



Lands Administration Office

Lands Department

Practice Note

Issue No. 4/2022

Installation of Solar Photovoltaic Systems in Private Developments

As announced in the 2020 Policy Address, Hong Kong would strive to achieve carbon neutrality before 2050. To facilitate the attainment of this objective and promote the wider installation of renewable energy systems by private sector on their land and properties in Hong Kong, Lands Department (“LandsD”) has introduced facilitation measures on the installation of solar photovoltaic (“PV”) systems¹ in private developments² under lease³.

2. LandsD will generally accept the installation of solar PV systems within a lot held under a lease as use ancillary to the permitted use under the lease provided that the electricity generated is for the sole use by the occupiers in the building or accommodation and for the building or accommodation within the lot held under the lease; separate application to the Director of Lands (“the Director”) insofar as the user restriction is concerned would not generally be required. The lot or property owner should ensure that the electricity generated from the proposed solar PV systems would not be significantly in excess of that normally required by the occupiers concerned and for the building or accommodation within the lot that it serves. The space underneath the solar PV systems shall not in any event be enclosed. Any installation of solar PV systems within a lot shall comply with all other lease conditions governing the lot.

¹ A solar PV system may include solar PV panels, inverters, energy meters, distribution boards, cables and other components together with supporting structures as necessary to form a complete grid connected solar PV installation.

² For installation of solar PV system on the roof or roof of stairhood in both new and existing New Territories Exempted Houses, reference should be made to the pamphlet for “Building New Territories Exempted Houses” published by LandsD and available on the LandsD’s website (www.landsd.gov.hk).

³ All references to “lease” in this Practice Note shall include Government Lease or Conditions of Sale / Grant / Exchange, etc. as the case may be and “leases” shall be construed accordingly.

3. The erection of the supporting structure for a solar PV system is building works subject to the control of the Buildings Ordinance (“BO”) (Cap. 123). It may be carried out under the simplified requirements of the Minor Works Control System (“MWCS”) provided that the supporting structure fulfills the requirements⁴ specified in the Technical Guidelines on MWCS and any amending or substituting guidelines (“Technical Guidelines”) published by the Buildings Department (“BD”)⁵. If the supporting structure is erected under the MWCS, separate submission of building plans/drawings to LandsD for approval would not generally be required. Apart from the user restriction as mentioned in paragraph 2 above, the lot or property owner shall ensure that the installation of the proposed solar PV systems shall comply with all other lease conditions governing the lot.

4. If the proposed supporting structure for the solar PV installation does not fulfill the requirements specified in the Technical Guidelines and is not erected under the MWCS, the lot or property owner will have to engage an Authorised Person to submit building plans to the Building Authority for prior approval and consent to the commencement of works. BD will refer such plans to LandsD for consideration under lease through the Centralised Processing System⁶.

5. The above facilitation measures are not intended to apply to dedicated commercial solar farms to be set up on private lots, irrespective of whether erection of building or structure is prohibited under lease. Such proposal would continue to be separately considered by LandsD on individual case basis.

6. Nothing in this Practice Note (“PN”) shall in any way fetter or affect or prejudice the exercise of the rights of the Government, the Director and their officers under the relevant lease or the Government’s rights as lessor or landlord, and all such rights are hereby reserved. Besides, nothing in this PN, including any words and expressions used, shall in any way be construed as any variation or waiver of any provisions under the relevant lease or affect, prejudice or bind the Government in relation to the interpretation or enforcement of the terms and conditions of the relevant lease.

⁴ The supporting structure should not, among other matters, be higher than 1.5 metres (see description of the Minor Works Items 1.50 and 3.50 in the Technical Guidelines).

⁵ The Technical Guidelines are available on the BD’s website (www.bd.gov.hk).

⁶ Reference should be made to Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (“PNAP”) ADM-2 on “Centralised Processing of Building Plans” and any amending or substituting PNAP issued by BD.

7. This PN is not applicable to any buildings which, by virtue of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121), is exempted from the provisions of the BO.

8. This PN is issued for general reference purposes only. All rights to modify the whole or any part of this PN are hereby reserved.



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