

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

發展局

香港添馬添美道二號
政府總部西翼



Development Bureau

West Wing, Central Government Offices,
2 Tim Mei Avenue, Tamar,
Hong Kong

本局檔號 Our Ref. DEVB (PL-CR) 1-55/125

電話 Tel.: 3509 8852

來函檔號 Your Ref. CB2/PS/4/16

傳真 Fax: 2899 2916

Mr. Roger CHUNG
Council Business Division 2
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

26 August 2019

Dear Mr. CHUNG,

Legislative Council Panel on Development and Panel on Home Affairs

**Joint Subcommittee to Follow up Issues Relating to the
Redevelopment, Maintenance and Management of Aged Buildings**

**Follow-up Actions required of the Administration
Arising from the discussion at the meeting on 27 May 2019**

In consultation with the Buildings Department (BD), I write to provide the following information sought vide your letter of 30 May 2019.

(a) the current number of private residential or composite buildings in Hong Kong, with a breakdown by age of buildings (in age groups of 10 years each).

According to the records of the BD, the number of private residential / composite¹ buildings broken down by age as at end of 2018 was as follows –

Building Age	Number of Buildings
9 or below	3 419
10-19	4 790
20-29	7 207
30-39	8 503
40-49	4 650
50-59	4 628
60-69	1 603
70 or above	587
Total	35 387

(b) the number of statutory repair orders issued by BD in the past five years requiring owners of small houses to carry out repair works.

From 2014 to 2018, BD issued 12 repair orders requiring the relevant owners of New Territories Exempted Houses (NTEHs) to carry out repair works. Amongst the 12 orders, ten had been complied with and two would be withdrawn shortly since the concerned NTEHs had been demolished as revealed in recent inspections by BD.

(c) the number of window-falling incidents involving buildings where the prescribed inspection and repair works of their windows under the Mandatory Window Inspection Scheme (MWIS) have already been completed.

As at end March 2019, there were about 450 000 notices discharged

¹ Buildings that are partly domestic and partly non-domestic.

under the MWIS. According to BD's records, there are 23 window-falling incidents involving buildings units where the requirements under MWIS have already been complied with. BD has completed the investigation on 21 such incidents; investigation for the remaining two incidents is underway. Of the 21 incidents with investigation completed, no evidence indicating that the involved registered practitioners contravened the Buildings Ordinance (BO) (Cap. 123) was found in 17 incidents. The registered practitioners involved in two such incidents were convicted by the court for contravention of the BO, and the registered practitioners involved in another two such incidents are subject to disciplinary proceedings under the BO for negligence or misconduct.

(d) whether the Administration would consider conducting tensile strength tests on the concrete of aged buildings and setting up a relevant database on concrete tensile strength so as to monitor the ageing of buildings; if so, of the details; if not, the reasons for that.

While concrete strength may provide an indication of the condition of concrete at the sampling locations, it would require a holistic assessment in order to evaluate the structural integrity and safety of a building. Moreover, taking sufficient samples for the purpose of evaluating the structural integrity and safety of a building does not only require a huge amount of coring/testing work but would also cause significant disturbance to occupants. Therefore, establishment of a database on concrete strength may not be an effective means to monitor the conditions of private buildings.

Regular inspections and timely maintenance and repair are crucial to building safety. Upholding the concept of "prevention is better than cure", BD has fully implemented the Mandatory Building Inspection Scheme (MBIS) since 30 June 2012, which tackles building dilapidation at its root. Under MBIS, BD is empowered to issue statutory notices to owners of private buildings aged 30 years or above (except domestic buildings not exceeding three storeys), requiring them to carry out prescribed inspections and, if necessary, prescribed repairs of their building. The inspection should cover the external elements, structural elements, fire safety elements, drainage system and unauthorised building works (UBWs) of the buildings.

Besides MBIS, BD has been adopting a risk-based approach to closely monitor the conditions of private buildings in Hong Kong. Apart from following up on public reports on individual cases of defective buildings, BD has also proactively selected target buildings through large scale operations for taking enforcement actions against dilapidated or defective buildings and UBWs. If obvious dilapidation and defects are found on the exterior of a building, BD will take appropriate follow-up actions under the BO, including issuing statutory repair orders to mandate owners to carry out repair works or arranging emergency repair works when imminent danger is posed to the public.

(e) a breakdown of the 27 873 non-compliance cases under the MBIS as of end 2018 by reasons of non-compliance (e.g. owners did not respond, owners of "three-nil" buildings, owners could not afford to carry out the inspection and repair works, etc.).

Of the 27 873 MBIS notices which have not yet been complied with as of end 2018, 40% have been undertaking various stages of work under MBIS, ranging from the procurement of the prescribed inspection to the carrying out of the requisite repair works. BD does not collect information on the reasons of non-compliance with MBIS notices.

As at end of 2018, BD had issued 23 690 warning letters and instigated 139 prosecutions against owners who failed to comply with MBIS notices without reasonable excuse. BD will continue to take appropriate enforcement action against the non-compliance MBIS notices under the BO.

Apart from taking enforcement actions, BD will also engage its in-house social services teams (SSTs) to help owners coordinate their actions in complying with MBIS notices and apply for financial assistance. Of about 1 200 buildings assisted by SSTs, about 230 buildings (19%) have formed owners' corporations (OC) or appointed registered inspectors to follow up MBIS notices. Recognising the difficulty of some owners (e.g. "three-nil" buildings²)

² Viz. buildings that do not have an OC or an owners' committee, or have not engaged any property management company.

in coordinating prescribed inspection and repair works for the common parts of their buildings, BD had as at end June 2019 exercised its statutory power to arrange carrying out the requisite works for some 200 buildings in the owners' default under Operation Building Bright 2.0 ("OBB 2.0"). Eligible owners may seek to cover all or part of the cost incurred by BD by claiming subsidies available to them under OBB 2.0.

Should you have any enquiries, please feel free to contact me at 3509 8852.

Yours sincerely,



(David NG)

for Secretary for Development

c.c.

Director of Buildings

(Attn: Mr T C YU)

(Fax: 2840 0451)