

CONTROLLING OFFICER'S REPLY**DEVB(PL)092****(Question Serial No. 3096)**

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:

In the Programme, the authorities stated that they had instigated 2 532 prosecutions against failure to comply regarding unauthorised building works (UBWs) in existing buildings. Will the authorities inform this Committee:

- (1) regarding the 2 532 prosecution cases, of the number of financial years involved, the numbers of prosecuted cases concluded and not yet concluded, the numbers of cases convicted and dismissed, and the highest penalty imposed;
- (2) of the divisions responsible for handling the above prosecutions, their staff establishment and expenditure in the past three years (2012-13, 2013-14 and 2014-15); and
- (3) whether there are any plans to recruit additional staff in the estimate for 2015-16; if so, of the number of additional staff, the posts and the expenditure involved?

Asked by: Hon WONG Kwok-hing (Member Question No. 11)

Reply:

- (1) The 2 532 prosecutions against failure to comply with removal orders on unauthorised building works (UBWs) were all instigated in 2014. The status of these prosecutions up to end February 2015 is as follows -

No. of prosecutions instigated in 2014	No. of prosecutions completed		Maximum Fine for convicted cases	No. of prosecutions still in progress
	Convicted	Withdrawn/ Acquitted		
2 532	1 467	174	\$100,000	891

- (2) The prosecutions are handled by 46 professional and technical staff of the Prosecution Unit of the Buildings Department (BD) as part of their overall duties in dealing with all prosecutions and disciplinary proceedings arising from the enforcement work of BD. We are not able to provide a breakdown of the manpower and expenditure solely for handling prosecutions against UBWs. The staff establishment and expenditure of the Prosecution Unit in the past three years are as follows -

Financial year	No. of professional staff	No. of technical staff	Expenditure (\$M)
2012-13	16	33	33.2
2013-14	16	26	33.9
2014-15	17	29	42.3

- (3) There is no plan to create additional posts for the Prosecution Unit in 2015-16.

- End -