

**CONTROLLING OFFICER'S REPLY****DEVB(PL)269****(Question Serial No. 6319)**

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 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: Hon CHEUNG Chiu-hung, Fernando (Member Question No. 1714)

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 numbers of inspections made and 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 is 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	101	70
Wan Chai	66	40
Eastern	225	176
Southern	21	15
Kowloon City	243	177
Kwun Tong	182	152
Yau Tsim Mong	368	230

<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	126	82
Wong Tai Sin	93	81
Islands	25	10
North	82	31
Sai Kung	107	87
Sha Tin	99	75
Tai Po	62	32
Tsuen Wan	174	141
Tuen Mun	92	67
Yuen Long	185	127
Kwai Tsing	95	75
<b>Total</b>	<b>2 346</b>	<b>1 668</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 is 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	758	22	18
Wan Chai	481	13	10
Eastern	466	18	18
Southern	87	0	0
Islands	1	0	0
Wong Tai Sin	252	1	0
Kwun Tong	940	9	4
Yau Tsim Mong	2 326	131	75
Sham Shui Po	2 223	227	171
Kowloon City	1 742	159	94

<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>
North	64	4	0
Sha Tin	137	6	5
Tai Po	192	1	1
Sai Kung	3	0	0
Tsuen Wan	824	19	18
Tuen Mun	221	2	1
Yuen Long	567	0	0
Kwai Tsing	443	1	0
<b>Total</b>	<b>11 727</b>	<b>613</b>	<b>415</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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