

Examination of Estimates of Expenditure 2011-12

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

Reply Serial No.

**DEVB(PL)109**

Question Serial No.

0467

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 each of the past three years, how many orders have been served by the Department on building owners requiring them to reinstate their flats when the flat layouts were found to deviate from the original plans of the buildings? For those cases in which the owners have complied with the orders and completed the works, what was the average time taken from the service of the orders to the completion of works; and what was the time taken by the longest case? For those cases in which the owners could not be found or failed to comply with the orders and ultimately the Building Authority had to carry out the works, what was the number of such cases, the costs of such works involved, the number of cases still pending recovery of costs and the amount of outstanding costs?

Asked by : Hon. LEE Wai-king, Starry

Reply :

In 2008, 2009 and 2010, the Buildings Department (BD) issued 34, 12 and 20 removal orders respectively to owners requiring them to remove the UBWs involved in sub-division of their flats and reinstate their flats to accord with the original approved plans of the buildings. As there is a lapse of time between the issue of orders and completion of rectification works, cases complied with in a year may not necessarily correspond to the orders issued in the same year. For the 41 cases the rectification works of which were completed within the past three years, the average time that the owners took to comply with the removal orders was about 11 months. The longest period for compliance was 37 months, in which a substantial part of the compliance time was for processing the owner's appeal against the removal order before the required works were commenced by the owner. For the completed cases, all owners had complied with the orders themselves, either upon receipt of the orders or upon initiation of prosecution action by the BD, without the need for the Building Authority to carry out the works in default of the owners. For the removal orders issued in the past three years but not yet complied with by the owners, the BD has been monitoring the cases and they are at different stages of follow-up action. For instance, some

owners are arranging for rectification works while some have lodged appeals which are being processed. So far, there have been no cases with missing owners or cases requiring the BD to carry out default works.

Signature \_\_\_\_\_

Name in block letters     AU Choi-kai    

Post Title     Director of Buildings    

Date     17.3.2011