

CONTROLLING OFFICER'S REPLY

DEVB(PL)316

(Question Serial No. 5492)

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:

Please provide figures for the following items in each of the past three years.

1. How many complaints about suspected cases of unlawful occupation of government land were received?
2. How many cases of unlawful occupation of unleased government land were identified?
3. How many cases of unlawful occupation were subject to prosecution?
4. How many of these cases were convicted?
5. How many pieces of unlawfully occupied government land finally became lawful upon approval of the applications submitted by the unlawful occupiers to lease the land in 2018? How many such cases were there? What was the area of land involved?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 237)

Reply:

- (1) to (4) The statistics regarding complaints about suspected unlawful occupation of government land received, unlawful occupation of government land identified, unlawful occupation prosecuted by the Lands Department (LandsD) and convicted cases in the past three calendar years (2016 to 2018) are provided below:

Year	Number of complaints received on suspected cases of unlawful occupation of government land	Number of confirmed cases of unlawful occupation of unleased government land	Number of cases of unlawful occupation subject to prosecution	Number of convicted cases
2018	16 802	10 731	21	20
2017	18 153	11 295	27	22
2016	18 160	12 011	34	33

- (5) When considering applications for regularisation of unlawful occupation of government land, LandsD will examine whether the relevant basic requirements are met. These basic requirements include: whether the government land concerned cannot be leased out separately to other persons (except the applicant) given its location, configuration, size and the like; whether there are no other uses of the government land in the short term (or even no long-term uses have been identified); whether the application is for non-domestic purposes; whether the uses under application are either always permitted under the relevant outline zoning plan or in respect of which an application can be made to the Town Planning Board. If these basic requirements cannot be met, LandsD will not further consider the applications and will proceed to take enforcement actions against the unlawful occupation.

In 2018, 54 short-term tenancies with an area of about 1.13 hectares were granted for regularisation of unlawful occupation of government land.

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