

Hong Kong Institute of Facility Management

Reference List of Legal and Other Requirements related to Facility Management

April 2013

Disclaimer

This reference list of legal and other requirements related to Facility Management is compiled to serve as a quick reference list for facility management professionals and practitioners. Due to the wide range of activities under the umbrella of facility management, the reference list may not be exhaustive. The users of the reference list should always check for the latest update of the legal and other requirements and tailor the list in consideration of their specific scope of activities. The HKIFM would not be responsible for any negative consequences arising from the use of the list.

0.1 Revision Sheet

Version	Date	Remarks
First Issue	Dec 2012	
Second Issue	April 2013	<p>The following ordinances have been added:</p> <ul style="list-style-type: none">● Hong Kong Arbitration Ordinance (CAP 609)● Residential Properties (First-hand Sales) Ordinance (CAP 621) <p>The following ordinance has been deleted:</p> <ul style="list-style-type: none">● Lifts and Escalators (Safety) Ordinance (CAP 327) (repealed and replaced by the Lifts and Escalators Ordinance (Chapter 618))

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Chapter 1 Operation

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
Building Management Ordinance (CAP 344)	<p>The Building Management Ordinance (Cap. 344) (BMO) was enacted to provide a legal framework for the formation of Owners' Corporations (OC) to facilitate effective building management. It also sets out the powers and duties of an OC and its meeting procedures so as to facilitate the day-to-day operation of the OC and compliance by owners.</p> <p>Section 28 of the Building Management Ordinance (Cap.344) - Building Management (Third Party Risks Insurance) Regulation is the statutory provisions relating to the mandatory requirement for owners' corporations (OCs) to procure third party risks insurance.</p>	<p>Formation and operation of Owners' Corporations</p> <p>All owners' corporations must procure and keep in force a policy of third party risks insurance in relation to the common parts of the building and the property of the corporation.</p>
Bedspace Apartments Ordinance (CAP 447)□	The Bedspace Apartments Ordinance (Cap. 447) provides for statutory licensing schemes to regulate fire and building safety of bedspace apartments. Licences, certificates of compliance or permits will be issued or renewed to those meeting the statutory safety standards in respect of fire safety, building safety, health and hygiene.	Bedspace Apartments
Clubs (Safety of Premises) Ordinance (CAP 376)	The Clubs (Safety of Premises) Ordinance (Cap. 376), provides for statutory licensing schemes to regulate fire and building safety of club-houses. Licences,	Club-houses

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	certificates of compliance or permits will be issued or renewed to those meeting the statutory safety standards in respect of fire safety, building safety, health and hygiene.	
Conveyancing and Property Ordinance (CAP 219)	The Conveyancing and Property Ordinance (CAP 219) makes provision relating to conveyancing and the law of property; provision concerning agreements and deeds relating to land and other agreements; provision for the acquisition and holding of land and other property. It also provides for standard agreements and deeds relating to land; implies certain covenants and other provisions in agreements and deeds relating to land; revises and consolidates certain miscellaneous provisions relating to land and other matters; and for connected purposes.	Conveyancing and law of property
Education Ordinance (CAP 279)	To promote education in Hong Kong, and to consolidate and amend the law relating to the supervision and control of schools and the teaching therein, and for purposes connected therewith.	Registration of school
Food Business Regulation (CAP 132X)	The regulation stipulates the general requirements relating to food businesses, prohibited and restricted foods, licensing of certain food businesses.	<ul style="list-style-type: none"> ➤ Conditions for issue of licence such as ventilation, sanitary fitments (Section 33) ➤ Compliance with fire safety requirements (Section 33B)
Hong Kong Arbitration Ordinance (CAP 609)	The object of this Ordinance is to facilitate the fair and speedy resolution of disputes by arbitration	Resolution of disputes by arbitration

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	without unnecessary expense.	
Hotel Accommodation Tax Ordinance (CAP 348)	The Hotel Accommodation Tax Ordinance (CAP 348) makes provision to impose a tax on hotel accommodation charges.	Hotel
Hotel and Guesthouse Accommodation Ordinance (CAP 349)	The Hotel and Guesthouse Accommodation Ordinance (Cap. 349) provides for statutory licensing schemes to regulate fire and building safety of hotels and guesthouses. Licences, certificates of compliance or permits will be issued or renewed to those meeting the statutory safety standards in respect of fire safety, building safety, health and hygiene.	Hotel and Guesthouse
Hotel Proprietors Ordinance (CAP 158)	The Hotel Proprietors Ordinance (CAP 158) sets out the duties, liabilities and rights attached to the proprietor of a hotel.	Hotel
Landlord and Tenant (Consolidation) Ordinance (CAP 7)	The Landlord and Tenant (Consolidation) Ordinance (CAP 7) deals with matters relating to the rights and obligations of landlords and tenants.	Tenancy matters or leases
Residential Properties (First-hand Sales) Ordinance (CAP 621)	This is an Ordinance to regulate the provision of sales brochures and price lists and the use of show flats in connection with the sale of residential properties in respect of which neither a preliminary agreement for sale and purchase nor an agreement for sale and purchase has ever been entered into and in respect of which no assignment has ever been made, to regulate	First-hand sales of residential properties

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	the viewing of such properties before sale, to regulate the publication of sale arrangements and the execution of agreements for sale and purchase in connection with such properties, to provide for registers of transactions in connection with such properties, to regulate advertisements promoting the sale of such properties, to provide for offences in connection with misrepresentations and dissemination of false or misleading information, and to provide for incidental and connected matters.	
Security and Guarding Services Ordinance (CAP 460)	The Security and Guarding Services Ordinance (CAP 460) provides for the establishment of a Security and Guarding Services Industry Authority, the issuing of permits to individuals doing security work, the licensing of security companies, and for connected matters.	Security and guarding services
Swimming Pools Regulation (CAP 132CA)	This Regulation stipulates the requirements in relation to issue of licence of swimming pools except one which serves not more than 20 residential units and to which the public have no access.	Swimming pool
Code of Practice on Building Management & Maintenance. HAB	This Code of Practice publicizes 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).	Building management agents, property management companies, are also advised to follow this Code of Practice to achieve effective management and maintenance.

Chapter 2 Building, Plant & Engineering System

<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
Boilers and Pressure Vessels Ordinance (CAP 56)	The Ordinance makes provision to control the use and operation of boilers and pressure vessels, to provide for the holding of inquiries into accidents in or to boilers and pressure vessels and to provide for matters connected with the purposes aforesaid.	Use and operation of boilers and pressure vessels
Buildings Energy Efficiency Ordinance (CAP 610)	It is concerned with the requirements for compliance with the Building Energy Code in new construction of specified types of buildings and in major retrofitting works of relevant building services installations (air-conditioning installations, electrical installations, lift and escalator installations and lighting installations), as well as the requirement for carrying out energy audit in commercial buildings.	New construction and major retrofitting works of relevant building services installations Energy audit in commercial buildings
Buildings Ordinance (CAP 123)	This is an ordinance to provide for the planning, design and construction of buildings and associated works; to make provision for the rendering safe of dangerous buildings and land; to make provision for regular inspections of buildings and the associated repairs to prevent the buildings from becoming unsafe; and to make provision for matters connected therewith.	Design, construction of buildings and regular inspections of existing buildings

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<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
Buildings Ordinance (Application to the New Territories) Ordinance (CAP 121)	This is an ordinance to apply the Buildings Ordinance (Cap 123) to the New Territories, to provide for certificates of exemption from certain provisions of the Buildings Ordinance (Cap 123) for building works, site formation works and drainage works for certain buildings in the New Territories and to make necessary consequential amendments.	Certain Buildings in New Territories
Demolished Buildings (Re-development of Sites) Ordinance (CAP 337)	To make provision concerning the re-development of sites of certain demolished buildings, and the compensation of certain tenants for loss of possession, and for purposes connected with the matters aforesaid.	Re-development of sites of certain demolished buildings and the compensation of certain tenants for loss of possession
Electricity Ordinance (CAP 406)	It is an ordinance to provide for the registration of electrical workers, contractors and generating facilities, to provide safety requirements for electricity supply, electrical wiring and products, to provide powers for electricity suppliers and the Government respecting electrical accidents and enforcement of this Ordinance, and to provide for measures designed to ensure that activities carried out in the vicinity of electricity supply lines do not prejudice safety or the continuity of the electricity supply.	Electrical Installations
Fire Safety (Buildings) Ordinance (CAP 572)	It is an Ordinance to provide for fire safety improvements to be made to certain composite buildings and domestic buildings and to provide for related matters.	Fire safety improvement for certain composite buildings and domestic buildings

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<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
Fire Safety (Commercial Premises) Ordinance (CAP 502)	It is an Ordinance to provide for fire safety improvements to be made to certain commercial premises and commercial buildings and to provide for related matters.	Fire safety improvement for certain commercial premises and commercial buildings
Fire Services Ordinance (CAP 95)	It is an ordinance to make provision for the prevention of fire hazards, for the investigation into matters relating to a fire and for a welfare fund; and to regulate the registration of fire service installation contractors and to provide for the control of the sale, supply, installation, repair, maintenance and inspection of fire service installations or equipment; and for purposes connected with the matters aforesaid.	Sale, supply, installation, repair, maintenance and inspection of fire service installations or equipment.
Gas Safety Ordinance (CAP 51)	The Ordinance controls, in the interests of safety, the importation, manufacture, storage, transport, supply and use of gas, and to provide for matters incidental thereto or connected therewith.	Gas supply and utilisation
Lifts and Escalators Ordinance (CAP 618)	The Ordinance provides for the safety of lifts and escalators, including the registration of contractors, engineers and workers for the purposes of carrying out lift works and escalator works; and to provide for consequential, incidental and related matters.	Lifts and Escalators
Sewage Services Ordinance (CAP 463)	The Ordinance provides for the imposition of sewage charges and trade effluent surcharges and other related matters.	Sewage Services
Telecommunications Ordinance (CAP 106)	Telecommunications Ordinance (CAP 106) makes	Installation and use of

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<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
	provision for the licensing and control of telecommunications, telecommunications services and telecommunications apparatus and equipment.	telecommunications apparatus and equipment
Waterworks Ordinance (CAP 102)	The Ordinance sets out the various requirements related to waterworks.	Waterworks
Building Maintenance Guidebook, BD	This Guidebook is to provide building owners with essential information on building maintenance matters covering such diversified areas as statutory requirements, construction technology, project supervision and estate management.	Building maintenance
Code of Practice for Building Energy Audit, EMSD	This Code is issued under Part 9 of the Buildings Energy Efficiency Ordinance, Cap 610, which sets out the technical guidance and details in respect of the energy audit requirements governing the central building services installation under the Ordinance.	Energy audit in commercial buildings
Code of Practice for Energy Efficiency of Building Services Installation, EMSD	This Code is issued under Part 9 of the Buildings Energy Efficiency Ordinance, Cap 610, which sets out the technical guidance and details in respect of the minimum energy efficiency requirements governing the building services installation defined in the Ordinance.	New construction and major retrofitting works of relevant building services installations
Code of Practice for the Electricity (Wiring) Regulations, EMSD	The Code of Practice gives general technical guidelines on how the statutory requirements of the Electricity (Wiring) Regulations can be met.	Electrical Installation

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<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
Code of Practice for Fire Safety in Buildings 2011, BD	This Code provides the Performance Requirements as well as prescriptive requirements for achieving an adequate level of fire safety in buildings.	Fire safety provisions in building including the requirements for fire resisting construction, means of escape and means of access for firefighting and rescue to buildings
Code of Practice for Minimum Fire Services Installation and Equipment and Inspection and Testing of Installations and Equipment, April 2012, FSD	This Code sets out the minimum fire services installation and equipment to be installed in various premises, as well as to indicate the type and nature of inspections and tests which installations and equipment must normally pass in order to satisfy the Director of Fire Services and to give guidance as to the conduct of inspections and tests.	Fire services installations and equipment and the inspection and testing such installations and equipment
Code of Practice for Lift Works and Escalator Works, EMSD	This Code of Practice presents the acceptable methods and procedures for installation, examination and testing of lifts and escalators and essential safety measures to be taken during maintenance, repair, major alteration, replacement and addition of lifts and escalators.	Installation, examination and testing of lifts and escalators
Code of Practice on the Design and Construction of Lifts and Escalators, BD	This Code of Practice sets out the technical standards for building works carried out or to be carried out to accommodate lifts and escalators.	Building works related to lifts and escalators
Code of Practice for Prevention of Legionnaires' Disease, 2012, EMSD	The Code of Practice for Prevention of Legionnaires' Disease provides guidelines on Design, Operation and Maintenance of Water Using Apparatus, such as	Design, operation and maintenance of water using apparatus such as cooling towers, hot and cold water supply

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<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
	cooling towers of air-conditioning systems, hot and cold water supply systems, use of spas to avoid the spread of Legionella bacteria.	systems.
Design Manual – Barrier Free Access 2008, BD	The Design Manual covers “barrier-free” design considerations and requirements to facilitate greater independence of not only persons with a disability and the elderly but also people with other forms of physical infirmities or limitations such as pregnant women, families with young children.	Barrier Free Access
Handbook on Plumbing Installation for Buildings, WSD	This Handbook on Plumbing Installation for Buildings summarises the current Hong Kong waterworks requirements in respect of policies, procedures and practices that the practitioners are expected to observe.	Plumbing Installation in Buildings
Overall Thermal Transfer Value in Buildings 1995	This Code of Practice provides technical guidance to satisfy the requirement of a suitable OTTV for a building under Building (Energy Efficiency) Regulation (Cap. 123 sub. leg.)	Design and construction of building envelope

Chapter 3 Environmental

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
Air Pollution Control Ordinance (CAP 311)	The Ordinance provides for the control of air pollution to control air pollution from industry, commercial operations and construction work.	Air polluting operations and activities
Air Pollution Control (Construction Dust) Regulation	Requires contractors to take dust reduction measures when construction work is being carried out.	Construction work
Air Pollution Control (Fuel Restriction) Regulations	Prohibits the use of high sulphur content solid and liquid fuel for commercial and industrial appliances. (In Shatin, only gaseous fuel is allowed.)	Use of diesel and other fuels e.g. for diesel generator
Air Pollution Control (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations	Requires prior approval to ensure suitable design for the installation and alteration of furnaces, ovens and chimneys.	Use of oven(s) in the kitchens
Air Pollution Control (Smoke) Regulations	Restricts emission of dark smoke from stationary combustion sources.	Use of generators, use of oven(s) in kitchens
Air Pollution Control (Volatile Organic Compounds) Regulation	Imposes limits in phases on the Volatile Organic Compounds (VOC) content of architectural paints/coatings, vehicle refinishing paints/coatings, vessel and pleasure craft paints/coatings, adhesives, sealants, printing inks and six selected consumer products - air fresheners, hairsprays, multi-purpose lubricants, floor wax strippers, insecticides and insect repellents, and requires emission reduction devices to be installed on lithographic heatset web printing	Use of Volatile Organic Compounds

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
	machines.	
Buildings Energy Efficiency Ordinance 610□	It is concerning the requirements for compliance with the Building Energy Code in new construction of specified types of buildings and in major retrofitting works of relevant building services installations, as well as the requirement for carrying out energy audit in commercial buildings.	New construction and major retrofitting works of relevant building services installations Energy audit in commercial buildings
Environmental Impact Assessment Ordinance (Cap. 499)	Provides for a statutory EIA process to avoid, minimise and control the adverse impacts of designated projects through the application of the EIA process and the EP system.	Project management
Noise Control Ordinance (CAP 400)	The ordinance controls construction noise, noise from commercial and industrial premises, neighbourhood noise and noise from newly-registered motor vehicles. The Technical Memorandum for the Assessment of Noise from Places other than Domestic Premises, Public Places or Construction Sites.	Controls construction noise from (a) the use of powered mechanical equipment; and (b) the carrying out of certain noisy works in designated areas, between 7 p.m. and 7 a.m. and on general holidays, by construction noise permits. Controls noise from industrial and commercial activities, including ventilation noise, through Noise Abatement Notices. Controls annoying noise (a) between 11 p.m. and 7 a.m. and all times on holidays; and (b) all day for particular types of

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
		noise sources. Limits the sounding of alarms installed in premises to no more than 15 minutes.
Ozone Layer Protection Ordinance 403	Gives effect to Hong Kong's international obligations under the 1985 Vienna Convention, the 1987 Montreal Protocol and any amendments to control the manufacture, import and export of ozone depleting substances.	Use of ozone depleting substances
Public Health and Municipal Services Ordinance (CAP 132)	The Ordinance makes provision for urban services and public health. This includes control of nuisance caused by emissions of dust and fumes, control of the discharge of hazardous materials to sewers. The Ordinance also places restriction on the storage of wastes in building and to prevent mosquito breeding.	Applicable to potential nuisance claims resulting from activities
Sewage Services Ordinance (CAP 463)	This Ordinance provides for the imposition of sewage charges (SCs) and trade effluent surcharges (TESs) and other related matters.	Operations subject to sewage charging
Waste Disposal Ordinance (CAP 354)	Provides for the licensing of collection services and disposal facilities for waste, the control scheme on chemical waste, the control on illegal dumping of waste, the control on import and export of waste and for the establishment of a system whereby disposal of specified wastes must be notified to the relevant authority who may give directions as to the method of	Collection and disposal of solid waste

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
	disposal.	
Waste Disposal (Chemical Waste) (General) Regulation (CWR)	<p>This regulation requires chemical waste producers to be registered with EPD. It specifies the requirements for the control on all aspects of chemical waste disposal including storage, collection, transport, treatment and final disposal. It is an offence to indiscriminately discharge chemical waste into sewers.</p> <p>Each registered waste producer has the obligation to inform EPD of any change in the particulars of the registration as soon as practicable.</p> <p>The CWR requires waste producers to arrange for proper disposal of their wastes at licensed facilities and to engage a licensed collector to remove and transport the waste. It also requires that all chemical waste must be properly stored, packaged and labelled.</p> <p>Part IV of the CWR on the Storage of Chemical Waste requires that waste packed/stored in a containers exceeding 450 litres requires approval from the Director of Environmental Protection.</p> <p>Code of Practice on the Packaging, Labeling and Storage of Chemical Wastes details the methods for chemical waste handling.</p>	<p>Generation of chemical waste</p> <p>Handling of chemical waste</p>

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
Waste Disposal (Refuse Transfer Station) Regulation	This Regulation stipulates the charges for the waste disposed to Refuse Transfer Stations and it effective as of 26th June 1998.	Activities giving rise to solid waste
The Waste Disposal (Charges for Disposal of Chemical Waste) Regulation	This Regulation applies to the disposal of chemical waste at the Chemical Waste Treatment Centre (CWTC). Charges may vary according to the type and quantity of waste treated as specified in the Regulation.	Activities giving rise to chemical waste.
Water Pollution Control Ordinance (CAP 358)	<p>The Ordinance provides for the declaration of Hong Kong waters into ten water control zones (WCZs, and requires that effluent discharged into waters or into foul sewer in a WCZ must be licensed.</p> <p>Technical Memorandum Standards for Effluents Discharged into Drainage and Sewerage Systems, Inland and Coastal Waters sets out the limits that make effluents acceptable into foul sewers, storm water drains, inland and coastal waters. The limits control the physical, chemical, and microbial quality of effluents.</p>	<p>Activities giving rise to wastewater, sewage generated from sanitary facilities etc.</p> <p>Relevant to all activities resulting in wastewater discharges</p>
A Guide to the Control of Ozone Depleting Chemicals in Hong Kong	The Guide gives effect to Hong Kong's international obligations under the 1985 Vienna Convention and the 1987 Montreal Protocol. The requirements are related to the import, export and manufacture of ozone depleting substances.	Import, export and manufacture of ozone depleting substances

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
A Concise Guide to the Control of Ozone Depleting Chemicals in Hong Kong	It bans the venting of controlled Refrigerants (CFC-11, CFC-12, CFC-115) used in large-scale refrigeration (>50kg refrigerant charge) and motor vehicles to atmosphere. Any person who allows any controlled refrigerant used for refrigeration equipment or a motor vehicle to escape into the atmosphere commits an offence.	Use of refrigerants in air-conditioning systems
Code of Practice on the Packaging, Labelling and Storage of Chemical Wastes	The Code provides practices for compliance with the Waste Disposal (Chemical Waste) (General) Regulation.	Production of chemical waste

Chapter 4 OH&S

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
Boiler and Pressure Vessel Ordinance (CAP 56)	The Ordinance makes provision to control the use and operation of boilers and pressure vessels, to provide for the holding of inquiries into accidents in or to boilers and pressure vessels and to provide for matters connected with the purposes aforesaid.	<ul style="list-style-type: none"> ➤ Certificate of competency for operators (Sec. 6); ➤ Certificate of fitness for boilers and pressure vessels (Sec. 33);
Builders' Lifts and Tower Working Platforms (Safety) Ordinance (CAP 470)	It is the ordinance to provide for the design, construction, installation and maintenance in safe working order of builders' lifts and tower working platforms, for the examination and testing of such lifts and platforms, and to provide for related matters.	Builder's lifts and tower working platforms
Dangerous Goods Ordinance (CAP 295)□	The ordinance defines about 450 dangerous goods, including explosives, compressed gases, poisonous substances, corrosive substances, substances liable to spontaneous combustion and flammable substances, and regulates the manufacture, use, storage and transport of dangerous goods.	Storage of dangerous goods (Schedule of CAP 295A) exceeding the FSD exempted quantities inside D.G. stores
Electricity Ordinance (CAP 406)	It is an ordinance to provide for the registration of electrical workers, contractors and generating facilities, to provide safety requirements for electricity supply, electrical wiring and products, to provide powers for electricity suppliers and the Government respecting electrical accidents and enforcement of this Ordinance, and to provide for measures designed to ensure that activities carried out in the vicinity of	<ul style="list-style-type: none"> ➤ Applicable to fixed electrical installations (Sec. 3 of EWR); ➤ Electrical works to be carried out and tested by registered electrical workers (Sec. 19 & 20 of EWR)

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
	electricity supply lines do not prejudice safety or the continuity of the electricity supply.	
Factories & Industrial Undertakings Ordinance (CAP 59)	The Factories and Industrial Undertakings Ordinance provides for the safety and health protection to workers in the industrial sector.	<ul style="list-style-type: none"> ➤ General duties of proprietor (Sec. 6A) and persons employed (Sec. 6B); ➤ Issue of prohibition notice by LD (Sec. 9A); ➤ Liability of proprietor (Sec. 13) and director/partner (Sec. 14A)
Factories & Industrial Undertakings Regulations (CAP 59 sub. Leg. A)	It provides requirements for medical examination, accident reporting and safety and health standards for notifiable workplaces.	Reporting of accidents (Reg. 17) and dangerous occurrences (Reg. 18);
F&IU (Notification of Occupational Diseases) Regulations (CAP 59, sub. Leg. E)	It requires medical practitioners to notify Director of Health of incidence of occupational diseases.	Applicable to occupational diseases as defined in First Schedule;
F&IU (Woodworking Machinery) Regulations (CAP 59, sub. Leg. G)	It stipulates safety requirements for the use of woodworking machinery.	Applicable to any industrial undertaking in which any woodworking machine is used
F&IU (Electrolytic Chromium Process) Regulations (CAP 59, sub. Leg. H)	It stipulates safety requirements for the electrolytic chromium process.	<ul style="list-style-type: none"> ➤ Provision of mechanical exhaust system for vapour and spray given off (Reg. 5); ➤ Provision of protective clothing for workers (Reg. 6); ➤ Provision of warning notice near electrolytic bath (Reg. 8);
F&IU Construction Sites (Safety) Regulations	It restricts the employment of persons under 18 years	➤ Restriction on employment of persons

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(CAP 59, sub. Leg. I)	of age on construction sites and regulates the use of hoist and winch in construction work.	under 18 years of age on construction sites ➤ Use of hoist and winch
F&IU (Lifting Appliances and Lifting Gear) Regulations (CAP 59, sub. Leg. J)	It regulates the use of lifting appliances and lifting gear used for raising or lowering or as a means of suspension.	➤ Lifting appliances (Part II); ➤ Chains, ropes and lifting gear (Part III);
F&IU (Abrasive Wheels) Regulations (CAP 59, sub. Leg. L)	It regulates the use of abrasive wheel for grinding or cutting operation.	➤ Mounting of abrasive wheel (Reg. 7); ➤ Provision of guards (Reg. 8 & 9); ➤ Provision of warning notice on dangers and precautions (Reg. 14);
F&IU (Work in Compressed Air) Regulations (CAP 59, sub. Leg. M)	It regulates the safety requirements for work in compress air.	Work in compressed air
F&IU (Goods Lifts) Regulations (CAP 59, sub. Leg. O)	It regulates the requirements for the use of good lifts in an industrial undertaking.	Applicable to any lift used in an industrial undertaking
F&IU (Guarding and Operation of Machinery) Regulations (CAP 59, sub. Leg. Q)	It stipulates the requirements for provision of guarding to machinery.	➤ Provision of guarding for dangerous parts as defined in First Schedule (Reg. 4, 5 & 6); ➤ Provision of start/stop devices (Reg. 8) and emergency stops (Reg. 9); ➤ Provision for machinery with belts and pulleys (Reg. 11);
F&IU (Cartridge-Operated Fixing Tools) Regulations (CAP 59, sub. Leg. R)	It regulates the use of cartridge-operated fixing tools.	Applicable to the use of cartridge-operated fixing tools designed and used for driving

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
		pins into structural material
F&IU (Protection of Eyes) Regulations (CAP 59, sub. Leg. S)	It stipulates the use of eye protectors for specified processes.	<ul style="list-style-type: none"> ➤ Use of eye protectors for processes specified in the Schedule (Reg. 3); ➤ Provision and use of eye protectors (Reg. 5 to 8)
F&IU (Noise at Work) Regulations (CAP 59, sub. Leg. T)	It stipulates requirements for hearing protection against noise at work.	<ul style="list-style-type: none"> ➤ Conduct of noise assessment (Reg. 3); ➤ Demarcation of ear protection zones (Reg. 4) and ear protection distances (Reg. 5); ➤ Provision, use and maintenance of approved ear protectors (Reg. 6, 7 and 9); ➤ Reduction of noise exposure (Reg. 8) and provision of information to employees (Reg. 10)
F&IU (Electricity) Regulations (CAP 59, sub. Leg. W)	It provides safety requirements against hazards with the distribution and use of electricity in industries.	<ul style="list-style-type: none"> ➤ General safety requirements (Part II); ➤ Switches, conductors and electric motors (Part III); ➤ Switchboards and switchboard apparatus (Part IV); ➤ Protective equipment, lighting and special risks (Part V); ➤ Sub-stations (Part VI)
F&IU (Safety Officers and Safety Supervisors) Regulations (CAP 59, sub. Leg. Z)	It regulates the registration of safety officers, stipulates the requirement for employment of safety officers and safety supervisors.	Employment of safety officers and safety supervisors

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<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
F&IU (Dangerous Substances) Regulations (CAP 59, sub. Leg. AB)	It regulates the use, disposal and storage of dangerous substances.	<ul style="list-style-type: none"> ➤ Labelling for containers with listed substances under First Schedule (Reg. 5 to 7); ➤ Provision of safety information, training and precaution (Reg. 11) and protective equipment (Reg. 12); ➤ Taking safety precaution and use of protective equipment (Reg. 13)
F&IU (Suspended Working Platforms) Regulations (CAP 59, sub. Leg. AC)	It regulates the use of suspended working platforms.	Use of any suspended working platform for carrying persons in an industrial undertaking
F&IU (Asbestos) Regulation (CAP 59, sub. Leg. AD)	It provides safety requirements for work on asbestos.	<ul style="list-style-type: none"> ➤ Identification, assessment and notification (Part II); ➤ Hygiene and safety requirements (Part II); ➤ Storage, distribution and labeling (Part IV); ➤ Duties of workmen and other persons (Part VI)
F&IU (Confined Spaces) Regulations (CAP 59, sub. Leg. AE)	It regulates work that takes place within a confined space in an industrial undertaking; and work that takes place in the immediate vicinity of, and is associated with work occurring within, a confined space.	Work within a confined space
F&IU (Safety Management) Regulation (CAP 59 sub. Leg. AF)	It provides requirements for safety management system in specified industrial undertakings.	<ul style="list-style-type: none"> ➤ Safety management system (Part III); ➤ Conduct of safety audit (Sec. 13);

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Chapter 4
Sheet 6

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
		➤ Conduct of safety review (Sec. 19)
F&IU (Gas Welding and Flame Cutting) Regulation (CAP 59 sub. Leg. AI)	It stipulates the duties of the proprietor and the employees with respect to performing gas welding and flame cutting.	Gas welding and flame cutting
Gas Safety Ordinance (CAP 51)	The Ordinance controls, in the interests of safety, the importation, manufacture, storage, transport, supply and use of gas, and to provide for matters incidental thereto or connected therewith.	Gas supply and utilisation
Occupational Safety and Health Ordinance (CAP 509)	It ensures safety and health of persons at work in both industrial and non-industrial sectors.	<ul style="list-style-type: none"> ➤ Duties of employers (Sec. 6), occupiers (Sec. 7) and employees (Sec. 8); ➤ Issue of improvement notice (Sec. 9) and suspension notice (Sec. 10); ➤ Accident/incident reporting (Sec. 13 and 14); ➤ Liability of directors and partners (Sec. 33)
Occupational Safety and Health Regulation (CAP 509 sub. Leg. A)	It provides standards for general safety, health and welfare of the workplace, and manual handling operations.	<ul style="list-style-type: none"> ➤ Accident prevention measures (Sec. 3 to 6); ➤ Fire prevention (Sec. 7 to 11); ➤ Workplace environment (Sec. 12 to 14); ➤ Hygiene at workplaces (Sec. 15 & 16); ➤ First aid facilities (Sec. 18) and first aiders (Sec. 20); ➤ Manual handling risk assessment (Sec. 23 & 25) and record keeping (Sec. 26)

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Chapter 4
Sheet 7

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
Occupational Safety and Health Regulation (Display Screen Equipment Regulation – CAP 509 sub. Leg. B)	It protects the safety and health of employees who use display screen equipment at work for prolonged periods of time.	Users of workstations who are required to use display screen equipment <ul style="list-style-type: none"> – Continuously for at least 4 hours during a day; OR – Cumulatively for at least 6 hours during a day
Code of Practice: Safety and Health at Work for Gas Welding and Flame Cutting, LD	This Code of Practice recommends safe practices in gas welding and flame cutting. It also describes the steps and measures to be taken in protecting workers from the hazards arising from the work, and in reducing injuries and damage caused by fire and explosion.	Gas Welding and Flame Cutting
Code of Practice: Safety and Health at Work for Industrial Diving, LD	This Code of Practice on industrial diving describes the safe diving practice to be adopted in operations in which persons are employed to work underwater.	Industrial diving
Code of Practice: Safety and Health at Work with Asbestos, LD	This Code of Practice provides practical guidance in respect of the provisions of the Factories and Industrial Undertakings (Asbestos) Regulation.	Use and handling of asbestos and materials containing asbestos
Code of Practice for Bamboo Scaffolding Safety, LD	This Code of Practice is issued Section 7A of the Factories and Industrial Undertakings Ordinance, Chapter 59. It provides practical guidance for the compliance with the requirements set out in Sections 6A & 6B of the Factories and Industrial Undertakings Ordinance and the requirements of the Construction Sites (Safety) Regulations regarding the safety in	Bamboo Scaffolding

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Chapter 4
Sheet 8

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
	bamboo scaffolding.	
Code of Practice for Safety and Health at Work in Confined Spaces, LD	This Code of Practice aims at providing practical guidance and technical information for proprietors, contractors and the persons of any industrial undertakings so as to ensure the safety and health of all persons who would enter into or work in confined spaces.	Work within Confined Spaces
Code of Practice for Safety at Work (Lift and Escalator), LD	This Code of Practice focuses on workers' safety and it recommends safe practices for those proprietors or contractors to protect their employees engaging in lift and escalator works, i.e. installation, commissioning, alteration, examination, inspection, testing, servicing/maintenance, repairing and dismantling work on lifts and escalators (excluding fabrication of lifts/escalators during manufacturing process).	Lift and escalator works
Code of Practice for Metal Scaffolding Safety, LD	This Code of Practice is issued under Section 7A of the Factories and Industrial Undertakings Ordinance, Chapter 59. It provides practical guidance for the compliance of the requirements set out in Sections 6A & 6B of the Factories and Industrial Undertakings Ordinance and the requirements of the Construction Sites (Safety) Regulations regarding the safety in metal scaffolding.	Scaffolding with metal components as structural skeleton
Code of Practice for Safe Use of Tower Cranes, LD	This Code provides guidance on the safe use and operation of tower cranes to ensure the safety of	Use of tower cranes

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Chapter 4
Sheet 9

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
	personnel working at or nearby those cranes.	
Code of Practice for Safe Use of Mobile Cranes, LD	This Code provides guidance on the safe use and operation of mobile cranes to ensure the safety of personnel working at or nearby those cranes.	Use of mobile cranes
Code of Practice for Working with Display Screen Equipment	It provides practical guidance to judge whether an employee is a “user” as defined in the Occupational Safety and Health Regulation (Display Screen Equipment Regulation – CAP 509 sub. Leg. B).	Perform risk assessment required under the Regulation
Code of Practice on Safety Management, LD	This Code of Practice is issued under section 7A(1) of the Factories and Industrial Undertakings Ordinance (Cap. 59). It aims to provide practical guidance for proprietors and contractors of relevant industrial undertakings to comply with the aforesaid legal requirements.	safety management system for certain industrial undertakings
Code of Practice on Working near Electricity Supply Lines, EMSD	This Code of Practice (“Code”) is issued in accordance with the provisions of Section 15 of the Electricity Supply Lines (Protection) Regulation (“ESLPR”) made under the Electricity Ordinance (Cap.406) (“EO”). Its purpose is to provide practical guidance in respect of the requirements of the ESLPR to ensure that activities carried out in the vicinity of underground electricity cables and overhead electricity lines do not prejudice safety or the continuity of the electricity supply.	Activities carried out in the vicinity of underground electricity cables and overhead electricity lines

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Chapter 4
Sheet 10

<u>Ordinance/Regulation</u>	<u>Purpose</u>	<u>Key Application Area</u>
Code of Practice on Avoiding Danger from Gas Pipes, EMSD.	This Code of Practice (“Code”) is issued in accordance with the provisions of Section 9 of the Gas Safety Ordinance (CAP 51). Its purpose is to provide practical guidance in respect of the requirements of the Ordinance and the Gas Safety (Gas Supply) Regulations concerning the avoidance of damage to gas pipes.	Avoiding danger from gas pipes
Code of Practice on the Packing, Handling, Transport and Disposal of Asbestos Wastes, EPD	Asbestos waste is classified as a chemical waste under the Waste Disposal (Chemical Waste) (General) Regulation (the Regulation) made under the Waste Disposal Ordinance (CAP 354), This Code of Practice provides guidance to any person who may be involved in the handling, packaging, transportation and disposal of asbestos waste and on how they can comply with the legislation.	Asbestos wastes
Code of Practice for the Electricity (Wiring) Regulations, EMSD	The Code of Practice gives general technical guidelines on how the statutory requirements of the Electricity (Wiring) Regulations can be met.	Electrical Installation

Chapter 5 Other Requirements

<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
Copyright Ordinance (CAP 528)	It is an Ordinance to make provisions in respect of copyright and related rights and for connected purposes.	All photocopying and intellectual related activities
Construction Workers Registration Ordinance (CAP 583)	It is an Ordinance to provide for the registration of construction workers; the establishment of a Construction Workers Registration Authority; a levy to be paid by contractors in respect of construction operations; the regulation of construction workers personally carrying out construction work; and for related matters.	Construction operations
Contracts for Employment Outside Hong Kong Ordinance (CAP 78)	It is an Ordinance to control contracts of employment entered into in Hong Kong by employees performing primarily manual work and certain other employees who are proceeding outside Hong Kong for employment.	Employment matters
Disability Discrimination Ordinance (CAP 487)	It is an Ordinance to render unlawful discrimination against persons on the ground of their or their associates' disability in respect of their employment, accommodation, education, access to partnerships, membership of trade unions and clubs, access to premises, educational establishments, sporting activities and the provision of goods, services and facilities; to make provision against harassment and	Employment matters, work place management & provision of goods, services and facilities

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Chapter 5
Sheet 2

<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
	vilification of persons with a disability and their associates; to extend the jurisdiction of the Equal Opportunities Commission to include discrimination against persons on the ground of their or their associates' disability, and for connected purposes.	
Employees' Compensation Ordinance (CAP 282)	It is an ordinance to provide for the payment of compensation to employees who are injured in the course of their employment.	Employee rights & benefits
Employment Ordinance (CAP 57)	It is an Ordinance to provide for the protection of the wages of employees, to regulate general conditions of employment and employment agencies, and for matters connected therewith.	Employment matters
Family Status Discrimination Ordinance (CAP 527)	It is an Ordinance to render unlawful discrimination against persons on the ground of family status and to extend the jurisdiction of the Equal Opportunities Commission to include such discrimination and for connected purposes.	Employment matters and workplace management
Labour Relations Ordinance (CAP 55)	It is an Ordinance to provide for improvement of labour-management relations and the settlement of trade disputes and matters incidental thereto.	Labour-management relations
Mandatory Provident Fund Schemes Ordinance (CAP 485)□	It is an Ordinance to provide for the establishment of non-governmental mandatory provident fund schemes for the purpose of funding benefits on retirement, to provide for contributions to such	Employment matters

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Chapter 5
Sheet 3

<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
	schemes, to provide for the registration of such schemes, to provide for a regulatory regime in respect thereof, to provide for the creation of a Mandatory Provident Fund Schemes Authority to oversee the administration and management of registered schemes, to exempt certain classes of persons from contributing to registered schemes, to provide for the approval of persons (other than public officers or statutory corporations) as trustees of registered schemes, to provide for the control and regulation of approved trustees, to regulate sales and marketing activities, and the giving of advice, in relation to registered schemes, and to make consequential amendments to other Ordinances including pension related Ordinances, and for connected purposes.	
Minimum Wage Ordinance (CAP 608)	It is an Ordinance to provide for a minimum wage at an hourly rate for certain employees; to establish a Minimum Wage Commission and to make consequential amendments to the Labour Tribunal Ordinance, the Employment Ordinance, the Minor Employment Claims Adjudication Board Ordinance and the Disability Discrimination Ordinance.	Employee rights & benefits
Personal Data (Privacy) Ordinance (CAP 486)	It is an Ordinance to protect the privacy of individuals in relation to personal data, and to provide for matters incidental thereto or connected therewith.	Operation involving staff's and Customers' personal data

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Chapter 5
Sheet 4

<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
Pneumoconiosis and Mesothelioma (Compensation) Ordinance (CAP 360)	The Ordinance establishes a scheme for compensating persons or their family members in respect of incapacity or death resulting from pneumoconiosis or mesothelioma (or both) and for purposes connected therewith.	Employee rights & benefits
Race Discrimination Ordinance (CAP 602)	It is an Ordinance to render discrimination, harassment and vilification, on the ground of race, unlawful; to prohibit serious vilification of persons on that ground; to extend the jurisdiction of the Equal Opportunities Commission to include such unlawful acts; to confer on the Commission the function of eliminating such discrimination, harassment and vilification and promoting equality and harmony between people of different races; to amend certain definitions, and the provisions on discrimination against contract workers, in existing anti-discrimination legislation as well as the provision on unlawful sexual harassment by creating a hostile or intimidating environment in the Sex Discrimination Ordinance for alignment with corresponding provisions in this Ordinance; to make other consequential and related amendments to enactments; and for related purposes.	Employment, work place management & provision of goods, services and facilities
Sex Discrimination Ordinance (CAP 480)	An Ordinance to render unlawful certain kinds of sex discrimination, discrimination on the ground of marital status or pregnancy, and sexual harassment; to provide for the establishment of a Commission with	Employment and workplace management

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Chapter 5
Sheet 5

<u>Subject</u>	<u>Purpose</u>	<u>Key Application Area</u>
	the functions of working towards the elimination of such discrimination and harassment and promoting equality of opportunity between men and women generally; and to provide for matters incidental thereto or connected therewith.	

<p style="text-align: center;">Hong Kong Institute of Facility Management</p> <p style="text-align: center;">Reference List of Legal and Other Requirements related to Facility Management</p>	
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Useful Website Links

Buildings Department	http://www.bd.gov.hk/
Construction Industry Council	http://www.hkcic.org/eng/main.aspx
Department of Justice	http://www.doj.gov.hk/eng/new/index.htm
Electrical & Mechanical Services Department	http://www.emsd.gov.hk/
Environmental Protection Department	http://www.epd.gov.hk/epd/
Fire Services Department	http://www.hkfsd.gov.hk/
Food & Environmental Hygiene Department	http://www.fehd.gov.hk/
Home Affairs Department	http://www.had.gov.hk/
Hong Kong Police Force	http://www.police.gov.hk/index.html
Labour Department	http://www.labour.gov.hk/front.htm
Occupational Safety and Health Council	http://www.oshc.org.hk/
Water Supplies Department	http://www.wsd.gov.hk/