

Examination of Estimates of Expenditure 2010-11

Reply Serial No.

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

DEVB(PL)105

Question Serial No.

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

1182

Programme : Buildings and Building Works

Controlling Officer : Director of Buildings

Director of Bureau : Secretary for Development

Question :

In 2008 and 2009, how many outstanding removal orders were there that required instigating prosecution action but were not yet prosecuted? What were the reasons that the Department did not instigate prosecutions on those cases, if any?

Asked by : Hon. NG Margaret

Reply :

In 2008 and 2009, the Buildings Department (BD) issued 32 847 and 31 453 removal orders respectively. After the issue of removal orders, the BD will take action to encourage building owners to voluntarily comply with the requirements. Upon expiry of the orders, the BD will issue reminders and, if necessary, warning letters to the owners to urge them to comply with the orders prior to the Department's consideration of instigating prosecution. In the event that owners encounter genuine difficulties and request additional time to arrange for the necessary works, the BD will consider granting extension of time to allow them to comply with the orders where justified. Prosecution will be initiated if the owners fail to carry out the rectification works without reasonable excuse. In 2008 and 2009, 26 026 and 23 499 removal orders were voluntarily complied with by building owners respectively. To deter non-compliance, the BD instigated 3 091 and 3 063 prosecutions respectively in 2008 and 2009. The above compliance and prosecution cases cover orders issued in 2008, 2009 and earlier years.

The BD is following up with the remaining cases with removal orders issued. Such cases are at various stages : rectification works are in progress, owners have requested an extension of time, owners are appealing against the removal orders, etc.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 19 March 2010