

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

**DEVB(PL)288**

Question Serial No.

3628

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

Programme:                      Buildings and Building Works

Controlling Officer:      Director of Buildings

Director of Bureau:      Secretary for Development

Question:

The Administration issued 161 removal orders against unauthorised building works in New Territories exempted houses in 2012. Please advise, up to now, what is the number of cases in which removal works have been completed? What is the number of cases in which removal works are in progress? Why is that the removal works in the other cases have not been completed?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

The Buildings Department (BD) has been implementing the enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories exempted houses (NTEHs) since 1 April 2012. The enhanced enforcement strategy includes a large scale operation for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety (known as First Round Targets), a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention of the law and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger or are newly erected or found under construction.

Of the 161 removal orders against UBWs in NTEHs issued in 2012, 122, or 76% of them were issued against the First Round Targets and 39 of them were against other UBWs in NTEHs which were newly erected or found under construction. Depending on the scale and complexity of the works involved, the owners are normally given 60 days, or up to 150 days as may be necessary, for compliance with the order. Where an owner fails to comply with the requirements of a removal order without a reasonable excuse, the BD may institute prosecution under section 40(1BA) of the Buildings Ordinance.

At present, of the 161 removal orders issued, four orders have been complied with. The BD is arranging for prosecution against the owners in 45 cases for non-compliance with the removal orders. For the remaining cases, they are still outstanding due to various reasons, including the owners' appeals against the orders yet to be considered by the Appeal

Tribunal (Buildings), technical difficulties encountered in carrying out the removal works, and genuine personal problems of some owners. The BD will continue to monitor progress and to encourage voluntary compliance within the relevant time-limits.

Name in block letters: AU Choi-kai

Post Title: Director of Buildings

Date: 9.4.2013