

**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:

It is mentioned under Matters Requiring Special Attention that the Buildings Department will continue the operation of the pilot Joint Office with Food and Environmental Hygiene Department to handle public complaints about water seepage problems. Will the Government inform this Committee:

- (a) What is the respective number of cases received, handled and successfully prosecuted by the Joint Office over the past three years?
- (b) What is the average time required for handling the cases? Is there any backlog of cases? Of the cases not yet handled or completed so far, when was the earliest case received?
- (c) What is the current establishment of the Joint Office? How many of the staff are civil servants, non-civil service contract staff and staff of outsourced services? Please list out the ranks and scope of duties of the staff under different modes of employment.
- (d) At the time when the operation was extended for two years, has any review been conducted on the effectiveness, problems and possible improvement of the Joint Office? If yes, what are the details?
- (e) Compared to 2011-12, what is the number of staff of and the amount of expenditure for the Joint Office in the coming year? What is the percentage of increase or decrease?

Asked by: Hon. PAN Pey-chyou

Reply:

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, if the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will consider intervention by exercising the relevant statutory powers.

The numbers of cases received, cases handled and prosecutions instigated by the Joint Office (JO) in the past three years are tabulated below :

	<b>2009</b>	<b>2010</b>	<b>2011</b>
Number of cases received	21 769	25 717	23 660
Number of cases handled	18 237	22 971	23 210
Number of prosecutions instigated	132	145	90

Identification of the possible sources of water seepage is not a straightforward matter and is often complicated by the fact that there may be multiple sources of water seepage in a single case. As a result, a series of non-destructive tests may have to be performed with a view to identifying the source of seepage and this will require the time and understanding of all parties, especially the owners/occupiers concerned. Co-operation of all owners/occupiers involved is critical for JO staff to enter their premises and conduct multiple tests to identify the source of water seepage. With the full co-operation of concerned parties, an investigation can normally be concluded within around 130 days (90 working days). However, in many cases, repeated arrangements have to be made with the complainants on the timing for site inspections and consent of respondents has to be sought to allow multiple inspections inside their premises. It will take an even longer time if the JO has to apply to the Court for a warrant to gain entry into the premises concerned for investigation. Based on our experience, such cases generally each takes about 170 days from the receipt of a complaint to the completion of an investigation. The JO does not keep statistics on the time taken for investigation of individual cases and the time lapsed on individual outstanding cases.

The operation of the JO involves a provision of 60 professional and technical staff from the Buildings Department. These comprise 12 Building Surveyors (BSs)/Structural Engineers (SEs) as well as 48 Building Safety Officers (BSOs), who are employed on non-civil service contract terms. The BSs/SEs monitor the progress of investigation of seepage cases and performance of consultants, as well as vet the investigation reports submitted by their assistants or consultants. The BSOs co-ordinate the investigation of seepage cases, check the reports submitted by consultants as well as monitor the progress of investigation work. Ten outsourced consultants have been engaged to assist in conducting professional investigation on seepage cases.

The operation of the JO in 2012-13 will involve provision of additional resources, at an estimated expenditure of about \$49 million per

year. This compares to a projected expenditure of about \$35 million in 2011-12, representing an increase of 40% in expenditure.

The Administration has been monitoring the work of the JO and will review its long term role, organisation and staffing to ensure effective enforcement of the law and efficient operation of the JO.

Signature \_\_\_\_\_

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

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

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