

CONTROLLING OFFICER'S REPLY

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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. 33):

With regard to the enforcement action against unauthorised building works (UBWs) in New Territories exempted houses (NTEHs) as mentioned in the programme, will the Government advise this Committee:

- 1) of the number of houses identified for the First Round Targets for priority enforcement action among the 8 927 surveyed houses, broken down by the 18 administrative districts;
- 2) of the number of compliance cases among the 161 and 328 removal orders issued to UBWs in NTEHs in 2012 and 2013 respectively, and of any follow-up action regarding the outstanding removal orders;
- 3) of the manpower and expenditure estimated for the inspection and removal of UBWs in NTEHs that constituted serious contravention of the law and posed higher potential risks to building safety in 2012-13 and 2013-14; and
- 4) of the manpower and expenditure estimated for the removal of UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety in 2014-15?

Asked by: Hon. WU Chi-wai

Reply:

On 1 April 2012, the Buildings Department (BD) established a dedicated Village Houses Section (VHS) comprising 41 professional, technical and clerical staff to implement the enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories exempted houses (NTEHs). The enhanced enforcement strategy includes a large scale operation (LSO) 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.

1. Out of the 8 927 NTEHs inspected in LSO in 2013, BD has identified about 1 000 cases for investigation of First Round Targets. Detailed surveys will be conducted to verify the nature of UBWs before removal orders are issued to the owners of NTEHs concerned. Up to 28 February 2014, 84 removal orders were issued against the confirmed First Round Targets. The distribution of the 84 removal orders issued, broken down by the nine administrative districts in the New Territories, is as follow:

District	Number of Removal Orders issued
Northern	0
Yuen Long	18
Tai Po	13
Shatin	19
Sai Kung	16
Tuen Mun	5
Tsuen Wan	5
Kwai Tsing	2
Islands	6
Total:	84

2. Of the 161 and 328 removal orders against UBWs in NTEHs issued in 2012 and 2013 respectively, 65 and 20 orders have been discharged in the respective years. If an owner fails to comply with the requirements of a removal order without a reasonable excuse, BD may institute prosecution against the owner under section 40(1BA) of the Buildings Ordinance.
- 3 and 4. In 2012-13 and 2013-14, the expenditure for VHS was about \$22 million and \$31 million respectively. The expenditure for hiring consultancy services for LSO to identify First Round Targets and the Reporting Scheme was about \$2.2 million and \$7.4 million respectively. For 2014-15, the estimated expenditure for VHS is about \$30 million, and for hiring consultancy services for LSO to identify First Round Targets and the Reporting Scheme is about \$5.6 million. Since the inspection and removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety is part of the overall responsibility of VHS which undertakes the full range of work in relation to the enhanced enforcement strategy against

UBWs in NTEHs, BD is unable to provide a breakdown of the manpower and expenditure solely for LSO to identify First Round Targets.