

Be a customer-centric and smart regulator

The Economic Analysis and Business Facilitation Unit

WHEN Mainland won gold medals in both the men's and women's gymnastics in the 2008 Beijing Olympic Games, it struck a chord with Patrick Tsui Ho, Chief Building Surveyor of the Buildings Department (BD). He saw a strong analogy between BD's mission and the athletes' pursuit of excellence. BD rolled out various business facilitation measures to boost efficiency and transparency after joining the "Be the Smart Regulator" Programme in 2007.



One of BD's main tasks is to ensure building safety in licensed establishments – ranging from restaurants, places of public entertainment, tutorial schools and child care centres to massage parlours. Professional advice on building safety is given on each and every application for a licence.

"The common focus of our team is customer-centric, i.e., to put ourselves in the customers' shoes," said Mr Tsui. "To Go The Extra Mile" is the motto driving the department's commitment to better serve the community. Take the Japanese-style restaurants with Tatami booths as an example. The raised platform, imitating Tatami seating, may cause safety concerns in case of fire and the need to evacuate. So how would BD strike a balance between heritage design and public safety?

"We bear safety in mind while respecting different cultures," Mr Tsui said. "We paid a site visit to the restaurant and assessed the risk factors based on its design. We then came up with a proposal to reduce a bit the height of the raised platform. This way, both the Japanese culture and public safety concerns were covered."

"We always try to be customer-friendly while adhering to the safety standards. This was the pragmatic approach adopted by BD." Mr Tsui said.

Creating a "Win-Win" Situation

BD has also moved to relax the licensing requirements of cinemas. Wheelchair spaces for the disabled can now be released to other movie-goers if they are left vacant, without infringing on the rights of the disabled.

In addition, the restriction on fire exits at cinemas has also been reviewed. In the past, all fire exits should lead directly to streets outside. However, BD has recently accepted the sharing of fire exits with shopping malls, subject to compliance with additional safety requirements and under prescribed conditions. As such, movie-goers have direct access to the shopping malls right after the show. All these measures benefit both the public and the operators of shops.



Patrick Tsui Ho, Chief Building Surveyor of the Buildings Department.

Enhancing Efficiency, Striving for Perfection

Working closely with EABFU, BD also enhanced the efficiency of its licensing process. On receipt of an “Application for alfresco dining” referred by the licensing authority, the Food and Environmental Hygiene Department (FEHD), BD has tightened its internal working target from 24 working days to 20 working days. For the sake of transparency, BD informs the licensing authority as well as the applicant of the safety requirements.

“Three-tier Certification System”

To further speed up the certification of building safety in the licensing process, BD introduced a “three-tier certification system” in 1996. Building safety requirements are classified into three categories, according to different levels of risk. An applicant can now provide the proof of completion for works under Category 1 (e.g. clearing of movable objects from exits), and compliance certificate issued by registered professionals for works under Category 2 (e.g. certification of floor loading) to the licensing authorities direct. Only Category 3 works (e.g. major structural alteration or removal of unauthorised building works) still require the registered professionals to report compliance to BD for audit inspections. It has greatly streamlined the licensing process, bringing greater convenience for the trade.

Furthermore, without compromising public safety, BD has re-graded some of Category 3 requirements to Category 2. For example, after a restaurant has removed an unauthorised cockloft, the certificate of compliance could be submitted by the registered professionals to the FEHD direct.



After the enhancement of the licensing process, it only takes 20 working days to process an application for alfresco dining.

Listening to Concerns

BD actively participated in the Business Liaison Groups set up by the EABFU to better understand the trade’s concern and exchange views on regulatory issues.

An effective in-house communications mechanism has also been established. Staff share their experiences in facilitating business licensing in the bi-weekly sessions. This ensures that a consistent yardstick is adopted by front-line staff in enforcement of licensing requirements.

“Smart” Regulating”

BD has all along been very proactive in supporting the Government’s strategy for business facilitation,” Mr Tsui said. “Under the “Be the Smart Regulator” Programme, BD has assigned two Business Facilitation Officers to focus on streamlining the licensing process and reducing the compliance costs for business operators.

The “Be the Smart Regulator” Programme has been commended by the World Bank’s latest “Doing Business 2009 Report” for its remarkable achievements in customer friendliness, efficiency and transparency of the Government’s licensing system.

The Economic Analysis and Business Facilitation Unit

The Economic Analysis and Business Facilitation Unit reports to the Financial Secretary’s Office. Apart from providing quality economic analysis and advice, it also aims to improve the business environment of Hong Kong through reduction of regulatory burden and compliance costs, cutting red tape, removing of outdated regulations, holding regular communication forums with different business sectors, and advocating business facilitation culture among civil servants.