

Regulatory Framework for Opening, Operating and Closing a Business

Disclaimer: Any information rendered in this document is for general references only and should not be considered as legal advice. Users are strongly advised to seek independent legal advice if they are in doubt of their legal position.

Business Location – Construction Permitting

No.	Regulatory Framework	Link
<i>Building Standards</i>		
1.	Legally established Building Code, a model code adopted within the territory, or an equivalent framework that encompasses all legislation, regulations, and standards that collectively govern building construction applicable in Hong Kong	Cap. 123 Buildings Ordinance
2.	The legal framework in Hong Kong SAR, China includes building classification standard (i.e. criteria for categorizing buildings based on their use, occupancy type, and size)	<ul style="list-style-type: none"> ➤ Cap. 123F Building (Planning) Regulations ➤ Cap. 123Q Building (Construction) Regulation ➤ Regulations 4-8, Cap.123I Building (Standards of Sanitary Fittings, Plumbing, Drainage Works and Latrines) Regulations
3.	The legal framework in Hong Kong SAR, China includes land use regulations standard (i.e. zoning regulations to govern land use, density, setbacks, and other development parameters)	Regulations 19-37, Cap. 123F Building (Planning) Regulations

No.	Regulatory Framework	Link
4.	The legal framework in Hong Kong SAR, China includes structural design standards to ensure stability and resistance to loads and natural hazards (earthquakes, floods, wind loads, seismic activity)	<ul style="list-style-type: none"> ➤ Code of Practice on Wind Effects in Hong Kong 2019 ➤ Code of Practice for Dead and Imposed Loads 2011 (2021 Edition) ➤ Code of Practice for Foundations 2017 (2024 Edition) ➤ Code of Practice for Precast Concrete Construction 2016 ➤ Code of Practice for Structural Use of Concrete 2013 (2020 Edition) ➤ Code of Practice for Structural Use of Glass 2018 ➤ Code of Practice for the Structural Use of Steel 2011 (2023 Edition)
5.	The legal framework in Hong Kong SAR, China includes fire safety standards (active and passive) for building construction and occupancy	<ul style="list-style-type: none"> ➤ Code of Practice for Fire Safety in Buildings 2011 (2024 Edition) ➤ Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment
6.	The legal framework in Hong Kong SAR, China includes accessibility standards applicable to all construction (i.e. mandatory requirements ensuring buildings are physically accessible and usable for people with disabilities and diverse mobility needs)	Design Manual - Barrier Free Access 2008 (2025 Edition)

No.	Regulatory Framework	Link
7.	The legal framework in Hong Kong SAR, China includes minimum health and sanitation standards (i.e. legally mandated baseline standards covering at least potable water supply, wastewater/sewage disposal, ventilation/indoor air quality, and sanitary plumbing)	<ul style="list-style-type: none"> ➤ Regulations 29-37, <u>Cap. 123F Building (Planning) Regulations</u> ➤ Cap.123I Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations
8.	The legal framework in Hong Kong SAR, China includes energy efficiency performance standards (i.e. building insulation, lighting and HVAC systems, building envelope performance or other) legally required by the building code or other binding regulations for all buildings and renovations	<ul style="list-style-type: none"> ➤ Cap. 123M Building (Energy Efficiency) Regulation ➤ Guidelines on Design and Construction Requirements for Energy Efficiency of Residential Buildings 2014 ➤ Code of Practice for Overall Thermal Transfer Value in Buildings 1995
<i>Specialized Standards</i>		
9.	Incentives — financial (e.g., grants, tax rebates) or non-financial (e.g., technical support, expedited permitting) — to promote the adoption of building energy efficiency standards in new constructions or renovations	Practice Notes for Authorized Persons, Registered Structural Engineer and Registered Geotechnical Engineer (PNAP) APP-151: Building Design to Foster a Quality and Sustainable Built Environment

No.	Regulatory Framework	Link
10.	Imposing binding environmental protection or sustainability standards for building construction (e.g. biodiversity protection, water resource conservation, or pollution control)	<ul style="list-style-type: none"> ➤ Cap. 123M Building (Energy Efficiency) Regulation ➤ Cap. 311 Air Pollution Control Ordinance ➤ Cap. 354 Waste Disposal Ordinance ➤ Cap. 358 Water Pollution Control Ordinance ➤ Cap. 400 Noise Control Ordinance ➤ Cap. 499 Environmental Impact Assessment Ordinance ➤ PNAP APP-152: Sustainable Building Design Guidelines ➤ Practice Guidebook for Adaptive Re-use of and Alteration and Addition Works to Heritage Buildings 2012 (2021 Edition)
11.	Classifying building construction projects based on their potential environmental impact	Cap. 499 Environmental Impact Assessment Ordinance
12.	<p>The following environmental risks or impact considerations are explicitly assessed as part of the classification of building construction projects:</p> <ul style="list-style-type: none"> • Biodiversity and natural resources (e.g., ecosystems, protected areas, forests) • Water resources, including water quality, quantity, and access 	Cap. 499 Environmental Impact Assessment Ordinance

No.	Regulatory Framework	Link
<i>Professional Qualification Requirements</i>		
13.	Requiring professionals conducting technical inspections of construction projects to meet specific legally mandated qualifications	Section 4, Cap. 123 Buildings Ordinance
<i>Planning Regulation Features</i>		
14.	Establishing requirement for official planning requirements concerning allowed heights, floor occupation ratios, setbacks, etc.	<ul style="list-style-type: none"> ➤ Regulations 19-37, Cap. 123F Building (Planning) Regulations ➤ Section 16(1)(d) and (da), Cap. 123 Buildings Ordinance
<i>Building Inspection Requirements</i>		
15.	Mandating multiple inspections during different phases of the construction process (e.g., foundation, framing, final stages) to ensure that standards are met throughout the process and structural safety is assured	Technical Memorandum for Supervision Plans issued under Section 39A, Cap. 123 Buildings Ordinance
16.	Mandating different types of inspections during construction to assure structural safety depending on the risk level of the construction and its use (risk-based inspections)	

No.	Regulatory Framework	Link
<i>Building Inspection Requirements</i>		
17.	<p>The following is legally responsible for conducting inspections during construction:</p> <ul style="list-style-type: none"> • Self-certification (i.e. inspections carried out internally by the building company’s own staff, such as architects or engineers) • Third-party engineer or engineering firm (not employed by the developer or the permitting authority) • Governmental agencies, such as the municipal building department 	Sections 4(3), 9(5) and 22, Cap. 123 Buildings Ordinance
<i>Environmental Compliance Monitoring During Construction</i>		
18.	Requiring verification of environmental compliance comprehensively required during the construction process for projects which require environmental permits	<ul style="list-style-type: none"> ➤ Technical Memorandum on Environmental Impact Assessment Process ➤ Cap. 499 Environmental Impact Assessment Ordinance
19.	Requiring an independent and accredited professional to conduct environmental compliance verification for projects with environmental permits	<ul style="list-style-type: none"> ➤ Environmental Impact Assessment Ordinance Guidance Note No. 4/2023 ➤ Cap. 499 Environmental Impact Assessment Ordinance

No.	Regulatory Framework	Link
<i>Final Inspections</i>		
20.	Requiring an on-site final inspection of the construction before a building can be occupied	Section 21(6), Cap. 123 Buildings Ordinance
<i>Occupancy Permit</i>		
21.	Requiring an occupancy permit (i.e. Occupation Permit) before a building can be occupied	Section 21(1), Cap. 123 Buildings Ordinance
<i>Occupancy Permit</i>		
22.	Mandating that appeals regarding building permits, inspections, or regulatory compliance be handled by an independent third-party agency	Section 48, Cap. 123 Buildings Ordinance
23.	<p>Granting the following rights to the agency responsible for enforcing building regulations, such as a building control agency:</p> <ul style="list-style-type: none"> • The authority to issue an emergency order (e.g. evacuation, closure, stop-use) to address immediate safety concerns of a building • The authority to initiate prosecution in a court of competent jurisdiction for violations of building codes 	<p>Sections 26-27, Cap. 123 Buildings Ordinance</p> <p>Section 40, Cap. 123 Buildings Ordinance</p>

No.	Regulatory Framework	Link
	<ul style="list-style-type: none"> The authority to recommend to the registration body the suspension or cancellation of building practitioners' licenses for non-compliance with building regulations 	Sections 7 and 13, Cap. 123 Buildings Ordinance
<i>Environmental Appeals and Resolution</i>		
24.	Independent appeals process for environmental permit decisions that is separate from the issuing authority	Sections 17-19, Cap. 499 Environmental Impact Assessment Ordinance

Public Services that Facilitate Trade

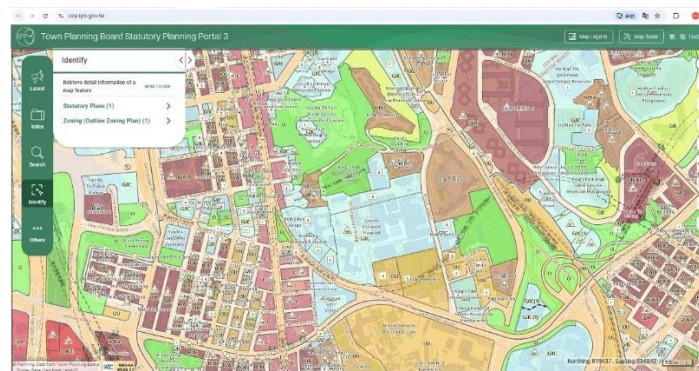
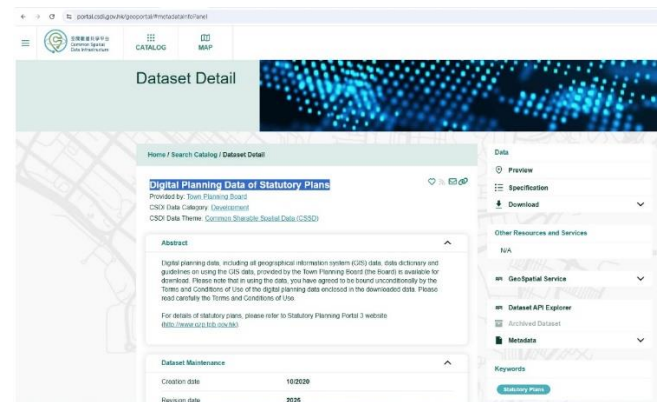
[Including services provided by government bureaux and departments, and other public organisations]

Disclaimer: There are other digital public services that aim to facilitate business and compliance in Hong Kong. Please refer to the webpages of individual bureaux/ departments/ public organisations for details.

Business Location – Construction Permitting

No.	Public Services	Link
Information Transparency and Digital Services		
1.	Spatial plans and zoning requirements accessible to developers and architects in the form of a Geographic Information System (GIS) or other spatial data platforms	<ul style="list-style-type: none"> ➤ portal.csd.gov.hk/ ➤ www.ozp.tpb.gov.hk/

Screenshots:



Town Planning Board Statutory Planning Portal 3: <https://www.ozp.tpb.gov.hk/>

Common Spatial Data Infrastructure portal: <https://portal.csd.gov.hk/>

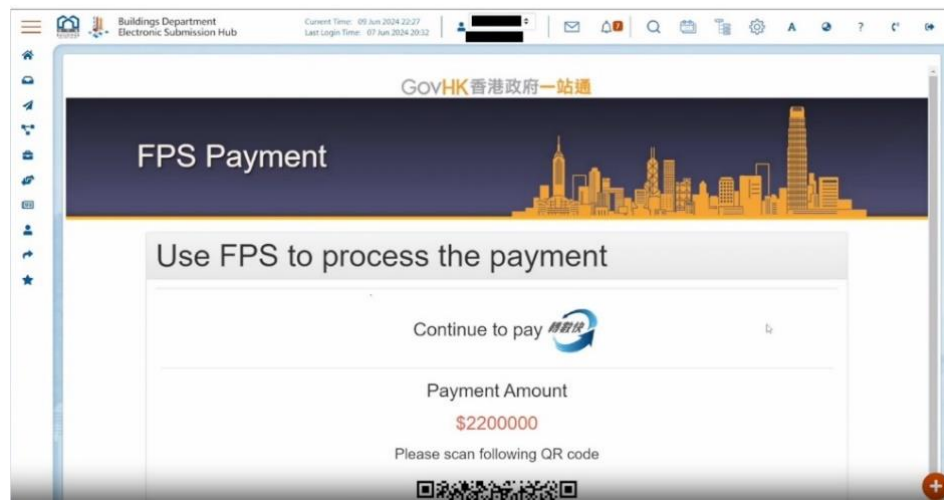
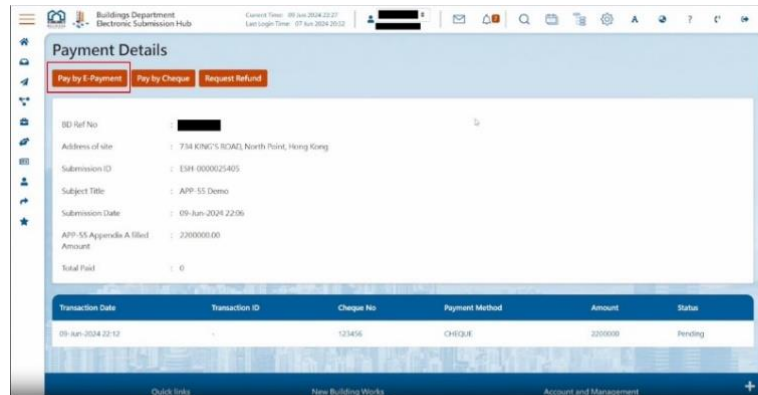
No.	Public Services	Link
2.	<p>The following information available online by the building permitting agencies and accessible without login into an account:</p> <ul style="list-style-type: none"> • Building control regulations, accessible to all stakeholders, including residents, developers, architects, and other interested parties • Criteria and necessary steps to obtain building permits (e.g. technical specifications) • List of all documents required to apply for a building permit (e.g. land ownership certificate, types of drawings and plans) • Updated fee schedule for all types of construction currently in effect (as of 1 September 2025) 	<ul style="list-style-type: none"> ➤ www.bd.gov.hk/en/resources/codes-and-references/practice-notes-and-circular-letters/index_pnap.html ➤ www.bd.gov.hk/en/resources/legal-matters/index.html www.bd.gov.hk/en/resources/codes-and-references/index.html www.bd.gov.hk/doc/en/resources/codes-and-references/practice-notes-and-circular-letters/pnap/ADV/ADV033.pdf www.bd.gov.hk/en/resources/request-for-information/index_fees.html

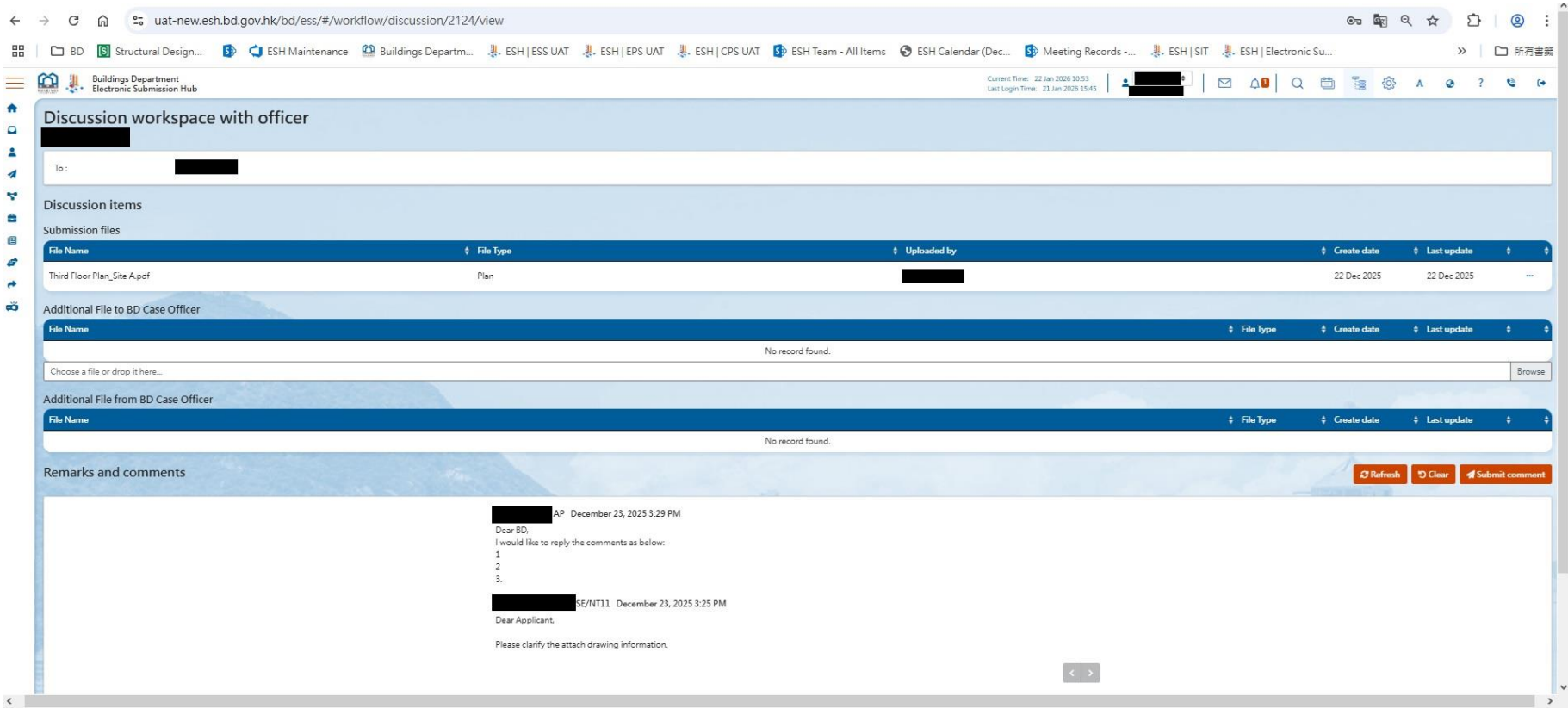
No.	Public Services	Link
Digital Platform Capabilities		
3.	<p>There is an online platform that allows the Planning/Building Control Agency in Hong Kong to process and issue building permits. The following features are available in the online platform:</p> <ul style="list-style-type: none"> • Integrated online payment of fees for obtaining the building permit through the online platform • Online communication (two-way exchange via text, email, online platforms beyond only listed email addresses) between users and the authorities regarding permit applications • Complete submission of building permit applications and supporting documents through the online platform • Approved building permits issued digitally and downloaded directly from the online platform 	<p>esh.bd.gov.hk</p>

No.	Public Services	Link
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Screenshots:

- Integrated online payment of fees for obtaining the building permit through the online platform



No.	Public Services	Link
•	<p>Online communication (two-way exchange via text, email, online platforms beyond only listed email addresses) between users and the authorities regarding permit applications</p>  <p>The screenshot displays a web application interface for a 'Discussion workspace with officer'. At the top, the browser address bar shows 'uat-new.esh.bd.gov.hk/bd/ess/#/workflow/discussion/2124/view'. The page header includes 'Buildings Department Electronic Submission Hub' and user information: 'Current Time: 22 Jan 2026 10:53' and 'Last Login Time: 21 Jan 2026 15:45'. The main content area is divided into several sections: <ul style="list-style-type: none"> Discussion workspace with officer: A 'To:' field with a redacted email address. Discussion items: A section for discussion items. Submission files: A table with columns: File Name, File Type, Uploaded by, Create date, Last update. It contains one entry: 'Third Floor Plan_Site A.pdf', Plan, [Redacted], 22 Dec 2025, 22 Dec 2025. Additional File to BD Case Officer: A section with a 'File Name' column and a 'No record found.' message. Additional File from BD Case Officer: A section with a 'File Name' column and a 'No record found.' message. Remarks and comments: A chat area with buttons for 'Refresh', 'Clear', and 'Submit comment'. It shows two messages: <ul style="list-style-type: none"> From [Redacted] AP: December 23, 2025 3:29 PM. Content: 'Dear BD, I would like to reply the comments as below: 1. 2. 3.' From [Redacted] SE/NT11: December 23, 2025 3:25 PM. Content: 'Dear Applicant, Please clarify the attach drawing information.' </p>	

No.	Public Services	Link
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- Complete submission of building permit applications and supporting documents through the online platform

The screenshot displays the 'Buildings Department Electronic Submission Hub' interface. At the top, it shows the current time (12 Jun 2024 11:03) and last login time (12 Jun 2024 10:16). The main navigation bar includes four steps: 'Basic Information', 'Forms', 'Plans and Documents', and 'Preview and Confirm Submission'. A progress bar below the navigation bar indicates the current step is 'Plans and Documents' (Step 3).

The 'Plans and Documents' section contains a table of uploaded files:

File Name	Description	Uploaded Date	Signed By	Action
BA4.pdf	BA4.pdf	12 Jun 2024 10:54	AP(A) RSE Owner	
BA5.pdf	BA5.pdf	12 Jun 2024 10:55	AP(A) AP(A)	

Below this table, there are sections for 'Plan(FSD)' and 'Plans', each with a 'Download' button. The 'Plan(FSD)' section shows 'No files uploaded'. The 'Plans' section shows one file:

File Name	Drawing Number	Revision	Drawing Title	Uploaded Date	Signed By	Action
Plan Index-A0-Same-01.pdf	ABC-01	A	01-GBP FOR G/F, ELEVATION, SECTIONS, ETC. FRAMING	12 Jun 2024 10:55	AP(A)	

No.	Public Services	Link
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- Approved building permits issued digitally and downloaded directly from the online platform

The screenshot displays the 'Electronic Submission Hub' interface. The top navigation bar includes 'Welcome to Electronic Submission Hub' and 'Inbox'. Below this, there are several action buttons: 'My Workspace', 'Create New Submission', 'Review Submissions', 'My Projects', 'Manage Project Team', and 'Submit Form BA21'. The main area shows a table of submissions with columns for 'BD Ref. No.', 'Address of Site', 'Type of Submission', 'Submission ID', 'Submission Subject', 'Message Date', 'Message Title', and 'Message Status'. One row is highlighted in red, indicating an approved submission.

BD Ref. No.	Address of Site	Type of Submission	Submission ID	Submission Subject	Message Date	Message Title	Message Status
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	Plan	ESH-000031140	test_2510091740_3/-_Initial view	09 Oct 2025	Submission Result	-
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	FormB	ESH-000031137	test_2510091722_form B	09 Oct 2025	Submission Receipt	Submitted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	FormA	ESH-000031135	test_25101721_form A	09 Oct 2025	Submission Receipt	Submitted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	Plan	ESH-000031129	test_2510091633_3/-	09 Oct 2025	Submission Receipt	Submitted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	Plan	ESH-000031129	test_2510091633_3/-	09 Oct 2025	Submission Result	Approved
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	Plan	ESH-000031128	test_2510091616_3/-	09 Oct 2025	Submission Receipt	Submitted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	Permit	ESH-000031121	test_2510091507_BA19_New	09 Oct 2025	Submission Result	Accepted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	Permit	ESH-000031121	test_2510091507_BA19_New	09 Oct 2025	Submission Receipt	Submitted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	FormB	ESH-000031106	test_2510081041	08 Oct 2025	Submission Receipt	Submitted
[REDACTED]	111333 JAWA ROAD, North Point, Hong Kong	FormA	ESH-000031105	test_2510081040	08 Oct 2025	Submission Receipt	Submitted

The detailed view of the approved submission (Submission ID: ESH-000031129) shows the following information:

- BD Ref. No.: [REDACTED]
- Address of Site: 111333 JAWA ROAD, North Point, Hong Kong
- Type of Submission: Plan
- Submission ID: ESH-000031129
- Acknowledgement No.: E5620251009042621
- Submission Subject: test_2510091633_3/-
- Message Date: 09 Oct 2025
- Message From BD: [REDACTED]
- Attachments: Plan Index-A0-Same-02.pdf, Plan Index-A0-Same-03.pdf, Plan Index-A0-Same-04.pdf

No.	Public Services	Link
4.	Administrative appeals against building permit decisions can be filed online through an official government platform (excluding submission by email, text, WhatsApp, or similar platforms)	esh.bd.gov.hk
<i>Environmental Permit Transparency of Information and Digital Services</i>		
5.	Submit the environmental permit/clearance application online	epic.epd.gov.hk/EFORMUPD/main/epic/apps-download?execution=e2s1
6.	<p>The following information and digital services are made available online by the environmental permitting agencies:</p> <ul style="list-style-type: none"> • Complete official requirements for submitting an application to obtain environmental clearances or permits for constructing a building • Fee schedule currently in effect for environmental permits in Hong Kong as of September 2025 • Public, official and updated information that shows a list of total number of approved environmental permits/clearances in Hong Kong 	<p>www.epd.gov.hk/eia/en/index.html</p> <p>www.epd.gov.hk/eia/en/guid/index4.html</p> <p>www.epd.gov.hk/eia/en/register/index.php</p>

No.	Public Services	Link
7.	<p>The following information and digital services available online by the environmental permitting agencies:</p> <ul style="list-style-type: none"> • Online payment system (i.e. a portal specialized in online payment transactions) to process application fees • Electronic system that facilitates the online submission of documents for obtaining environmental permits in Hong Kong 	<p>epic.epd.gov.hk/EFORMUPD/main/epic/apps-download?execution=e1s1</p>