

**Subcommittee on
Land (Miscellaneous Provisions) (Amendment) Regulation 2018**

**List of follow-up actions arising from the discussion
at the meeting on 13 November 2018**

The Administration is requested to provide the following information:

Valid period of an excavation permit ("permit period")

- (a) elaboration of the principles and criteria adopted by the Highways Department ("HyD") in determining the initial permit period for different types and scales of road excavation works when conducting permit period assessment ("PPA") for excavation permit applications;
- (b) background of the formulation and implementation of the PPA process, including in particular when it was formulated, the recommendations made by the Hong Kong Polytechnic University in proposing the PPA principles and criteria, and any subsequent review(s) conducted so far;

Charging of economic costs for extension of permit period

- (c) an explanation on the calculation and charging of the economic costs for extension of the permit period due to delayed excavation works, including:
 - (i) the current basis of the calculation, and whether HyD will consider factoring in the inconvenience caused to the public and loss of business of the affected shops in the vicinity in the calculation; if it will, the details; if not, the reasons why; and
 - (ii) whether the charging of economic costs is based on the number of days of delay; whether HyD has the discretion to deduct the number of days of delay to be charged or grant refund of the economic costs paid if the delay is caused by justifiable reasons; if so, categories of the justifiable reasons, and the legal basis for taking into consideration such justifiable reasons in making deduction or refund under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) and the Land (Miscellaneous Provisions) Regulations (Cap. 28A) (please cite the relevant provisions); and

Exploring the use of common utility enclosures

- (d) the expected completion time of the consultancy study on the use of common utility enclosures.

Council Business Division 1
Legislative Council Secretariat
19 November 2018