

CONTROLLING OFFICER'S REPLY

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(Question Serial No. 2891)

Head: (91) Lands Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Land Administration
Controlling Officer: Director of Lands (Ms. Bernadette LINN)
Director of Bureau: Secretary for Development

Question (Member Question No. 53):

Of the residential sites disposed of in the past three years, are there any provisions on the time limit for superstructure development in the land leases? If yes, what are these provisions in general and have they been violated by any developers or land owners over the past three years?

Asked by: Hon. CHAN Kam-lam

Reply:

As a general practice, a Building Covenant (BC) clause is incorporated in the land leases of residential sites. Under the BC clause, the developer is required to complete the construction of the minimum gross floor area specified in the lease conditions and obtain an occupation permit from the Building Authority within the BC period imposed in the lease conditions. In general, the BC period depends on the scale and complexity of the development permitted under the lease conditions. For those residential sites sold by public sale in the years 2011-12 to 2013-14, the BC period ranges from 48 months to 100 months. During the period from 2011 to 2013, four residential sites sold before 2011-12 did not comply with the BC period under lease. Approvals of extension were given upon full justifications given for the delay and payment of premium.