



立法會秘書處 法律事務部  
LEGAL SERVICE DIVISION  
LEGISLATIVE COUNCIL SECRETARIAT

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26 September 2014

Mr LAW Kin-wai  
Prin AS (Planning & Lands)6  
Development Bureau  
17/F, West Wing  
Central Government Offices  
2 Tim Mei Avenue  
Tamar  
Hong Kong

Dear Mr LAW,

### **Land (Miscellaneous Provisions) (Amendment) Bill 2014**

I am scrutinizing the legal and drafting aspects of the Bill and would like to seek clarification on the following point -

#### Clause 3(5)

The existing section 6(5) of the Land (Miscellaneous Provisions) Ordinance (Cap. 28) provides that the Authority (i.e. the Director of Lands, the Director of Food and Environmental Hygiene or the Housing Authority) may recover cost of demolition works from a person convicted under section 6(4) or section 6(4A). In the Bill, a new section 6(6) is proposed to be added to Cap. 28 to provide that the Court may order such cost. Please explain the necessity for including the proposed new section 6(6) given that the existing section 6(5) already enables the Authority to recover the cost of demolition works. Please provide provisions with a similar structure in other ordinances, if any for reference.

I shall be grateful if you could let me have your response in both Chinese and English to the above at your earliest convenience.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Winnie LO', written in a cursive style.

(Winnie LO)  
Assistant Legal Adviser

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