

CONTROLLING OFFICER'S REPLY

DEVB(PL)246

(Question Serial No. 6081)

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) Regarding issuing statutory directions to individual old-style buildings to require owners to carry out specified fire safety repairs or works for improving basic fire safety measures, how many directions have not been complied with to date? Please list the numbers of cases where statutory directions have not been complied with for one to three years, four to six years, seven to nine years and ten years or above after the specified time and the respective numbers of prosecutions;
- (2) has the department examined the reasons for non-compliance with the directions after the specified time? Will resources be redeployed to strengthen the assistance to owners in this connection; if so, what are the specific work plan and the estimated expenditure; if not, what are the reasons for that;
- (3) what were the numbers of requests for assistance or enquiries received by the department last year in this connection? How many of the buildings concerned did not have owners' corporations; and
- (4) in 2013-14 and 2014-15, how many cases are there that the Department has engaged consultants or works contractors to carry out the necessary works for the defaulters? What were the expenditure per year and the progress of recovering the costs?

Asked by: Hon CHAN Ka-lok, Kenneth (Member Question No. 370)

Reply:

- (1) As at end 2014, statistics on compliance status of fire safety directions and fire safety improvement directions issued by the Buildings Department (BD) under the Fire Safety (Buildings) Ordinance (FS(B)O) and the Fire Safety (Commercial Premises) Ordinance (FS(CP)O) are tabulated below -

Type of buildings/ premises	Total no. of directions not yet discharged ¹	No. of directions not yet discharged after expiry for				No. of total prosecutions instigated ²
		1 to 3 years	4 to 6 years	7 to 9 years	10 years or above	
Composite buildings	35 456	21 882	7 397	0	0	32
Specified commercial buildings	6 574	1 631	1 294	1 802	1 439	40
Prescribed commercial premises	1 360	557	246	223	52	1

Note ¹ The number includes directions which have yet to expire.

Note ² The number only includes prosecutions in and after 2007 as the BD did not compile statistics on prosecutions before then.

(2) During the BD's enforcement, some building owners have expressed difficulties in completing the fire safety improvement works and complying with the directions within the specified timeframe. The main reasons quoted by building owners include -

- (a) they need more time to form owners' corporations (OCs) to co-ordinate the fire safety improvement works in the common parts of the buildings;
- (b) the fire safety improvement works are carried out with other building maintenance works in one go and the completion of the former is affected by the progress of the latter; and
- (c) they need more time to prepare alternative proposals for the fire safety improvement works to overcome practical difficulties.

In 2015-16, the BD will continue to take measures to encourage and render assistance to building owners in complying with the directions. These measures include -

- (a) working with the Home Affairs Department to assist building owners to form OCs;
- (b) offering technical advice through meetings with the building owners and their appointed consultants;
- (c) carrying out joint inspections with building owner's appointed consultants to explore possible ways to overcome site constraints hindering compliance with the directions;
- (d) in collaboration with the Hong Kong Housing Society and the Urban Renewal Authority, providing technical and financial assistance to eligible building owners; and

- (e) enhancing public awareness of the importance of fire safety in old buildings through seminars and activities organised by District Fire Safety Committees and other organisations.

In 2015-16, the BD will maintain a dedicated Fire Safety Section of 126 professional, technical and clerical staff which will render assistance to building owners in complying with the directions as part of their overall duties. We are not able to provide a breakdown of the expenditure involved solely for this task.

- (3) The BD does not compile separate statistics on the requests for assistance or enquiries received concerning the compliance with the directions.
- (4) There is no provision in the FS(B)O and FS(CP)O empowering the BD to carry out the required fire safety improvement works in default of the building owners and to recover the cost of works from them. As such, in 2013-14 and 2014-15, no expenditure was involved in this regard.

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