

CONTROLLING OFFICER'S REPLY**DEVB(PL)079****(Question Serial No. 1532)**

Head: (82) Buildings Department

Subhead (No. & title): (-) Not Specified

Programme: (1) Buildings and Building Works

Controlling Officer: Director of Buildings (CHEUNG Tin-cheung)

Director of Bureau: Secretary for Development

Question:

How many cases of suspected irregularities involving contractors have been received by the Buildings Department in each of the years since the implementation of the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme? How many of them have been referred to other enforcement departments or relevant organisations to follow up? If so, what are the details of each referral case (including the date, the enforcement departments or organisations that such case was referred to and the result)? Does the Department have any administrative or other supportive measures to help owners comply with the schemes?

Asked by: Hon LAM Cheuk-ting (Member Question No. 14)

Reply:

Up to 31 December 2016, the Buildings Department (BD) has handled 44 cases of suspected irregularities involving contractors under the Mandatory Window Inspection Scheme (MWIS) since its commencement in June 2012. There is no such case under the Mandatory Building Inspection Scheme (MBIS). A breakdown of the 44 cases by year is tabulated below -

Year	Number of Cases
2012	0
2013	2
2014	6
2015	15
2016	21
Total	44

The BD has investigated into these cases and taken appropriate follow-up actions in substantiated cases, including instigating prosecution and/or disciplinary actions. So far, the registered minor works contractors involved in four cases have been convicted and they were fined up to \$6,000. Disciplinary action against the convicted contractors is also being considered. Besides the four aforesaid cases, one case involving suspected use of false instrument was referred to the Police in 2016. However, the case was subsequently not pursued due to insufficient evidence.

The BD, in collaboration with the Home Affairs Department (HAD), Hong Kong Housing Society (HKHS) and the Urban Renewal Authority (URA), will continue to operate various financial and technical assistance schemes and implement other measures to support building owners in fulfilling their statutory responsibilities under the MBIS and the MWIS, and in carrying out building repair and maintenance works in general. These include -

- (a) the Mandatory Building Inspection Subsidy Scheme administered by the HKHS and the URA, which provides subsidies, subject to a cap, for covering the expenses on the first prescribed building inspection of the common parts of a building conducted by a registered inspector, as well as provides standard tender documents and services agreements to owners for the appointment of a service provider;
- (b) other assistance schemes, including the Integrated Building Maintenance Assistance Scheme administered by the URA which provides owners in need with one-stop financial assistance and technical support for the formation of Owners' Corporation and for carrying out the prescribed building repair; the Building Safety Loan Scheme administered by the BD which offers low-interest loans for voluntary or mandatory building or slope repairs, maintenance and upgrading of fire services, lift, electrical and gas risers installations, and removal of unauthorised building works etc.; the Building Maintenance Grant Scheme for Elderly Owners administered by the HKHS which caters specifically for the needs of elderly owners; and the "Smart Tender" Building Rehabilitation Facilitating Services scheme which strengthens technical support for owners in carrying out building repair and maintenance works;
- (c) the BD's continued public education and publicity efforts, including district briefing sessions held in collaboration with the HAD, the HKHS, the URA to enhance public awareness of the MBIS and the MWIS, the relevant requirements and the details of the assistance schemes mentioned above;
- (d) publication of useful and relevant reference materials, such as the market price range for window inspection and parts repair (e.g. hinges, screws) and a new "Layman's Guide on MWIS" to educate the public on how to identify common window defects requiring repair under the MWIS;
- (e) working with the HAD to assist building owners in forming owners' corporations; and
- (f) offering technical advice through meetings with the building owners, registered inspectors and qualified persons.

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