

Extract of Buildings Department's Internal Guidelines on Prioritisation of "Actionable" Unauthorised Building Works on Rooftops, Flat Roofs, Yards, Lanes and Basements of Buildings

Under the current enforcement policy against unauthorised building works (UBW), the scope of "actionable" UBW includes unauthorised structures on rooftops, flat roofs as well as those in yards¹, lanes² and basements³ of buildings, commonly known as "Top, Middle, Bottom" (TMB), irrespective of their level of risk to public safety or whether they are newly constructed.

2. Given the large number of TMB and TMB reports, TMB cases should be handled by taking into consideration the Buildings Department's (BD's) manpower and capability in attending to UBW reports, issuing orders, and enforcing compliance etc. Prioritisation is therefore necessary to handle the TMB cases in an orderly manner, primarily through large scale operations (LSOs) except for new TMB (including TMB works in progress) and TMB with obvious danger to life and property.⁴

3. Upon receipt of TMB reports, a list of TMB would be created each year⁵ for the purpose of selecting target buildings under LSOs. The prioritisation criteria are as follows :-

- (a) For the TMB queues compiled in 2011 and 2012, the priority ranking was determined by the earliest date the concerned TMB was known to the BD, taking into account the date of warning notices/letters on the TMB. The earlier ones should be accorded priority ahead of others.

¹ Lightwell is regarded as a form of yard.

² Lane structures refer to those structures erected on private lane (e.g. horizontal extensions) or projecting over lane (e.g. retractable awnings) which are actionable under the Buildings Ordinance.

³ Basement structures refer to those unauthorised extensions below the lowest storey or onto the adjoining unexcavated backfilled areas of a building. These unauthorised extensions are regarded as UBW at the exterior of buildings.

⁴ Together with the enforcement action on new/dangerous TMB, enforcement action will also be taken against those TMB at the same level. TMB in single family house should be regarded as in the same level.

⁵ The TMB reports received in a particular year will form the TMB queue for that year.

- (b) For TMB queues after 2012, the priority ranking is determined by the current report date of the TMB only.

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