

Your reference: CB(3)/PAC/R47

Ms Miranda HON
Clerk Public Accounts Committee
Legislative Council
8 Jackson Road,
Central,
Hong Kong

Fax 2537 1204

12 April 2007

Dear Madam,

**The Director of Audit's Report on the
results of value for money audits (Report No.47)
Chapter 2: Administration of short term tenancies**

I refer to Director of Lands letter of 10 April 2007, which was copied to me by Hand in the afternoon of 11 April 2007.

In order to reply to PAC's question, what I have been asking is a copy of the file LND41/ZAT/60 and LND183/ZAT/62 dealing with the case. (or LNT/ZAT/60(?) in his letter dated 10 April). This should be straightforward as a copy can easily be made in the machine. Director of Lands has difficulty in meeting the request so a copy of the original file has never arrived. Instead Director of Lands has stated he has provided me "copies of relevant part".

I am asked to give reply on a case some 15 years ago and what I can rely on is the records, the file dealing with the case. An extract of the file can be misleading. This is a serious matter.

On notes of meeting I have asked, Director of Lands has never offered me to see their files. And it is wrong to just see the file to give an answer without any factual backup as memories can be short. So a copy is necessary. If Director of Lands considers it inappropriate to let me have a copy, it should also be "inappropriate for me to see the files" This is a serious matter.

If PAC would wish to understand the practice I may advise based on my experience on Land matters, all legal documents, including the subject STT are executed, i.e. signed. It is a procedural issue, and should be executed under the delegated authority when a submission is made in a well established format to the signing officer by staff. It does not follow the person, so if Mr. A is transferred, the officer taking up his post should sign. Director of Lands can be in a position to advise.

Yours Sincerely,



CHAN Kwok Fai