

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

**DEVB(PL)279**

Question Serial No.

4227

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 the past year (i.e. 2012-13), what was the total amount of resources spent by the Buildings Department (BD) for inspection of unauthorised building works (UBWs) in buildings in urban areas, and how many removal orders were issued as a result of inspections initiated by the BD? Of the removal orders issued, how many prosecutions had been instigated against non-compliant cases? What was the number of convicted cases?
2. At present, how many removal orders against UBWs in buildings in urban areas are not yet complied with after the expiry dates? Please list out the respective number of removal orders not complied with in one to three years, four to six years, seven to nine years and ten years or above after the expiry dates.
3. In each of the past three years (i.e. 2010-11, 2011-12 and 2012-13), what was the number of UBWs cases where an encumbrance was imposed because of non-compliance with the removal orders?

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

1. The enforcement action against unauthorised building works (UBWs) in the whole territory, including investigation and follow-up action, is carried out by the existing resources of 530 professional and technical staff in 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 resources involved solely for the enforcement action against UBWs. In 2012, the BD issued 12 292 removal orders against UBWs in the whole territory and instigated 2 104 prosecutions against failure to comply with removal orders. In the same year, 1 285 cases were convicted. We do not keep separate statistics on the number of removal orders issued against UBWs in buildings in urban areas. (As there is a lapse of time between summonses served and adjudications by the Court, the

convicted cases in 2012 may arise from prosecutions instigated before 2012. Similarly, the prosecutions instigated in 2012 may arise from non-compliance with removal orders issued before 2012.)

2. For the removal orders issued before 2012 against UBWs in the whole territory, 52 514 orders are still under various stages of follow-up and have yet been complied with. The distribution of these outstanding orders according to the year of issue is as follows:

<b>Year of issue</b>	<b>Number of outstanding orders</b>
2002 and before	320
2003 - 2005	1 896
2006 - 2008	16 677
2009 - 2011	33 621
<b>Total</b>	<b>52 514</b>

We do not keep separate statistics on the number of outstanding removal orders issued against UBWs in buildings in urban areas.

3. In general, removal orders issued will be registered in the Land Registry (LR) as an encumbrance to property title. The BD does not keep statistics on the number of removal orders that have been registered in the LR.

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Date: 9.4.2013