

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

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Question Serial No.

2863

Head: 82 Buildings Department Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Under this Programme(1), it was stated that a large scale operation on inspection of sub-divided flats was conducted with the target to inspect 30 industrial buildings and 339 old style domestic and composite buildings in the vicinity of on-street hawker stalls in 2012. In this connection, please provide the following information:

1. What were the number of inspections completed on the aforesaid target buildings, the number of buildings which contravened the prevailing Buildings Ordinance and the category of irregularities involved (including fire safety, structural safety, drainage works, etc.)?
2. Since section 22(1B) of the Buildings Ordinance (Cap. 123) came into effect, what was the number of times that "Notices of Intention to apply for warrant of entry" had been issued for entry to target premises for inspection? What were the detailed results of such inspections and the progress of follow-up actions?
3. What are the number of target buildings to be inspected this year, the staffing provision and the expenditure involved?

Asked by: Hon. CHAN Yuen-han

Reply:

1. The large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of buildings works associated with sub-divided flats (SDFs) was first commenced in April 2011 (it should be noted that not all SDFs have irregularities of building works). The operation was enhanced in April 2012 by increasing the target to inspect 200 buildings per year, including 30 industrial buildings. The strategy of this operation was adjusted by taking into account the fire risk that might be brought about by hawker stalls when choosing the target buildings for the operation in 2012. As a result, 339 old style domestic and composite buildings in the vicinity of hawker stalls were selected, in addition to 30 industrial buildings. From April 2011 to February 2013,

a total of 485 target buildings have been inspected with 2 587 SDFs identified. As at 28 February 2013, 1 229 removal orders had been issued against the irregularities of building works found under the LSO and 45 prosecutions had been instigated against failure to comply with removal orders. The more commonly found irregularities of building works associated with SDFs are the formation of unauthorised door openings that contravenes the fire-resisting construction requirements of the means of escape, the installation of partition walls that blocks 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 results in overloading of the floor slabs.

2. Since section 22(1B) of the Buildings Ordinance (Cap. 123) came into effect in July 2012, the Buildings Department (BD) had issued 44 “Notices of Intention to apply for warrant of entry” urging the parties concerned to contact the BD for arranging entry into their premises for inspection. The powers under section 22(1B) of the BO were only invoked when the BD’s staff failed to gain access to the premises concerned after repeated attempts. Up to February 2013, the BD had invoked section 22 of the BO to apply to the court for warrant to effect entry to four SDFs for inspection under the LSO. Staff of the BD eventually entered and inspected these premises with the owners' consent. The inspections revealed that the four units (including three domestic flats and one industrial unit) had been sub-divided into several cubicles for domestic use and actionable unauthorised building works (UBWs) were found in three of the four units. The BD is taking enforcement action against these UBWs.
3. For the LSO on SDFs in 2013, the BD will inspect 200 target buildings, including 30 industrial buildings. The LSO is carried out using the existing resources of 493 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD as part of their overall duties to implement the BD’s building safety and maintenance enforcement programme. We are thus not able to provide a breakdown of the manpower or expenditure involved solely for handling the LSO on SDFs.

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