

**Subcommittee on Legislative Amendments Relating to the Proposed
Re-organisation of Policy Bureaux of the Government Secretariat**

**Resolution under Section 54A of the
Interpretation and General Clauses Ordinance (Cap. 1)**

**Transfer of Statutory Functions Currently Exercisable by the
Secretary for Housing, Planning and Lands**

Introduction

This paper sets out the transfer of statutory functions currently exercisable by the Secretary for Housing, Planning and Lands (SHPL) to the the Secretary for Transport and Housing, the Secretary for Development or the Secretary for the Environment with effect from 1 July 2007.

Background

2. Pursuant to the re-organisation plan announced by the Chief Executive on 3 May 2007 and set out in the Legislative Council brief issued to Members on the same day, the following policy portfolios currently under the SHPL will be taken up by two Directors of Bureau with effect from 1 July 2007 :

- (a) matters relating to housing will be transferred to the Secretary for the Transport and Housing; and
- (b) matters relating to planning and lands will be transferred to the Secretary for Development.

The relevant statutory functions currently vested in SHPL will be transferred to these two Directors of Bureau accordingly.

3. SHPL also has functions exercised under the Sewage Tunnels (Statutory Easements) Ordinance (Cap. 438). As sewage policy will fall within the portfolio of the Secretary for the Environment, we propose to transfer the relevant statutory functions vested in SHPL under this ordinance to the Secretary for the Environment.

4. The transfer of statutory functions is to be effected by way of a resolution made under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1). The Administration gave notice on 23 May 2007 in accordance with Rule 29(1) of the Rules of Procedure of the intention to move the Resolution at the Legislative Council meeting of 13 June 2007, and the latest version of the Resolution was attached to the notice. Paragraph (11) of the Resolution, at **Annex A**, provides that statutory functions currently exercisable by the SHPL by virtue of the specified ordinances be transferred to the Secretary for Transport and Housing, the Secretary for Development or the Secretary for the Environment respectively.

5. The Resolution will not involve substantive amendments to the statutory functions (including powers and duties) provided for in the relevant ordinances. The Resolution will provide for the simple substitution of the current title of the SHPL by the new title of the relevant Directors of Bureau in whom policy responsibility for the provisions in question is to be vested with effect from 1 July 2007.

6. A summary of the major statutory functions of the SHPL under existing legislation to be transferred to the relevant Directors of Bureau and the textual amendments to the relevant ordinances is at **Annex B**.

Advice Sought

7. Members are invited to consider paragraph (11) of the Resolution.

Constitutional Affairs Bureau
Housing, Planning and Lands Bureau
May 2007

(11) the functions exercisable by the Secretary for Housing, Planning and Lands by virtue of -

(a) the High Court Ordinance (Cap. 4) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 21F(3A) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";

(b) the Buildings Ordinance (Cap. 123) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended -

(i) in the following provisions by repealing "Secretary for Housing, Planning and Lands" wherever it appears and substituting "Secretary for Development" -

- (A) section 5(1);
- (B) section 5(3A);
- (C) section 5AA(2)(a);
- (D) section 11(1);
- (E) section 11(4A);
- (F) section 11AA(2)(a);
- (G) section 38(1);

(H) the proviso of section
38(5);

(I) section 39A(1);

(J) section 46(2)(a);

(ii) in the following provisions, in
the Chinese text, by repealing
“房屋及規劃地政局局長” wherever it
appears and substituting “發展
局局長” -

(A) section 39A(2);

(B) section 39A(3);

(C) section 39A(6);

(D) section 39A(9);

(E) section 39A(10);

(c) the Town Planning Ordinance (Cap. 131) be
transferred to the Secretary for
Development and, for the purpose of giving
full effect to such transfer, that
Ordinance be amended -

(i) in the following provisions by
repealing “Secretary for
Housing, Planning and Lands”
wherever it appears and
substituting “Secretary for
Development” -

(A) section 14(2);

(B) section 24(1);

(ii) in the following provisions, in
the Chinese text, by repealing

“房屋及規劃地政局局長” wherever it appears and substituting “發展局局長” -

(A) section 24(2);

(B) section 24(3);

- (d) the Aerial Ropeways (Safety) Ordinance (Cap. 211) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 28(1) by repealing “Secretary for Housing, Planning and Lands” and substituting “Secretary for Development”;
- (e) the Eastern Harbour Crossing Ordinance (Cap. 215) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 21(3) by repealing “Secretary for Housing, Planning and Lands” and substituting “Secretary for Development”;
- (f) the Housing Ordinance (Cap. 283) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing “Secretary for Housing, Planning and Lands” wherever it

appears and substituting "Secretary for Transport and Housing" -

(i) section 14(4);

(ii) section 15(2);

- (g) the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";
- (h) the Lifts and Escalators (Safety) Ordinance (Cap. 327) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2(1) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";
- (i) the District Court Ordinance (Cap. 336) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 69(3A) by repealing "Secretary for Housing, Planning

and Lands" and substituting "Secretary for Development";

(j) the Electricity Networks (Statutory Easements) Ordinance (Cap. 357) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Housing, Planning and Lands" wherever it appears and substituting "Secretary for Development" -

(i) the definition of "approved scheme" in section 2;

(ii) section 3(1);

(iii) section 7(1);

(iv) section 9(2);

(v) section 9(3);

(vi) section 9(4);

(k) the Tate's Cairn Tunnel Ordinance (Cap. 393) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 16(3) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";

(l) the Western Harbour Crossing Ordinance (Cap. 436) be transferred to the Secretary

for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 15(2) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";

(m) the Sewage Tunnels (Statutory Easements) Ordinance (Cap. 438) be transferred to the Secretary for the Environment and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of "Secretary" in section 2 by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for the Environment";

(n) the Registrar General (Establishment) (Transfer of Functions and Repeal) Ordinance (Cap. 439) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 31 by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";

(o) the Land Survey Ordinance (Cap. 473) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the definition of

"Secretary" in section 2 by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";

- (p) the Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Cap. 474) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in section 15(2) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";
- (q) the Estate Agents Ordinance (Cap. 511) be transferred to the Secretary for Transport and Housing and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Housing, Planning and Lands" wherever it appears and substituting "Secretary for Transport and Housing" -
 - (i) section 1(2);
 - (ii) the definition of "Secretary" in section 2(1);
- (r) the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that

Ordinance be amended in section 12(1) by repealing "Secretary for Housing, Planning and Lands" and substituting "Secretary for Development";

(s) the Urban Renewal Authority Ordinance (Cap. 563) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Housing, Planning and Lands" wherever it appears and substituting "Secretary for Development" -

(i) the definition of "Secretary" in section 2;

(ii) section 36(10);

(t) the Land Titles Ordinance (Cap. 585) be transferred to the Secretary for Development and, for the purpose of giving full effect to such transfer, that Ordinance be amended in the following provisions by repealing "Secretary for Housing, Planning and Lands" wherever it appears and substituting "Secretary for Development" -

(i) section 1(2);

(ii) the definition of "Secretary" in section 2(1);

**Statutory functions presently exercisable by the Secretary for Housing, Planning and Lands (SHPL)
which will be transferred to the Secretary for Transport and Housing (STH), Secretary for Development
and the Secretary for the Environment**

(I) Statutory functions transferred to Secretary for Transport and Housing

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(f)	283 Housing Ordinance	<p>This ordinance provides for the establishment and functions of the Housing Authority and for purposes connected therewith.</p> <p>Major functions to be transferred from SHPL to STH are the powers to lay copies of the accounts and annual reports of the Housing Authority on the table of the Legislative Council.</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長”–</p> <ul style="list-style-type: none">■ section 14(4); and■ section 15(2).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(q)	511 Estate Agents Ordinance	<p>This ordinance provides for the establishment and functions of the Estate Agents Authority, the licensing of estate agents and the regulation of estate agency work.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ power to appoint commencement date of the ordinance; ▪ power to approve the Estate Agents Authority to grant exemptions; ▪ powers and functions relating to audits and the Authority's report; ▪ power to approve the determination of the relevant period by the Authority for the purpose of section 18; ▪ functions to receive notices relating to appeals; ▪ power to appoint appeal panel; ▪ power to make regulations regulating the appeal procedures; and ▪ power to approve regulations made by the Authority relating to bank accounts, salespersons, advertising, estate agency agreements, procedures for dispute resolution proceedings etc. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Transport and Housing” / “運輸及房屋局局長” –</p> <ul style="list-style-type: none"> ▪ section 1(2); and ▪ the definition of “Secretary” / “局長” in section 2(1).

(II) Statutory functions transferred to Secretary for Development

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(a)	4 High Court Ordinance	<p>This ordinance is to amend and consolidate the law relating to the constitution, jurisdiction, practice and powers of the High Court and the administration of justice therein and for matters ancillary thereto and connected therewith.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to amend the number of days for possession of the land to be given to the lessor in the case of application for a relief against forfeiture by action for non-payment of rent.</p>	<p><u>English and Chinese texts</u></p> <p>Section 21F(3A) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(b)	123 Buildings Ordinance	<p>This ordinance provides for the planning, design and construction of buildings and associated works; and for the rendering safe of dangerous buildings and land.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers relating to appointment of disciplinary boards; ▪ power to make regulations; ▪ power to issue technical memoranda, publish the technical memoranda in the Gazette and cause them to be laid on the table of the Legislative Council after publication; and ▪ power to appoint secretary to the Appeal Tribunal. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 5(1); ▪ section 5(3A); ▪ section 5AA(2)(a); ▪ section 11(1); ▪ section 11(4A); ▪ section 11AA(2)(a); ▪ section 38(1);

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
			<ul style="list-style-type: none"> ▪ the proviso of section 38(5); ▪ section 39A(1); and ▪ section 46(2)(a). <p><u>Chinese texts</u></p> <p>The following provisions are amended by repealing “房屋及規劃地政局局長” wherever it appears and substituting “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 39A(2); ▪ section 39A(3); ▪ section 39A(6); ▪ section 39A(9); and ▪ section 39A(10).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(c)	131 Town Planning Ordinance	<p>This ordinance provides for the systematic preparation and approval of plans for the lay-out of areas of Hong Kong as well as for the types of building suitable for erection therein and for the preparation and approval of plans for areas within which permission is required for development in order to promote the health, safety, convenience and general welfare of the community.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the powers and functions to prescribe fees for the plans submitted to the Town Planning Board, and on matters relating to review of the decision of the Authority (Director of Planning).</p>	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 14(2); and ▪ section 24(1). <p><u>Chinese text</u></p> <p>The following provisions are amended by repealing “房屋及規劃地政局局長” wherever it appears and substituting “發展局局長” –</p> <ul style="list-style-type: none"> ▪ section 24(2); and ▪ section 24(3).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(d)	211 Aerial Ropeways (Safety) Ordinance	<p>This ordinance provides for the design, manufacture and installation of aerial ropeways, the regulation of the operation and maintenance of aerial ropeways, and the avoidance of dangerous conduct in relation thereto.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 28(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(e)	215 Eastern Harbour Crossing Ordinance	<p>The ordinance is to grant franchises for the construction of a combined road and rail tunnel across the eastern harbour, for the construction of a railway line through the tunnel and of other railway works and the regulation of the construction and maintenance of the works to be constructed; for the payment of tolls to the franchise holder for the use by motor vehicles of the tunnel and the regulation of vehicular traffic in relation to such use; for the transfer by the franchise holder of its right to operate the railway line to the Mass Transit Railway Corporation, and for matters ancillary thereto and connected therewith.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 21(3) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(g)	301 Hong Kong Airport (Control of Obstructions) Ordinance	<p>This ordinance provides for the restriction and, where necessary, the reduction of heights of buildings in the interest of the safety of aircraft, for the control of lighting, for the erection or provision and the maintenance of aids to air navigation, and for the assessment and payment of compensation in respect of damage suffered on account thereof.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers relating to issuing orders to prescribe areas within which no building shall exceed the height specified for the purpose of section 3; ▪ power to order provision of marks, lights and beacons for the safety of aircrafts; and ▪ power to extend period for making claims for compensation under this Ordinance. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(h)	327 Lifts and Escalators (Safety) Ordinance	<p>This ordinance provides for the design and construction, and the maintenance in safe working order of lifts and escalators, and for the examination and testing thereof.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ power to appoint disciplinary board upon the receipt of notice under sections 9 and 11G; ▪ power and functions relating to the appointment of the disciplinary board panel; ▪ power and functions relating to the disciplinary proceedings; ▪ power to appoint an appeal board upon the receipt of notice under sections 6, 11C and 15; and ▪ power and functions relating to the appointment of the appeal board panel. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(i)	336 District Court Ordinance	<p>To establish a court, having limited civil and criminal jurisdiction, to be known as the District Court, and to make provision for the jurisdiction, procedure and practice thereof and for purposes connected with the matters aforesaid.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to amend the number of days for possession of the land to be given to the lessor in the case of application for a relief against forfeiture by action for non-payment of rent.</p>	<p><u>English and Chinese texts</u></p> <p>Section 69(3A) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(j)	357 Electricity Networks (Statutory Easements) Ordinance	<p>This ordinance provides for the creation of easements in and over land in favour of certain undertakings which generate, transmit or distribute electricity.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ power to approve terms of a scheme for the purpose of section 3(1); ▪ powers and functions on matters relating to rectification of approved schemes; and ▪ powers and functions relating to the handling of objections lodged by the owner of any land against the exercise of any right by a power company. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ the definition of “approved scheme” / “獲准計劃” in section 2; ▪ section 3(1); ▪ section 7(1); ▪ section 9(2); ▪ section 9(3); and ▪ section 9(4).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(k)	393 Tate's Cairn Tunnel Ordinance	<p>This ordinance is to grant a franchise for the construction of a road tunnel through Tate's Cairn; for the payment of a royalty for such franchise; for the maintenance of the works to be constructed; for the payment of tolls to the franchise holder for the use by motor vehicles of the tunnel and the regulation of vehicular traffic in relation to such use; and for matters ancillary thereto and connected therewith.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 16(3) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(l)	436 Western Harbour Crossing Ordinance	<p>This is an ordinance to grant a franchise for the construction and operation of a crossing between West Kowloon Reclamation and Sai Ying Pun. It provides for the maintenance of the works within the tunnel area, the payment of tolls to the franchise holder for the use of the tunnel by motor vehicles and the regulation of vehicular traffic in relation to such use.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 15(2) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(n)	439 Registrar General (Establishment) (Transfer of Functions and Repeal) Ordinance	<p>This ordinance provides for the amendment of Ordinances consequential on the transfer of the functions of the Registrar General and certain functions of the Land Officer and the change of title of the Land Officer and the Land Office to Land Registrar and Land Registry respectively and for the repeal of the Registrar General (Establishment) Ordinance (Cap 100).</p> <p>Major functions to be transferred from SHPL to Secretary for Development is the power to repeal references to “Registrar General”, “Registrar General (Land Officer)”, “Land Officer” and “Land Office” by notice in Gazette.</p>	<p><u>English and Chinese texts</u></p> <p>Section 31 is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(o)	473 Land Survey Ordinance	<p>This ordinance provides for the registration and discipline of land surveyors engaged in land boundary surveys, for the control of the standards of land boundary surveys and for the establishment of land boundary records.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers to appoint the Land Surveyors Registration Committee; ▪ power to appoint a disciplinary board upon a referral or a complaint made under section 21 of this ordinance; ▪ powers and functions relating to the appointment of disciplinary board panels and the disciplinary proceedings; and ▪ power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(p)	474 Tai Lam Tunnel and Yuen Long Approach Road Ordinance	<p>This is an ordinance to grant a franchise for the design, construction and operation of a tunnel and associated roads linking Ting Kau to Au Tau. It provides for the maintenance of the works within the area subject to the franchise, the payment of tolls to the franchise holder for the use of that area by motor vehicles and the regulation of vehicular traffic in relation to such use.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to apply the Buildings Ordinance to any of the construction works.</p>	<p><u>English and Chinese texts</u></p> <p>Section 15(2) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>
Paragraph (11)(r)	545 Land (Compulsory Sale for Redevelopment) Ordinance	<p>This ordinance enables persons who own a specified majority of the undivided shares in a lot to make an application to the Tribunal for an order for the sale of all of the undivided shares in the lot for the purposes of the redevelopment of the lot; and enables the Tribunal to make such an order if specified criteria are met.</p> <p>Major function to be transferred from SHPL to Secretary for Development is the power to make regulations.</p>	<p><u>English and Chinese texts</u></p> <p>Section 12(1) is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for Development” / “發展局局長”.</p>

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(s)	563 Urban Renewal Authority Ordinance	<p>This ordinance provides for the establishment of the Urban Renewal Authority for the purpose of carrying out urban renewal and for connected purposes.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ▪ powers and functions on matters relating to planning procedures; ▪ powers and functions on matters relating to objection against a project which is to be implemented by way of a development project; ▪ power and functions on matters relating to appeal against the decisions of the Secretary made under section 24 of this Ordinance; ▪ powers and functions on matters relating to resumption and disposal of land; ▪ power to enter, or to authorize any person to enter, any land or premises for the purpose of preparing an assessment on the likely effect brought about by the implementation of a development scheme; ▪ power to obtain information from the Authority; ▪ power to recommend to the Chief Executive in Council the resumption of any land; and ▪ functions of SHPL under the repealed Land Development Corporation Ordinance (Cap. 15). 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ▪ the definition of “Secretary” / “局長” in section 2; and ▪ section 36(10).

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(t)	585 Land Titles Ordinance	<p>This ordinance is to provide for a system of registration of title to land, and to provide for matters incidental thereto or connected therewith.</p> <p>Major functions to be transferred from SHPL to Secretary for Development are:</p> <ul style="list-style-type: none"> ■ the powers to amend the Schedules on the provisions in relation to conversion from a land registration system to a title registration system; ■ the power to appoint a date for commencement of the ordinance; and ■ the power to make regulations. 	<p><u>English and Chinese texts</u></p> <p>The following provisions are amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” wherever it appears and substituting “Secretary for Development” / “發展局局長” –</p> <ul style="list-style-type: none"> ■ section 1(2); and ■ the definition of “Secretary” / “局長” in section 2(1).

(III) Statutory functions transferred to Secretary for the Environment

The Resolution	Cap	Description	Textual amendments provided for in the Resolution
Paragraph (11)(m)	438 Sewage Tunnels (Statutory Easements) Ordinance	<p>This ordinance provides for the creation of easements and other rights over land in favour of the Government for the purpose of the construction, maintenance and operation of sewage tunnels and for connected matters.</p> <p>Major functions to be transferred from SHPL to Secretary for the Environment are:</p> <ul style="list-style-type: none"> ▪ power to direct preparation and publication of plans relating to sewage tunnels; ▪ power to order that statutory easements under section 10 of the Ordinance shall apply to land gazetted with no objection received, and to publish in the Gazette notice of such order; ▪ functions as described in section 9 of this Ordinance relating to the deposit of plan and registration of order made under sections 6 and 7; and ▪ powers on matters relating to rectification of plans. 	<p><u>English and Chinese texts</u></p> <p>The definition of “Secretary” / “局長” in section 2 is amended by repealing “Secretary for Housing, Planning and Lands” / “房屋及規劃地政局局長” and substituting “Secretary for the Environment” / “環境局局長”.</p>