

CONTROLLING OFFICER'S REPLY**DEVB(PL)415****(Question Serial No. 5107)**

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. 176):

On matters relating to private recreational leases (PRL), will the Administration advise this Committee:

- 1) how many of the complaints about suspected breach of or non-compliance with lease conditions by PRL lessees received in 2011-12, 2012-13 and 2013-14 were cases of substantiated breach? Did the Lands Department pursue the matter with the lessees in respect of the breach of lease conditions? If yes, please provide the details of each case; if no, why?
- 2) how many inspections were conducted in respect of PRL in 2011-12, 2012-13 and 2013-14 respectively? What are the expenditure and manpower involved?

Asked by: Hon. WU Chi-wai

Reply:

- 1) The number of cases of suspected breach of lease conditions by private recreational lease holders investigated by the Lands Department (Lands D), either arising from receipt of complaints/referrals or inspection by Lands D, in recent years are set out below:

Financial Year	No. of complaints/detected breaches investigated	No. of substantiated breaches identified
2011-12 (from July 2011)	10	8
2012-13	26	24
2013-14 (up to end of February 2014)	41 ^{Note}	17

Note: As at early March, investigations of 21 cases are still ongoing.

Most of the substantiated breaches are in the nature of ancillary uses breaching the user conditions, unauthorised building works and minor encroachment upon

government land. Upon confirming a lease breach, Lands D will take appropriate lease enforcement actions and follow up to check that the breach is purged.

- 2) In general, each case of suspected breach will entail a few site inspections to firstly ascertain the facts of the case and then, if the breach is substantiated, checking of the progress in rectification until the breach is purged. In the past three years, site inspections were also conducted in the context of the lease renewal exercise. The site inspection work is carried out by the existing staff of Lands D as part of their overall land administration duties, and hence we are unable to provide a separate breakdown of the expenditure and manpower involved solely for the site inspection work.