

CONTROLLING OFFICER'S REPLY**DEVB(PL)293****(Question Serial No. 6267)**

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:

In connection with suspected unlawful residential units, please provide the numbers of inspections, prosecutions and tenants involved, as well as court convictions and tenants involved in the past five years, broken down by district.

Asked by: Hon CHEUNG Chiu-hung, Fernando (Member Question No. (LegCo use): 2734)

Reply:

There is no clear definition of “unlawful residential units”. Unauthorised rooftop structures and subdivided flats (SDFs) used for domestic purpose are the most common types of structures dealt with by the Buildings Department (BD) under its enforcement programme against unauthorised building works (UBWs).

As regards rooftop UBWs, BD does not compile statistics on the numbers of inspections made and tenants involved in prosecution/conviction cases. The geographical distribution of the number of prosecutions against failure to comply with removal orders against rooftop UBWs and the number of convictions in the past five years is tabulated as follows –

District	No. of prosecutions instigated against non-compliance with removal orders	No. of convictions⁽¹⁾
Central & Western	97	78
Wan Chai	99	49
Eastern	238	186
Southern	19	13
Kowloon City	266	213
Kwun Tong	206	174

District	No. of prosecutions instigated against non-compliance with removal orders	No. of convictions⁽¹⁾
Yau Tsim Mong	384	268
Sham Shui Po	147	112
Wong Tai Sin	91	82
Islands	41	15
North	129	56
Sai Kung	104	87
Sha Tin	99	77
Tai Po	121	74
Tsuen Wan	192	161
Tuen Mun	102	77
Yuen Long	252	159
Kwai Tsing	128	88
Total	2 715	1 969

Note ⁽¹⁾: The figures do not necessarily correspond to the prosecutions instigated in the same period.

As regards SDFs, BD does not compile statistics on the number of tenants involved in prosecution and conviction cases. The geographical distribution of the number of SDFs inspected, the number of prosecutions against failure to comply with removal orders or discontinuation orders, and the number of convictions in the past five years is tabulated as follows –

District	No. of SDFs inspected	No. of prosecutions instigated against non-compliance with removal orders/ discontinuation orders⁽²⁾	No. of convictions⁽²⁾
Central and Western	833	22	16
Wan Chai	549	12	10
Eastern	470	28	24
Southern	369	3	3
Islands	1	0	0

District	No. of SDFs inspected	No. of prosecutions instigated against non-compliance with removal orders/ discontinuation orders ⁽²⁾	No. of convictions ⁽²⁾
Wong Tai Sin	220	1	0
Kwun Tong	1 228	9	4
Yau Tsim Mong	2 219	128	92
Sham Shui Po	1 480	261	191
Kowloon City	1 742	164	116
North	74	4	3
Sha Tin	132	6	5
Tai Po	238	1	1
Sai Kung	3	0	0
Tsuen Wan	1 046	22	19
Tuen Mun	322	2	1
Yuen Long	660	0	0
Kwai Tsing	585	1	0
Total	12 171	664	485

Note ⁽²⁾: The figures do not necessarily correspond to the SDFs inspected in the same period.

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