

香港特別行政區政府

The Government of the Hong Kong Special Administration Region

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2 July 2009

Clerk to Panel on Development
(Attn: Mr WONG Siu-yee)
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mr Wong,

**Issues raised at the meeting between Legislative Council Members and
Tsuen Wan District Council members on 23 April 2009**

Water seepage problems in buildings

Thank you for your letter of 10 June 2009 on the captioned subject. I provide below the response from the Development Bureau and Food and Health Bureau to the issues raised in referral memorandum attached to your letter.

As rightly pointed out in the Ombudsman's "Direct Investigation Report on Handling of Water Seepage Complaints" (the Ombudsman's Report) released in early 2008, water seepage in private premises is primarily a matter of building management and maintenance which should be the responsibility of property owners. The Government has the responsibility to consider intervention through exercising its available statutory powers only where public health nuisance, building safety risks or water wastage is involved. Based on this concept, the Food and Environmental Hygiene Department and the Buildings Department established a Joint Office (JO) as a three-year pilot programme in 2006 to assist members of the public to resolve some of the water seepage problems.

The JO has completed an interim review of the first 18 months of its operation in the three-year pilot scheme. Based on the results of the interim review concerning the modus operandi of the Office and the recommendations in the Ombudsman's Report, the JO has gradually been implementing various improvement measures, including issuing clearer internal guidelines for investigation, establishing milestones to monitor the progress of various stages of investigation, issuing clearer internal circulars for deciding whether to exercise power of entry under the Public Health and Municipal Services Ordinance (Cap. 132), enhancing information processing and communications within the various units of the JO, etc. The JO has also issued clearer guidelines and performance milestones to the consultants it hired and standardised the format of documents. It will also formulate criteria and guidelines for the Office to take over from consultants the investigation of cases with serious delay. These measures will further enhance the efficiency of the JO.

The Administration has been reviewing the long-term role and organisation the JO and exploring the most appropriate arrangement to handle water seepage issues. We welcome comments and suggestions from stakeholders, and learn with interest the pilot scheme suggested by Tsuen Wan District Council members as mentioned in the referral memorandum attached to your letter. The JO will proactively get in touch with the Tsuen Wan District Council members to seek further information about the suggestion and their experience in tackling the water seepage problems in Allway Gardens.

Yours sincerely,



(Harry LIN)
for Secretary for Development

c.c.	Secretary for Food and Health	(Attn: Miss Jerry JI)
	Director of Food and Environmental Hygiene	(Attn: Mr FW LO)
	Director of Buildings	(Attn: Mr CC TSANG)