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地政總署
 LANDS DEPARTMENT

我們矢志努力不懈，提供盡善盡美的土地行政服務。
 We strive to achieve excellence in land administration.

香港北角渣華道三三三號北角政府合署二十樓
 20/F, NORTH POINT GOVERNMENT OFFICES
 333 JAVA ROAD, NORTH POINT, HONG KONG

By Fax (No. 2537 1204) and By Post

22 January 2009

Clerk, Public Accounts Committee
 Legislative Council Secretariat
 Legislative Council Building
 8 Jackson Road
 Central
 Hong Kong
 (Attn : Ms Serena Chu)

Dear Ms Chu,

Follow-up to Public Accounts Committee Report No. 42

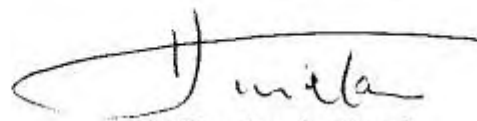
The acquisition and clearance of shipyard sites

Thank you for your letter of 16 January 2009.

The Lands Tribunal heard certain points of law as preliminary issues to facilitate the determination of the appropriate valuation basis for assessing compensation for the Penny's Bay shipyard site as referred to in your letter and handed down its judgment on 25 May 2007, ruling in favour of the Administration. The ex-lessee subsequently filed an appeal, and the judgment of the Court of Appeal was handed down on 8 January 2009 which, by majority decision of the Court of Appeal (with two of the three decisions including that of the Vice-President of the Court of Appeal allowing the appeal and one dismissing it), allowed the appeal. As the Administration is seriously considering the merits of lodging an

application for leave to appeal against the majority decision of the Court of Appeal to the Court of Final Appeal, it is considered inappropriate for us to discuss the Judgment of the Court of Appeal or related matters publicly in order to avoid any prejudice to any future legal proceedings and the legal interests of the Government in the legal proceedings.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Annie Tam', with a long horizontal flourish extending to the right.

(Miss Annie Tam)
Director of Lands

c.c. Director of Audit