Examination of Estimates of Expenditure 2012-13

CONTROLLING OFFICER'S REPLY TO INITIAL WRITTEN QUESTION

Reply Serial No.

DEVB(PL)091

Question Serial No.

0937

<u>Head</u>: 82 Buildings Department <u>Subhead</u> (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is mentioned in the Estimates that the Bureau will continue the large scale operation (LSO) on comprehensive clearance of unauthorised building works (UBWs) on rooftops, flat roofs, yards and lanes of target buildings in 2012-13. Will the Administration inform this Committee:

- (a) What are the specific details of the said LSO and the resources involved?
- (b) According to some members of the public, the penalty of imposing an encumbrance on the properties with UBWs not removed within the period specified in a warning notice is ineffective because it does not affect the owners of the UBWs concerned in letting out their properties for profit. As such, what measures will be adopted by the Department to tackle the situation?

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

Reply:

(a) As one of the initiatives in the new package of measures to enhance building safety, the Buildings Department (BD) has revised its enforcement policy against unauthorised building works (UBWs) since April 2011 by expanding the scope of the actionable UBWs to include those UBWs located on rooftops, flat roofs or in yards and lanes of private buildings, irrespective of their risk to public safety and whether they are newly erected. To dovetail our enforcement action against such UBWs, a large scale operation (LSO) to remove these types of UBWs in 500 target buildings per year has been launched since April 2011 and will be continued in 2012-13. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division will be responsible for carrying out the abovementioned operation. As this operation is

part of the concerned Divisions' overall duties to implement BD's building safety and maintenance enforcement programme, we are not able to provide a breakdown of the resources solely for handling this operation.

(b) Warning notice records the existence of UBWs in a property. Its purpose is to constitute an encumbrance on the property title after the notice has been registered in the Land Registry, such that prospective purchasers or tenants can become aware of the existence of UBWs in the properties, thereby encouraging the owners to remove the UBWs voluntarily so as to avert the encumbrance registered against their property titles. In the past, warning notices were usually issued against existing UBWs on rooftops, flat roofs or in yards and lanes of buildings that did not constitute imminent danger to life or property. With the implementation of the enhanced enforcement policy against UBWs since April 2011, removal orders instead of warning notices are issued for these types of UBWs regardless of whether they constitute imminent danger to life or property, thereby creating a much greater deterrent effect on the owners concerned.

Signature	
Name in block letters	AU Choi-kai
Post Title	Director of Buildings
Date	28.2.2012