

Head 82 — BUILDINGS DEPARTMENT

Controlling officer: the Director of Buildings will account for expenditure under this Head.

Estimate 2012–13	\$1,085.7m
Establishment ceiling 2012–13 (notional annual mid-point salary value) representing an estimated 1 142 non-directorate posts as at 31 March 2012 rising by 58 posts to 1 200 posts as at 31 March 2013	\$523.7m
In addition, there will be an estimated 31 directorate posts as at 31 March 2012 rising by one post to 32 posts as at 31 March 2013.	
Commitment balance	\$1.4m

Controlling Officer's Report

Programme

Buildings and Building Works

This programme contributes to Policy Area 22: Buildings, Lands, Planning, Heritage Conservation, Greening and Landscape (Secretary for Development) and Policy Area 31: Housing (Secretary for Transport and Housing).

Detail

	2010–11 (Actual)	2011–12 (Original)	2011–12 (Revised)	2012–13 (Estimate)
Financial provision (\$m)	837.5	994.0	879.5 (–11.5%)	1,085.7 (+23.4%)
				(or +9.2% on 2011–12 Original)

Aim

2 The aim is to promote building safety; set and enforce safety, health and environmental standards for private buildings; and improve the quality of building development.

Brief Description

3 With this aim, the Buildings Department (the Department) provides services to owners and occupants in both existing and new private buildings through enforcement of the Buildings Ordinance (Cap. 123) (BO).

4 As regards existing buildings, the services provided include reducing dangers and nuisances caused by unauthorised building works (UBWs) and advertisement signboards; promoting proper and timely repairs and maintenance of old buildings, drainage and slopes; considering and approving alteration and addition works; improving fire safety construction measures in buildings; and providing advice on the suitability of premises for the issue of licences.

5 As regards new buildings, the Department scrutinises and approves building plans, carries out audit checks on construction works and site safety, and issues occupation permits upon completion of new buildings.

6 In 2011, the Department continued to take enforcement action against UBWs and to require building owners to carry out necessary repairs to dilapidated buildings. In addition, the Department:

Existing Buildings

- continued the service of inspecting within 48 hours UBWs under construction upon receipt of complaints;
- instigated 2 264 prosecutions against failure to comply with removal orders on UBWs;
- continued the operation of the pilot joint office with the Food and Environmental Hygiene Department (FEHD) to handle public complaints about water seepage problems for another three years from 2009–10;
- in collaboration with the Hong Kong Housing Society (HKHS) and the Urban Renewal Authority (URA), continued to implement the Operation Building Bright (OBB) to assist owners of old and dilapidated buildings to conduct repair works, and carried out repair works for 229 OBB buildings on behalf of the owners;
- completed the one-off special operation launched from August 2010 to March 2011 in taking enforcement action on abandoned/dangerous signboards over the territory, with 1 037 such signboards removed/repaired;

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- completed a special operation of inspecting some 3 700 buildings with cantilevered slab canopies and followed up with the issue of investigation and repair orders where necessary;
- continued the special operation to assist owners of another 410 old industrial buildings to improve the condition of their buildings by carrying out clearance of unauthorised structures on rooftops, flat roofs and yards constituting safety hazard or environmental nuisance;
- launched a new large scale operation (LSO) on comprehensive clearance of UBWs on rooftops, flat roofs, yards and lanes of 371 target domestic/composite buildings aged 30 years or above;
- launched a new LSO on inspection of sub-divided flats in 116 target buildings and rectification of irregularities of building works associated with the sub-divided flats;
- launched a new LSO on inspection of 355 target dilapidated buildings to issue statutory orders to require repair works or investigation of the buildings;
- enhanced the Building Records Access and Viewing On-line system for public use, providing instant viewing and on-line ordering for copy services of existing building records by including minor works records in electronic form on the Internet;
- continued the registration of minor works contractors by approving the registration of some 9 800 minor works contractors in 2011;
- commenced the stock taking exercise to record all UBWs and unauthorised signboards erected on the exterior of private buildings;
- launched a public education and publicity campaign to disseminate building safety messages to stakeholders to foster a building safety culture;
- introduced the Buildings (Amendment) Ordinance 2011 for implementation of the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) and continued to assist the Development Bureau (DEVB) to introduce the related subsidiary legislation into the Legislative Council;
- commenced the registration of Registered Inspectors and other preparatory work for the full implementation of MBIS and MWIS in 2012; and
- assisted DEVB to prepare for the proposed amendment of the BO and subsidiary legislation for introducing a signboard control system to deal with some 190 000 existing unauthorised signboards; enhancing deterrence against non-compliance with statutory orders or notices; enabling application for warrant for entry into individual premises; and designating building works associated with sub-divided flats as minor works.

New Buildings

- issued 15 new and revised Practice Notes to the building industry to promulgate the package of new measures to foster a quality and sustainable built environment based on the recommendations of the Council for Sustainable Development;
- continued the review of various building regulations with a view to modernising building design and construction standards;
- continued to develop the building design guidelines for, offer technical advice on and process building plan submissions involving adaptive re-use of and alteration and addition works to heritage buildings;
- continued the consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings;
- conducted 5 370 site audit checks on new building works for ensuring the safety of adjoining buildings, structures, land and utilities; and
- promulgated a performance-based code of practice to facilitate fire safety design of buildings.

7 The key performance measures in respect of buildings and building works are:

Targets

	Target	2010 (Actual)	2011 (Actual)	2012 (Plan)
<i>24-hour emergency services</i>				
responding to emergencies during office hours (%):				
within 1.5 hours for cases in urban areas.....	100	100	100	100
within two hours for cases in new towns in New Territories (N.T.)	100	100	100	100
within three hours for cases in other areas in N.T.	100	100	100	100

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	Target	2010 (Actual)	2011 (Actual)	2012 (Plan)
responding to emergencies outside office hours (%):				
within two hours for cases in urban areas and new towns in N.T.	100	99.6	99.4	100
within three hours for cases in other areas in N.T.	100	100	100	100
<i>Non-emergency services for reports on UBWs under construction</i>				
responding to reports within 48 hours (%)..	100	99	99	99
<i>Existing Buildings</i>				
buildings targeted for clearance of UBWs mainly on the external walls	— ^λ	217	—	—
buildings targeted for repair and maintenance under OBB¶.....	300/year	286	229	300
buildings targeted for inspection and issue of repair/investigation ordersθ	500/year	—	355	500
buildings targeted for prescribed inspection and, if necessary, prescribed repair under MBIS‡.....	2 000/year	—	—	1 500
buildings targeted for prescribed window inspection and, if necessary, prescribed window repair under MWIS‡	5 800/year	—	—	4 350
buildings targeted for removal of unauthorised roof structures.....	500/year	361	781	500
buildings targeted for rectification of irregularities associated with sub-divided flatsφ	200/year	—	116	187
prescribed commercial premises inspected for improvement of fire safety measures	150/year	150	150	150
specified commercial buildings inspected for improvement of fire safety measures	40/year	40	40	40
composite buildings inspected for improvement of fire safety measures	1 150/year	1 150	1 150	1 150
advertisement signboards removed/ repaired.....	1 200/year	3 371§	1 639	1 600
advising on restaurants and places of public entertainment licence applications under the Application Vetting Panel system within 12 working days (%).....	100	99	99	98
making existing building and minor works records in electronic form available for public viewing in Building Information Centre within three working days (%)Δ..	100	97.6	98.4	97.0
<i>New Buildings</i>				
processing building plans				
within 60 days for new submissions (%).....	100	100	100	100
within 30 days for re-submissions (%)	100	100	100	100
processing within 28 days applications for consent to commence building works (%)	100	99.9	99.9	100
processing within 14 days applications for occupation permits (%)	100	100	100	100
processing applications for hoarding permits				
within 60 days for cases of first application (%)	100	100	100	100
within 30 days for cases of re-application, fast-track processing or renewal (%)	100	100	100	100

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- λ The Blitz Operation on Unauthorised Building Works Clearance (BUC) commenced in 2000 focusing on removal of UBWs on external walls of buildings. The target set in 2006 for improving the safety and appearance of 5 000 buildings in five years was achieved at large by the end of 2010. The BUC ceased in 2011 and the clearance of remaining UBWs will continue in the form of other LSOs under a new package of measures to enhance building safety.
- ¶ OBB is a one-off \$3.5-billion joint operation implemented by the Government, HKHS and URA. The operation provides subsidies and one-stop technical assistance to owners of target domestic/composite buildings aged 30 years or above to carry out repair works.
- θ This is a special operation commencing on 1 April 2011 to inspect and issue repair/investigation orders to 500 target buildings per year to repair or remedy the defects or dilapidation therein.
- ‡ New target as from 2012. Full implementation of MBIS and MWIS is expected to commence in the second quarter of 2012.
- φ The target will be revised from 150/year to 200/year as from 2012. A special operation commenced on 1 April 2011 to inspect 150 target buildings per year to tackle irregularities of building works associated with sub-divided flats. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012.
- § The significant increase in 2010 was due to the special operation for removing/repairing abandoned/dangerous signboards conducted during that year. The number resumed normal in 2011 and is expected to remain stable afterwards.
- Δ Revised description of previous target “making existing building records in electronic form available for public viewing in Building Information Centre within three working days (%)”.

Indicators

	2010 (Actual)	2011 (Actual)	2012 (Estimate)
<i>24-hour emergency services</i>			
emergency reports attended to	1 033	894	1 000
<i>Non-emergency services for reports on UBWs under construction</i>			
reports attended to	5 838	6 326#	6 500
<i>Existing Buildings</i>			
<i>UBWs</i>			
reports from members of the public attended to	28 613	38 275ψ	35 000
warning notices issued	3 618	107V	200V
removal orders issued	22 903	9 176‡	15 000
prosecutions against failure to comply with removal orders	2 609	2 264	3 300
unauthorised structures removed and irregularities rectified	25 751	17 879	25 000
<i>dilapidated buildings</i>			
reports from members of the public attended to	14 111	13 501	14 000
repair/investigation orders issued	2 246	796δ	1 000
buildings repaired	839	790	1 200α
<i>sub-divided flats</i>			
number of sub-divided flats inspected	—	800	1 600^
number of sub-divided flats rectified of irregularities.....	—	12	100^
<i>dangerous slopes</i>			
repair orders issued.....	140	100	100
dangerous slopes repaired.....	87	94	80
<i>prescribed commercial premises</i>			
fire safety directions (FSDns) issued	200	200	200
FSDns discharged	111	110	110
<i>specified commercial buildings</i>			
fire safety improvement directions (FSIDns) issued	817	957	800γ
FSIDns discharged.....	1 589	1 343	1 400
<i>composite buildings</i>			
FSDns issuedβ	7 699	6 706	5 900
FSDns discharged	1 023	1 378	1 800
<i>licence/registration applications processed (restaurants, places of public entertainment, tutorial schools, etc.)</i>	11 774	11 220	11 500

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	2010 (Actual)	2011 (Actual)	2012 (Estimate)
<i>Comprehensive Building Safety Improvement Loan Scheme</i>			
loan applications processed	2 528	1 847φ	2 100
loan applications approved	2 173	1 432φ	1 800
total amount of loans committed (\$m)	99.7	56.0φ	72.0
<i>New Buildings</i>			
new building proposals approved	341	477@	360@
plans received and processed	14 270	15 616@	14 000@
occupation permits issued	145	177Ψ	200
gross floor area of proposed new buildings approved (in 1 000 m ²)	3 785	7 494@	5 200@
site audit checks made	7 607Ω	5 370	5 250
sites inspected	1 211	1 225	1 200
hoarding permits issued or renewed	726	819	800
<i>Minor Works Control System</i>			
minor works submissions received	—	40 062	40 000
household minor works items validatedΛ	—	10	100

The increase in 2011 was because of the upsurge in complaints from the public probably as a result of the promulgation in April 2011 of the revised enforcement policy against UBWs to extend the scope of actionable items for enforcement action covering all UBWs erected on the rooftops, podiums, yards and lanes.

ψ The increase in 2011 was because of the launch of additional complaint channels and the increased public awareness in reporting UBWs to the Department.

∇ The decrease in 2011 and in the estimate for 2012 is mainly due to the implementation of the revised enforcement policy against UBWs in April 2011, under which various types of UBWs will be served with removal orders instead of warning notices.

‡ With the cessation of the BUC, the total number of removal orders is largely reduced, partly offset by the increase in removal orders under the revised enforcement policy.

δ The reduction in the number of repair/investigation orders issued in 2011 was due to the cessation of Co-ordinated Maintenance of Buildings Scheme and BUC in 2011.

α The total number of buildings repaired is expected to increase as more OBB buildings will have their repair works completed in 2012.

^ The LSO on sub-divided flats will be enhanced by increasing the number of target buildings to 200 per year.

γ Since the number of specified commercial buildings in multiple ownership and with FSDns yet to be issued has decreased, the corresponding number of FSDns to be issued will decrease in the coming years.

β The number of FSDns issued to a building for improving fire safety measures varies and depends on its layout. For a building, a single FSDn may be issued to the Owners' Incorporation, single owner or co-owners; or many FSDns to many individual owners. The selection criteria for implementation basically follow the age and fire risk of such buildings and synchronise with other prevailing LSOs undertaken by the Department. Since the number of FSDns that would be issued to a building is not a major consideration in the selection process, the actual number may therefore fluctuate.

φ The decrease in the number of loan applications processed/approved and total amount of loans committed is probably attributable to the fact that many building owners have chosen to join OBB, resulting in a decrease of number of applications for financial assistance under the Comprehensive Building Safety Improvement Loan Scheme.

@ The increase was due to the upsurge in the applications for approval of general building plans before the new measures on gross floor area concessions came into operation on 1 April 2011. It is anticipated that the relevant figure will decrease in 2012.

Ψ The increase in the number of occupation permits issued was due to the increase in number of construction projects completed during the period.

Ω The large number of site audit checks in 2010 was mainly due to the temporary measure taken to enhance such checks. The number resumed normal in 2011 and is expected to stabilise thereafter.

Λ The small number of household minor works items validated was probably due to owners' preference to renew/remove the UBWs instead.

Matters Requiring Special Attention in 2012–13

8 During 2012–13, the Department will take forward initiatives in all areas of its work. In particular, it will:

- continue to implement the revised enforcement policy against UBWs introduced since April 2011, which includes extending the scope of actionable UBWs for enforcement action to cover UBWs on rooftops, podiums, yards and lanes, continue to take vigorous enforcement action against UBWs by, inter alia, planning to instigate more prosecutions in 2012, and respond efficiently to reports on UBWs from members of the public;

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- fully implement MBIS and MWIS, targeting in each year 2 000 buildings aged 30 years or above which require mandatory inspection and, if necessary, repair of the buildings; and 5 800 buildings aged ten years or above which require mandatory inspection and, if necessary, repair of windows;
- continue the LSO on comprehensive clearance of UBWs on rooftops, flat roofs, yards and lanes of target buildings;
- continue the LSO on inspection of target dilapidated buildings to issue statutory orders to require repair works or investigation of the buildings;
- enhance the LSO on inspection of sub-divided flats in more target buildings and rectification of irregularities of building works associated with the sub-divided flats;
- continue the processing of submissions under the minor works control system and the registration of minor works contractors;
- implement various new measures for enhancing building safety (including the signboard control system; stronger deterrence against non-compliance of statutory orders or notices; and application for warrant for entry into individual premises, etc.) upon the passage of the relevant legislative amendments;
- continue the publicity and public education campaign to disseminate building safety messages to building owners, occupants, building professionals, contractors, workers, property management personnel, students and the general public, and foster a building safety culture;
- continue the implementation of OBB to assist owners of old and dilapidated buildings to conduct repair works and carry out repair works for about 300 OBB buildings on behalf of the owners;
- continue to collaborate with HKHS and URA in speeding up the rehabilitation of old buildings by providing technical and financial assistance to owners in need;
- continue the operation of the pilot joint office with FEHD to handle public complaints about water seepage problems which would be extended for another two years from 2012–13;
- assist DEVB to amend the building regulations to introduce performance-based standards and modernise technical requirements in respect of construction and drainage of buildings;
- finalise a set of building design guidelines for compliance with current building safety and health standards in the adaptive re-use of and alteration and addition works to heritage buildings for consultation with stakeholders prior to implementation and continue to provide technical advice on compliance with the BO to facilitate the approval process;
- continue the consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings;
- commence a consultancy study to review and make recommendations on modernising the Code of Practice on Wind Effects in Hong Kong 2004; to bring it in line with contemporary international standards' design approaches and meet the latest development in wind engineering and meteorological data;
- launch a LSO for removal of UBWs in New Territories exempted houses (NTEHs) that constitute serious contravention of the law and pose higher potential risks to building safety; and
- implement a reporting scheme for UBWs in NTEHs that constitute less serious contravention of the law and pose lower potential risks to building safety.

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ANALYSIS OF FINANCIAL PROVISION

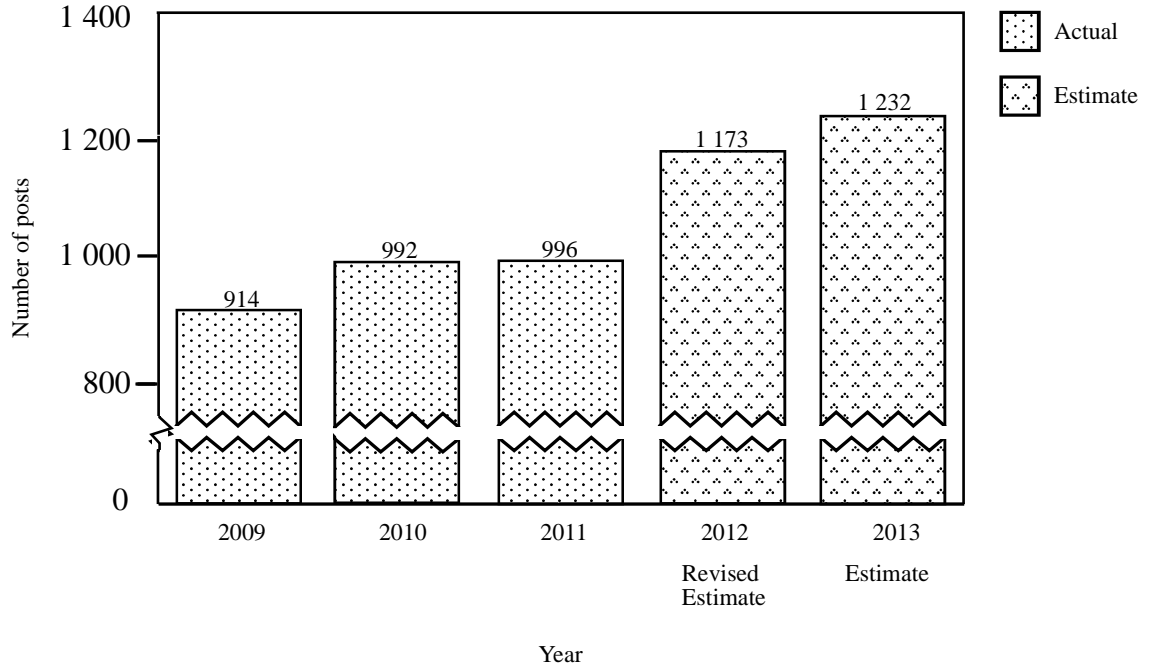
Programme	2010-11 (Actual) (\$m)	2011-12 (Original) (\$m)	2011-12 (Revised) (\$m)	2012-13 (Estimate) (\$m)
Buildings and Building Works	837.5	994.0	879.5 (-11.5%)	1,085.7 (+23.4%)
				(or +9.2% on 2011-12 Original)

Analysis of Financial and Staffing Provision

Provision for 2012-13 is \$206.2 million (23.4%) higher than the revised estimate for 2011-12. This is mainly due to the increased funding for enhancing enforcement relating to building safety, including enforcement against UBWs in NTEHs, LSOs against sub-divided flats and full implementation of MBIS and MWIS. In addition, 59 posts will be created in 2012-13.

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*Changes in the size of the establishment
(as at 31 March)*



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Sub-head (Code)	Actual expenditure 2010–11	Approved estimate 2011–12	Revised estimate 2011–12	Estimate 2012–13	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses	804,991	943,473	848,252	1,002,231
227	Payment for Land Registry/Companies Registry Trading Fund services	32,266	49,278	30,712	82,225
	Total, Recurrent	<u>837,257</u>	<u>992,751</u>	<u>878,964</u>	<u>1,084,456</u>
Non-Recurrent					
700	General non-recurrent	195	1,245	523	1,244
	Total, Non-Recurrent	<u>195</u>	<u>1,245</u>	<u>523</u>	<u>1,244</u>
	Total, Operating Account	<u>837,452</u>	<u>993,996</u>	<u>879,487</u>	<u>1,085,700</u>
<hr/>					
	Total Expenditure	<u><u>837,452</u></u>	<u><u>993,996</u></u>	<u><u>879,487</u></u>	<u><u>1,085,700</u></u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2012–13 for the salaries and expenses of the Buildings Department is \$1,085,700,000. This represents an increase of \$206,213,000 over the revised estimate for 2011–12 and of \$248,248,000 over actual expenditure in 2010–11.

Operating Account

Recurrent

2 Provision of \$1,002,231,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Buildings Department. The increase of \$153,979,000 (18.2%) over the revised estimate for 2011–12 is mainly due to the increased funding for enhancing enforcement relating to building safety, including enforcement against unauthorised building works (UBWs) in New Territories exempted houses (NTEHs), large scale operations (LSOs) against sub-divided flats and full implementation of the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS).

3 The establishment as at 31 March 2012 will be 1 173 posts including one supernumerary post. It is expected that there will be an increase of 59 posts including one supernumerary post in 2012–13. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2012–13, but the notional annual mid-point salary value of all such posts must not exceed \$523,693,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2010–11 (Actual) (\$'000)	2011–12 (Original) (\$'000)	2011–12 (Revised) (\$'000)	2012–13 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	501,451	567,942	568,057	627,835
- Allowances	4,321	4,809	5,626	6,763
- Job-related allowances.....	—	38	30	30
Personnel Related Expenses				
- Mandatory Provident Fund contribution	1,465	2,525	1,574	2,893
- Civil Service Provident Fund contribution	3,757	11,354	8,755	14,286
Departmental Expenses				
- Hire of services and professional fees	84,146	127,453	80,212	120,477
- Contract maintenance	2,553	2,524	2,210	2,334
- General departmental expenses	207,298	226,828	181,788	227,613
	804,991	943,473	848,252	1,002,231

5 Provision of \$82,225,000 under *Subhead 227 Payment for Land Registry/Companies Registry Trading Fund services* is for the payment of fees to the Land Registry and Companies Registry for providing ownership information and registration of orders/notices/directions. The increase of \$51,513,000 (167.7%) over the revised estimate for 2011–12 is mainly due to the increased requirement for ownership checks and registration in Land Registry arising from enhancing enforcement relating to building safety, including enforcement against UBWs in NTEHs, LSOs against sub-divided flats and full implementation of MBIS and MWIS.

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Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2011	Revised estimated expenditure for 2011-12	Balance
			\$'000	\$'000	\$'000	\$'000
<i>Operating Account</i>						
700		<i>General non-recurrent</i>				
	012	Consultancy to review Code of Practice for Fire Safety in buildings and renovation works.....	9,900	7,933	523	1,444
		Total	9,900	7,933	523	1,444
			9,900	7,933	523	1,444