

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 82 Buildings Department Subhead (No. & title) :

Programme : Buildings and Building Works

Controlling Officer : Director of Buildings

Director of Bureau : Secretary for Housing, Planning and Lands

Question :

The prosecutions instigated against failure to comply with removal orders will be increased drastically (with a growth rate up to 80%) in 2005. It was believed to be associated with the reinforced enforcement actions taken by the Authority. Could the Administration provide the amount of resources allocated to the above item in 2005-06, and the percentage of the number of successful prosecutions against that of the overall prosecutions instigated over the past 2 years?

Asked by : Hon. CHAN Kam-lam

Reply :

The Prosecution Unit of our Department handles all prosecutions initiated by the Department. In association with the vigorous enforcement action to remove unauthorised building works, we will step up prosecution against failure to comply with removal orders. We estimate that we will instigate 3,000 prosecutions in 2005-06. The amount of resources required by the Prosecution Unit in 2005-06 for handling these 3,000 prosecutions is estimated to be \$10.9 million.

In 2003 and 2004, the total number of summonses issued against failure to comply with removal orders was 2,348 while the total number of convictions was 1,562. As normally the issue of summons to the conclusion of the legal proceedings would take two or more months, some prosecution cases instigated in the last quarter of 2004 are still being processed. Excluding the cases that have not been adjudicated, the conviction rate was about 73%.

Signature

Name in block letters

Post Title

Date

Marco WU

Director of Buildings

6 April 2005