

立法會
Legislative Council

致 : 立法會秘書 (傳真號碼 Fax No : 2810 1691)
To : Clerk to the Legislative Council

要求主席准許無經預告而提出質詢
Seeking the President's Permission
to Ask Question without Notice

請按《議事規則》第 24(4)條徵求立法會主席同意，准許本人在 2012 年 2 月 22 日舉行的立法會會議上無經預告而提出附載的 口頭 / 書面* 質詢，理由如下：

In accordance with Rule 24(4) of the Rules of Procedure, please seek the President's permission for me to ask the oral/written* question attached without notice at the Legislative Council meeting on _____ on the following grounds:

近日傳媒廣泛報導，一位下屆行政長官選舉參選人及其家人的物業涉及違規建築，參選人雖已承認有潛違事宜，行政機關亦有作出初步調查，但仍未釋除公眾疑慮，各界均促請參選人公開交待詳細真相。行政長官選舉提名已展開，事涉下屆行政長官選舉參選人之誠信及守法問題，加上行政長官選舉提名期緊迫，事件對行政長官選舉的公正性影響深遠，我們必須盡快要求行政機關公開審批涉及物業的建築圖則，調查結果，違規情況為何，如何處理僭建物，以及如何跟進僭建責任和懲處，以釋公眾疑慮。

2. 基於上述理由，本人認為此乃性質急切及與公眾有重大關係的事項。
Based on the above reasons, I consider that it is of an urgent character and relates to a matter of public importance.

3. 本人已於 2012 年 2 月 15 日上午 / 下午 5 時 45 分就有關質詢私下向政府 (政務司司長△ / 財政司司長△ / 律政司司長△ / 發展局局長△) 作出預告。

Private notice of the question has been given to the Government (Chief Secretary for Administration△ / Financial Secretary△ / Secretary for Justice△ / Secretary for _____ △) at _____ am/pm on _____.

簽署
Signature:

李永達

姓名
Name:

李永達

聯絡人姓名及電話號碼

Name and tel. no. of contact person: Betty (2537 2122)

日期
Date:

17/2/2012

* 請將不適用者刪去

* Please delete as appropriate

△ 請將不適用者刪去或填上適用的政府官員職銜

△ Please delete or insert the title of the Government official as appropriate

致：立法會秘書處

由：立法會議員助理 Betty Cheng (2537 2122)

煩請替李永達議員安排於 2 月 22 日提出以下的緊急口頭質詢，謝謝！

早前傳媒報道前政務司司長及其家人擁有的兩個物業(現已分開各自擁有)涉及違例建築，他其後公開承認有關物業確有僭建物。而他已於早前宣布參加即將舉行的行政長官選舉，最近表示會繼續參選。事件引起社會廣泛關注，特別是參選人的誠信和守法問題，以及政府會否公正處理有關的僭建事宜。就此，政府可否告知本會：

- (一) 當局至今所得的調查結果為何，包括僭建物的詳情(例如僭建物數目、每個僭建物的位置、範圍大小、用途、何時開始僭建，以及就僭建地庫而言，何時開始挖掘及開始進行裝修)，以及為何當年在批出入伙紙時沒有發現該些違例建築；
- (二) 上述僭建事件中有多少及哪些人士(包括業主或前業主、認可或註冊專業人士及承建商)有份參與，他們涉及的違法或違契行為及相關罰則為何；當局向有關人士發出的勸籲信的內容為何，要求的補救措施包括哪些具體項目，有否要求填回地庫，限定回復原狀的完工日期為何；當局會否考慮對參與違規人士及承建商作出檢控；若不會作出考慮，原因為何；及
- (三) 針對上述事件，當局可有哪些即時措施，確保即將舉行的行政長官選舉是在公平、公正及公開的情況下進行？

(Translation)

Hon LEE Wing-tat (Oral Reply)

It has earlier been reported by the media that two properties owned by the former Chief Secretary for Administration and his family member (which are now under their separate ownership) involve unauthorized building works ("UBWs"), and he has subsequently admitted openly that there are UBWs in the properties. Moreover, he has earlier announced that he will stand in the forthcoming Chief Executive ("CE") Election and has recently indicated that he will continue his candidacy in the campaign. This incident has aroused wide public concern, in particular about the integrity of the candidates and whether they are law-abiding, as well as whether the Government will handle the issue of UBWs impartially. In this connection, will the Government inform this Council:

- (a) of the outcome of investigation by the authorities so far, including the details of UBWs (e.g. their number and the respective location, area and use of each UBW, when each UBW was first erected, and in respect of the basement constructed without authorization, when the excavation and fitting-out works commenced), and why such UBWs were not uncovered at the time when the occupation permit was issued;
- (b) how many and which persons (including the owners or former owners, authorized or registered professionals and contractors) are involved in the aforesaid incident and the acts they committed that are unlawful or in breach of the lease conditions, as well as the penalties concerned; the contents of the letter of advice issued by the authorities to the relevant persons, the specific items of remedial measures required to be taken as stipulated in the letter, whether backfilling of the basement is required, and of the specified completion date of the works of reinstatement; whether the authorities will consider instituting prosecutions against the persons and contractors involved in the unlawful acts; if they will not consider, of the reasons for that; and
- (c) focusing on the said incident, what immediate measures the authorities will take to ensure that the forthcoming CE Election will be conducted in a fair, impartial and open manner?