

CONTROLLING OFFICER'S REPLY

DEVB(PL)308

(Question Serial No. 3623)

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:

Please inform this Committee:

- 1) of the number of removal orders issued by the Buildings Department under the Buildings Ordinance (Cap. 123) for illegal housing on private land in the past five years; the respective numbers of such orders which were and which were not complied with upon expiry of the specified periods;
- 2) of the follow-up actions taken by the authorities against landowners or occupants who had not complied with the removal orders.

Asked by: Hon WU Chi-wai (LegCo internal reference no.: 80)

Reply:

- 1) There is no clear definition of “illegal housing on private lands” under the Buildings Ordinance (Cap. 123). That said, the Buildings Department (BD) has been taking enforcement action against actionable unauthorised building works (UBWs). In this connection, as of end December 2018, BD issued 63 636 removal orders against actionable UBWs in the past five years, 30 634 of which had not yet been complied with (including orders issued in 2018 whereby the compliance period had not yet expired). The remaining removal orders (i.e. 33 002) had been discharged.
- 2) BD may institute prosecution against owners for non-compliance with removal orders without reasonable excuse. Besides, BD may arrange Government contractors to carry out the rectification works in default of the owners concerned and recover the costs from them.

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