

**CONTROLLING OFFICER'S REPLY****DEVB(PL)060****(Question Serial No. 1687)**

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 14 359 and 17 537 mandatory building inspection notices in 2013 and 2014 respectively. Please provide a breakdown of the compliance status of the above 31 896 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. 36)

Reply:

The Mandatory Building Inspection Scheme (MBIS) was fully implemented in June 2012. The Buildings Department (BD) has since 2013 issued statutory notices to target buildings. A breakdown of the compliance status of the statutory notices issued in 2013 and 2014 under MBIS as at 31 December 2014 is tabulated below –

	Total
No. of notices issued <b>(a)</b>	31 896
No. of notices discharged <b>(b)</b>	984
No. of outstanding notices <b>(c)</b> <sup>Note 1</sup>	12 224
No. of notices yet to expire <b>(d)=(a)-(b)-(c)</b>	18 688
No. of notices granted extension of time <sup>Note 2</sup>	786
No. of prosecution instigated	0

Note 1: A building owner has to take a number of steps to comply with a statutory notice under MBIS, including appointment of a registered inspector, completion of a prescribed inspection, and completion of prescribed repair works (if necessary). The number of outstanding notices in (c) refers to cases in which the notice had not been discharged when the time limit for completion of prescribed repair works expired.

Note 2: The figure is cumulative. In some of the notices therein, an extension of time was granted in the past and the inspection and/or repair works have subsequently been completed. These notices are concurrently included in (b). For other notices granted an extension in the past, those that remained outstanding are concurrently included in (c) while those that had yet to expire are concurrently included in (d).

In 2015, the BD will step up enforcement actions by issuing warning letters and instigating prosecutions against those building owners who, without reasonable excuse, fail to comply with the MBIS statutory notices. The BD may also arrange for the required building 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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