

立法會
Legislative Council

LC Paper No. CB(3) 270/17-18

**Paper for the House Committee meeting
of 19 January 2018**

**Questions scheduled for the
Legislative Council meeting of 24 January 2018**

Questions by:

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|------|--|-------------------------------|
| (1) | Hon Michael TIEN | (Oral reply) |
| (2) | Hon Wilson OR | (Oral reply) |
| (3) | Dr Hon Elizabeth QUAT | (Oral reply) |
| (4) | Hon Paul TSE | (Oral reply)(New question) |
| | <i>(Replacing his previous question)</i> | |
| (5) | Hon Charles Peter MOK | (Oral reply) |
| (6) | Hon Kenneth LEUNG | (Oral reply) |
| (7) | Hon YIU Si-wing | (Written reply) |
| (8) | Hon CHEUNG Kwok-kwan | (Written reply) |
| (9) | Hon Steven HO | (Written reply) |
| (10) | Hon Jeremy TAM | (Written reply) |
| (11) | Hon Kenneth LAU | (Written reply) |
| (12) | Hon LUK Chung-hung | (Written reply) |
| (13) | Hon Tanya CHAN | (Written reply)(New question) |
| | <i>(Replacing her previous question)</i> | |
| (14) | Hon KWOK Wai-keung | (Written reply) |
| (15) | Hon Alice MAK | (Written reply) |
| (16) | Dr Hon KWOK Ka-ki | (Written reply) |
| (17) | Hon WU Chi-wai | (Written reply) |
| (18) | Hon Jimmy NG | (Written reply) |
| (19) | Hon Holden CHOW | (Written reply) |
| (20) | Hon Kenneth LEUNG | (Written reply) |
| (21) | Hon CHAN Hak-kan | (Written reply) |
| (22) | Hon Alice MAK | (Written reply) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Handling of unauthorized building works

(4) Hon Paul TSE (Oral reply)

The Buildings Department (“BD”) has adopted a zero-tolerance approach for unauthorized building works (“UBWs”) in recent years. In old districts such as Kwun Tong, Wong Tai Sin, Ngau Tau Kok, San Po Kong and Lei Yue Mun, a large number of commercial and residential buildings are suspected of having UBWs, with numerous instances of BD issuing removal orders for UBWs. For example, BD has issued removal orders in respect of the unauthorized rooftop structures in a number of buildings located on Yuet Wah Street in Kwun Tong, in which many elderly property owners have lived for the past few decades. Also, BD has ordered the owners of some seafood restaurants in Lei Yue Mun to remove the UBWs there, which were erected for protection against typhoons and waves and for showcasing the fishing village’s characters, thus reverting to the original primitive squatter structures. On the contrary, when she attended this Council’s Question and Answer Session held earlier this month, the Chief Executive (“CE”) called on the various sectors of the community to adopt a forbearing attitude towards the UBWs found in the residence of the newly appointed Secretary for Justice (“SJ”). Some media have described this approach of handling the incident as “giving officials a full licence to set a fire while forbidding the common people even to light a fire for their lamps”. CE also pointed out that the policy for handling UBWs had changed continuously in the past decade, and that the authorities treated UBWs involving government officials and members of the public under the principle of equal footing and fairness. In this connection, will the Government inform this Council:

- (1) whether it has assessed if there is any difference in terms of the attitude and practices adopted when CE and the relevant government departments dealt with the UBWs found in the residences of the former CE and senior government officials, and the cases of alleged UBWs in the properties of members of the public (in particular the unauthorized rooftop structures on Yuet Wah Street);
- (2) whether it has assessed if members of the public and shop operators could, on grounds of insufficient alertness and sensitivity, request the authorities to review afresh their UBW cases; if it has assessed, of the outcome; if not, the reasons for that; and
- (3) whether BD will, in response to CE’s calling on the adoption of a forbearing attitude in dealing with the UBW issue involving SJ’s residence and as it has been reported that it would take BD 100 years to complete the handling of the UBW cases which have accumulated to over 800 000, review and revise the relevant policy; if so, of the details; if not, the reasons for that?

Private recreational leases

(13) Hon Tanya CHAN (Written reply)

In October 2013, the Director of Audit published the results of value for money audits on the Government's "direct land grants to private sports clubs at nil or nominal premium". In response to the report, the Government set up an inter-departmental working group ("the working group") in June 2014 to review the policy on private recreational leases ("PRLs"), and it anticipated that preliminary findings of the review would be available by the end of that year. However, the Government has not completed the review so far. In this connection, will the Government inform this Council:

- (1) of (i) the membership and (ii) the government official in charge of the working group; the number of meetings held by the working group so far, as well as the date and venue of each meeting; whether the relevant documents and minutes of meetings can be made public; the work progress of the working group, and whether a preliminary report has been completed; if so, whether it can be made public immediately;
- (2) when the authorities will (i) publish the review report, (ii) report to this Council the review findings and (iii) consult the public on the recommendations in the review report;
- (3) of the number and details of cases in the past five years in which lessees did not comply with the requirement in PRLs to submit quarterly reports on the situation of their facilities being opened up to outside bodies; whether the authorities can make public all of the quarterly reports received so far; the number of inspections conducted by the authorities in the past three years to examine whether the lessees had opened up their facilities in the same manner as that described in the quarterly reports submitted, and the details and findings of such inspections;
- (4) whether it knows, in each of the past three years, the respective total numbers of hours for which the various PRL venues were (i) available for use and (ii) actually used, by outside bodies (set out in Table 1);

Table 1

	Name of lessee	2015		2016		2017	
		(i)	(ii)	(i)	(ii)	(i)	(ii)
1.							

- (5) whether it knows, in each of the past three years, the respective (i) total number of hours for which various outside bodies used PRL venues and (ii) the fees paid by such bodies for that (set out in Table 2);

Table 2

	Name of outside body	2015		2016		2017	
		(i)	(ii)	(i)	(ii)	(i)	(ii)
1.							

- (6) whether the seven PRLs expiring last year and this year have been/will be renewed; if so, of (i) the terms of the new PRLs and (ii) the justifications for granting the new PRLs, broken down by name of lessee;

- (7) of the current number of cases in which lessees are allowed to set up restaurants and accommodation facilities on the PRL sites, and set out such facilities by name of lessee;
- (8) given that the Lands Department (“LandsD”) issued a “holding over” letter to The Clearwater Bay Golf and Country Club on six occasions during the period from March 2013 to December 2015, allowing the lessee to hold over the site the PRL of which had expired in 2012, of the reasons why LandsD subsequently granted the lessee a PRL for a term of 12 years, and by whom and on what ground that the decision was made; whether the authorities have assessed if it was appropriate to make such a decision while the PRL review is underway;
- (9) of the number of cases of PRL renewal approved by LandsD since the launch of the review and the expiry dates of the renewed PRLs, broken down by name of lessee; and
- (10) of the amount of government rent paid by each PRL lessee in each of the past three years (set out in a table)?