

CONTROLLING OFFICER'S REPLY

DEVB(PL)238

(Question Serial No. 6073)

Head: (82) Buildings Department
Subhead (No. & title): (000) Operational expenses
Programme: (1) Buildings and Building Works
Controlling Officer: Director of Buildings (HUI Siu-wai)
Director of Bureau: Secretary for Development

Question:

- (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 or referred to it by other departments 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) 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?
- (3) How many removal orders for 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. What follow-up action has the Government taken regarding the outstanding removal orders?
- (4) How many indigenous villagers of the New Territories are not granted rates exemption or have their exemptions revoked because of their UBWs?

Asked by: Hon CHAN Ka-lok, Kenneth (Member Question No. 362)

Reply:

- (1) The Village Houses Section (VHS) of the Buildings Department has been handling reports from the public and referrals from other government departments on unauthorised building works (UBWs) in New Territories exempted houses (NTEHs). From 1 April 2014 to 11 March 2015, the numbers of reports received, cases handled, cases with actionable UBWs and removal orders issued in the nine administrative districts of the New Territories are tabulated as follows –

District	Number of reports received	Number of cases handled ^{Note (1)}	Number of cases with actionable UBWs ^{Note (1)}	Number of removal orders issued ^{Note (1)}
Islands	105	98	5	1
Kwai Tsing	23	18	1	1
North	159	142	19	9
Sai Kung	251	227	17	19
Sha Tin	134	122	7	4
Tai Po	863	784	17	12
Tsuen Wan	105	86	2	2
Tuen Mun	87	71	7	6
Yuen Long	596	514	28	5
Total	2 323	2 062	103	59

Note (1): The follow-up action is still ongoing and the numbers may increase.

The BD does not compile statistics on cases involving repeated reports.

(2) Apart from handling reports from members of the public and other government departments, the VHS also takes enforcement action against UBWs in NTEHs by carrying out a large scale operation (LSO) to survey and identify existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety (i.e. First Round Targets) for priority enforcement action. As the carrying out of the LSO is part of the overall duties of the VHS in implementing the enhanced enforcement strategy against UBWs in NTEHs, we are not able to provide a breakdown of the amount of resources spent solely for this task. In 2014-15, the VHS comprises 37 professional and technical staff and the estimated expenditure incurred is \$39 million. Out of 5 210 NTEHs surveyed under LSO in 2014, 586 NTEHs have been identified with suspected First Round Targets. While the BD is still processing the cases with suspected First Round Targets, 68 removal orders have been issued up to present.

(3) As at 11 March 2015, the number of outstanding removal orders based on the overdue period is tabulated below –

Overdue period	Number of orders
less than 1 year	380
1-3 years	424
4-6 years	164

7-9 years	26
10 years or above	2
Total	996

For those outstanding removal orders, the BD will instigate prosecution against the owners if they fail to comply with the orders without reasonable excuse. From 2010 to 2014, 576 prosecutions had been instigated by the BD against failure to comply with the removal orders on UBWs in NTEHs.

- (4) According to the information provided by Home Affairs Department (HAD), 84 new applications for rates exemption were rejected and 90 rates exemption cases were cancelled in 2014 due to the existence of UBWs in the NTEHs concerned. The HAD does not keep statistics on the total number of NTEHs that are not granted rates exemption due to the existence of UBWs.

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