

CONTROLLING OFFICER'S REPLY**DEVB(PL)367****(Question Serial No. 5821)**

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 each of the past three financial years, regarding lease breaches in industrial buildings, please inform this Committee of:

1. the number of warning letters issued by the Lands Department (Lands D) and the number of cases rectified voluntarily prior to enforcement actions by Lands D;
2. the number of prosecutions instituted by Lands D; and
3. the types of businesses engaged in the flats/premises among the cases in which warning letters were issued. Please list the information in the table below.

Business	Number
Retail and Wholesale	
Food and Beverage	
Residential Premises	
.....	
Others	

Asked by: Hon YIU Chung-yim (Member Question No. 17)

Reply:

1. The relevant statistics regarding lease enforcement actions taken against lease breaches in industrial buildings by the Lands Department (Lands D) in the past three calendar years (2014 to 2016) are as follows:

Year	2014	2015	2016
Number of cases with lease enforcement actions (which may take the form of issue of warning letters; registration of warning letters in the Land Registry and/or vesting) taken against lease breaches in industrial buildings	209	172	558

Since July 2016, Lands D has launched risk-based lease enforcement arrangements against non-conforming uses and has so far conducted proactive inspections of 15 industrial buildings. Out of the 94 premises with non-conforming uses identified, the lease breaches in 62 premises were rectified upon verbal warnings. Of the remaining premises, warning letters in respect of 28 premises were issued and four premises are under investigation.

2. As a land lease is a form of private contract and is enforced by Lands D as the landlord and a party to the contract, such action does not involve prosecution.
3. There is no breakdown of the statistics by the types of businesses since Lands D does not target any businesses when it takes lease enforcement actions.

- End -