

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

DEVB(PL)274

Question Serial No.

4222

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

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

1. In 2012-13, what amount of resources did the Buildings Department (BD) spend for inspection of sub-divided flats in target buildings? After inspection, how many owners of the sub-divided flats found with irregularities were issued with removal orders or against whom legal action was taken requiring rectification of the irregularities? Please list, for each of the District Council districts, the details and the number of sub-divided flats with irregularities of sub-dividing works not yet rectified.
2. Since the commencement of the special operation by the BD on sub-divided cubicles, how many buildings have been inspected in each of the 18 districts? Among them, how many flats has the BD gained access to? How many times has the BD invoked the power under the Buildings Ordinance to break into private flats for inspection of irregularities of sub-dividing works? Please provide the details.
3. Will the BD allocate more resources or employ more staff for enhancement of the large scale operation on sub-divided flats? If yes, what are the details? And, as expected by the BD, what is the estimated expenditure for the aforesaid operation in 2013-14?

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

1. Since April 2011, a large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of buildings works associated with sub-divided flats (SDFs) has been launched (it should be noted that not all SDFs have irregularities of building works). The LSO was enhanced in April 2012 by increasing the target to inspect 200 buildings per year, including 30 industrial buildings. The strategy of the LSO was adjusted by taking into account the fire risk that might be brought about by hawker stalls when choosing the target buildings for the LSO 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 had been inspected, with 2 587 SDFs being 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 the removal orders issued under the LSO. As we are still finalising the inspection results, we are not able to provide information on the number of SDFs with irregularities yet to be rectified.

The LSO on SDFs 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 Buildings Department (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.

2. The distribution of the 485 target buildings for the LSO on SDFs on geographical basis is as follows:-

District	No. of target buildings
Central & Western	40
Wan Chai	24
Eastern	39
Southern	4
Kowloon City	22
Kwun Tong	9
Sham Shui Po	149
Wong Tai Sin	9
Yau Tsim Mong	155
North	3
Sha Tin	6
Kwai Tsing	8
Tsuen Wan	7
Tuen Mun	6
Yuen Long	4
Total	485

Amongst the 2 587 SDFs identified in the target buildings, the BD was able to gain access to 2 406 SDFs and carried out inspection. 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. The powers under section 22 of the BO were invoked only when the BD's staff had failed to gain access to the premises concerned after repeated attempts. 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. The existing resources will continue to be deployed for handling the LSO on SDFs in 2013-14. We will closely monitor the work progress of the LSO on SDFs and the adequacy of existing resources.

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Post Title: Director of Buildings

Date: 9.4.2013