

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)295**

**(Question Serial No. 6269)**

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:

1. In connection with industrial buildings (domestic), 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.
2. In connection with commercial buildings (domestic), 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.
3. In connection with sub-divided flats, 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.
4. Please provide the numbers of units classified by the Buildings Department as unlawful residential units (broken down by district and type) in the past five years and the number of residents involved.

Asked by: Hon CHEUNG Chiu-hung, Fernando (Member Question No. (LegCo use): 2736)

Reply:

1. Insofar as the abuse of premises in industrial buildings (IBs) for domestic purpose is concerned, apart from responding to reports, the Buildings Department (BD) has been taking enforcement actions to eradicate such use in an orderly and systematic manner through large scale operations since April 2012. BD does not compile statistics on the number of tenants involved in prosecution and conviction cases. Information on the geographical distribution of IB premises inspected, prosecutions instigated against failure to comply with removal orders or discontinuation orders, and convictions for the past five years is set out below –

District	No. of IB premises inspected	No. of prosecutions instigated against non-compliance with removal orders/ discontinuation orders <sup>(1)</sup>	No. of convictions <sup>(1)</sup>
Eastern	27	0	0
Southern	22	0	0
Wong Tai Sin	93	0	0
Kwun Tong	523	0	0
Yau Tsim Mong	124	0	0
Sham Shui Po	133	0	0
Kowloon City	85	14	14
Sai Kung	1	0	0
Sha Tin	54	0	0
Tai Po	1	0	0
Tsuen Wan	449	19	19
Tuen Mun	318	0	0
Yuen Long	12	0	0
Kwai Tsing	364	0	0
<b>Total</b>	<b>2 206</b>	<b>33</b>	<b>33</b>

Note <sup>(1)</sup>: The figures do not necessarily correspond to the IB premises inspected in the same period.

2. BD does not compile statistics on the number of inspections, prosecutions, court convictions and tenants involved in relation to commercial buildings being used for domestic purpose.
3. BD does not compile statistics on the number of tenants involved in prosecutions and conviction cases in connection with sub-divided flats (SDFs). Information on the geographical distribution of SDFs inspected, prosecutions instigated against non-compliance with removal orders or discontinuation orders issued in respect of SDFs, and convictions in the past five years is set out below –

District	No. of SDFs inspected	No. of prosecutions instigated against non-compliance with removal orders/ discontinuation orders <sup>(2)</sup>	No. of convictions <sup>(2)</sup>
Central and Western	833	22	16
Wan Chai	549	12	10
Eastern	470	28	24
Southern	369	3	3
Islands	1	0	0
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
<b>Total</b>	<b>12 171</b>	<b>664</b>	<b>485</b>

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

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

BD does not compile statistics on the number of rooftop UBWs identified and the number of tenants in rooftop UBWs.

As regards SDFs, BD does not compile statistics on the number of tenants in SDFs. It should also be noted that SDFs are not necessarily UBWs. With the aforesaid, the geographical distribution of SDFs with irregularities identified in the past five years is as follows –

<b>District</b>	<b>No. of SDFs with irregularities identified</b>
Central and Western	56
Wan Chai	33
Eastern	86
Southern	2
Wong Tai Sin	20
Kwun Tong	22
Yau Tsim Mong	368
Sham Shui Po	418
Kowloon City	337
North	21
Sha Tin	34
Tai Po	8
Tsuen Wan	48
Tuen Mun	4
Yuen Long	49
Kwai Tsing	36
<b>Total</b>	<b>1 542</b>

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