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政府總部  
發展局  
規劃地政科  
香港花園道美利大廈



Planning and Lands Branch  
Development Bureau  
Government Secretariat  
Murray Building, Garden Road  
Hong Kong

本局檔號 Our Ref. DEVB(PL-B) 68/03/09  
來函檔號 Your Ref.

電話 Tel.: 2848 6007  
傳真 Fax : 2899 2916

Secretary General,  
Legislative Council Secretariat,  
Legislative Council Building,  
8 Jackson Road,  
Central, Hong Kong  
(Attn: Ms. Guy YIP)

12 September 2007

Dear Ms YIP,

**Legislative Council Members' Meeting with  
Sham Shui Po District Council Members on 7 June 2007**

**Regulation of Cubicle Apartments**

Thank you for your letter dated 17 August informing us of the concern and views raised by Sham Shui Po District Council members on the control of cubicle apartments. After consulting the relevant departments, our responses are provided below.

**Control of Cubicle Apartments and Enforcement Action**

Government departments have been maintaining a close liaison in taking enforcement actions on cubicle apartments. The relevant departments attend to public complaints and problems promptly and effectively and will initiate prompt referrals and take follow-up actions as and when necessary. The aim is to ensure overall safety of cubicle apartments. Our work covers the following areas:

Concerning fire safety, the Fire Services Department (FSD) conducts regular inspections of buildings in different districts to ensure that means of escape are clear and unobstructed and that fire service installations and equipment can function effectively and efficiently at times of emergency to help those in need. Where contraventions of the Fire Services Ordinance (Cap. 95) or storage of excessive dangerous goods are detected, the FSD will take immediate enforcement action. With the Fire Safety (Buildings) Ordinance (Cap. 572) coming into effect on 1 July 2007, fire safety measures for pre-1987 domestic buildings and composite buildings, including those with cubicle apartments, are being stepped up.

On building safety, under the Buildings Ordinance (Cap. 123), prior approval from the Building Authority is required for any alteration work involving the structure of a building or affecting the means of escape in common areas. Any of these alteration works carried out without the prior approval of the Building Authority are unauthorized building works and are subject to enforcement action by the Buildings Department (BD).

On licensing control, fire and building safety of bedspace apartments is regulated by the Bedspace Apartments Ordinance (Cap. 447). Under the Ordinance, any flat in which there are 12 or more bedspaces used or intended to be used as sleeping accommodation for individuals under rental agreement must obtain licences from the Office of the Licensing Authority of HAD before commencing operation. In determining whether any flat constitutes a bedspace apartment, the existence of partitions in the flat is disregarded. Therefore, as long as a flat falls within the definition of bedspace apartment specified in the Ordinance, the Office of the Licensing Authority will actively enforce control on the premises according to the Ordinance.

On electricity and gas safety, the Electricity Ordinance (Cap. 406) and the Gas Safety Ordinance (Cap. 51) have stipulated safety requirements for communal installations and installations in individual units. Where any unsafe electrical installations are detected, the Electrical and Mechanical Services Department (EMSD) will take appropriate actions under the Electricity Ordinance which include serving a warning letter to the owner of such installation for proper repair and disconnection of electricity supply to those parts with imminent danger; and prosecuting the owner who fails to repair such installation properly. Common electricity safety problems of cubicle apartments include improper use of plugs or use of damaged socket outlets. Responsible persons of premises

units can in general rectify the problems shortly after receiving EMSD's advice.

On the problem of storage of liquefied petroleum gas (LPG), the Gas Safety Ordinance (Cap. 51) specifies that the total storage capacity of LPG in every unit shall not exceed 130 litres. Where excessive storage of LPG is detected in any premises unit, the EMSD will take appropriate enforcement actions, including the serving of warning letter to or prosecution against the responsible person for rectification. The EMSD has reminded gas suppliers in writing that they should not supply LPG in excess of the permitted safety level to customers to avoid danger.

The Food and Environmental Hygiene Department (FEHD) also handles complaints about cubicle apartments and takes appropriate actions to follow up environmental hygiene nuisances detected. The BD would also follow up building safety or water seepage problems identified during inspection.

### Education and Publicity

The Administration is committed to promoting public awareness of a safe living environment by way of education and publicity.

The FSD has been conducting publicity campaigns on fire safety in the District with the Sham Shui Po District Fire Safety Committee to promote domestic fire safety among local residents (including residents of cubicle apartments). Such activities include publishing newsletters on building management and fire safety; conducting fire drills and fire talks for buildings; and organizing poster / slogan design competitions and quizzes on fire safety. We wish to enhance fire safety awareness and understanding of the importance of domestic fire safety among the Sham Shui Po residents with all these publicity efforts.

The EMSD also promotes electricity and gas safety through different means, including publicity leaflets, posters and Electrical & Mechanical Safety Newsletters, announcements of public interest on radio and television, and safety campaigns; as well as providing safety guidelines in handbooks for new immigrants. Members of the public are also reminded to appoint registered electrical and gas contractors to carry out regular inspection and maintenance works for their installations to ensure safety.

Yours sincerely,

(Ms. Agnes HO)  
for Secretary for Development