

**CONTROLLING OFFICER'S REPLY TO  
SUPPLEMENTARY 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:

In Reply Serial No. DEVB(PL)120 (LEE Wing-tat), it is stated that among the new posts to be created in 2012-13, 41 will be allocated for setting up a dedicated section for enhancing enforcement action against unauthorised building works (UBWs) in New Territories Exempted Houses. Will their scope of work include the UBWs in detached houses and housing estates (e.g. Palm Springs) in the New Territories? If so, has the Buildings Department (BD) distributed any information leaflets about the Reporting Scheme for UBWs to the occupants concerned? If not, what are the reasons? If members of the public find out there are UBWs in these detached houses/housing estates in the New Territories, how can they inform the BD? What criteria and procedures will the BD follow in handling these UBWs?

Asked by: Hon. LEE Wing-tat

Reply:

The dedicated section to be set up with the 41 new posts allocated to the Buildings Department (BD) in 2012-13 is to implement an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs). NTEHs are generally referred to as "NT village houses" and include "small houses" built under the New Territories Small House Policy. These houses are designed and constructed in accordance with the exemption criteria in respect of the height and roofed-over area, etc. stipulated in the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121). They are exempted from certain provisions of the Buildings Ordinance (Cap. 123) (BO) (including the need for obtaining prior approval and consent to the commencement of works from the BD) and its subsidiary legislation and are, therefore, referred to as 'Exempted Houses'.

The enhanced enforcement strategy applies to NT village houses only, whether they are within a village cluster or are isolated. For other buildings or houses in the NT issued with occupation permits under the BO (such as those in Palm Springs, San Tin), they are outside the scope of the said enhanced enforcement strategy and the responsibility of the dedicated section. UBWs in these buildings and houses in the NT are handled by the district sections of the Existing Buildings Divisions of the BD in the same manner as buildings and houses in the urban areas in accordance with the revised enforcement policy against UBWs implemented since 1 April 2011. The revised enforcement policy has extended the scope of actionable UBWs for priority enforcement to cover all UBWs on the exterior of buildings, except minor amenity features, such as those erected on rooftops and podium roofs as well as those in yards and lanes of the buildings.

Members of the public may report UBWs to the BD through the BD hotline 2626 1616 (handled by '1823 Call Centre'); by facsimile transmission 2537 4992; by email to enquiry@bd.gov.hk, or by completing an electronic complaint online form at the BD web site www.bd.gov.hk.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 15 March 2012 _____