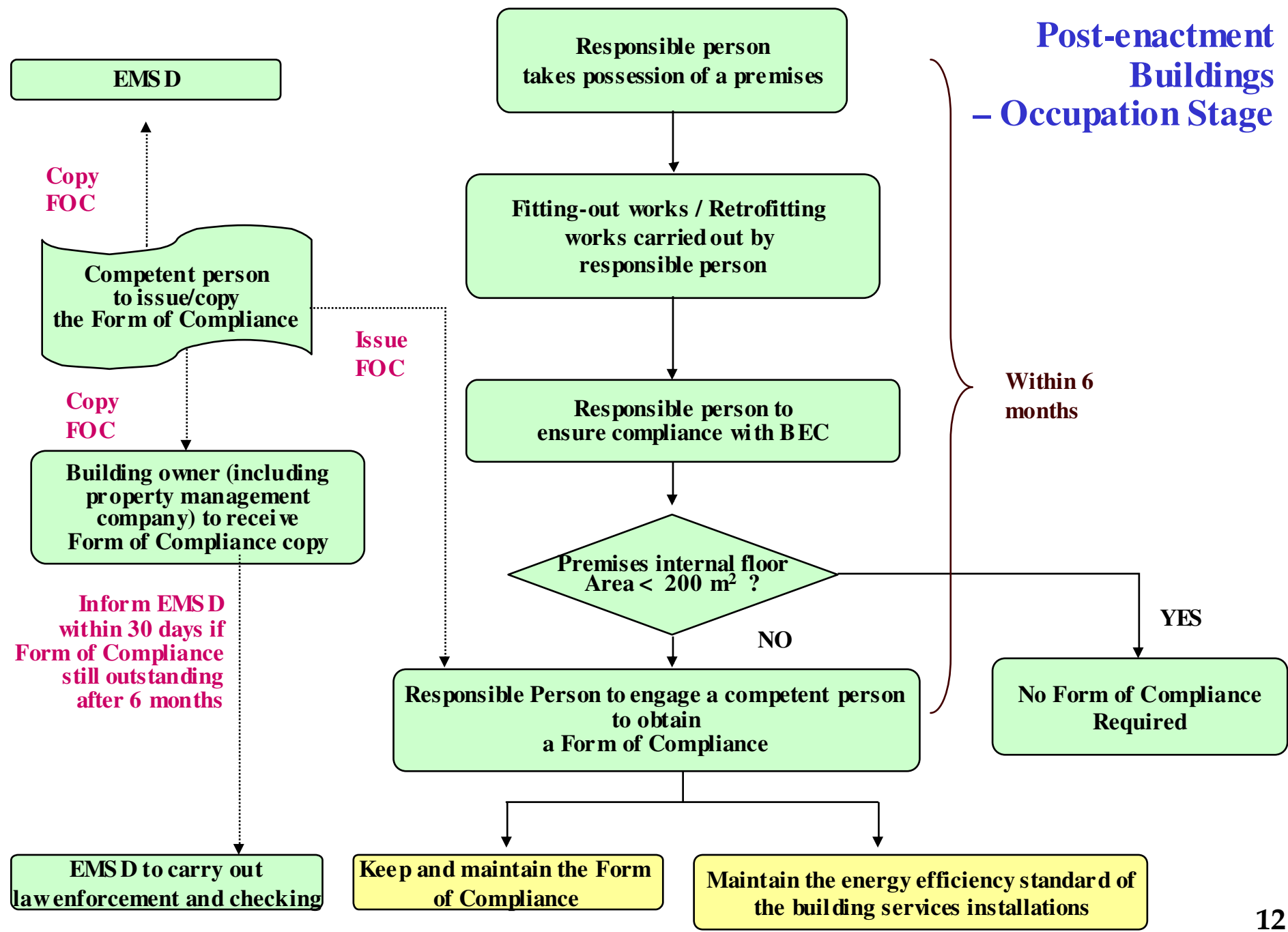
Owner's responsibility

Keep and Maintain the Certificate of Compliance Registration for inspection by EMSD

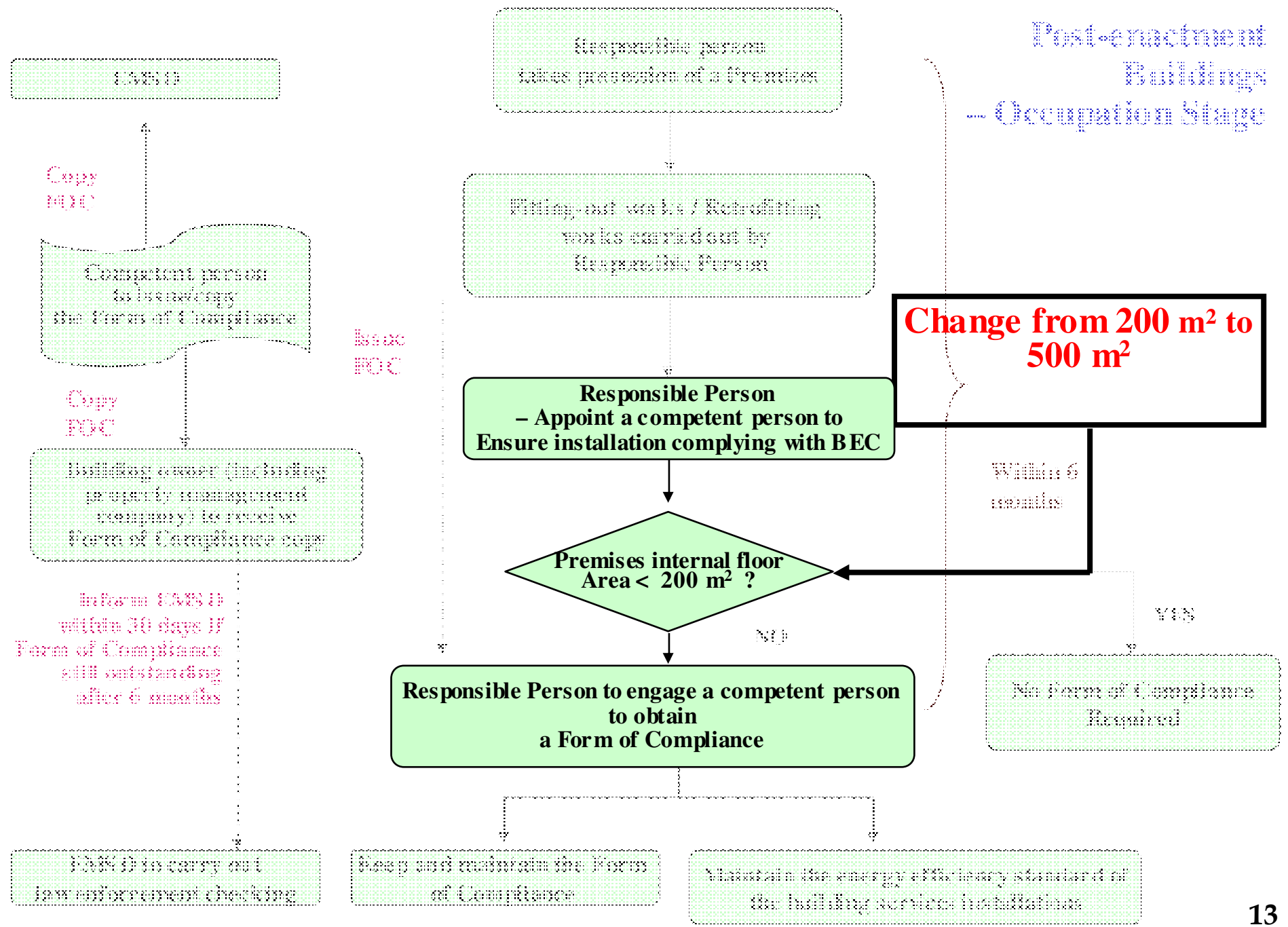
~~Exhibit or cause to exhibit Certificate of Compliance Registration~~

~~Make the Certificate of Compliance Registration for inspection by prospective buyers~~

Post-enactment Buildings – Occupation Stage

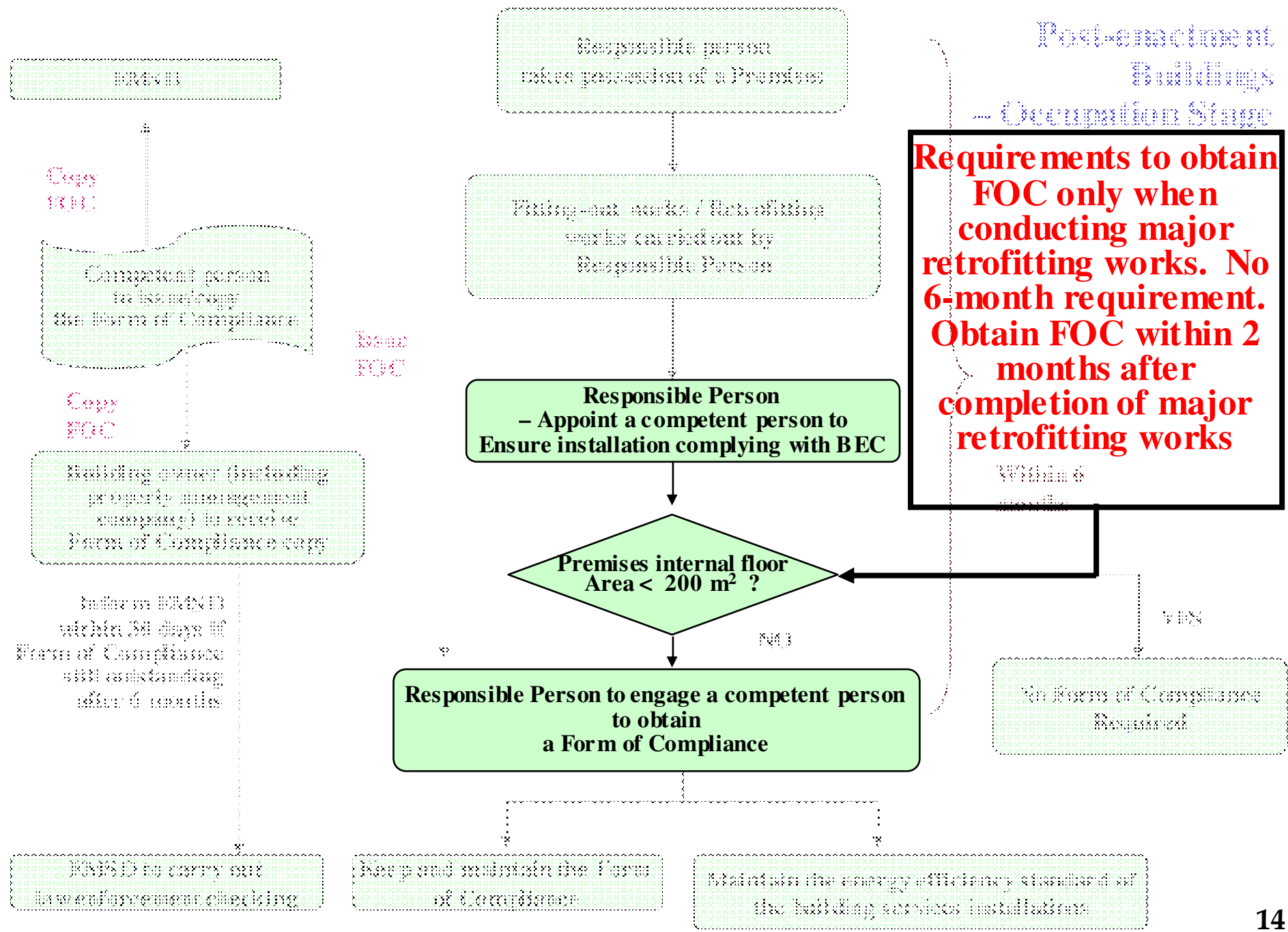


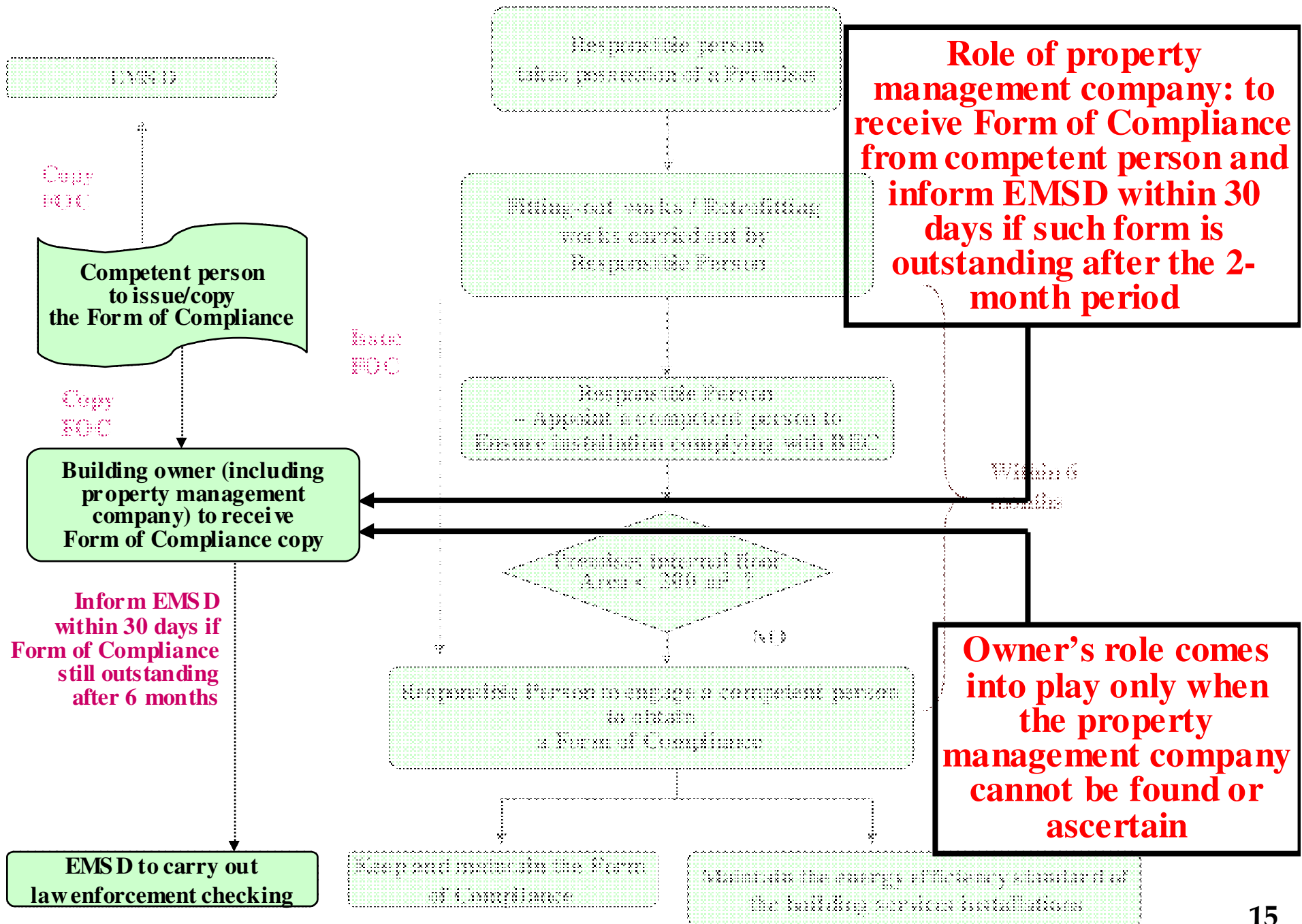
Post-enactment
Buildings
-- Occupation Stage



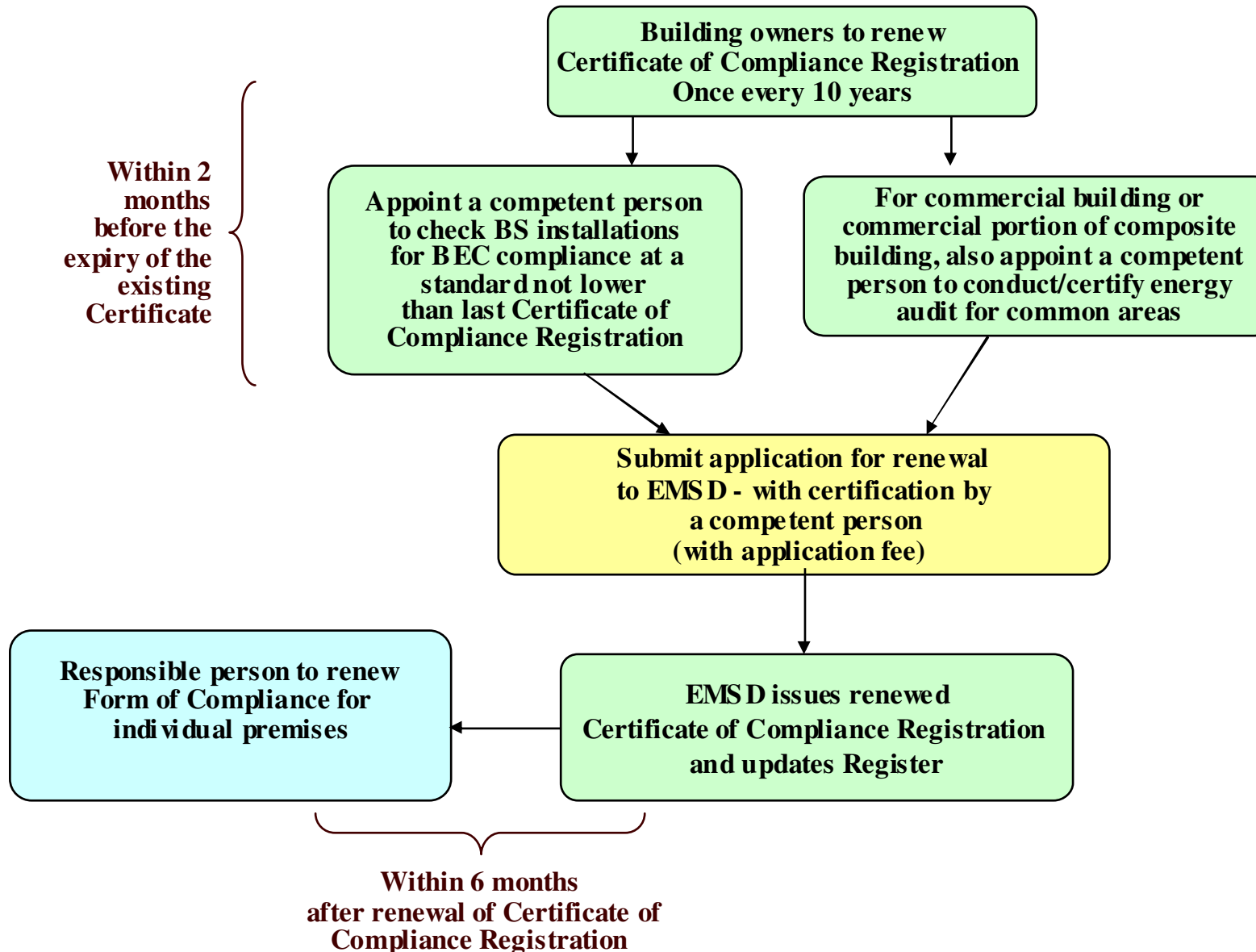
Post-enactment
Buildings
- Occupation Stage

Requirements to obtain FOC only when conducting major retrofitting works. No 6-month requirement. Obtain FOC within 2 months after completion of major retrofitting works

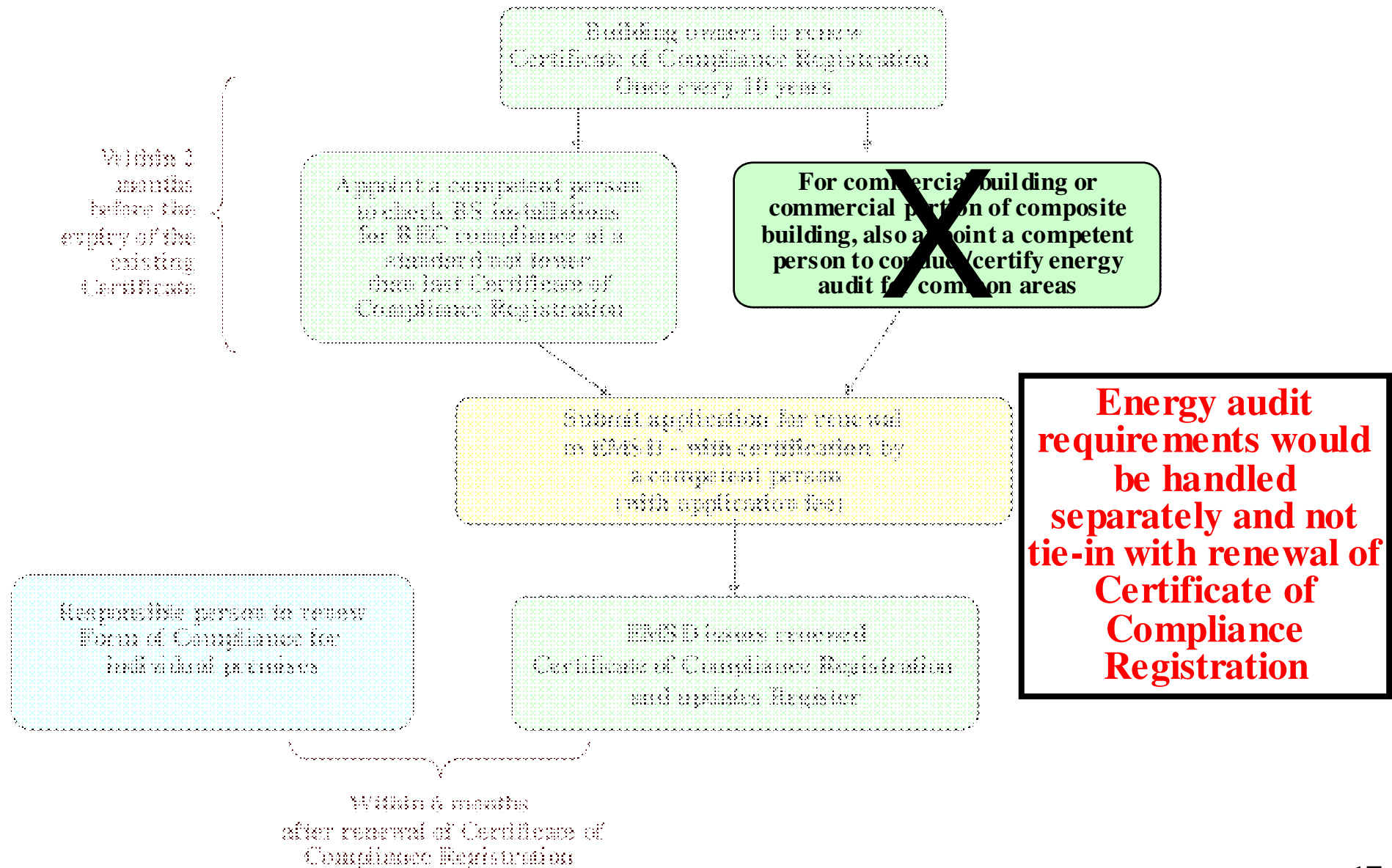




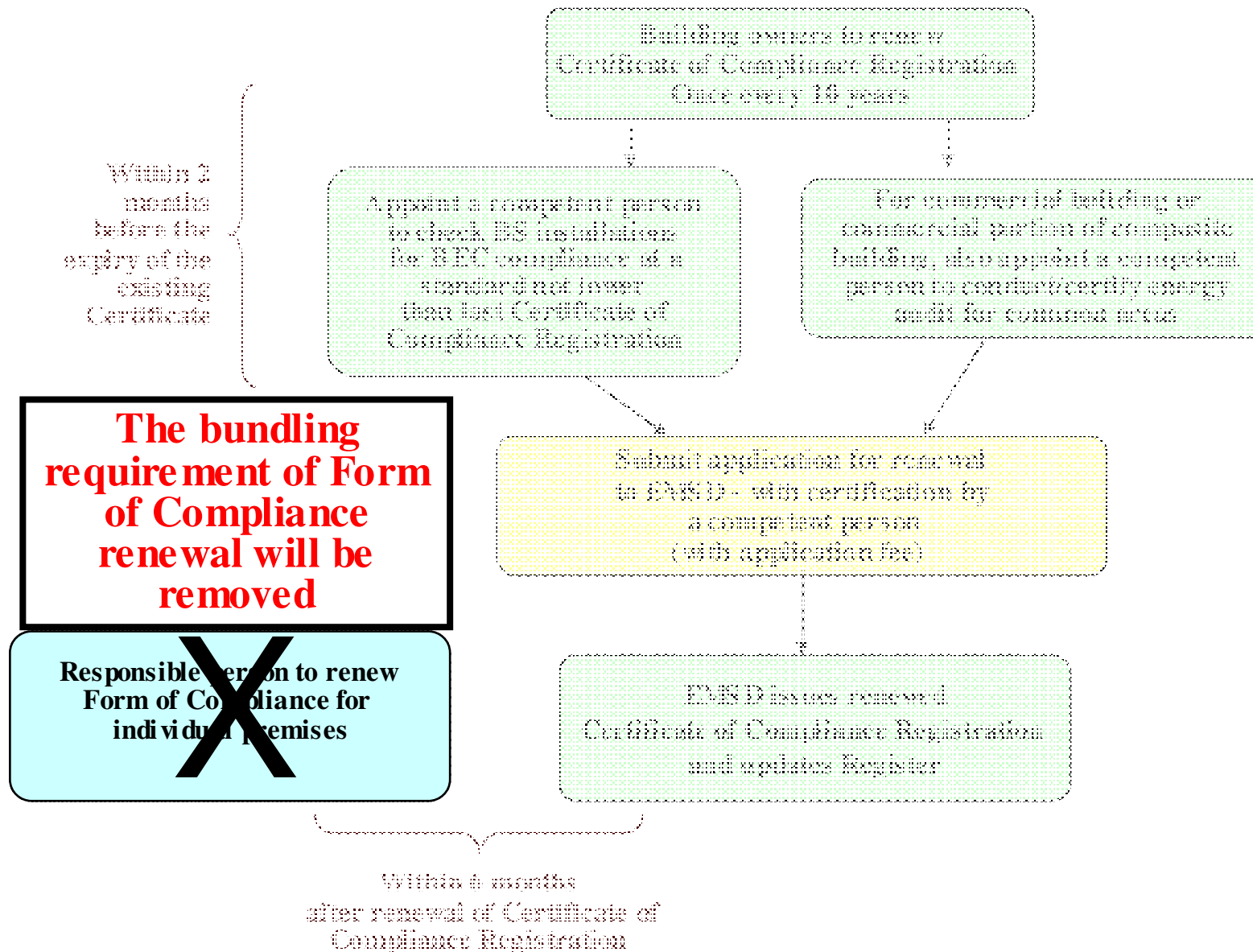
Renewal of Certificate of Compliance Registration



Renewal of Certificate of Compliance Registration



Renewal of Certificate of Compliance Registration





Pre-enactment Buildings

- Buildings that obtain the consent for commencement of works for superstructure construction from the Building Authority **on** **or before** the new legislation comes into operation



Major Retrofitting: Scope (OLD)

- Addition or replacement of the main components of the building services installations, such as –
 - main electrical distribution system;
 - air-conditioner of cooling rating above 200kW, chiller plant or air handling unit;
 - lift car, motor and driving controller of a lift installation;
 - motor and driving controller of an escalator installation; or

- Addition or replacement of a building services installation covering an internal floor area aggregated to or greater than 500 square meters within 12 months.

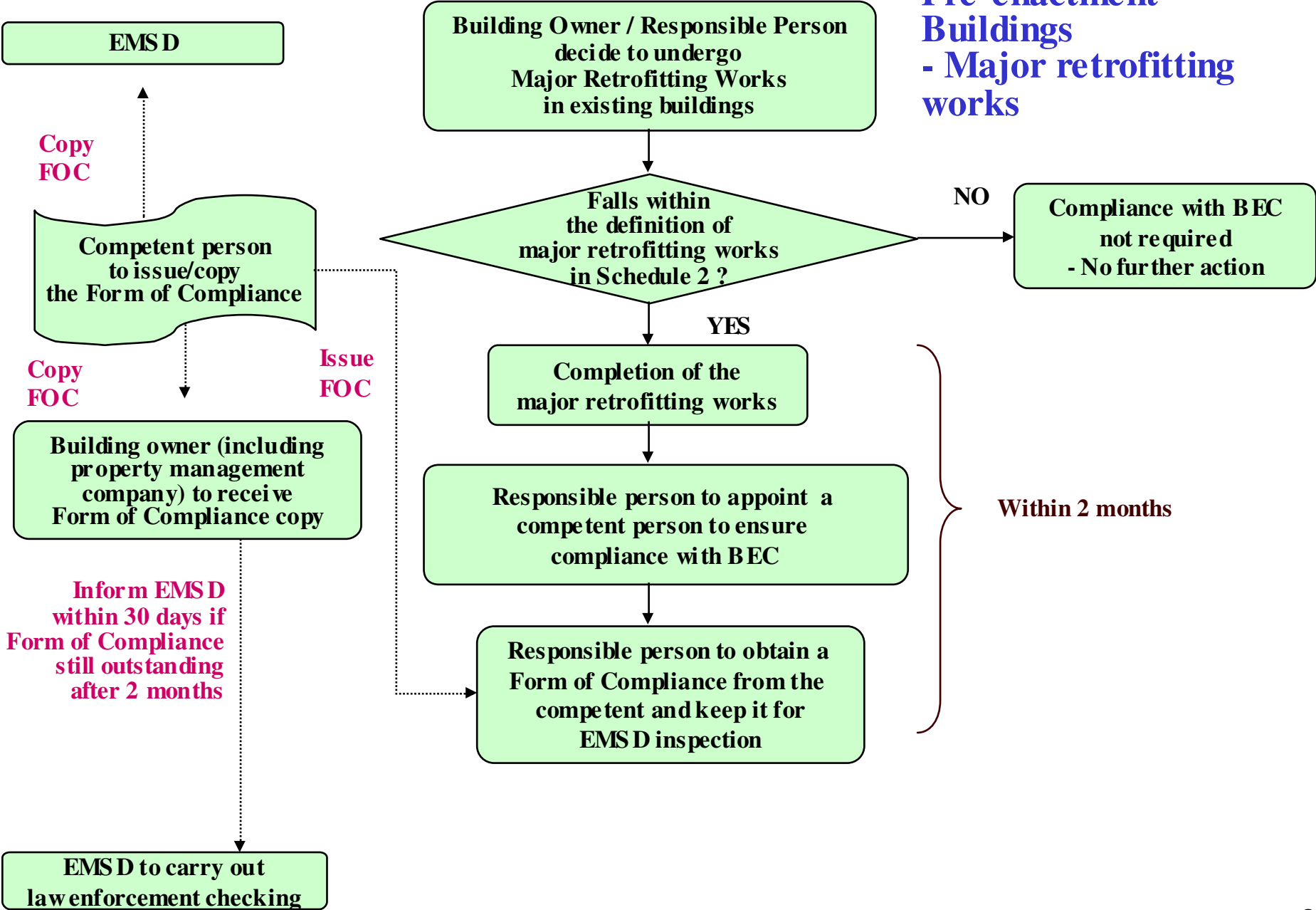


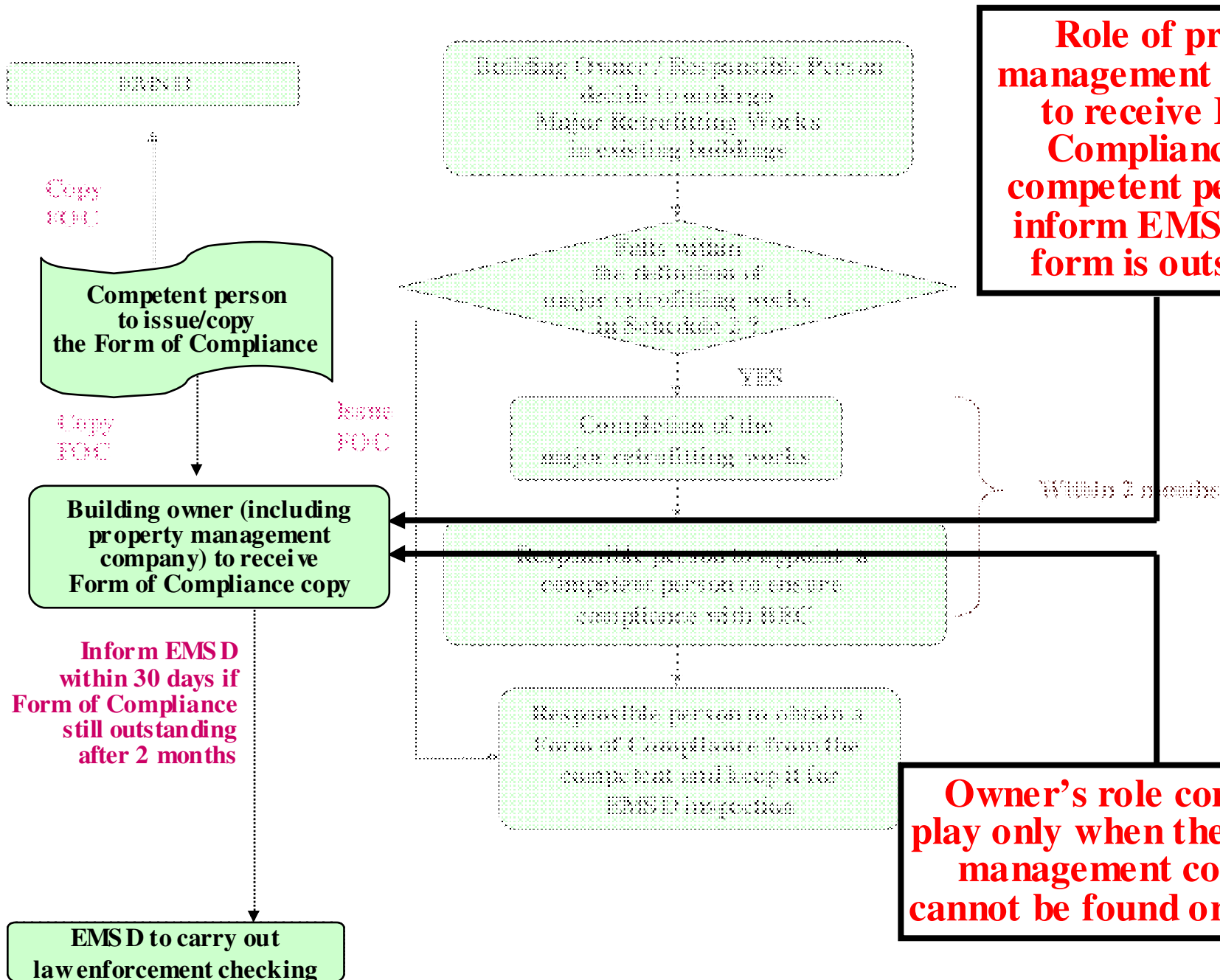
Major Retrofitting: Scope (REVISED)

- Addition or replacement of the main components of the building services installations, including –
 - a complete electrical circuit at **rating 400A** or above;
 - unitary air-conditioner or air-conditioning chiller of cooling or heating rating at or exceeding **350 kW**;
 - **Motor drive and mechanical drive** of a lift or escalator

- Addition or replacement of lighting, electrical or air-conditioning installation covering a floor area aggregated to or greater than 500 square meters under the **same series of works** within 12 months

Pre-enactment Buildings - Major retrofitting works





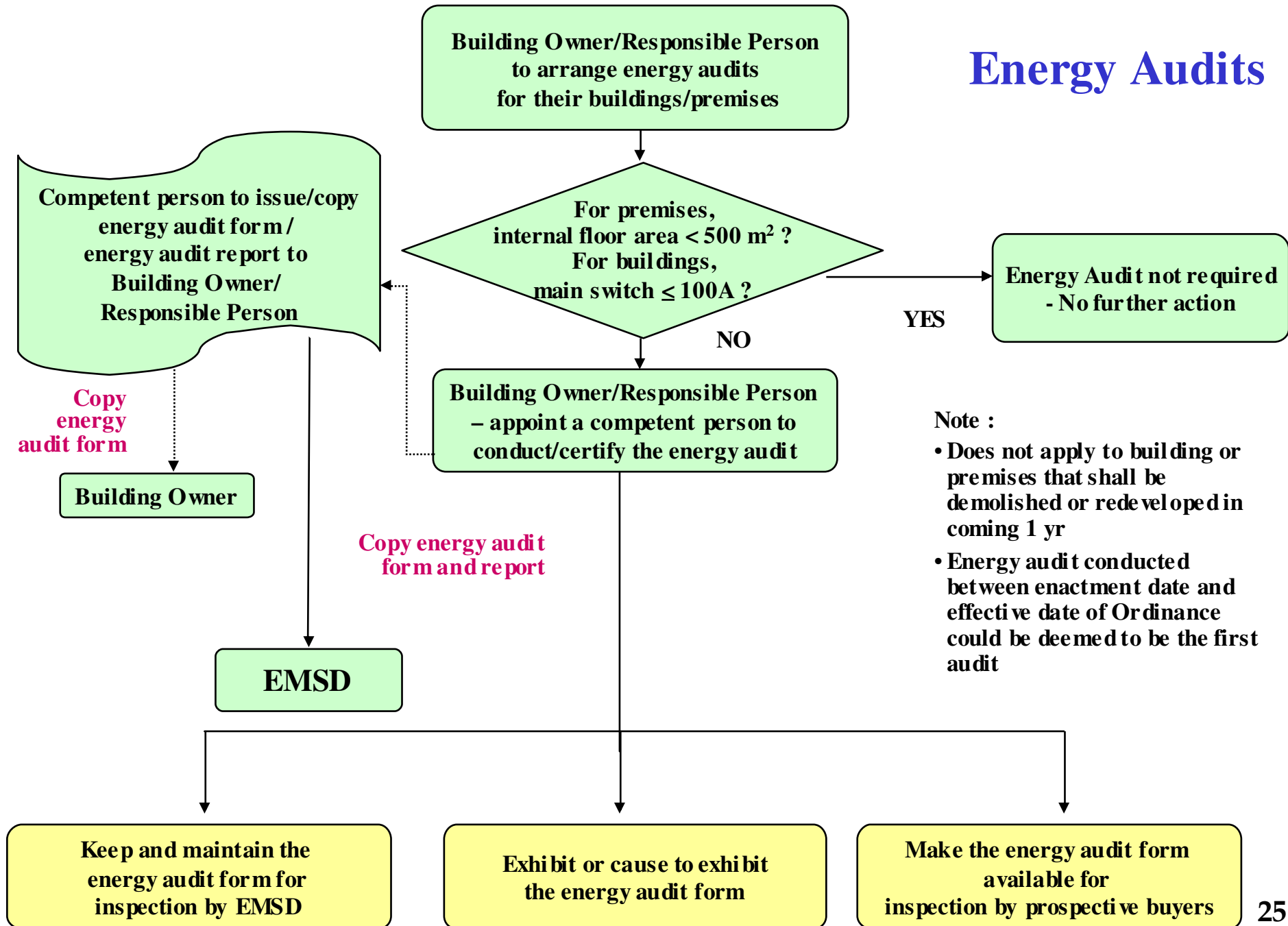
Role of property management company: to receive Form of Compliance from competent person and inform EMSD if such form is outstanding

Owner's role comes into play only when the property management company cannot be found or ascertain



Energy Audits

Energy Audits



Note :

- Does not apply to building or premises that shall be demolished or redeveloped in coming 1 yr
- Energy audit conducted between enactment date and effective date of Ordinance could be deemed to be the first audit

Energy Audits

Building owner/responsible person to arrange energy audits for their buildings/premises

For premises:
external floor area > 5000 m² ?
floor to ceiling,
main switch < 100kV ?

Energy audit not required
- No further actions

Competent person to investigate
Energy audit form /
Energy audit report

Copy energy audit form

Building Owner

Building Owner/responsible person
- appoint a competent person to conduct/verify the energy audit

Copy energy audit form and report

EN15193 to carry out
the external works checking

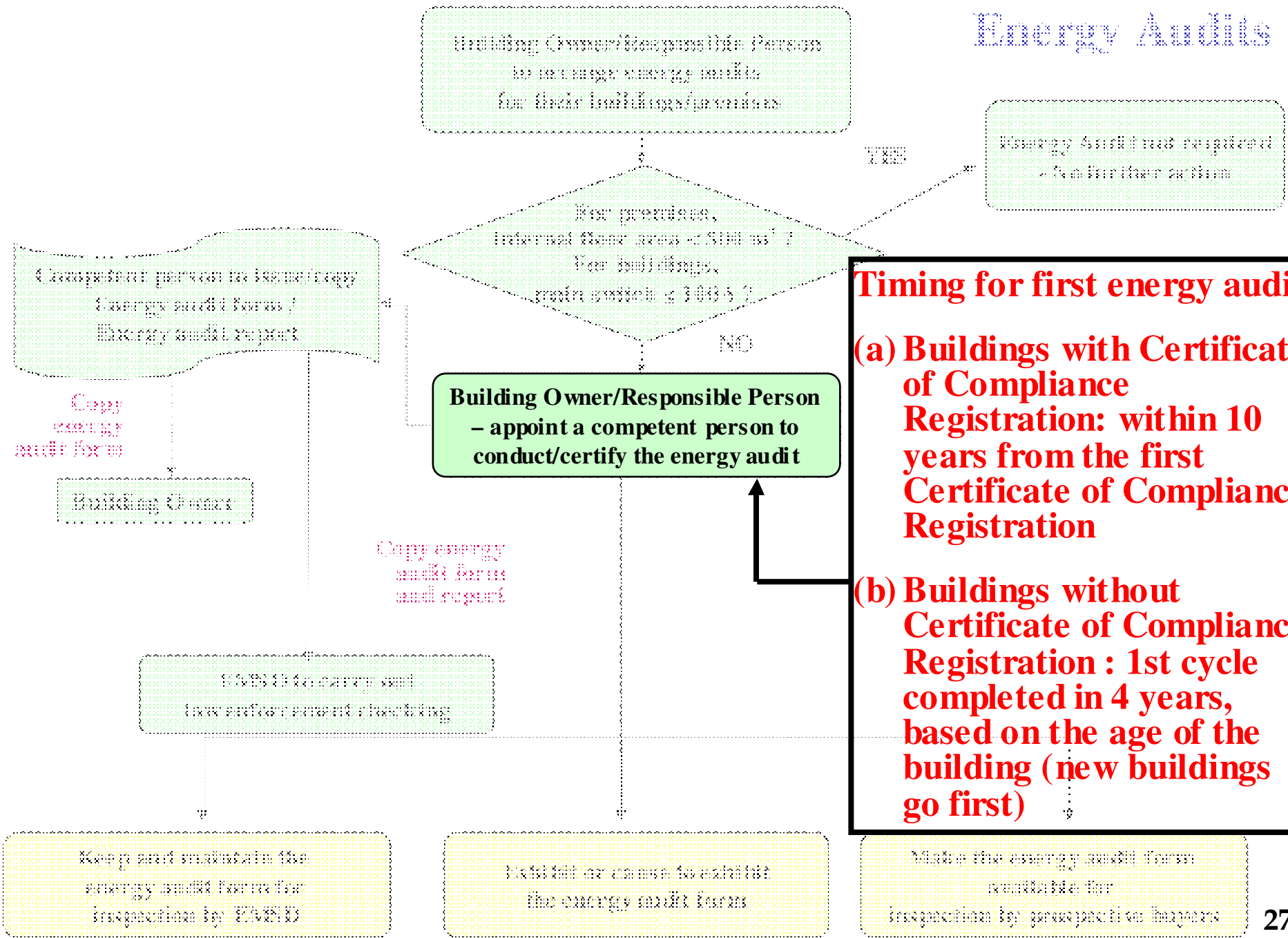
Energy audit included in the energy audit forms for inspections by ENEC IS

EN15193 no clause to exclude the energy audit forms

Risk the energy audit forms available for inspections by retrospective Inspectors

Coverage of energy audit: only common areas, not individual premises;
Responsibility lies with building owners only

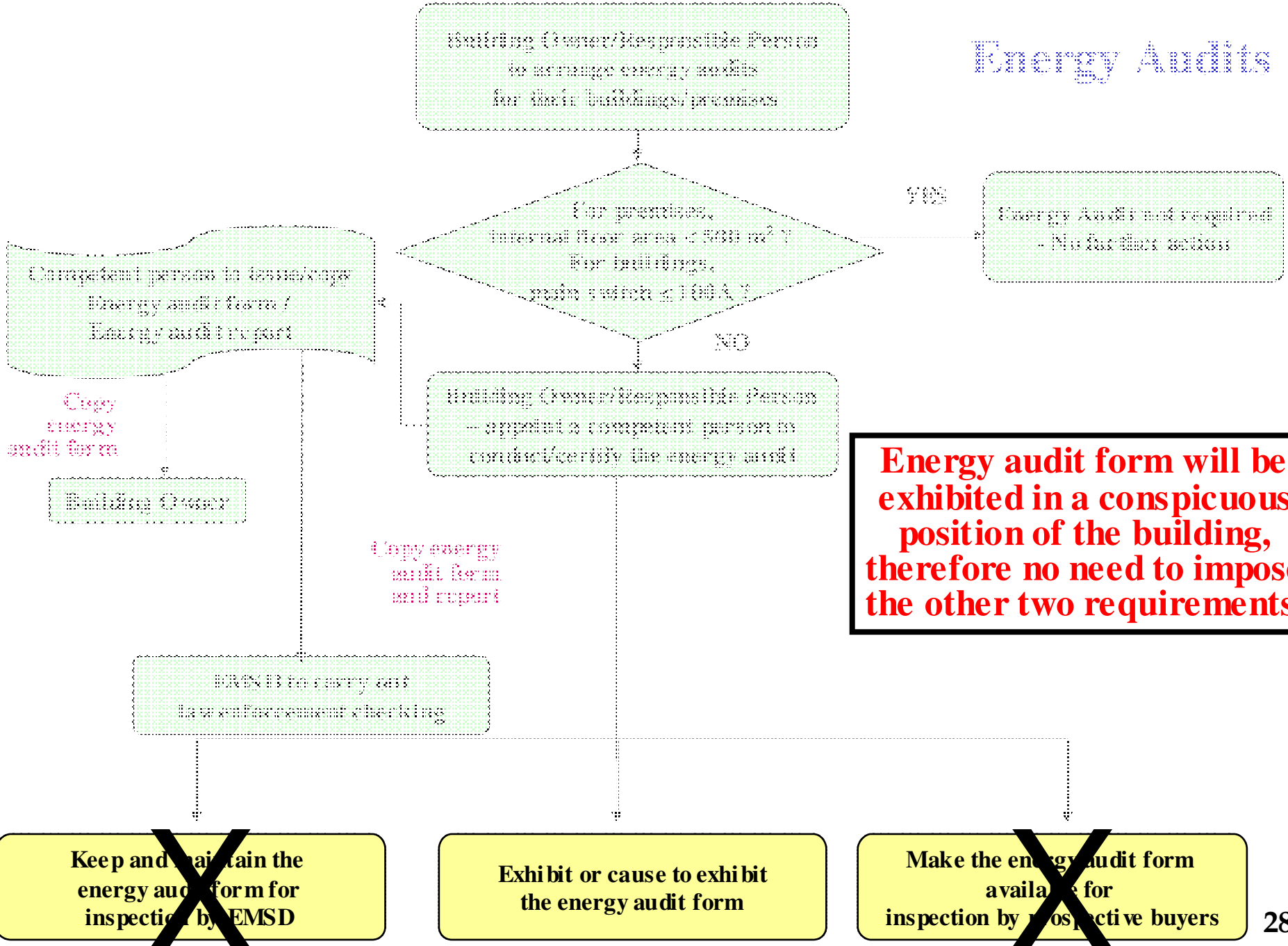
Energy Audits



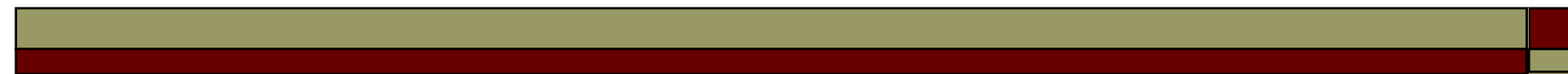
Timing for first energy audit:

- (a) Buildings with Certificate of Compliance Registration: within 10 years from the first Certificate of Compliance Registration
- (b) Buildings without Certificate of Compliance Registration: 1st cycle completed in 4 years, based on the age of the building (new buildings go first)

Energy Audits



Energy audit form will be exhibited in a conspicuous position of the building, therefore no need to impose the other two requirements.



Post-enactment buildings	Building services installations provided by developers	Other building services installations in premises with internal floor area	
		<500m²	≥500m²
Need to comply with the Building Energy Codes?	✓ (occupation approval stage)	✓	✓
	✓		
Need to obtain a Certificate of Compliance Registration from the EMSD?	✓ (occupation approval stage)	N/A	N/A
	✓ (10-year renewal)		
Need to obtain a Form of Compliance from competent persons?	✓ (for major retrofitting works only)	✗	✓ (for major retrofitting works only)



Developers

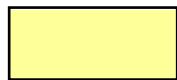
Owners

Responsible persons (persons who holds or are in possession or control of the building or premises, and may include owners, tenants)

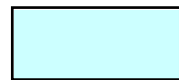
Pre-enactment buildings	Building services installations in premises with internal floor area	
	<500m ²	≥500m ²
Need to comply with the Building Energy Codes?	x	✓ (for major retrofitting works only)
Need to obtain a Form of Compliance from competent persons?	x	✓ (for major retrofitting works only)



Developers



Owners



Responsible persons (persons who holds or are in possession or control of the building or premises, and may include owners, tenants)