

CONTROLLING OFFICER'S REPLY

DEVB(PL)099

(Question Serial No. 1029)

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:

It is mentioned in the Programme that the Department will continue to remove large unauthorised signboards and implement the Validation Scheme for Unauthorised Signboards under the Signboard Control System. In this connection, please inform this Committee:

1. of the numbers of inspections, removal operations and prosecutions in the past two financial years;
2. of the respective staff establishment and expenditure involved in prosecution regarding the relevant operations carried out in the past two financial years; whether there will be an increase in staff establishment and estimated expenditure for the coming financial year; and
3. whether the Department will conduct a study jointly with the Environmental Protection Department in the coming two financial years with a view to taking enforcement actions to remove large signboards causing light pollution and enacting relevant legislation by making reference to overseas experience; if so, what are the details and expenditure involved? If not, what are the reasons?

Asked by: Hon KWOK Wai-keung (Member Question No. (LegCo use): 32)

Reply:

1. The Buildings Department (BD) takes enforcement action against unauthorised signboards in response to public reports and through its large scale operations. It does not compile separate statistics on the number of inspections made for unauthorised signboards. The statistics on enforcement action taken by BD against unauthorised, dangerous and abandoned signboards in the last two financial years is tabulated as follows –

Year	Number of removal orders against unauthorised signboards issued	Number of unauthorised signboards removed/validated	Number of dangerous or abandoned signboards removed/repared
2016-17	743	1 082	1 530
2017-18 ⁽¹⁾	992	1 371	1 278
Total	1 735	2 453	2 808

Note ⁽¹⁾: Up to February 2018.

The numbers of summonses served in prosecutions and convictions in connection with non-compliance with removal orders for unauthorised signboards are tabulated as follows -

Year	Summonses served	Convictions ⁽²⁾
2016-17	37	23
2017-18 ⁽³⁾	41	34
Total	78	57

Note ⁽²⁾: The number of convictions does not necessarily correspond to the prosecutions instigated in the same period.

Note ⁽³⁾: Up to February 2018.

2. Prosecutions against failure to comply with removal orders for unauthorised signboards are handled by 46 professional and technical staff in the Prosecution Units of the Legal Services Section of BD as part of their overall duties to instigate prosecutions and disciplinary actions for contraventions of the Buildings Ordinance (BO) (Cap. 123). BD is not able to provide a breakdown of the manpower involved solely for handling prosecutions against non-compliance with removal orders for unauthorised signboards. No additional staff or expenditure has been specifically allocated for the duty in the coming financial year.
3. BD is not in a position to conduct any study regarding enforcement action against large signboards causing light nuisance because installation of external light fittings and the issue of light nuisance fall outside the ambit of the BO and are not under the jurisdiction of BD. The Environment Bureau will conduct a review of the Charter on External Lighting and assess its effectiveness in 2018-19. With reference to the outcome of the assessment, the Government will consider the next stage of work and whether there is a need for legislation to control external lighting.

- End -