

CONTROLLING OFFICER'S REPLY**DEVB(PL)146****(Question Serial No. 3026)**

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:

Will the Government inform this Committee of the following:

- (1) What were the reasons for clearing squatter structures in the past five years? Please provide in table form (reference may be drawn to the following table and please indicate what "Others" refer to) the numbers of cases involving:

	Unauthorised extension	Unauthorised transaction	Change of materials	Fire/Landslide	Others
2012					
2013					
2014					
2015					
2016					

- (2) What is the estimated expenditure this year?
- (3) Many squatter residents in the New Territories said that they were not familiar with the law and did not know they were not allowed to repair their squatter structures or raise the roofs without permission. But the structures need to be repaired or the roofs raised for heat insulation in order to improve the living conditions. In the end they were asked by the Squatter Control Unit to demolish their structures. With the clearance and resumption of the land, the residents were made homeless. Given that the residents are not familiar with the law and some alterations (e.g. raising the roofs for heat insulation) are justifiable, will the Government review the existing squatter policy, relax the restrictions or deal with the breaches leniently?

Asked by: Hon LEUNG Kwok-hung (Member Question No. 20)

Reply:

- (1) The Government conducted a Squatter Control Survey in 1982 (SCS) during which the locations, dimensions, height, building materials and use of squatter structures were recorded (the SCS Record). Those surveyed structures, still unauthorised and temporary in nature, are tolerated until they are required to be cleared for development, environmental improvement or safety reasons, or until they are phased out through natural wastage (e.g. when the structures are not occupied or cease to exist). The locations, dimensions, height, building materials and use of those surveyed structures should comply with the SCS Record. Non-compliance may result in cancellation of the tolerated status of the surveyed structures, deletion of the relevant SCS Record and eventually clearance. The Lands Department (Lands D) does not have readily available statistics giving a breakdown of the number of surveyed structures cleared by the reasons prompting the clearances.
- (2) The estimated demolition cost for 2017-18 is about \$6 million.
- (3) Under the squatter control policy, repair of surveyed structures is allowed, provided that approval of the respective Squatter Control Office is obtained and there is no change to the location, dimensions, height, building materials (except where the materials recorded in the SCS are no longer appropriate for safety and/or environmental considerations) and use as recorded in the 1982 SCS. If the surveyed structure deviates from the SCS Record, Lands D will issue a warning letter to the occupier(s) requiring rectification of the irregularities before a specified date, failing which the concerned SCS Record will be cancelled and appropriate enforcement action will be taken by Lands D. If there is evidence showing that an unauthorised structure is a new extension completed after 22 June 2016, actions such as cancelling the squatter control number instantly, demolishing the whole unauthorised structure on government land and lease enforcement against cases on private land which are in breach of lease conditions will be carried out upon detection without giving any opportunity to rectify. In case any occupiers are rendered homeless due to the clearance action, arrangements would be made for them to be admitted to the transit centres of the Housing Department. At this stage, the Government has no plan to change the current policy on surveyed structures.

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