



地政總署

Lands Department

以短期形式使用空置的政府土地 作社區、團體或非牟利用途 申請指引

Guidelines for Application for Use of Vacant Government Land that is available for Community, Institutional or Non-Profit Making Purposes on Short Term Basis

1. 引言

本小冊子為有意申請的非政府組織介紹有關以短期形式使用空置的政府土地作社區、團體或非牟利用途的申請手續。

本小冊子僅為解釋處理上述申請的現行要求及安排的要點，無意藉此造成任何法律權利或義務。

一項關於批核本指引所適用的短期租約的考慮是有關的短期租約申請必需要取得有關決策局的支持。倘若在遞交申請前已取得有關決策局的支持，處理時間或可加快。

1. Introduction

This pamphlet introduces the procedures of the application to be submitted by interested non-government organisations for temporary use of available vacant government land on short term basis for community, institutional or non-profit making purposes.

This pamphlet is not intended to create any legal rights or obligations and serves only to explain the key features of the current requirements and arrangements for dealing with such applications.

An important consideration for the grant of short term tenancies ("STT") covered by this set of guidelines is that the application for STT must have the support of the relevant policy bureau. Processing time may be expedited if support from the relevant policy bureau is obtained prior to submission of the application to the Lands Department.

倘若建議用途屬非牟利性質，而有關決策局支持以象徵式租金批出短期租約，則一經批核，有關的短期租約可能只須支付象徵式租金。不過，倘若有關決策局或部門只同意批出短期租約給申請者但不同意／不支持以象徵式租金批出短期租約，即使其他有關部門並無反對意見及申請獲得批准，有關租約需以十足市值租金批出。

本署建議申請者考慮聘請合適的專業人士協助提出申請。由於審批申請需時，為方便處理申請及配合預計的土地接管日期，申請者應盡早遞交申請。

2. 如何申請短期租約

申請者須：

- i) 向有關的分區地政處遞交申請，並附以下文件：(I)一份比例 1:1,000 顯示擬議地界的位置圖、(II)擬議計劃的詳情，包括擬議用途、(III)擬辦活動的性質、(IV)擬議用途為期多久、(V)預計的土地接管日期，以及(VI)擬建建築物(如適用)；
- ii) 倘若擬議用途屬非牟利性質，則提交所

If the proposed uses are non-profit-making in nature and the relevant policy bureau gives support to the grant of a STT at nominal rent, then, the STT, if approved, may be granted at nominal rent. However, if the supporting policy bureau or department only gives support to the direct grant of the STT to the applicant but does not agree to / support the STT being granted at a nominal rent, the tenancy may be granted at full market rent if there are no adverse comments from other departments concerned and the application is approved.

The applicant is advised to consider enlisting the service of an appropriate professional to assist him in making the application. To facilitate processing of the application and to meet the anticipated site possession date, applications should be submitted at the earliest possible time.

2. How to apply for a STT

The applicant should:

- i) submit the application to the relevant District Lands Office accompanied by (I) a site plan at a scale of 1:1,000 showing the proposed site boundary, (II) a description of the proposal including the proposed use(s), (III) the nature of activities to be conducted, (IV) duration of the use, (V) the anticipated site possession date and (VI) the proposed building structures to be erected (if applicable);
- ii) if the proposed use(s) is

有有關的文件／證據以作支持；

- iii) 如若適用，提供符合《稅務條例》第 88 條規定的證明書證明申請者本身為公共性質的慈善機構或慈善信託；以及
- iv) 提供由城市規劃委員會就擬議用途發出的有關規劃許可(如適用)。

申請表格樣本夾附在附件

3. 審批申請的程序

- i) 在接獲申請後，有關的分區地政處會先作研究，以確定申請是否符合基本要求。如申請未能符合基本要求，便會盡快把未能處理的申請的原因通知申請者。如申請符合基本要求，有關的分區地政處便會就申請尋求所需的政策支持，並就擬議計劃諮詢有關的局和政府部門。如認為有此必要，地政處亦會諮詢區內的持份者，例如鄉事委員會、村代表。

申請者或須提供政府部門及決策局所需的任何補充資料。

non-profit-making in nature, submit all relevant documents/evidence to support the application;

- iii) if applicable, provide a certificate under Section 88 of the Inland Revenue Ordinance to prove that the applicant is a charitable institution or trust of a public character; and
- iv) provide the relevant planning permission from the Town Planning Board for the proposed use, if applicable.

A sample of the Application Form is attached at Annex.

3. Procedures for Processing the Applications

- i) Upon receipt of the application, the District Lands Office will initially study the application to see if it meets the basic requirements. If it does not meet the basic requirements, the applicant will be informed at the earliest possible time of the reasons why the application cannot be processed. For applications that meet the basic requirements, the District Lands Office will seek the necessary policy support to the application and consult the relevant Government departments and bureaux on the proposal. If considered necessary, local stakeholders such as the Rural Committee, village representatives, etc. will also be consulted.

The applicant may need to provide any supplemental information that the

Government departments and bureaux may require.

ii) 如有關的分區地政處提出要求，申請人須設法解決就有關申請所收到的任何反對意見。

iii) 如申請獲得批准，有關的分區地政處將發出基本條款建議書，包括擬議租約的主要條款，以及須繳付的行政費用、租金和按金金額(如適用)，供申請者於訂明的限期內接納。如申請者接納基本條款建議書，便會安排簽立租約、繳付租金和按金(如適用)，並將有關土地移交予申請者。

iv) 如申請不獲批准，申請者將獲告知結果及申請遭拒絕的原因。

ii) The applicant should, if so requested by the Districts Lands Office, attempt to resolve any objections received arising from the application.

iii) If the application is approved, the District Lands Office will issue a basic terms offer letter, including the main terms of the proposed tenancy and, if applicable, the administrative fee, the amount of rent and deposit to be paid, for the acceptance by the applicant within the prescribed time frame. If the applicant accepts the basic terms offer, arrangements will be made for execution of the tenancy agreement, payment of rent and deposit (if applicable), and handover of the site to the applicant.

iv) If the application is not approved, the applicant will be informed of the result with the reasons for rejection.

4. 查詢

就以上所述的申請程序，公眾可向以下 12 個分區地政處作出查詢。

地政處	電話號碼	傳真號碼	地址
港島東區地政處	2835 1684	2834 4324	香港灣仔軒尼詩道130號修頓中心19樓

4. Enquiries

The general public can make enquiries at the 12 District Lands Offices in respect of the above application procedures.

District Lands Office	Tel. no.	Fax no.	Address
District Lands Office/ Hong Kong East	2835 1684	2834 4324	19th Floor, Southorn Centre, 130 Hennessy

港島西及南區地政處	2835 1711	2833 1945	香港灣仔軒尼詩道130號修頓中心20樓
九龍東區地政處	2300 1764	2782 5061	九龍上海街250號油麻地停車場大廈10樓
九龍西區地政處	2300 1764	2782 5061	九龍上海街250號油麻地停車場大廈10樓
離島地政處	2852 4265	2850 5104	香港中區統一碼頭道38號海港政府大樓19樓
北區地政處	2675 1809	2675 9224/ 2676 6432	新界粉嶺璧峰路3號北區政府合署6樓

			Road, Wan Chai, Hong Kong.
District Lands Office/ Hong Kong West and South	2835 1711	2833 1945	20th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong.
District Lands Office/ Kowloon East	2300 1764	2782 5061	10th Floor, Yau Ma Tei Carpark Building, 250 Shanghai Street, Kowloon.
District Lands Office/ Kowloon West	2300 1764	2782 5061	10th Floor, Yau Ma Tei Carpark Building, 250 Shanghai Street, Kowloon.
District Lands Office/ Islands	2852 4265	2850 5104	19th Floor, Harbour Building, 38 Pier Road, Central, Hong Kong.
District Lands Office/ North	2675 1809	2675 9224/ 2676 6432	6th Floor, North District Government Offices,

西貢地政處	3525 0781	2792 0706	新界西貢親民街 34 號 西貢政府合署 3 樓及 4 樓
沙田地政處	2158 4700	2602 4093	新界沙田上禾輦路 1 號 沙田政府合署 11 樓
大埔地政處	2654 1263	2650 9896	新界大埔汀角路 大埔政府合署 1 樓
荃灣及葵青地政處	2402 1164	2415 0703/ 2412 0505	新界荃灣青山公路 174 至 208 號 荃灣多層停車場大廈 10 樓及 11 樓

			3 Pik Fung Road, Fanling, N.T.
District Lands Office/ Sai Kung	3525 0781	2792 0706	3rd & 4th Floors, Sai Kung Government Offices, 34 Chan Man Street, Sai Kung, N.T.
District Lands Office/ Sha Tin	2158 4700	2602 4093	11th Floor, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, N.T.
District Lands Office/ Tai Po	2654 1263	2650 9896	1st Floor, Tai Po Government Offices, Ting Kok Road, Tai Po, N.T.
District Lands Office/ Tsuen Wan and Kwai Tsing	2402 1164	2415 0703/ 2412 0505	10th and 11th Floors, Tsuen Wan Station Multi-storey Carpark Building, 174-208 Castle Peak Road,

屯門地政處	2451 1176	2459 0795	新界屯門 屯喜路 1 號 屯門政府 合署 6 樓及 7 樓
元朗地政處	2443 3573	2473 3134/ 2479 9736/ 2478 8554	新界元朗 橋樂坊 2 號 元朗政府 合署 9 樓至 11 樓

			Tsuen Wan, N.T.
District Lands Office/ Tuen Mun	2451 1176	2459 0795	6th & 7th Floors, Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun, N.T.
District Lands Office/ Yuen Long	2443 3573	2473 3134/ 2479 9736/ 2478 8554	9-11th Floors, Yuen Long Government Offices, 2 Kiu Lok Square, Yuen Long, N.T.

附件

樣本

以短期形式使用空置的政府土地
作社區、團體或非牟利用途
標準申請表格

_____區地政處：

_____(非政府組織名稱) (“申請者”)現就位於_____(土地的地址／位置)
面積約_____平方米的土地申請短期租約，以作_____(請說明擬議的用途)
用途。

為方便考慮本組織的申請，我們現夾附下列文件以供參閱：

- (a) 申請者的法團證明書副本(如適用)；
- (b) 申請者的組織章程大綱及章程細則副本(如適用)；
- (c) 申請者的商業登記證影印本(如適用)；
- (d) 符合《稅務條例》第 88 條規定的證明書，以證明申請者為公共性質的慈善機構或慈善信託(如適用)；
- (e) 城市規劃委員會發出的規劃許可(如適用)；
- (f) 比例 1:1,000 顯示擬議地界的位置圖副本；
- (g) 擬議計劃的簡介；以及
- (h) 授權(代表的姓名)作為本組織代表的授權書(如適用)。

本組織現明確保證及聲明，上文提供用以支持本組織的申請的資料真確無訛。此外，本組織明確表示已明白和接受貴處會基於我們提供的資料而考慮所申請的租約，若發現有關資料屬虛假或有誤導性，申請將不被接納。

本組織並明確知悉，分區地政處在審批我們的申請時，會使用我們在

本申請表格提供的個人資料。提供本申請表格要求的任何個人資料純屬自願。本組織明白如我們未有提供充足資料，有關分區地政處可能無法辦理我們的申請。

本組織現授權有關分區地政處，在與我們的申請有關的情況下(不論是基於政策或任何其他原因)，行使絕對酌情權向其認為適當的政府部門或決策局和任何其他團體、組織或人士，披露本組織在申請表提供的個人資料。

我們進一步授權、指示和要求任何政府部門、決策局或其他團體，如接獲有關分區地政處提出要求，即可向其提供任何該處所需的資料。

申請者簽署 : _____
(連公司蓋章，如適用)

申請者名稱 : _____
(請以正楷填寫)

聯絡人姓名 : _____

通信地址 : _____

電話號碼 : _____

傳真號碼 : _____

日期 : _____

註：

(1) 填妥後，可將本表格寄回或親自交回有關的分區地政處。

(2) 政府不一定接納任何一份提交的申請表格。

Sample

Standard Application Form for Use in respect of Available Vacant Government Land on Short Term Basis for Community, Institutional or Non-profit Making Purposes

To : District Lands Office()

(Name of the Non-government Organisation) (“the Applicant”), hereby apply for a short term tenancy in respect of a site at (*address / location of the site*) having a site area of about square metres for (*description of the proposed use*) purpose(s).

In order to facilitate consideration of our application, we attach the following documents for your reference:-

- (a) a copy of the Applicant’s Certificate(s) of Incorporation (if applicable);
- (b) a copy of the Applicant’s Memorandum and Articles of Association (if applicable);
- (c) one photocopy of the Applicant’s Business Registration Certificate(s) (if applicable);
- (d) a certificate under section 88 of the Inland Revenue Ordinance to prove that we are a charitable institution or trust of a public character (if applicable);
- (e) planning permission from the Town Planning Board (if applicable);
- (f) a copy of the site plan at a scale of 1:1,000 showing the proposed site boundary;
- (g) a brief description of the proposal; and

(h) an authorization letter authorizing (*name of the agent*) to act on our behalf (if applicable).

We hereby expressly warrant and declare that the above information provided in support of our application is correct and genuine. We also expressly acknowledge that we acknowledge and accept that the tenancy applied for will be considered on the basis of the information supplied by us and that the application will be rejected in the event that such information is found to be false or misleading.

We further expressly acknowledge that the personal data provided by us in this application form will be used by the Lands Department in connection with the processing of our application. The provision of any personal data requested in the application form is voluntary. We understand that if we do not provide sufficient information, the District Lands Office concerned may not be able to process our application.

We hereby authorize the District Lands Office concerned to disclose our personal data in the application form to such Government Departments or Bureaux and any other body, organization or person(s) as it may see fit at its absolute discretion, which is deemed relevant to our application, whether on policy or any other grounds.

We further authorize and direct and request any Government Department, Bureau or other body which may be approached by the District Lands Office concerned, to supply any information which it may require.

Signed by the : _____
applicant(s)
(with company chop if
applicable)

Name of the : _____
applicant(s)
in block letters

Name of the contact : _____
person

Correspondence : _____
Address : _____
Telephone number : _____
Fax number : _____
Date : _____

Note :

- (1) *After completion, this form may either be mailed, or handed in to the District Lands Office concerned.*
- (2) *The Government does not bind itself to accept any application submitted*