

CONTROLLING OFFICER'S REPLY

DEVB(PL)302

(Question Serial No. 6181)

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) What was the amount of resources the Buildings Department (BD) spent last year to complete the inspections of all the target buildings associated with sub-divided flats (SDFs) as listed under the Indicators? How many SDFs with irregularities were discovered by the BD in residential buildings and industrial buildings respectively? What were the numbers of those issued with statutory removal orders or resulted in legal actions? Please provide the details broken down by the District Council districts as well as the number of SDFs with irregularities yet to be rectified up to now;
- (2) since the commencement of the special operation by the BD on sub-divided cubicles, how many residential or industrial buildings have been inspected in each of the 18 districts so far? In how many of these buildings did the BD succeed in gaining access to the premises? How many times has the BD applied for court warrants or invoked the power under the Buildings Ordinance to break into private flats for inspection of irregularities of sub-dividing works? Please provide the details;
- (3) what were the respective numbers of cases of irregularities in residential buildings and industrial buildings eradicated, encumbrances imposed and closure ordered for non-compliance with the orders last year? What were the respective numbers of people affected who have to move out?

Asked by: Dr Hon Kenneth CHAN Ka-lok (Member Question No. 199)

Reply:

- (1) In 2015-16, large scale operations (LSOs) against buildings targeted for rectification of irregularities associated with sub-divided flats (SDFs) were conducted by the 376 professional and technical staff of the two Existing Buildings Divisions of the Buildings Department (BD) as part of their overall duties to implement the BD's building safety and maintenance enforcement programmes. We are not able to provide a breakdown of the manpower resources involved solely for conducting the LSOs.

In 2015, the BD inspected 1 666 SDFs when conducting the LSOs. A total of 198 removal or discontinuation orders (discontinuation orders are for SDFs in industrial buildings only) were issued against irregularities related to the SDFs inspected during the LSOs and 123 prosecutions were instigated against failure to comply with the orders issued. The geographical distribution is as follows:

District	No. of removal/discontinuation orders issued ^{Note}	No. of prosecutions ^{Note}
Central and Western	0	7
Wan Chai	5	0
Eastern	0	3
Wong Tai Sin	5	0
Kwun Tong	0	1
Yau Tsim Mong	27	24
Sham Shui Po	52	41
Kowloon City	98	39
Shatin	0	6
Tsuen Wan	4	2
Tuen Mun	7	0
Total	198	123

Note: The number of removal/discontinuation orders issued and the prosecutions instigated in 2015 does not necessarily correspond to the SDFs inspected under the LSOs in 2015.

- (2) From April 2011 to end December 2015, the BD inspected 1 086 buildings targeted for rectification of irregularities associated with SDFs when conducting the LSOs. The geographical distribution of the target buildings (TBs) is as follows -

District	No. of TBs inspected		Total
	Domestic/composite buildings	Industrial buildings	
Central and Western	76	0	76
Wan Chai	56	0	56
Eastern	63	2	65
Southern	14	2	16
Wong Tai Sin	15	8	23
Kwun Tong	33	22	55
Yau Tsim Mong	257	20	277
Sham Shui Po	233	6	239
Kowloon City	126	5	131
North	14	0	14
Sha Tin	12	3	15

District	No. of TBs inspected		Total
	Domestic/ composite buildings	Industrial buildings	
Tai Po	18	0	18
Tsuen Wan	24	8	32
Tuen Mun	4	12	16
Yuen Long	35	0	35
Kwai Tsing	8	10	18
Total	988	98	1 086

In eight cases where the BD staff could not gain access to the premises concerned after repeated attempts, the BD invoked section 22 of the Buildings Ordinance to apply to the court for warrant to effect entry.

- (3) In 2015, 207 SDFs were rectified of irregularities and three closure orders were applied for in enforcing the removal orders issued against building irregularities associated with SDFs. The BD does not compile statistics on the number of removal orders registered in the Land Registry as encumbrances to property titles or the number of occupants moved out from SDFs as a result of the BD's enforcement action.

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