

CONTROLLING OFFICER'S REPLY

DEVB(PL)370

(Question Serial No. 3558)

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:

In response to the case where some indigenous New Territories residents were convicted of conspiracy to defraud the Government by selling the rights to build small houses in 2015, has the Lands Department taken any corresponding actions to follow up on the small house policy or the administrative procedures for building small houses in the New Territories, e.g. by studying ways to verify more accurately the declarations submitted by the indigenous residents? What are the work details and the estimated expenditure?

Asked by: Dr Hon Kenneth CHAN Ka-lok (Member Question No. 290)

Reply:

When processing small house applications, the Lands Department (Lands D) will continue to ensure that the necessary statutory declarations are made and documentary evidence is provided by the applicant to demonstrate his eligibility. When the department has doubts over the information provided or has received public complaints about abuses in individual cases, it will raise further questions with the applicant and ask for supplementary information. Since Lands D is a civilian department with limitations in conducting in-depth investigations (e.g. Lands D has no authority to check bank accounts or carry out in-depth searches for evidence), cases suspected to involve fraudulent acts are referred to the relevant law enforcement agencies. Lands D will continue to be vigilant in making the necessary referrals and work closely with the law enforcement agencies in conducting investigation into dubious cases.

Follow up action on dubious cases, including the making of referrals to the law enforcement agencies, is conducted by the existing staff of Lands D and as part of their administrative duties in handling small house applications. We are unable to provide a breakdown on the resources deployed solely for this area of work.

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