

**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:

Since April 2011, the Buildings Department (BD) has commenced a special operation to inspect each year some target buildings with a large number of “sub-division of flat units” (commonly known as “sub-divided flats”) to check if any irregularities are involved. Please advise:

- (a) How many target buildings have been inspected so far? What is the distribution of these target buildings? On average, how many “sub-divided flats” are found in each target building? What is the number of “sub-divided flats” to which access has been gained for inspection? What is the number of “sub-divided flats” to which access has been denied? How many times has the BD invoked the Buildings Ordinance to break into premises in the operation and what are the details?
- (b) How many cases of irregularities of building works were found during inspection? What was the nature of the irregularities? How many statutory orders have been issued? What is the progress of the follow-up action?
- (c) To speed up the progress of inspection, will the Administration allocate more manpower for inspection? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. LEE Wai-king, Starry

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. During the nine months from April to December 2011, a total of 116 target buildings were inspected, and 800 flats were found to have sub-divided cubicles (i.e. an average of about seven flats with sub-divided cubicles per target building). The distribution of these 116 target buildings on geographical basis is as follows:

<b>District</b>	<b>No of target buildings</b>
Central & Western	12
Wan Chai	11
Eastern	13
Southern	4
Kowloon City	16
Kwun Tong	6
Sham Shui Po	12
Wong Tai Sin	2
Yau Tsim Mong	17
North	3
Sha Tin	4
Kwai Tsing	4
Tsuen Wan	4
Tuen Mun	4
Yuen Long	4
<b>Total</b>	<b>116</b>

Of the 800 flats with sub-divided cubicles identified, up till 31 January 2012, the Buildings Department (BD) was only able to gain access to and inspect 562 flats. The inspection of the remaining 238 sub-divided flats is still on-going but BD staff are experiencing difficulties in gaining access to these flats. So far, BD has invoked the power under the existing section 22 of the Buildings Ordinance (Cap. 123) (BO) twice for gaining access to two of the sub-divided flats. Both cases took place in August 2011 and the power under section 22 of the BO was only invoked when staff of the BD had failed to gain access to the flats concerned after repeated attempts to contact the owners.

- (b) The most common irregularities found in the sub-divided flats in these 116 target buildings include formation of unauthorised door openings that contravene the

fire-resisting construction requirements of the means of escape, installation of partition walls that block the fire escape routes, sub-standard drainage works that result in water seepage and excessive installation of partition walls and/or thickening of floor screeding that result in overloading of the floor slabs. However, as the BD is still finalising the inspection results of some of the cases, we are not able to provide the exact number of irregularities involved in these 800 sub-divided flats.

As at 31 January 2012, 170 removal orders had been issued against the irregularities found so far, of which 15 orders had already been complied with.

- (c) The LSO will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD, together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the LSO. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ AU Choi-kai

Post Title \_\_\_\_\_ Director of Buildings

Date \_\_\_\_\_ 28.2.2012