



**Mandatory Implementation of
Building Energy Codes
強制實施〈建築物能源效益守則〉**

**Environment Bureau 環境局
Electrical and Mechanical
Services Department 機電工程署**



**Proposed Legislative
Framework :
New Buildings - New
Construction Stage**

Exemptions

- Village houses in NT
- Building declared to be a monument under Antiquities and Monuments Ordinance
- Building services installations for the following purposes will be exempted from the mandatory scheme -
 - fire suppression or emergency functions;
 - clinical treatments or surgical operations;
 - manufacturing or temporary construction purposes;
 - educational research purposes; or
 - exhibit display, product display, festival ceremonial decoration or visual production purposes.



Question:

- o Any comments on the scope of exemptions?

Building or premises exempted from obtaining Certificate of Compliance Registration and Form of Compliance

- Total rating of the main electrical switch of a building does not exceed 100A, 1-phase or 3-phase

or

- Premises with internal floor area smaller than 200 square meters

Question:

- o Any comments on the proposed exemptions for obtaining Certificate of Compliance Registration and Form of Compliance?

New Construction Stage

Time frame for Developers' submission of self-declarations (covering the central building services installation provided by the developers):

- 1st self-declaration: within 2 months upon building plan approval
- 2nd self-declaration: within 4 months upon occupation approval (together with a prescribed fee estimated to be below \$1,000)
- Obtain a Certificate of Compliance Registration: no later than 6 months after occupation approval

Question:

- o Any comments on the proposed timeframe for developers to submit self-declarations and to obtain Certificate of Compliance Registration?

Responsibility of Various Parties

Developers:

- **Submit Stage 1 and Stage 2 self-declarations to the Electrical and Mechanical Services Department**
- **Obtain a Certificate of Compliance Registration**
- **Copy the Certificate of Compliance Registration to building owners**

Responsibility of Various Parties

Building Owners:

- Keep and maintain the Certificate of Compliance Registration for inspection
- Exhibit the Certificate of Compliance Registration
- Make the Certificate of Compliance Registration available for inspection by prospective purchasers and tenants.

Responsibility of Various Parties

Authorized engineers:

- upon satisfactory inspection of the completed installations, certify the self-declarations of the developers



Question:

- o Any comments on the responsibilities for various parties (developers, building owners and authorized engineers)?



**Proposed Legislative
Framework :
New Buildings -
Occupation Stage**

Exemptions

- Village houses in NT
- Building declared to be a monument under Antiquities and Monuments Ordinance
- Building services installations for the following purposes will be exempted from the mandatory scheme -
 - fire suppression or emergency functions;
 - clinical treatments or surgical operations;
 - manufacturing or temporary construction purposes;
 - educational research purposes; or
 - exhibit display, product display, festival ceremonial decoration or visual production purposes.



Question:

- Any comments on the scope of exemptions?

**Building or premises exempted from
obtaining Certificate of Compliance
Registration and Form of Compliance**

- o Total rating of the main electrical switch of a building does not exceed 100A, 1-phase or 3-phase

or

- o Premises with internal floor area smaller than 200 square meters



Question:

- o **Any comments on the proposed exemptions for obtaining Certificate of Compliance Registration and Form of Compliance?**

Responsibility of Various Parties

Responsible persons (owner, tenant, occupier who holds control of the premises, and his agent) – for building services installations not covered by Certificate of Compliance Registration:

- Appoint an authorized engineer to certify the compliance within 6 months upon taking possession of that building or premises
- Obtain a Form of Compliance from the authorized engineer

Responsibility of Various Parties

Responsible persons:

- Keep the Form of Compliance for inspection
- Ensure the building services installations comply with the Building Energy Codes and maintain the building services installations to a standard not lower than the last Form of Compliance

Responsibility of Various Parties

Building owners:

- Ensure the central building services installation has a valid Certificate of Compliance Registration
- Maintain the central building services installation to a standard not lower than the last Certificate of Compliance Registration
- Inform EMSD if the Form of Compliance is outstanding 30 days after the 6-month period

Responsibility of Various Parties

Authorized engineers:

- upon satisfactory inspection of the completed installations, certify the Form of Compliance of the responsible persons
- copy the Form of Compliance to the owner and the Electrical and Mechanical Services Department within 30 days of signing of the Form of Compliance



Question:

- o **Any comments on the responsibilities for various parties (responsible persons, building owners and authorized engineers)?**

Occupation Stage – renewal of Certificate of Compliance Registration

Responsibility of building owners:

- **Renew the Certificate of Compliance Registration once every 10 years, submit an application for renewal (together with a prescribed fee estimated to be below \$1,000) no later than 2 months before the expiration**

Occupation Stage – renewal of Certificate of Compliance Registration

Responsibility of building owners:

- For commercial buildings or commercial portion of composite buildings, appoint an authorized engineer to conduct an energy audit when renewing the Certificate of Compliance Registration
 - Cover common areas served by the central building services installation
 - Energy audit should be conducted within 6 months before the date of expiration of the existing Certificate of Compliance Registration

Occupation Stage

- after renewal of Certificate of Compliance Registration
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Responsibility of responsible persons:

- Appoint an authorized engineer to certify that the building services installation not covered by the renewed Certificate of Compliance Registration have been maintained to a standard not lower than the last Form of Compliance
- Obtain a Form of Compliance from the authorized engineer within 6 months after the renewal of the Certificate of Compliance Registration
- Keep the Form of Compliance for inspection

Occupation Stage

- after renewal of Certificate of Compliance Registration

Responsibility of building owners:

- Keep and maintain the renewed Certificate of Compliance Registration for inspection
- Exhibit the renewed Certificate of Compliance Registration
- Make the renewed Certificate of Compliance Registration available for inspection by prospective purchasers and tenants.
- Inform EMSD if the new Form of Compliance is outstanding 30 days after the 6-month period

Occupation Stage – renewal of Certificate of Compliance Registration

Responsibility of authorized engineers:

- certify that the central building services installations have been maintained to a standard as required for the renewal of Certificate of Compliance Registration
- certify the energy audit submitted together with the renewal of Certificate of Compliance Registration
- upon satisfactory inspection of the completed installations, certify the renewed Form of Compliance of the responsible persons
- copy the Form of Compliance to the owner and the Electrical and Mechanical Services Department within 30 days of signing of the Form of Compliance

Question:

- Any comments on the responsibilities for various parties (responsible persons, building owners and authorized engineers)?

Service Apartments

- Under the proposed legislation, "hotel" and "guesthouse" has the meaning assigned to it by section 2 of the Hotel and Guesthouse Accommodation Ordinance (Cap 349).
- Under Cap. 349 and the Hotel and Guesthouse Accommodation (Exclusion) Order, a "hotel" and "guesthouse" mean any premises being held out in which sleeping accommodation is provided for any person presenting himself who appears able and willing to pay a reasonable sum for the services and facilities provided for a period of less than 28 continuous days.

Service Apartments

- Currently, some “service apartments” have obtained license under Cap. 349. For such apartments, they may be regarded as “hotels” under the proposed legislation.
- For those services apartments on which Cap.349 does not apply,
 - the guestrooms parts/Floors are treated as domestic use for the purposes of Building (Planning) Regulations (Cap. 123F);
 - Building (Energy Efficiency) Regulations (Cap.123M) does not apply to the guestrooms parts/Floors of service apartments.