

CONTROLLING OFFICER'S REPLY**DEVB(PL)164****(Question Serial No. 2049)**

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. 1.16):

On enforcement in relation to country park enclaves, could this Committee be informed of:

- (a) the number of cases of unauthorised developments, pollution or environmental hazards in country park enclaves received or identified in the past five years, the number of cases having been followed up, and the numbers of warnings, prosecutions and convictions initiated by the Department;
- (b) the expenditure and manpower involved in handling suspected cases of unauthorised developments in country park enclaves in the past five years and the relevant estimates for 2014-15.

Asked by: Hon. LEUNG, Kenneth

Reply:

- (a) In respect of the enforcement work against unauthorised developments in country park enclaves, the Lands Department (Lands D) deals with cases involving unlawful occupation, unlawful excavation and unlawful removal of earth, turf or stone on government land, as well as cases involving breaches of leases concerning private lots. The number of cases in which Lands D has issued warnings, initiated prosecution and brought conviction in the past five calendar years are set out in the table below:

Calendar Year	Number of cases handled	Number of cases in which warnings issued#	Number of prosecutions	Number of convictions
2009	70	56	0	0
2010	70	56	7 [^]	7 [^]
2011	76	68	0	0
2012	95	78	0	0
2013	77	66	4 [*]	0 [*]

Note:

Figures cover both enforcement under the law for offences involving government land and enforcement under the land leases. For the purpose of the above table, “warnings” include verbal and written warnings or statutory notices posted under section 6 of the Land (Miscellaneous Provisions) Ordinance (Cap. 28), whichever are appropriate for the cases in question. As these “warnings” are issued when the irregularities have not been rectified upon inspection by Lands D, the number of warnings issued in a year is smaller than the number of cases handled.

^ Five cases involving unlawful removal of earth, turf or stone and two cases involving unlawful excavation on government land.

* Four cases involving unlawful occupation of government land were all acquitted.

(b) As staff handling suspected cases of unauthorised developments in country park enclaves (which is part of land control and lease enforcement work) also carry out other land administration duties, there is no separate breakdown on the expenditure and manpower involved solely for duties relating to unauthorised developments in country park enclaves.