

Head 82 — BUILDINGS DEPARTMENT

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

Estimate 2022–23 **\$1,877.9m**

Establishment ceiling 2022–23 (notional annual mid-point salary value) representing an estimated 2 096 non-directorate posts as at 31 March 2022 and as at 31 March 2023..... **\$1,178.7m**

In addition, there will be an estimated 32 directorate posts as at 31 March 2022 and as at 31 March 2023.

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

	2020–21 (Actual)	2021–22 (Original)	2021–22 (Revised)	2022–23 (Estimate)
Financial provision (\$m)	1,824.3	1,879.2	1,874.1 (–0.3%)	1,877.9 (+0.2%)
				(or –0.1% on 2021–22 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 work of the Department includes reducing dangers and nuisances caused by unauthorised building works (UBWs) including signboards; promoting proper and timely repairs and maintenance of buildings, drainage and slopes; scrutinising and approving alteration and addition works; processing minor works submissions; improving fire safety 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 2021, 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 large scale operation (LSO) on comprehensive clearance of UBWs on rooftops, flat roofs, yards and lanes in target buildings;
- continued the LSO on inspection of sub-divided flats in target domestic/composite buildings and industrial buildings, and rectification of irregularities of building works associated with the sub-divided flats;
- continued the LSOs on removal of large unauthorised signboards and on removal of unauthorised signboards on target streets as well as the implementation of the Signboard Validation Scheme;
- continued to follow up pursuant to the one-off special operation to inspect the common means of escape of targeted domestic and composite buildings aged 60 or above to ensure fire and building safety;
- continued the one-off special scheme to inspect external drainage systems of all private residential and composite buildings exceeding three storeys (Special Inspection Scheme) and to take enforcement actions to require repair of the defective drainage systems;

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- continued conducting village by village (V-by-V) surveys of 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;
- completed the legislative exercises to amend the BO and the Building (Minor Works) Regulation (Cap. 123N) (B(MW)R) to expand the Minor Works Validation Scheme by designating more prescribed building and prescribed building works items;
- continued the consultancy study on the use of information technology to enhance efficiency of enforcement against dangerous or abandoned signboards;
- continued the public education and publicity campaign to disseminate building safety messages to stakeholders to foster a building safety culture;
- in collaboration with the Urban Renewal Authority (URA), launched the Building Drainage System Repair Subsidy Scheme (DRS) to assist owners of old and dilapidated domestic buildings to repair and/or upgrade the drains of their buildings; and
- in collaboration with the URA, continued to implement Operation Building Bright 2.0 (OBB 2.0) to assist owners of old and dilapidated buildings to comply with the requirements under the Mandatory Building Inspection Scheme (MBIS) to protect public safety.

New Buildings

- completed the legislative exercises to amend the Building (Administration) Regulations (Cap. 123A), B(MW)R, the Building (Inspection and Repair) Regulation (Cap. 123P), the Electronic Transactions Ordinance (Cap. 553) and the Electronic Transactions (Exclusion) Order (Cap. 553B) for accepting electronic applications submitted under the BO;
- continued the consultancy study to formulate a new Code of Practice for Seismic-resistant Building Design Standards for the introduction of statutory seismic design requirements for new buildings;
- continued the review of various building regulations, standards and codes of practice with a view to modernising building design and construction standards;
- continued to prepare Stage 2 legislative amendments to the Building (Standards of Sanitary Fittings, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I) (B(SSFPDW&L)R) for transforming the existing prescriptive requirements to performance-based standards, as well as rationalising and updating the relevant statutory provisions;
- continued the consultancy study to review the current arrangement under which a development project is only required to register for Building Environmental Assessment Method Plus as a prerequisite for application for gross floor area concession for amenity features, with a view to further promoting green buildings in the private market; and
- implemented the product certification system for materials used in private building developments.

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

Targets

	Target	2020 (Actual)	2021 (Actual)	2022 (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
responding to emergencies outside office hours (%)				
within two hours for cases in urban areas and new towns in N.T.	100	100	99.6	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 (%)	99.0	99.0	99.3	99.0

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	Target	2020 (Actual)	2021 (Actual)	2022 (Plan)
<i>Existing Buildings</i>				
buildings targeted for inspection and repair as default works under OBB 2.0.....	300	309	345#	330
buildings targeted for prescribed inspection and, if necessary, prescribed repair under MBIS◇	600	601	601	600
buildings targeted for prescribed window inspection and, if necessary, prescribed window repair under Mandatory Window Inspection Scheme◇	600	689	603	600
NTEHs inspected under the V-by-V surveys for identification of UBWs that constitute serious contravention of the law and pose higher potential risks for priority enforcement action	4 000	4 031	4 163	4 000
buildings targeted for removal of UBWs on rooftops, flat roofs, yards and lanes....	80	86	87	80
buildings targeted for rectification of irregularities associated with sub-divided flats including those for domestic use in industrial buildings	100	100	100	100
prescribed commercial premises inspected for improvement of fire safety measures	50	50	50	50
specified commercial buildings inspected for improvement of fire safety measures	20	20	20	20
composite buildings inspected for improvement of fire safety measures.....	400	400	400	400
industrial buildings inspected for improvement of fire safety measures@.....	60	3	60	60
advising on restaurants and places of public entertainment licence applications under the Application Vetting Panel system within 12 working days (%).....	98.0	99.2	99.9	98.0
making existing building and minor works records in electronic form available for public viewing in Building Information Centre within three working days (%).....	100	95.7	99.2	100
<i>New Buildings</i>				
processing building plans within 60 days for new submissions (%).....	90.0	82.6Θ	95.1	90.0
within 30 days for re-submissions (%)	90.0	84.1Θ	95.2	90.0
processing within 28 days applications for consent to commence building works (%)	90.0	84.9Θ	95.3	90.0
processing within 14 days applications for occupation permits (%)	100	99.2Θ	100	100

The increase is due to a one-off operation funded under the Anti-epidemic Fund.

◇ Buildings targeted refer to buildings selected by a selection panel each year for issuing statutory notices. If such a building is found demolished or soon to be demolished before the statutory notice is served, it will be replaced by another building from a reserve list endorsed by the selection panel.

@ New target as from 2021 pursuant to the commencement of the Fire Safety (Industrial Buildings) Ordinance (Cap. 636) (FS(IB)O) in June 2020. Inspection of target industrial buildings commenced in November 2020.

Θ The decrease was owing to the special work arrangements of the Department due to COVID-19 pandemic.

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Indicators

	2020 (Actual)	2021 (Actual)	2022 (Estimate)
<i>24-hour emergency services</i>			
emergency reports attended to	709	730	700
<i>Non-emergency services for reports on UBWs under construction</i>			
reports attended to	1 714φ	2 094	2 250
<i>Existing Buildings</i>			
UBWs			
reports from members of the public attended to	28 806φ	33 655	32 500
removal orders issued.....	8 150§	10 588	10 000
prosecutions against failure to comply with removal orders	2 773§	3 517	3 600
unauthorised structures removed and irregularities rectified.....	19 499§	27 917	28 000
dilapidated/dangerous buildings			
reports from members of the public attended to	15 487	17 062‡	15 000
repair/investigation orders issued.....	1 782	8 680¶	5 000¶
buildings repaired/rectified	1 346	2 135¶	4 000¶
mandatory building inspection			
notices issued	5 167	7 228τ	12 000γ
notices discharged	8 844§	12 545^	12 300
mandatory window inspection			
notices issued	26 322	46 605□	46 000
notices discharged	32 045	50 290ε	40 000
NTEHs			
removal orders issued for UBWs in NTEHs.....	667	883ω	750
sub-divided flats			
sub-divided flats inspected.....	1 045§	1 727	1 600
sub-divided flats rectified of irregularities	167§	315	250
dangerous retaining walls/slopes			
reports from members of the public attended to	272	283	290
repair orders issued	59	45β	35β
dangerous retaining walls/slopes repaired	73§	95	95
prescribed commercial premises			
fire safety directions (FSDns) issued	87§	121	120
FSDns discharged	107§	131	130
specified commercial buildings			
fire safety improvement directions (FSIDns) issued.....	186§	241	240
FSIDns discharged	375§	502	480
composite buildings			
FSDns issued.....	3 305	4 190η	3 000μ
FSDns discharged	1 239§	1 946	1 850
industrial buildingsΨ			
FSDns issued.....	—	821	1 200λ
FSDns discharged	—	0	70
licence/registration applications processed (restaurants, places of public entertainment, tutorial schools etc.)	11 337§	14 655	12 500
<i>Minor Works Control System</i>			
minor works submissions received	121 499	150 534α	150 000
minor works submissions selected for auditing	7 145	7 207	7 000
<i>Signboard Control System</i>			
unauthorised signboards removal orders issued.....	929	1 135ε	1 100
unauthorised signboards removed/validated.....	1 283§	2 503Δ	1 800
dangerous/abandoned signboards removed/repaired	1 292§	1 810Δ	1 700
reports of unauthorised, dangerous or abandoned signboards from members of the public attended to	3 016	1 785δ	2 000
<i>Building Safety Loan Scheme</i>			
loan applications processed.....	330	399φ	550φ
loan applications approved.....	187	196φ	310φ
total amount of loans committed (\$m)	16.0	20.3φ	28.0φ

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	2020 (Actual)	2021 (Actual)	2022 (Estimate)
<i>New Buildings</i>			
new building proposals approved	226	220	240
plans processed.....	18 317	18 168	19 000
gross floor area of proposed new buildings approved (in 1 000 m ²)	3 378	4 775Ω	4 400
site inspections made.....	9 460§	12 735	12 500
sites inspected.....	1 302	1 316	1 350
occupation permits issued	218	198	220

- φ The smaller number in 2020 was due to fewer public reports received.
- § The lower performance was owing to the special work arrangements of the Department due to COVID-19 pandemic.
- ‡ The increase was due to more public reports received in 2021.
- ¶ The increase in 2021 and the estimates in 2022 are due to enhanced enforcement action against defective drainage system arising from the Special Inspection Scheme.
- τ The increase in 2021 was due to the increase in the actual number of target buildings selected from 403 in 2019 to 601 in 2020 and the notices for these target buildings were issued in 2021.
- γ The estimated increase in 2022 is projected based on the actual increase in the number of projections on the exteriors of target buildings selected in 2021 requiring inspection by property owners under MBIS.
- ∧ The increase in 2021 was due to enhanced enforcement action against outstanding notices.
- ⊠ The increase in 2021 was due to the increase in the actual number of target buildings selected from 486 in 2019 to 689 in 2020 and the notices for these target buildings were issued in 2021.
- ε The increase in 2021 was due to stepped-up enforcement.
- ω The increase in 2021 was due to more actionable UBWs revealed from public reports and the V-by-V surveys.
- β The decrease in 2021 and the estimates in 2022 are due to the reduction in the number of slopes identified under the risk-based priority ranking system of the Landslip Prevention and Mitigation Programme.
- η The increase in 2021 was due to issuance of superseding FSDns as a result of ownership change identified in the courses of enforcement action by the Fast-track Prosecution Team formed in 2021.
- μ The estimated decrease in 2022 is due to fewer FSDns required to be served on owners of individual units of the remaining target buildings in which smaller number of units and in single ownership of them are expected.
- Ψ New indicators as from 2021 pursuant to the commencement of the FS(IB)O in June 2020. Inspection of target industrial buildings commenced in November 2020.
- λ The estimated increase in 2022 is due to the increase in the number of target buildings to be served with FSDns.
- α The increase in 2021 was due to more drainage repair works carried out and more minor works items designated under the Minor Works Control System.
- Δ The increase in 2021 was due to clearance of outstanding orders and notices.
- δ The decrease was due to fewer public reports received in 2021.
- φ The increase in 2021 and estimated increase in 2022 in numbers of applications processed and approved as well as the total amount of loans committed are due to OBB 2.0 and DRS.
- Ω The increase in 2021 was mainly due to the increase in the number of new building proposals which are larger in scale.

Matters Requiring Special Attention in 2022–23

- 8 During 2022–23, the Department will take forward initiatives in all areas of its work. In particular, it will:
- continue the LSO on comprehensive clearance of UBWs on rooftops, flat roofs, yards and lanes of target 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 LSOs on removal of large unauthorised signboards and on removal of unauthorised signboards on target streets as well as the implementation of the Signboard Validation Scheme;
 - continue the LSO on removal of First Round Target UBWs in NTEHs;
 - continue to follow up pursuant to the one-off special operation for target buildings to inspect the common means of escape of domestic and composite buildings aged 60 or above to ensure fire and building safety;
 - continue the Special Inspection Scheme and to take enforcement actions to require repair of the defective drainage systems;
 - in collaboration with the URA, continue to implement the DRS to assist owners of old and dilapidated domestic buildings to repair and/or upgrade the drains of their buildings;

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- in collaboration with the URA, continue to implement OBB 2.0 to assist owners of old and dilapidated buildings to comply with the requirements under the MBIS to protect public safety;
- continue to prepare Stage 2 legislative amendments to the B(SSFPDW&L)R for transforming the existing prescriptive requirements to performance-based standards, as well as rationalising and updating the relevant statutory provisions;
- 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 review of various building regulations, standards and codes of practice with a view to modernising building design and construction standards;
- continue the consultancy study on the use of information technology to enhance efficiency of enforcement against dangerous or abandoned signboards and review its effectiveness;
- continue the consultancy study to formulate a new Code of Practice for Seismic-resistant Building Design Standards for the introduction of statutory seismic design requirements for new buildings;
- finalise the new proposed gross floor area concession mechanism for amenity features, with a view to stepping up the promotion of green buildings in the private market; and
- continue the development of the Electronic Submission Hub for accepting electronic applications submitted under the BO.

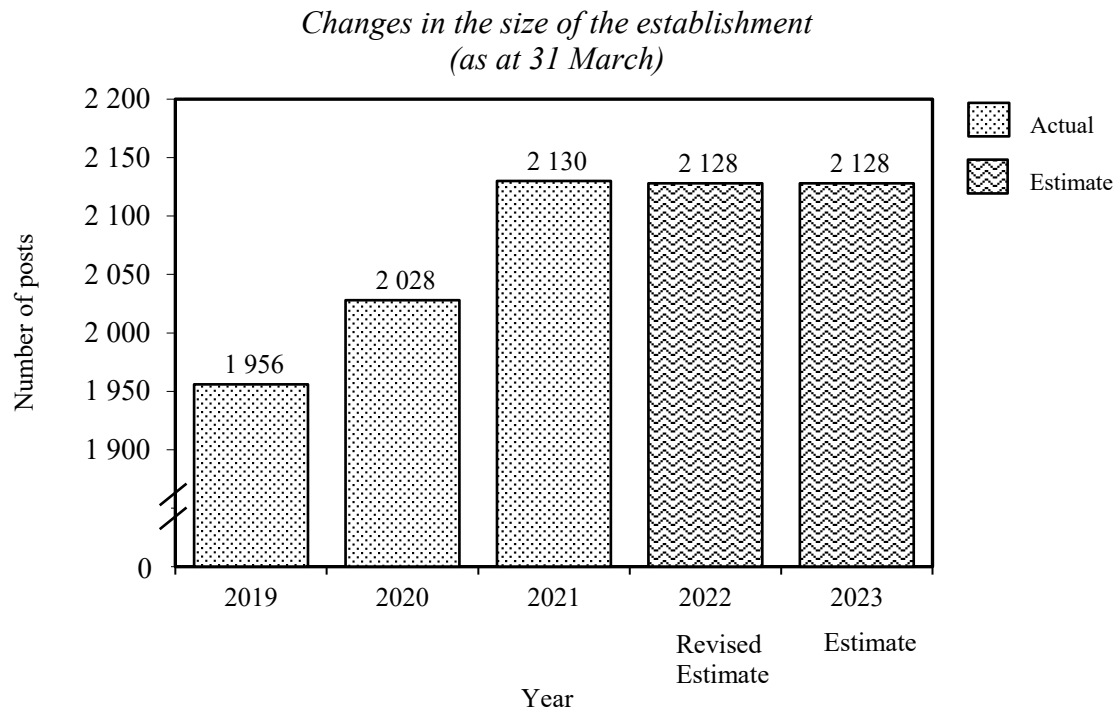
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ANALYSIS OF FINANCIAL PROVISION

	2020–21 (Actual) (\$m)	2021–22 (Original) (\$m)	2021–22 (Revised) (\$m)	2022–23 (Estimate) (\$m)
Programme				
Buildings and Building Works	1,824.3	1,879.2	1,874.1 (–0.3%)	1,877.9 (+0.2%)
				(or –0.1% on 2021–22 Original)

Analysis of Financial and Staffing Provision

Provision for 2022–23 is \$3.8 million (0.2%) higher than the revised estimate for 2021–22. This is mainly due to the increased requirement for salaries and personnel related expenses and increased requirement on Land Registry Trading Fund Services in 2022–23, and partly offset by the decrease in provision for departmental expenses.



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Sub-head (Code)		Actual expenditure 2020–21	Approved estimate 2021–22	Revised estimate 2021–22	Estimate 2022–23
		\$'000	\$'000	\$'000	\$'000
Operating Account					
	Recurrent				
000	Operational expenses	1,793,926	1,839,012	1,840,697	1,833,771
227	Payment for Land Registry/Companies Registry				
	Trading Fund services	30,349	40,166	33,447	44,166
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	Total, Recurrent	1,824,275	1,879,178	1,874,144	1,877,937
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	Total, Operating Account	1,824,275	1,879,178	1,874,144	1,877,937
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	Total Expenditure	1,824,275	1,879,178	1,874,144	1,877,937
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Details of Expenditure by Subhead

The estimate of the amount required in 2022–23 for the salaries and expenses of the Buildings Department is \$1,877,937,000. This represents an increase of \$3,793,000 over the revised estimate for 2021–22 and \$53,662,000 over the actual expenditure in 2020–21.

Operating Account

Recurrent

2 Provision of \$1,833,771,000 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 2022 will be 2 128 posts including one supernumerary post. No change in establishment is expected in 2022–23. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2022–23, but the notional annual mid-point salary value of all such posts must not exceed \$1,178,731,000.

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

	2020–21 (Actual) (\$'000)	2021–22 (Original) (\$'000)	2021–22 (Revised) (\$'000)	2022–23 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	1,326,338	1,422,279	1,395,191	1,443,856
- Allowances	14,071	14,719	14,770	11,963
- Job-related allowances.....	66	128	495	99
Personnel Related Expenses				
- Mandatory Provident Fund contribution	5,322	5,896	5,930	4,680
- Civil Service Provident Fund contribution	116,953	138,735	130,571	152,308
Departmental Expenses				
- Hire of services and professional fees	108,355	102,520	112,820	91,354
- Contract maintenance	3,166	2,829	3,263	2,513
- General departmental expenses	219,655	151,906	177,657	126,998
	1,793,926	1,839,012	1,840,697	1,833,771

5 Provision of \$44,166,000 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 \$10,719,000 (32.0%) over the revised estimate for 2021–22 is mainly due to the increased requirement for ownership checks and registration in Land Registry arising from the one-off special scheme to inspect external drainage systems of all private residential and composite buildings exceeding three storeys.