

LCQ1: Cubicle apartments

Following is a question by the Hon Lau Wong-fat and a written reply by the Secretary for Home Affairs, Mr Tsang Tak-sing, in the Legislative Council today (October 24):

Question:

Some District Council (DC) members have pointed out that the problems of fire safety, electrical installation, unauthorised building works and water seepage, etc, arising from unauthorised conversion by owners of their residential units into cubicle apartments for rental purpose have become increasingly serious. In this connection, will the Government inform this Council:

- (a) of the number of complaints about unauthorised conversion of residential units into cubicle apartments received by the Government in the past three years, broken down by 18 DCs;
- (b) whether it will consider introducing a licensing scheme to regulate the relevant contractors, building materials used, as well as the partition and layout of cubicle apartments, etc.; if it will, of the details; if not, the reasons for that; and
- (c) whether it will consider tackling the cubicle apartment problems in individual districts in a targeted manner through cooperation among departments (including the Fire Services Department, Electrical and Mechanical Services Department, Buildings Department, and Food and Environmental Hygiene Department) and the setting up of a joint working group comprising these departments and the DCs of districts in which the problems of cubicle apartments are relatively more serious?

Reply:

Madam President,

- (a) In the past three years, complaints about unauthorised conversion into cubicle apartments were mainly received by the Buildings

Department (BD), and also the Fire Services Department (FSD) and the Home Affairs Department (HAD). The statistics are as follows:

| District | 2005 | 2006 | 2007(as at Sept 30) |
|---------------|-------|-------|---------------------|
| ----- | ----- | ----- | ----- |
| Central & | | | |
| Western | 15 | 12 | 11 |
| Eastern | 28 | 13 | 41 |
| Wan Chai | 27 | 56 | 20 |
| Southern | 5 | 7 | 56 |
| Yau Tsim Mong | 62 | 82 | 116 |
| Wong Tai Sin | 5 | 11 | 4 |
| Sham Shui Po | 108 | 72 | 64 |
| Kwun Tong | 58 | 53 | 60 |
| Kowloon City | 45 | 77 | 59 |
| Islands | 0 | 0 | 0 |
| Kwai Tsing | 22 | 15 | 10 |
| North | 3 | 1 | 11 |
| Sai Kung | 0 | 0 | 2 |
| Sha Tin | 6 | 6 | 3 |
| Tai Po | 16 | 17 | 2 |
| Tsuen Wan | 20 | 21 | 5 |
| Tuen Mun | 2 | 1 | 3 |
| Yuen Long | 12 | 19 | 13 |

(b) Under the Buildings Ordinance (Cap.123), prior approval from the Building Authority is required for any internal building works carried out in residential premises, including the conversion of units into cubicle apartments, that may alter any approved building elements, affect public means of escape or cause problems to the drainage system. Without such approval, the building works are deemed as unauthorised and are subject to enforcement actions by the Buildings Department.

Concerning fire safety, the FSD conducts regular inspections of buildings. Where obstruction of the means of escape, malfunctioning of fire service installations and equipment or storage of excessive dangerous goods is detected, it will take immediate enforcement actions under the

Fire Services Ordinance (Cap. 95) or the Dangerous Goods Ordinance (Cap. 295). With the Fire Safety (Buildings) Ordinance (Cap. 572) that came into effect on July 1, 2007, fire safety measures for pre-1987 domestic buildings and composite buildings have also been stepped up.

Regarding the safety of electrical installations, the Electricity Ordinance (Cap 406) sets out safety requirements for communal installations in buildings and installations in individual units. Where any unsafe installations are detected upon investigation of public complaints, the Electrical and Mechanical Services Department (EMSD) will take appropriate actions under the Electricity Ordinance. Such actions include issuing written warnings to require the owner to repair the unsafe installation, disconnecting electricity supply to those parts of the installation with imminent danger and prosecuting the owner who fails to repair the installation. Common electrical safety problems of cubicle apartments include improper use of multi-adaptors or use of damaged sockets. In general, persons in charge of the premises concerned will rectify the problem shortly after receiving EMSD's advice.

The Food and Environmental Hygiene Department (FEHD) also handles complaints about cubicle apartments and takes appropriate actions to follow up any environmental hygiene nuisances detected. In addition, if the FEHD or the BD detects any water seepage problems during inspections or receives complaints about water seepage, such problems or complaints will be followed up through the Joint Office set up by the FEHD and the BD.

The problems arising from the unauthorised conversion of residential units into cubicle apartments by altering the internal partitions and structures of the units are already regulated by existing legislation, which include those relating to unauthorised building works, fire safety, electrical installations and water seepage. As regards the introduction of a separate licensing scheme, we consider that at this stage we should continue to take enforcement actions in accordance with the current ordinances to ensure that the alterations concerned do not affect building safety and fire safety. The BD, FSD, EMSD and FEHD will continue to enforce the law to ensure the safety of cubicle apartments.

(c) As regards law enforcement, government departments will maintain close liaison with each other in dealing with public complaints and handling the problem of cubicle apartments. They will make referrals and take follow-up actions promptly as and when necessary to facilitate relevant departments to take follow-up actions to ensure overall safety of cubicle apartments.

Moreover, in areas where the problem of cubicle apartments is more serious, committees or working groups under the relevant DCs have been following up the issue in the light of the situation of the respective districts. The departments concerned have kept in close liaison and communication with these committees or working groups to take appropriate enforcement actions. Departments concerned will continue to work with the DCs and step up their enforcement efforts.

Ends/Wednesday, October 24, 2007