Summary Table of Updates for Guidance Notes for Solar Photovoltaic (PV) System Installation (January 2019 Edition) (information updated as of 22 Oct 2021)

Item	Page	Section	Original (January 2019 Edition)	Updates (as of 22 October 2021)
1	-	Table of	Installation of Solar PV systems in Idle Land	Installation of Solar PV Systems in Vacant Land
		Contents		
		(5.4)		
2	14	5.2(ii)	If the garden adjacent to a village house is privately	If the garden adjacent to a village house is privately owned or
			owned or situated on a site under short term tenancy	situated on a site under short term tenancy which is in
			which is in conformity / compliance with the relevant	conformity / compliance with the relevant land use and lease
			land use and lease or tenancy conditions and if the	or tenancy conditions and if the relevant building works are
			relevant building works are minor works, (i.e. Minor	minor works, (i.e. Minor Works Item No. 1.50
			Works Item No. 1.19	(https://www.bd.gov.hk/en/building-works/minor-
			(https://www.bd.gov.hk/en/building-works/minor-	works/minor-works-items/index_mwcs_item1_50.html)
			works/minor-works-	or 3.50 (https://www.bd.gov.hk/en/building-works/minor-
			items/index_mwcs_item1_19.html) or 3.15	works/minor-works-items/index_mwcs_item3_50.html)), the
			(https://www.bd.gov.hk/en/buildingworks/minor-	landlord or tenant concerned should appoint qualified persons
			works/minor-works-	to carry out erection of supporting structure for solar PV
			items/index_mwcs_item3_15.html), the landlord or	systems through the simplified requirements under the Minor
			tenant concerned should appoint qualified persons to	Works Control System of the BD to ensure compliance with
			carry out erection of supporting structure for solar PV	the requirements of the Buildings Ordinance. If it is a
			systems through the simplified requirements under the	removal of the supporting structure for solar PV systems and is
			Minor Works Control System of the BD to ensure	minor works (i.e. Minor Works Item No. 3.2
			compliance with the requirements of the Buildings	(https://www.bd.gov.hk/en/building-works/minor-
			Ordinance.	works/minor-works-items/index_mwcs_item3_2a.html)), the
				building owner or tenant concerned may appoint qualified
				persons to carry out the removal of the supporting structure for

				solar PV systems through the simplified requirements under the Minor Works Control System of the BD to ensure compliance with the requirements of the Buildings Ordinance.
3	15	5.3(i)	If the installation of solar PV systems on private buildings are minor works (i.e. Minor Works Items 1.19(https://www.bd.gov.hk/en/building-works/minor-works/items/index_mwcs_item1_19.html) or 3.15 (https://www.bd.gov.hk/en/building-works/minor-works/minor-works-items/index_mwcs_item3_15.html) , the building owner or tenant concerned may appoint qualified persons to carry out the erection of supporting structure for solar PV systems through the simplified requirements under the Minor Works Control System of the BD to ensure compliance with the requirements of the Buildings Ordinance.	If the installation of solar PV systems on private buildings is minor works (i.e. Minor Works Item No. 1.50 (https://www.bd.gov.hk/en/building-works/minor-works/minor-works-items/index_mwcs_item1_50.html) or 3.50 (https://www.bd.gov.hk/en/building-works/minor-works/minor-works-items/index_mwcs_item3_50.html)), the building owner or tenant concerned may appoint qualified persons to carry out the erection of supporting structure for solar PV systems through the simplified requirements under the Minor Works Control System of the BD to ensure compliance with the requirements of the Buildings Ordinance. If it is a removal of the supporting structure for solar PV systems and is minor works (i.e. Minor Works Item No. 3.2 (https://www.bd.gov.hk/en/building-works/minor-works/minor-works-items/index_mwcs_item3_2a.html)), the building owner or tenant concerned may appoint qualified persons to carry out the removal of the supporting structure for solar PV systems through the simplified requirements under the Minor Works Control System of the BD to ensure compliance with the requirements of the Buildings Ordinance.
4	16	5.4 (heading)	Installation of Solar PV systems in Idle Land	Installation of Solar PV Systems in Vacant Land
5	16	5.4(i)	If the idle land is privately owned or within an area of	If the vacant land is privately owned or within an area of short

			short term tenancy which is in conformity /	term tenancy which is in conformity / compliance with the
			compliance with the relevant land use and lease or	relevant land use and lease or tenancy conditions and if the
			tenancy conditions and if the relevant building works	relevant building works are minor works (i.e. Minor Works
			are minor works (i.e. Minor Works Item No. 1.19	Item No. 1.50 (https://www.bd.gov.hk/en/building-
			(https://www.bd.gov.hk/en/building-works/minor-	works/minor-works-
			works/minor-works-	<u>items/index_mwcs_item1_50.html</u>
			items/index_mwcs_item1_19.html) or 3.15) or 3.50 (https://www.bd.gov.hk/en/building-works/minor-
			(https://www.bd.gov.hk/en/building-works/minor-	works/minor-works-items/index_mwcs_item3_50.html
			works/minor-)), the relevant landlord or tenant should appoint qualified
			worksitems/index_mwcs_item3_15.html) , the	persons to carry out erection of supporting structure for solar
			relevant landlord or tenant should appoint qualified	PV systems through the simplified requirements under the
			persons to carry out erection of supporting structure	Minor Works Control System of the BD to ensure compliance
			for solar PV systems through the simplified	with the requirements of the Buildings Ordinance. If it is a
			requirements under the Minor Works Control System	removal of the supporting structure for solar PV systems and is
			of the BD to ensure compliance with the requirements	minor works (i.e. Minor Works Item No. 3.2
			of the Buildings Ordinance.	(https://www.bd.gov.hk/en/building-works/minor-
				works/minor-works-items/index mwcs item3 2a.html), the
				building owner or tenant concerned may appoint qualified
				persons to carry out the removal of the supporting structure for
				solar PV systems through the simplified requirements under
				the Minor Works Control System of the BD to ensure
				compliance with the requirements of the Buildings Ordinance.
				1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
6	16	5.4(iii)	General speaking, if the solar PV systems are	Installation of solar PV system as a standalone facility on
			installed as a stand-alone facility on idle land, it	vacant land for participation in the Feed-in Tariff (FiT) Scheme
			would be regarded as "Public Utility Installation".	would be regarded as "Public Utility Installation" which is
			"Public Utility Installation" is always permitted in	always permitted in "Commercial", "Government, Institution
			"Commercial", "Government, Institution or	or Community", "Industrial", "Industrial (Group D)", "Open
	•	•	·	·

			Community", Schedule II of "Residential (Group E)", "Industrial", "Industrial (Group D)", "Open Storage", "Other Specified Uses (Business)", "Other Specified Uses (Industrial Estate)" and Schedule I and Schedule III of "Other Specified Uses (Mixed Use)" zones.	Storage", "Other Specified Uses" annotated "Business" and "Other Specified Uses" annotated "Industrial Estate" zones. Planning application is required for installation of standalone solar PV system intended for participation in the FiT Scheme in areas where "Public Utility Installation" is a Column 2 use under the statutory plan concerned. The Assessment Criteria for Considering Applications for Solar Photovoltaic System made under Section 16 of the Town Planning Ordinance (Cap. 131) is available at the following hyperlink: https://www.info.gov.hk/tpb/en/forms/Technical_Doc/Assessment%20Criteria_promulgation%20(English)%20(21.7.2020).pdf
7	17	5.5(i)	EMSD has conducted surveys on the equipment suppliers and installation contractors of solar PV systems and associated equipment in Hong Kong. According to the response received, information on the suppliers and contractors is set out in the "RE Equipment Suppliers Survey Returns Summary" and "RE Installation Contractors Survey Returns Summary". For details, please refer to the following links: RE Equipment Suppliers Survey Returns Summary http://re.emsd.gov.hk/english/gen/gother/gother_equ. html RE Installation Contractors Survey Returns Summary http://re.emsd.gov.hk/english/gen/gother/gother_EL.h tml	EMSD has conducted surveys on installation contractors of solar PV systems and associated equipment in Hong Kong, and according to the response received, set out information on the contractors in the "RE Installation Contractors Survey Returns Summary". For details, please refer to the following hyperlink: RE Installation Contractors Survey Returns Summary https://re.emsd.gov.hk/english/gen/gother/gother_EL.html

8 22 6.4 (i) As announced in the Policy Agenda under the 2018 Policy Address, ENB proposes that individuals (not in the course of business) who install small-scale Registration Ordinance (Cap. 310) and Inland (Cap. 310) and Inland (Cap. 310) RE systems at their residential premises would be corporations and partnerships) participating in the latest corporations.	d Revenue individuals, FiT Scheme
(not in the course of business) who install small-scale RE systems at their residential premises would be Ordinance (Cap. 112) (IRO), persons (including corporations and partnerships) participating in the latest their residential premises.	individuals, FiT Scheme
RE systems at their residential premises would be corporations and partnerships) participating in the l	FiT Scheme
	meet of FiT
exempted from the requirement of applying for are required to apply for business registration in res	speci of I'll
business registration and the payment of profits tax in business and report the FiT payments they receive	in their tax
respect of the FiT payments received through returns. To simplify the relevant procedures	in order to
participation in the FiT Scheme. ENB will submit facilitate the public's participation, the Government of the public of the publ	nment has
legislative amendment proposals to the Legislative introduced legislative amendments to exempt	individuals
Council in this regard. Before the passage of the installing RE systems at their residential premises	(not in the
amendment legislation, the aforementioned course of any other business) from reporting in the	e tax return
individuals are not required to apply for business the FiT payments received through participation	in the FiT
registration from the Inland Revenue Department or Scheme and the requirement of applying for	r business
report FiT payments in their tax returns in respect of registration, subject to the fulfilment of exemption	conditions.
their participation in the FiT Scheme. Individuals The relevant subsidiary legislations, the Exem	ption from
who are not covered by the proposed exemption Profits Tax (Feed-in Tariff Scheme) Order (the	Exemption
should apply for business registration and report FiT Order) and the Business Registration (Amendment)	Regulation
payments in their tax returns in accordance with the 2019 (the Amendment Regulation), have already	come into
Business Registration Ordinance and the Inland force. The brief and the provisions of the Exempton 1997.	ption Order
Revenue Ordinance respectively. and the Amendment Regulation can be found at –	
(ii) Any corporation or partnership participating in https://www.legco.gov.hk/yr19-	
the FiT Scheme in the course of a business, or 20/english/subleg/brief/2019ln190_191_brf.pdf	
participating in the FiT Scheme for profit purposes is	
required to apply for a business registration and (ii) Generally speaking, individuals who install RI	E systems at
report in the tax return FiT payments derived from their residential premises (not in the course of	any other
selling units of electricity generated by the RE business) and participate in the FiT Scheme are not	required to
systems to the power companies. report FiT payments in their tax returns nor apply to	for business

30	10	The Hongkong Electric Co., Limited Tel.: 2843 3228	referred to the press release issued by the Government on 1 March 2018: https://www.info.gov.hk/gia/general/201803/01/P2018030100 661.htm?fontSize=1 The Hongkong Electric Co., Limited Tel: 2510 2701
			March 2018: https://www.info.gov.hk/gia/general/201803/01/P2018030100 661.htm?fontSize=1
			March 2018: https://www.info.gov.hk/gia/general/201803/01/P2018030100
			March 2018:
			referred to the press release issued by the Government on 1
	1	1	
			in full in one year instead of five years. Details can be
		030100661.htm?fontSize=1	by allowing the capital expenditure so incurred to be deductible
		http://www.info.gov.hk/gia/general/201803/01/P2018	eligible energy efficient building installations and RE systems
		2018)	capital expenditure incurred by enterprises in procuring
		issued by the Government of HKSAR dated 1 March	Government has already further enhanced tax concessions for
		five years. (Details can be referred to press release	As mentioned in the Government's 2018-19 Budget, the
		full in one year instead of the current time frame of	incurred in relation to environmental protection facilities.
		devices by allowing tax deduction to be claimed in	tax deduction has been allowed for the capital expenditure
		efficient building installations and renewable energy	assessment 2008/09, pursuant to section 16I of the IRO, profits
		incurred by enterprises in procuring eligible energy	environmental protection facilities, since the year of
		enhance tax concessions for capital expenditure	(iii) To encourage the business community to adopt
		the 2018-19 Budget, the Government will further	
		expenditure on such installations. As mentioned in	business registration for their FiT business.
		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	FiT payments they receive in their tax returns and apply for a
		-	FiT Scheme for profit purposes, they are required to report the
			FiT Scheme in the course of a business, or participating in the
			Regulation, any corporation or partnership participating in the
		(iii) To encourage the business community to adopt	registration. For individuals who do not fulfil the exemption conditions in the Exemption Order and the Amendment
			the 2018-19 Budget, the Government will further enhance tax concessions for capital expenditure incurred by enterprises in procuring eligible energy efficient building installations and renewable energy devices by allowing tax deduction to be claimed in full in one year instead of the current time frame of

10	34	Appendix 2	(a) MW item 3.15	(a)	MW item 3.50
			(b) MW item 1.19	(b)	MW item 1.50
			(c) Any of the modules of the solar PV system is more	(c)	The solar PV system supported by the supporting
			than 200kg in weight?		structure is
					(i) not more than 200 kg in weight;
					(ii) the average weight of which is not more than
					100 kg per m ² of the ground (if the structure is
					located on-grade) or slab area (if the structure
					is located on a roof); and
					(iii) not on inaccessible roof (inaccessible roof
					means a roof that is not intended to be used for
					human occupation and is intended to be only
					accessible to personnel for maintenance or repair works)
					All the above conditions are met.
				(Pleas	se refer to the updated "Appendix 2 - Flow Chart for
				Instal	lation of Solar Photovoltaic Systems in Private
				Build	ings")
11	36	Appendix 3	HKE hotline: 2843 3228	HKE	hotline: 2510 2701
12	33	Appendix 1	https://www.emsd.gov.hk/filemanager/en/content	https:	//www.emsd.gov.hk/filemanager/en/share/electricity
			1305/GF_registration_form.pdf	safety	/public_forms/GF1.pdf

Flow Chart for Installation of Solar Photovoltaic Systems in New Territories Exempted Houses (NTEH) (commonly known as village houses)

Whether the Solar Photovoltaic (PV) System satisfies the following

requirements: -

System on main roof

The system including its supporting structure should not be higher than 2.5m measured from the roof level.

Plan to install solar PV systems in NTEH

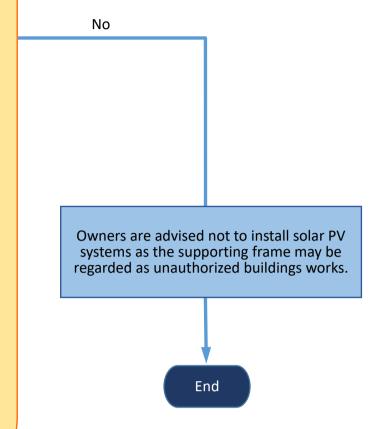
- The average loading imposed should not exceed 150kg/m².
- It should not project more than 750mm from the external wall.
- For system arranged in the form of continuous spread covering, its coverage (only the coverage area within the building is accounted) should not be more than half of the roofed-over area of the NTEH.
- For system arranged in clusters, each cluster should have coverage of not more than 5m² (only the coverage area within the building is accounted) and should be separated from each other by not less than

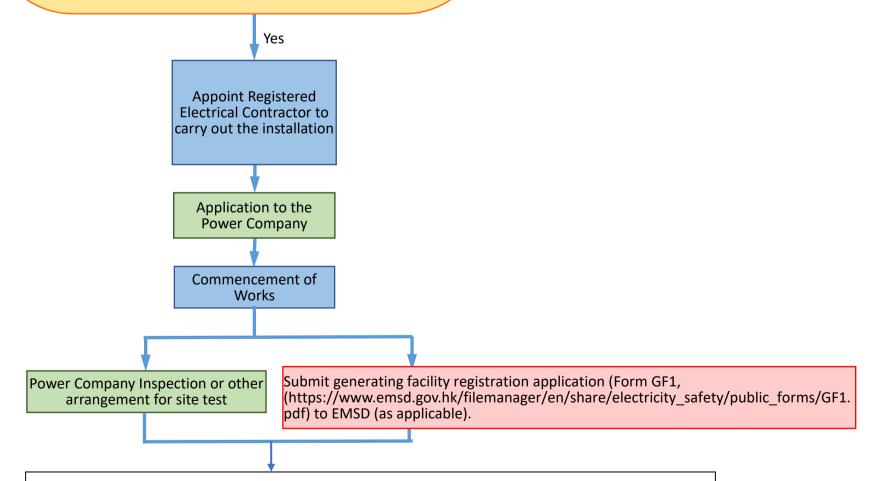
System on roof of stairhood

- The system including its supporting structure should not be higher than 1.5m measured from the level of the roof of the stairhood.
- The average loading imposed should not exceed 75kg/m².
- (h) It should not project more than 750mm from the edge of the roof.

Common requirements

- The roof on which the system would be installed should be cleared of all unauthorised building works (UBWs), including those acknowledged by the Buildings Department (BD) under the Reporting Scheme for UBWs in NTEHs implemented by BD.
- The space underneath the system should not be enclosed.
- (k) It should be properly installed and should not adversely affect the structural safety of the building. For system exceeding 1.5m high measured from the roof level, it should be certified by an Authorized Person registered under the Buildings Ordinance (BO) for submission of a safety certificate⁺ to Lands Department for record.
- Such facilities should not be installed on the canopy.
- ^ If the space is enclosed, BD will take enforcement action under the BO.





Submit a safety certificate⁺ signed by an Authorized Person certifying that the system has been properly installed and has not adversely affected the structural safety of the building to LandsD if the system is exceeding 1.5m high measured from the roof level. (*The safety certificate (Form C/PVS) is available at Lands Department and all N.T. District Lands Offices. It can also be downloaded from Lands Department's website (http://www.landsd.gov.hk).)

