

**CONTROLLING OFFICER'S REPLY****DEVB(PL)318****(Question Serial No. 6904)**

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:

In connection with suspected unlawful residential units, please provide the numbers of inspections, prosecutions and tenants involved, as well as court convictions and tenants involved in the past five years, broken down by district.

Asked by: Dr Hon Fernando CHEUNG Chiu-hung (Member Question No. 472)

Reply:

There is no clear definition of “unlawful residential units”. Unauthorised rooftop structures and subdivided flats (SDFs) used for domestic purpose are the most common types of structures dealt with by the Buildings Department (BD) under its enforcement programme against unauthorised building works (UBWs).

As regards unauthorised rooftop structures, the BD does not compile statistics on the number of inspections made and the number of tenants involved in prosecution/conviction cases. The geographical distribution of prosecutions against failure to comply with removal orders on rooftop UBWs and related convictions in the past five years are tabulated as follows -

<b>District</b>	<b>No. of prosecutions instigated against non-compliance with removal orders</b>	<b>No. of convictions<sup>(1)</sup></b>
Central & Western	80	63
Wan Chai	57	38
Eastern	196	165
Southern	15	12
Kowloon City	187	139
Kwun Tong	170	152
Yau Tsim Mong	289	165

<b>District</b>	<b>No. of prosecutions instigated against non-compliance with removal orders</b>	<b>No. of convictions<sup>(1)</sup></b>
Sham Shui Po	103	78
Wong Tai Sin	80	72
Islands	13	7
North	54	33
Sai Kung	95	84
Sha Tin	87	70
Tai Po	71	47
Tsuen Wan	147	124
Tuen Mun	62	50
Yuen Long	151	117
Kwai Tsing	60	46
<b>Total</b>	<b>1 917</b>	<b>1 462</b>

Note<sup>(1)</sup>: The figures do not necessarily correspond to the prosecutions instigated in the same period.

As regards SDFs, the BD does not compile statistics on the number of tenants involved in prosecution and conviction cases. The geographical distribution of SDFs inspected, prosecutions against failure to comply with removal orders or discontinuation orders, and related convictions in the past five years are tabulated as follows -

<b>District</b>	<b>No. of SDFs inspected</b>	<b>No. of prosecutions instigated against non-compliance with removal orders/ discontinuation orders<sup>(1)</sup></b>	<b>No. of convictions<sup>(1)</sup></b>
Central and Western	697	25	18
Wan Chai	416	12	9
Eastern	462	8	4
Southern	65	0	0
Wong Tai Sin	231	1	0
Kwun Tong	767	9	4
Yau Tsim Mong	1 963	84	57
Sham Shui Po	1 965	210	157
Kowloon City	1 463	117	74
North	42	0	0
Sha Tin	136	6	4
Tai Po	135	1	1

<b>District</b>	<b>No. of SDFs inspected</b>	<b>No. of prosecutions instigated against non-compliance with removal orders/ discontinuation orders<sup>(1)</sup></b>	<b>No. of convictions<sup>(1)</sup></b>
Sai Kung	1	0	0
Tsuen Wan	415	17	16
Tuen Mun	200	2	1
Yuen Long	270	0	0
Kwai Tsing	254	0	0
<b>Total</b>	<b>9 482</b>	<b>492</b>	<b>345</b>

Note<sup>(1)</sup> : The number of prosecutions/convictions does not necessarily correspond to the SDFs inspected in the same period.

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