

CONTROLLING OFFICER'S REPLY

DEVB(PL)101

(Question Serial No. 0755)

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:

In December 2016, the Office of The Ombudsman pointed out that delay by the Buildings Department in registering removal orders at the Land Registry (LR) for some units with unauthorised building works not yet removed might undermine the right of prospective buyers and mortgage institutions to know the information, as well as prejudice the interests of prospective buyers. Please advise this Committee:

- 1) the number of outstanding removal orders not yet registered at the LR broken down by the issuing date of removal orders (i.e. one to three years, four to six years, seven to nine years, and ten years or above from the issue date);
- 2) of the measures to improve the situation of the right of prospective buyers and mortgage institutions being affected to know the information and the interests of prospective buyers being prejudiced due to delay in registering removal orders at the LR.

Asked by: Hon WU Chi-wai (Member Question No. 50)

Reply:

- 1) The Buildings Department (BD) has not compiled statistics on the number of removal orders that have not been registered at the Land Registry (LR).
- 2) The BD has been taking actions to strengthen the monitoring of the progress of registration of removal orders at the LR. In particular, BD is currently upgrading its information system to enable the automatic uploading of the LR's computer data on the registration of removal orders so as to facilitate its monitoring of the registration of newly-issued removal orders at the LR.

As for earlier orders which have not been registered, the BD has revised its internal guidelines to require staff to immediately arrange for the registration of such orders when they follow up on their compliance. Further, the BD has recently revised its webpage to remind the public that some earlier removal orders may not have been registered at the LR, and that premises without removal orders do not necessarily mean

that they are free of unauthorised building works (UBWs). Prospective buyers are advised to conduct inspection of the premises concerned and check the corresponding approved plans and minor works records in the BD's Building Information Centre or via the BD's Building Records Access and Viewing On-line system to ascertain the presence of UBWs. Professional advice should be sought as necessary to ensure that the premises are free of UBWs. Prospective buyers may also check with vendors for the relevant information or make enquiry to the BD.

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