

TOWN PLANNING (AMENDMENT) BILL 2003

COMMITTEE STAGE

Amendments to be moved by the Secretary for Housing,  
Planning and Lands

<u>Clause</u>	<u>Amendment Proposed</u>
19(a)	<p>(a) By adding before subparagraph (i) -</p> <p>"(ia) by adding ", and enter land and any premises on it through which access is needed for the purposes of" after "purposes of";".</p> <p>(b) In subparagraph (i), in the proposed section 22(1)(aa) -</p> <p>(i) by deleting "has been" and substituting "was";</p> <p>(ii) by deleting "以".</p> <p>(c) In the Chinese text, by deleting subparagraph (ii) and substituting -</p> <p>"(ii) 廢除(a)段而代以 -</p> <p>"(a) 貼上第23條所指的通知書;" ; ".</p>
19	<p>By deleting paragraph (b) and substituting -</p> <p>"(b) in subsection (3), by repealing "has been unauthorized development and it is</p>

necessary to enter the land or premises in order to ascertain whether there is or has been" and substituting "was unauthorized development and it is necessary to enter the land or premises in order to enable the Authority to ascertain, or to have access through the land or premises to ascertain, whether there is or was unauthorized development or any matters that in the opinion of the Authority constitute or constituted an";".

20

(a) By deleting paragraph (e) and substituting -

"(e) in subsection (4), by repealing  
"unauthorized development referred to  
in subsection (3) is or was" and  
substituting "relevant matters  
referred to in subsection (3)  
were";".

(b) By deleting paragraph (1) and substituting -

"(1) in subsection (9) -

(i) by adding -

"(aa) the unauthorized  
development which  
existed according  
to the opinion of  
the Authority in  
fact was not a  
development;";

(ii) in paragraph (b), by  
repealing "the development"  
and substituting "the  
unauthorized development  
which existed according to  
the opinion of the  
Authority in fact";

(iii) in paragraph (c), by  
repealing "the development  
is" and substituting "the  
unauthorized development  
which existed according to  
the opinion of the  
Authority in fact is";

(iv) in paragraph (d), by  
repealing "permission for  
the development was" and  
substituting "the  
unauthorized development  
which existed according to  
the opinion of the  
Authority in fact was a  
development for which  
permission had been";.

20(m) By deleting the proposed section 23(9A)(a) and (b)  
and substituting -

"(a) the unauthorized development which existed  
according to the opinion of the Authority  
in fact was a development or was an  
unauthorized development; or

(b) the relevant matters which constituted

such unauthorized development according to  
the opinion of the Authority in fact  
constituted such unauthorized  
development.".

20(n) In the proposed section 23(12), by deleting "the  
unauthorized development" and substituting "such  
unauthorized development".

22

- (a) In the heading, by deleting "**Section**" and substituting "**Sections**".
- (b) By deleting "is added" and substituting "are added".
- (c) By adding -

**"26A. Board to supply copies of documents or materials**

Where any document or material is available for public inspection under section 6(4), 6A(4), 6E(1), 6F(4), 6J(2), 12A(6) or (11A), 16(2C) or (2HA) or 17(2A) or (2FA), the Board shall supply a copy of the document or material to any person on payment of such fee as the Board may determine.".

- (d) In the proposed section 27 -
  - (i) in subsection (1), by deleting ", 10 and 11" and substituting "and 10";
  - (ii) in subsection (2), by deleting "(b),";
  - (iii) in subsection (6)(a) -
    - (A) by deleting "any plan which has been exhibited, or";
    - (B) by deleting ", under section 5

of" and substituting "under  
section 5 of";

(C) by deleting "a plan which has  
been exhibited, or";

(D) by deleting ", under section 5,  
as the case may be" and  
substituting "under section 5";

(iv) by deleting subsection (6)(c).

26

(a) By adding before paragraph (a) -

"(aa) by repealing "the Board shall,  
whether or not the works are shown on  
any draft plan under that  
Ordinance";".

(b) By deleting paragraph (a) and substituting -

"(a) in paragraph (a) -

(i) by adding "the Board shall,  
whether or not the works are  
shown on any draft plan  
under that Ordinance,"  
before "exhibit";

(ii) by repealing the semicolon  
at the end and substituting  
", and the provisions of  
that Ordinance shall apply  
accordingly; and";".



27

By deleting the clause.

28

By deleting the clause and substituting -

**"28. Development schemes**

Section 25(8) of the Urban Renewal  
Authority Ordinance (Cap. 563) is amended -

- (a) by repealing "section 6 or 7 of  
the Town Planning Ordinance  
(Cap. 131) and such amendment  
includes" and substituting "the  
Town Planning Ordinance (Cap.  
131), whether under section  
6H(8) (whether with or without  
application of section 6H(9) of  
that Ordinance) or 6I of that  
Ordinance or section 7 of that  
Ordinance, and the amendments  
include";
- (b) by repealing "a notice is first  
given under section 6(7) of that  
Ordinance or the date when the  
amendment is" and substituting  
"the proposed amendments in  
question are first made  
available for public inspection  
under section 6E(1) of that

Ordinance or the date when the  
amendments are".".