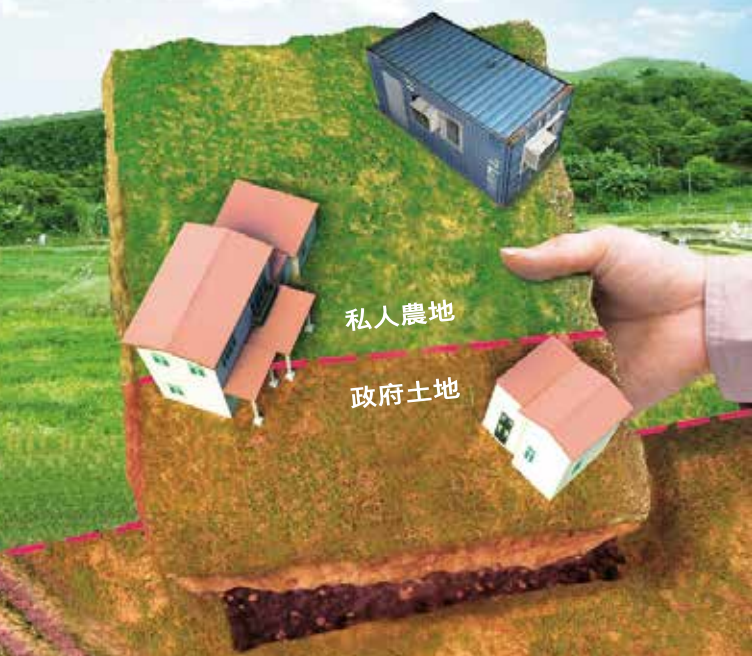




地政總署

違契建屋 非法佔地 後果嚴重



不得在私人農地上 搭建違契構築物

清拆

私人農地上任何搭建中(即施工中)的違契構築物均須清拆。

地政總署一旦發現私人農地上正在搭建違契構築物，會根據《土地(雜項條文)條例》(第28章)發出法定通知，要求有關地段業權人停工，並清拆現場的違契構築物。如地段業權人沒有遵辦，政府有權採取清拆行動，並向地段業權人收回相關費用。

重收

在私人農地上已完成興建違契構築物會引致土地被政府重收。

對於私人農地上已完成興建的違契構築物，地政總署亦會根據《政府土地權(重收及轉歸補救)條例》(第126章)重收該私人農地。屆時土地擁有人會喪失在該土地的權利。

清拆中的構築物



政府重收的私人農地



新界私人農地



對非法佔用政府 土地的管制

不得不合法佔用政府土地

檢控

不合法佔用政府土地會被檢控。

佔用人可能被檢控。任何人如觸犯香港法例第28章《土地(雜項條文)條例》第6(4)條所訂罪行：

- (a) 在該人首度被裁定犯該罪行時—可處罰款\$500,000及監禁6個月，如屬持續的罪行，則可就罪行持續期間的每一日，另處罰款\$50,000；及
- (b) 在該人其後每次被裁定犯該罪行時—可處罰款\$1,000,000及監禁6個月，如屬持續的罪行，則可就罪行持續期間的每一日，另處罰款\$100,000。

勸諭

- 切勿在私人農地及／或政府土地上興建違契構築物，亦切勿購買、租賃或佔用任何在私人農地及／或政府土地上的違契構築物或懷疑違契構築物。
- 如有疑問，應徵詢獨立的專業意見。
- 否則，會導致嚴重後果。
- 相關人士可能會蒙受損失，並須對政府採取的執法行動負上法律責任。

轉介地產代理監管局

如懷疑地產代理涉及違契構築物(包括構築物內個別單位)的銷售或租賃，地政總署會把個案轉介予地產代理監管局，以便採取跟進行動。

查詢

請與相關的分區地政處聯絡

離島	2852 4265
北區	2675 1809
西貢	2791 7019
沙田	2158 4700
大埔	2654 1263
荃灣葵青	2402 1164
屯門	2451 1176
元朗	2443 3573
港島東區	2835 1684
港島西及南區	2835 1711
九龍東區	2300 1764
九龍西區	2300 1764

網址 www.landsd.gov.hk
電郵查詢 landsd@landsd.gov.hk



Lands Department

Unauthorised Structures, Unlawful Occupation Lead to Serious Consequences



Web Site www.landsd.gov.hk
E-mail Enquiry landsd@landsd.gov.hk

LDPM_0072(07/2017)

No Unauthorised Structures on Private Agricultural Land

Demolition

Any unauthorised structures being erected (i.e. Works-In-Progress) on private agricultural land will need to be demolished.

Once it has come to Lands Department's attention that an unauthorised structure is being erected on private agricultural land, it will issue a statutory notice under the Land (Miscellaneous Provisions) Ordinance (Chapter 28) requiring the lot owner to stop the works and demolish any unauthorised structures on-site. Failure to comply with the notice may lead to demolition taken by the Government while the relevant costs will be recovered from the lot owner.

Re-entry

Unauthorised completed structures built on private agricultural land will lead to re-entry of the land by the Government.

For unauthorised completed structures built on private agricultural land, Lands Department will also proceed with re-entry of the private agricultural land under the Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126). The owner's rights in the land will then be forfeited.

Demolition in progress



Private agricultural land re-entered by Government



Private agricultural land in the New Territories



Control on unlawful occupation of Government land



No Unlawful Occupation of Government Land

PROSECUTION

Any person who unlawfully occupies Government land will be prosecuted.

The occupier may be prosecuted. Any person who is guilty of an offence under Section 6(4) of the Land (Miscellaneous Provisions) Ordinance (Chapter 28) is liable:

- on the first occasion on which the person is convicted of the offence, to a fine of \$500,000 and to imprisonment for 6 months and, in the case of a continuing offence, to a further fine of \$50,000 for each day during which the offence continues; and
- on each subsequent occasion on which the person is convicted of the offence, to a fine of \$1,000,000 and to imprisonment for 6 months and, in the case of a continuing offence, to a further fine of \$100,000 for each day during which the offence continues.

Advice

- Do not construct, buy, rent or occupy any unauthorised or suspected unauthorised structures on private agricultural land and / or Government land.
- If in doubt, seek independent professional advice.
- Otherwise, it will lead to serious consequences.
- Relevant party may suffer losses and will be liable to enforcement action by the Government.

Referral to Estate Agents Authority

If it is suspected that estate agents may have been involved in the sale or rental of unauthorised structures, including individual units therein, Lands Department will refer such cases to the Estate Agents Authority for follow-up action.

For Enquiry

Please contact the respective District Lands Offices, at

Islands	2852 4265
North	2675 1809
Sai Kung	2791 7019
Sha Tin	2158 4700
Tai Po	2654 1263
Tsuen Wan & Kwai Tsing	2402 1164
Tuen Mun	2451 1176
Yuen Long	2443 3573
Hong Kong East	2835 1684
Hong Kong West & South	2835 1711
Kowloon East	2300 1764
Kowloon West	2300 1764