

CONTROLLING OFFICER'S REPLY

DEVB(PL)059

(Question Serial No. 1686)

Head: (82) Buildings Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Buildings and Building Works
Controlling Officer: Director of Buildings (HUI Siu-wai)
Director of Bureau: Secretary for Development

Question:

The authorities issued 119 178 and 105 943 mandatory window inspection notices in 2013 and 2014 respectively. Please provide a breakdown of the compliance status of the above 225 121 notices by listing the numbers of notices complied with, discharged, yet to expire, remain outstanding, granted extension, and remain outstanding with prosecution instigated. As the authorities mentioned in the explanatory notes that enforcement actions against non-compliant notices would be stepped up in 2015, what are the details of it?

Asked by: Hon CHAN Hak-kan (Member Question No. 35)

Reply:

The Mandatory Window Inspection Scheme (MWIS) was fully implemented in June 2012. In 2013 and 2014, the Buildings Department (BD) issued 225 121 statutory notices under MWIS. Together with the 2 767 statutory notices issued in 2012, a total of 227 888 statutory notices had been issued from 2012 to 2014. As at 31 December 2014, 59 681 notices had been discharged. For the remaining notices, while for some the original time limit for discharging the notice may have expired, the concerned owners may have applied for and obtained extension of time from the BD and the extended time limit may not have expired. As the BD does not maintain a list of MWIS statutory notices with extension of time granted due to the large volume of notices handled, we are not able to provide the numbers of notices which had yet to expire and those which had expired but remained outstanding. Under the Buildings Ordinance, a fixed penalty notice must be served before prosecution may be instigated against non-compliance with a MWIS statutory notice. Up to 31 December 2014, a total of 43 fixed penalty notices had been issued and no prosecution had been instigated.

In 2015, the BD will step up enforcement actions by issuing warning letters, serving fixed penalty notices and instigating prosecution against those building owners who, without reasonable excuse, fail to comply with the MWIS statutory notices. The BD may also arrange for the required window inspection and necessary repair works to be carried out in the owners' default. The cost of the prescribed inspection and repair works, supervision

charges and a surcharge not exceeding 20% of the cost, will be recovered from the owners concerned.

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