

Examination of Estimates of Expenditure 2011-12

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

Reply Serial No.

**DEVB(PL)098**

Question Serial No.

1815

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

Programme : Buildings and Building Works

Controlling Officer : Director of Buildings

Director of Bureau : Secretary for Development

Question :

In 2009, the Buildings Department instigated 3 063 prosecutions against failure to comply with removal orders on unauthorised building works (UBWs). Please list, in respect of the past five years (i.e. 2006-2010), (a) the number of such prosecutions; and (b) the number of convictions. Please also list the total number and types of existing UBWs, and the time limit set to complete the removal of the UBWs. Apart from removal operations, what are the preventive measures to curb UBWs; and what is the financial commitment involved?

Asked by : Hon. IP LAU Suk-ye, Regina

Reply :

The statistics on prosecutions instigated against failure to comply with removal orders on unauthorised building works (UBWs) in the past five years are as follows:-

<b>Year</b>	<b>No. of prosecutions instigated</b>	<b>No. of convictions</b>
2006	3 042	1 997
2007	3 021	2 180
2008	3 091	2 163
2009	3 063	2 207
2010	2 609	1 544

In 2001, the total number of UBWs in the territory was estimated to be 800 000. With the completion of the Buildings Department (BD)'s ten-year enforcement programme in March 2011, we estimate that some 400 000 UBWs constituting obvious or imminent danger to life or property would have been removed. The BD will continue its enforcement against UBWs constituting obvious or imminent danger to life or property, new UBWs and UBWs under construction.

From 1 April 2011 onwards, the BD will launch large-scale operations to enforce against actionable UBWs including unauthorised structures on rooftops and flat roofs, as well as those in yards and lanes in respect of 500 target buildings each year. The BD will launch a programme to encourage the public to report building safety problems and will actively respond to reports on UBWs by issuing statutory orders requiring the owners concerned to carry out rectification works if the UBWs are confirmed to be actionable after inspection. The BD will also mount various public education and publicity campaigns to promote a building safety culture and increase public awareness of the potential liability arising from UBWs.

In 2011, the BD will engage private sector consultants to conduct a stock-taking exercise of all UBWs on exteriors of private buildings in Hong Kong. More details on the number and types of existing UBWs will be available upon completion of the stock-taking exercise.

The existing resources of 477 professional and technical staff of the Existing Buildings Divisions of the BD together with the additional resources of 124 professional and technical staff proposed for allocation to the Department in 2011-12 will be responsible for carrying out the enhanced enforcement actions against UBWs as part of the Existing Buildings Divisions' overall duties to implement the Department's building safety and maintenance programme.

Signature \_\_\_\_\_

Name in block letters     AU Choi-kai    

Post Title     Director of Buildings    

Date     16.3.2011