

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)118**

**(Question Serial No. 1357)**

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:

- (1) Please provide the number of cases handled by the Lands Department (Lands D) in respect of land management, and squatter control and clearance in 2015 in each District Council district:
  - (i) Land management
    - (a) lease enforcement cases
    - (b) government sites cleared from unlawful occupation
  - (ii) Squatter control and clearance
    - (a) unauthorised structures demolished
    - (b) surveyed structures inspected
    - (c) structures cleared in programmed development clearances and emergency clearances (excluding surveyed structures cleared on grounds of slope safety)
- (2) It is said under Matters Requiring Special Attention in 2016-17 that Lands D will continue to strengthen land control and lease enforcement work, including enforcement against unauthorised structures on private agricultural land and lease breaches in industrial buildings. What are the details of the work and the action?
- (3) Regarding the notices issued by Lands D in respect of each case of land control and lease enforcement, what are the ways in which the notices are issued, their number, frequency and targets?
- (4) Members of the public suffer losses from time to time by purchasing or renting unauthorised structures on private agricultural land for domestic use. Will education and publicity be launched to minimise victimisation? If yes, what are the details, manpower and expenditure?

Asked by: Hon LEUNG Che-cheung (Member Question No. 13)

Reply:

(1) On land management, the breakdown of number of cases handled by the Lands Department (Lands D) in 2015 by the 12 District Lands Offices (DLOs) is as follows:

(i) Land management

District	(a) No. of cases with lease enforcement actions taken on private land	(b) No. of government sites cleared of unlawful occupation
Hong Kong East	49	1 680
Hong Kong West & South	19	668
Kowloon East	160	1 064
Kowloon West	43	776
Islands	23	86
North	188	298
Sai Kung	44	266
Sha Tin	37	441
Tuen Mun	48	269
Tai Po	171	543
Tsuen Wan & Kwai Tsing	134	461
Yuen Long	592	579
Total	1 508	7 131

(ii) Squatter control and clearance

(a) In 2015, the Squatter Control Unit of Lands D demolished 212 unauthorised squatter structures on government land as shown in the table below.

District	No. of unauthorised structures demolished*
Hong Kong	16
Kowloon	23
Islands	15
Sai Kung	1
Sha Tin	28
Tai Po	3
North	4
Tuen Mun	23
Tsuen Wan & Kwai Tsing	76
Yuen Long	23
Total	212

\* It only covers unauthorised structures demolished by the Squatter Control Unit on government land. The statistics do not cover unauthorised structures demolished by DLOs under lease enforcement and land control as presented in the table of part (1)(i) of this reply.

- (b) In 2015, the Squatter Control Unit of Lands D inspected 199 491 surveyed squatter structures as shown in the table below.

District	No. of surveyed squatter structures inspected
Hong Kong	4 149
Kowloon	2 453
Islands	16 734
Sai Kung	14 314
Sha Tin	9 658
Tai Po	13 907
North	46 560
Tuen Mun	30 228
Tsuen Wan & Kwai Tsing	10 117
Yuen Long	51 371
Total	199 491

- (c) The distribution of structures cleared in 2015 under programmed development clearances and emergency clearances (excluding surveyed structures cleared on grounds of slope safety) is as follows:

District	Number of structures cleared
Central & Western	-
Wan Chai	2
Eastern	-
Southern	-
Yau Tsim Mong	-
Sham Shui Po	-
Kowloon City	-
Wong Tai Sin	-
Kwun Tong	-
Tsuen Wan	-
Tuen Mun	1 065
Yuen Long	78
North	573
Tai Po	173
Sai Kung	-
Sha Tin	85
Kwai Tsing	11
Islands	-
Total	1 987

- (2) In 2016-17, Lands D will continue to strengthen lease enforcement actions against unauthorised structures on private agricultural land according to the enforcement strategy adopted since April 2014, by various measures including (1) for unauthorised structures being erected on private agricultural land, issuing statutory notices under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) (the
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Ordinance) demanding the registered owners to self-demolish such unauthorised structures, or if the owners fail to do so, taking up the demolition work and recovering the costs so incurred; (2) for completed unauthorised structures, proceeding with re-entry action if breaches are not purged in good time after registration of warning letters in the Land Registry; and (3) not accepting applications to regularise unauthorised domestic structures on private agricultural land.

In addition, Lands D will take a risk-based approach in prioritising lease enforcement against non-conforming uses in industrial buildings by actively following up on those cases which would pose a greater threat to public safety, such as cases involving a higher flow of people (particularly elderly persons and children) in the concerned industrial buildings.

- (3) In general, if a breach of lease conditions is confirmed, Lands D will take appropriate lease enforcement actions, including issuing a warning letter to the owners requiring them to rectify the breach. If the breach is not rectified within a specified period, Lands D will register the warning letter in the Land Registry, commonly known as “imposing an encumbrance” and, where necessary, take further lease enforcement actions including re-entry or vesting. Lands D served 1 508 warning letters in 2015.

If unlawful occupation of government land is identified, Lands D will post a notice under the Ordinance requiring the occupation of the land to cease by the deadline specified in the notice. In 2015, Lands D posted 56 291 Government Land Notices under the Ordinance when dealing with unlawful occupation of government land. As the notices are posted on each of the objects unlawfully occupying the sites, the number of notices is usually larger than the number of land control cases.

- (4) Lands D appointed an advertising agency in August 2014 to design and produce an Announcement in the Public Interest (API) to appeal to the public not to build, buy, rent or occupy any unauthorised structures erected on either private agricultural land or government land. The API has been broadcast on TV and radio since late October 2014. Relevant posters have also been displayed at District Offices, DLOs, Rural Committees and Village Offices. The production cost of the API and posters was around \$0.45 million. A leaflet on the same theme is under preparation and will be disseminated in 2016. As staff handling unauthorised structures on private agricultural land also carry out other land administration duties, there is no separate breakdown on the number of staff and staff cost solely for handling unauthorised structures on private agricultural land.

In addition, the Squatter Control Unit of Lands D has erected 378 notice boards across the territory, reminding the public that illegal structures or unauthorised extensions built after 1 June 1982 could lead to demolition of the squatter structures concerned, and that purchase of squatter structures is not protected by the law nor confers any right in the event of clearance.

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