

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

**DEVB(PL)121**

Question Serial No.

2228

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

Programme:                      Buildings and Building Works

Controlling Officer:      Director of Buildings

Director of Bureau:      Secretary for Development

Question:

Regarding the Joint Office (JO) established by the Buildings Department (BD) and the Food and Environmental Hygiene Department for handling water seepage problems, please advise this Committee of the following:

- 1) For the past five years (2008-09, 2009-10, 2010-11, 2011-12, 2012-13), please list out year by year (a) the number of complaints received; (b) the number of cases actually processed; (c) the average time taken in processing each case; (d) the number of cases with the source of seepage identified; (e) the number of nuisance notices issued; (f) the number of nuisance orders issued by the Court; (g) the number of prosecutions instigated; (h) the number of convictions; and (i) the penalty for conviction in most cases.
- 2) Regarding cases with the source of seepage not identified, what is the follow-up work in general?
- 3) For the past five years (2008-09, 2009-10, 2010-11, 2011-12, 2012-13), please list out year by year the staff establishment of the JO. Please provide the number of civil servants, non-civil service contract staff and outsourced consultants.
- 4) What are the staffing provision and operational expenses for the JO each year? Will the Government review the effectiveness and modus operandi of the JO and adopt improvement measures accordingly? If yes, what are the details? If no, what are the reasons?
- 5) On extending the operation of the JO for two years, will the Government allocate more resources (e.g. employ additional staff) for improving the JO's performance in complaint handling so as to expedite the processing of the complaints, improve the success rate of investigation and shorten the time for processing the complaints? If yes, what are the details? If no, what are the reasons?

- 6) Will consideration be given to changing the modus operandi of the JO from a pilot office to a task office in order to continue the work of the JO? If yes, what are the details?
- 7) Since the establishment of the JO, what is the percentage that the expenditure on equipment for checking the source of seepage constitutes among the expenditure of the JO? Over the past five years, what was the estimated expenditure for procurement of new equipment to increase the chance of successfully identifying the source of seepage?
- 8) Regarding the BD's reply to the Finance Committee last year that it "is working with the Applied Science and Technology Research Institute to explore more effective investigation methods" (Reply Serial No. DEVB(PL)075), what were the findings? Were there any new methods to improve the success rate of investigation last year? Will there be any in the coming year?

Asked by: Hon. WU Chi-wai

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. To facilitate action, the Food and Environmental Hygiene Department and the Buildings Department (BD) have established the Joint Office (JO) as a pilot programme since 2006 to co-ordinate investigation of reports on water seepage and taking of enforcement actions.

- (1) The relevant statistics on the numbers of water seepage reports received, reports handled, cases with the source of seepage identified and nuisance notices issued by the JO, numbers of nuisance orders issued by the Court, prosecutions instigated, convictions and the associated penalties in the past five years are tabulated below:

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Number of reports on water seepage received <sup>Note 1</sup>	21 717	21 769	25 717	23 660	27 353
Number of reports handled	16 708	18 237	22 971	23 210	24 553
Number of cases screened out <sup>Note 2</sup>	7 144	8 115	11 051	12 219	13 727
Number of cases with source identified	4 476	4 813	4 737	4 199	4 053
Number of nuisance notices issued	2 101	3 581	3 379	3 064	3 639
Number of nuisance orders issued	8	29	40	30	17
Number of prosecutions instigated	42	132	145	90	70
Number of convictions	37	76	121	84	52
Range of fine	\$500- \$4,000	\$300- \$5,000	\$500- \$6,000	\$500- \$3,500	\$500- \$4,500

Note 1 : As there is a lapse of time between receipt of a report and completion of handling a report, the number of reports handled in a year does not necessarily correspond to the number of reports received in that year.

Note 2 : There are cases which do not fall within the scope of follow-up action under the statutory authority of the JO, including unjustified cases and cases withdrawn by informants, and hence investigation will not be conducted for such cases.

The JO has not kept statistics on the average handling time for individual water seepage cases.

- (2) For a case where the source of water seepage cannot be ascertained, the JO in accordance with its established procedures will cease to take further action and will keep the investigation information for future reference. However, the informant may contact the JO should the seepage condition deteriorates.
- (3) The operation of the JO involves the provision of professional and technical staff from the BD. They are two civil servants and 62 non-civil service contract staff. The number of staff from the BD in the past five years are as follows:

	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
Number of staff from the BD	60	60	60	60	64

Outsourced consultants are also engaged to assist in conducting professional investigation on water seepage cases. The number of consultants engaged in the past five years are as follows:

	2008	2009	2010	2011	2012
Number of consultants engaged	9	11	11	10	13

(4) The staffing provision and operational expenses for the JO in the past five years are tabulated below:

	2008-09	2009-10	2010-11	2011-12	2012-13 (up to 14 March 2013)
Staff and departmental expenses (\$ million)	17.2	18.8	16.2	19.4	17.2
Expenditure for engaging outsourced consultants (\$ million)	19.9	23	28	22.5	19

The Administration is conducting a review on the long-term role, organisation and staffing of the JO.

- (5) The pilot programme of operating the JO has been extended for two years from 2012-13. The staffing provision from the BD has been increased from 60 to 64 professional and technical staff since 2012.
- (6) The review mentioned in part (4) of the reply also covers the modus operandi of the JO.
- (7) The investigation for the sources of water seepage involves the carrying out of a series of moisture level measurements and non-destructive tests such as colour water test at drainage outlets, ponding test for floor slabs and water spray test for walls. These methods are generally recognised to be direct and effective means for investigation of the source of water seepage, and do not involve sophisticated equipment. In case the source of water seepage could not be ascertained through the initial investigation, consultants may be engaged to conduct more in-depth investigation. We are unable to provide a breakdown of the consultants' expenditure for procurement of equipment.
- (8) The BD endeavours to keep abreast of the latest technological developments and is working with the Applied Science and Technology Research Institute to explore more effective investigation methods so as to enhance the JO's capability in handling water seepage complaints. The research study is in progress and will take some time.

Name in block letters: AU Choi-kai

Post Title: Director of Buildings

Date: 2.4.2013