

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

**DEVB(PL)289**

Question Serial No.

3629

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 has indicated that, in 2013-14, it will continue to take vigorous enforcement action against unauthorised building works, which includes instigating more prosecutions in 2013. Please advise:

- a) What are the details of the vigorous enforcement action to be taken? Apart from instigating prosecutions, will other means be employed?
- b) Has assessment been made whether the current manpower is sufficient for the task in order to avoid the work progress being affected by staffing problems?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

- a) Apart from handling reports on unauthorised building works (UBWs) made by members of the public, the Buildings Department (BD) will also continue its enforcement action against UBWs in 2013-14 through its large scale operations (LSOs) to tackle actionable UBWs in an orderly and systematic manner. When UBWs are identified during the LSOs or upon inspection in response to reports on UBWs made by the public, the BD will issue removal orders in accordance with the Buildings Ordinance (Cap. 123) and the enforcement policy against UBWs. Upon issue of a removal order, the BD will take action to demand compliance by the owners themselves. Where the orders have not been complied with after a specified period, the BD will issue reminders and, if necessary, warning letters to the owners to urge them to comply with the orders before considering whether to instigate any prosecution. In case the owners encounter genuine difficulties in arranging the works, an extension of time may be granted to allow more time for them to comply with the order on a case-by-case basis where justified. Prosecution may be instigated if the owners fail to comply with the orders without reasonable excuse. The BD will also consider engaging government contractors to carry out the required works in owners' default and recover the cost of such works, plus supervision charge and surcharge from the owners.

- b) The enforcement action against UBWs is carried out using the existing resources of 530 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 will closely monitor the work progress of the enforcement action against UBWs and the adequacy of existing resources.

Name in block letters: AU Choi-kai  
Post Title: Director of Buildings  
Date: 9.4.2013