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10 July 2002

Clerk to Panel
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

(Attn: Mrs Queenie YU)

Dear Mrs YU,

LegCo Panel on Planning Lands and Works

**Issues raised at LegCo Members' meeting with
Shum Shui Po District Council members on 9 May 2002**

Thank you for your letter of 11 June 2002. Our comments on the issues raised by members of the Sham Shui Po District Council are as follows:-

(a) In Sham Shui Po, the owners of ten out of the 15 buildings selected under the pilot Coordinated Maintenance of Buildings Scheme (CMBS) have already appointed an Authorized Person (AP) to carry out the necessary repair works and repair works have already been completed in one other building. As regards the other four buildings in the district selected under the scheme, we believe that, notwithstanding our efforts, problems encountered in the district, including the lack of consensus among building owners which have

led to disputes among owners on management and financial matters, have prevented the owners of these buildings from carrying out the necessary works. In these cases BD would appoint a contractor to carry out the necessary remedial works for the owners. On the issue of unauthorized building works (UBWs), since the launching of CMBS, the Buildings Department (BD) has issued over 300 removal orders to require building owners of the target buildings in Sham Shui Po to remove their UBWs. As regards the other buildings in the district, BD has been conducting 'blitz' operations, targeting some 400 buildings in the district in 2001 and 2002, to remove thousands of UBWs to combat this long-standing problem.

- (b) ICAC provides advice on corruption prevention to owners of target buildings under CMBS. In fact, officers from the Regional Office (Kowloon West) of ICAC have conducted joint briefings with BD for owners of the target buildings in CMBS in the Sham Shui Po and Yau Tsim Mong districts in January and February 2002. Both departments will continue to provide such services under the scheme.
- (c) Under CMBS, BD provides advice to OCs/owners on the appointment of APs under the Buildings Ordinance. Although private management companies can assist OCs/owners to manage their buildings, OCs/owners should critically examine whether they should employ an AP to take up the task in planning for large-scaled maintenance projects because APs have the necessary expertise to supervise and ensure quality of works to be carried out by the contractors.
- (d) One of the main objectives of CMBS is to provide a one-stop service to building owners. In this respect, BD normally assists the OCs/owners to carry out the planned maintenance works as required under the relevant legislation and where necessary synchronizes enforcement actions by the participating Government departments. Notwithstanding this, in case of an emergency, such as an electrical installation fault or a fire hazard, the concerned department(s) may issue statutory orders in the first instance to the OC/owners for immediate remedial actions to remove any imminent danger.

(e) Under CMBS, BD assumes the role of coordinating the efforts of all participating departments to assist the OC/owners in carrying out the necessary remedial works. At the same time, the relevant District Office under the Home Affairs Department (HAD) plays an important role in arranging meetings with owners to explain the works required to be carried out, organizing the owners in the formation of an OC, and acting as a bridge between the OCs/owners and various Government departments. So far, BD and HAD have been working closely to render support and assistance to the OC/owners of the target buildings under the scheme. The implementation of CMBS in Sham Shui Po, however, has so far been less effective than those in other districts due to issues described in (a) above.

Yours sincerely,

(Parrish NG)
for Secretary for Housing,
Planning and Lands

c.c. Director of Buildings
District Officer (Sham Shui Po)