

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

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) In the past year, what was the total amount of resources allocated by the Buildings Department (BD) for inspection of unauthorised building works (UBWs) in buildings in the urban areas, and how many removal orders have been issued as a result of proactive inspections conducted by the BD? Of the removal orders issued, how many prosecutions have been instigated against non-compliant cases? What is the number of convicted cases?
- (b) At present, how many removal orders against UBWs in buildings in the urban areas are not yet complied with after the expiry date? Please list out the respective number of removal orders not complied with in 1-3 years, 4-6 years, 7-9 years and 10 years or above after the expiry date?
- (c) In each of the past three years, what was the number of UBW cases where an encumbrance was imposed because of non-compliance with the removal orders?

Asked by: Hon. CHAN Tanya

Reply:

- (a) In 2011, the Buildings Department (BD) continued its enforcement against unauthorised building works (UBWs) constituting an obvious hazard or imminent danger to life and property, newly erected UBWs and UBWs under construction. In addition, since April 2011, the BD has been implementing the revised enforcement policy against UBWs by extending the scope of actionable UBWs to include UBWs on rooftops and podiums as well as those in yards and lanes of buildings, irrespective of their risk to public safety or whether they are newly constructed. The BD has

initiated new large-scale operations since April 2011 to enforce against UBWs. These include an operation to inspect 500 target buildings each year for removal of UBWs on rooftops and flat roofs as well as those in yards and lanes, and another operation to inspect 150 target buildings each year to tackle irregularities of building works associated with sub-divided flats.

In 2011, the above enhanced enforcement actions against UBWs were carried out by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and Mandatory Building Inspection Division of the BD as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the resources solely for handling these enforcement actions.

In 2011, the BD issued 9 176 removal orders and instigated 2 264 prosecutions against failure to comply with removal orders. In the same year, 1 794 cases were convicted.

- (b) Amongst the removal orders issued before 2011 for the whole territory, 52 084 orders are still outstanding. The distribution of these outstanding orders on yearly basis is as follows :

Year of issue	Number of outstanding orders
2001 and before	132
2002-2004	1 299
2005-2007	9 294
2008-2010	41 359
Total	52 084

- (c) The BD does not keep statistics on the number of UBW cases where the removal orders were registered in the Land Registry as an encumbrance.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 29.2.2012