

Your reference: (35) in LD 1/1900/06 II

Director of Lands
Hong Kong
(Attention : Mr. YU Kin Man)

Fax 2525 4960

15 December 2006

Dear Sir,

**Public Accounts Committee
Administration of short-term tenancy
a case involving a site in Kwun Yam Shan, Sha Tin**

I refer to your letter of 6 December 2006 and your referral to the paper (LC Paper No CH(1)2208/05-06(01) attached to your letter of 23 October 2006.

From the paper, on 20.10.1992 the Action Taken refers 'As it was suspected that the tenant of STT 315 no longer existed, action was taken to identify its status and the role of Mr. Heung under the Power of Attorney provided by the tenant of STT 315. Consideration was given to issuing a ATT to Mr. Heung.' and the outcome is 'STT 958 to Mr. Heung (hereinafter referred to as "the tenant") was approved by DLO/ST on 17.6.1993' I cannot recall the circumstances leading to its 'approval' No mention was made in the paper about the signing of the tenancy. This happened many years ago, I cannot recall details of the case, nor can I recall what happened to the 'approval' and after the 'approval'.

It is the practice that basic terms of the tenancy be offered to the tenant for his acceptance. Upon acceptance being received, arrangement will then be made for the legal adviser in the Lands Department to scrutinize the tenancy documents. When the documents have been vetted by the legal officer, the final documents will be sent to the tenant for execution. After having gone through these steps, the tenancy agreement which has been signed by the tenant will be submitted to the DLO for his signing of the tenancy and completion of all legal formalities. There are well laid down administrative procedures in the DLO for the management of tenancy agreements leading to its execution.

The summary provided in the paper has not given an account of the above procedures having been carried out. I am not in a position to give any information on this as the case happened many years ago.

I am sorry that I cannot supplement any more information to what the government has stated in the paper.

Yours sincerely,



CHAN Kwok Fai