

CONTROLLING OFFICER'S REPLY

DEVB(PL)310

(Question Serial No. 6820)

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: Hon CHAN Tanya (Member Question No. 138)

Reply:

- (1)&(2) 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 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 2016 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	200	24	83	47	41
Kowloon	52	7	81	72	30
New Territories	1 070	136	635	292	558
Total	1 322	167	799	411	629

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

The cases indicated in these two columns may not correspond to those cases indicated in the three preceding columns.

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.

- (3) As at end of December 2016, there were 170 cases (some of which were cases identified before 2016) with on-going enforcement action after expiry of the demolition notices or warning letters. The Lands Department (Lands D) has no readily available information on a breakdown of the 170 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.

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