

**CONTROLLING OFFICER'S REPLY**

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**(Question Serial No. 4865)**

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. 82):

Regarding investigations into the construction of unauthorised structures in small houses, how much has been spent and what amount of manpower has been deployed over the past five years? How many cases of unauthorised structures have been identified during routine inspections by the Lands Department over the past five years and what is their percentage share in the total number of cases of unauthorised structures? What are the estimated expenditure and manpower required by the Department for handling this task in 2014-15?

Asked by: Hon. KWOK Ka-ki

Reply:

The Buildings Department (BD) has been taking enforcement action against unauthorised building works (UBWs) in New Territories exempted houses (NTEHs) (including small houses) in accordance with the Buildings Ordinance (Cap. 123) and the prevailing building safety enforcement policy. Where the UBWs constitute a breach of lease conditions (normally a breach of the development conditions, e.g. number of storeys and building height), the Lands Department (Lands D) would take appropriate lease enforcement action having regard to the enforcement action taken or to be taken by BD according to the law.

Given the large area of land in Hong Kong, it is impracticable for Lands D to inspect every piece of land regularly. Lands D mainly acts upon receipt of complaints, referrals, or enquiries. The numbers of confirmed cases involving breach of development conditions of NTEHs (including small houses) in the past five calendar years (2009 to 2013) are 882, 934, 1 383, 510 and 415 respectively.

As staff handling breach of development conditions of NTEHs (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 breach of development conditions of NTEHs.