

Head 82 — BUILDINGS DEPARTMENT

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

Estimate 2013–14..... **\$1,124.9m**

Establishment ceiling 2013–14 (notional annual mid-point salary value) representing an estimated 1 200 non-directorate posts as at 31 March 2013 rising by 87 posts to 1 287 posts as at 31 March 2014 **\$572.2m**

In addition, there will be an estimated 32 directorate posts as at 31 March 2013 and 31 March 2014.

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

	2011–12 (Actual)	2012–13 (Original)	2012–13 (Revised)	2013–14 (Estimate)
Financial provision (\$m)	872.1	1,085.7	1,030.4 (–5.1%)	1,124.9 (+9.2%)
				(or +3.6% on 2012–13 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 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 signboards; promoting proper and timely repairs and maintenance of old buildings, drainage and slopes; considering and approving alteration and addition works; processing of minor works submission; 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 2012, 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 reports;
- instigated 2 104 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 reports about water seepage problems for another two years from 2012–13;
- in collaboration with the Hong Kong Housing Society (HKHS) and the Urban Renewal Authority (URA), continued to implement the Operation Building Bright (OBB) which is a one-off \$3.5 billion joint operation, to assist owners of old and dilapidated buildings to conduct repair works, and carried out repair works for 241 OBB buildings aged 30 years or above on behalf of the owners;
- completed village by village survey to 2 400 New Territories exempted houses (NTEHs) to identify UBWs that constitute serious contravention of the law and pose higher potential risks to building safety (First Round Targets) for priority enforcement action;
- received 18 034 reporting forms for processing under the Reporting Scheme for UBWs in NTEHs that constitute less serious contravention of the law and pose lower potential risks to building safety;

Head 82 — BUILDINGS DEPARTMENT

- completed the issuance of investigation orders, repair orders and removal orders for the 3 700 buildings with cantilevered slab canopies (CSB) under the special operation launched in 2011 for inspecting the condition and state of maintenance of the CSB in these buildings;
- continued the large scale operation (LSO) on comprehensive clearance of UBWs on rooftops, flat roofs, yards and lanes of 350 target domestic and composite buildings aged 30 years or above in 2012;
- continued the LSO on inspection of sub-divided flats in target buildings and rectification of irregularities of building works associated with the sub-divided flats, with the number of target buildings increased to 369 in 2012 covering 30 industrial buildings and 339 old style domestic and composite buildings in the vicinity of on-street hawker stalls;
- continued the LSO on inspection of dilapidated buildings to issue statutory orders to require investigation, repair works or removal of UBWs targeting at 500 buildings in 2012;
- continued the LSO on removal of large unauthorised signboards targeting at 120 such signboards in 2012;
- continued the registration of minor works contractors by approving the registration of some 8 354 minor works contractors in 2012;
- completed the stock taking exercise to record all UBWs and unauthorised signboards erected on the exterior of private buildings;
- continued the public education and publicity campaign to disseminate building safety messages to stakeholders to foster a building safety culture;
- introduced the Buildings Legislation (Amendment) Ordinance 2012 for enhancing deterrence against non-compliance with statutory orders or notices and enabling application for warrant for entry into individual premises; as well as subsidiary legislation for the implementation of the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) and for designating building works associated with sub-divided flats as minor works;
- implemented the MBIS and MWIS in 949 and 2 823 buildings respectively commencing on 30 June 2012;
- continued the registration of Registered Inspectors (RI) by approving the registration of 315 RI in 2012; and
- continued to assist DEVB to prepare for subsidiary legislation for a Signboard Control System to deal with some 190 000 existing unauthorised signboards.

New Buildings

- continued the review of various building regulations with a view to modernising building design and construction standards;
- promulgated 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 after consultation with stakeholders, and continued to offer technical advice on compliance with the BO to facilitate the approval process of building plan submissions;
- completed the consultancy study and developed a set of design and construction guidelines for improving energy efficiency in residential buildings for consultation with stakeholders;
- commenced 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 and design approaches and to meet the latest development in wind engineering and meteorological data;
- commenced the review of the Code of Practice for Foundations and the Code of Practice for Structural Use of Concrete 2004 with a view to updating the existing requirements and modernising the Codes;
- launched a consultation exercise on the introduction of statutory seismic design requirements for new buildings and major alteration and addition to existing buildings; and
- conducted 5 372 site audit checks on new building works for ensuring the safety of adjoining buildings, structures, land and utilities.

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

Targets

	Target	2011 (Actual)	2012 (Actual)	2013 (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

Head 82 — BUILDINGS DEPARTMENT

	Target	2011 (Actual)	2012 (Actual)	2013 (Plan)
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	94.7	100
responding to emergencies outside office hours (%):				
within two hours for cases in urban areas and new towns in N.T.	100	99.4	99.7	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 repair and maintenance under OBB	300/year	229	241	300
buildings targeted for inspection and issue of repair/investigation orders^	500/year	355	500	500
buildings targeted for prescribed inspection and, if necessary, prescribed repair under MBIS¶	2 000/year	—	949	2 000
buildings targeted for prescribed window inspection and, if necessary, prescribed window repair under MWIS¶	5 800/year	—	2 823	5 800
NTEHs targeted for survey to identify UBWs that constitute serious contravention of the law and posing higher potential risks for priority enforcement action□	8 000/year	—	2 400Ψ	8 000
buildings targeted for removal of unauthorised roof structures	500/year	781	350§	500
buildings targeted for rectification of irregularities associated with sub-divided flatsλ	200/year	116	369	200
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
dangerous/abandoned signboards removed/repairedϕ	1 600/yearθ	1 639	1 309	1 600
large unauthorised signboards targeted for removalδ	250/year	—	120	250
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 (%)	100	98.4	98.0	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

Head 82 — BUILDINGS DEPARTMENT

	Target	2011 (Actual)	2012 (Actual)	2013 (Plan)
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

^ This is a special operation commencing on 1 April 2011 to inspect and issue repair/investigation/UBW removal orders to 500 target buildings per year to repair or remedy the defects or dilapidation and to remove UBWs therein.

¶ Full implementation of MBIS and MWIS commenced on 30 June 2012.

□ New target as from 2013.

Ψ The survey commenced on 1 April 2012. Nine villages (one from each of the nine N.T. districts) were selected as pilot villages for survey in which 2 400 NTEHs were inspected.

§ The target on removal of unauthorised roof structures was adjusted from 500 to 350 buildings in 2012 in order to balance the additional workload arising from the enhanced operation on inspection of sub-divided flats to extra buildings mainly including those in the vicinity of on-street hawker stalls.

λ To enhance the LSO rectifying irregularities of building works associated with sub-divided flats, the annual target was increased from 150 to 200 as from 2012. The strategy of this operation was adjusted by taking into account the fire risk that might be brought about by on-street hawker stalls when choosing the target buildings for the operation in 2012. As a result, 339 old style domestic and composite buildings in the vicinity of on-street hawker stall areas were selected. In parallel, the scope of this operation was extended in 2012 to cover 30 industrial buildings annually. The annual target of this operation will be restored to 200 in 2013.

φ Revised description of previous target “advertisement signboards removed/repaired”.

θ The target will be revised from 1 200 per year to 1 600 per year as from 2013.

δ New target as from 2012 and the target will be enhanced from 120 in 2012 to 250 in 2013.

Indicators

	2011 (Actual)	2012 (Actual)	2013 (Estimate)
<i>24-hour emergency services</i>			
emergency reports attended to	894	946	1 000
<i>Non-emergency services for reports on UBWs under construction</i>			
reports attended to	6 326	5 342#	5 300
<i>Existing Buildings</i>			
<i>UBWs</i>			
reports from members of the public attended to	38 275	44 562ρ	44 000
warning notices issued	107	348	300
removal orders issued	9 176	12 292	9 000
prosecutions against failure to comply with removal orders.....	2 264	2 104	2 500
unauthorised structures removed and irregularities rectified	17 879	13 581Δ	13 000
<i>dilapidated buildings</i>			
reports from members of the public attended to	13 501	13 232	14 000
repair/investigation orders issued	796	811	800ε
buildings repaired	790	747	800Φ
<i>mandatory building inspection</i> ◇			
number of notices issued.....	—	—	49 000
<i>mandatory window inspection</i> Θ			
number of notices issued.....	—	2 767	350 000
number of notices discharged	—	—	140 000
<i>NTEHs</i> ‡			
removal orders issued for UBWs in NTEHs.....	—	161▽	400
<i>sub-divided flats</i>			
number of sub-divided flats inspected	800	1 786@	1 200
number of sub-divided flats rectified of irregularities.....	12	82@	100

Head 82 — BUILDINGS DEPARTMENT

	2011 (Actual)	2012 (Actual)	2013 (Estimate)
dangerous slopes			
repair orders issued	100	110	100
dangerous slopes repaired	94	72	80
prescribed commercial premises			
fire safety directions (FSDns) issued	200	200	200
FSDns discharged	110	110	110
specified commercial buildings			
fire safety improvement directions (FSIDns) issued	957	806	350η
FSIDns discharged	1 343	1 450	1 000Λ
composite buildings			
FSDns issuedΩ	6 706	6 097	5 900
FSDns discharged	1 378	1 875	1 800
large unauthorised signboards‡			
removal orders issued	—	—	250
large unauthorised signboards removed	—	—	125
licence/registration applications processed (restaurants, places of public entertainment, tutorial schools etc.).....	11 220	12 222	12 000
<i>Comprehensive Building Safety Improvement Loan Scheme</i>			
loan applications processed	1 847	2 173	2 500α
loan applications approved	1 432	1 972	2 200α
total amount of loans committed (\$m)	56.0	90.1	100.0α
<i>New Buildings</i>			
new building proposals approved	477	195β	390γ
plans received and processed	15 616	16 540	17 700
occupation permits issued	177	185μ	190
gross floor area of proposed new buildings approved (in 1 000 m ²).....	7 494	2 094β	4 600γ
site audit checks made	5 370	5 372	5 250
sites inspected	1 225	1 206	1 200
hoarding permits issued or renewed.....	819	824	800
<i>Minor Works Control System</i>			
minor works submissions received	40 062	66 517ν	70 000
minor works submissions selected for auditing‡.....	—	—	5 300
household minor works items validated.....	10	40	100φ

The decrease in 2012 was due to the drop in reports received from the public.

ρ The increase in 2012 was due to the escalated media attention and coverage on UBW matters, arousing higher public awareness in reporting UBWs to the Department.

Δ The decrease in 2012 was due to a drop in the number of removal orders issued in 2011 subsequent to the cessation of the Blitz Operation on Unauthorised Building Works Clearance (BUC).

ε The number of repair/investigation orders is anticipated to reduce as the number of buildings identified and nominated to be target buildings under the OBB is leveling off and some buildings are selected for issue of mandatory inspection notices instead of repair/investigation order for the implementation of MBIS since mid-2012.

Φ The number of buildings repaired in 2013 is anticipated to increase slightly as the OBB covered a significant number of dangerous/dilapidated buildings of which around 1 000 target buildings had repair works completed gradually under the operation.

◇ New indicator as from 2013 upon commencement of the MBIS in 2012. It is expected that the issue of notices under MBIS will commence in early 2013.

⊕ New indicator as from 2013 upon commencement of the MWIS in 2012.

‡ New indicators as from 2013.

∇ The removal orders were issued against those First Round Targets identified in the 2 400 NTEHs inspected in the pilot survey and other actionable UBWs under the current enforcement policy.

@ The increases in 2012 were due to increased number of target buildings inspected in the same year. The indicators will decrease when the number of target buildings resumes normal in 2013.

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

Λ Many FSIDns issued with relatively simple requirements have been discharged, and difficult cases are accumulating. Coupled with the fact that the number of outstanding FSIDns is decreasing, the number of FSIDns discharged will decrease in the coming years.

Head 82 — BUILDINGS DEPARTMENT

- Ω 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.
- α The increase in the number of loan applications processed or approved and the amount of loans committed is attributable to the increasing trend in the number of loan applications, coupled with the implementation of the MBIS and MWIS which are expected to have a stimulation effect on loan applications.
- β The large number in 2011 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. The decrease in relevant figures was due to the decrease in number of new building proposals received in 2012.
- γ The estimate in 2013 has taken into account the increase in the applications for approval of general building plans arising from increase in land supply for private developments.
- μ The increase in the number of occupation permits issued was due to the increase in number of construction projects completed during the period.
- ν The increase in the number of minor works submissions was due to growing public awareness of the simplified requirements for the carrying out of minor works.
- φ In view of the growing public awareness of the Minor Works Control System and the implementation of MBIS, it is anticipated that more building owners are willing to have their household minor works items validated.

Matters Requiring Special Attention in 2013–14

- 8 During 2013–14, 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, instigating more prosecutions in 2013, and respond efficiently to reports on UBWs from members of the public;
 - continue to implement MBIS and MWIS, targeting 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 in 2013;
 - continue the LSO on comprehensive clearance of UBWs on rooftops, flat roofs, yards and lanes of target buildings;
 - continue the LSO on removal of large unauthorised signboards;
 - continue the LSO on inspection of target dilapidated buildings to issue statutory orders to require investigation and repair as well as removal of UBWs of the buildings;
 - continue the LSO on inspection of sub-divided flats in target buildings and rectification of irregularities of building works associated with sub-divided flats;
 - continue the processing of submissions under the Minor Works Control System and the registration of minor works contractors and RI;
 - implement various new measures for enhancing building safety introduced by relevant legislative amendments in 2012 (including the stronger deterrence against non-compliance of statutory orders or notices; and application for warrant for entry into individual premises, etc.);
 - continue to assist DEVB to prepare for subsidiary legislation for the Signboard Control System and implement the Signboard Control System 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 LSO for removal of UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety;
 - continue to administer the reporting scheme for UBWs in NTEHs that constitute less serious contravention of the law and pose lower potential risks to building safety;
 - continue the operation of the pilot joint office with FEHD to handle public reports about water seepage problems which was extended for another two years from 2012–13;
 - continue to assist DEVB to prepare for the amendments to the building regulations to introduce performance-based standards and modernise technical requirements in respect of construction and drainage of buildings;

Head 82 — BUILDINGS DEPARTMENT

- continue to implement the package of new measures to foster a quality and sustainable built environment introduced since April 2011;
- continue to provide technical advice on building plan submissions involving adaptive re-use of and alteration and addition works to heritage buildings to facilitate the approval process and to process such submissions;
- implement the design and construction guidelines for improving energy efficiency in residential buildings developed by the consultancy study thereon upon completion of the consultation with stakeholders;
- continue with the 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 and design approaches and to meet the latest development in wind engineering and meteorological data;
- continue with the review of the Code of Practice for Foundations and the Code of Practice for Structural Use of Concrete 2004 with a view to updating the existing requirements and modernising the Codes;
- make preparation for the introduction of statutory seismic design requirements for new buildings and major alteration and addition to existing buildings upon completion of the consultation exercise commenced in 2012;
- commence a consultancy study to develop a set of material, design, construction and quality assurance standards for the structural use of glass in buildings; and
- commence a consultancy study on the comprehensive review of the Building (Planning) Regulations (Cap. 123F) with a view to updating and modernising the requirements.

Head 82 — BUILDINGS DEPARTMENT

ANALYSIS OF FINANCIAL PROVISION

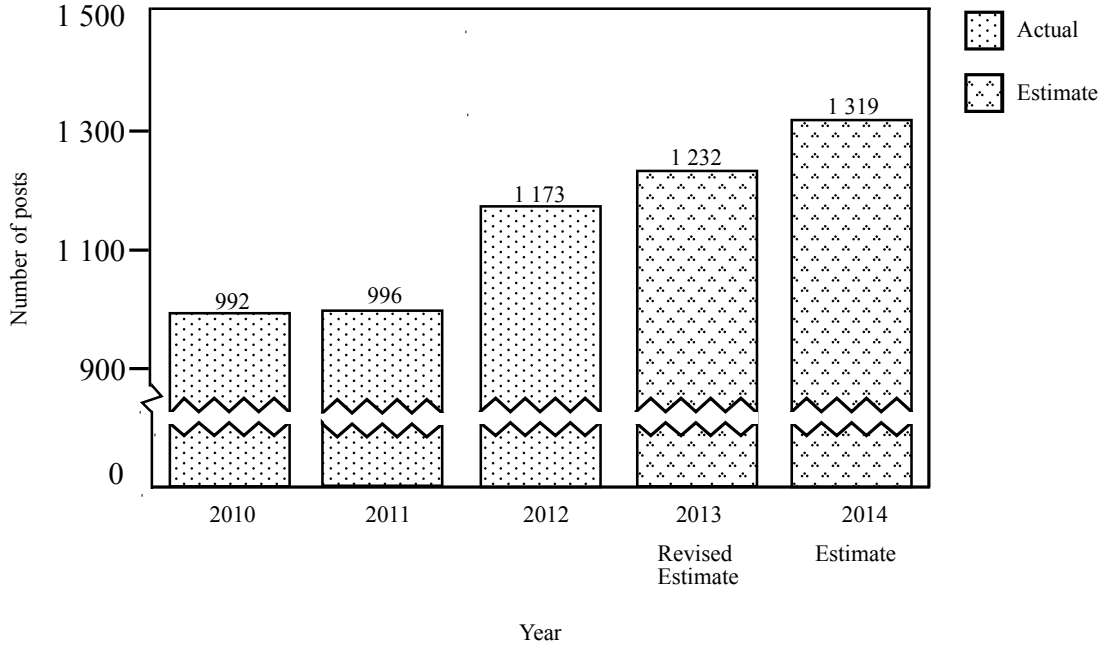
Programme	2011–12 (Actual) (\$m)	2012–13 (Original) (\$m)	2012–13 (Revised) (\$m)	2013–14 (Estimate) (\$m)
Buildings and Building Works	872.1	1,085.7	1,030.4 (-5.1%)	1,124.9 (+9.2%)
				(or +3.6% on 2012–13 Original)

Analysis of Financial and Staffing Provision

Provision for 2013–14 is \$94.5 million (9.2%) higher than the revised estimate for 2012–13. 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, 87 posts will be created in 2013–14.

Head 82 — BUILDINGS DEPARTMENT

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



Head 82 — BUILDINGS DEPARTMENT

Sub-head (Code)	Actual expenditure 2011-12	Approved estimate 2012-13	Revised estimate 2012-13	Estimate 2013-14	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses	841,094	1,002,231	958,519	1,023,363
227	Payment for Land Registry/Companies Registry Trading Fund services	30,445	82,225	70,874	101,572
	Total, Recurrent	<u>871,539</u>	<u>1,084,456</u>	<u>1,029,393</u>	<u>1,124,935</u>
Non-Recurrent					
	General non-recurrent	523	1,244	1,045	—
	Total, Non-Recurrent	<u>523</u>	<u>1,244</u>	<u>1,045</u>	<u>—</u>
	Total, Operating Account.....	<u>872,062</u>	<u>1,085,700</u>	<u>1,030,438</u>	<u>1,124,935</u>

	Total Expenditure	<u><u>872,062</u></u>	<u><u>1,085,700</u></u>	<u><u>1,030,438</u></u>	<u><u>1,124,935</u></u>

Head 82 — BUILDINGS DEPARTMENT

Details of Expenditure by Subhead

The estimate of the amount required in 2013–14 for the salaries and expenses of the Buildings Department is \$1,124,935,000. This represents an increase of \$94,497,000 over the revised estimate for 2012–13 and of \$252,873,000 over actual expenditure in 2011–12.

Operating Account

Recurrent

2 Provision of \$1,023,363,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Buildings Department.

3 The establishment as at 31 March 2013 will be 1 232 posts including two supernumerary posts. It is expected that there will be an increase of 87 posts in 2013–14. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2013–14, but the notional annual mid-point salary value of all such posts must not exceed \$572,199,000.

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

	2011–12 (Actual) (\$'000)	2012–13 (Original) (\$'000)	2012–13 (Revised) (\$'000)	2013–14 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	558,453	627,835	653,239	682,983
- Allowances	5,290	6,763	7,032	8,421
- Job-related allowances.....	15	30	51	47
Personnel Related Expenses				
- Mandatory Provident Fund contribution	1,342	2,893	3,334	3,005
- Civil Service Provident Fund contribution	9,198	14,286	14,847	20,483
Departmental Expenses				
- Hire of services and professional fees	77,911	120,477	95,636	112,041
- Contract maintenance	1,798	2,334	2,072	2,355
- General departmental expenses	187,087	227,613	182,308	194,028
	841,094	1,002,231	958,519	1,023,363

5 Provision of \$101,572,000 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 \$30,698,000 (43.3%) over the revised estimate for 2012–13 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 unauthorised building works in New Territories exempted houses, large scale operations against sub-divided flats and full implementation of the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme.