

Examination of Estimates of Expenditure 2010-11

Reply Serial No.

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)102

Question Serial No.

Head : 82 Buildings Department Subhead (No. & title) :

0493

Programme : Buildings and Building Works

Controlling Officer : Director of Buildings

Director of Bureau : Secretary for Development

Question :

Regarding the Joint Office (JO) established by the Buildings Department and the Food and Environmental Hygiene Department as a pilot programme, please:

- (a) advise the performance pledge and performance indicators of the JO;
- (b) list and explain the handling of complaints in the past three years (i.e. 2007-08 to 2009-10) – including the complaint cases received, cases successfully handled, cases not handled, statistics on the reasons for cases not handled, outstanding cases to be handled and the average time for handling the cases; and
- (c) advise the funding allocated to the JO in the past three years (i.e. 2007-08 to 2009-10) and the estimated funding in 2010-11. How will the estimated capacity for handling complaints and the staff establishment meet the operational needs? Will the estimated funding cover the implementation of an earlier proposal to extend the operation of the JO to other districts? If so, please give details. If not, what are the reasons?

Asked by : Hon. LI Fung-ying

Reply :

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, if the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will then consider intervention by exercising the relevant statutory powers. Based on this principle, the Food and Environmental Hygiene Department and the Buildings Department (BD) have established a Joint Office (JO) as a pilot programme since 2006 to assist members of the public to tackle some of the water seepage problems.

(a) The JO has been developing internal working guidelines and milestones to monitor the progress of various stages of investigation. With the full co-operation of all the parties concerned, an investigation can normally be concluded within around 130 days (or 90 working days). The internal milestones have been evolving and the goal of the JO is to develop the same into performance pledges.

(b) The JO received 17 405, 21 717 and 21 769 water seepage complaints in 2007, 2008 and 2009 respectively. After receiving a complaint, the JO will contact the relevant parties to conduct investigation. Identification of the possible source(s) of water seepage is not a straightforward matter and is often complicated by the fact that there may be more than one possible source of water seepage in any single case. A series of non-destructive tests have to be performed as necessary to try to establish the source of seepage and this will take much time and patience of all parties, not only the JO but also the owners/occupiers concerned. Cooperation of the concerned owners/occupiers is critical for JO staff's entry into the premises to conduct multiple tests to identify the source of water seepage. As pointed out in paragraph (a), with the full cooperation of concerned parties, an investigation can normally be concluded within around 130 days (90 working days). However, in many cases, repeated arrangements have to be made with complainants on timing for site inspections and consents of respondents have to be sought in allowing multiple inspections inside the premises. It will take even longer time if the JO has to apply to the court for a warrant to gain entry into the concerned premises for investigation. On average, it takes about 170 days from the receipt of a complaint to the completion of an investigation.

The relevant statistics of the cases that the JO handled (either screened out or with investigation concluded) in 2007, 2008 and 2009 are tabulated below. The JO will only conclude a case if the seepage has ceased during the investigation, the source has been identified, or the source cannot be identified after due investigation. As there is a lapse of time between receipt of a complaint and completion of handling of a case, the complaints handled in a year does not necessarily correspond to the complaints received in that year. The remaining cases are being followed up by the JO and are under various stages of investigation.

Number of Cases	2007	2008	2009
Total number of cases handled	13 375	16 708	18 237
Number of cases screened out ^{Note}	6 350	7 144	8 115
Total number of cases with investigation concluded :	7 025	9 564	10 122
– Number of cases with seepage ceased during investigation	3 452	4 102	3 876

– Number of cases with source identified	3 246	4 476	4 813
– Number of cases with source cannot be identified and seepage persisted	327	986	1 433

Note The JO has prescribed standards and requirements for the investigation of sources of water seepage. Some water seepage complaints received do not involve public health nuisance, building structural safety risks or wastage of water, and hence do not fall within the scope of follow-up action under the statutory authority of the JO. There are also cases where the complaints are falsified or complainants have withdrawn their complaints such that the JO would not continue with the investigations.

(c) The BD was allocated with a funding of \$26.488 million each for 2007-08 and 2008-09 and \$29.114 million for 2009-10 to operate the JO. The BD will be allocated with \$29.114 million in 2010-11 to operate the JO.

The Administration is reviewing the role and organisation of the JO, and exploring the most appropriate arrangement to handle water seepage issues, taking into account the Ombudsman's recommendations in the earlier direct investigation report, the results of the JO's interim review and stakeholders' feedbacks.

The service of the JO has already been extended to the whole territory since mid-2006.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 19 March 2010