

Ombudsman examines Government's enforcement against defective sewage works of New Territories Exempted Houses (with photo)

The following is issued on behalf of the Office of The Ombudsman:

The Ombudsman, Ms Winnie Chiu, today (May 12) announced the launch of a direct investigation to examine the Government's enforcement against defective sewage works of New Territories Exempted Houses (NTEHs).

NTEHs built in accordance with the Buildings Ordinance (Application to the New Territories) Ordinance are generally exempted from certain provisions of the Buildings Ordinance. Certificates of exemptions, including those for drainage works, must be obtained from the Director of Lands before NTEHs are built. The certificate of exemption in respect of drainage works stipulates that the works should comply with the Drainage and Health Requirements for Village Type Houses. Where no public sewers are provided in the rural area concerned, applicants for building NTEHs should build sewage disposal systems including septic tanks and soakage pits pursuant to the above requirements.

Currently, the Environmental Protection Department (EPD), the Food and Environmental Hygiene Department (FEHD) and the Lands Department (LandsD) handle complaints about defective sewage works of NTEHs in accordance with the Water Pollution Control Ordinance, the Public Health and Municipal Services Ordinance and land lease provisions respectively. The Office of The Ombudsman has from time to time received complaints about ineffective enforcement of the above departments, where the problem could only be resolved if the NTEH owner concerned carried out rectification works voluntarily.

Ms Chiu said, "Defective sewage works of NTEHs such as septic tanks may cause environmental nuisance and pollution, affect the nearby rivers and even spread diseases. The responsibility of maintenance and repair no doubt falls on individual owners. However, the Government is duty bound to follow up on complaints properly and cause owners to fulfil their responsibility through enforcement action. Hence, I have decided to launch a direct investigation to examine the Government's enforcement against defective sewage works of NTEHs, including the current effectiveness of enforcement and inter-departmental collaboration, and will make recommendations for improvement to the Government where necessary."

The Office will launch this direct investigation with the EPD, the FEHD and the LandsD. The Ombudsman now invites members of the public to provide information and views on this topic. Written submissions should reach the Office of The Ombudsman by June 11, 2022:

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