

CONTROLLING OFFICER'S REPLY

EEB(F)093

(Question Serial No. 3075)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not specified

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Ms Irene YOUNG)

Director of Bureau: Secretary for Environment and Ecology

Question:

Abating environmental nuisances relating to dripping air-conditioners and water seepage is the responsibility of the Food and Environmental Hygiene Department. Complaints about water seepage in buildings are handled by the Joint Office set up by the Department and the Buildings Department. However, there are comments from the public that investigators have difficulty gaining entry into the premises concerned for investigation. In this connection, please advise this Committee of:

1. whether the Department has kept the statistics on the number of applications made to the court for a warrant to effect entry into the premises;
2. the expenditure involved in making applications to the court for such warrants in 2023, and whether the expenditure was borne by the Government or the owners; and
3. the average number of days it takes from the receipt of a complaint to successful entry into the premises.

Asked by: Hon LAM San-keung (LegCo internal reference no.: 38)

Reply:

1. The Joint Office (JO) is set up by the Food and Environmental Hygiene Department and the Buildings Department for the investigation of water seepage cases in buildings. If its staff is denied access to the suspected premises during the course of investigation, JO will apply to the court for a Warrant to Effect Entry into Premises under section 126 of the Public Health and Municipal Services Ordinance (Cap. 132), so as to enter the premises concerned to proceed with the investigation and tests. In 2023, a total of 67 Warrants to Effect Entry into Premises were granted by the court to JO.
- 2.&3. As application to the court for a Warrant to Effect Entry into Premises is a part of JO's procedures for investigating water seepage, the expenditure is thus borne by the Government. JO does not keep a breakdown of the relevant expenditure, nor does it maintain statistics on the average number of days it takes from the receipt of a complaint to successful entry into the premises.

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