

CONTROLLING OFFICER'S REPLY

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(Question Serial No. 5785)

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:

Please provide the following information for the past five years:

1. The numbers of inspections of any buildings to identify obstructions and alterations to barrier-free access, and the numbers of warnings given, rectification works carried out subsequently and prosecutions instigated.
2. Unauthorised alterations and obstructions to barrier-free facilities which were designed in accordance with law are commonly found in buildings (for example, shops), affecting the persons with disabilities to access the facilities. Does the Government have any planned large scale operations on inspection or follow-up action? If so, what are the details? If no, what are the reasons?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 193)

Reply:

Apart from responding to reports, the Buildings Department (BD) has been taking enforcement actions against unauthorised alterations of barrier-free facilities through large scale operations since 1997. BD will inspect the approved barrier-free facilities of target commercial buildings every year to ascertain whether such facilities have been illegally removed or altered. If unauthorised alterations of barrier-free facilities in buildings are found, BD will issue statutory orders under the Buildings Ordinance to require the owners to rectify the irregularities.

Regarding enforcement actions against unauthorised alterations of barrier-free facilities, the numbers of statutory orders issued, statutory orders complied with and prosecutions instigated against non-compliance with such statutory orders in private buildings in the past five years are tabulated below –

	2015	2016	2017	2018	2019
Number of statutory orders issued	13	14	6	30	36
Number of statutory orders complied with ⁽¹⁾	11	8	14	23	22
Number of prosecution instigated against non-compliance with such statutory orders ⁽¹⁾	0	1	0	0	4

Note ⁽¹⁾: The figures do not necessarily correspond to the statutory orders issued in the same year.

BD does not compile statistics on the numbers of inspections conducted and warnings given in connection with unauthorised alterations of barrier-free facilities.