

CONTROLLING OFFICER'S REPLY

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(Question Serial No. 0331)

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. 12):

Under Matters Requiring Special Attention in 2014-15, it is said that the Government will step up enforcement against unauthorised structures on private agricultural land. In this connection, will the Administration inform this Committee:

1. of the manpower and expenditure involved in 2013-14; the estimated manpower and expenditure to be allocated in 2014-15;
2. of the number of complaints about unauthorised structures received in the past three years by the following categories:
 - (a) media reports and complaints by members of the public;
 - (b) referrals from government departments, district councils and rural committees; and
 - (c) cases identified during inspections by the Lands Department staff and security guards hired by the department;
3. whether the Administration, apart from enhanced publicity, has adopted a more proactive approach, such as enhancing the risk-based inspection programme, to stop and prevent the erection of unauthorised structures on private agricultural land; if yes, of the details, and if no, of the reasons?

Asked by: Hon. LO Wai-kwok

Reply:

1. As staff handling unauthorised structures on private agricultural land (which is part of the lease enforcement work) also carry out other land administration duties, there is no separate breakdown on the number of staff and staff cost solely for handling the unauthorised structures on private agricultural land. In the Estimates for 2014-15, we have earmarked provisions for the creation of a total of 13 non-directorate posts

amounting to \$6.17 million to help step up enforcement action against unauthorised structures on private agricultural land. This will be on top of the existing 81 posts with portfolios covering mainly lease enforcement work (including lease enforcement concerning private agricultural land).

2. Complaints and referrals can come from different sources, including government departments, media and members of the public. Some cases may also be identified by the Lands Department (Lands D) through patrol. A case may be identified through multiple sources. Upon receipt of a complaint/referral or identification of a suspected case, staff of Lands D will conduct site inspections to ascertain if there are breaches of lease conditions. The numbers of cases confirmed to be involving unauthorised structures on private agricultural land in the past three calendar years (2011 to 2013) are 603, 606 and 621 respectively.
3. Lands D will, when exercising its authority under the lease and under relevant legislation, adopt a more proactive approach towards containing the proliferation of unauthorised structures on private agricultural land. For instance, Lands D will draw up new patrol routes for more effective detection of such cases. We will also employ new methodologies such as photogrammetric means to assist the surveillance, identification, measurement and investigation work. For confirmed cases of breach of lease conditions, Lands D will, further to the registration of warning letters at the Land Registry, proceed to take re-entry action if the breach is not purged in good time.