

## CODE OF ACCESS TO INFORMATION

Hong Kong Building Rehabilitation Facilitation Services Limited (HKBRFSL)

### 1. Scope of the Code

Information which may be requested pursuant to this Code shall comprise documents and records which are already in existence and in possession of us. This Code does not oblige us to create a document or record which does not exist or acquire information not in its possession.

### 2. Requests for Access to Information

Requests for access to information can be made verbally or in writing which should be addressed to the Information Disclosure Officer via

- brp@mail1.ura.org.hk (by email); or
- 2588 2542 (by fax) ; or
- Flat B, G/F, 777-783 Yu Chau West Street, Kowloon (by mail).

The request must:

- I. be addressed to the Information Disclosure Officer by completing the Request for Information Application Form by providing sufficient information concerning the document(s) and/or record(s) as is reasonably necessary to enable us to identify the documents(s) and/or record(s).
- II. specify a contact point or an address at which the document(s) and/or record(s) requested can be sent to the applicant by us; and

If anyone makes the request verbally, our Information Disclosure Officer will request the applicant to provide the relevant information as specified in the Request for Information Application Form in order to enable us to process the application.

Responses to requests for access to information will be provided by us as soon as practicable and, in any event:

- within 14 working days of receipt of the requests where the information is readily available.

- in case the information is not readily available, the applicant will be advised by an interim reply within 14 working days of the receipt of the request.
- requests should be complied with within 30 working days from receipt.

If a request is to be refused, the applicant is to be informed within 14 working days from receipt of application.

In case the request cannot be complied with within 30 working days, the delay and the reason(s) for it should be explained to the applicant in writing.

If we receives a request for information which is not in the possession of us but held by another organization, body or government department, we will notify the applicant within 14 working days.

### 3. Information which may be refused

We may refuse to disclose information, or may refuse to confirm or deny the existence of information in the categories set out below –

- a. Information cannot be found or does not exist.
- b. Commercially sensitive information.
- c. Legal restrictions and proceedings: we may refuse a request where
  - The disclosure of information would constitute a contravention of any law which applies in Hong Kong.
  - The information relates to a claim or a possible claim which may lead to legal proceedings.
  - The information relates to legal proceedings and the disclosure of the information would amount to contempt of court or would harm or prejudice or otherwise adversely affect the proceedings.
- d. Enforcement of law and protection of public safety: information relating to the conduct of an investigation of a breach, or a possible breach, of the law and the disclosure of such information would harm or prejudice or otherwise adversely affect such investigation or the administration of law. We may also refuse request where the disclosure of such information would be likely to cause serious harm to the physical or mental health or safety of a person.

- e. Information relating to the management and operations of us, the disclosure of which would harm or prejudice or otherwise adversely affect the proper and efficient operation of us, including the discharge of its statutory functions.
- f. Internal discussion, papers and advice: information relating to papers prepared for, or records of meetings and deliberations of, we or the Board of HKBRFSL or any of its committees.
- g. Information relating to complaints or enquiries: information relating to complaints lodged with, or enquiries made of, we and the disclosure of such information would harm or prejudice or otherwise adversely affect the investigation and/or the remedying of such matters by us.
- h. Personal data : in accordance with a separate Privacy Policy Statement.
- i. Premature request: information which will soon be published, or whose disclosure would be premature in relation to a planned announcement of publication.
- j. Research, statistics and analysis: information relating to incomplete analysis, research or statistics and the disclosure could be misleading or deprive us or any other person of priority of publication or commercial/academic value.
- k. Third Party Information: information held for, or provided by, a third party under an explicit or implicit understanding that it would not be disclosed.

#### **4. Charges**

Processing requests for information requires use of our resources. However, we decides that no application fee would be charged.

The applicant will still be charged a fee for providing the information, including the cost of photo-copying, disc duplicating as applicable.

The fee for providing photocopies of written documents will be charged at HK\$ 1.1 per page (A4) and \$1.3 per page (A3) for black-and-white copying, HK\$2.5 per page (A4) and HK\$5 per page (A3) for colour copying, and disc duplication will be charged at HK\$ 50 per disc. No binding service for the documents will be provided. The above fee is subject to adjustment by us from time to time.

#### **5. Review**

Any person who believes that we have failed to comply with any provision of the Code may ask our Board to review the situation. The target response times set out in Section 2 above also apply to requests for review.

Any person who believes that we have failed to properly apply any provision of the Code may also complain to The Ombudsman.

31 Mar 2021