

CONTROLLING OFFICER'S REPLY

DEVB(PL)267

(Question Serial No. 3718)

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 rule of law is one of the themes of this year's Policy Address. To fully implement the policy objective, will the authorities inform this Committee:

- (1) of the total number of prosecution cases of unauthorised building works (UBWs) in New Territories village houses (NT village houses) in the previous year and the fines involved;
- (2) of the change in expenditure involved in the prosecution against UBWs in NT village houses this year.

Asked by: Hon MO Claudia (Member Question No. 68)

Reply:

- (1) In 2014, there were 79 prosecutions instigated against the owners of New Territories exempted houses (NTEHs) for failure to comply with removal orders against unauthorised building works (UBWs). In the same period there were 47 convictions and the total amount of fines is \$356,772. As there is a lapse of time between the serving of summons and adjudication by the Court, the convictions may not correspond to the prosecutions instigated in 2014.
- (2) In 2015-16, the work associated with prosecutions against UBWs in NTEHs will continue to be handled by the existing resources of 46 professional and technical staff of the Legal Services Section (LSS) 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 the BD. We are not able to provide a breakdown of the staff establishment and related expenditure solely for prosecutions instigated against UBWs in NTEHs.

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