

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)291**

**(Question Serial No. 4656)**

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:

Regarding mandatory building inspection under the Programme, please inform this Committee:

- 1) of the respective numbers of mandatory building inspection notices received and discharged in 2014 and 2015 in each of the 18 districts;
- 2) of the improvement measures by the Buildings Department (BD) in 2016-17 given the large backlog of building inspection notices or non-compliant notices? What are the details and estimated expenditure involved?
- 3) whether the BD has instigated prosecution against non-compliant mandatory building inspection notices in 2014 and 2015; if so, of the number concerned?

Asked by: Hon WU Chi-wai (Member Question No. 27)

Reply:

- 1) The geographical distribution of statutory notices issued and discharged under the Mandatory Building Inspection Scheme (MBIS) in 2014 and 2015 is shown at the Annex.
- 2) In 2016-17, the Buildings Department (BD) will intensify its public education and publicity efforts to enhance public awareness and to enable members of the public to better understand the requirements of the MBIS. In addition, the BD, in collaboration with the Hong Kong Housing Society and the Urban Renewal Authority, will continue to provide financial and technical assistance to help owners comply with the statutory notices. The BD will also step up enforcement actions by issuing warning letters and instigating prosecutions against those building owners who, without reasonable excuse, fail to comply with the statutory notices. The BD may arrange for the required inspection and necessary repair works to be carried out in the event of default by

owners. The cost of the prescribed inspection and repair works, supervision charges and a surcharge not exceeding 20% on the cost due will be recovered from the owners concerned.

The abovementioned measures will be implemented by the 126 professional and technical staff of the Mandatory Building Inspection Sections, six staff of the Public Education and Publicity Unit and assisted by three staff of the Information Unit of the BD as part of their overall duties. We are not able to provide a breakdown of the expenditure to be incurred solely for the relevant work.

- 3) While no prosecution had been instigated up to 31 December 2015, the BD issued over 3 800 warning letters in 2014 and 2015 against building owners who failed to comply with the MBIS statutory notices. In late-2015, the BD began preparatory work for instigating prosecution against building owners who failed to comply with the statutory notices without reasonable excuse despite having been served with warning letters. These cases are expected to enter the formal prosecution stage in 2016-17.

**Number of Mandatory Building Inspection Notices  
issued and discharged in 2014 and 2015**

Districts	No. of MBIS Statutory Notices			
	2014		2015	
	Issued	Discharged <sup>Note</sup>	Issued	Discharged <sup>Note</sup>
<b>Central &amp; Western</b>	2 158	79	662	582
<b>Eastern</b>	2 854	4	4 040	701
<b>Southern</b>	571	18	398	101
<b>Wan Chai</b>	2 216	385	701	838
<b>Kowloon City</b>	4 083	99	2 054	898
<b>Kwun Tong</b>	175	97	18	46
<b>Sham Shui Po</b>	980	58	2 774	279
<b>Wong Tai Sin</b>	191	1	46	59
<b>Yau Tsim Mong</b>	2 644	211	510	282
<b>Islands</b>	1	3	27	10
<b>Kwai Tsing</b>	133	0	99	0
<b>North</b>	36	13	43	3
<b>Sai Kung</b>	67	0	0	3
<b>Sha Tin</b>	10	11	60	407
<b>Tai Po</b>	54	1	2	1
<b>Tsuen Wan</b>	175	0	37	5
<b>Tuen Mun</b>	1 051	4	22	18
<b>Yuen Long</b>	138	0	26	14
<b>Total</b>	<b>17 537</b>	<b>984</b>	<b>11 519</b>	<b>4 247</b>

Note : These figures do not necessarily correspond to the notices issued in the same year.

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