

CONTROLLING OFFICER'S REPLY

DEVB(PL)285

(Question Serial No. 4578)

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 principal officials of the current-term Government always emphasise the rule of law. To fully implement the policy objective, will the Government 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 Claudia MO (Member Question No. 56)

Reply:

- 1) In 2015, prosecution were instigated against 97 owners of New Territories Exempted Houses (NTEHs) for failure to comply with removal orders against unauthorised building works (UBWs). During the same period, there were 93 convictions and the total amount of fines was \$1,165,140. As there is a lapse of time between the serving of summons and adjudication by the Court, the cases leading to convictions may not correspond to those involving the instigation of prosecution in the same year.
- 2) In 2016-17, prosecution action against UBWs in NTEHs will continue to be handled by the existing resources of 46 professional and technical staff of the Legal Services Section of the Buildings Department (BD) as part of their overall duties in dealing with all prosecution cases and disciplinary proceedings arising from the enforcement work of the BD. We are not able to provide a breakdown of the staff establishment and the expenditure involved solely for the relevant work.

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