

CONTROLLING OFFICER'S REPLY

DEVB(PL)316

(Question Serial No. 5791)

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. 348):

1. What was the amount of resources the Buildings Department (BD) spent last year to complete the inspections of all the target buildings associated with sub-divided flats as listed under the Indicators? How many sub-divided flats with irregularities were discovered by BD in residential buildings and industrial buildings respectively? What were the numbers of those issued with statutory removal orders or resulted in legal actions? Please provide the details broken down by the District Council districts as well as the number of sub-divided flats with irregularities yet to be rectified up to now.
2. Since the commencement of the special operation by BD on sub-divided cubicles, how many residential or industrial buildings have been inspected in each of the 18 districts so far? In how many of these buildings did BD succeed in gaining access to the premises? How many times has BD applied for court warrants or invoked the power under the Buildings Ordinance to break into private flats for inspection of irregularities of sub-dividing works? Please provide the details.

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

The Buildings Department (BD) has been conducting large scale operations (LSOs) on rectification of irregularities of building works associated with sub-divided flats (SDFs) since 2011. LSOs on SDFs in the past three years covered a total of 785 target buildings (TBs), including 60 industrial buildings. LSOs on SDFs in 2013 was carried out using the existing resources of 493 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division 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 resources involved solely for handling LSO on SDFs.

Up to February 2014, 637 domestic/composite TBs had been inspected by BD, with 3 884 SDFs identified. As follow-up, 1 421 removal orders had been issued, with

394 orders already complied with. In addition, LSOs for 2012 and 2013 had included 30 industrial buildings per year. All of these 60 industrial buildings had been inspected and 34 domestic SDFs had been identified. As follow-up, 53 removal or discontinuation orders had been issued, with 21 orders already complied with. Up to February 2014, 226 prosecutions had been instigated against failure to comply with the removal or discontinuation orders issued under LSOs.

We have not kept, on geographical basis, statistics on the number of buildings or units inspected and the compliance of removal or discontinuation orders issued. The distribution of TBs and the removal or discontinuation orders issued under LSOs on SDFs, on geographical basis, are as follows:

District	No. of TBs		No. of Removal/ Discontinuation Orders Issued
	Domestic/ Composite	Industrial	
Central and Western	57	0	29
Wan Chai	41	0	16
Eastern	51	2	77
Southern	12	2	2
Wong Tai Sin	3	8	3
Kwun Tong	17	9	51
Yau Tsim Mong	203	11	466
Sham Shui Po	183	2	624
Kowloon City	73	5	133
North	10	0	1
Sha Tin	9	3	21
Tai Po	9	0	0
Tsuen Wan	21	3	28
Tuen Mun	4	5	7
Yuen Long	25	0	6
Kwai Tsing	7	10	10
Total	725	60	1 474*

Note:

* Of the 1 474 removal or discontinuation orders issued, 415 orders had been complied with.

Up to February 2014, 697 TBs had been inspected by BD, with 3 918 SDFs identified and 3 126 SDFs entered for detailed inspection. BD had invoked section 22 of the Buildings Ordinance (BO) (Cap. 123) to apply to the Court for warrant to effect entry to seven SDFs for inspection under LSOs. The powers under section 22 of the BO were invoked only when BD staff had failed to gain access to the premises concerned after repeated attempts.