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6 March 2009

Ms Anita Sit
Clerk to Panel on Development
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms Sit,

Panel on Development

Referral from Panel on Home Affairs

Clearance of Unauthorised Building Works

I refer to your letter dated 23 February 2009 on the captioned subject. The following is a brief account of the Government's initiatives in tackling the problem of unauthorised building works (UBWs).

Enforcement Programmes

In view of the considerable number of UBWs in Hong Kong, the Government, after thorough consultation with the public, formulated a revised enforcement policy on UBWs which came into effect in April 2001. Under this enforcement policy, the Buildings Department (BD) has broadened the scope for its enforcement programme and prioritized its action to focus on high risk UBWs. Since the launch of this strengthened and systematic programme against UBWs, the BD has endeavoured to curb the emergence of new UBWs and removes about 40,000 UBWs every year. If the BD identifies any new UBWs, UBWs posing obvious danger to life or property, or

UBWs constituting a serious health hazard or environmental nuisance, the Department will immediately take enforcement actions so as to safeguard public safety and health. In the light of its past enforcement experience, the BD will maintain the annual target of removing not less than 40,000 UBWs in the future. The BD will be allocated adequate resources to perform the task. Regarding the amount of manpower resources to tackle the problem of UBWs, a full range of duties in relation to building safety and maintenance, including the enforcement against UBWs, is discharged by some 660 professional and technical staff of the Department. Nevertheless, it is not possible to discretely separate the manpower of the BD staff solely responsible for the clearance of UBWs.

Every year the BD launches a series of “blitz” clearance operations to clear in one go all external UBWs on buildings, such as large glass panel external walls, large TV screens, large signboards and UBWs on cantilevered slab balconies. The BD continues to adopt this approach for major clearances, particularly those items on external walls of old buildings. The programme to remove illegal rooftop structures on single staircase buildings is also continuing. To stop the erection of new UBWs, the BD has commissioned private consultants to set up special patrol teams to investigate into UBWs under construction. The consultant teams will carry out inspections within 48 hours upon receipt of reports from the public.

As a result of the large-scale clearance operations which are on-going and the other aforementioned programmes, we trust that most of the UBWs posing obvious or imminent danger to life or property have been removed. In the coming years, the BD will, inter alia, focus on the removal of high risk UBWs in common areas of target buildings in order to facilitate owners' corporations (OCs) to comply with the mandatory requirement on procurement of third party risks insurance.

Public Education and Assistance to Owners

The Government will continue its multi-pronged approach in tackling the problem of UBWs, including immediate removal of dangerous and new UBWs, identifying target buildings for the annual large-scale operations to remove UBWs on external walls, and enhancing public awareness on the problems of UBWs and owners' responsibilities to safeguard building safety through publicity and education programmes.

Maintaining building safety and keeping a building free of UBWs are the ultimate responsibility of building owners. The Government has all along been encouraging and assisting OCs to properly maintain their own

buildings, including the removal of UBWs. District Offices and the Property Management Advisory Centres of the Hong Kong Housing Society (HKHS) organise workshops, training courses and seminars on building management and maintenance. They help owners and OCs understand the powers and responsibilities conferred under the Building Management Ordinance and advise on matters relating to building management. Also, the BD, HKHS and Urban Renewal Authority (URA) offer various loans and subsidy packages, and provide financial and technical support to help those OCs in need of assistance to maintain their buildings, including the removal of UBWs. The assistance schemes include the 1-billion Building Maintenance Grant Scheme for Elderly Owners launched in May 2008 and administered by the HKHS, the Building Safety Loan Scheme administered by the BD, the Building Maintenance Incentive Scheme and Home Renovation Loan Scheme administered by the HKHS, as well as the Building Rehabilitation Materials Incentive Scheme and Building Rehabilitation Loan Scheme administered by the URA.

Signboards

The BD estimates that there are over 200,000 signboards in Hong Kong, but does not have the breakdown on the number of unauthorised signboards. As part of the enforcement exercise to remove UBWs on external walls of buildings, the BD removes about 1,600 abandoned signboards annually. During the period from 2005 to end of October 2008, the BD has removed 8,066 abandoned, dangerous and unauthorised signboards. As a special measure for 2009 and 2010, the BD is embarking on a 12-month special operation to remove 5,000 abandoned signboards on top of its annual target. The special operation has just commenced in March 2009. The BD is soliciting assistance from District Councils, OCs, Mutual Aid Committees, fire safety ambassadors and other bodies in local districts to provide information on the locations of abandoned signboards. The special operation will help expedite the removal of abandoned signboards attached to buildings.

"Operation Building Bright"

The Financial Secretary announced in the 2009-10 Budget that the Government, in collaboration with the HKHS and URA, will launch a \$1-billion "Operation Building Bright" (the Operation) for two years to provide subsidies and one-stop technical assistance to assist owners of about 1,000 old and dilapidated buildings to carry out repair works, including the removal of UBWs in common areas. The Operation aims to achieve the dual objective of creating more job opportunities for the construction sector in the

near future and improving building safety and the cityscape.

The Government will present the proposal to the Panel on Development of the Legislative Council (LegCo) for discussion shortly. Upon gaining support from the Panel on Development, the Government will apply for funding from the Finance Committee of the LegCo. Subject to approval of the Finance Committee, we estimate that the Operation could be launched in May this year at the earliest. It will enhance the maintenance of buildings and expedite the removal of UBWs in common areas.

Yours sincerely,

(Edward To)
for Secretary for Development

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	Director of Home Affairs (Attn : Ms Linda So)	[Fax : 2147 0984]