

CONTROLLING OFFICER'S REPLY

DEVB(PL)278

(Question Serial No. 5064)

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:

Would the Buildings Department inform this Committee:

- (1) As stated on page 73, “completed village by village survey of 4 437 New Territories Exempted Houses (NTEHs) to identify unauthorised building works (UBWs) that constitute serious contravention of the law and pose higher potential risks to building safety (First Round Targets) for priority enforcement action”, did the authorities take enforcement action against such 4 437 houses that constitute serious contravention of the law? If comprehensive enforcement action cannot be achieved, what is the number of UBWs against which enforcement action has been taken to date? What is the reason for not completing the comprehensive enforcement action? What is the estimated time for completing the enforcement action?
- (2) As stated on page 73 of the Estimates last year, “the processing of 18 034 reporting forms received under the Reporting Scheme for UBWs in NTEHs”, what are the results of the “processing” of such forms after a year’s time? Will any enforcement action be taken? If so, what approach will be taken to “process” the forms; if not, what is the reason?
- (3) What were the numbers of removal orders issued for UBWs in NTEHs in the past five years?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 1021)

Reply:

- (1) Out of the 4 437 New Territories Exempted Houses (NTEHs) surveyed in 2016, the Buildings Department (BD) has identified 577 NTEHs with suspected unauthorised building works (UBWs) that constitute a serious contravention of the law and pose higher potential risks to building safety (i.e. the First Round Targets). The BD is still processing these cases, with a total of 27 removal order issued involving 28 UBWs as of end December 2016. The BD will continue to issue the remaining removal orders and monitor the compliance status of the removal orders issued. Where necessary, the BD will consider instigating prosecution against owners who fail to comply with

removal orders without any reasonable excuse. At the moment, the BD cannot estimate the time required for completing the enforcement action against the relevant UBWs.

- (2) The BD processed the reporting forms received under the Reporting Scheme by ascertaining whether the forms met the relevant requirements and could be accepted. The processing work was completed in 2015. As announced by the BD before the implementation of the Reporting Scheme, owners whose completed reporting forms were accepted are required to arrange qualified personnel to conduct safety inspection of the reported UBWs every five years. During the period of enforcement against First Round Targets, the BD will not require the removal of the reported UBWs unless they become dangerous. The BD will continue to adopt this approach in handling the reported UBWs. As regard UBWs which have not been reported to the BD, or UBWs in respect of which the reporting form concerned has been rejected, the BD will continue to take enforcement action against them.
- (3) The numbers of removal orders issued against UBWs in NTEHs in the past five years are tabulated below –

Year	Number of Removal Orders
2012	161
2013	328
2014	454
2015	415
2016	529
Total	1 887

- End -