



地政總署
土地徵用組
ACQUISITION SECTION
LANDS DEPARTMENT

電話 Tel: 2231 3130
圖文傳真 Fax: 2501 4042
電郵地址 Email: ads3@landsd.gov.hk
本署檔號 Our Ref: (21) in LD ACW PF/13(urban)(19-20)Pt. 3
來函檔號 Your Ref:

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十九樓

19/F., NORTH POINT GOVERNMENT OFFICES
333 JAVA ROAD, NORTH POINT, HONG KONG

網址 Website : www.landsd.gov.hk

來函請註明本署檔號
Please quote our reference in your reply

Clerk to Public Works Subcommittee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road, Central
Hong Kong
(Attn: Ms Doris LO)

29 January 2019

By Email

Dear Ms LO,

**Enquiry from the Hon CHU Hoi-dick
Information on the Block Allocations of the Capital Works Reserve Fund
(Central-Wan Chai Bypass and Other Expenditures on Land Resumption)**

The Hon CHU Hoi-dick wrote to the Chairman of the Public Works Subcommittee on 21 January 2019, requesting information on the above matter. His enquiry was referred to this Department for follow up and our response to the first part of his enquiry relating to the expenditures on land resumption is as follows.

(1) Regarding the payment of compensation included in the estimated expenditure on land resumption for the Penny's Bay reclamation project, although provision was earmarked in the Capital Works Reserve Fund for the project some years ago, compensation has yet to be paid as the former land owner has referred his compensation claim to the Lands Tribunal ("the Tribunal") and certain points of law involved in his claim have to be decided by the court. Given that the claim is still under processing by the Tribunal, no payment of compensation can be made.

The Lands Department ("the LandsD") is bound by legal provisions, rulings of the Tribunal and the ex-gratia allowance ("EGA") formula approved by the Finance Committee in the payment of statutory compensation and EGA arising from land acquisition. These factors are beyond the control of our staff. The annual cash flow requirement for an individual item is assessed based on the progress of negotiation in respect of compensation claims under the item. Once agreement on the amount of compensation has been reached with a claimant in accordance with the legal provisions or ruling of the Tribunal, the LandsD is obliged under the law to pay the claimant compensation together with the interest thereon under the relevant legislative requirements. Hence, there will not be any delay in the payment of compensation.

(2) Regarding the enquiry about uses of the expenditures on the works projects, the information requested is provided below:

(i)-(v) **Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link**

The amount of compensation reserved is for payment involving (a) land compensation, (b) compensation for creation of rights of temporary occupation of land, (c) compensation for business loss, and (d) fees incurred by claimants in engaging professionals in respect of their compensation claims.

(vi)-(viii) **Liantang/Heung Yuen Wai Boundary Control Point and associated works (connecting road)**

The amount of compensation reserved is for payment of land compensation, crop compensation and EGA for miscellaneous permanent improvements to farms.

(ix) **Central-Wanchai Bypass and Island Eastern Corridor Link**

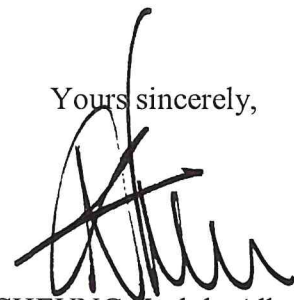
The amount of compensation reserved is for payment involving (a) land compensation, (b) compensation for creation of rights of temporary occupation of private land, and (c) fees incurred by claimants in engaging professionals in respect of their compensation claims.

(x)-(xii) **Liantang/Heung Yuen Wai Boundary Control Point and associated works (site formation and civil works)**

The amount of compensation reserved is for payment of land compensation, crop compensation and EGA for miscellaneous permanent improvements to farms.

(3) Please refer to (1) above.

Yours sincerely,



(CHEUNG Ka-lok, Albert)
for Director of Lands

c.c. Secretary for Financial Services and the Treasury
Secretary for Development

(Attn: Ms HSIA Mai-chi)
(Attn: Miss CHONG Man-ting)