

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)366**

**(Question Serial No. 5809)**

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. 360):

1. How many cases of suspected unauthorised felling or damage of trees on private land were received by the Lands Department in each of the past two years, i.e. 2012 and 2013?
2. Of these cases, how many are found to be in breach of the tree preservation clause under lease? Please provide the number of cases referred for prosecution arising from the breach in each year. What are the penalties imposed under such prosecution?

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

Five cases of suspected unauthorised felling or damage of trees on private land were handled by the Lands Department (Lands D) each year in 2012 and 2013. All five cases in 2012 involved a breach of the tree preservation clause under the land leases. Only one of the five cases in 2013 involved such a breach. Since Lands D acts in the capacity of lessor in enforcing the tree preservation clause under the land leases (which are private contracts executed between the Government and the lessees), prosecution is not applicable.