

CONTROLLING OFFICER'S REPLY

DEVB(PL)102

(Question Serial No. 0759)

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:

With regard to the control of unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) as mentioned in the Programme, please inform this Committee:

- 1) of the respective numbers of NTEHs surveyed and removal orders issued against UBWs for the surveyed NTEHs in each of the past two years, broken down by administrative districts, as well as the number of compliance cases among the removal orders issued;
- 2) of the respective numbers of NTEHs surveyed and First Round Targets, broken down by administrative districts, as well as the work plan for the survey of NTEHs in 2017-18;
- 3) of the number of NTEHs requiring priority enforcement action among those identified as targets in the past two years, as well as the number of prosecutions instigated by the Department and number of convictions regarding the outstanding removal orders;
- 4) of the detailed work plan for the Programme, as well as the manpower and expenditure for implementing the work plan in 2017-18;
- 5) According to the information of the Buildings Department, the Department did not instigate any prosecutions against owners of NTEHs with outstanding removal orders in 2014 and 2015. Please inform this Committee whether the Department has any plans to take enforcement action against such cases.

Asked by: Hon WU Chi-wai (Member Question No. 55)

Reply:

- 1) - 4) Statistics on the respective numbers of New Territories Exempted Houses (NTEHs) surveyed, NTEHs with suspected First Round Targets requiring priority enforcement action, removal orders issued, removal orders complied with, prosecutions instigated and convictions in each of the administrative districts in the New Territories in 2015 and 2016 are tabulated below –

2015

District	NTEHs surveyed	NTEHs with suspected First Round Targets	Removal Orders issued ⁽¹⁾	Removal Orders complied with ⁽¹⁾	Prosecutions instigated ⁽¹⁾	Convictions ⁽¹⁾
Islands	642	15	11	3	0	0
Kwai Tsing	0	0	0	0	0	0
North	1 037	59	5	0	0	0
Sai Kung	1 030	118	20	1	0	0
Sha Tin	342	20	18	0	0	0
Tai Po	976	107	23	6	0	0
Tsuen Wan	192	12	1	0	0	0
Tuen Mun	645	78	53	8	1	1
Yuen Long	410	25	18	0	0	0
Total	5 274	434	149⁽²⁾	18	1	1

2016

District	NTEHs surveyed	NTEHs with suspected First Round Targets	Removal Orders issued ⁽¹⁾	Removal Orders complied with ⁽¹⁾	Prosecutions instigated ⁽¹⁾	Convictions ⁽¹⁾
Islands	92	3	0	0	0	0
Kwai Tsing	0	0	0	0	0	0
North	1 996	217	11	0	0	0
Sai Kung	553	100	0	0	0	0
Sha Tin	299	14	0	0	0	0
Tai Po	600	102	0	0	0	0
Tsuen Wan	147	28	0	0	0	0
Tuen Mun	440	26	0	0	0	0
Yuen Long	310	87	16	0	0	0
Total	4 437	577	27⁽²⁾	0	0	0

Note ⁽¹⁾ : Follow-up action is still ongoing and the numbers may increase.

Note ⁽²⁾ : The 149 removal orders in 2015 involved 137 NTEHs and 27 removal orders in 2016 involved 24 NTEHs.

The Buildings Department (BD) estimates that 4 000 NTEHs will be surveyed to identify First Round Targets and non-reported unauthorised building works (UBWs) for priority enforcement action in 2017. The work will be carried out by the 37 professional and technical staff of the Village Houses Section (VHS) of the BD as part of their overall duties in implementing the enhanced enforcement strategy against UBWs in NTEHs. The estimated expenditure to be incurred by the VHS in 2017-18 is \$40 million.

- 5) For NTEHs surveyed in 2014 and 2015, the BD has instigated 19 prosecutions with seven convictions against owners who fail to comply with removal orders without any reasonable excuse. The BD will continue to closely monitor the compliance status of the issued removal orders and consider instigating prosecution where necessary.

- End -