

Building Management (Amendment) Bill 2023 gazetted

â€‹The Government published in the Gazette today (December 8) the Building Management (Amendment) Bill 2023 (the Bill).

The Bill seeks to amend the Building Management Ordinance (Cap. 344) (BMO) in the following three areas:

1. imposing voting-in-person and disclosure requirements for "large-scale maintenance procurement", and imposing additional requirements for other "high-value procurement";
2. imposing or adjusting certain requirements in relation to financial statements and other accounting documents of buildings; and
3. introducing criminal sanctions against failure to keep certain documents concerning building management.

A Government spokesman said, "With a growing number of aged buildings in need of repair and renovation, owners are increasingly concerned about major building maintenance. There has also been a strong call from the community for better control over how the management committees (MCs) of owners' corporations (OCs) handle day-to-day management of OCs. To address these public concerns, the Bill proposes amendments to the BMO to require the personal participation of a certain number of owners in decisions on 'large-scale maintenance procurement', to improve the transparency and accountability of the operation of MCs, as well as enhancing deterrence against non-compliance with the BMO."

The spokesman continued, "Private buildings are the property of owners and it is the owners' responsibility to manage their buildings properly. The BMO provides a legal framework for owners to form OCs, and sets out the powers, duties and operation of OCs, so as to facilitate the day-to-day operation of OCs."

â€‹The Bill will be introduced into the Legislative Council for first reading on December 13 this year.