

CONTROLLING OFFICER'S REPLY

DEVB(PL)139

(Question Serial No. 0493)

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:

Regarding mandatory building inspection under the Programme, please inform this Committee:

- 1) of the respective numbers of mandatory building inspection notices received and discharged in 2016 and 2017 in each of the 18 districts;
- 2) of the number of outstanding building inspection notices broken down by the issuing date of such notices (i.e. one year, two years and three years or above from the issue date);
- 3) of the improvement measures by the Buildings Department (BD) in 2018-19 given the large backlog of building inspection notices or non-compliant notices? What are the details and estimated expenditure involved?
- 4) whether BD has instigated prosecution against non-compliant mandatory building inspection notices in 2016 and 2017; if so, of the number concerned?

Asked by: Hon WU Chi-wai (Member Question No. (LegCo use): 74)

Reply:

- 1) The geographical distribution of statutory notices issued and discharged under the Mandatory Building Inspection Scheme (MBIS) in 2016 and 2017 is shown at **Annex**.
- 2) As at 31 December 2017, the number of outstanding statutory notices issued under the MBIS broken down by the issuing date of such notices is tabulated below. It should be noted that not all such notices have expired as owners are generally given a period of 12 to 15 months for complying a notice and some owners are granted extension of time for compliance –

	Issued in 2016	Issued in 2015	Issued in 2014 or before
No. of outstanding statutory notices issued under the MBIS	4 045	6 850	17 974

- 3) In 2018-19, the Buildings Department (BD) will continue its public education and publicity efforts to enhance public awareness and understanding of the requirements of the MBIS. In addition, BD will continue to work with the Home Affairs Department to assist building owners in forming owners' corporations, and collaborate with the Hong Kong Housing Society and the Urban Renewal Authority to provide financial and technical assistance to help owners comply with the statutory notices. BD will also step up enforcement actions by issuing warning letters and instigating prosecutions against those building owners who, without reasonable excuse, fail to comply with the statutory notices.

Further, to protect public safety, the Government plans to launch Operation Building Bright 2.0 (OBB 2.0) at a cost of \$3 billion to provide technical and financial assistance to eligible building owners to comply with the MBIS requirements. Under OBB 2.0, eligible owners of participating buildings will be provided with technical and financial assistance to carry out inspection and repair works with a view to discharging outstanding statutory notices. Besides, BD will proactively select buildings with outstanding statutory notices whereby the owners concerned have difficulties in coordinating the inspection and repair works in the commons parts of the buildings, and exercise its statutory power to carry out the requisite works in default of owners and seek to recover the cost from them afterwards. Eligible owners may seek to cover all or part of the cost incurred by BD by claiming subsidies available to them under OBB 2.0.

The above-mentioned measures will be implemented by 160 professional and technical staff of the two Mandatory Building Inspection Sections, seven staff of the Public Education and Publicity Unit, and three staff of the Information Unit of BD as part of their overall duties. We are not able to provide a breakdown of the expenditure to be incurred solely for the relevant work.

- 4) Up to 31 December 2017, BD issued over 19 000 warning letters against building owners who failed to comply with the statutory notices and instigated 30 and 44 prosecutions against building owners who failed to comply with the statutory notices in 2016 and 2017 respectively.

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**Number of Mandatory Building Inspection Notices
issued and discharged in 2016 and 2017**

District	Number of Notices			
	2016		2017	
	Issued	Discharged ^{Note}	Issued	Discharged ^{Note}
Central & Western	769	1 013	1 012	661
Eastern	656	1 676	1 824	1 542
Southern	195	172	1 552	215
Wan Chai	916	954	770	864
Kowloon City	1 424	1 391	2 183	1 814
Kwun Tong	19	252	44	54
Sham Shui Po	325	983	886	552
Wong Tai Sin	28	190	25	98
Yau Tsim Mong	779	593	839	419
Islands	7	211	58	193
Kwai Tsing	63	57	21	9
North	54	3	22	10
Sai Kung	10	1	38	1
Sha Tin	13	51	1 468	1 370
Tai Po	163	32	1 391	78
Tsuen Wan	116	21	35	12
Tuen Mun	8	643	146	37
Yuen Long	26	38	70	46
Total	5 571	8 281	12 384	7 975

Note : The figures do not necessarily correspond to the notices issued in the same year.