

For Information

Legislative Council Panel on Home Affairs
Declaration of the Morrison Building as a Monument

PURPOSE

To inform Members that the Secretary for Home Affairs, in his capacity as the Antiquities Authority (AA) under the Antiquities and Monuments Ordinance (the Ordinance), Cap. 53, will initiate action to declare the Morrison Building (the Building) at the Hoh Fuk Tong Centre (HFT) in Tuen Mun as a Monument under section 3 of the Ordinance.

BACKGROUND

2. Members were informed on 13 November 2003 vide information paper (LC Paper No. CB(2) 351/03-04 (01)) that the AA has on 31 October 2003 served on the owner of HFT (the Hong Kong Council of the Church of Christ in China) under section 4 of the Ordinance a notice in writing of his intention to declare the Building as a Monument. A copy of the LegCo Home Affairs Panel paper is attached.

PRESENT POSITION

3. Subsequent to the service of the notice on 31 October 2003, the owner submitted an objection to the CE on 28 November 2003. The CE in Council has now considered the objection in accordance with section 4 of the Ordinance and decided that the petition be dismissed. Under section 4(6) of the Ordinance, the direction of the CE in Council is final.

4. In order to protect the Building from being demolished, the AA has already declared the Building a Proposed Monument on 11 April 2003. However, since a declaration of Proposed Monument within private land will only have effect for 12 months and is not re-newable (this means that the current legal protection for the Building will lapse after 10 April 2004), there is a need to declare the Building as a Monument for permanent protection as soon as possible.

DECLARATION OF MONUMENT

5. As stated in para. 8 of the attached paper, the declaration includes (a) an area of about 480 m² occupied by the Building; (b) a buffer zone of about 3 meters wide surrounding the wall line of the Building so as to provide protection to the Building; and (c) a section of adjoining land which is necessary to provide access from the outside of the HFT site to the Building for inspection and maintenance. The total area to be declared is about 1,250 m².

6. The declaration will be made in the Gazette shortly and will take immediate effect. It will then be tabled for negative vetting by the Legislative Council at the first Legislative Council meeting after gazettal. The Government cannot withhold the effective date of the declaration to the completion of the normal full negative vetting period because of the need to render statutory protection to the Building before the current declaration of Proposed Monument lapses after 10 April 2004.

7. The declaration will not affect the use of the Building or property ownership. The owner may continue to use and manage the Building provided that relevant sections of the Ordinance are complied with. We have offered to the owner to take on responsibility for restoration and maintenance of the Building on condition that the Building would be open for public visits on a schedule to be agreed. As a rough estimate, the one-off restoration cost of the Building would be around \$8.25M and the annual maintenance cost about \$0.75M. The offer has not yet been accepted. We also note that the owner has a plan to redevelop the HFT site. Since the area to be declared only occupies a very small portion of the intended redevelopment area, it is considered that the redevelopment could still be proceeded with so long as the Monument is preserved insitu. We will continue to maintain dialogue with the owner with a view to persuading them to accept our offer to undertake maintenance responsibility and to offering other assistance as appropriate.

COMPENSATION

8. As mentioned in paragraph 7 above, we have proposed to the owner for Government to take on responsibility for restoration and maintenance of the Building. There are also provisions for compensation under the Ordinance. The owner or a lawful occupier may claim compensation for financial loss if they can prove that they have suffered financial loss for which compensation may be awarded under those provisions.

PRESENTATION

9. Members are invited to note the contents of the paper.

Home Affairs Bureau
19 March 2004