

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

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Question Serial No.

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

1478

Programme : Buildings and Building Works

Controlling Officer : Director of Buildings

Director of Bureau : Secretary for Development

Question :

Among the cases handled by the Joint Office in the past two years, how many had their problems resolved? For those cases with the water seepage problems unable to be resolved, how will further assistance be provided? Will there be an increase in manpower to expedite the processing of the cases?

Asked by : Hon. CHEUNG Hok-ming

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 consider intervention by exercising the relevant statutory powers. Based on this principle, the Food and Environmental Hygiene Department (FEHD) and the Buildings Department 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.

The relevant statistics are tabulated as follows –

Number of Cases	2009	2010
Total number of cases handled	18 237	22 971
Number of cases screened out ^{Note}	8 115	11 051
Total number of cases with investigation concluded	10 122	11 920
- Number of cases with seepage ceased during investigation	3 876	4 861
- Number of cases with source identified	4 813	4 737
- Number of cases where source cannot be identified	1 433	2 322

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 There are also cases where the complaints are falsified, the seepage has stopped or the complainants have withdrawn their complaints, etc. Such cases will be screened out by the JO, and investigation into the sources of water seepage will not be conducted for such cases.

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 multiple sources of water seepage in a single case. In this regard, co-operation of all owners/occupiers involved is critical for JO staff to enter their premises and conduct multiple non-destructive tests to identify the sources of water seepage. For a case where the source of water seepage cannot be identified, the JO will keep the investigation information for future reference. In case the complainant notices any change in circumstances, such as a change in the extent or a recurrence of seepage, the complainant may inform the JO for a review of the case.

In the past few years, the JO has been exploring means to enhance its efficiency by reviewing its modus operandi, investigation methods and resource situation. For instance, two rounds of recruitment exercises for Environmental Nuisance Investigators (ENIs) were conducted in 2009 to reinforce the staffing support to the JO. The FEHD is also making arrangements to replace a number of ENIs with Health Inspectors (HIs). These HIs are civil servants (as opposed to ENIs who are non-civil service contract staff) and will be deployed to the JO from mid-June 2011. With more experience accumulated, we expect that these HIs would help speed up the processing of water seepage cases. The deployment of HIs would also help reduce the staff turnover of the JO. We will continue to monitor the work and manpower situation of the JO.

While we will continue to pursue various initiatives in order to improve the JO's efficiency, we will also review the role of the Government in handling such dispute by considering the adoption of alternative dispute resolution mechanisms. For example, we will explore the feasibility of encouraging building owners to make use of mediation to resolve their water seepage related disputes. The merits of resolving such disputes through legislation will also be studied. Reference will be made to overseas regulatory experience in the process.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 17.3.2011