

立法會
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Paper for the House Committee on 12 March 2010

**Proposal for activation of the
Subcommittee on Building Safety and Related Issues
under the Panel on Development**

Purpose

This paper seeks the approval of the House Committee to activate the Subcommittee on Building Safety and Related Issues (the Subcommittee) under the Panel on Development (the Panel) to allow it to commence work immediately.

Background

2. Building neglect has been a long-standing problem in Hong Kong. The presence of aging buildings lacking proper care and maintenance poses potential threats to residents and the public at large. Defects such as structural deterioration and concrete spalling pose safety hazards not only to the building occupants, but also to other building users and pedestrians nearby.

3. The collapse incident in Ma Tau Wai Road on 29 January 2010 has aroused the concern of the community over building safety. Following this incident, the Panel has discussed with the Government on 23 February 2010 measures to address the safety concerns about the aging buildings spread over the territory. At the Panel meeting, members have raised concerns on issues such as supervision of building maintenance and internal alteration works, enforcement against unauthorized building works, assistance to owners for undertaking building maintenance, and enhancing public awareness of building safety. The Government has advised that despite its on-going efforts to promote proper building maintenance, assist owners in carrying out maintenance works, enforce the relevant legislation against unauthorized building works and require owners to carry out repair works, the incident has revealed that public awareness of building safety is still weak in Hong Kong. The concerted efforts of all

concerned stakeholders are needed to further enhance building safety. To tackle the problem of building neglect, the Government has adopted a multi-pronged approach covering the following major areas, viz. legislation; enforcement; support and assistance; and publicity and public education. The Government also aims to complete its investigation around mid-March 2010.

4. The Panel has considered at its meeting on 23 February 2010 Prof Hon Patrick LAU Sau-shing's proposal of setting up a subcommittee under the Panel to study building safety and related issues. To enable more focused discussion on the Government's efforts in enhancing and promoting building safety in the major areas mentioned in paragraph 2 above, the Panel agreed that a subcommittee should be set up under the Panel to study these issues. The Subcommittee will also follow up building safety concerns identified in the Government's investigation of the collapse incident.

5. The Subcommittee will focus on issues such as enhancing building inspection and maintenance, supervision of building maintenance, enforcement and penalties against unauthorized alteration works; encouraging owners to undertake building maintenance; enhancing public education; as well as building safety and relevant complementary issues arising from urban renewal of older districts. The Subcommittee expects to complete its work in 12 months. The Subcommittee's terms of reference, work plan and time frame (**Appendix I**) have been circulated to and endorsed by the Panel.

6. As 11 subcommittees on policy issues are already in operation and this has exceeded the maximum number of eight such subcommittees, the Panel agreed to seek the approval of the House Committee to activate the Subcommittee.

Activation of subcommittee

7. In accordance with Rule 26 of the House Rules, the maximum number of subcommittees on policy issues should be eight. When eight such subcommittees are already in operation and a new subcommittee has been appointed, it will be placed on a waiting list. If the number of Bills Committees is less than 16, the House Committee might activate a subcommittee on the waiting list after having considered the following --

- (a) the number of vacant slots for Bills Committees;
- (b) the number of bills likely to be introduced in the Council in the next three months;

- (c) the number of subcommittees on subsidiary legislation already or likely to be appointed by the House Committee and by Bills Committees; and
- (d) the availability of resources in the Secretariat.

8. The Subcommittee on Building Safety and Related Issues has been automatically placed on the waiting list. The Subcommittee will only be able to commence work if four existing subcommittees on policy issues finish their work, or if the House Committee gives its approval.

9. Members may wish to note that at present, 11 subcommittees on policy issues, six Bills Committees and three subcommittees on subsidiary legislation are in operation. In the coming three months, another eight Bills Committees and six subcommittees on subsidiary legislation will likely be appointed, making a total of 55 committees operating at the same time. In anticipation that the Subcommittee on Poverty Alleviation will conclude its work after reporting to the Panel on Welfare Services in May 2010, the Secretariat will try to absorb the work of the Subcommittee on Building Safety and Related Issues through deployment of resources, if the House Committee allows the activation of this Subcommittee. A position report on the existing and anticipated number of Bills Committees and subcommittees is in **Appendix II** to facilitate Members' consideration.

Advice sought

10. The House Committee is invited to consider activating the Subcommittee on Building Safety and Related Issues under the Panel on Development to allow it to commence work immediately.

Subcommittee on Building Safety and Related Issues

Terms of reference

To study building safety enhancement and related issues.

Work plan

The work of the Subcommittee will focus on the following areas --

- (a) enhancing building inspection and maintenance;
- (b) enhancing supervision of building maintenance;
- (c) enhancing enforcement and penalties against unauthorized alteration works;
- (d) encouraging owners to undertake building maintenance;
- (e) enhancing public education; and
- (f) studying building safety and relevant complementary issues arising from urban renewal of older districts.

Time frame

The Subcommittee expects to complete its work in 12 months.

Existing and anticipated number of Bills Committees and subcommittees

(position as at 10 March 2010)

<p><i>Estimated number of Bills Committees (BCs) within the next three months</i> = (a)+(b) = (6 + 8), i.e. <u>14</u> (The maximum number of BCs in operation is limited to 16; BCs formed exceeding this number will be put on a waiting list)</p>		<p><i>Estimated number of subcommittees (SCs) on subsidiary legislation in action within the next three months</i> = (c)+(d) = (3 + 6), i.e. <u>9</u></p>		<p><i>Estimated number of subcommittees (SCs) on policy issues in action within the next three months</i> = (e)-(f) = (11 -1), i.e. <u>10</u></p>		
<p>BCs (Maximum number in operation: 16)</p>		<p>SCs on subsidiary legislation (Notional maximum number : 2)</p>		<p>SCs on policy issues (Maximum number : 8)</p>		
(a) BCs in action	(b) BCs expected to be formed in the next three months	(c) SCs on subsidiary legislation in action	(d) Subsidiary legislation expected to be gazetted in the next three months and on which SCs are expected to be formed	(e) SCs on policy issues in action	(f) Existing SC expected to complete work	(g) SC on the waiting list
Total : 6	8	Total : 3	6	Total : 11	1	1
<p>Please refer to List A of the Position Report on Bills Committees and subcommittees (the Position Report) (LC Paper No. CB(2)1068/09-10) for details of the BCs.</p>	<p>(i) Bills on the Legislative Programme</p> <p>Of the 14 bills in the Administration's updated 2009-2010 Legislative Programme, six BCs are expected to be formed in the next three months. Sub-total : 6</p>	<p>1. Subcommittee on Subsidiary Legislation Relating to Transfer of Management of the Castle Peak Bay Immigration Centre</p> <p>2. Subcommittee on Proposed Resolution under Section 12A of the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575)</p> <p>3. Subcommittee on Designation of Libraries Order 2010</p>	<p>1. Statutes of The Chinese University of Hong Kong (Amendment) Statutes 2010</p> <p>2. Subsidiary legislation relating to the introduction of Euro V standard for motor vehicle fuel</p> <p>3. Subsidiary legislation and code of practice under the Waste Disposal Ordinance relating to the Clinical Waste Control Scheme</p> <p>4. Subsidiary legislation to introduce amendments to the Building (Construction) Regulations to update the design requirements for imposed loads of buildings</p> <p>5. Human Organ Transplant (Appeal) Regulation</p> <p>6. Proposed amendments to Sweeteners in Food Regulations (Cap. 132U)</p>	<p>(i) Under House Committee</p> <p>Please refer to List E of the Position Report for details of the SCs. Sub-total : 3</p>	<p>Subcommittee on Poverty Alleviation (Expected to report to the Panel on Welfare Services in May 2010)</p>	<p>Subcommittee on Building Safety and Related Issues under the Panel on Development</p>
	<p>(ii) Members' Bills</p> <p>1. The University of Hong Kong (Amendment) Bill 2010</p> <p>2. The Hong Kong Polytechnic University (Amendment) Bill 2010 Sub-total : 2</p>			<p>(ii) Under Panels</p> <p>Please refer to List F of the Position Report for details of the SCs. Sub-total : 8</p>		