

CONTROLLING OFFICER'S REPLY

DEVB(PL)098

(Question Serial No. 1916)

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:

1. In part (3) of the reply to Reply Serial No. DEVB(PL)089 last year, the Department mentioned that it had surveyed 226 villages as of end 2019. In this connection, please inform this Committee of the planned targets for inspection this year by listing the numbers of villages to be inspected, broken down by district of the New Territories District Councils.
2. Please tabulate the numbers of cases with removal orders issued and the numbers of cases with irregularities rectified in the inspected villages, as well as the average, longest and shortest time taken to achieve compliance.
3. The Department mentioned that priority enforcement action was taken against “unauthorised building works that constitute serious contravention action of the law and pose higher potential risks to building safety”. In this connection, please inform this Committee of the detailed criteria.
4. The Department is implementing the First Round Targets scheme in villages. What is the estimated date of completion? After completing the work on the First Round Targets, will there be a second round scheme? If so, what are the details?
5. Many villagers have become unemployed or are suffering from financial hardship due to the pandemic. They have also encountered many difficulties in appointing contractors while preventing the spread of the pandemic. Apart from requiring the offending villagers to comply with the orders as soon as possible, has the Department provided any other relief measures, such as extending the time-frame for compliance or providing other assistance? If so, what are the details? If not, what are the reasons?

District Council district	Number of cases with removal orders issued	Number of cases with irregularities rectified
North		
Tai Po		
Sai Kung		
Sha Tin		
Tuen Mun		
Yuen Long		
Tsuen Wan		
Kwai Tsing		
Islands		

Asked by: Hon CHAN Hak-kan (LegCo internal reference no.: 11)

Reply:

1. In line with the enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs), the Buildings Department (BD) has been conducting village by village surveys of NTEHs to identify UBWs that constitute serious contravention of the law and pose higher potential risks to building safety (i.e. the First Round Targets) for priority enforcement action. A breakdown of the numbers of targeted villages to be inspected in 2021 under the village by village surveys by districts is set out below –

District	Number of targeted villages to be inspected
North	5
Tai Po	6
Sai Kung	6
Sha Tin	6
Tuen Mun	0
Yuen Long	7
Tsuen Wan	1
Kwai Tsing	0
Islands	5
Total	36

2. The numbers of cases with removal orders issued and cases with irregularities rectified in the last three years by districts are tabulated below –

District	Number of removal orders issued	Number of cases with irregularities rectified ⁽¹⁾
North	147	45
Tai Po	239	124
Sai Kung	99	76
Sha Tin	90	30
Tuen Mun	57	42
Yuen Long	347	109
Tsuen Wan	16	5
Kwai Tsing	0	0
Islands	13	10
Total	1 008	441

Note ⁽¹⁾: The figures do not necessarily correspond to the number of removal orders issued in the same period.

BD does not compile statistics on the time taken to comply with the removal orders.

3. Under the enhanced enforcement strategy against UBWs in NTEHs not posing imminent danger, BD will first focus and take proactive enforcement actions against those which constitute serious contravention of the law and pose higher potential risks to building safety (i.e. the First Round Targets). They mainly include NTEHs of four storeys or more, enclosed rooftop structures covering more than 50% of the roofed-over area of the building concerned and unauthorised projecting structures attached to UBWs, etc.
4. According to the “List of Recognised Village under the New Territories Small House Policy” published by Lands Department in 2009, there are a total 642 approved recognised villages in the territory. Among the 642 recognised villages, BD had surveyed 260 villages as of end 2020. Since the large number of NTEHs are scattered over an extensive area in the New Territories, BD has not conducted a detailed survey on the UBWs in all NTEHs and is unable to assess at this stage the time required for completing the identification of First Round Targets.
5. Owners have the responsibility to ensure that their premises are free from UBWs and should, in their own interest, take the initiative to arrange for demolition of the UBWs in their premises. They should also comply with the removal orders to remove UBWs within the specified period. That said, the Government recognises that some owners may have difficulties in fulfilling their responsibility due to the lack of financial means and technical knowledge, and/or other special circumstances. Therefore, the Government has rolled out various assistance and loan schemes to assist eligible owners to maintain their properties, including tackling the problem of UBWs. The schemes

include the Building Safety Loan Scheme, which provides low interest loans to individual owners of private buildings for carrying out works related to compliance with the statutory orders; and the Building Maintenance Grant Scheme for Needy Owners, which provide financial assistance to owner-occupiers in need to maintain their own properties. In addition, BD will arrange in-house social services teams to provide assistance to the owners and occupants in need, who are affected by the enforcement actions against UBWs in NTEHs, including coordinating residents of the NTEHs to carry out the required removal works, assisting them to apply for financial assistance schemes as appropriate, etc.

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