

CONTROLLING OFFICER'S REPLY

DEVB(PL)143

(Question Serial No. 0752)

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:

With regard to the control of unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) as mentioned in the Programme, please inform this Committee:

- 1) of the respective numbers of NTEHs surveyed and removal orders issued against UBWs for the surveyed NTEHs in each of the past two years, broken down by administrative districts, as well as the number of compliance cases among the removal orders issued;
- 2) of the respective numbers of NTEHs surveyed and First Round Targets, broken down by administrative districts, as well as the work plan for the survey of NTEHs in 2018-19;
- 3) of the number of NTEHs requiring priority enforcement action among those identified as targets in the past two years, as well as the number of prosecutions instigated by the Department and number of convictions regarding the outstanding removal orders;
- 4) of the detailed work plan for the Programme, as well as the manpower and expenditure for implementing the work plan in 2018-19;
- 5) According to the information of the Buildings Department, the Department did not instigate any prosecutions against owners of NTEHs with outstanding removal orders in 2015 and 2016. Please inform this Committee whether the Department has any plans to take enforcement action against such cases.

Asked by: Hon WU Chi-wai (Member Question No. (LegCo use): 73)

Reply:

- 1) - 4) Statistics on New Territories Exempted Houses (NTEHs) surveyed, NTEHs surveyed with suspected First Round Targets requiring priority enforcement action, removal orders issued, removal orders complied with, prosecutions instigated and convictions in each of the administrative districts in the New Territories in 2016 and 2017 are tabulated below –

2016

District	NTEHs surveyed	NTEHs with suspected First Round Targets	Removal Orders issued ⁽¹⁾	Removal Orders complied with ⁽¹⁾	Prosecutions instigated ⁽¹⁾	Convictions ⁽¹⁾
Islands	92	3	0	0	0	0
Kwai Tsing	0	0	0	0	0	0
North	1 996	217	11	3	0	0
Sai Kung	553	100	5	0	0	0
Sha Tin	299	14	0	0	0	0
Tai Po	600	102	0	0	0	0
Tsuen Wan	147	28	2	0	0	0
Tuen Mun	440	26	0	0	0	0
Yuen Long	310	87	26	8	0	0
Total	4 437	577	44 ⁽²⁾	11	0	0

2017

District	NTEHs surveyed	NTEHs with suspected First Round Targets	Removal Orders issued ⁽¹⁾	Removal Orders complied with ⁽¹⁾	Prosecutions instigated ⁽¹⁾	Convictions ⁽¹⁾
Islands	390	29	0	0	0	0
Kwai Tsing	0	0	0	0	0	0
North	453	15	2	0	0	0
Sai Kung	705	45	4	0	0	0
Sha Tin	576	83	1	0	0	0
Tai Po	688	151	0	0	0	0
Tsuen Wan	105	11	0	0	0	0
Tuen Mun	372	56	0	0	0	0
Yuen Long	913	189	19	0	0	0
Total	4 202	579	26 ⁽²⁾	0	0	0

Note ⁽¹⁾: Follow-up action is still ongoing and the number may increase.

Note ⁽²⁾: The 44 removal orders issued in 2016 involved 39 NTEHs and the 26 removal orders issued in 2017 involved 23 NTEHs.

The Buildings Department (BD) estimates that 4 000 NTEHs will be surveyed to identify First Round Targets and non-reported unauthorised building works (UBWs) for priority enforcement action in 2018. The work will be carried out by 37 professional and technical staff of the Village Houses Section (VHS) of BD as part of their overall duties in implementing the enhanced enforcement strategy against UBWs in NTEHs. The estimated expenditure to be incurred by VHS in 2018-19 is \$40 million.

- 5) For NTEHs surveyed in 2015 and 2016, BD has instigated 10 prosecutions with eight convictions against owners who fail to comply with removal orders without any reasonable excuse. BD will continue to closely monitor the compliance status of the issued removal orders and consider instigating prosecution where necessary.

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