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4 January 2021

Clerk to the Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

**Public Accounts Committee**  
**Consideration of Chapter 4 of the Director of Audit's Report No. 75**  
**Efforts of the Home Affairs Department in facilitating building management**

Thank you for your letters of 23 December 2020 to the Secretary for Home Affairs and Director of Home Affairs on the captioned matter.

The consolidated response of the Home Affairs Bureau and the Home Affairs Department to the questions raised in the two letters are set out at **Annex**.

Yours sincerely,

(Gavin Yeung)

for Director of Home Affairs

c.c. Secretary for Home Affairs (Fax No.: 2591 6002)  
Secretary for Financial Services and the Treasury (Fax No.: 2147 5239)  
Director of Audit (Fax No.: 2583 9063)

**Public Accounts Committee  
Consideration of Chapter 4 of the Director of Audit's Report No. 75  
Efforts of the Home Affairs Department in facilitating building  
management**

**Consolidated Response of the Home Affairs Bureau  
and the Home Affairs Department**

**Introduction**

It is the Government's policy to encourage and assist property owners and owners' organisations, such as owners' corporations (OCs), in discharging their responsibilities in managing their buildings. The Building Management Ordinance (BMO) (Cap. 344) provides the legal framework for the purpose. The Secretary for Home Affairs is the Authority under the BMO. The Home Affairs Department (HAD), being the executive arm of the Home Affairs Bureau (HAB), seeks to assist owners of private buildings to form OCs and assist them in dealing with building management matters and the operation of OCs. At the district level, HAD has set up District Building Management Liaison Teams (DBMLTs) comprising Liaison Officers (LOs) in the 18 District Offices (DOs) to provide support services on building management matters. The consolidated response of HAB and HAD to the questions raised by the Public Accounts Committee (PAC) is set out below.

**Response to PAC's Questions**

**Part 2: Support services for the formation of owners' corporations**

**Q1. According to paragraph 2.5, the Building Management Professional Advisory Service Scheme ("BMPASS") would be regularized. Would HAD set any performance indicators for forming/reactivating OCs under BMPASS?**

A1. HAD will take into account the experience of the past three phases of the BMPASS and the Audit recommendations in preparing for the regularisation of the BMPASS. We are working on the details of the regularised scheme with a view to launching it in around mid-2021 tentatively. To this end, appropriate performance indicators, including

the minimum number of OCs to be formed, will be set out in the tender documents for the service.

**Q2. According to paragraph 2.6, apart from “three-nil” buildings, BMPASS also covered buildings with OCs but the management committees of which were defunct or inactive. However, HAD did not have readily available information on the number of such buildings. Did HAD agree that this was not satisfactory for resources planning purpose and assessment of the extent to which BMPASS had achieved its objective?**

**Some buildings should be excluded from the coverage of BMPASS, as it might not be able to form OCs in accordance with the BMO (e.g. buildings under single ownership). Had HAD tried to ascertain the number of such buildings? If yes, what were the results? If not, why not?**

A2. If the Management Committee (MC) of an OC is known to have become defunct or inactive during the day-to-day liaison of the DBMLTs, this will be duly recorded. The information will be taken into account when the building applies for or is nominated for HAD’s support services such as the BMPASS. Nevertheless, HAD agrees that it is desirable to ascertain the number of buildings with defunct or inactive MCs across the territory to facilitate planning for HAD’s support services. To this end, HAD will develop guidelines to help DBMLTs identify buildings with MCs which are defunct or inactive (e.g. no meetings have been held for a prolonged period of time, no response to HAD’s enquiries or phone calls, etc.), and to remind DBMLTs to suitably record information about such MCs identified during their daily liaison and report the information to the headquarters regularly.

Similarly, building information on whether a building is under single ownership or it is a town house development, etc., if known in the course of the daily liaison work, would be recorded by DBMLTs. While such information is used from time to time to assess the eligibility of individual buildings for HAD’s support services (such as BMPASS), centralised statistics are not readily available. Going forward, HAD will compile updated information on buildings that cannot form OCs under the BMO on a regular basis. This will facilitate better planning for support services to buildings in need.

**Q3. With reference to paragraph 2.7 and Table 2 regarding the number of target buildings under the three phases of BMPASS, the variance in the planned and actual number of target buildings ranging from -75 to 75 for individual geographical areas. Was HAD aware of the variance before Audit raised the importance of reviewing the basis of geographical allocation of target buildings under BMPASS? If yes, what measures had HAD taken to address the issue? If not, why not?**

A3. It has been HAD's intention to cover all eligible "three-nil" buildings under the three phases of the BMPASS. Hence, during the preparation for BMPASS Phase 3 in 2016, all those "three-nil" buildings (about 1 400) in HAD's records that had not been approached previously were included. Targets were also set for individual geographical areas.

However, in the course of assessing the eligibility of individual buildings after the launch of BMPASS Phase 3, HAD noted that some of those buildings were no longer eligible (e.g. under single ownership). HAD had replaced such buildings by those with defunct MCs, which might be located in other districts, and hence the variance. Such variance in individual districts was the result of HAD's efforts to ensure optimal use of resources, and was thus known before the Audit exercise. However, in overall terms, there was no significant difference between the total planned and actual number of target buildings.

As mentioned in A2 above, HAD will compile updated information on buildings that cannot form OCs under the BMO. This will help ascertain the eligibility of buildings for our planning purpose. Moreover, the experience of the previous BMPASS reveals that the status of individual buildings may change from time to time (e.g. a building has come under single ownership as a result of acquisition, or may be demolished and redeveloped). Instead of setting targets for individual geographical areas, HAD will set an overall target for the contractors under the regularised BMPASS, which should help address the issue of variance.

**Q4 & Q19. According to paragraphs 2.10 and 2.11, in nine years from 2011 to 2020, among 3 820 buildings approached by the BMPASS Contractors, only 536 (14%) OCs had been successfully formed/reactivated. Did HAD agree that this was not satisfactory? What support would the Home Affairs Bureau provide to HAD for improving the success rate?**

A4 & A19. As noted in paragraph 2.15, “three-nil” buildings are often fraught with inherent problems and practical issues which make the formation of OCs difficult. Examples include buildings with most of the occupants being tenants rather than owners; buildings with aged owners who were not interested in forming OCs; buildings with the existence of multiple Deeds of Mutual Covenant leading to complications in ownership and management responsibilities; buildings under acquisition, etc. These inherent difficulties pose considerable hurdles for the BMPASS Contractors in assisting owners to form/ reactivate OCs. That said, HAB and HAD agree that there is room for improvements. HAB will continue to render full support to HAD’s endeavours to enhance the success rate in the regularised scheme through means including the provision of necessary resources.

**Q5. According to paragraph 2.15, HAD considered that the performance of BMPASS was reasonable. How did HAD come to this conclusion without having any performance indicator and detailed records of the difficulties faced by the BMPASS Contractors?**

A5. HAD has set performance indicators for the past three phases of the BMPASS, including the targeted number of OC formation/activation. The relevant targets and the actual performance are set out in the table below.

	Phase 1	Phase 2	Phase 3	Total
Contractual Targets	99	99	105	303
Actual number of OCs formed/activated	157	194	185	536

It is noted that the BMPASS Contractors have in total formed/reactivated 536 OCs, over and above the contractual target of 303 OCs. Against the background of the inherent difficulties in OC formation mentioned in **A4** above, HAD considers that the performance to be reasonable. Having said that, HAD agrees that there is room for improvements, and will strive to enhance the outputs in the regularised scheme.

**Q6. According to paragraph 2.15, the BMPASS Contractors had reflected that the difficulties in forming/reactivating OCs in some buildings might be due to a number of inherent problems and practical difficulties faced by the owners of these buildings. In light of these difficulties, what measures would be taken to improve the success rate of forming/reactivating OCs under BMPASS?**

**If forming/reactivating OCs was not possible for some buildings under BMPASS, what measures would be taken by HAD to improve the safety and hygiene environment of these buildings? Would HAD take any other measures apart from BMPASS to assist the owners of these buildings in forming/reactivating OCs?**

- A6. HAD has since 2011 implemented the Resident Liaison Ambassador (RLA) Scheme to recruit owners or tenants living in “three-nil” buildings of 30 years or above as RLAs. The RLA Scheme seeks to establish a resident liaison network, facilitate residents to discuss and handle daily building management matters, as well as promote the message of effective building management.

The experience of the previous BMPASS indicates that the RLA Scheme was conducive to facilitating the formation of OCs. Pursuant to the Audit recommendation in paragraph 2.34, HAD will step up efforts in recruiting and engaging RLAs under the regularised BMPASS, with a view to increasing the rate of success in OC formation.

Meanwhile, HAD will continue to provide a wide range of support services to assist owners in improving the management of their buildings. For example, HAD launched the Central Platform on Building Management since September 2018 to regularly organise one-stop briefing sessions, at which representatives from various Government Departments and organisations introduce their services and schemes on building management and maintenance, including those relating to building safety and environmental hygiene.

Moreover, DOs have been providing other assistance to “three-nil” buildings, such as one-off cleaning service through the District-led Actions Scheme, with a view to demonstrating the effectiveness of good building management. Such initiatives will also help incentivise residents’ participation in building management.

- Q7. According to Table 5 in paragraph 2.17, many of the output targets under BMPASS were persistently over-achieved throughout the three phases of BMPASS (e.g. number of OCs formed/reactivated). Did HAD consider that the output targets were too easy to achieve in order to drive improvement? Had HAD completed the review of the performance targets for BMPASS Contractors with a view to enhancing the service level? What was the result?**

A7. As mentioned in **A4** and **A5** above, “three-nil” buildings are often fraught with inherent problems and practical issues which make the formation of OCs difficult. HAD had therefore adopted a prudent approach in setting the relevant output targets. Noting that the BMPASS Contractors have delivered above and beyond what was contractually required in terms of formation of OCs, recruitment of RLAs, assistance to OCs formed to apply Government loan/subsidy, etc., their performance was considered reasonable.

Nevertheless, HAD agrees that there is room for improvements, and will strive to enhance the outputs in the regularised scheme. The relevant targets will be set out in the tender documents for the service.

**Q8. According to paragraph 2.19, the BMPASS Contractors shall convene user’s advisory meetings comprising representatives of users to collect views on BMPASS and their performance half-yearly in each of the geographical areas. However, the numbers of attendees were generally small, averaging 22 in each meeting and 26% of the meetings had less than 10 attendees. Could HAD explain the reasons for the small number of attendees? Did HAD agree that such a low attendance rate was not conducive to the evaluation of services and continuous improvement?**

**Q9. According to paragraphs 2.21 and 2.22, District Offices (“DOs”) shall send users’ satisfaction survey questionnaires yearly to collect users’ views on BMPASS and the Contractors’ performance. However, there was a decreasing trend in the number of survey questionnaires distributed, and the response rate was low. Did HAD agree that it should collaborate with the BMPASS Contractors to encourage more users to give feedback. What improvement measures would be taken by HAD in the future?**

A8- HAD has put in place a host of monitoring measures to keep track of the performance of BMPASS Contractors. Apart from user’s advisory meetings and survey questionnaires, the management of HAD and the BMPASS Contractors met quarterly to share experience and difficulties. HAD staff at both headquarters and district levels also monitored work progress and attended meetings of OCs/owners, perform office records audit, etc.

As far as user’s advisory meetings and survey questionnaires were concerned, HAD has communicated with the BMPASS Contractors and noted that some common reasons for the apparently low attendance/

response rate were as follows -

- (a) although the meeting venues were usually conveniently located, they might not necessarily be in the vicinity of the place of residence of the service users;
- (b) the meeting dates might not fit the schedule of the target participants;
- (c) target participants might not have enough incentives to attend the meetings; and
- (d) owners/residents who decided not to use the BMPASS would not be interested to complete and return survey questionnaires.

The low interest/response could also be a reflection of the general satisfaction or lack of any particular concern with BMPASS and the Contractors' performance. In fact, despite the apparent low attendance/response rate, of note is that as gauged from the returns received, respondents were satisfied with the performance of the BMPASS Contractors and considered the BMPASS helpful in assisting the formation of OCs. This echoed the generally positive feedback received by HAD through other channels, such as written comments from service users and other local personalities on the performance of the scheme.

HAD agrees that a higher attendance/ response rate would be conducive to service evaluation. To this end, we will consider measures to further step up publicity to encourage attendance and response to the survey as well as the desirability/feasibility of providing more incentives for service users to attend the users' advisory meetings and return the questionnaires under the regularised BMPASS. This will be stipulated as a requirement in the tender documents for the service. In addition, we will explore the feasibility of adopting other means of collecting feedback, such as conducting telephone interviews.

**Q10. According to paragraph 2.33, under the Resident Liaison Ambassador (“RLA”) Scheme, the percentage of “three-nil” buildings aged 30 years or above with incumbent RLAs ranged from 22% to 35%. Did HAD agree that such a low percentage was not satisfactory? According to paragraphs 2.34(a) and 2.35, HAD had agreed to step up efforts in recruiting RLAs and enhance publicity of the scheme. What measures would be taken?**

A10. RLAs' participation is entirely voluntary. The generally low level of willingness of the owners/residents to participate in the management of



their buildings in “three-nil” buildings poses further challenges to the recruitment of RLAs. That said, we will actively explore measures to further promote the RLA Scheme and recruit more RLAs. For example, we plan to set a higher recruitment target for the future BMPASS contractors in the regularised scheme. We will also step up the promotion of the RLA Scheme in our regular liaison and promotion activities.

### **Part 3: Support services on other building management matters**

**Q11. According to paragraphs 3.4, 3.6 and 3.8, the Pre-meeting Advisory Service had been launched to strengthen support for OCs for more effective building management. HAD had requested DOs to keep proper records of the services provided under the Pre-meeting Advisory Service for OCs. However, one DO could not provide records for three of the 10 OCs (30%) examined by the Audit Commission. Could HAD explain why this happened? What improvement measures would HAD take to avoid recurrence of similar problems in future?**

A11. Under the Pre-meeting Advisory Service, DOs may provide services to OC through various modes including face-to-face meetings, correspondence exchanges, telephone communication, instant messaging, etc. Due to the diverse modes of service delivery, individual DOs may have experienced difficulties in fully documenting their work and retrieving the records subsequently.

Taking into account Audit recommendations, HAD will issue new guidelines to DBMLTs on record keeping and remind them about the importance of maintaining proper records of the services provided.

**Q12. According to paragraph 3.13, for each year in the period of 2016 to 2019, the percentage of buildings not visited by the District Building Management Liaison Teams (“DBMLTs”) ranged from 47% to 54%. Was HAD aware of the situation before the audit review? Did HAD consider the situation unsatisfactory? What remedial actions would be taken by HAD?**

**Q13. According to paragraph 3.15, as the performance indicators in HAD’s Controlling Officer’s Reports on visits to buildings were replaced by a new indicator “liaison with owners/management bodies of private buildings” in 2017, conducting physical “visits” to buildings was no longer regarded as the only means of performing**

**building management liaison work. What was the rationale behind this significant change? Physical and face-to-face communication was conducive to the understanding of the actual needs of the owners of buildings. Had HAD considered any alternative method in facilitating face-to-face communication with owners of buildings? Did HAD agree that it was useful for HAD’s DBMLTs to visit private buildings regularly?**

**Q20. According to paragraph 3.16, the purposes of visits to buildings were to keep in touch with the owners and to ensure that the buildings were well managed continuously. Did the Home Affairs Bureau agree that there was merit in requiring LOs of HAD to conduct visits to buildings regularly?**

A12, A13 & A20. Since 2017, HAD has adopted a new performance indicator “liaison with owners/management bodies of private buildings”, which recognises technological advancement and enables DBMLTs to maintain closer and more frequent liaison with OCs by electronic means (e.g. e-mails, phone calls, and instant messaging using mobile applications). As a result, physical visits to each and every building was no longer regarded as the only means of performing the building management liaison work. With the change in the indicator, the number of physical visits to buildings had naturally decreased, but we consider that this should not be taken as a reduction of liaison with OCs.

HAB and HAD agree that physical visits and face-to-face communication are conducive to understanding the needs of the owners and observing the conditions of the buildings. Therefore, DBMLTs will continue to conduct visits to private buildings alongside other modes of liaison.

**Q14. According to paragraph 3.18, while some of the buildings had not been visited in the past five years, there were repeated visits in the same year for some other buildings without reaching out to the owners’ organizations by Liaison Officers (“LOs”). Did HAD consider that there was a need to improve the effectiveness of the visits?**

A14. DBMLTs at times have difficulties in reaching out to the target buildings prior to the visits, particularly where the MCs were defunct or inactive, hence the repeated visits quoted in the Audit report.

HAD agrees that there is room for improvement in conducting visits and will therefore issue guidelines to DBMLTs on procedures for conducting visits, with a view to aligning the visit practices and enhancing the effectiveness of the visits.

**Q15. According to paragraphs 3.25 and 3.26, HAD had issued the Operational Manual on Building Management for Liaison Officers (“the Operational Manual”) to facilitate LOs in performing building management duties but some parts of the Operational Manual were not kept up to date. For instance, some services introduced after 2016 had yet to be included. According to paragraph 3.29, HAD had agreed to update the Operational Manual when all the pilot services were regularized. What was the latest progress?**

**Q16. According to paragraphs 3.28(b) and 3.29, HAD had agreed to review the frequency of visits to private buildings. Had the review been conducted? If yes, what were the results? If not, when would the review be conducted?**

A15- Many of the new services launched since the last update of the Operation

A16. Manual on Building Management for LOs (Operation Manual) were implemented on a pilot basis. As frequent changes to the Operation Manual may not be desirable, it has been HAD’s plan to update the Operational Manual in one go when all the pilot services are regularised. In updating the Operation Manual, HAD will also consider setting different requirements on the frequency of visits/liaison for buildings with management bodies and “three-nil” buildings, and include new guidelines on record keeping and procedures for conducting visits mentioned in A11 and A14 above.

HAD has already started the updating exercise and targets to complete it in around mid-2021.

#### **Part 4: Other administrative matters**

**Q17. With reference to paragraph 4.14 regarding the performance indicator “building management educational and publicity programmes”, there was double counting of the same programmes by HAD’s Headquarters and DOs. For some programmes of a recurring/repetitive nature, there was currently no clear definition on what constituted a “programme” for performance measurement purpose. For instance, a television advertisement broadcast during a six-day period was counted as 60 “programmes”. According to**

**paragraphs 4.17(b)(i) and 4.18, HAD had agreed to examine the suitability of the counting basis adopted. Had the examination been conducted? If yes, what were the results? If not, when would the examination be conducted?**

A17. The basis for the counting of educational and publicity programmes adopted by HAD seeks to accurately reflect the extent of outreach to the target audiences concerned, which may vary depending on the nature of the programmes. For example, for television advertisement broadcast mentioned in paragraph 4.14, the counting basis corresponded to the frequency of the broadcast during prime time and reflected the efforts in reaching out to target audience as well as the costs involved. In considering the future targets, HAD will set out the counting basis for different types of programmes in the internal guidelines to ensure that a consistent approach will be adopted within each type of programme.

**Q18. According to paragraph 4.19, HAD maintained a database of all private buildings in Hong Kong, which provided basic information of the buildings. According to paragraph 4.21, of 40 944 buildings with data kept in the database, data of “year built” was not available for 7 099 (17%) buildings and data of “storeys” or “number of units” was not available for 957 (2%) buildings. What further measures would be taken by HAD to improve the comprehensiveness of the database?**

A18. While HAD has made every effort to ensure the accuracy of the information contained in the Database of Private Buildings in Hong Kong (database), the information in the database was mainly obtained through the routine contacts and liaison by DBMLTs. For this reason, some building data may not be available in the database. For example, for buildings that were built long time ago (especially those pre-war buildings), it may not be practicable to retrieve the year built via day-to-day liaison or desktop research. Nevertheless, taking into account Audit’s comments, HAD will make efforts to enhance the comprehensiveness of the database as far as practicable.

**Home Affairs Bureau  
Home Affairs Department  
January 2021**