

立法會
Legislative Council

LC Paper No. CB(1)274/02-03
(These minutes have been seen
by the Administration)

Ref : CB1/PL/PLW/1

Panel on Planning, Lands and Works

Minutes of meeting
held on Friday, 14 June 2002 at 8:45 am
in Conference Room A of the Legislative Council Building

Members present : Dr Hon TANG Siu-tong, JP (Chairman)
Hon LAU Ping-cheung (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon James TO Kun-sun
Hon WONG Yung-kan
Hon LAU Wong-fat, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Albert CHAN Wai-yip
Hon WONG Sing-chi
Hon IP Kwok-him, JP

Member attending : Hon CHAN Yuen-han, JP

Members absent : Hon Timothy FOK Tsun-ting, SBS, JP
Hon Abraham SHEK Lai-him, JP

Public officers attending : **Item V**

Miss CHEUNG Siu-hing
Deputy Secretary (Urban Renewal and Buildings)
Planning and Lands Bureau

Mr LEUNG Chin-man, JP
Director of Buildings

Mr CHEUNG Hau-wai
Deputy Director
Buildings Department

Mr C K AU
Assistant Director/Support
Buildings Department

Item VI

Mr Patrick LAU
Director of Lands

Mr J S CORRIGALL
Deputy Director of Lands

Mr Gary Y S YEUNG
Principal Assistant Secretary (Lands)
Planning and Lands Bureau

Mr C C LUK
Principal Land Executive
Lands Department

Clerk in attendance : Miss Salumi CHAN
Chief Assistant Secretary (1)5

Staff in attendance : Mrs Queenie YU
Senior Assistant Secretary (1)6

I. Proposed overseas duty visit of the Panel

Members endorsed the agreement reached at the informal meeting of the Panel held at 8:30 am preceding this meeting, as follows:

- (a) An overseas duty visit would be conducted by the Panel to London, Berlin, Prague and Singapore for about 10 days in early September

2002 to study their experiences in town planning, urban renewal and heritage preservation;

- (b) A circular would be issued by the Clerk to seek members' views on the two options on the preliminary itinerary; and
- (c) As findings in the overseas duty visit would serve as useful references for Members in their consideration of future town planning and urban renewal proposals in Hong Kong, the visit should be open to all non-Panel Members.

(Post-meeting note: The circular was issued to members vide LC Paper No. CB(1)2015/01-02 on 14 June 2002. The House Committee, at its meeting on 21 June 2002, endorsed the proposed overseas duty visit by the Panel.)

II. Confirmation of minutes of meeting

(LC Paper No. CB(1) 1962/01-02(12) — Minutes of the special meeting held on 22 January 2002)

- 2. The minutes of the special meeting of the Panel held on 22 January 2002 were confirmed.

III. Information papers issued since last meeting

LC Paper No. CB(1)1721/01-02 — Information paper on Yuen Long South Development — Proposed Roadworks in Areas 13 and 14, Yuen Long

LC Paper No. CB(1)1752/01-02(01) — Information notes on issues raised by Central & Western District Council members at the meeting with LegCo members on 31 January 2002

LC Paper No. CB(1)1890/01-02(01) — Information notes on issues raised by Kowloon City District Council members at the meeting with LegCo members on 14 March 2002

LC Paper No. CB(1)1915/01-02 — Information paper on Tseung Kwan O Development, Phase II, Remaining Engineering Works

LC Paper No. CB(1)1980/01-02 — Information paper on Expenditure relating to Airport Core Programme projects

LC Paper No. CB(1)2000/01-02 — Information paper on Detailed

Design for Further Works in South East Kowloon Development)

3. Members noted the following information papers issued since the last meeting -

- (a) Information paper on Yuen Long South Development — Proposed Roadworks in Areas 13 and 14, Yuen Long;
- (b) Information notes on issues raised by Central & Western District Council members at the meeting with LegCo members on 31 January 2002;
- (c) Information notes on issues raised by Kowloon City district Council members at the meeting with LegCo members on 14 March 2002;
- (d) Information paper on Tseung Kwan O Development, Phase II, Remaining Engineering Works;
- (e) Information paper on expenditure relating to Airport Core Programme projects; and
- (f) Information paper on detailed design for further works in South East Kowloon Development.

4. The Chairman advised that the Administration had submitted the proposals mentioned in paragraph 3(a) and (d) to the Public Works Subcommittee (PWSC) on 22 May and 12 June 2002 respectively. The Administration planned to submit the proposal mentioned in paragraph 3(f) to PWSC on 26 June 2002.

IV. Date of next meeting and items for discussion

(LC Paper No. CB(1)1961/01-02(01) — List of outstanding items for discussion

LC Paper No. CB(1)1961/01-02(02) — List of follow-up actions)

Joint meeting on 18 June 2002

5. The Chairman reminded members that a joint meeting of the Panel and the Panel on Housing was scheduled for Tuesday, 18 June 2002 at 8:30 am for the Administration to brief the two Panels on the Government's proposed ex gratia allowance for occupiers of licensed domestic structures and surveyed domestic squatter structures affected by clearance. The Administration planned to submit the relevant financial proposal to the Finance Committee (FC) on 12 July 2002.

Regular meeting on 5 July 2002

6. Members noted that the following three items had been proposed for discussion at the next regular Panel meeting scheduled for Friday, 5 July 2002 at 8:30 am -

- (a) Land Title Registration System (proposed by the Planning and Lands Bureau);
- (b) Co-located Prison Development Plan (proposed by the Security Bureau); and
- (c) Review of land resumption administrative arrangements and the ex gratia allowance for owners and tenants of industrial properties affected by land resumption (proposed by Mr Albert CHAN).

7. On the proposed item mentioned in paragraph 6(a) above, the Chairman pointed out that the Administration planned to introduce the relevant legislative proposal to the Legislative Council (LegCo) in late 2002.

8. On the proposed item mentioned in paragraph 6(b) above, the Chairman pointed out that the Panel on Security had discussed the security and related issues of the Co-located Prison Development Plan at its meetings on 1 December 2000, 7 June 2001 and 7 February 2002, but a consensus view had not been reached. The Security Bureau proposed to brief this Panel on the proposal before presenting it to PWSC in October 2002. Mr Albert CHAN Wai-yip considered that the subject should fall under the purview of the Panel on Security. Mr IP Kwok him said that as a member of the Panel on Security, he did not see any need for the Panel on Security to further discuss the proposal because members had already expressed their different views at meetings of the Panel. He considered that the proposal, which would involve works items, could be discussed by this Panel.

9. On the proposed item mentioned in paragraph 6(c) above, the Chairman pointed out that according to the Administration, it would be more fruitful for the Panel to discuss the subject after completion of the legal proceedings on the compensation claims arising from the resumption of the Wah Kai Industrial Centre. Mr Albert CHAN held different views. He pointed out that following the passage of the motion on "Reviewing the Compensation Policy on Land Resumption" moved by him at the Council meeting on 4 July 2001, the Administration had, in its progress report issued to Members on 5 September 2001 (LC Paper No. CB(3)934/00-01), indicated that the review on the ex gratia allowance for owners and tenants of industrial properties affected by land resumption was scheduled for completion in late 2001/early 2002. Mr CHAN therefore considered that the Administration should report to the Panel on the latest progress of the review at the next regular Panel meeting.

10. After discussion, members agreed that the two items mentioned in paragraph 6(b) and 6(c) above be discussed at the next regular meeting on 5 July 2002.

(Post-meeting notes:

- (a) At the request of the Administration and with the concurrence of the Chairman, the agenda for the regular meeting on 5 July 2002 was revised. The agenda was issued to members vide LC Paper No. CB(1)2022/01-02 on 18 June 2002; and
- (b) A special Panel meeting was scheduled for 9 July 2002 at 8:30 am for the discussion of the item mentioned in paragraph 6(b) above.)

Other proposed discussion items

11. Ir Dr Raymond HO Chung-tai said that as far as he knew, the residents in Shatin considered the noise barriers along the Tolo Highway too tall and its design unacceptable. He suggested that the issue be discussed at a meeting of the Panel. Mr WONG Yung-kan pointed out that Tai Po District Council had also raised the same concern. He requested the issue be accorded priority for discussion as construction of the noise barriers had already commenced. As the issue might involve the Panel on Transport, the Chairman directed the Clerk to check whether the issue fell within the purview of this Panel or the Panel on Transport.

(Post-meeting note: As agreed by the Panel on Transport, the item of “Widening of Tolo Highway” was included in its list of outstanding item for discussion.)

V. Comprehensive Review of the Buildings Ordinance — Proposed Amendments to the Buildings Ordinance

(LC Paper No. CB(1)1961/01-02(03) — Paper provided by the Administration)

12. The Deputy Secretary (Urban Renewal and Buildings) of Planning and Lands Bureau (DS/PLB) briefed members on the Government's proposed amendments to the Buildings Ordinance (BO) (Cap. 123) and its regulations as detailed in the paper. The proposed amendments aimed at rationalizing the building control regime, strengthening safety requirements, promoting compliance with the law, and improving service to the public. The Administration planned to introduce the relevant legislative proposal to LegCo in the next legislative session.

Scope of proposed amendments

13. In reply to Ir Dr Raymond HO, the Director of Buildings (D of B) advised that the review of BO was being conducted by phases. The proposed amendments set out

in the paper were covered by Phase 1 of the review. According to the Buildings Department (BD)'s tentative plan, regulatory measures for advertisement signboards would be covered by Phase 2 while amendments to the regulations of BO for the enhancement of works standards to meet current requirements in works, such as fire-engineering approach and drainage works, would be covered by Phase 3. Pointing out that the United Kingdom had taken about a decade to review and implement changes on building regulations, D of B advised that it also took time for the Administration to conduct research, develop proposals and draft the proposed amendments. At the request of Ir Dr HO, D of B undertook to provide the Panel with information on the proposed scope of the phased review of BO and the provisional time schedule.

Minor works

14. Mr Albert CHAN expressed concern about the Administration's proposal to amend BO to introduce a new category of relatively simple and small-scale building works, i.e. "minor works", that a new category of registered contractors might carry out on their own or under the supervision of the authorized person (AP) and registered structural engineer (RSE), without the submission of building plans for approval by the Building Authority (BA). In view of the fact that the quality of some of the building works in Hong Kong was far from satisfactory, Mr CHAN queried the justifications for the proposed amendments which would entrust the AP, RSE and contractors with great authority in minor building works.

15. D of B explained that under the existing building control regime, all building works (including minor building works) with few exemptions, had to comply with a number of requirements, including the approval of plans by BA, the appointment of an AP and an RSE to design and supervise the works, and the appointment of a registered general building contractor or a registered specialist contractor to carry out the works. The cost of compliance with these requirements was sometimes disproportionate to the scale of works involved. The Administration was of the view that the degree of control on different kinds of building works should be commensurate with their nature, scale, complexity and degree of risk. While the existing requirements should continue to apply to new buildings or less simple structures, the requirements and procedures for minor building works, such as the erection of a canopy over a window, should be simplified. The Administration believed that the simplified arrangement would encourage building owners to comply with the requirements when carrying out the relevant minor works, thus reducing the number of unauthorized minor works and enhancing public safety. D of B also pointed out that the proposed amendments were in line with the self-regulatory approach for building works adopted by some overseas countries.

16. Mr LAU Ping-cheung, Ir Dr Raymond HO and Mr IP Kwok him supported the simplified arrangement for minor works but considered that the types of minor works should be clearly defined. Ir Dr HO also considered that some related terms,

such as “canopy” and “balcony”, should also be clearly defined in the proposed provisions.

17. Responding to Mr IP Kwok-him, D of B advised that minor works would be classified into three types. The first type must be conducted under the supervision of an AP and an RSE as necessary, such as works involving changes in the layout of internal staircase. The second type, such as the removal of rooftop structures, and the third type, such as the erection of drying/flower racks, could be carried out by registered minor works contractors on their own or under the supervision of an AP and an RSE as necessary, without the submission of building plans for approval of BA. While the contractors on the prevailing list of registered contractors for private works would be eligible for carrying out all these three types of minor works, a new register would be set up specifically for the second and third types of minor works. The Contractors Registration Committee would assist BA in considering applications for inclusion in the new register. Under the proposed arrangement, registered contractors who were prepared to carry out the second or third type of minor works would be required to notify BD before commencing the works and report to BD with the relevant building plans after completion of the works. Staff of BD would conduct audit checks to ensure that the works complied with the technical requirements and standards under BO. Moreover, BD would issue detailed guidelines on the technical standards and requirements for minor works. Non-compliance would result in the removal of the contractors from the list of registered contractors and/or prosecution.

Quality of building works

18. Referring to various defects of new buildings, Mr Albert CHAN expressed his grave concern about the quality of building works in Hong Kong and that the proposed amendments to relax the requirements for minor works would aggravate the situation. He also criticized BD for having failed to monitor the quality of building works and initiate prosecution action against the professionals/contractors concerned for non-compliance with the rules and regulations stipulated in BO. D of B disagreed and pointed out that the Department of Justice (D of J) considered each case carefully before deciding whether prosecution action should be initiated. In fact, prosecution action had been taken by the Administration. Mr CHAN pointed out that in most cases, prosecution action was initiated by the Independent Commission Against Corruption (ICAC), not BD. As far as he knew, BD had failed to take enforcement action against the professionals and contractors concerned on many reported cases, and had only advised the owners concerned to initiate civil action on their own. Mr CHAN considered it essential for the Administration to put in place concrete measures to monitor the work of the professionals and contractors, and to hold them accountable for their substandard works. In the absence of these measures to ensure the effective performance of the professionals and contractors, Mr CHAN consider it inappropriate to entrust them with greater responsibilities.

19. D of B assured members that BD had all along monitored the work of the

professionals and contractors, and had initiated prosecution action if sufficient evidence was available. To further enhance the deterrent effect, the Administration had also proposed to increase the maximum fines for offences involving substandard building works or construction dangers. Mr Albert CHAN was not convinced and requested the Administration to provide statistics on the number of cases which prosecution had been initiated by BD in accordance with BO (Cap. 123) and its regulations in the past ten years and details of such cases.

20. Mr IP Kwok-him shared Mr Albert CHAN's concern about the quality of building works and urged the Administration to put in place measures to prevent the recurrence of problems commonly found in private buildings, such as water seepage problem. D of B assured members that the Administration would put in place more effective measures to improve the prevailing monitoring mechanism on the quality of building works. In this connection, Mr Albert CHAN requested the Administration to provide a table showing the prevailing monitoring mechanism (including penalty system) on the professionals and contractors, and the changes to be brought about by the proposed amendments to BO and its regulations. D of B agreed to provide the information. He also undertook to consider the need for setting up a special task force to review how supervision of building works could be improved further.

Unauthorized building works

21. Mr IP Kwok-him expressed concern on how the Administration could identify the persons who should be responsible for the removal of unauthorized buildings works (UBW) in a building. In response, D of B said that having carefully considered the possible ways of addressing the difficulties encountered in identifying the responsible owners, the Administration proposed to amend BO to provide that a removal order might be served on the owner of the unit in which the UBW was erected, or if the UBW erected in one unit, usually a common part, was connected to another unit and the UBW was used by the owner or occupier of the latter unit, the owner of the latter unit. It was expected that these proposed amendments would help identify persons responsible for the removal of UBWs and reduce the number of superceding orders to be issued, thus expediting enforcement action against UBWs.

22. Ir Dr Raymond HO enquired whether legislative amendments would be proposed in the current review to facilitate clearance of the existing 800 000 UBWs. D of B advised that the number of target buildings for clearance of UBWs had increased from 300 to 3 000 and a large-scale clearance operation of UBWs would take place in the current year. To enhance the deterrent effect, the Administration proposed to amend BO to empower BA to issue a warning notice on UBWs where a removal order was not issued, and to register the notice in the Land Registry if the UBW was not removed within two months. Owners would be responsible for paying the registration and de-registration fee. It was expected that these proposed amendments would encourage the owners concerned to remove the UBWs voluntarily.

Increasing penalties

23. Responding to the Chairman's enquiry on the penalties stated in paragraph 17 of the paper, D of B advised that penalties for serious offences involving substandard building works or construction dangers were fines ranging from \$50,000 to \$250,000. As the penalties had not been reviewed for some 20 years, the Administration proposed to increase the maximum fines for selected offences by four to six times their current levels to enhance the deterrent effect.

24. Ir Dr Raymond HO considered that a reasonable increase in the level of fines should be considered for UBWs. D of B advised that the Administration had carefully considered the level of fines to be adopted and consulted the professional bodies, which found the proposed level of fines acceptable. Mr LAU Ping-cheung considered that the Administration should make reference to the level of fines provided in existing legislation before making its final decision.

Uncooperative owners

25. Mr Albert CHAN expressed reservation on the proposal to amend BO to provide that owners who without reasonable excuse obstruct their owners' corporation (OC) in complying with an order served by BA for repair works or removal of UBWs in common parts of the building might be prosecuted. Pointing out that it was not uncommon for individual owners to disagree with their OC over the scope of the repair work and the tendering procedures for appointing contractors, Mr CHAN urged the Administration to handle the matter carefully. D of B assured members that BD would give sufficient notice to all individual owners when an order was served on the OC and would remind owners that prosecution under BO might be instigated against any uncooperative owners. BD would resort to this deterrent only when the owners continued to refuse to cooperate without reasonable excuse.

26. Mr Albert CHAN did not consider the proposal necessary, as OCs were empowered under the Building Management Ordinance (Cap. 344) to take action against uncooperative owners, and BA was empowered under BO to remove the UBWs and recover the cost from the owners concerned. D of B pointed out that the amendment was proposed at the request of some owners to address the practical difficulties encountered by OCs in seeking support of individual owners of the building to pay their share to fund the works required for compliance with BA's orders. The proposed amendment had been discussed between BD and the Home Affairs Department. Nevertheless, the Administration would exercise care in implementing the proposal.

27. Mr LAU Ping-cheung enquired whether D of J had been consulted on the legal basis for taking prosecution action against individual owners and whether the proposal would infringe upon the basic right of individual owners. D of B advised that D of J considered the proposal legally acceptable. While OCs were issued with

statutory orders for repair works and removal of UBWs in common parts of the building, they worked for individual owners who should bear the ultimate responsibility to carry out the necessary works. Owners who without reasonable excuse obstructed their OC in complying with an order served by BA would be subject to prosecution on the same basis as other owners who failed to comply with statutory order served on them. The Administration considered the proposal a practical and reasonable arrangement to assist OCs and owners in resolving building management problems. Citing some previous cases where uncooperative owners obstructed the conduct of building repair works, Ir Dr Raymond HO supported the proposal.

28. Members pointed out the need for a clear definition of “reasonable excuse” to avoid disputes between OCs and individual owners. The Deputy Director of Buildings Department appreciated Members' concern and pointed out that individual owners would be prosecuted under two circumstances. First, the owners concerned obstructed the conduct of the repair/removal works, e.g. the removal of an UBW in common parts of the building. Secondly, the owners concerned refused to pay their share to fund the works, despite the fact that the sum had been calculated in accordance with the proportion of the unit(s) they owned in the building. Miss CHAN Yuen-han considered that while prosecution might be justified in the first case, it might not be so in the second case. She pointed out that she had come across a number of cases where individual owners complained against the OCs for requiring them to pay for a substantial sum for the repair works. It was difficult to establish whether the excuses provided by the owners concerned were reasonable.

29. D of B pointed out that it was necessary to introduce the proposed amendment to address the building management problems caused by uncooperative owners. He assured members that the Administration would exercise great care in handling the relevant cases. D of J would consider each and every case carefully before deciding whether prosecution action should be initiated. While it would be difficult to spell out all the circumstances under which prosecution action would be initiated, what constituted a “reasonable excuse” would be specified in the relevant provision.

30. At Miss CHAN Yuen-han's request, D of B undertook to consider the feasibility of putting in place an appeal mechanism to enable the owners concerned to lodge their appeals, say, to the Director of Buildings, before the Administration took prosecution action against them.

(Post-meeting note: The information provided by the Administration in response to members' requests in paragraphs 13, 19, 20 and 30 above was circulated vide LC Paper No. CB(1)2489/01-02 (English version) and CB(1)2612/01-02 (Chinese version) on 9 September and 30 September 2002 respectively.)

Provision of Emergency Vehicular Access

31. Referring to paragraph 12 of the paper, Mr LAU Wong-fat noted that the Administration proposed to amend the BO to require the provision of Emergency Vehicular Access (EVA) to all new buildings. He supported the proposed amendment provided that BA might grant exemptions in exceptional cases, such as for new buildings in the New Territories where EVA would have to route through private lands and involve substantial cost. He however considered that the Administration should clearly specify the criteria for granting such exemptions. D of B said that each case would be considered on its merits and the granting of exemptions would be subject to appropriate preventive and/or mitigation measures to protect public safety.

VI. Processing of small house applications

(LC Paper No. CB(1)1961/01-02(04) — Paper provided by the Administration

LC Paper Nos. CB(1)1611/01-02(01) — Information notes on processing of small house applications raised by LegCo Members at the case conference with the Administration on 1 March 2002) and CB(1)1611/01-02(02)

32. The Chairman briefed members that following the discussion at the case conference on 1 March 2002 among LegCo Members, Tai Po District Council (TPDC) members and the Administration, the LegCo Members had referred to the Panel for follow-up on the measures to be taken by the Administration to expedite the processing of small house applications. The Administration's response to the issues raised at the case conference had been circulated to members vide LC Paper No. CB(1)1611/01-02(02) on 26 April 2002. At the request of members, the Administration was invited to this meeting to discuss the issue.

Measures to expedite the processing time

33. Referring to paragraph 2 of the paper provided by the Administration for this meeting, the Director of Lands (D of L) advised that of the 14 157 outstanding small house applications, 1 372 applications had been approved pending execution of land documents and 1 958 applications involving village expansion areas (VEA) would not be processed by the Administration at this stage.

34. Mr WONG Yung-kan said that TPDC members were very concerned about the long processing time taken by the Administration to process small house applications in Tai Po district. Referring to the Lands Department (LD)'s performance pledge that processing of a straightforward New Territories small house application would be completed within 34 weeks (8.5 months) excluding waiting time, Mr WONG considered the process far too long. In view of the fact that there were 3 615 outstanding small house applications for the Tai Po District, he urged the Administration to put in place additional measures to expedite the process.

35. Whilst appreciating members' concern, D of L pointed out that LD had shortened the waiting time for processing small house applications to 36 months. During the waiting period, LD would conduct a preliminary screening on the applications and inform the applicants concerned of major problems identified before formal processing commenced. Moreover, LD would continue to explore ways to shorten the processing time. For example, LD had recently proposed a Village Layout Plan Scheme under which the District Lands Office would work together with the villagers concerned, in consultation with Heung Yee Kuk, to draw up a village layout plan to guide the future development of the village concerned. Mr LAU Wong-fat considered the Scheme not practical, as land ownership was a very complicated issue. In his view, a more practical solution to clear the backlog was for the Administration to contract out the processing of small house applications.

36. Referring to paragraph 6 of LC Paper No. CB (1)1611/01-02(02), Mr WONG Yung-kan noted that LD had adopted a "workshop approach" in Tai Po and North District to process small house applications by batches according to their complexity and locality. Responding to Mr WONG's enquiry on the mode of operation of the workshop, the Principal Land Executive of Lands Department advised that the workshop was an internal arrangement under which a pool of officers in the respective District Lands Office would conduct dedicated sessions in the form of a workshop to process small house applications. The applications processed under this arrangement were simple cases where the site did not involve Emergency Vehicular Access or slopes and objections from villagers. The workshop approach had been in use for two to three years and had helped enhance efficiency and reduce the processing time.

37. Referring to paragraph 10 of the paper provided by the Administration for this meeting, the Chairman noted the Administration's view that "the impact of the long processing time of small house applications on this group of indigenous villagers is that it may cause some delay in the eventual disposal of their houses". The Chairman did not consider it a fair comment. He urged the Administration to take into account the public views and draw up concrete measure to expedite the processing of small house applications.

Detailed planning for small house development

38. Mr Albert CHAN stressed the importance of detailed planning for small house development and urged the Administration to provide the necessary facilities and infrastructure to support the development, such as the provision of flood preventive measures and pedestrian access. He was concerned that in the absence of the necessary supporting facilities, small house development might have an adverse impact on the environment. The Principal Assistant Secretary (Lands) of Planning and Lands Bureau (PAS(L)PLB) appreciated Mr CHAN's concern and pointed out that the purpose of introducing the Village Layout Plan Scheme was to provide detailed planning for the future development of the village concerned.

Monitoring mechanism to prevent/avoid abuse of power

39. Mr LAU Ping-cheung was concerned that the long processing time might provide opportunities for corruption. He considered that a monitoring mechanism should be put in place to ensure that District Lands Officers would not abuse their power in processing small house applications. The Deputy Director of Lands advised that the Administration was equally concerned about the issue. It was proposed that a working group comprising representatives of LD and Heung Yee Kuk be set up to explore measures to prevent abuse of power. District Lands Offices would also continue to monitor the processing of small house applications closely.

Measures to address the housing needs of the applicants

40. The Chairman noted from paragraph 9 of the paper provided by the Administration that indigenous villagers could apply for public housing as long as they had not received any small house grants. The Chairman pointed out that this option failed to meet the need of indigenous villagers to stay in their village area.

Review of small house policy

41. Responding to Mr Albert CHAN, PAS(L)PLB advised that the review of the small house policy was still in progress. As a number of complex issues were involved in the review, the Administration needed more time to study the issues carefully.

VII. Any other business

42. There being no other business, the meeting ended at 10: 45 am.

Legislative Council Secretariat

12 November 2002