

CONTROLLING OFFICER'S REPLY

DEVB(PL)171

(Question Serial No. 0783)

Head: (91) Lands Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Land Administration
Controlling Officer: Director of Lands (Thomas CHAN)
Director of Bureau: Secretary for Development

Question:

In 2018, the Lands Department (LandsD) cleared 10 724 sites involving unlawful occupation of government land, handled 1 824 cases involving breaches of lease conditions, and took control actions against 182 unauthorised squatters in breaches of squatter control policy. In this connection, will the Government inform this Committee of the following:

1. Please provide a breakdown of those 10 724 sites by District Lands Office and nature of unlawful occupation.
2. Please provide a breakdown of those 1 824 cases involving breaches of lease conditions by type of lease breaches.
3. In general, LandsD will take control actions against cases involving breaches of lease conditions, such as issuing warning letters to owners, imposing encumbrances, re-entry or vesting of properties. Please provide a breakdown of those 1 824 cases of lease breaches by type of control action mentioned above.
4. The Government has taken control actions against 182 unauthorised squatters in breaches of squatter control policy. Please list the control actions by nature. Have all the 182 unauthorised squatters been demolished?
5. What are the resources and manpower estimated to be deployed in the coming year for combating unlawful occupation of government land, breaches of lease conditions, and unauthorised squatters in breaches of squatter control policy?

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 29)

Reply:

1. The breakdown of those 10 724 sites cleared from unlawful occupation in 2018 by District Lands Office and by the nature of unlawful occupation is provided below:

Breakdown by District Lands Offices:

District	No. of government sites cleared
Hong Kong East	1 549
Hong Kong West & South	793
Kowloon East	1 097
Kowloon West	2 676
Islands	283
North	354
Sai Kung	472
Sha Tin	444
Tuen Mun	205
Tai Po	439
Tsuen Wan & Kwai Tsing	996
Yuen Long	1 416
Total	10 724

Breakdown by nature of unlawful occupation:

Nature of Unlawful occupation	No. of cases cleared
Abandoned Vehicle(s)	483
Banner(s)	994
Bicycles	1 686
Dumping	2 458
Illegal Car Parking Sites	168
Shop Front Extensions	466
Skips	868
Structures	1 672
Others, including miscellaneous objects such as tyres, dead tree trunk, etc.	1 929
Total	10 724

Note: A case may involve unlawful occupation of multiple nature and the above breakdown is based on the main nature of the unlawful occupation.

2. The breakdown of those 1 824 cases involving breaches of lease conditions handled by the Lands Department (LandsD) in 2018 by type of lease breaches is as follows:

Type of lease breach cases	Number of cases with lease enforcement action taken
Unauthorised structures on Private Agricultural Land	1 086
Non-conforming uses of Industrial Buildings	536
Non-conforming uses of Residential/Non-Industrial Buildings	89
Unauthorised structures in New Territories Exempted Houses (NTEHs)	24
Other cases (including breach of right-to-inspect clause, breach of user and health requirements of NTEHs, etc.)	89
Total	1 824

3. In 2018, LandsD issued warning letters for 1 824 cases involving breaches of lease conditions. In the same year, there were 808 cases for which the lease breaches had been rectified, 768 cases with warning letters registered in the Land Registry (LR) since the owners concerned did not rectify the breaches upon the expiry of warning period, and 12 cases with re-entry/vesting action taken. As the processing of a case may straddle different years, the cases with breaches rectified, cases with warning letters registered in the LR and cases with re-entry/vesting action taken in a year may not necessarily correspond to the cases with warning letters issued in the same year.
4. Among the 182 unauthorised structures in breach of the Squatter Control Policy with control actions taken in 2018, 69 structures were formerly surveyed squatter structures in breach of squatter control policy and their survey records were deleted. 113 structures were unauthorised structures without any approval. All the 182 unauthorised structures had been demolished.
5. In 2019-20, it is estimated that 774 full-time equivalent staff will be deployed for land control, squatter control and lease enforcement works at an estimated staff cost of \$312.2 million (excluding posts performing general administrative and clerical support duties).

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