

立法會
Legislative Council

LC Paper No. CB(3) 1011/11-12

Ref. : CB(3)/M/MR

Tel : 3919 3300

Date : 3 July 2012

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 11 July 2012

**Proposed resolution under the
Legislative Council (Powers and Privileges) Ordinance**

I forward for Members' consideration a proposed resolution which Hon LEE Wing-tat will move at the Council meeting of 11 July 2012 under the Legislative Council (Powers and Privileges) Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

**Proposed resolution under the
Legislative Council (Powers and Privileges) Ordinance
to be moved by Hon LEE Wing-tat
at the Council meeting of 11 July 2012**

Wording of the Motion

That the Panel on Development be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of the Ordinance to order the Secretary for Development of the Government of the Hong Kong Special Administrative Region to attend before the Panel on Development before 18 July 2012 to produce all papers, books, records or documents in relation to the following matters regarding the unauthorized building works (“UBWs”) in the premises at No. 4 and No. 5 Peel Rise on the Peak:

- (a) all approved building plans of the premises held by the Buildings Department (“BD”), as well as the plans drawn and the photographs taken during its site inspection of the UBWs;
- (b) the information about the premises gathered by BD, as well as the results reached and any potential problem found after BD had compared such information with the approved building plans, and consolidated and analyzed the information;
- (c) any document BD has issued to the owner, including the advisory letters on the handling of the UBWs, and the owner’s reply;
- (d) the request put forward by BD and the rectification works it proposed to the owner regarding its investigation into and handling of the floor space beneath the parking space of the premises, and the owner’s reply;
- (e) any document and correspondence between BD and other government departments regarding the related problem after the UBWs were found in the premises;

- (f) the detailed report on BD's investigation on whether there are UBWs on the exterior and interior of the premises, including enquiry with the owner on whether the owner had ensured that there was no UBW in the premises at the time of purchasing the premises, and the owner's reply;
- (g) the information BD received from the owner himself or together with that from authorized person(s), including the inspection results by appointed professional person(s) on whether there are UBWs in the premises, the time of erecting the UBWs and detailed information, the documents and records of arranging registered professional persons or contractors to remove the UBWs, the documents of the subsequent procedures required for the unauthorized metal gate, and the inspection report relating to the structure of the premises;
- (h) the information obtained by BD in 1992 when inspecting the premises in order to issue the occupation permit;
- (i) any ordinance which the premises might have violated, the section(s) of the legislation involved and the follow up work by the authorities;
- (j) any document and correspondence between the Lands Department and the owner regarding the premises;
- (k) any document and correspondence between the Planning Department and the owner regarding the premises;
- (l) the records of meetings between all government departments and the owner or his representatives regarding the UBWs;
- (m) the information regarding the premises mentioned by the authorities when conducting an integrity check against the owner of the premises;
and
- (n) the declaration to the authorities made by the owner of the premises regarding the premises.