

**CONTROLLING OFFICER'S REPLY****DEVB(PL)102****(Question Serial No. 1796)**

Head: (82) Buildings Department

Subhead (No. & title): (-) Not Specified

Programme: (1) Buildings and Building Works

Controlling Officer: Director of Buildings (AU Choi-kai)

Director of Bureau: Secretary for Development

Question (Member Question No. 639):

In connection with suspected unlawful residential units (rooftop structures, industrial buildings, etc.), what were the numbers of inspections, prosecutions and tenants involved, as well as court convictions and tenants involved in the past five years, broken down by district?

Asked by: Hon. CHEUNG Chiu-hung, Fernando

Reply:

Apart from sub-divided flats (SDFs), some unauthorised rooftops, flat roofs and yard structures may also be used for domestic purpose. The Buildings Department (BD) does not have statistics on the number of unauthorised residential units in Hong Kong. The breakdown on the number of reports on unauthorised rooftops, flat roofs and yard structures as well as SDFs from members of the public attended to by BD in the past five years and the number of SDFs inspected by BD in its large scale operations (LSOs) on rectification of irregularities of building works associated with SDFs, which started in 2011, are tabulated below. The distribution on geographical basis is not readily available.

<b>Year</b>	<b>No. of Reports on unauthorised rooftops, flat roofs and yards structures as well as SDFs from members of the public attended to by BD</b>	<b>No. of SDFs inspected by BD in its LSOs on SDFs</b>
2009	7 565	-
2010	9 226	-
2011	16 287	800
2012	19 028	1 786
2013	18 489	1 212

We do not have statistics on the nature of unauthorised building works (UBWs) or, the number of units and residents involved in the prosecution cases. The numbers of prosecutions instigated by BD against failure to comply with removal orders for UBWs and the numbers of convicted cases in the past five years are tabulated below:

<b>Year</b>	<b>No. of prosecutions instigated against non-compliance with removal orders for UBWs</b>	<b>No. of Convictions <sup>(note)</sup></b>
2009	3 063	2 207
2010	2 609	1 544
2011	2 264	1 794
2012	2 104	1 285
2013	2 513	1 984

Note: As there is a lapse of time between the serving of summonses and adjudications by the court, the convictions in a particular year may not necessarily arise from prosecutions instigated in that year.