

## Head 82 — BUILDINGS DEPARTMENT

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

**Estimate 2021–22** ..... **\$1,879.2m**

**Establishment ceiling 2021–22** (notional annual mid-point salary value) representing an estimated 2 098 non-directorate posts as at 31 March 2021 reducing by two posts to 2 096 posts as at 31 March 2022..... **\$1,178.8m**

In addition, there will be an estimated 32 directorate posts as at 31 March 2021 and as at 31 March 2022.

### 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

	2019–20 (Actual)	2020–21 (Original)	2020–21 (Revised)	<b>2021–22 (Estimate)</b>
Financial provision (\$m)	1,674.2	1,870.4	1,851.1 (–1.0%)	<b>1,879.2</b> (+1.5%)
				(or +0.5% on 2020–21 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 2020, 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;
- launched a one-off special operation to inspect the conditions of common means of escape of domestic and composite buildings aged 60 or above and to take appropriate enforcement actions under the BO to ensure fire and building safety;
- launched a one-off special scheme to inspect external drainage systems of all private residential and composite buildings exceeding three storeys and to take appropriate enforcement actions under the BO to require repair of the defective drainage systems;

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- commenced a consultancy study on the use of information technology to enhance enforcement action against dangerous signboards;
- 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 Building (Minor Works) Regulation (Cap. 123N) (B(MW)R) by designating more minor works items as part of the efforts to extend the Minor Works Control System;
- continued to prepare proposed legislative amendments to the BO and the B(MW)R by designating more prescribed building and prescribed building works items to expand the Minor Works Validation Scheme;
- continued the public education and publicity campaign to disseminate building safety messages to stakeholders to foster a building safety culture; and
- in collaboration with the Urban Renewal Authority (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*

- 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 consultation with stakeholders for implementing a product certification system for materials used in private building developments;
  - 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 legislative amendments to the Building (Administration) Regulations (Cap. 123A) (B(A)R) and consequential amendments to the Electronic Transactions Ordinance (Cap. 553) (ETO) and the Electronic Transactions (Exclusion) Order (Cap. 553B) (ET(E)O) for accepting applications submitted under the BO via electronic means to pave the way for the implementation of the Electronic Submission Hub (ESH);
  - 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; and
  - 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.
- 7 The key performance measures in respect of buildings and building works are:

### *Targets*

	Target	2019 (Actual)	2020 (Actual)	2021 (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	<b>100</b>
within two hours for cases in new towns in New Territories (N.T.).....	100	100	100	<b>100</b>
within three hours for cases in other areas in N.T. ....	100	100	100	<b>100</b>
responding to emergencies outside office hours (%):				
within two hours for cases in urban areas and new towns in N.T. ....	100	99.1	100	<b>100</b>
within three hours for cases in other areas in N.T. ....	100	100	100	<b>100</b>
<i>Non-emergency services for reports on UBWs under construction</i>				
responding to reports within 48 hours (%) .....	99.0	99.8	99.0	<b>99.0</b>

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	Target	2019 (Actual)	2020 (Actual)	2021 (Plan)
<i>Existing Buildings</i>				
buildings targeted for inspection and repair as default works under OBB 2.0.....	300 $\alpha$	257	309	<b>342#</b>
buildings targeted for prescribed inspection and, if necessary, prescribed repair under MBIS.....	600 $\beta$	403	601	<b>600</b>
buildings targeted for prescribed window inspection and, if necessary, prescribed window repair under Mandatory Window Inspection Scheme (MWIS).....	600 $\beta$	486	689	<b>600</b>
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	5 175 $\epsilon$	4 031	<b>4 000</b>
buildings targeted for removal of UBWs on rooftops, flat roofs, yards and lanes .....	80	91	86	<b>80</b>
buildings targeted for rectification of irregularities associated with sub-divided flats including those for domestic use in industrial buildings .....	100	100	100	<b>100</b>
prescribed commercial premises inspected for improvement of fire safety measures .....	50	50	50	<b>50</b>
specified commercial buildings inspected for improvement of fire safety measures .....	20	20	20	<b>20</b>
composite buildings inspected for improvement of fire safety measures.....	400	400	400	<b>400</b>
industrial buildings inspected for improvement of fire safety measures@...	60	—	3	<b>60</b>
advising on restaurants and places of public entertainment licence applications under the Application Vetting Panel system within 12 working days (%).....	98.0	99.8	99.2	<b>98.0</b>
making existing building and minor works records in electronic form available for public viewing in Building Information Centre within three working days (%).....	100	99.2	95.7	<b>100</b>
<i>New Buildings</i>				
processing building plans within 60 days for new submissions (%).....	90.0	95.5	82.6	<b>90.0</b>
within 30 days for re-submissions (%) .....	90.0	95.6	84.1	<b>90.0</b>
processing within 28 days applications for consent to commence building works (%) .....	90.0	95.5	84.9	<b>90.0</b>
processing within 14 days applications for occupation permits (%) .....	100	100	99.2	<b>100</b>

$\alpha$  The target was revised from 250 buildings to 300 buildings as from 2020 to step up implementation of OBB 2.0.

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

$\beta$  The target was revised from 400 buildings to 600 buildings as from 2020 to step up implementation of MBIS and MWIS.

$\epsilon$  The increase was due to a higher-than-expected number of houses that could be surveyed in targeted villages selected in previous years.

@ 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.

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### Indicators

	2019 (Actual)	2020 (Actual)	2021 (Estimate)
<i>24-hour emergency services</i>			
emergency reports attended to .....	742	709δ	<b>800</b>
<i>Non-emergency services for reports on UBWs under construction</i>			
reports attended to .....	2 436	1 714δ	<b>1 800</b>
<i>Existing Buildings</i>			
<i>UBWs</i>			
reports from members of the public attended to .....	32 188	28 806δ	<b>28 000</b>
removal orders issued.....	12 186	8 150§	<b>12 000</b>
prosecutions against failure to comply with removal orders .....	3 642	2 773§	<b>3 500</b>
unauthorised structures removed and irregularities rectified.....	28 374	19 499§	<b>28 000</b>
<i>dilapidated/dangerous buildings</i>			
reports from members of the public attended to .....	17 499γ	15 487	<b>15 000</b>
repair/investigation orders issued.....	938	1 782¶	<b>1 900</b>
buildings repaired/rectified .....	1 297	1 346¶	<b>1 300</b>
<i>mandatory building inspection</i>			
notices issued .....	8 840	5 167Δ	<b>7 500τ</b>
notices discharged .....	10 390	8 844§	<b>9 000</b>
<i>mandatory window inspection</i>			
notices issued .....	25 772	26 322	<b>31 000τ</b>
notices discharged .....	26 429	32 045^	<b>30 000</b>
<i>NTEHs</i>			
removal orders issued for UBWs in NTEHs.....	802ω	667ω	<b>600</b>
<i>sub-divided flats</i>			
sub-divided flats inspected.....	1 612	1 045ρ	<b>1 600</b>
sub-divided flats rectified of irregularities .....	275	167§	<b>240</b>
<i>dangerous retaining walls/slopes</i>			
reports from members of the public attended to .....	10 912γ	272δ	<b>250</b>
repair orders issued .....	43	59	<b>45</b>
dangerous retaining walls/slopes repaired .....	91	73§	<b>95</b>
<i>prescribed commercial premises</i>			
fire safety directions (FSDns) issued .....	120	87§	<b>120</b>
FSDns discharged .....	130	107§	<b>130</b>
<i>specified commercial buildings</i>			
fire safety improvement directions (FSIDns) issued.....	245	186§	<b>240</b>
FSIDns discharged .....	479	375§	<b>470</b>
<i>composite buildings</i>			
FSDns issued.....	3 617	3 305μ	<b>2 900 μ</b>
FSDns discharged .....	1 815	1 239§	<b>1 800</b>
<i>industrial buildingsΦ</i>			
FSDns issued.....	—	—	<b>600</b>
FSDns discharged .....	—	—	<b>0</b>
licence/registration applications processed (restaurants, places of public entertainment, tutorial schools etc.) .....	13 361	11 337§	<b>12 500</b>
<i>Minor Works Control System</i>			
minor works submissions received .....	120 947	121 499	<b>120 000</b>
minor works submissions selected for auditing .....	7 063	7 145	<b>7 000</b>
<i>Signboard Control System</i>			
unauthorised signboards removal orders issued.....	921	929	<b>1 100Ψ</b>
unauthorised signboards removed/validated.....	1 881	1 283§	<b>1 800</b>
dangerous/abandoned signboards removed/repaired .....	1 303	1 292§	<b>1 500Ψ</b>
reports of unauthorised, dangerous or abandoned signboards from members of the public attended to .....	2 998	3 016	<b>2 900</b>
<i>Building Safety Loan Scheme</i>			
loan applications processed.....	574	330φ	<b>550</b>
loan applications approved.....	423	187φ	<b>350φ</b>
total amount of loans committed (\$m).....	41.8	16.0φ	<b>28.0φ</b>

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	2019 (Actual)	2020 (Actual)	2021 (Estimate)
<i>New Buildings</i>			
new building proposals approved .....	263	226Ω	240
plans processed.....	20 326	18 317Ω	19 000
gross floor area of proposed new buildings approved (in 1 000 m <sup>2</sup> ) .....	4 556	3 378Ω	3 900
site inspections made.....	12 216	9 460§	12 500
sites inspected.....	1 389	1 302	1 350
occupation permits issued .....	236	218Ω	220

δ The decrease is due to fewer public reports received in 2020.

§ The decrease in 2020 was owing to the special work arrangements of the Department due to COVID-19.

γ High number of repeated reports in connection with particular locations were received in 2019.

¶ The increase in 2020 was due to enhanced enforcement action against defective drainage system arising from COVID-19.

Δ The decrease in 2020 was due to reduction in the number of projections on the exteriors of target buildings requiring inspection by property owners under MBIS.

τ The estimated increase in 2021 is due to the increase in the number of target buildings selected in 2020 and the issue of notices for target buildings will take place in 2021.

Λ The increase in 2020 was due to enhanced enforcement action against outstanding notices.

ω More actionable UBWs were revealed from public reports and the V-by-V surveys.

ρ The decrease is owing to fewer public reports received in 2020 and slowdown of the LSO on inspection of sub-divided flats under the special work arrangements of the Department due to COVID-19.

μ The decrease in 2020 and the estimated decrease in 2021 are due to fewer FSDns required to be served on owners of individual units of the remaining target buildings.

Φ 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.

Ψ The estimated increase in 2021 is due to stepped up enforcement.

φ The decrease in 2020 and the estimated increase in 2021 are due to the slowdown of building maintenance works in the market in 2020 under COVID-19, which are expected to pick up gradually in 2021.

Ω The decrease was due to the decrease in number of submissions received in 2020.

### ***Matters Requiring Special Attention in 2021–22***

- 8 During 2021–22, 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;
  - follow up the one-off special operation to inspect the conditions of common means of escape of domestic and composite buildings aged 60 or above conducted in 2020 and take appropriate enforcement actions in accordance with the BO to ensure fire and building safety;
  - continue the one-off special scheme to inspect external drainage systems of all private residential and composite buildings except buildings of or not exceeding three storeys and to take appropriate enforcement action after inspection;
  - continue the consultancy study on the use of information technology to enhance enforcement action against dangerous signboards;
  - continue the LSO on removal of First Round Target UBWs in NTEHs;
  - continue to prepare the proposed legislative amendments to the BO and the B(MW)R by designating more prescribed building and prescribed building works items to expand the Minor Works Validation Scheme;
  - continue to prepare legislative amendments to the B(A)R and consequential amendments to the ETO and ET(E)O for accepting applications submitted under the BO via electronic means to pave the way for the implementation of the ESH;
  - 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;
  - 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;

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- 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 to formulate a new Code of Practice for Seismic-resistant Building Design Standards for the introduction of statutory seismic design requirements for new buildings;
- continue to consult stakeholders for implementing a product certification system for materials used in private building developments; and
- engage stakeholders for the preparation of implementing 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.

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### ANALYSIS OF FINANCIAL PROVISION

	2019–20 (Actual) (\$m)	2020–21 (Original) (\$m)	2020–21 (Revised) (\$m)	2021–22 (Estimate) (\$m)
<b>Programme</b>				
Buildings and Building Works .....	1,674.2	1,870.4	1,851.1 (-1.0%)	<b>1,879.2</b> <b>(+1.5%)</b>
				<b>(or +0.5% on 2020–21 Original)</b>

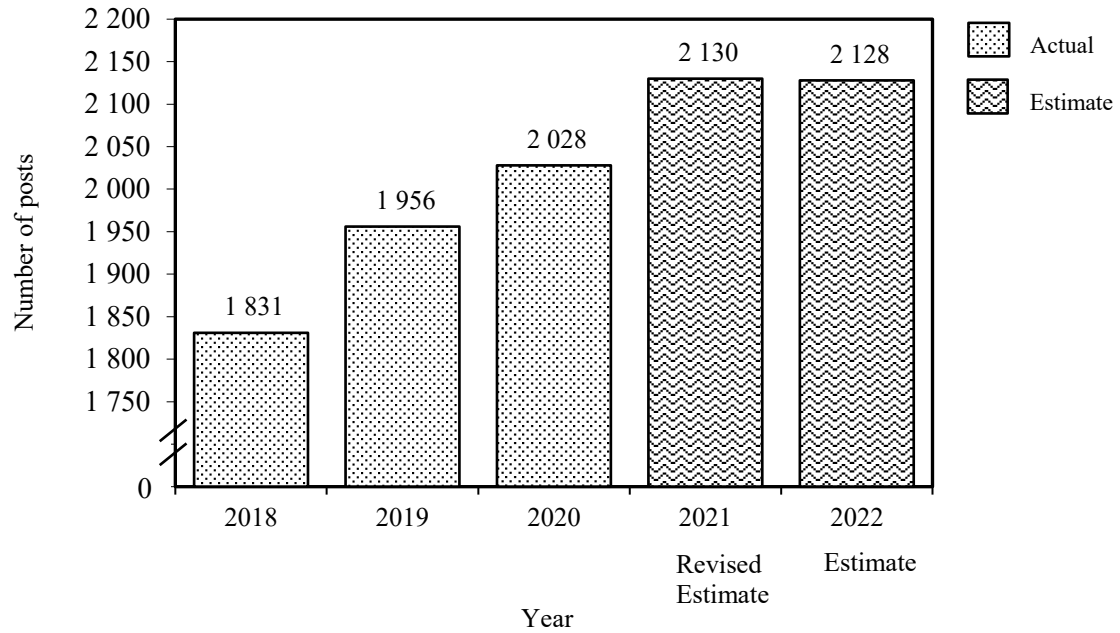
#### Analysis of Financial and Staffing Provision

Provision for 2021–22 is \$28.1 million (1.5%) higher than the revised estimate for 2020–21. This is mainly due to the full-year effect of vacancies filled in 2020–21 and increased requirement on Land Registry/Companies Registry Trading Fund Services in 2021–22, and partly offset by the decrease in provision for departmental expenses and a net decrease of two posts.

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





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Sub-head (Code)	Actual expenditure 2019–20	Approved estimate 2020–21	Revised estimate 2020–21	<b>Estimate 2021–22</b>	
	\$'000	\$'000	\$'000	<b>\$'000</b>	
<b>Operating Account</b>					
Recurrent					
000	Operational expenses .....	1,640,673	1,832,116	1,818,737	<b>1,839,012</b>
227	Payment for Land Registry/Companies Registry Trading Fund services .....	31,481	38,250	32,343	<b>40,166</b>
	Total, Recurrent.....	<u>1,672,154</u>	<u>1,870,366</u>	<u>1,851,080</u>	<b><u>1,879,178</u></b>
	Total, Operating Account .....	<u>1,672,154</u>	<u>1,870,366</u>	<u>1,851,080</u>	<b><u>1,879,178</u></b>
<b>Capital Account</b>					
Plant, Equipment and Works					
	Minor plant, vehicles and equipment (block vote).....	2,085	—	—	—
	Total, Plant, Equipment and Works.....	<u>2,085</u>	<u>—</u>	<u>—</u>	<u>—</u>
	Total, Capital Account.....	<u>2,085</u>	<u>—</u>	<u>—</u>	<u>—</u>
	Total Expenditure .....	<u><u>1,674,239</u></u>	<u><u>1,870,366</u></u>	<u><u>1,851,080</u></u>	<b><u><u>1,879,178</u></u></b>

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### Details of Expenditure by Subhead

The estimate of the amount required in 2021–22 for the salaries and expenses of the Buildings Department is \$1,879,178,000. This represents an increase of \$28,098,000 over the revised estimate for 2020–21 and \$204,939,000 over the actual expenditure in 2019–20.

#### *Operating Account*

#### Recurrent

**2** Provision of \$1,839,012,000 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 2021 will be 2 130 posts including one supernumerary post. It is expected that there will be a net decrease of two posts in 2021–22. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2021–22, but the notional annual mid-point salary value of all such posts must not exceed \$1,178,761,000.

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

	2019–20 (Actual) (\$'000)	2020–21 (Original) (\$'000)	2020–21 (Revised) (\$'000)	<b>2021–22 (Estimate) (\$'000)</b>
Personal Emoluments				
- Salaries .....	1,268,330	1,363,649	1,336,144	<b>1,422,279</b>
- Allowances .....	14,416	15,047	14,314	<b>14,719</b>
- Job-related allowances.....	18	122	76	<b>128</b>
Personnel Related Expenses				
- Mandatory Provident Fund contribution .....	4,948	7,004	5,623	<b>5,896</b>
- Civil Service Provident Fund contribution .....	105,870	123,699	117,726	<b>138,735</b>
Departmental Expenses				
- Hire of services and professional fees .....	83,285	110,925	115,469	<b>102,520</b>
- Contract maintenance .....	1,600	2,750	3,313	<b>2,829</b>
- General departmental expenses .....	162,206	208,920	226,072	<b>151,906</b>
	1,640,673	1,832,116	1,818,737	<b>1,839,012</b>

**5** Provision of \$40,166,000 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 \$7,823,000 (24.2%) over the revised estimate for 2020–21 is mainly due to the increased requirement for ownership checks and registration in Land Registry arising from Operation Building Bright 2.0 and Mandatory Window Inspection Scheme.