

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3550)

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) How many complaints about unauthorised extensions in squatter structures and licensed structures or their breach of land uses or referrals from other departments on these complaints in various districts were received by the Lands Department (Lands D) in the previous financial year? How many of these cases were completely processed, how many found to be in breach of regulations and how many issued with removal orders? How many of them involved repeated complaints?
- (2) How much was spent on inspections initiated by Lands D in the previous financial year? Among the squatter structures and licensed structures inspected, how many cases of unauthorised extensions were identified and how many were issued with removal orders?
- (3) How many removal orders have not been complied with upon expiry? Please provide the numbers of cases in which removal orders have yet to be complied with after they have expired for one to three years, four to six years, seven to nine years and ten years or above. What follow-up actions or land control actions have been taken against non-compliance with removal orders?

Asked by: Dr Hon Kenneth CHAN Ka-lok (Member Question No. 277)

Reply:

- (1) Temporary structures are broadly classified into two types, namely the structures covered in the Squatter Control Survey in 1982 (commonly known as “surveyed squatter structures”) and the temporary domestic structures held under Government Land Licences and Short Term Tenancies (STTs) on government land, Modification of Tenancy Permits and Short Term Waivers on private land (commonly known as “licensed structures”).

Information on the follow-up actions taken on cases of unauthorised extensions of surveyed squatter structures and licensed structures in 2015 is as follows:

District	Number of reported cases (including those received from complaints/referrals or identified through patrol)	Number of cases involving repeated complaints	Number of cases confirmed with unauthorised extensions	Number of cases with warning letters/ demolition orders issued*	Number of completed cases (i.e. cases rectified, structures demolished or licences terminated)
Hong Kong	167	10	83	15	83
Kowloon	63	0	35	16	35
New Territories	909	49	735	378	703
Total	1 139	59	853	409	821

* Some cases were rectified upon verbal warning, hence the issue of demolition orders/warning letters was not necessary.

- (2) As some of the staff conducting site inspections also carried out other land administration and squatter control duties, there is no separate breakdown of the resources involved solely for conducting site inspections. The number of confirmed cases involving unauthorised extensions of surveyed squatter structures or licensed structures identified during site inspections initiated by the Lands Department (Lands D) in 2015 was 135. The number of demolition notices or warning letters issued for those cases was 73.
- (3) As at end of December 2015, there were 335 cases (some of which were cases identified before 2015) with on-going enforcement action after expiry of the demolition notices or warning letters. Lands D has no readily available information on a breakdown of the 335 cases according to the time since expiry of the demolition notices or warning letters.

In the cases of surveyed squatter structures and licensed structures on government land, demolition action will normally be carried out if the breaches are not rectified. With regard to surveyed squatter structures and licensed structures on private agricultural land, if breaches are not purged, Lands D will normally cancel the relevant survey numbers or licences and take lease enforcement action by various measures, which may include registration of warning letters in the Land Registry and eventually re-entry. In the past five years (2011 to 2015), there were 243 cases with Government Land Licences, Modification of Tenancy Permits, STTs or Short Term Waivers cancelled. For the same period, 2 973 and 1 874 survey numbers were cancelled in respect of surveyed squatter structures on private land and government land respectively.

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