

(e) by the addition at the end thereof of the following—

“Dextromethorphan  
Dipipanone; its salts  
Methylpentynol.”.

Made by the Pharmacy Board on the 9th day of April, 1956.

*de w.*

Chairman.

Approved by the Governor in Council this 17th day of  
April, 1956.

  
*G. H. L.*  
Clerk of Councils.

COUNCIL CHAMBER,  
17th April, 1956.  
(Secretariat 1/3231/49)

HONG KONG AIR NAVIGATION (RADIO)  
REGULATIONS, 1956.

ARRANGEMENT OF REGULATIONS.

	<i>Regulations</i>
PART I. General ... ..	1 to 5
PART II. Installation and compulsory carriage of radio apparatus ...	6 to 9
PART III. Maintenance and overhaul of radio apparatus ... ..	10 to 14
PART IV. Operation of radio apparatus ... ..	15 to 22
PART V. Licensing of flight radio operators and aircraft radio maintenance engineers ... ..	23 to 44

COLONIAL AIR NAVIGATION ORDER, 1955.

HONG KONG AIR NAVIGATION (RADIO) REGULATIONS, 1956.

In exercise of the powers conferred upon him by Article 68 of the Colonial Air Navigation Order, 1955, the Governor has made the following regulations—

PART I.

General.

Citation and commencement.

1. These regulations may be cited as the Hong Kong Air Navigation (Radio) Regulations, 1956, and shall come into operation on the 1st day of May, 1956.

Interpretation.

2. (1) In these regulations, unless the context otherwise requires—

“aeronautical station” means a radiocommunication land station which performs a service with aircraft stations;

“aircraft station” means a radio station on board an aircraft;

“approved” means approved by the Governor, or, in relation to such of his administrative functions as are delegated to the Director of Civil Aviation, approved by the said Director;

“British Civil Airworthiness Requirements” means the requirements relating to radio apparatus which are incorporated in the “British Civil Airworthiness Requirements”, as amended, published by the Air Registration Board, Brettenham House, Lancaster Place, Strand, London, W.C.2;

“Civil Aviation Communications Handbook” means the “Civil Aviation Communications Handbook” (C.A.P. 5), Second Edition, as amended, published by Her Majesty’s Stationery Office;

“designated international airport” means an airport designated by a Contracting State as available for use by international air services;

“Director” means the Director of Civil Aviation;

“flight radio operator’s licence” means a licence granted by the Director under Article 23 of the Order to operate radio apparatus in aircraft registered in the Colony;

“licensed operator” means the holder of a flight radio operator’s licence;

“radio navigation apparatus” means radio apparatus designed to assist the navigation of the aircraft;

“the Order” means the Colonial Air Navigation Order, 1955. (G.N.A. 67/55).

(2) Subject to the provisions of this regulation, expressions used in these regulations shall, unless the contrary intention otherwise requires, have the same respective meanings as in the Order.

3. Unless the context otherwise requires, these regulations apply only to and in relation to aircraft registered in the Colony. Application.

4. No person shall cause a Type B electromagnetic wave to be emitted from an aircraft station. Emission of Type B electro magnetic wave.

5. For the purposes of these regulations, frequencies shall be measured by the standard of measurement for the time being in use by the Postmaster General. Measurement of frequencies.

PART II.

Installation and compulsory carriage of radio apparatus.

6. (1) Except as provided in this regulation, radio apparatus shall not be installed in any aircraft unless the apparatus and the installation thereof comply with the following requirements— Requirements for radio apparatus installed in aircraft.

(a) the apparatus shall be of a type approved in writing by the Ministry of Transport and Civil Aviation in the United Kingdom as satisfying “British Civil Airworthiness Requirements” and as being suitable for the purpose for which it is intended to be used;

(b) the apparatus shall have been constructed, tested and inspected in accordance with all relevant requirements of “British Civil Airworthiness Requirements” in a manner approved in writing by the Director; and

- (c) the apparatus shall be installed in the aircraft in a manner approved in writing by the Director as complying with all relevant requirements of the "British Civil Airworthiness Requirements". Any such approval given for the purpose of this requirement shall remain in force for such period, not exceeding twelve months, as may be shown therein, but may be renewed from time to time on application to the Director :

Provided that the requirements of this paragraph shall not be deemed to apply to self-contained portable receivers which are not attached physically or connected electrically to the aircraft or its electrical system.

(2) Where radio apparatus manufactured elsewhere than in the United Kingdom is installed in an aircraft and in respect of such apparatus a document has been issued by the competent authorities of the State in which it was manufactured certifying that the apparatus is of a type approved by them, the Director may, if he is satisfied that the apparatus has been designed and constructed to standards not lower than those required in respect of similar types of apparatus manufactured in the United Kingdom, and subject to such conditions as he thinks fit, confer on such document the same validity as if it had been issued in accordance with the provisions of paragraph (1)(a) of this regulation.

(3) The provisions of paragraph (1)(c) of this regulation shall apply to such apparatus and to the installation of such apparatus in the aircraft.

7. (1) Subject to the provisions of paragraph (3) of this regulation and to the provisions of regulation 8—

A. no aircraft shall carry out a flight—

- (i) in circumstances which require it to communicate by radio with Air Traffic Control in order to comply with the rules of the Air and Air Traffic Control in Schedule II to the Order unless it is equipped with radio apparatus capable of maintaining two-way communication with the appropriate aeronautical stations at any time during the flight; or
- (ii) under Instrument Flight Rules within a control area or a control zone unless it is equipped with radio navigation apparatus capable of enabling the aircraft

Carriage  
of radio  
apparatus  
in aircraft.

to be navigated in accordance with the flight plan submitted to the appropriate Air Traffic Control and with any instructions received from Control ;

B. no public transport aircraft, except a public transport aircraft which is being used solely for the purpose of training any persons carried therein, in addition to the personnel thereof, to perform duties in an aircraft, shall carry out a flight—

- (i) under Instrument Flight Rules outside control areas and control zones unless it is equipped with radio apparatus capable of maintaining two-way communication with at least one aeronautical station at any time during the flight and of enabling the aircraft to be navigated in accordance with the plan for the flight ;
- (ii) under Visual Flight Rules over a route where navigation is not or cannot be effected by visual reference to landmarks unless it is equipped with radio apparatus capable of maintaining two-way communication with at least one aeronautical station at any time during the flight and of enabling the aircraft to be navigated in accordance with the plan for the flight ;
- (iii) under Visual Flight Rules or Instrument Flight Rules unless it is equipped with radio apparatus capable of maintaining two-way communication with the appropriate aeronautical station for purposes of aerodrome control or approach control when arriving at or departing from a designated international airport or an aerodrome in the Colony which has been notified for the purposes of this requirement ;
- (iv) under Visual Flight Rules over water beyond gliding distance from the nearest shore unless it is equipped with radio apparatus capable of maintaining continuous communication with an aeronautical station ;
- (v) under Instrument Flight Rules unless it is equipped with radio apparatus capable of receiving messages containing meteorological information transmitted by aeronautical stations for the assistance of aircraft ;

provided that, if the said messages can be received by means of the radio apparatus carried in the aircraft in accordance with sub-paragraph B (i) of paragraph (1) of this regulation additional apparatus for the purpose of this sub-paragraph need not be provided; or

- (vi) in the course of which it may have to land at an aerodrome in IFR weather conditions unless it is equipped with radio apparatus capable of receiving signals transmitted by an aeronautical station for the purpose of guiding the aircraft to a point above the aerodrome from which a visual landing can be effected.

(2) Radio apparatus carried in aircraft in accordance with the requirements of this regulation shall be in working order and shall be as notified in respect of the type of apparatus and the radio frequency employed, or, if no such notification is made, shall be suitable for satisfactory operation at the altitude or altitudes at which the flight is planned to be carried out and in the conditions obtaining on the route to be flown.

(3) In exceptional circumstances exemption from compliance with all or any of the requirements of this regulation and of regulation 8 may be granted by the Director in respect of any aircraft or type of aircraft and subject to any conditions he may think fit. In particular, the Director may grant such exemption in any case where, owing to the absence of radio facilities available for air navigation, it appears to him that the carriage in the aircraft of radio navigation apparatus would serve no useful purpose.

Carriage of  
licensed  
flight radio  
operators  
in aircraft.

8. Subject to the provisions of paragraph (3) of regulation 7, the following requirements of this regulation relating to the carriage of licensed flight radio operators shall apply in respect of aircraft required to be equipped with radio apparatus in accordance with the provisions of regulation 7—

- (a) the aircraft shall carry at least one licensed flight radio operator qualified under the terms of his licence to operate, for the sending and receiving of morse or spoken messages, the radio apparatus with which the aircraft is equipped;

- (b) if the aircraft carries out two-way communication by means of morse code and is flown under Instrument Flight Rules within a control area or a control zone, the flight radiotelegraphy operator shall be a separate person from any other member of the operating crew and, while on duty as a flight radiotelegraphy operator, shall not carry out any duties in the aircraft other than those of a flight radiotelegraphy operator;
- (c) if the aircraft carries out two-way communication by means of morse code as distinct from spoken messages, the flight radio operator (if he is the holder of the appropriate pilot's licence) shall not act in the capacity of pilot of the aircraft except in case of emergency and as a temporary measure;
- (d) if the aircraft is employed on a scheduled journey the Director may, at his discretion, require further conditions to be complied with in respect of the flight radio operators and the radio apparatus to be carried in the aircraft, according to the particular circumstances of the case.

9. The following provisions of this regulation shall apply to flights on which the requirements specified in regulations 7 and 8 are required to be complied with—

Service-  
ability of  
radio  
apparatus.

- (a) before commencing any such flight, the person in command of the aircraft shall satisfy himself that the aircraft is equipped with radio apparatus in accordance with the requirements of regulation 7, and that such apparatus is fit in every way for the flight, and in the case of a public transport aircraft, that a certificate of serviceability has been issued in accordance with the provisions of paragraph (2) of regulation 11 and is in force. If a flight radiotelegraphy operator other than the pilot is to be carried on such flight, he shall be responsible for furnishing such information to the person in command as will enable him so to satisfy himself;
- (b) if the radio apparatus becomes defective during the flight the aircraft shall comply with such of the Rules of the Air in Schedule II to the Order as may be appropriate in the circumstances of the case.

PART III.

*Maintenance and overhaul of radio apparatus.*

Examina-  
tion of  
radio  
apparatus.

**10.** (1) The provisions of this regulation shall apply to aircraft stations installed in public transport aircraft.

(2) The aircraft station shall be examined at intervals in accordance with a maintenance schedule approved by the Director, and for this purpose there shall be provided by the operator of the aircraft, for the use of persons employed on the maintenance of the aircraft station, data in the form of manuals or other suitable publications, giving essential information as to the operation and procedures necessary for the servicing and maintenance of the aircraft station. The examination shall extend to all accessories on board the aircraft installed to ensure the efficient working of the aircraft station and its correct tuning and shall include the bonding of the aircraft station.

(3) The place and date of every such examination and of any other examination and of any action taken to rectify defects shall be recorded and certified in a suitable book by the holder of an aircraft radio maintenance engineer's licence granted or rendered valid by the Director.

Certificate  
of service-  
ability.

**11.** (1) The provisions of this regulation shall apply to flights by public transport aircraft in circumstances in which the carriage of radio equipment is prescribed by regulation 7.

(2) Except as provided by paragraph (6), no such flight shall be commenced unless the aircraft station is fully serviceable and has been examined and found to have been maintained in accordance with the maintenance schedule prescribed in paragraph (2) of regulation 10 and a certificate of serviceability in the following form, or in such other form as may be approved by the Director as suitable for the purpose, is in force—

*"Aircraft Radio Station Certificate of Serviceability.*

Aircraft Type ..... Registration Marks .....

I hereby certify that, with the exception of the items listed below, the radio station in the above aircraft is fully serviceable and that all maintenance and examination in accordance with the approved maintenance schedule for that station has been carried out and that all adjustments and rectifications found necessary have been made and examined to my satisfaction.

(Give details, in the space below, of any unserviceable apparatus. If none write "no items unserviceable.").

Signed .....

*Aircraft Radio Maintenance*

Engineer: Licence No. ....

Time of issue .....

Dated at ..... this ..... day of ....., 19.....".

(3) (i) Prior to the issue of a certificate of serviceability the operator of the aircraft shall furnish such information as may be necessary to enable the aircraft radio maintenance engineer, who is to sign the certificate, to be satisfied that up to the time of issue of such certificate all maintenance and examination required to be carried out in accordance with the approved maintenance schedule for the aircraft station has been so carried out;

(ii) a certificate of serviceability, which shall be prepared in ink or indelible pencil, shall be issued at such periods as may be laid down in the maintenance schedule for the aircraft station;

(iii) a certificate of serviceability shall be issued by the holder of an aircraft radio maintenance engineer's licence granted or rendered valid by the Director, shall be made out in the prescribed manner and signed in duplicate, and shall come into force immediately after it has been issued;

(iv) one duplicate copy of a certificate of serviceability shall be carried in the aircraft and shall be kept with the journey log book of the aircraft, whenever such log book is required to be carried in the aircraft, until a further certificate is issued. The other duplicate copy of the certificate shall be retained by the operator of the aircraft and preserved by him for a minimum period of six months.

(4) A certificate of serviceability shall cease to be in force at a time when a new certificate is required to be issued in accordance with the terms of the approved maintenance schedule for the aircraft station to which it relates:

Provided that, if the aircraft station sustains a serious defect, the certificate of serviceability shall cease to be in force at the time at which such a defect occurs.

(5) For the purpose of paragraph (4) the expression "serious defect" means such a defect as would not, in accordance with ordinary aeronautical practice, be remedied by the operating crew.

(6) (i) If any of the radio apparatus comprising an aircraft station is unserviceable, details of the defective apparatus shall be recorded in the certificate of serviceability and the aircraft may then fly provided that the circumstances of the flight are such that carriage in the aircraft of radio apparatus of that type is not compulsory under the provisions of regulation 7;

(ii) exceptionally, when an aircraft is located away from its operating base and, through unforeseen circumstances, a certificate of serviceability relating to the aircraft station installed therein ceases to be in force and facilities for complying with the provisions of paragraphs (2) and (3) of this regulation are not available, the aircraft may continue to fly without a further certificate having been issued until it arrives at a place where such facilities are available, provided that the person in command thereof is satisfied that the aircraft station, or such of the radio apparatus thereof as is required to be carried under the provisions of regulation 7, is functioning satisfactorily.

(7) On the completion of every flight a flight radio operator carried on that flight shall record whether the aircraft station was functioning satisfactorily during the flight, and, in the event of any defect having been disclosed, shall record the nature of the defect. The record shall be handed by the person in command of the aircraft to the operator of the aircraft and shall be preserved by him for a minimum period of six months.

Overhaul  
etc. of  
radio  
apparatus.

12. (1) The provisions of this regulation shall apply to radio apparatus installed or intended to be installed in public transport aircraft.

(2) Except as provided by paragraph (6) the overhaul, repair, replacement or modification of such apparatus, excluding such minor repairs as would in accordance with ordinary aeronautical practice be carried out by the operating crew, shall only be undertaken by, or under the supervision of, the holder of an aircraft radio maintenance engineer's licence granted or rendered valid by the Director, or by a person or firm approved for this purpose by the Director (hereinafter in this regulation called an "approved person or firm").

(3) The work shall be carried out in all essential respects in accordance with the design approved by the Director in conformity with which the apparatus was constructed, including such modi-

fications as have been so approved for embodiment therein, or, alternatively shall be undertaken in accordance with any requirements made by the Director.

(4) All materials used shall be as approved by the Director for the design in conformity with which the apparatus was constructed or as otherwise so approved.

(5) Particulars of any overhaul, repair, replacement or modification shall be recorded and certified in a suitable book by the holder of an aircraft radio maintenance engineer's licence granted or rendered valid by the Director, or by or on behalf of an approved person or firm. This certification shall be in the following form, or in such other form as may be approved by the Director as suitable for the purpose—

*"Aircraft Radio Station or Aircraft Radio Apparatus Certificate of Overhaul or Repair.*

Aircraft Type ..... Registration Marks .....

or

Details of Aircraft Radio Apparatus .....  
.....  
.....

I hereby certify that in carrying out the overhaul, repair, replacement or modification specified below, all the conditions and requirements of the Hong Kong Air Navigation (Radio) Regulations, 1956, for the time being in force which are applicable thereto have been complied with.

(Give details in the space below).

Signed .....

Dated at ..... this ..... day of ....., 19.....

Number of Aircraft Radio Maintenance  
Engineer's Licence .....

If the person certifying does not hold a valid Aircraft Radio Maintenance Engineer's Licence, but is authorized by an approved person or firm to sign the certificate on their behalf, the following additional details shall be given:—

(i) Name of approved person or firm .....

(ii) Address of approved person or firm .....

....."

(6) (i) Exceptionally, when an aircraft is located away from its operating base, the person in command of the aircraft may, in emergency only, authorize the temporary repair of the aircraft station installed therein to be undertaken by a person other than as specified in paragraph (2).

(ii) In such cases particulars of the occurrence and of the work carried out shall be recorded in a suitable book by a flight radio operator carried in the aircraft and this book shall be handed by the person in command of the aircraft to the operator of the aircraft at the earliest opportunity. The operator of the aircraft shall cause the aircraft station to be examined by a person in possession of an aircraft radio maintenance engineer's licence granted or rendered valid by the Director, or by an approved person or firm, as soon as possible after such an occurrence.

(7) All records relating to overhaul, repair, replacement or modification shall be retained by the operator of the aircraft in which the apparatus is installed, or intended to be installed, and shall be preserved by him for a minimum period of two years.

Production of records and certificates.

**13.** The operator of an aircraft registered in the Colony shall, on demand made by persons authorized in writing for this purpose by the Director, produce or cause to be produced any record or certificate made or given in accordance with the requirements prescribed in regulations 10, 11 and 12.

Inspection of aircraft stations.

**14.** Any aircraft station (other than an aircraft station comprising only the radio apparatus specified in the proviso to paragraph (1) of regulation 5) may be inspected by persons authorized in writing for this purpose by the Director in order to ensure that its nature, installation and condition are such that it can be employed without prejudice to the safety of the aircraft or to the efficiency of the radio services. In addition, any aircraft station may be inspected by persons authorized by the Postmaster General in accordance with the terms of the aircraft station licence.

#### PART IV.

##### *Operation of radio apparatus.*

Conditions of operation of radio apparatus.

**15.** Except as otherwise provided in this Part, radio apparatus in aircraft shall be operated in compliance with these regulations and in conformity with—

- (a) the conditions contained in the licence issued by the Postmaster General in respect of the use of radio apparatus in the aircraft; and
- (b) the instructions contained in Chapters III, IV, IX, XI, XVI to XX inclusive and XXIII to XXVIII inclusive, of the "Civil Aviation Communications Handbook";

Provided that nothing in these regulations shall exempt an aircraft, when flying outside the Colony, from complying with any regulations in force in the country flown over.

**16.** Except that watch may be discontinued for reasons of safety (*e.g.*, danger of lightning or danger arising from a defect in the aircraft station as mentioned in regulation 18) and subject to the provisions of regulation 19—

Continuous watch on radio apparatus.

- (a) every aircraft required by Section III of these regulations to be equipped with radio apparatus; and
- (b) every aircraft, whether registered in the Colony or elsewhere, flying in circumstances which require it to communicate with Air Traffic Control in order to comply with the Rules of the Air in Schedule II to the Order,

shall carry out a continuous watch on the calling frequency in use in the area flown over, unless it has been exempted therefrom by the aeronautical station with which it is in communication.

**17.** No aircraft, whether registered in the Colony or elsewhere, or unregistered, shall send radio messages or signals while flying within the Colony except in accordance with the conditions of the aircraft station licence and in the following circumstances—

Sending of radio messages.

- (a) when sending is necessary to ensure the safety of any aircraft or of persons on board aircraft;
- (b) when sending is necessary in order to comply with the instructions contained in Chapters III, IX, XI, XVI, XIX, XX and XXIII to XXVIII inclusive, of the "Civil Aviation Communications Handbook";
- (c) when sending is required by the procedure prevailing on the route on which the aircraft is flying; or
- (d) in accordance with a special permission in writing given by the Director.

Defect in radio apparatus.

18. An aircraft which is equipped with an aircraft station having a defect such as to impair the safety of the aircraft shall not undertake any flight until the aircraft station has been rendered safe, or, if such defect occurs during flight, shall land as soon as possible unless the aircraft station can be and is speedily rendered safe during flight.

Prohibition against use of defective radio stations.

19. An aircraft station which is in such a condition that it cannot be employed without causing interference to the efficiency of the radiocommunication service of air navigation shall not be used (a) in an aircraft registered in the Colony wherever the aircraft may be, or (b) in an aircraft registered elsewhere than in the Colony, or, in an unregistered aircraft, when such aircraft is flying within the Colony.

Frequency.

20. No person shall send any message or signal from an aircraft station on a frequency which is not notified for use by aircraft stations.

Operation of radio apparatus.

21. Radio apparatus installed in an aircraft shall not be operated for the purpose of sending morse or spoken messages otherwise than by a licensed flight radio operator and in accordance with the privileges attaching to his licence :

Provided that—

- (i) if a licensed flight radio operator has become incapacitated during a flight the person in command of the aircraft may, as a temporary measure, authorize a person not licensed for the purpose to work the apparatus for sending and receiving distress, urgency and safety messages, messages relating thereto and messages or signals regarding the navigation of the aircraft ;
- (ii) the Director may, at his discretion, grant permission to particular persons, or to persons of such classes or description as he may specify, not being licensed flight radio operators to operate radio apparatus in aircraft for sending spoken messages to aeronautical stations in the Colony, or to aircraft flying within the Colony, on frequencies above 60 mc/s. that are not regarded internationally as frequencies to be used by aircraft on international flights. Any such apparatus worked by unlicensed operators shall be incapable of easy adjustment

for changing frequencies to any other than those for which the apparatus is licensed, and shall be worked in accordance with such conditions as may be attached to the permission.

22. With reference to Article 27(3) of the Order, telecommunication log books shall be kept by the persons and entries in such books shall include the particulars and be made and signed in the form and manner specified in Chapter III of the "Civil Aviation Communications Handbook".

Telecommunication log books.

PART V.

*Licensing of flight radio operators and aircraft radio maintenance engineers.*

23. With reference to Article 23 of the Order, application for the grant or renewal of a licence to act in the capacity of flight radio operator, or for an extension of a rating included in such a licence, should be made to the Director on a form which will be supplied by him on request.

Application of grant or renewal of licence.

24. Licences may be granted only to applicants who have reached the minimum ages indicated below—

Age of licence-holder.

- (i) for a flight radiotelephony operator's restricted licence ..... 17 years
- (ii) for a general flight radiotelephony operator's licence ..... 18 years
- (iii) for a first class flight radiotelegraphy operator's licence (temporary) ..... 18 years
- (iv) for a first class flight radiotelegraphy operator's licence ..... 20 years.

25. An applicant for the grant of a flight radio operator's licence shall be required to satisfy the following conditions—

Requirements for grant of licence for flight radio operator.

- (i) be a natural-born British subject, citizen of the Republic of Ireland, or a British protected person, whose father or mother is or was at death a British subject or, irrespective of parents' nationality, a British subject (natural-born or naturalized) who has been either resident in the British

dominions or employed in the service of the Crown for five of the preceding eight years, or who has in some other way satisfactorily demonstrated his close connexion with the British Commonwealth;

- (ii) satisfy the requirements in respect of technical competency specified in regulation 28;
- (iii) in the case of an applicant for a first class flight radiotelegraphy operator's licence (temporary) or a flight radiotelegraphy operator's licence, pass a medical examination in accordance with regulations 30 to 35;
- (iv) in the case of an applicant for a first class flight radiotelegraphy operator's licence, produce evidence of radio experience in accordance with regulation 36; and
- (v) give a written undertaking to preserve the secrecy of correspondence.

Radio apparatus rating.

**26.** The aircraft radio apparatus for the operation of which a flight radio operator's licence is valid shall be as specified in the certificate of competency.

Privileges attaching to licences.

**27.** (1) A flight radiotelephony operator's restricted licence entitles the holder to operate, in accordance with the terms of the licence, radiotelephony apparatus on board any aircraft:

Provided that—

- (i) the power delivered to the aerial by the transmitter in the absence of modulation does not exceed 50 watts; or
- (ii) the power delivered to the aerial by the transmitter in the absence of modulation does not exceed 250 watts, and
  - (a) the operation of the transmitter requires only the use of simple external switching devices;
  - (b) frequencies cannot be adjusted manually by the operator; and
  - (c) the stability of the frequencies must be maintained automatically by the transmitter.

(2) A general flight radiotelephony operator's licence entitles the holder to operate, in accordance with the terms of the licence, radiotelephony apparatus on board any aircraft.

(3) A first class flight radiotelegraphy operator's licence (temporary) entitles the holder to operate, in accordance with the terms of the licence, radiotelegraphy or radiotelephony apparatus on board any aircraft but only under the supervision of a person who is the holder of a first class flight radiotelegraphy operator's licence.

(4) A first class flight radiotelegraphy operator's licence entitles the holder to operate, in accordance with the terms of the licence, radio apparatus on board any aircraft.

**28.** (1) General Flight Radiotelephony Operator — The applicant shall be required to satisfy the Director, by examination or otherwise, of his technical competency in the following matters—

Technical competency.

- (a) knowledge of the elementary principles of radiotelephony;
- (b) detailed knowledge of the practical operation and adjustment of radiotelephone apparatus;
- (c) ability to send correctly and to receive correctly messages by radiotelephony;
- (d) knowledge of the Radio Regulations annexed to the International Telecommunication Convention applying to radiotelephony communications and particularly of that part of those regulations relating to the safety of life, and of the special instructions and operating procedures applying to radiotelephony communications in the radiocommunication service in air navigation, as contained in the handbook "Radiotelephony Procedure" (C.A.P. 46) published by Her Majesty's Stationery Office.

(2) Restricted Flight Radiotelephony Operator — The applicant shall be required to satisfy the Director, by examination or otherwise, of his competency in the following matters—

- (a) practical knowledge of radiotelephony operation and procedure;
- (b) ability to send correctly and to receive correctly messages by radiotelephony; and

(c) knowledge of the Radio Regulations annexed to the International Telecommunication Convention applying to radiotelephony communications and particularly of that part of those regulations relating to the safety of life, and of the special instructions and operating procedures applying to radiotelephony communications in the radiocommunication service in air navigation, as contained in the handbook "Radiotelephony Procedure" (C.A.P. 46) published by Her Majesty's Stationery Office.

(3) First Class Flight Radiotelegraphy Operator (Temporary)—The applicant shall be required to satisfy the Director, by examination or otherwise, of his technical competency in the following matters—

- (a) theoretical and practical knowledge of the general principles of electricity, of the theory of radio in relation to the sending and receiving of morse and spoken messages and air navigation and of the adjustment of and practical working of the principal radio apparatus used in aircraft stations including apparatus for direction finding and the taking of direction finding bearings;
- (b) theoretical and practical knowledge of the accessory apparatus, such as motor-generators, accumulators, etc., used in the operation and adjustment of the apparatus specified in (a) of this paragraph;
- (c) practical knowledge necessary to effect during flight with the means available on board, the repair of damage which may occur to the radio apparatus;
- (d) ability to send correctly and to receive correctly by ear, code groups (mixed letters, figures and punctuation marks) at a speed of 20 groups per minute, and of a plain language passage in English at a speed of 25 words per minute. Each code group must comprise five characters, each figure or punctuation mark counting as two characters. The passage in plain language must average five characters to the word. The duration of each test of sending and receiving will as a rule be five minutes;
- (e) ability to transmit correctly and to receive correctly telephonic communications;

(f) knowledge of the Radio Regulations annexed to the International Telecommunication Convention applying to radiocommunications and particularly of that part of those regulations relating to the safety of life; knowledge of the documents relating to charges for radiotelegraphy communications\*; knowledge of the special instructions and operating procedures applying to the radiocommunication service in air navigation, as contained in Chapters III, IV, IX, XI, XVI to XX inclusive and XXIII to XXVIII inclusive, of the "Civil Aviation Communications Handbook";

(g) knowledge of the general geography of the world, of the principal air navigation routes, and of the most important telecommunication routes.

(4) First Class Flight Radiotelegraphy Operator — The applicant must be the holder of a first class flight radiotelegraphy operator's licence (temporary).

(5) Certificate of Competency—A certificate of competency will be issued to an applicant who satisfies the Director as to his technical competency in the foregoing matters.

(6) Extension of Radio Apparatus Rating—An applicant may be examined in special radiocommunication or radio navigation systems not covered by the basic examination and, if successful, an appropriate entry will be made in the certificate of competency. For the purpose of obtaining such an entry in respect of particular radio navigation systems an applicant may be required to satisfy the Director that he has an elementary knowledge of air navigation.

29. Syllabuses and particulars of the examination referred to in regulation 28 are published in the handbook entitled "Flight Radio Operators' Licences" (C.A.P. 90), as from time to time amended, obtainable from the Director.

Syllabuses  
of ex-  
amination.

30. (a) A person applying for the grant or renewal of a first class flight radiotelegraphy operator's licence (temporary) or a first class flight radiotelegraphy operator's licence shall be required to undergo a medical examination to ascertain whether

Medical  
require-  
ments.

\* This knowledge is required only in the case of operators handling public correspondence.

his physical condition conforms with the standard of fitness, *i.e.* physical, visual, colour perception and hearing, specified in regulation 35:

Provided that an applicant who does not satisfy the specified medical requirements may, at the discretion of the Director, be accepted as eligible for the grant or renewal of a licence so far as medical requirements are concerned. Any licence granted or renewed in accordance with this proviso may be made subject to such conditions and restrictions as the Director may consider appropriate in the particular case.

(b) The medical examination shall be conducted by specially qualified medical officers appointed by or acting under the authority of the Director. Applications for examination should be made to the Director.

Declaration as to previous medical examination.

**31.** Every applicant who presents himself for medical examination for the grant or renewal of a licence shall be required to furnish to the medical examiner a declaration signed by him stating whether he has previously undergone such medical examination and, if so, where, when and with what result. A false declaration may entail the cancellation of any licence granted or renewed as a result of the examination.

Knowledge of physical defect.

**32.** If the holder of a licence is aware, or has reasonable grounds to suspect, that his physical, aural or eye condition has deteriorated in any respect, even if only temporarily as a result of a common minor ailment, so that it may be below the standard of medical fitness required for the grant of such a licence, he shall not act in any capacity for which he is so licensed until he is satisfied that his condition has been restored to the required standard.

Injury or illness of licence-holder.

**33.** (1) If the holder of a licence—

- (a) suffers any personal injury as the result of an accident occurring while he is acting in any capacity for which he is licensed;
- (b) suffers any personal injury involving incapacity for work as the result of an accident occurring otherwise than while he is acting in any capacity for which he is licensed; or

- (c) suffers from any illness involving incapacity for work during twenty days or more,

he shall send notification of the occurrence, in writing, to the Director as soon as possible in the case of accident, and, in the case of illness, as soon as the said period of twenty days has elapsed.

(2) The holder of a licence may, after suffering any such personal injury or illness as aforesaid, be required to undergo a full or partial medical examination. He shall not therefore resume acting in any capacity for which he is licensed until he has either been examined and pronounced fit or notified that an examination is not required.

(3) Pregnancy shall be regarded as incapacitating the holder of a licence from carrying out flying duties. As soon as the condition has been diagnosed the holder of a licence shall cease flying and shall not again fly until she has, in due course, been examined and pronounced fit.

(4) Whenever the holder of a licence has performed a total of 125 hours' flying in the capacity of a member of the operating crew of a flying machine or glider within any period of thirty consecutive days since his last medical examination under these regulations, he shall not continue to act in that capacity until he has been re-examined and pronounced fit:

Provided that in exceptional circumstances relaxations of the requirements of this paragraph may be made at the discretion of the Director.

(5) The medical examinations required for the purpose of this regulation shall be in accordance with the same conditions and standards as for the grant or renewal of a licence, except, however, as provided by regulation 34.

**34.** If an applicant for the renewal of a licence is for the time being acting as a member of the operating crew of an aircraft in a region distant from official medical centres the medical examination which he should normally pass to obtain renewal of the licence may exceptionally, at the discretion of the Director—

Deferring of medical examination.

- (a) be deferred once for a period of six months in the case of a member of the operating crew of a private aircraft;
- or

- (b) be deferred for two consecutive periods of three months each in the case of a member of the operating crew of a public transport or aerial work aircraft, on condition that the applicant obtains locally on each occasion a satisfactory medical certificate after having been examined by a qualified medical officer.

Standard  
of medical  
examina-  
tion.

35. The medical examination and assessment will be based on the following requirements of mental and physical fitness—

A. PHYSICAL STANDARD.

(a) *General.*

- (i) The applicant shall be required to be free from such active or latent acute, or chronic, physical disability, as would entail a degree of a functional incapacity which is likely to interfere with the safe performance of the duties at any altitude throughout a prolonged or difficult flight;
- (ii) the medical examination will include a full inquiry into the family and personal history of the applicant. The information obtained shall be given in a statement made and signed by him and will be taken into consideration by the medical examiner.

(b) *Examination of the nervous system.*

The applicant shall have no history of significant mental or nervous trouble. He shall be required to be free from any mental impairment, or presumptive evidence of latent epilepsy. He shall be required to be free from any progressive disease of the nervous system and from any non-progressive disease of that system, the effects of which are likely to interfere with the safe performance of the duties. Cases of past or present insanity and cases in which syphilis, past or present, has affected the central nervous system will be assessed as permanently unfit.

(c) *Injuries of the head.*

- (i) Cases of simple concussion, or simple fracture of the skull without associated intracranial injury will be assessed as temporarily unfit until such time as the medical examiner is satisfied that the effects of the concussion or fracture are no longer likely to

jeopardize safety in flight. If the applicant has been incapacitated for a period in excess of one-month the licence if renewed will be valid only for a period of two months in the first instance, thereafter its validity will be restricted to consecutive periods of two months until the medical examiner is satisfied that the after-effects of the concussion or fracture are no longer likely to cause a sudden incapacity in flight;

- (ii) cases of head injury associated with intracranial injuries will be assessed as permanently unfit if a local lesion of the brain or meninges persists;
- (iii) cases of head injury in which there has been an operation on the skull with loss of bony substance involving the two tables of the cranial vault will be assessed as permanently unfit.

(d) *General surgical examination.*

The applicant shall be required to be completely free from hernia.

Cases of active disease of the bones, joints, muscles or tendons and all serious functional sequelae of congenital or acquired disease will be assessed as unfit. Cases of functional after effects of lesions affecting the bones, joints, muscles or tendons and certain anatomical defects compatible with the safe performance of the duties may be assessed as fit.

Cases of sequelae of disease or surgical intervention on any part of the digestive tract and its adnexae, liable to cause sudden incapacity in flight, in particular any obstructions due to stricture or compression will be assessed as unfit.

Cases of extensive mutilation of the chest wall with collapse of the thoracic cage and sequelae of surgical procedures resulting in decreased respiratory efficiency at altitude will be assessed as unfit.

Cases of sequelae of disease or surgical procedures on the kidneys and the urinary tracts liable to cause sudden incapacity, in particular any obstructions due to stricture or compression will be assessed as unfit.

Cases of compensated nephrectomy without hypertension or uraemia may be assessed as fit.

An applicant who has undergone a major surgical operation on the biliary passages or the digestive tract or its adnexae, or the urinary system, which has involved a total or partial excision or a diversion of any of these organs will be assessed as unfit until such time as the medical examiner having access to the details of the operation concerned considers that the effects of the operation are not liable to cause sudden incapacity in the air.

(e) *General medical examination.*

The heart shall not possess any abnormality, congenital or acquired, which is likely to interfere with the safe performance of the duties. Respiratory arrhythmia, occasional extra systoles which disappear on exercise, increase of pulse rate from excitement or exercise, or a slow pulse not associated with auriculoventricular dissociation may be regarded as coming within "normal" limits.

The systolic and diastolic blood pressures shall be within normal limits.

There shall be no significant functional nor structural abnormality of the circulatory tree.

There shall be no acute disability of the lungs nor any active disease of the structures of the lungs, mediastinum or pleura. In the case of an examination for the first grant of a licence radiography will form a part of the chest examination, and similar radiographic examinations will be carried out as necessary thereafter.

Cases of pulmonary emphysema will not be assessed as unfit unless the condition is causing symptoms.

Cases of active pulmonary tuberculosis will be assessed as unfit. Cases of quiescent or healed lesions which are known to be tuberculous or are presumably tuberculous in origin, may be assessed as fit. Cases of doubt about the activity of a lesion, where symptoms of activity of the disease are lacking, clinically, will be assessed as temporarily unfit for a period of not less than three months from the date of

the medical examination. At the end of the three months' period, a further radiographic record will be made and compared carefully with the original. If there is no sign of extension of the disease and there are no general symptoms nor symptoms referable to the chest, the applicant may be assessed as fit for a period of three months. Thereafter provided there continues to be no sign of extension of the disease as shown by radiographic examinations carried out at the end of each three months' period, the validity of the licence will be restricted to consecutive periods of three months. When the applicant has been under observation under this scheme for a total period of at least two years and comparison of all the radiographic records shows no changes or only retrogression of the lesion, the lesion will be regarded as "quiescent" or "healed".

Cases of disabling disease with important impairment of the functioning of the gastro-intestinal tract and its adnexae will be assessed as unfit.

Cases of significant metabolic, nutritional or endocrine disorders will be assessed as unfit. Proven cases of diabetes mellitus will be assessed as permanently unfit; doubtful cases will be assessed as unfit until the condition is proven to be non-diabetic.

Cases of severe and moderate enlargement of the spleen persistently below the costal margin will be assessed as unfit.

Cases of significant localized and general enlargement of the lymphatic glands and of diseases of the blood will be assessed as unfit; those due to a transient condition may be assessed as temporarily unfit.

Cases presenting any signs of organic disease of the kidneys will be assessed as unfit; those due to a transient condition may be assessed as temporarily unfit. The urine shall contain no abnormal element considered by the medical examiner to be pathological. Cases of affections of the urinary passages and of the genital organs will be assessed as unfit; those due to transient conditions may be assessed as temporarily unfit.

An applicant who has a personal history of syphilis shall be required to furnish evidence, satisfactory to the medical examiner, that he has undergone adequate treatment.

An applicant showing any clinical signs of active syphilis will be assessed as temporarily unfit for a period of not less than three months from the date of the medical examination. At the end of the three months' period, provided the applicant furnishes proof, satisfactory to the medical examiner, that he has undergone adequate treatment in the interim and that the serological reaction for syphilis is negative, he may be assessed as fit but where a licence is granted or renewed in these circumstances it will be valid only for a period of three months in the first instance. Thereafter, provided serological reactions for syphilis continue to be negative at the end of each three months' period, the validity of the licence will be restricted to consecutive periods of three months. When the applicant has been under observation under this scheme for a total period of at least three years and the serological reactions have continued to be negative, the restriction on the period of validity of the licence may be removed. In cases where the serological reaction for syphilis remains persistently positive, examinations of the cerebrospinal fluid at the end of each period of six months with negative results may be accepted in lieu of negative serological reactions at the end of each period of three months.

Applicants of the female sex who have a history of severe menstrual disturbances that have proven unamenable to treatment and that are likely to interfere with the safe performance of the duties will be assessed as unfit.

In the event of pregnancy the applicant will be assessed as temporarily unfit until, at least, after the pregnancy has been terminated. After confinement or miscarriage the applicant will not be permitted to exercise the privileges of the licence until she has undergone a medical examination and been assessed as fit. Cases of applicants of the female sex who have undergone gynaecological operations will be considered individually.

(f) *Eye examination.*

The functions of the eye and its adnexae shall be normal. There shall be no active pathological condition, acute or chronic, of either eye or adnexae which is likely to interfere with its proper function to an extent that would jeopardize safety in flight.

(Note: The details of the Visual Standard are specified in paragraph B and those for Colour Perception in paragraph C of this regulation).

(g) *Ear examination.*

There shall be—

- (i) no active pathological process, acute or chronic of the internal ear or middle ear cleft;
- (ii) no unhealed (unclosed) perforation of the tympanic membranes except that a dry perforation of non-infectious origin need not render the applicant unfit;
- (iii) no permanent obstruction of the eustachian tubes;
- (iv) no permanent disturbances of the vestibular apparatus.

(Note: The details of the Hearing Standard are specified in paragraph D of this regulation).

(h) *Nose, throat and mouth examination.*

There shall be free nasal air entry on both sides. There shall be no serious malformation nor serious, acute or chronic, affection of the buccal cavity or upper respiratory tract. Applicants with significant defects of speech will be assessed as unfit.

**B. VISUAL STANDARD.**

The measurement of visual acuity will be made by means of a series of optotypes of Landholt, or similar optotypes, illuminated at not less than sixty lux and placed at a distance of twenty feet from the applicant. The applicant shall be required to have—

- (a) a distant visual acuity of at least 6/60 in each eye separately without correction: provided that one eye is capable of correction to 6/6 and the other to 6/18 and if the uncorrected vision in one eye or both eyes is less than 6/12 glasses giving an acuity of at least 6/6 in one eye and at least 6/18 in the other eye shall be worn whilst exercising the privileges of the licence;

- (b) a near visual acuity of Jaeger I in the better eye and Jaeger 8 in the other eye with correcting glasses if necessary;
- (c) accommodation within  $\pm 3$  dioptries of the average for the age;
- (d) normal fields of vision.

C. COLOUR PERCEPTION STANDARD.

The measurement of colour perception will be made by means of pseudoisochromatic plates or a suitable lantern. When a lantern is used it will present the light, transmitted by coloured screens lighted at five lux, for one second and seen at a distance of twenty feet in an angle of three minutes.

The applicant shall be required to be able to distinguish easily signal red, signal green and white.

D. HEARING STANDARD.

The applicant shall be required not to have a loss in either ear of more than twenty decibels at any one of the four frequencies, 500, 1,000, 2,000 and 3,000 cycles per second as measured by means of a standard pure tone audiometer in a quiet room, that is, a room in which the intensity level of the background noise is less than fifty decibels as measured by a sound level meter. Alternative means of testing which the Director considers are the equivalent of those detailed will be accepted.

Radio experience.

36. (1) An applicant for the grant of a flight radiotelephony operators' restricted licence or a general flight radiotelephony operator's licence shall not be required to furnish evidence of radio experience.

(2) An applicant for the grant of a first class flight radiotelegraphy operator's licence (temporary) shall not be required to furnish evidence of radio experience.

(3) An applicant for the grant of a first class flight radiotelegraphy operator's licence shall be required to furnish the following evidence of radio experience—

- (i) (a) a minimum of one year's manual radiotelegraphy operating experience, of a kind approved by the Director, in the aeronautical or maritime mobile

services. Such experience must have been acquired during a period reasonably recent in relation to the application and at least four months of it should normally have been obtained during the twelve months immediately preceding the date of the application; and

- (b) satisfactory evidence that he has performed the duties of a temporary flight radiotelegraphy operator in flight under the provisions of his temporary licence for a minimum period of twenty-five hours during the twelve months immediately preceding the date of the application; or

- (ii) satisfactory evidence of such other experience which in the opinion of the Director is of at least the equivalent value to that prescribed in sub-paragraph (i) above.

37. (1) The period for which a flight radio operator's licence may remain in force, following either the grant or any renewal thereof, shall not exceed twelve months.

Period for which licence may remain in force and renewal of licence.

(2) An applicant for the renewal of a licence shall be required to undergo a medical examination in accordance with regulations 30 to 35, except in the case of an applicant for the renewal of a flight radiotelephony operator's restricted licence or a general flight radiotelephony operator's licence, and may, at the discretion of the Director, be required to undergo all or any part of the technical examination specified for the grant of a licence of the class to which the application relates.

(3) An application for the renewal of a flight radiotelephony operator's restricted licence or a general radiotelephony operator's licence shall be required to furnish evidence of having satisfactorily carried out radio communication, under the provisions of his licence, during the six months immediately preceding the date of the application.

(4) An applicant for the renewal of a first class flight radiotelegraphy operator's licence shall be required to furnish satisfactory evidence of having been actively employed in the performance of appropriate radio operating duties in the aeronautical service for a period of not less than two months during the twelve months immediately preceding the date of the application :

Provided that applications from persons unable to satisfy these requirements may be dealt with at the discretion of the Director.

Application of grant or renewal of licence.

38. With reference to Article 34(3) of the Order, application for the grant or renewal of a licence to act in the capacity of aircraft radio maintenance engineer, or for an extension of a rating included in such a licence, should be made to the Director on a form which will be supplied by him on request.

Requirements for grant of licence for maintenance engineer.

39. An applicant for the grant of an aircraft radio maintenance engineer's licence—

- (a) must be not less than 21 years of age;
- (b) must satisfy the Director, by examination or otherwise, that his theoretical and practical knowledge of aircraft radio apparatus is in accordance with the relevant standards notified by the Director; and
- (c) must produce satisfactory evidence of having had not less than three years' practical experience of a kind notified and approved by the Director; such experience shall have been acquired during a period reasonably recent in relation to the application.

Certificate of competency.

40. A certificate of competency will be issued to an applicant who satisfied the Director as to his technical competency in the foregoing matters.

Radio apparatus rating.

41. The aircraft radio apparatus for the maintenance, examination and certification in working order of which an aircraft radio maintenance engineer's licence is valid shall be as specified in the certificate of competency.

Extension of radio apparatus rating.

42. An applicant may be examined in respect of special radio-communication apparatus or radio navigation apparatus not covered by the basic examination and, if successful, an appropriate entry will be made in the certificate of competency.

Syllabuses of examination.

43. Syllabuses and particulars of the examination referred to in regulations 39 and 42 are published in the handbook entitled "Aircraft Radio Maintenance Engineers' Licences" (C.A.P. 101), as from time to time amended, obtainable from the Director.

44. (1) The period for which an aircraft radio maintenance engineer's licence may remain in force, following either the grant or any renewal thereof, shall not exceed twelve months.

Period for which licence may remain in force and renewal of licence.

- (2) An applicant for the renewal of such a licence—
- (a) shall be required to furnish satisfactory evidence of having been actively employed in the performance of appropriate radio duties for a period of not less than two months during the twelve months immediately preceding the date of the application :

Provided that applications from persons unable to satisfy this requirement may be dealt with at the discretion of the Director ;

- (b) may, at the discretion of the Director, be required to undergo all or any part of the technical examination specified for the grant of a licence.

45. The Hong Kong Air Navigation (Radio) Regulations, 1953, are rescinded.

Rescission. (G.N.A. 47/53).

Given at Hong Kong this 17th day of April, 1956.

By Command,



Colonial Secretary.

*Explanatory Note.*

*(This Note is not part of the regulations, but is intended to indicate their general purport).*

1. These regulations are made under the Colonial Air Navigation Order, 1955, which revoked the Colonial Air Navigation Order, 1949; they replace the Hong Kong Air Navigation (Radio) Regulations, 1953, as amended, which were made under the Order of 1949.

2. The only important change from the provisions previously in operation is that revised medical requirements are prescribed for the Physical and Visual Standards.

(Secretariat 6/951/52)

ENTERTAINMENTS TAX ORDINANCE.  
(Chapter 110).

ENTERTAINMENTS DUTY (AMENDMENT)  
REGULATIONS, 1956.

In exercise of the powers conferred by section 7 of the Entertainments Tax Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Entertainments Citation. Duty (Amendment) Regulations, 1956.

2. Regulation 1 of the Entertainments Duty Regulations is amended—

(a) by the deletion from the definition of "government ticket" of the words "of Stamp Revenue, hereinafter referred to as the Collector;" ;

(b) by the insertion after the word "Collector" where it first occurs in the definition of "government ticket" of a semi-colon.

Amendment  
of regula-  
tion 1.  
(Vol. IX,  
p. 348).



Clerk of Councils.

COUNCIL CHAMBER,  
24th April, 1956.

*Explanatory Note.*

*(This Note is not part of the regulations, but is intended to indicate their general purport).*

1. A definition of the office of "Collector", wider than that contained in the Entertainments Duty Regulations, has been inserted in the Entertainments Tax Ordinance (Chapter 110) by the Entertainments Tax (Amendment) Ordinance, 1956.

2. These regulations delete the definition of the office of "Collector" from the Entertainments Duty Regulations, so as to make the wider definition of that office contained in the Ordinance apply also to the regulations.

(Secretariat 12/3231/50)

**DANGEROUS DRUGS ORDINANCE.**

**(Chapter 134).**

DANGEROUS DRUGS (AMENDMENT OF SCHEDULE) ORDER, 1956.

In exercise of the powers conferred by section 3 of the Dangerous Drugs Ordinance, the Governor in Council has made the following Order—

1. This Order may be cited as the Dangerous Drugs Citation. (Amendment of Schedule) Order, 1956.

2. The drugs specified below shall be included as item No. 29 in the First Schedule to the Dangerous Drugs Ordinance—

“6-Piperidino-4:4-diphenylheptan-3-one, its salts and any preparation, admixture, extract or other substance containing any proportion of 6-piperidino-4:4-diphenylheptan-3-one.”

Amendment  
of First  
Schedule.  
(Cap. 134).



*Clerk of Councils.*

COUNCIL CHAMBER,

24th April, 1956.

(Secretariat 5/3281/51)

**EMERGENCY REGULATIONS ORDINANCE.**  
**(Chapter 241).**

EMERGENCY (PRINCIPAL) (AMENDMENT) REGULATIONS, 1956.

In exercise of the powers conferred by section 2 of the Emergency Regulations Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Emergency (Principal) (Amendment) Regulations, 1956. Citation.
2. Regulation 116A of the Emergency (Principal) Regulations, 1949, is rescinded. Rescission of regulation 116A. (G.N.A. 277/49).



*Clerk of Councils.*

COUNCIL CHAMBER,  
24th April, 1956.  
(Secretariat 23/3231/50)





**DOGS AND CATS ORDINANCE.**  
**(Chapter 167).**

**DOGS AND CATS (OBSERVATION AND QUARANTINE FEES)**  
**NOTIFICATION, 1956.**

In exercise of the powers conferred by regulations 10(1) and 20 of the Dogs and Cats Regulations, His Excellency the Governor hereby prescribes the following fees which shall be payable by the owner of any dog or cat whilst such animal is in the Government observation kennels or in a quarantine station— (Vol. X. p. 269).

- (a) dogs weighing 25 lbs. and over ..... \$2.50 per day or part thereof;
- (b) dogs weighing under 25 lbs. .... \$1.50 per day or part thereof;
- (c) cats ..... \$1.00 per day or part thereof:

Provided that no fees shall be payable for—

- (i) dogs or cats of which the owner is not known and of which no person appears to have the custody, control or care thereof;
- (ii) dogs or cats detained under regulation 9, and subsequently destroyed;
- (iii) dogs or cats reported under regulation 11 as being suspected of having rabies or having been in contact with a case of rabies or suspected rabies.

Government Notification No. A.3 in Supplement No. 2 of the *Gazette* of the 9th of January, 1953, is hereby cancelled. Cancellation of G.N. No. A.3/53.

This Notification may be cited as the Dogs and Cats (Observation and Quarantine Fees) Notification, 1956.

By Command,

Colonial Secretary.

17th April, 1956.

*Explanatory Note.*

*(This Note is not part of the Notification, but is intended to indicate its general purport.)*

Except for paragraph (ii) of the proviso, the Notification repeats G.N. No. A.3/53 save the last paragraph thereof. Opportunity has been taken to re-draft it in order to accord with General Orders of the Government.

(Secretariat 63/3231/49)

**URBAN COUNCIL (COMMISSIONER FOR  
RESETTLEMENT) ORDINANCE, 1954.**

**(No. 19 of 1954).**

Resolution made and passed by the Legislative Council under section 3 of the Urban Council (Commissioner for Resettlement) Ordinance, 1954, on the 25th day of April, 1956.

Resolved, pursuant to section 3 of the Urban Council (Commissioner for Resettlement) Ordinance, 1954, that the duration of the said Ordinance be extended for the term of one year with effect from the 30th April, 1956.



*Deputy Clerk of Councils.*

COUNCIL CHAMBER,  
25th April, 1956.

(Secretariat 10/3231/54)



HONG KONG

BUILDINGS

ORDINANCE NO. 68 OF 1955

---

*Published in Supplement No. 1 to  
Government Gazette No. 61 of 23rd December, 1955.*

---

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

TABLE OF CONTENTS.

PART I.

*Citation and Definitions.*

<i>Regulation.</i>	<i>Citation and Definitions.</i>	<i>Page.</i>
1.	Citation ... ..	3
2.	Interpretation ... ..	3

PART II.

*Authorized Architects.*

3.	Appointment of authorized architect to be notified. Form 4 ...	3
4.	Qualifications ... ..	3
5.	Application requirements ... ..	5
6.	Removal from register ... ..	5
7.	Duties. Form 12. Form 13. Form 14 ... ..	5
8.	Disciplinary Board ... ..	7

PART III.

*Registered Contractors.*

9.	Appointment of registered contractors to be notified. Form 15. Form 16 ... ..	7
10.	Issue of certificate. Form 17 ... ..	8
11.	Removal from register ... ..	8
12.	Duties. Form 18. Form 13. Form 14 ... ..	8
13.	Disciplinary Board ... ..	8

PART IV.		Page.
<i>Regulation.</i>	<i>Plans and Notices.</i>	
14.	Delivery of notices and plans ... ..	9
15.	Notices. Form 4 ... ..	9
16.	Plans. Structural details, calculations and stress diagrams. Form 19. Projections. Form 10. Additional plans and information may be required ... ..	10
17.	Types of plans ... ..	11
18.	Scale of plans ... ..	11
19.	Signature on plans. Plans by two or more architects ... ..	12
20.	Stability certificate. Form 20 ... ..	12
21.	Architects to make proper inquiries ... ..	12
22.	Approval of plans. Form 3 ... ..	13
23.	Plans to be supplied to contractors ... ..	13
24.	Notices to the Building Authority subsequent to approval of plans. Form 4. Form 15. Form 12. Form 13. Form 14. Form 18 ... ..	13
25.	New plans ... ..	14
26.	Change in use of buildings. Form 7 ... ..	14

PART V.

*Fees.*

27.	Fees payable under the Buildings Ordinance, 1955, and regulations ... ..	14
-----	--	----

PART VI.

*Forms.*

28.	Forms prescribed by the Buildings Ordinance, 1955, and regulations ... ..	15
-----	---	----

**BUILDINGS ORDINANCE, 1955.**  
(No. 68 of 1955).

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

PART I.

*Citation and Definitions.*

1. These regulations may be cited as the Building (Administration) Regulations, 1956. Citation.
2. In these regulations, unless the context otherwise requires, words and expressions have the meaning attributed to them by the Buildings Ordinance, 1955, and—  
“Ordinance” means the Buildings Ordinance, 1955. Interpretation.

PART II.

*Authorized Architects.*

3. (1) Before the commencement of any building works the building owner shall notify the Building Authority in the prescribed form of the name of the authorized architect appointed for such building works. Appointment of authorized architect to be notified, Form 4.
- (2) Where another authorized architect is appointed under the provisions of subsection (2) of section 4 of the Ordinance the building owner shall notify the Building Authority of such appointment within seven days thereof.

4. (1) No person shall be included in the register of authorized architects unless he has one of the following qualifications—

(a) membership, other than students, probationers or graduates of—

(i) the Royal Institute of British Architects:

Provided that any person being in possession of a certificate showing that he has passed all examinations necessary for election to corporate membership but who not being of British nationality, is ineligible for election, shall be deemed to be qualified by this regulation; or

(ii) the Institution of Civil Engineers; or

(iii) the Institution of Structural Engineers; or

(iv) the Institution of Municipal and County Engineers (Municipal Division after 1948); or

(v) the Royal Institution of Chartered Surveyors (Building Division);

and has had in cases (iv) and (v) at least two years' practical experience under a practising architect or civil engineer after election to membership;

- (b) registration as an architect in the United Kingdom;
- (c) membership of any other architects' or engineers' association or institution recognized by the Building Authority, and has had not less practical experience under a practising architect or civil engineer than that required under sub-paragraph (a) for a like qualification;

(d) a degree in—

(i) architecture from a university or school recognized by the Building Authority, and has had in addition to the university or school course, not less than two years' practical experience under a practising architect:

Provided that if the Hong Kong University School of Architecture be recognized by the Royal Institute of British Architects or if the Governor were satisfied that the standard of the School is equivalent to that required by such Institute, the period of practical experience shall be one year and thereafter the candidate shall pass an examination in Professional Practice and Practical Experience similar to that required by such Institute;

(ii) engineering from a university or school recognized by the Building Authority, and has had in addition to the university or school course, not less than four years' practical experience under a practising civil engineer:

Provided that if the Hong Kong University School of Engineering be recognized by the Institution of Civil Engineers or if the Governor were satisfied that the standard of the School is equivalent to that required by such Institution, then the period of practical experience shall be three years and thereafter the candidate shall be required to pass a Professional Interview similar to that required by such Institution;

- (e) three years' articed pupilage followed by six years' practical experience under a practising architect or civil engineer and has attained the age of thirty years;

(f) fifteen years' practical experience under a practising architect or civil engineer and has attained the age of thirty-five years.

(2) In all cases practical experience of one year shall have been obtained within the last three years preceding the date of application.

5. (1) Every person making application to be included in the register shall— Application requirements.

(a) produce documentary evidence to the Building Authority to prove compliance with requirements of regulation 4;

(b) be required to satisfy the Building Authority at a professional interview as to his suitability for inclusion in the register;

(c) in the case of candidates making application under the provisos to sub-paragraphs (d) (i) and (ii) and sub-paragraphs (e) and (f) of paragraph (1) of regulation 4 be required to pay the prescribed fee and pass an examination.

(2) All professional interviews shall be conducted by the Building Authority and all examinations shall be held by an examination board appointed by the Building Authority.

6. The Building Authority shall remove from the register the name of any authorized architect who dies or ceases to practise. Removal from register.

7. (1) Every authorized architect shall sign all plans, structural details, calculations and stress diagrams submitted by him to the Building Authority. Such signature shall be deemed to be an assumption by the architect of all responsibility for the plans, structural details, calculations and stress diagrams. Duties.

(2) Every authorized architect shall supply officially stamped, signed and dated copies of all plans submitted by him to and approved, stamped, signed and dated by the Building Authority to the registered contractor who has been engaged for the execution of the work shown on the plans.

(3) Every authorized architect shall supply to the Building Authority on request information relative to the plans submitted by such authorized architect to the Building Authority or to the work shown on such plans.

(4) Every authorized architect shall notify the Building Authority—

Form 12.

- (a) in the prescribed form within seven days of the commencement of any building works shown on plans submitted by him to and approved by the Building Authority;
- (b) in writing within forty-eight hours of any work of emergency for which he has been engaged.

(5) Every authorized architect, who submits plans to the Building Authority, shall after approval by the Building Authority give such periodical supervision and inspection as may be necessary to ensure that the works are being executed in general accordance with the building regulations.

(6) Every authorized architect, who submits plans to the Building Authority, shall notify the Building Authority in writing within seven days if he ceases to act on behalf of the person by whom he has been engaged or if the supervision of any work, for which plans have been submitted by him to the Building Authority, is transferred to another architect.

Form 13.

Form 14.

- (7) (a) Within fourteen days of the completion of any building work, the authorized architect responsible for such work shall notify the Building Authority in the prescribed form that the work has been carried out in accordance with the approved plans.
- (b) Where more than one inspection is, in the opinion of the Building Authority, made necessary either by faulty or defective work or by incorrect information the authorized architect shall pay the prescribed fee in respect of each such additional inspection.

(8) No authorized architect shall act as a contractor or deal in building materials or receive any payment, commission, advantage or benefit of any nature or kind either directly or indirectly from any contractor, subcontractor or supplier of building materials or other goods used in connexion with a building project without disclosing the fact in writing to his client.

(9) Every authorized architect shall within fourteen days notify the Building Authority of any change in his business address.

8. (1) The Governor may appoint a Board for the purposes of section 5 of the Ordinance. Disciplinary Board.

- (2) (a) The Board shall consist of five persons of whom there shall be—
- (i) three authorized architects,
  - (ii) Building Authority or his representative,
  - (iii) legal adviser.
- (b) The Building Authority or his representative and two authorized architects shall constitute a quorum.
- (c) The Building Authority or his representative shall be chairman and the legal adviser, if present, shall have the conduct of the inquiry.

### PART III.

#### *Registered Contractors.*

9. (1) Before the commencement of any building works the building owner shall notify the Building Authority in the prescribed form of the name and address of the registered contractor appointed to execute such building works. Appointment of registered contractors to be notified. Form 15.

(2) Where any registered contractor so appointed becomes unable or unwilling to continue building works whether by reason of the discharge of his contract or for any other reason—

- (a) he shall—
- (i) notify the Building Authority within seven days of ceasing to be the registered contractor employed by the building owner,
  - (ii) certify on the prescribed form within seven days that such building works executed by him have been carried out in accordance with the regulations, to the authorized architect who shall submit to the Building Authority within seven days; Form 16.
- (b) no building works shall thereafter be executed until the building owner shall have—
- (i) appointed another registered contractor, and
  - (ii) notified the Building Authority of such appointment in the manner prescribed by paragraph (1) of regulation 9.

Issue of certificate.

**10.** The Building Authority shall, subject to the payment of the prescribed fees, issue to every person, whose application for inclusion in the register of contractors has been approved, a certificate of registration in the prescribed form, and a copy of the Ordinance and Regulations.

Form 17.

Removal from register.

**11.** The Building Authority shall remove from the register the name of any registered contractor who dies or ceases to engage in building works.

Duties.

**12.** (1) Every registered contractor shall sign an undertaking on the prescribed form which shall be submitted to the Building Authority prior to commencement of any building works. Such undertaking shall be deemed to be an assumption by the registered contractor of responsibility for the strict compliance with the regulations.

Form 18.

(2) Every registered contractor shall exhibit on the site of the building works, officially stamped, signed and dated, copies of all plans submitted by the authorized architect to and approved, stamped, signed and dated by the Building Authority.

(3) Every registered contractor shall notify the Building Authority in writing within 48 hours of any work of emergency for which he has been engaged.

(4) Every registered contractor who has been appointed to execute building works shall give continuous supervision during the execution of such building works to ensure that the building works are being executed in accordance with the regulations.

(5) Within fourteen days of the completion of any building works, the registered contractor executing such building works shall certify to the Building Authority through the authorized architect on the prescribed form that such building works have been carried out in accordance with the regulations.

Form 13.

Form 14.

(6) Every registered contractor shall within fourteen days notify the Building Authority of any change in his business address.

Disciplinary Board.

**13.** (1) The Governor may appoint a Contractors' Board for the purposes of section 8 of the Ordinance.

- (2) (a) The Contractors' Board shall consist of seven persons of whom there shall be—
- (i) two registered contractors,
  - (ii) three authorized architects,
  - (iii) Building Authority or his representative,
  - (iv) legal adviser.
- (b) The Building Authority or his representative, one registered contractor and one authorized architect shall constitute a quorum.
- (c) The Building Authority or his representative shall be chairman and the legal adviser, if present, shall have the conduct of the inquiry.

## PART IV.

*Plans and Notices.*

**14.** (1) All notices and plans required by the regulations shall be delivered to the Building Authority either by post or by leaving them at his office during office hours. Delivery of notices and plans.

(2) In the case of any proposed building work in the New Territories, notices and plans may be delivered to the District Commissioner.

(3) After such delivery to the Building Authority, the period on expiry of which he shall be deemed to have given his consent to the building works under subsection (6) of section 9 of the Ordinance, shall be twenty-eight days.

(4) Where such plans are not in accordance with the provisions of these regulations the authorized architect shall pay the prescribed fee in respect of each further submission of such plans to the Building Authority :

Provided that no such fee shall be payable where in the opinion of the Building Authority the further submission was occasioned by a *bona fide* misinterpretation of such provisions or for other good cause.

**15.** (1) Every notice of intention to commence, carry out or resume any building works shall be clearly and correctly completed to supply the information required in the prescribed form. Notices. Form 4.

(2) Such notices shall be signed by the owner or by his duly authorized agent and countersigned by the authorized architect who has been engaged.

Plans.

**16.** (1) Except as otherwise provided or exempted by the Building Authority, plans shall be submitted in triplicate in respect of every proposed building work to show clearly—

- (a) a plan of every floor and roof of the building, on which shall be indicated full dimensions, thickness of walls, the positions of all windows, water-closets, urinals, water-storage tanks, baths, wash-basins, sinks and other sanitary fittings and the intended uses of the several parts of the building;
- (b) all elevations of the building;
- (c) one or more sections to indicate the foundations, the levels of the site and the lowest floor of the building, the height of the building, the clear height of every storey, the positions of windows and the floor and roof levels of any adjoining or adjacent building.
- (d) the levels of adjacent streets in relation to a known datum and to the levels of the site and the building;
- (e) the width of any streets adjacent to the site;
- (f) a foundation plan, showing sizes and positions of foundations;
- (g) a drainage plan to indicate sizes and depths of drains, connexions to a Government sewer, stormwater drain, or nullah or other method of the disposal of drainage, the positions of disconnecting traps and the means of ventilation;
- (h) a block plan, indicating the size and position of the building, other buildings and premises in the immediate vicinity and neighbouring streets;
- (i) a key plan showing the position of the site when such site is not sufficiently identifiable from the block plan;
- (j) the position, depth and construction of any well;
- (k) by means of a diagrammatic plan with full dimensions and calculations—
  - (i) the height, volume and disposition of such building in accordance with the provisions of regulations 17, 18, 19 and 20 of the Building (Planning) Regulations;
  - (ii) any open space required for such building in accordance with the provisions of regulations 22, 23, and 24 of the Building (Planning) Regulations.

- (2) (a) Plans showing structural details shall be submitted in duplicate together with one set of full calculations including stress diagrams where necessary for any—
  - (i) building works involving the structural use of steel or the structural use of reinforced concrete,
  - (ii) retaining wall constructed of masonry or brickwork, and
  - (iii) other structure designed by calculation under any Code of Practice or London County Council By-laws permitted under these regulations.
- (b) A certificate in the prescribed form completed and signed by the authorized architect shall also be submitted for any building works involving the structural use of steel or the structural use of reinforced concrete.

Structural details, calculations and stress diagrams.

Form 19.

- (3) In the case of any balcony, canopy, bridge or other similar projection over a street or unleased Crown land, one set of plans shall be submitted indicating clearly the nature and dimension of such projection.

Projections. Form 10.

- (4) The Building Authority may also require additional plans, enlarged details, documents, information regarding water supply, specifications and use of any special materials and any other particulars which he may deem relevant to the proposed building work.

Additional plans and information may be required.

- 17.** (1) All plans submitted to the Building Authority shall be drawn or reproduced in a clear and intelligible manner on suitable and durable material:

Types of plans.

Provided that ferro-prussic prints shall not be accepted for engineering drawings.

- (2) Plans shall be suitably coloured to differentiate clearly between existing work and new work and between different parts of any new construction.

- 18.** (1) Plans and sections shall be drawn to a scale of not less than one inch to every 8 feet:

Scale of plans.

Provided that in the case of very extensive buildings the Building Authority may accept plans drawn to a scale of not less than one inch to every 16 feet.

(2) Lay-out plans and plans of new private streets shall be drawn to a scale of not less than one inch to every 20 feet.

(3) Block plans shall be drawn to a scale of not less than one inch to every 50 feet.

Signature on plans.

**19.** (1) Unless exempted by the Building Authority all plans shall be signed by the authorized architect who has been engaged to supervise the proposed work as provided in paragraph (1) of regulation 7.

Plans by two or more architects.

(2) The Building Authority may refuse to accept plans from two or more authorized architects for proposed work at the same premises.

Stability certificate.

**20.** (1) In the case of any plan for repairs, alterations or additions to, or the demolition of, any building the authorized architect who has been engaged to supervise the proposed work shall attach to such plan his certificate in the prescribed form stating that he has inspected such building and that in his opinion it is capable of bearing the loads and stresses which may be increased or altered in any way by reason of such repairs, alterations, additions or demolition.

Form 20.

(2) Where any demolition may affect adversely any adjoining building, he shall also certify that such building is provided with adequate support to safeguard its stability.

Architects to make proper inquiries.

**21.** Prior to the submission of plans to the Building Authority, an authorized architect shall—

- (a) make proper inquiries regarding the position and depth of any sewer to which a drainage connexion is to be made;
- (b) ascertain the requirements of any other authorities regarding any conditions of the registration or licensing of the premises or the issue of any permit;
- (c) ascertain that the intended work does not contravene any condition of the lease of the lot on which such work is to be done;
- (d) ascertain that the intended work complies with approved and draft plans prepared and exhibited in accordance with the provisions of section 5 of the Town Planning Ordinance.

[Note: For information to assist in complying with the provisions of this regulation, Authorized Architects may apply to the Buildings Ordinance Office.]

**22.** (1) When he is satisfied that any plans, which are submitted to him, comply with the provisions of the Ordinance and of any regulations, the Building Authority shall issue a permit in the prescribed form authorizing the commencement and execution of any building works shown on such plans. Such a permit shall not be taken as an acknowledgment that such plans comply with lease conditions or with the requirements of any other authority.

Approval of plans. Form 3.

(2) When issuing such a permit the Building Authority shall officially stamp, sign, date and return to the authorized architect—

- (a) two sets of plans where such plans have been submitted in triplicate,
- (b) one set of plans where such plans have been submitted in duplicate.

**23.** (1) An officially stamped, signed and dated copy of every plan approved by the Building Authority shall be supplied by the authorized architect who has been engaged to supervise any building works, to the registered contractor employed on such works as provided in paragraph (2) of regulation 7.

Plans to be supplied to contractors.

(2) It shall be the duty of such contractor to keep every such plan available on such works as provided in paragraph (2) of regulation 12 for inspection by the Building Authority or any officer deputed by him.

**24.** Subsequent to the approval of any plans, the Building Authority shall be notified in writing—

- (a) by a building owner before the commencement of any building works as required by paragraph (1) of regulation 3 and paragraph (1) of regulation 9;
- (b) by an authorized architect—
  - (i) within seven days of the commencement of any building works shown on such plans as required by sub-paragraph (a) of paragraph (4) of regulation 7;
  - (ii) within fourteen days of the completion of any building works shown on such plans as required by sub-paragraph (a) of paragraph (7) of regulation 7;

Notices to the Building Authority subsequent to approval of plans. Form 4. Form 15.

Form 12.

Form 13.

Form 14.

- Form (iii) on completion of any drainage works in accordance with the provisions of regulations 31 and 32 of the Drainage (General, Water Closets and Urinals etc.) Regulations;
- Form 18. (c) by a registered contractor before the commencement of any building works as required by paragraph (i) of regulation 12.
- New plans. **25.** In any case in which several alterations are made in the original design of a building, for which amended plans have been submitted, the Building Authority may require a complete set of new plans showing the building as it has been completed.
- Change in use of buildings. **26.** Any person giving notice to the Building Authority in the prescribed form under section 16 of the Ordinance shall submit a block plan showing the size, position and lot number of the building and its relationship to adjoining buildings.

PART V.

*Fees.*

Fees payable under the Buildings Ordinance, 1955, and regulations.

**27.** The fees payable under the Ordinance and regulations shall be those set out in the table hereunder, and shall be payable on demand to the Treasury.

TABLE OF FEES.

	<i>By whom payable.</i>	<i>Amount.</i>
1. For the inclusion of an authorized architect's name in the architects' register under subsection (5) of section 3.	Authorized architect.	\$25
2. For the inclusion of a registered contractor's name in the contractors' register under subsection (3) of section 6.	Registered contractor.	\$25
3. For the granting of a permit by the Building Authority under subsection (2) of section 29—	Permittee.	

	<i>By whom payable.</i>	<i>Amount.</i>
(a) to erect a balcony or balconies over a public street or unleased Crown land. Regulation 7(2) of Building (Planning) Regulations.		\$200 (per street)
(b) to erect a canopy or canopies over a public street or unleased Crown land. Regulation 6(2) of Building (Planning) Regulations.		\$20 (per street)
4. For taking examination required under paragraph (c) of regulation 5(1).	Applicant.	\$150
5. For each subsequent inspection after the first under regulation 7(7)(b) of the Building (Administration) Regulations, 1956, following the delivery of a completion certificate by the authorized architect.	Authorized architect.	\$50
6. On the submission of further plans or particulars of building works to the Building Authority under regulation 14(4) of the Building (Administration) Regulations, 1956.	Authorized architect.	\$100

PART VI.

*Forms.*

**28.** The prescribed forms under the Ordinance and Regulations shall be those listed hereunder—

- Form 1. Form of application to the Building Authority for inclusion in the register of authorized architects. Section 3(2).
- Form 2. Form of application to the Building Authority for inclusion in the register of registered contractors. Section 6(2).

Forms prescribed by the Building Ordinance, 1955, and Regulations.

- Form 3. Form of permit from the Building Authority to carry out or resume building works.  
Sections 9(1) and 11.
- Form 4. Form of notice to the Building Authority of intention to carry out or resume building works.  
Sections 9(2)(a)(i) and 11.
- Form 5. Form of notice to the Building Authority from a building owner in respect of urgent works required as a result of an accident or an emergency.  
Section 10(1)(b).
- Form 6. Form of permit from the Building Authority to a building owner to occupy a new building.  
Section 12(1).
- Form 7. Form of notice to the Building Authority of intended material change in the use of a building.  
Section 16(1).
- Form 8. Form of order by the Building Authority to a building owner in respect of a dangerous building.  
Section 17(1).
- Form 9. Form of notice to the Building Authority from an owner or owners in respect of the surrender of areas of land forming part of a private street to the Crown free of all interests of whatsoever nature.  
Section 20(5)(a).
- Form 10. Form of application to the Building Authority for modification of and/or exemption from the provisions of the Ordinance and/or Regulations.  
Section 29(1) and (2).
- Form 11. Form of permit from the Building Authority granting modification of and/or exemption from the provisions of the Ordinance and/or Regulations.  
Section 29(1) and (2).

- Form 12. Form of notice to the Building Authority from an authorized architect within seven days of commencement of building works.  
Regulation 7(4)(a) of Building (Administration) Regulations.
- Form 13. Form of notice to the Building Authority from an authorized architect and a registered contractor, certifying completion of building works, not being a new building.  
Regulation 7(7)(a) and Regulation 12(5) of Building (Administration) Regulations.
- Form 14. Form of notice to the Building Authority from an authorized architect and a registered contractor, certifying completion of building works being a new building.  
Regulation 7(7)(a) and Regulation 12(5) of Building (Administration) Regulations.
- Form 15. Form of notice to the Building Authority by a building owner notifying appointment of a registered contractor.  
Regulation 9(1) of Building (Administration) Regulations.
- Form 16. Form of notice to the Building Authority from a registered contractor (through an authorized architect) on ceasing to be employed by a building owner and certifying completion of building works carried out by him.  
Regulation 9(2)(a)(ii) of Building (Administration) Regulations.
- Form 17. Form of certificate issued by the Building Authority to a person whose name has been included in the register of contractors.  
Regulation 10 of Building (Administration) Regulations.

- Form 18. Form of undertaking to be given to the Building Authority by a registered contractor assuming responsibility for strict compliance with the Building Regulations.  
Regulation 12(1) of Building (Administration) Regulations.
- Form 19. Form of certificate to be submitted to the Building Authority by an authorized architect along with structural details and calculations for any building works involving the structural use of steel or the structural use of reinforced concrete.  
Regulation 16(2)(b) of Building (Administration) Regulations.
- Form 20. Form of certificate to be submitted to the Building Authority by an authorized architect in respect of stability of existing buildings.  
Regulation 20 of Building (Administration) Regulations.
- Form 21. Form of application to the Building Authority from a building owner for permission to erect a temporary building.  
Regulation 47(1) of Building (Planning) Regulations.
- Form 22. Form of permit from the Building Authority to erect a temporary building or a contractor's shed.  
Regulation 47(1) of Building (Planning) Regulations.
- Form 23. Form of application to the Building Authority from a registered contractor for permission to erect a contractor's shed for use during the execution of building works.  
Regulation 49(1) of Building (Planning) Regulations.
- Form 24. Form of application to the Building Authority for permission to erect hoardings, shoring, scaffolding and/or platforms to be used during the execution of building works.  
Regulation 60 of Building (Planning) Regulations.
- Form 25. Form of permit from the Building Authority to erect hoardings, shoring, scaffolding and/or platforms to be used during the execution of building works.  
Regulation 61 of Building (Planning) Regulations.

FORM 1.

BUILDINGS ORDINANCE No. 68 OF 1955.

Section 3(2).

*Application to the Building Authority for inclusion in the register of authorized architects maintained by the Building Authority.*

To the Building Authority.

....., 195 .

I hereby apply to be included in the Register of Authorized Architects.

1. Name and address in full:— .....
2. Age:—..... Date of birth..... Nationality.....
3. Professional Qualifications and date obtained.  
Diploma, if any, to be enclosed.

4. Concise account of education and professional training, with the necessary dates, giving references to past and present employers, and a statement of the principal works on which the candidate has been engaged, and capacity in which he was employed on such works.

5. Original Indenture, Articles or Agreement and specimens of applicant's designs and works to be submitted for examination:—

Signature .....

FORM 2.

BUILDINGS ORDINANCE No. 68 OF 1955.  
Section 6(2).

*Application to the Building Authority for inclusion in the register of registered contractors maintained by the Building Authority.*

To the Building Authority. ...., 195 .

I hereby apply to be included in the Register of Registered Contractors

1. Registered name of company or firm.
2. Registered address of company or firm.
3. Date of registration of company
4. Number of Business Registration Certificate (Current certificate to be attached.)
5. Full names and address of all directors or partners. (active or inactive.)
6. Names and address of bankers, persons or firms, or guarantors to whom reference may be made.
7. Names of principal technical staff and length of consecutive service with the company.
8. Address of office and telephone number(s).
9. Address of yard(s) and telephone number(s).

Signature .....

10. Recommendation by an Authorized Architect.

Signature .....

Date .....

FORM 3.

BUILDINGS ORDINANCE No. 68 OF 1955.  
Sections 9(1) and 11.

*Permit from the Building Authority to carry out or resume building works.*

Permit No. ....

B.O.O. Ref. No. ....

To .....

Building Authority's Office.  
Hong Kong, ....., 195 .

Notice dated ..... has been received from (owner/authorized agent) ..... of intention to carry out/resume the following building works ..... at (number and name of street) ..... on (lot number/permit area number) ..... in accordance with the plans/amended plans dated ..... deposited in this office by (authorized architect) Mr. ....

2. I hereby consent to the carrying out of the building works stated in the said notice and approve the accompanying plans as being in conformity with the Buildings Ordinance 1955.

I hereby consent to the resumption of the building works stated in the said notice in accordance with plans approved on (date) .....

3. The building works are to be carried out in accordance with the provisions of the Buildings Ordinance 1955 and the Building Regulations 1956 and in accordance with modification/exemption No. .... dated ..... granted by the Building Authority.

4. This consent and approval is given in respect only of the requirements of Section 9 Buildings Ordinance 1955 and of Regulation 22 Part IV. Building (Administration) Regulations.

5. Before proceeding with the building works the applicant should satisfy himself that such building works do not in any manner contravene any other Ordinance or Regulation or the conditions of the Crown lease, licence or permit of the lot or area on which such building works are to be carried out.

.....  
*pro. Building Authority.*

*N.B.* This form should be handed to the person in charge of the building works and be kept on the site during the carrying out of such building works.

FORM 4.

BUILDINGS ORDINANCE No. 68 OF 1955.  
Sections 9(2) and 11.

*Notice to the Building Authority of intention to carry out  
or resume building works.*

To the Building Authority. .... 195 .

In accordance with the provisions of Section 9(2)/11 of the Building Ordinance 1955 ..... give notice of ..... intention to carry out/resume the following building works; .....  
.....  
as shewn in the accompanying plans/plans approved on (date) .....

2. I have appointed (authorized architect) Mr. ....  
of (address) ..... Tel. No. ....  
to prepare the necessary plans and to supervise the building works.

PARTICULARS

- (a) Number and Name of street, Locality.
- (b) Lot number, with details of any section or subsection of the lot.
- (c) Width of street or streets upon which the building abuts.
- (d) The intended use of the building or parts thereof on completion of the building works.
- (e) Name and address of the owner.
- (f) Name and address of any duly authorized agent of the owner.
- (g) Number of any licence or permit relating to the proposed building works or site.
- (h) The date on which the tenure of the lot will expire in any case in which the unexpired portion of the lease is less than 10 years.

- (i) Details of any conditions of sale, any particular lease covenants affecting the height, design, type or use of buildings which may be erected on this lot or permit area.

*Signature of owner  
or authorized architect* .....

*Signature of  
authorized architect* .....

*Statement of capacity  
in which the party signs* .....

Date .....

Date .....

FORM 5.

BUILDINGS ORDINANCE No. 68 OF 1955.  
Section 10.

*Notice to the Building Authority from a building owner in respect of  
urgent works required as a result of an accident or an emergency.*

To the Building Authority. .... 195 .

In accordance with the provisions of Section 10 of the Buildings Ordinance 1955 ..... hereby give notice that ..... have engaged (authorized architect) Mr. .... and (registered contractor) Mr. .... to shore up / underpin / demolish / make safe the building known as (number and name of street) ..... on (lot number) .....

*Signature of owner* .....

In accordance with regulation 7(4), Part II Building (Administration) Regulations, I hereby give notice that I have been engaged to supervise the emergency works stated above.

*Signature of Authorized Architect.*

Date .....

In accordance with regulation 12(3), Part III Building (Administration) Regulations, I hereby give notice that I have been engaged to carry out the emergency works stated above.

Number of  
Registration Certificate .....

*Signature of Registered Contractor.*

Date .....



FORM 8.

BUILDINGS ORDINANCE No. 68 OF 1955. Section 17(1).

Order by the Building Authority to a building owner in respect of a dangerous building.

Notice No. .... Building Authority's Office.
B.O.O. Ref. No. .... Hong Kong ..... 195...
To .....
Owner of (address of building) .....

I am of the opinion that the building known as (number and name of street) ..... on (lot number) ..... has been rendered dangerous/is liable to become dangerous.

2. In accordance with the powers vested in me under Section 17 of the Buildings Ordinance 1955, I hereby declare that such building is in a dangerous condition/liable to become dangerous and I hereby order you as owner to carry out the following within a period expiring on .....

pro. Building Authority.

N.B. Where any building works are required to be carried out in connexion with this order, notice and plans must be submitted to the Building Authority as required under Section 9 of the Buildings Ordinance 1955.

FORM 9.

BUILDINGS ORDINANCE No. 68 OF 1955. Section 20(5) (a).

Notice to the Building Authority from an owner or owners in respect of the surrender of areas of land forming part of a private street to the Crown free of all interests of whatsoever nature.

To the Building Authority. .... 195

In accordance with the provisions of Section 20(5) (a) of the Buildings Ordinance 1955 ..... hereby give notice of ..... desire to surrender to the Crown free of all interests of whatsoever nature, the area of land on (lot number) ..... forming part of the private street known as ..... coloured red and dimensioned on the accompanying block plan, on the understanding that all further maintenance and repair of the area of such street will be carried out at Government cost.

Signature of owner(s) .....
Address .....

FORM 10.

BUILDINGS ORDINANCE No. 68 OF 1955. Section 29(1) and (2).

Application to the Building Authority for modification of and/or exemption from the provisions of the Buildings Ordinance 1955 and/or Building Regulations, 1956.

To the Building Authority. .... 195

In accordance with Section 29(1) and (2) of the Buildings Ordinance 1955, I herewith make application for a modification of and/or exemption from the provisions of,

(a) Buildings Ordinance 1955.
.....
.....

(b) Building Regulations 1956.
.....
.....

as indicated in the accompanying plans.

2. I note hereunder the special circumstances in connexion with my proposals in support of this application.

.....
.....
.....
.....
.....

Signature of Authorized Architect.

N.B.—Where exemption is sought from the provisions of Section 21(1) of the Buildings Ordinance 1955, plans are required by regulation 16(3). Part IV. Building (Administration) Regulations.

FORM 11.

BUILDINGS ORDINANCE No. 68 OF 1955.  
Section 29(1) and (2).

*Permit from the Building Authority granting modification of and/or exemption from the provisions of the Buildings Ordinance 1955 and/or Building Regulations, 1956.*

Permit No. ....  
B.O.O. Ref. No. ....  
To .....

Building Authority's Office,  
Hong Kong ..... 195 .

Sir,

I have to inform you that in accordance with the powers vested in me by Section 29(1) and (2) of the Buildings Ordinance 1955 I hereby grant modification of and/or exemption from the provisions of:—

(a) Buildings Ordinance 1955.  
.....  
.....

(b) Building Regulations, 1956.  
.....  
.....

as indicated on plans deposited in this office in respect of proposed building works at (number and name of street) .....  
on (lot number/permit area number) .....

2. This permit is granted subject to the following conditions:—  
.....  
.....  
.....

I have the honour to be,  
Sir,  
Your obedient servant,

.....  
*pro, Building Authority.*

FORM 12.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Notice to the Building Authority from an authorized architect within 7 days of commencement of building works.*

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 7(4)(a). Part II. Authorized Architects, I give notice that the building works indicated on plans approved by the Building Authority on (date) ..... have commenced at (number and name of street) ..... on (lot number/permit area number) .....

*Signature of  
Authorized Architect* .....

FORM 13.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Notice to the Building Authority from registered contractor and authorized architect certifying completion of building works, not being a new building.*

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 12(5) Part III. Registered Contractors, I, ..... Registered Contractor of (address) ..... hereby certify that the building works at (number and name of street) ..... on (lot number/permit area number) .....

- (a) have been carried out in accordance with the provisions of the Building Regulations, and
- (b) are structurally safe.

Number of  
Registration Certificate .....

*Signature of  
Registered Contractor* .....

..... 195 .

In accordance with the provisions of regulation 7(7)(a), Part II. Authorized Architects, I ..... Authorized Architect of (address) ..... hereby certify that the building works at (number and name of street) ..... on (lot number/permit area number) .....

- (a) have been completed in accordance with plans approved by the Building Authority on (date) ..... in Buildings Ordinance Office file reference ..... and
(b) are structurally safe.

2. Total cost of building works \$ .....

Signature of Authorized Architect .....

FORM 14.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

Notice to the Building Authority from registered contractor and authorized architect certifying completion of building works, being a new building.

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 12(5) Part III. Registered Contractors, I, ..... Registered Contractor of (address) ..... hereby certify that the new building known as (number and name of street) ..... on (lot number/permit area number) .....

- (a) has been erected in accordance with the provisions of the Building Regulations, and
(b) is structurally safe.

Number of Registration Certificate .....

Signature of Registered Contractor .....

..... 195 .

In accordance with the provisions of regulation 7(7)(a) Part II. Authorized Architects, I, ..... Authorized Architect of (address) ..... hereby certify that the new building known as (number and name of street) .....

- (a) has been completed in accordance with plans approved by the Building Authority on (date) ..... in Buildings Ordinance Office file reference ....., and
(b) is structurally safe.

2. I therefore request that a permit in the form prescribed by Section 12(1) of the Buildings Ordinance 1955 be issued to ..... to occupy and use the said new building for the purposes stated below.

3. Total cost of building works. \$.....

Signature of Authorized Architect .....

FORM 15.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

Notice to the Building Authority from a building owner notifying appointment of a registered contractor.

To the Building Authority. .... 195 .

I refer to my notice dated ..... of intention to carry out/resume building works at (number and name of street) ..... on (lot number/permit area number) ..... indicated on plans submitted by (authorized architect) Mr. .... and approved by the Building Authority on (date) .....

2. In accordance with the provisions of regulation 9(1). Part III. Registered Contractors, I have appointed (registered contractor) ..... of (address) ..... Number of Registration Certificate ..... to execute the said building works.

Signature of building owner .....

FORM 16.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Notice to the Building Authority from a registered contractor (through an authorized architect) on ceasing to be employed by a building owner and certifying completion of building works carried out by him.*

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 9(2)(a)(i) Part III. Registered Contractors, I, .....  
 Registered Contractor give notice that I have ceased to be employed by (building owner) ..... carrying out building works at (number and name of street) .....  
 ..... on (lot number/permit area number) .....

2. In accordance with the provisions of regulation 9(2)(a)(ii) Part III. Registered Contractors, I, .....  
 Registered Contractor, hereby certify that the building works carried out at (number and name of street) .....  
 ..... on (lot number/permit area number) .....  
 ..... have been carried out in accordance with the provisions of the Building Regulations.

Number of Registration Certificate .....  
 Signature of Registered Contractor .....

To the Building Authority. .... 195 .

Submitted as required by regulation 9(2)(a)(ii). Part III. Registered Contractors.

Signature of Authorized Architect .....

FORM 17.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Certificate issued by the Building Authority to a person whose name has been included in the register of contractors.*

Registration Certificate. Building Authority's Office.  
 No. .... Hong Kong ..... 195...

In accordance with the provisions of regulation 10 Part II. Building (Administration) Regulations, I hereby certify that (Registered Contractor) .....  
 of (address) .....

has been included in the Register of Contractors kept by the Building Authority in accordance with the provisions of the Buildings Ordinance, 1955 and I further certify that (Registered Contractor) .....  
 ..... is authorized to carry out building works which are subject to control in the Colony of Hong Kong under the Buildings Ordinance, 1955.

.....  
 Building Authority.

N.B. This certificate is the property of the Building Authority and is valid for the ensuing 12 months. The holder is required to make application for renewal within 28 days of expiry.

FORM 18.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Undertaking to be given to the Building Authority by a registered contractor assuming responsibility for strict compliance with the Building Regulations.*

To the Building Authority. .... 195...

I, ..... Registered Contractor having been appointed to carry out building works at (number and name of street) .....  
 ..... on (lot number/permit area number) ..... indicated on plans submitted by (authorized architect) Mr. ....  
 and approved by the Building Authority on (date) ....., hereby undertake in accordance with the provisions of regulation 12(1) Part III. Registered Contractors, to carry out the building works in strict compliance with the Building Regulations.

Witness .....  
 Signature of Registered Contractor .....

Designation .....

Date .....  
 Number of Registration Certificate .....

FORM 19.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Certificate to be submitted to the Building Authority by an authorized architect along with structural details and calculations for any building works involving the structural use of steel or the structural use of reinforced concrete.*

To the Building Authority. .... 195...

In accordance with the provisions of regulation 16(2) Part IV. Plans and Notices, I herewith submit structural details and calculations for the construction of ..... at (number and name of street) ..... on (lot number/permit area number) .....

2. I hereby certify that such structural details and calculations
- \* (a) (i) have been prepared under my supervision or direction,
  - \* (ii) have been prepared under the supervision or direction of (qualified engineer) ..... as required by regulation 77 Part IX. Building (Construction) Regulations,
  - (b) comply in all respects with the relevant provisions of
    - \* (i) the London Building Bylaws, Memoranda and Regulations, issued by the London County Council on the 1st day of January 1938,
    - \* (ii) the London Building (Constructional) Bylaws, 1952, issued by the London County Council on the 1st day of January, 1953,
    - \* (iii) regulations 22 and 23. Part III. Building (Construction) Regulations,
    - (iv) the Buildings Ordinance, 1955,
    - \* (v) a modification No. .... dated ..... granted by the Building Authority.

Signature of Authorized Architect .....

\* Delete whichever is inapplicable.

FORM 20.

BUILDING (ADMINISTRATION) REGULATIONS, 1956.

*Certificate to be submitted to the Building Authority by an authorized architect in respect of stability of existing buildings.*

To the Building Authority. .... 195...

In accordance with the provisions of regulation 20. Part IV Plans and Notices, I, ..... Authorized Architect hereby certify that—

- (a) I have inspected the building known as (number and name of street) ..... on (lot number/permit area number) .....

and that in my opinion it is capable of bearing the loads and stresses which may be increased or altered in any way by reason of the building works indicated in the accompanying plan(s).

- (b) during the demolition of the building known as (number and name of street) ..... on (lot number/permit area number) ..... the adjoining buildings listed hereunder are provided with adequate support to safeguard their stability as required by regulation 8. Part I. Building (Construction) Regulations.
  - (i) (number and name of street) ..... on (lot number/permit area number) .....
  - (ii) (number and name of street) ..... on (lot number/permit area number) .....
  - (iii) (number and name of street) ..... on (lot number/permit area number) .....

Signature of Authorized Architect .....

FORM 21.

BUILDING (PLANNING) REGULATIONS, 1956.

*Application to the Building Authority from a building owner for permission to erect a temporary building.*

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 47(1). Part VII Temporary Buildings, ..... hereby make application for permission to erect a temporary building at (number and name of street) ..... on (lot number / permit area number) ..... in the position indicated on the accompanying plan.

- (a) Name and address of owner.
- (b) Description of intended use.
- (c) Estimated time for which proposed temporary building will be required.
- (d) Estimated cost of proposed temporary building.
- (e) Estimated number of persons of each sex who will occupy the proposed temporary building when erected.
- (f) Details of construction and water closet and ablutions facilities of proposed temporary building.

Signature of owner .....

FORM 22.

BUILDING (PLANNING) REGULATIONS, 1956.

*Permit from the Building Authority to erect a temporary building or a contractor's shed.*

Permit No. ....  
 B.O.O. Ref. No. ....  
 To ..... Building Authority's Office.  
 ..... Hong Kong, ..... 195 .

In accordance with the provisions of regulation 47(1) Part VII, Temporary Buildings, I hereby give permission to erect a temporary building at (number and name of street) .....  
 on (lot number / permit area number) .....  
 in the position indicated on the plan submitted.

2. This permit is issued subject to the following conditions:—  
 .....  
*pro. Building Authority.*

FORM 23.

BUILDING (PLANNING) REGULATIONS, 1956.

*Application to the Building Authority from a registered contractor for permission to erect a contractor's shed for use during the execution of building works.*

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 49(1)(a) Part VII, Temporary Buildings, ..... hereby make application for permission to erect contractor's shed(s) in connexion with buildings works to be carried out at (number and name of street) .....  
 on (lot number / permit area number) .....  
 in the situation indicated and as dimensioned on the accompanying plan.

- (a) Estimated time for which the shed(s) is/are required.
- (b) Description of intended use.
- (c) If intended for habitation state number of persons to be accommodated.
- (d) Details of construction, latrine/ water closet and kitchen accommodation etc.

Number of Registration Certificate .....  
 Signature of registered contractor .....  
 Address .....  
 Tel. No. ....

FORM 24.

BUILDING (PLANNING) REGULATIONS, 1956.

*Application to the Building Authority for permission to erect hoardings, shoring, scaffolding and / or platforms to be used during the execution of building works.*

To the Building Authority. .... 195 .

In accordance with the provisions of regulation 60 Part IX Hoardings, shoring, scaffolding and platform, I hereby make application for permission to erect\* hoardings, shoring, scaffolding and platforms in connexion with building works to be carried out at (number and name of street) .....  
 on (lot number / permit area number) .....  
 in the situation indicated and as dimensioned on the accompanying block plan.

2. Estimated time for which the hoardings, shoring, scaffolding and/or platforms are required .....  
 Statement of capacity in which the party signs .....  
 Signature of owner or authorized agent .....  
 Address .....

\* Delete whichever is inapplicable.

FORM 25.

BUILDING (PLANNING) REGULATIONS, 1956.

*Permit from the Building Authority to erect hoardings, shoring, scaffolding and / or platforms to be used during the execution of building works.*

Permit No. ....  
 B.O.O. Ref. No. .... Building Authority's Office,  
 Public Works Department.  
 To .....  
 ..... Hong Kong, ..... 195 .

In accordance with the provisions of regulation 61. Part IX, Hoardings, shoring, scaffolding and platforms, I hereby give permission to erect \*hoardings, shoring, scaffolding and platforms at (number and name of street) .....  
 on (lot number / permit area number) .....

2. This permit is issued subject to the following conditions:—

.....  
*pro. Building Authority.*

\* Delete whichever is inapplicable.

COUNCIL CHAMBER,  
 17th April, 1956.



*Explanatory Note.*

*(This Note is not part of the regulations but is intended to indicate their general purport).*

## INTRODUCTORY.

The subsidiary Building legislation is divided into three sets of regulations: Administration, Planning, and Construction. They have been split up in this way to make it easier to add to and amend them as the need arises. Their arrangement suggested itself as the natural chronological one from the architects' point of view, since he and the contractor will work their way from 'administration' to 'construction' as they carry out each new job.

2. Much reference has been made to, and much material taken from the London County Council Building By-laws and the Model By-laws Series IV. Buildings. British Standard Specifications and British Standard Codes of Practice have been cited in the regulations only where essential. It has been decided that broad directions and reference to Specifications and Codes are not really suitable for Hong Kong, and that what is required are detailed regulations in the nature of "rules of thumb", regulations permitting design by calculation and a few regulations allowing designs based on Codes of Practice. In setting these minimum requirements it has been borne in mind that the Building Authority will at all times have powers to grant exemptions under section 29 of the Buildings Ordinance, 1955, a discretionary power which is fettered by the prohibition on its use to the prejudice of the standards of structural stability and public health established by these regulations. In this way it is hoped both to ensure a standard of maximum safety and give flexibility which will allow scope to the architect. These are building regulations in a literal sense. Thus the rules by which it is hoped to establish those standards are not concerned primarily with such matters as town planning or the private rights of adjoining property owners for which legislation already exists. For example, the height and shape of new buildings are controlled by rules whose aim is to ensure that they will be well lit and ventilated without turning our streets into dark canyons.

*Part II—Authorized Architects.*

The regulations in this Part deal more fully with authorized architects than was done in the former Buildings Ordinance (sections 127 and 131). Whereas formerly the Governor in Council had the discretion as to whom to add to the list of authorized architects, the necessary qualifications are now fully set out in regulation 4. It will be noted that the class of person entitled to become an authorized architect includes those who do not belong to any professional body which bind their corporate members to a code of professional conduct; for this reason it was thought necessary to write into the regulations that part of the architects professional code which forbids him "to act as a contractor or deal in building materials or receive any payment, commission, advantage or benefit of any nature or kind either directly or indirectly from any contractor . . ." (regulation 7(8)). The duties of the architect, which are described in more general terms in section 4 of the Buildings Ordinance, 1955, are further expanded in regulation 7. He becomes responsible not only for the plans which he is required to submit on behalf of the building owner, but also for the work of construction itself and under paragraph 5 is

required "to give such periodical supervision and inspection as may be necessary to ensure that the works are being executed in general accordance with the Building Regulations". If after the completion of the building works more than one inspection by the Building Authorities staff is made necessary "either by faulty or defective work or by incorrect information" he is required to pay a fee for such additional inspection. In the same way he is required to pay a fee where he has to submit fresh plans by reason of the errors in his original plans (regulation 14(4) in Part IV). In the latter case the fee not only pays for the additional work done by the staff of the Building Authority but will, it is hoped, deter the architect who does not take sufficient care to ensure that the plans, details and calculations, submitted by him to the Building Authority, comply fully with the provisions of the regulations.

*Part III—Registered Contractors.*

The provisions of this Part are intended to bring home to and place on contractors, their share of the responsibility for carrying out building works in accordance with the regulations and in a workmanlike manner. Regulation 12 deals with registered contractors on similar terms to architects with regard to their duties, but in the case of a contractor his duty is to "give continuous supervision to the building works": He is also required to sign an undertaking which is an assumption by him of responsibility for the strict compliance with the regulations.

*Part IV—Plans and Notices.*

The plans required to be submitted by the authorized architect under these regulations are the medium through which the Building Authority exercises his initial control. The detailed requirements are set out in regulation 16. These plans are required to be signed by the authorized architect, and the Building Authority may refuse speculative plans put in by several architects in respect of the same premises. The requirement that they be submitted in triplicate (16(1)) is designed to speed the administrative process since several departments of Government may need to study these plans. As is the case with the Building Authority's general consent under section 9 of the Ordinance, his approval of plans is not to be taken "as an acknowledgment that such plans comply with lease conditions or with the requirements of any other authority" (regulation 22(1)). The various notices required to be given to the Building Authority by the building owner, authorized architect and registered contractor are set out in regulation 24. These notices enable the Building Authority to exercise what may be called his secondary control, namely inspection with such subsequent orders to stop work, alter or demolish the building as may be found necessary (sections 13 to 15 of the Ordinance).

*Part V—Fees.*

The various fees payable under the Buildings legislation are collected in this Part. The fees for the registration of architects and contractors (Items 1 and 2) are the same as those payable by a doctor for his registration. This fee was fixed by taking into account that in addition the architect pays an annual \$50 fee under the Stamp Ordinance (Cap. 117). The fee of \$200 for the permit to erect a balcony over a street (Item 3) is intended to cover Government's expenses in paving and maintaining that portion of the public footpath under the balcony out to the inside edge of the

kerb; this expense was the responsibility of the permittee under the Verandahs and Balconies Regulations, Schedule G to the former Ordinance. In many cases the old system was difficult to operate, especially where maintenance of the footpath was concerned. With the tendency in recent years to sell off individual flats, the administrative work involved in apportioning costs and dealing with continually changing owners presented further difficulties and made the application of the old provisions even more complicated. The fee of \$150 for the taking of the professional examination by a prospective authorized architect (Item 4) is intended to cover the cost of holding the examination including any fees payable to professional men acting as examiners.

*Part VI—Forms.*

It is considered that administration is made easier if the exact information required by the Building Authority in the various applications and notices addressed to him be specified in standard forms: these forms are prescribed in this Part. To avoid any doubts as to whether the Building Authority has given his permission on any particular occasion most of the permits which the Building Authority may grant are also required to be on prescribed forms; and these too are here set out.

(Secretariat 1/1/741/52)

BUILDING (PLANNING) REGULATIONS, 1956.

TABLE OF CONTENTS.

PART I.		
<i>General.</i>		
<i>Regulation.</i>		<i>Page.</i>
1.	Citation ... ..	3
2.	Interpretation ... ..	3
3.	Verandahs and balconies within lot boundaries and permit areas ... ..	5
4.	Buildings not to obstruct, endanger or cause nuisances ... ..	5
5.	Access lanes ... ..	5
6.	Building Authority to determine width of road or street ... ..	5
PART II.		
<i>Projections.</i>		
7.	Projections over streets ... ..	5
8.	No verandahs over streets ... ..	5
9.	No balconies over roads ... ..	5
10.	Balconies and canopies over streets ... ..	6
11.	Front and sides of balconies ... ..	6
12.	Gutters and rainwater pipes ... ..	7
13.	No doorways on to canopy ... ..	7
14.	Use of verandahs or balconies ... ..	7
15.	Bridges ... ..	7
16.	Doors, etc. not to open over streets ... ..	7
PART III.		
<i>Heights, volumes, open space and lanes.</i>		
17.	Heights of main walls ... ..	8
18.	Set back to main walls ... ..	8
19.	Permanent open space to count as street ... ..	9
20.	Volumes of buildings ... ..	9
21.	Height of storeys ... ..	10
22.	Space about buildings ... ..	10
23.	Cuttings ... ..	12
24.	Scavenging lanes ... ..	12
PART IV.		
<i>Lighting and ventilation.</i>		
25.	Lighting and ventilation ... ..	17
26.	Windows ... ..	17
27.	Enclosed verandah etc. within lot boundaries ... ..	20
28.	Where no external wall ... ..	20
29.	Alternative mechanical ventilation ... ..	20
30.	Additional vent may be required ... ..	20
31.	Kitchens ... ..	21
32.	Water closets ... ..	21
33.	Light and air not to be diminished ... ..	21

PART V.		Page.
<i>Staircases and fire escapes.</i>		
34.	Requirement of fire resisting materials ... ..	22
35.	Staircases ... ..	22
36.	Staircases in buildings intended for separate occupation ... ..	22
37.	Fire escapes ... ..	23
38.	Landings, lobbies and passages ... ..	23
39.	Distance from staircase ... ..	23
40.	Revolving doors and turnstiles ... ..	23
PART VI.		
<i>Domestic buildings.</i>		
41.	Kitchens ... ..	23
42.	Tenement house ... ..	24
43.	Building abutting on retaining wall ... ..	25
44.	Retaining wall forming part of a building ... ..	25
45.	Domestic occupation of buildings used for dangerous trade ... ..	25
PART VII.		
<i>Temporary buildings.</i>		
46.	Definition of temporary buildings and short lived materials ... ..	26
47.	Application to be made ... ..	27
48.	Siting of temporary building ... ..	27
49.	Contractor's sheds ... ..	27
50.	Kitchens, latrines and drainage required ... ..	27
51.	Live wire or cable to be made safe ... ..	28
52.	Building Authority may erect sheds ... ..	28
53.	Deposit of security ... ..	28
54.	Cancellation of permit ... ..	28
PART VIII.		
<i>Timber yards.</i>		
55.	Fences or walls to enclose timber yards ... ..	28
56.	Fences not to be within 6 feet of other premises ... ..	29
57.	Storage of timber ... ..	29
58.	Exemptions ... ..	29
59.	Penalties ... ..	29
PART IX.		
<i>Hoardings, shoring, scaffolding and platforms.</i>		
60.	Plans of hoardings, etc. to be submitted ... ..	29
61.	Issue of permit ... ..	29
62.	Maintenance of hoardings etc. ... ..	29
63.	Liability of permittee ... ..	30
64.	Live wire or cable to be made safe ... ..	30
65.	Deposit of security ... ..	30
66.	Cancellation of permit ... ..	30

**BUILDINGS ORDINANCE, 1955.**  
(No. 68 of 1955).

BUILDING (PLANNING) REGULATIONS, 1956.

PART I.

*General.*

1. These regulations may be cited as the Building Citation. (Planning) Regulations, 1956.

2. In these regulations, unless the context otherwise requires, words and expression have the meaning attributed to them by the Buildings Ordinance, 1955, and—

“balcony” means any structure projecting from any wall of any building to carry a floor or roof load either cantilevered or supported by brackets;

“canopy” means any structure projecting from any wall of any building to provide protection from rain or sun, not carrying any floor load, either cantilevered or supported by brackets;

“detached building” means any building which is not connected to any other building and has a clear and unobstructed open space—

(a) extending the entire depth of the building of not less than 7 feet 6 inches measured at right angles to the external surface of the building;

(b) in the rear of the building of a depth of 7 feet 6 inches measured at right angles to the external surface of the building and extending for the full width of the site;

“domestic building” means a building constructed or intended to be used for habitation;

“external air” means the air of any place vertically open to the sky, unobstructed and being not less than 120 square feet in horizontal area, the width, measured at right angles to the external surface of the building, being not less than 15 feet throughout the extent of any window opening therein, and the length, measured parallel and horizontally to the external surface of such building, being not less than 7 feet 6 inches;

“external wall” means an outer wall of a building not being a party wall, even though adjoining a wall of another building;

"factory" means any building or place in which any machinery, other than machinery worked entirely by hand, is used in aid of any industrial undertaking carried on in such building or place;

"floor" means any structure forming the base of any storey and every joist, board, timber, brick, concrete or other substance connected with and forming part of such structure;

"latrine" means a privy, commode or earth closet but does not include a water closet or a water flushed urinal;

"Ordinance" means the Buildings Ordinance, 1955;

"road" means a street not including any footpath;

"room" means any portion of a building which has been subdivided by the erection of partition walls from floor to ceiling;

"semi-detached building" means any one of a pair of buildings connected to each other by a party wall and has a clear and unobstructed open space—

(a) extending the entire depth of the building of not less than 7 feet 6 inches measured at right angles to the external surface of the building;

(b) in the rear of the building of a depth of 7 feet 6 inches measured at right angles to the external surface of the building and extending for the full width of the site;

"storey" means the space between the upper surface of every floor and the upper surface of the floor next above it where such a floor exists and in the case of a top storey the space between the upper surface of that floor and the mean height of the ceiling or roof;

"street" includes any footpath and private and public street;

"verandah" means any structure projecting from any wall of any building and supported by piers or columns;

"water closet" means latrine accommodation used or adapted or intended to be used in connexion with a water carriage system and comprising provision for the flushing of the receptacle by a water supply.

3. Every verandah more than two feet above ground level and every balcony shall have a parapet or railing along its outer edge or edges.

Verandahs and balconies within lot boundaries and permit areas.

4. No building or fixture thereon shall be so constructed that it—

(a) (i) obstructs; or

(ii) endangers the users of any adjacent footpath or street; or

(b) creates any nuisance; or

(c) permits the escape into or over any adjacent footpath or street at a height of less than 8 feet of any noxious gases or exhaust from any ventilating system.

Buildings not to obstruct, endanger or cause nuisances.

5. The Building Authority may require the provision of an access lane on the site of any new building.

Access lanes.

6. Where for the purposes of these regulations it is necessary to determine the width of any road or street, the same shall be determined by the Building Authority.

Building Authority to determine width of road or street.

## PART II.

### *Projections.*

7. (1) No projections shall be made over or upon any street without a permit from the Building Authority:

Projections over streets.

Provided no permit shall be required in the case of eaves, cornices and mouldings which project not more than 2 feet 6 inches at a height of not less than 8 feet above the ground.

(2) Where any permit for projection is granted by the Building Authority under section 29 of the Ordinance, the permittee shall pay the prescribed fee.

8. No verandah shall be erected, over or upon any street or unleased Crown land.

No verandahs over streets.

9. No balcony shall be erected over—

(a) a road; or

(b) a street which is less than 30 feet in width.

No balconies over roads.

Balconies  
and  
canopies  
over streets.

**10.** (1) Every canopy erected within 2 feet of the outer edge of a footpath, or projecting over a road, shall have a clear height of not less than 16 feet measured from the highest point of the crown of such road opposite the canopy.

(2) Every balcony or canopy erected over a footpath shall have a clear height of not less than 11 feet from such footpath :

Provided that any balcony erected within 2 feet of the outer edge of such footpath shall have a clear height of not less than 16 feet.

(3) Every balcony erected on an upper storey of a building shall have a clear height upwards from the floor of such balcony of not less than the clear height of the storey from which it projects.

(4) The maximum projection of any balcony or canopy erected over any street (including cornices, mouldings or other features) shall be—

- |  |                      |
|--|----------------------|
| (a) In streets 30 feet in width but less than 40 feet in width ..... | 3 feet ;             |
| (b) In streets 40 feet in width but less than 50 feet in width ..... | 4 feet<br>8 inches ; |
| (c) In streets 50 feet in width but less than 60 feet in width ..... | 6 feet<br>4 inches ; |
| (d) In streets 60 feet in width but less than 70 feet in width ..... | 8 feet ;             |
| (e) In streets 70 feet in width or wider .....                       | 10 feet :            |

Provided that no portion of any such balcony or canopy shall project beyond the line formed by the angle of 76 degrees required under regulation 18 for the setting back of walls.

Front and  
sides of  
balconies.

**11.** Where any balcony is erected over a street—

- (a) every such balcony shall have a parapet or railing along its front and sides not less than 3 feet 6 inches high, and the lowermost 6 inches of such parapet or railing shall be built solid ;

(b) the sides of any such balcony may be enclosed by—

- (i) glazed windows of metal or hardwood ;
- (ii) glass blocks ;
- (iii) bricks or building-blocks ;
- (iv) concrete ; or
- (v) such other materials as may be approved by the Building Authority ;

**12.** Where any balcony or canopy is erected over a street—

(a) the roof and floor of every such balcony and the roof of every such canopy shall have suitable gutters and rain-water pipes ;

Gutters  
and rain-  
water  
pipes.

(b) such rainwater pipes shall be designed—

- (i) to discharge in accordance with regulation 28 of Drainage (General, Water Closets and Urinals etc.) Regulations ;
- (ii) not to carry any waste water.

**13.** No doorway giving direct access to the top of any canopy shall be made in the external wall of any building.

No door-  
ways on  
to canopy.

**14.** Where any verandah or balcony is or has been built over or upon any street no such verandah or balcony shall be constructed to be used or adapted to be used as a factory, workshop, storeroom, kitchen, lavatory, bathroom, water-closet, urinal or latrine.

Use of  
verandahs  
or bal-  
conies.

**15.** (1) Where buildings on opposite sides of a street are in the same ownership, they may be joined by a bridge.

Bridges.

(2) No portion of any such bridge shall have a clear height of less than 20 feet measured from the highest point of the street beneath.

**16.** No door, gate, window or shutter opening on or over any street shall be so hung or placed as to project over such street at a height of less than 8 feet above the ground :

Doors, etc.  
not to open  
over  
streets.

Provided that emergency exit doors may open outwards over such street.

## PART III.

*Heights, volumes, open spaces and lanes.*Heights  
of main  
walls.

- 17.** (1) (a) The height of a main wall abutting on a street shall not exceed twice the width of that street.
- (b) A main wall fronting but not abutting on a street shall not project through a line drawn at an angle of 76 degrees with the horizontal from the boundary of the site abutting the street at a height equal to twice the width of such street :

Provided that in either case the appropriate permitted height may be exceeded where the area of the whole wall does not exceed the length of the frontage times such permitted height.

(2) Where a site abuts on two streets forming a corner the permitted heights of the walls of the building fronting such streets may be increased on each facade for a distance from the corner equal to that of the wider street :

Provided that the sum of the areas of such walls shall not thereby be increased by more than the product of the widths of the two streets.

- (3) For the purpose of this regulation—
- (a) "main wall" means the wall of the building fronting the street from the ground level to the top of the coping, parapet, or eaves, measured from the mean level of the street on which it fronts, and shall be deemed to include all windows and openings;
- (b) "frontage" means the whole length of the site fronting the street inclusive of any scavenging lane or other opening within the site.

Set back  
to main  
walls.

**18.** Above the permitted heights of walls fronting on streets the building above these levels shall be set back within an angle of 76 degrees with the horizontal :

Provided that this regulation shall not apply to any side wall fronting on a street less than 15 feet in width.

**19.** For the purposes of regulations 17, 18 and 20 where a site or building abuts on a permanent open space, such site or building shall be deemed to abut on a street equal in width to the distance across such permanent open space, measured at right angles to the boundary of the site, subject to a maximum distance of 100 feet.

**20.** (1) Where a site abuts on a street, the building on such site shall not exceed the volume calculated by means of the formula herein set out where the Factor (F) is determined in accordance with Table I.

Volume = Factor (F) times the width of street times the area of site.

TABLE I.

<i>Location of site</i>	<i>Domestic buildings</i>	<i>Other buildings</i>
Abutting on one street or on two streets but not forming a corner site.	Factor F=1.25	Factor F=1.75
Abutting on two streets forming a corner site.	Factor F=1.50	Factor F=2.00
Abutting on three or more streets forming a corner site or an island site.	Factor F=1.75	Factor F=2.25

For the purposes of this Table no street less than 15 feet in width shall be deemed to be a street.

(2) Where a site abuts on more than one street the permissible volume of the building shall be based on the width of the wider or widest street.

(3) Where a site does not abut on a street the height and volume of the building on such site shall be subject to the approval of the Building Authority.

(4) The permissible volume of any building shall be deemed not to include the following—

- (a) any part of a building built below the level of any street or streets abutting the site of such building ;

Permanent  
open space  
to count as  
street.Volumes of  
buildings.

- (b) if built above the roof level—
- (i) parapet walls not exceeding 4 feet in height;
  - (ii) lift machinery rooms;
  - (iii) water tanks;
  - (iv) chimneys and ventilating shafts;
  - (v) stairheads; and
  - (vi) any other similar functional parts of a building.

(5) Where a building is intended partly for domestic and partly for other purposes, the potential volume of the whole may be calculated using a factor appropriate for a non-domestic building. The volume to be used for domestic purposes shall not exceed the product of the difference between the volume used for non-domestic purposes and the potential volume of the whole and the factor for domestic buildings divided by the factor for non-domestic buildings.

Height of storeys.

**21.** (1) Every room used or intended to be used for the purpose of an office or for habitation in any building shall have a height of—

- (a) not less than 9 feet measured from floor to ceiling;
- (b) in the case of detached or semi-detached buildings not less than 8 feet measured as aforesaid:

Provided that there shall be not less than 7 feet 6 inches measured from the floor to the underside of any beam.

(2) In any such room having a sloping ceiling, the height shall be measured to the mean height of such ceiling above floor level:

Provided that no portion of any room shall have a height of less than 6 feet 6 inches.

(3) Kitchens, bathrooms, laundries, water-closets and latrines forming part of any building may be erected with a height of 8 feet measured as described in sub-regulations (1) and (2).

Space about domestic buildings.

**22.** (1) (a) Every domestic building shall have within the site an open space at the rear, or partly at the rear and partly at the side, at a level of not less than 6 inches below the floor of the lowermost storey in accordance with Table II.

TABLE II.

<i>Location of site</i>	<i>Opened space required</i>
Abutting on one street or on two streets but not forming a corner site.	Not less than one half of the roofed over area of such building.
Abutting on two streets forming a corner site.	Not less than one quarter of the roofed over area of such building.
Abutting on three streets not forming an island site.	Not less than one eighth of the roofed over area of such building.

Provided that where the Building Authority considers it necessary for the proper and equitable development or re-development of an adjacent site, he may require the provision of more open space than that specified in this Table.

(b) Where the site of a domestic building abuts on four streets each of which is not less than 15 feet in width, the open space so provided on each frontage shall be deemed to be sufficient for the purposes of this regulation.

(2) Except as provided under this regulation no part of any domestic building shall be erected within 5 feet of the rear boundary of the site. The open space so provided shall be counted as part of the open space required under this regulation.

(3) No existing domestic building which has an open space of equal or less area than that required by this regulation shall be altered in such manner as to reduce the existing amount of open space.

(4) No existing domestic building which has a greater area of open space than that required by this regulation shall be altered in such a manner as to reduce the area of open space to less than that required by this regulation.

(5) Where any open space or area is at a level more than 2 feet below an adjoining open space, safe parapet walls, railings or fences shall be provided by the person creating the difference in levels.

(6) Access shall be provided to every open space.

(7) For the purposes of this regulation no street less than 15 feet in width shall be deemed to be a street.

#### Cuttings.

**23.** (1) No building shall be built to abut against a cutting, including a toe wall supporting a cutting.

(2) A clear intervening space or area of a width of not less than  $\frac{1}{2}$  of the height of the cutting shall be left between such building at ground floor level and the toe of the cutting.

(3) Such intervening space or area shall in no case be less than 8 feet in width.

(4) For the purposes of this regulation the height of the cutting shall be deemed to be the height measured on a vertical line drawn from the toe of such cutting, and extending from the finished ground or concreted surface to a point where it meets a line drawn downwards at an angle of 30 degrees with the horizontal from the top of the cutting.

#### Scavenging lanes.

**24.** (1) In addition to any open space required under regulation 22 every domestic building shall be provided with a scavenging lane at the rear or side of such building:

Provided that a scavenging lane shall not be required—

- (a) where a public lane not less than 10 feet wide or a street already exists;
- (b) for detached and semi-detached buildings;
- (c) where exempted by the Building Authority.

(2) Every such scavenging lane shall be accessible from an existing street but where such access is not immediately possible, this regulation shall be deemed to have been complied with if access would be obtained in the event of future development or redevelopment of other lots within the block.

(3) The alignment, width and levels of every such lane shall be decided by the Building Authority who may grant a modification of regulation 22 when a lane exceeding five feet in width is required.

*DIAGRAMS—The diagrams accompanying the text are purely explanatory and form no part of the enacted regulations.*

