

**CONTROLLING OFFICER'S REPLY****DEVB(PL)334****(Question Serial No. 6726)**

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:

Will the Government inform this Committee of:

- (1) the number of Certificates of Compliance for small houses issued by the Government and the number of cases in which removal of alienation restrictions (ARs) was approved under different types of small house grant (namely building licence, land exchange, private treaty grant under village expansion area scheme, and other private treaty grants) in each of the past five years to be listed in table form; and
- (2) the identified breaches of the relevant clauses stipulated in small house grants as land leases, which led to enforcement actions in the past five years.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 7025)

Reply:

- (1) The Lands Department (LandsD) has not categorised the Certificates of Compliance (CCs) issued by the Government and the approved cases for removal of restriction on alienation according to the various types of grants for small house developments. The number of CCs and number of approved cases for removal of restriction on alienation in the past five years (2014 to 2018) are set out below:

Year	Number of CCs issued	Number of approved cases for removal of restriction on alienation
2014	1 066	577
2015	904	462
2016	814	409
2017	799	435
2018	851	329

Note: The approved cases for removal of restriction on alienation in a particular year do not necessarily relate to those cases with CCs issued in the same year.

- (2) The relevant statistics regarding lease enforcement actions taken against breach of lease conditions in New Territories Exempted Houses (NTEHs) (including small houses) by LandsD in the past five years (2014 to 2018) are set out below:

	2014	2015	2016	2017	2018
Number of cases confirmed during the year to involve breach of lease conditions <sup>(Note 1)</sup>	382	210	87	58	201
Number of advisory/warning letters issued <sup>(Notes 1&amp;2)</sup>	12 <sup>(Note 3)</sup>	9 <sup>(Note 3)</sup>	13 <sup>(Note 3)</sup>	15 <sup>(Note 3)</sup>	24 <sup>(Note 3)</sup>
Number of re-entry cases <sup>(Note 4)</sup>	5	9	0	1	0

Note:

- (1) As case processing work may straddle different years, the cases with warning letters issued may not necessarily correspond to the cases with breaches confirmed in the same year.
- (2) The Buildings Department (BD) started implementing the enhanced enforcement strategy against unauthorised building works (UBWs) in NTEHs in April 2012. Since then, specified green and amenity facilities are permitted to be retained or installed in existing and new NTEHs, and would not be regarded as lease breaches. LandsD would also withhold lease enforcement action against those UBWs covered under the reporting scheme for UBWs in NTEHs.
- (3) The lease enforcement actions were taken against UBWs not falling under the scope of BD's reporting scheme and other breaches such as sewage disposal, unauthorised openings and unauthorised partitions.
- (4) The re-entry actions were taken against cases concerning breach of lease conditions other than UBWs.

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