

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)109**

**(Question Serial No. 1223)**

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:

The authorities received around 135 000 and 126 000 minor works submissions in the past two years respectively. However, only approximately 7 000 minor works submissions were selected by the authorities for auditing. What is the justification for setting the rule of conducting random audit check on 7 000 submissions each year? Among the audited submissions, how many cases were identified to be in contravention of the Minor Works Control System each year? Besides, among the minor works submissions in the past two years, how many submissions were estimated to be related to works associated with subdivided flats by the authorities?

Asked by: Hon LAU Kwok-fan (Member Question No. (LegCo use): 64)

Reply:

Under the Buildings Ordinance (BO) (Cap. 123) and the Building (Minor Works) Regulation (B(MW)R) (Cap. 123N), the prescribed building professionals (PBP) and prescribed registered contractors (PRC) appointed for carrying out minor works have the legal obligations to supervise, carry out and certify completion of the minor works. The Buildings Department (BD) would conduct audit check to ensure the minor works comply with the BO. If irregularities are found, BD would require the PBP/PRC concerned to rectify the problem and would take enforcement actions as necessary. BD would review the number of minor works submissions selected for audit check yearly taking into account the result of the audit check in the previous years.

BD randomly selected 7 104 cases and 7 260 cases each for audit check in 2016 and 2017, amongst which 246 cases and 136 cases were identified with irregularities respectively. The majority of such irregularities are minor in nature and involve non-compliance with administrative procedures and requirements, insufficient information in submissions, etc., which could be rectified by the relevant PBP and/or PRC. None of the irregularities found in the audited cases in 2016 warrants prosecution whilst prosecution is being instigated for non-compliance with the BO and the B(MW)R in one audited case in 2017.

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BD received 4 028 and 4 678 minor works submissions in connection with sub-division of flats in 2016 and 2017 respectively.

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