

CONTROLLING OFFICER'S REPLY

DEVB(PL)306

(Question Serial No. 5775)

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. 339):

1. How many complaints against unauthorised building works (UBWs) in New Territories village houses (NT village houses) in various districts were received by the Department in the last financial year? What were the respective numbers of cases processed, with contravention confirmed, and issued with removal orders in these districts? What is the number of cases involving repeated complaints?
2. How many indigenous villagers of the New Territories are no longer granted rates exemption because of their UBWs?
3. What was the amount of resources spent on inspection of NT village houses initiated by the Department in the last financial year? Among the NT village houses inspected, how many cases of UBWs were identified and how many of them were issued with removal orders?
4. How many removal orders against UBWs in NT village houses have not yet been complied with after the specified time and remain outstanding? Please provide the numbers of removal orders not yet complied with for one to three years, four to six years, seven to nine years, and ten years or above after the specified time.

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

1. The Buildings Department (BD) has been handling reports from the public and referrals from other government departments on unauthorised building works (UBWs) in private buildings, including those in New Territories exempted houses (NTEHs). From 1 April 2013 to 14 March 2014, BD received 2 588 reports on UBWs in NTEHs. The geographical distribution of the cases received, and the cases handled, cases with actionable UBWs and removal orders issued arising from the cases received are as follows:

District	Number of cases received	Number of cases handled	Number of cases with actionable UBWs	Number of removal orders issued
Islands	213	180	11	3
Tsuen Wan	84	70	3	3
Sai Kung	315	273	5	4
Sha Tin	192	180	3	1
Tai Po	682	617	8	7
Yuen Long	625	533	30	8
North	190	167	6	5
Kwai Tsing	38	23	1	0
Tuen Mun	249	206	10	7
Total	2 588	2 249	77	38

As BD does not keep statistics on repeated complaint cases, we are unable to provide the number of cases involving repeated complaints.

2. According to the information provided by the Home Affairs Department (HAD), 88 new applications for rates exemption were rejected and 124 rates exemption cases were cancelled in 2013 due to the presence of UBWs in the NTEHs concerned. HAD does not keep the statistics about the total number of NTEHs that are not granted rates exemption due to the presence of UBWs.
3. On 1 April 2012, BD established a dedicated Village Houses Section (VHS) comprising 41 professional, technical and clerical staff to implement the enhanced enforcement strategy against UBWs in 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. In 2013-14, the expenditure for VHS is about \$31 million. The expenditure for hiring consultancy services for LSO to identify First Round Targets and that for processing the reporting forms received under the Reporting Scheme is \$7.4 million. Since the inspection and removal of First Round Targets 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.

Under LSO for removal of First Round Targets, BD inspected 8 927 NTEHs in 2013 and 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.

4. As at 14 March 2014, 729 removal orders relating to UBWs in NTEHs were not yet complied with. The distribution of these outstanding removal orders, based on the time lapsed, is as follows:

Number of years lapsed	Number of removal orders
less than 1 year	303
within 1-3 years	323
within 4-6 years	96
within 7-9 years	6
10 years or above	1
Total	729