Application Form for Early Payment of Ex-gratia Allowances

* *Chief Estate Surveyor (_____) /*
* *District Lands Officer,_____/*
* *Manager/Clearance (_____Office),*

****Ex-gratia Allowance (EGA) for Shops, Workshops, Godowns, Slipways, Schools, Churches and Ornamental Fish Breeding Undertakings / EGA for Open-air/Outdoor Business Undertakings / Rehabilitation Allowance / Disturbance Allowance for Cultivators / Crop Compensation / EGA for Miscellaneous Permanent Improvements to Farms (including Farm Equipment and Implements) / EGA for Qualifying Agricultural Buildings on Private Land / EGA for Pig and Poultry Farmers / EGA for Pond Fish Farmers Rearing Edible Fish and Fish Fry / EGA for Red Worm Pond Operators / EGA for Oyster Farmers in Deep Bay***

(Please read the Notes below before completing this application form.)

(_____)@

1. Basic Information

Name of Applicant / Company:	
Hong Kong Identity Card No. / Business Registration Certificate No.:	
# Authorised Representative (if applicable):	
* Clearance No. of *Open-air/Outdoor Business Undertaking/Structure(s)*:	
District and Location	District:
	Lot No. in D.D.
Modification of Tenancy Permit/ Short Term Waiver/Letter of Approval No.: *(applicable to private land)*	
Short Term Tenancy/ Government Land Licence No.: *(applicable to government land)*	

2. Scheduled Departure Date

Upon approval of the application, the applicant shall generally depart voluntarily and unconditionally from the site, hand over the site wholly to the Government and vacate the relevant structure(s) / squatter structure(s) on or before the scheduled departure date stated in the letter of notification from the Lands Department (LandsD). Please fill in your proposed scheduled departure date below. Please note that the LandsD may adjust the departure deadline with regard to the progress of the project. For any application approved eventually, a final scheduled departure date will be stipulated in the approval letter.

Proposed Scheduled Departure Date: _____

3. Declaration

(i) **I/We/The company* hereby apply (applies) for early payment of the subject EGA(s) from the LandsD[Note 1]. If the application is approved eventually, **I/we/the company* undertake(s) and guarantee(s) to depart voluntarily and unconditionally from the site, hand over the site wholly to the Government and vacate the relevant structure(s) / squatter structure(s) on or before the scheduled departure date as stipulated by the LandsD in the approval letter. **I/We/The Company* undertake(s) and guarantee(s) that the relevant **operating area(s)/structure(s)/squatters(s)* will not be changed for other purposes. Otherwise, the LandsD may take land control action as appropriate under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) at any time (including earlier than the scheduled departure date) to request the affected person/business to depart from the relevant site and related structure(s)/squatter(s). **I/We/The company* agree(s) that the LandsD is authorised to dispose of any items in the surrendered structure(s).

(ii) **I/We/The company* agree(s) to receive in advance the EGA as full and final settlement of all and any claims, and to waive any other claim for compensation which **I/we/the company* may have against the Government arising out of the resumption of the site.

(iii) By signing this form, **I/we/the company* understand(s) and agree(s) to all terms and conditions set out herein (including the Notes).

(iv) **I/We/The company* hereby declare(s) that **I/we/the company *am/are/is* the **user(s) of the structure(s) /the operator(s)* of the *open-air/outdoor business undertaking/structure(s) with clearance no._____ issued by the LandsD / the owner(s) / cultivator(s) / operator(s) of the crop(s) / miscellaneous permanent improvements to farms / farm equipment and implements / farm structure(s) / farm(s) / fish pond(s) / red worm pond(s) / oyster farm(s)* affected by the project, and all information provided herein and all other information provided by **me/us/the company* in relation to the EGA application is true and correct.

*Applicant/ #Authorised Person:	_____ (Signature)	*Applicant/ #Authorised Person:	_____ (Signature)
Name:	_____	Name:	_____
Address:	_____	Address:	_____
	_____		_____
Telephone No.:	_____	Telephone No.:	_____
Date:	_____	Date:	_____

* Delete as appropriate

@ Insert the name of the project

\# Authorised representative/person acting for company applicant only

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Notes

General

1. The applicant must be the operator of the open-air/outdoor business undertaking(s)/the user of the structure(s) with a clearance number issued by the LandsD or the owner(s)/cultivator(s)/operator(s) of the crop(s)/miscellaneous permanent improvements to farms/farm equipment and implements/farm structure(s)/farm(s)/ fish pond(s)/red worm pond(s)/oyster farm(s) affected by the project. If the project involves resumption of private land, the application may be submitted after the posting of the resumption notice. If the project involves only government land (i.e. resumption of private land is not required), the application may be submitted within 6 months prior to the first scheduled day of clearance.

2. If the application for early payment of the EGA is approved, the LandsD will offer a one-off full payment of the EGA to the applicant. Application for payment of the EGA by instalments will not be entertained.

3. On the date of departure, partial handover of the occupied site/partial vacation of the occupied structure(s)/squatter structure(s) will not be allowed. The applicant is required to hand over and vacate all of the occupied site/structure(s)/squatter structure(s).

4. Please submit the application form together with other valid supporting documents (such as tenancy documents, bills for water, electricity and telephone service, business registration certificates and transaction records) to facilitate processing of the application. The LandsD may also require the applicant to provide other necessary information and documents as appropriate.

Purpose of Collection of Information

5. The personal data provided by the applicant in this form will be used solely by the LandsD and/or its authorised contractor(s) for processing the subject EGA application.

6. The provision of personal data in this form is voluntary. If the applicant fails to provide sufficient information, the LandsD (and its authorised contractor(s)) may not be able to process the application.

7. The LandsD (and its authorised contractor(s)) may, for the purpose of assessing and making payment of the EGA to the applicant, disclose the personal data provided by the applicant in this form to other government departments.

Access to and Correction of Personal Data

8. The applicant has a right under Sections 18 and 22 of and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance to request access to and correction of personal

data. Such right includes the right to obtain a copy of the personal data provided in this form upon payment of photocopying fees and other necessary charges. The applicant is also entitled to request correction of the personal data if he/she considers them inaccurate.

9. Requests for access to and correction of personal data should be addressed to:

Departmental Secretary
Lands Department
21/F, North Point Government Offices
333 Java Road
Hong Kong
Tel. No.: 2231 3288