

(Translation)

Subcommittee on Issues Relating to Policy on Industrial Buildings

**Motion passed under agenda item II at the meeting on 6 June 2020
on "Receiving public views on policy issues related to industrial buildings"**

The policy of the Buildings Department against subdivided flats ("SDUs") in industrial buildings ("IBs") is ineffective in suppressing IBs owners to undertake unauthorized sub-division of their premises, but such policy has significant impact on grassroots households. Given the above, this Subcommittee urges that, pending the introduction of a comprehensive resettlement policy, the Government should suspend enforcement actions against SDUs in IBs involving domestic use which does not pose any immediate risks in order not to force tenants affected by such enforcement actions to seek abode in other illegal premises.

Moved by: Hon SHIU Ka-chun

The Administration's response to the motion is as follows:

Industrial buildings (IBs) are not designed for domestic use, and different units in IBs may be used for industrial activities or storage of dangerous and/or inflammable goods. Even if all other units are vacant at the time a domestic occupier is moving in, these units may still be used incompatibly for industrial activities or for storage of dangerous and inflammable goods any time later. Unless an IB has already been wholesale-converted into a transitional housing use, illegal conversion of IB units for domestic occupation will pose a serious safety risk on occupiers of such premises. Moreover, if these illegal domestic premises have undergone unauthorised sub-division, the subdivided layout may hinder timely evacuation of occupiers in case of accidents. To protect members of the public, Government has to take enforcement actions against illegal domestic premises within IBs.

According to the current policy, if persons residing in illegal domestic premises in IBs are affected by Buildings Department's (BD) enforcement action and have to move out of the premises, they need to find their own accommodation. However, if they are in need of temporary accommodation, they may, through referral by relevant departments (including BD), apply to Housing Department for moving into the Po Tin Transit Centre (TC) in Tuen Mun while they are looking for alternative accommodation or awaiting eligibility assessment for further rehousing. If they have stayed in TC for three months, passed the

“homeless test” and fulfilled the eligibility criteria for public rental housing (PRH) (including income limit, asset limit and “no-domestic-property” requirement), they may be admitted to the Po Tin Interim Housing in Tuen Mun while awaiting PRH.