(Question Serial No. 0680)

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:

Regarding the management of government land, please inform this Committee of:

(a) The staff establishment for conducting inspections of government land and the numbers of inspections in the past three years (2017-18 to 2019-20).

(b) The figures on unlawful occupation of government land identified by the Government in the past three years (2017-18 to 2019-20).

(c) The respective figures on prosecution by the Government and successful conviction in the past three years (2017-18 to 2019-20), and the highest and lowest fine imposed respectively upon conviction.

(d) The measures previously adopted by the Government to alleviate the problem of unlawful occupation of government land.

Ask by: Hon HO Chun-yin, Steven (LegCo internal reference no.: 86)

Reply:

(a) Conducting inspections of government sites forms part of the overall land control work carried out by the Lands Department (LandsD). In the past three financial years (2017-18 to 2019-20), an average of 234 staff were involved in land control work. LandsD does not have readily available information on the number of inspections conducted in the past 3 years.

(b) In the past three calendar years (2017 to 2019), there were 11,295, 10,731 and 10,448 cases respectively (including those referred by other government departments
or identified by LandsD during inspections) having been confirmed to involve unlawful occupation of government land.

(c) LandsD may pursue prosecution action when unlawful occupation does not cease following the issue of statutory notices. In the past three calendar years (2017 to 2019), 27, 21 and 12 prosecutions were instituted respectively for unlawful occupation of government land. Among them, 22, 20 and 11 of them were convicted respectively and the fines ranged from $500 to $180,500.

(d) To increase the deterrent effect against the unlawful occupation of government land, the Government amended the Land (Miscellaneous Provisions) Ordinance in 2015 to increase the penalties for offences relating to unlawful occupation of unleased land. LandsD has also tightened the criteria for processing applications for regularisation of unlawful occupation to the effect that all unlawful occupations commencing on or after 28 March 2017 would no longer be eligible to apply for regularisation and would be subject to land control actions. In mid-2019, LandsD also set up the Special Duties Task Force to step up the enforcement actions against serious cases of unlawful occupation of government land.

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