

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)099**

**(Question Serial No. 1893)**

Head: (82) Buildings Department

Subhead (No. & title): (-) Not Specified

Programme: (1) Buildings and Building Works

Controlling Officer: Director of Buildings (YU Tak-cheung)

Director of Bureau: Secretary for Development

Question:

According to the past figures provided by the Development Bureau, there are currently almost 10 000 private buildings of three storeys or above that are 40 years old or above in the territory. As published by the Buildings Department (BD), as at 2019, it had attended to reports from members of the public and issued repair or investigation orders for over 18 000 of the existing dilapidated or dangerous buildings. However, fewer than 1 300 of the buildings had been repaired or rectified, i.e. only 7% of the dilapidated or dangerous buildings had been enhanced. These old buildings may involve hundreds of thousands of occupants and pose serious threat to their personal safety. The guidelines of BD also seem to be not deterrent enough.

- (a) Under the prevailing policy, while attending to reports or issuing repair or investigation orders, has BD considered setting a time limit for which the occupants must complete the required inspection or repair? If not, what are the reasons? Has BD considered any other ways to encourage the occupants to rectify condition of the buildings?
- (b) Does BD define “dilapidated or dangerous buildings” in terms of their urgency (including whether they have caused any accidents recently)? If so, please provide the detailed information. If not, what are the reasons?

Asked by: Hon LAU Kwok-fan (LegCo internal reference no.: 21)

Reply:

- (a) Under the Buildings Ordinance (BO), the Buildings Department (BD) may issue an investigation order or a repair order, requiring the owners to conduct investigation or repair the dilapidations/defects identified in their building respectively. The time within which the required investigation or repair should be completed would be specified in the orders.

Applying the principle that prevention is better than cure, BD implements the Mandatory Building Inspection Scheme (MBIS) since 2012 to tackle building decay at its root by requiring owners of target buildings to inspect and repair their buildings. Owners are primarily responsible for the proper maintenance of their properties.

Nevertheless, the Government recognises that some owners may have difficulties in fulfilling their responsibility in maintaining their properties due to the lack of financial means and technical knowledge, and/or the ability to coordinate the works. Therefore, the Government has rolled out various building maintenance assistance schemes to assist eligible owners to maintain their properties. Specifically, BD is responsible for implementing the Building Safety Loan Scheme, which provides low interest loans to individual owners of private buildings for carrying out works related to the improvement of building safety and hygiene or for compliance with the statutory orders, including the investigation orders and repair orders.

BD also undertakes a series of public education and publicity activities to promote building safety and foster on building safety culture. With the implementation of the MBIS and the efforts in promoting a culture of building care, it is anticipated that more building owners will carry out repair and maintenance works under the MBIS or out of their own initiatives.

- (b) The number of reports on dilapidated/dangerous buildings attended to by BD depends on the actual number of reports received from members of the public, which fluctuates from time to time. In 2019, BD attended to 17 499 such reports and the increase was due to a high number of repeated reports in connection with particular locations. When attending to reports from members of the public on dilapidations/defects in a premises/building and determining whether enforcement action should be taken under the BO to remove potential danger posed to the occupants and general public, BD will assess the condition of the premises/building based on the findings of the site inspection. If it is considered that the premises/building is liable to become dangerous or the overall stability of the building is in doubt, BD will issue repair or investigation order as appropriate. However, not every case attended to would warrant the issue of repair/investigation orders. In 2019, BD issued 938 repair/investigation orders. Within the same period, 1 297 buildings/premises were repaired/rectified (the

buildings/premises repaired/rectified do not necessarily correspond to the reports attended to and the repair/investigation orders issued in the same year). For emergency, if the owners are not able to act immediately, BD will step in and arrange the government contractor to carry out emergency works to remove the danger on behalf of the owners and recover the cost of works from them.

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