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25 April 2000

Miss Odelia Leung
Clerk to Bills Committee on the
Urban Renewal Authority Bill
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Miss Leung,

**Bills Committee on the
Urban Renewal Authority Bill**

I refer to the second paragraph of your letter of 17 April 2000.

Clause 26(4) of the Urban Renewal Authority Bill provides that:

“Where the Secretary, the Authority or any person authorized in writing by the Secretary or the Authority under delegated authority is unable to effect an entry to the land or into any premises on it in accordance with subsection (1), he may serve on the owner and occupier a notice in writing requiring permission to so enter and inspect and after the expiry of 48 hours from the service of the notice he may, at any reasonable time during daylight, enter, using such force as is necessary therefor, and inspect such land or premises and take such particulars as he thinks fit.”

This provision is similar to section 16(1)(b) of the Land Development Corporation (Cap. 15) which provides that:

“where he (ie, the Secretary for Planning and Lands or any person authorized by him in writing) is unable to effect an entry into the building, structure or part thereof in accordance with paragraph (a), serve on the owner and occupier a notice in writing requiring permission to so enter and inspect and after the expiry of 48 hours from the service of the notice may, at any reasonable time during daylight, enter, using such force as is necessary therefor, and inspect such building, structure or part thereof and take such particulars as he thinks fit”.

The main purpose of clause 26(4) is to ensure that the Urban Renewal Authority could effectively complete a freezing survey of the residents within a project area so as to determine their preliminary eligibility for rehousing and ex-gratia payment.

Yours sincerely,

(Stephen Fisher)
for Secretary for Planning and Lands

c.c. Department of Justice
(Attn: Mr J D Scott and
Ms R Chai)

Director of Planning
(Attn: Mr T K Lee)