



**Lands Administration Office  
Lands Department**

**Practice Note**

Issue No. 3/2022A

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**Charging Land Premium  
at Standard Rates on Lease Modification including Land Exchange  
for Development of Land within the Remaining Phase of  
Kwu Tung North and Fanling North New Development Areas**

With immediate effect, this Practice Note varies and supplements Lands Department Lands Administration Office (“LAO”) Practice Note No. 3/2022 (“PN 3/2022”). Except as varied and supplemented by this Practice Note, all other information and provisions in PN 3/2022 remain valid.

2. The deadline for processing any accepted application as indicated in paragraph 13 of LAO Practice Note No. 1/2022 (“PN 1/2022”) has been extended in accordance with paragraph 2 of LAO Practice Note No. 1/2022A (“PN 1/2022A”). Paragraph 2 of PN 3/2022 is varied as follows:

“2. As stated in paragraph 13 of PN 1/2022 as varied by PN 1/2022A, any accepted application for land exchange for sites in the Remaining Phase should have the binding basic terms offer (with premium) accepted on or before 31 December 2023, failing which the application will cease to be processed. For the purpose of this PN, an applicant may **opt** for the premium for the eligible land exchange to be charged at standard rates (“the Option”) **not later than** the acceptance of the Provisional Basic Terms Offer (“PBTO”) for the proposed land exchange by completing the Option Form at **Appendix I** (“Option Form”). As the Option is irreversible upon the acceptance of the PBTO, no appeal against the premium to be offered at standard rates under the Binding Basic Terms Offer (“BBTO”) for the proposed land exchange will be provided for or considered and fees paid for the application will be forfeited if the applicants decide not to proceed with the land exchange. Any re-application will not be considered.

3. The standard rates and the validity period are varied. Paragraph 3 of PN 3/2022 is varied as follows:

“3. The applicable standard rates will be based on the following in accordance with the respective NDAs where the lot(s) is/are situated. These rates will be valid throughout the processing period of the applications, i.e. up to **31 December 2023** according to paragraph 13 of PN 1/2022 as varied by PN 1/2022A (“the Period”).

New Development Areas	Uses <u>Before</u> Land Exchange			Uses <u>After</u> Land Exchange	
	Agricultural Use	Non-residential Building Use <sup>^</sup>	Residential Building Use	Non-residential Use <sup>#</sup>	Residential Use
<b>Kwu Tung North</b>	\$4,000/m <sup>2</sup>	\$15,000/m <sup>2</sup>	\$30,000/m <sup>2</sup>	\$27,500/m <sup>2</sup>	\$40,000/m <sup>2</sup>
<b>Fanling North</b>	\$4,000/m <sup>2</sup>	\$15,000/m <sup>2</sup>	\$30,000/m <sup>2</sup>	\$22,500/m <sup>2</sup>	\$37,500/m <sup>2</sup>

Note: All standard rates are expressed on a per gross floor area (“GFA”) basis, except those for agricultural use which are expressed on a per site area basis.

<sup>^</sup> including industrial uses. The decision of LandsD as to the type of non-residential building use applicable for standard rates is final and binding on the applicant.

<sup>#</sup> including commercial and modern industrial uses but excluding columbarium, petrol filling station, storage of dangerous goods or offensive trades use, for which the stated standard rates are not applicable. For the avoidance of doubt, hotel and hotel ancillary use will be treated as commercial use. The decision of LandsD as to the type of non-residential use applicable for standard rates is final and binding on the applicant.”

4. For a land exchange application with PBTO having been accepted before the date of this Practice Note but without the Option Form submitted, the applicant may opt for the premium for the land exchange to be charged at the standard rates set out in PN 3/2022 as varied by this Practice Note by submitting the Option Form on or before 28 July 2023. If the duly completed Option Form is not submitted on or before that date, the applicant is deemed to have selected the premium to be assessed in accordance with the established case-by-case basis.

5. This Practice Note is issued for general reference purpose only. All rights to modify the whole or any part of this Practice Note are hereby reserved.

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