

**CONTROLLING OFFICER'S REPLY****DEVB(PL)134****(Question Serial No. 1438)**

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. 23):

How many inspections against unauthorised building works were carried out each year by the Buildings Department in the past five years? What were the numbers of removal operations and prosecutions? What was the expenditure involved? What detailed action plans does the Administration have to tackle the above problem?

Asked by: Hon. TO Kun-sun, James

Reply:

The Buildings Department (BD) does not keep statistics on the number of inspections carried out against unauthorised building works (UBWs). However, all reports on UBWs received by BD will be investigated. The numbers of such reports attended to by BD in the past five years are as below:

<b>Year</b>	<b>No. of Reports on UBWs Attended to</b>
2009	25 866
2010	28 613
2011	38 275
2012	44 562
2013	44 512

The number of removal orders issued by BD and the number of prosecutions instigated by BD against failure to comply with removal orders in the past five years are as below:

<b>Year</b>	<b>No. of Removal Orders Issued</b>	<b>No. of Prosecutions Instigated<sup>(note)</sup></b>
2009	31 453	3 063
2010	22 903	2 609
2011	9 176	2 264
2012	12 292	2 104
2013	12 005	2 513

Note: As there is a lapse of time between the issuance of removal order and the instigation of prosecution action against failure to comply with the order, the prosecution actions instigated in a particular year may not necessarily arise from the removal orders issued in the same year.

The enforcement action against UBWs is carried out by the existing resources of 576 professional and technical staff of the two Existing Buildings Divisions, the Mandatory Building Inspection Division and the Minor Works and Signboard Control Section of BD as part of their overall duties to implement BD's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the manpower resources involved solely for the enforcement action against UBWs.

The work associated with the instigation of prosecutions is mainly handled by the existing resources of 53 professional and technical staff of the Legal Services Section of BD as part of their overall duties in dealing with all prosecutions and disciplinary proceedings arising from the enforcement work of BD. Staff of the two Existing Buildings Divisions, the Mandatory Building Inspection Division and the Minor Works and Signboard Control Section of BD are also involved in compiling documentary evidence and attending court hearings as prosecution witnesses. We are not able to provide a breakdown of the manpower solely for handling prosecutions against UBWs.

Apart from handling reports on UBWs made by members of the public, BD will continue its enforcement action against UBWs through large scale operations to tackle actionable UBWs in an orderly and systematic manner. BD will also continue its public education and publicity campaign to disseminate messages on building safety and foster a building safety culture in the community, including the risks associated with UBWs and the compliance with removal orders issued by BD.