

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

運輸及房屋局

香港九龍何文田佛光街 33 號



Transport and Housing Bureau

33 Fat Kwong Street, Ho Man Tin,
Kowloon, Hong Kong

本局檔號 Our Ref. HD(CEPWP)12/5/31

電話 Tel No. 2129 3701

來函檔號 Your Ref.

圖文傳真 Fax No. 3691 9899

28 March 2019

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

Dear Ms LO,

Legislative Council Public Works Subcommittee
Email on 25 March 2019

Thank you for your email on 25 March 2019 attaching a letter dated 25 March 2019 from the Hon CHU Hoi-dick.

2. Having consolidated the inputs from relevant bureaux/departments, we provide a reply on the related issues as follows.

Rehousing Arrangements

3. Regarding the rehousing arrangements for the occupants affected by 780CL – Site formation and infrastructure works for public housing development at Wang Chau, Yuen Long (the Project), related information as at late March 2019 is tabulated below.

Status of structures/ occupants	Rehousing arrangements	No. of households
Occupants of licensed domestic structures/ surveyed domestic squatters	Non-means tested rehousing in the form of subsidised rental flats or subsidised sale flats (SSFs) in dedicated rehousing estates (Dedicated Estates) to be developed and managed by the Hong Kong Housing Society (HKHS)	Already rehoused: 5 Under application: 17
	Rehousing to the Hong Kong Housing Authority (HA)'s public rental housing (PRH) subject to fulfillment of the Comprehensive Means Test	Already rehoused: 41 (excluding 1 household who was issued with a Green Form Certificate) Under application: 40 (31 of which were referred to the HA for follow-up)
Domestic occupants of licensed non-domestic structures/ surveyed non-domestic squatter structures	Non-means tested rehousing in the form of subsidised rental flats or SSFs in Dedicated Estates to be developed and managed by the HKHS	Already rehoused: 2 Under application: 7 (5 of which were referred to the HKHS for follow-up)
Domestic occupants of licensed non-domestic structures/ surveyed non-domestic squatter structures	Rehousing to HA's PRH subject to fulfillment of the Comprehensive Means Test	Not applicable

Status of structures/ occupants	Rehousing arrangements	No. of households
Unauthorised structures		Total no. of households: 39 Already contacted: 39 Already moved out: 0 Relocated to Transit Centre: 0 (these households can still receive the enhanced Domestic Removal Allowance)
Applicant and his/ her family member(s) listed on the application form should not be enjoying any form of subsidised housing or related benefits, or subject to debarment as a result of previous enjoyment of subsidised housing or related benefits, or current PRH tenants		Total no. of households: 36 Already contacted: 36 Already moved out: 0 Relocated to Transit Centre: 0 (These households can still receive the enhanced Domestic Removal Allowance)

Compensation Arrangements

4. Regarding the compensation arrangements for the occupants affected by the Project, related information as at late March 2019 is tabulated below.

Types of compensation	Number	Maximum amount of compensation and respective area of land	Minimum amount of compensation and respective area of land
Ex-gratia allowance (EGA) for permitted occupiers of licensed structures and surveyed squatters affected by Clearance	17 households	Verification of eligibility in progress	Verification of eligibility in progress
Domestic Removal Allowance	240 households	Not applicable	Not applicable
Ex-gratia compensation for private land in the New Territories	79 private lots	\$12,417,165 and 17 860 square feet	\$108,459 and 156 square feet
EGA for owners/ legal occupiers of commercial properties	Not applicable	Not applicable	Not applicable
EGA for shops, workshops, godowns, slipways, schools, churches and ornamental fish breeding undertakings	2 cases	Verification of eligibility in progress	Verification of eligibility in progress
EGA for open-air/ outdoor business undertakings	4 cases	Verification of eligibility in progress	Verification of eligibility in progress

Types of compensation	Number	Maximum amount of compensation and respective area of land	Minimum amount of compensation and respective area of land
Rehabilitation allowance	Applications: 30 Eligibility verified: in progress No. of applicants collected EGA: not applicable	Not applicable	Not applicable
Disturbance allowance for cultivators	54 claims	Verification of eligibility in progress	Verification of eligibility in progress
Crop compensation	62 claims	Verification of eligibility in progress	Verification of eligibility in progress
EGA for clearance of graves, urns (“Kam Taps”) and shrines	5 claims	\$515,126 (1 grave)	\$59,993 (5 urns)
EGA for “Tun Fu” ceremonial fees	4 claims	Verification of eligibility in progress	Verification of eligibility in progress

Appeal Cases against Ex-gratia Compensation

5. The areas resumed for the Project involve a total of 79 private lots. As at late March 2019, owners of 53 private lots have accepted the amount of ex-gratia compensation proposed by the Government. To date, the Lands Department (LandsD) has yet received any statutory compensation claims from

landowners against the Government or applications for appeal to the Lands Tribunal.

Dedicated Estates under HKHS

6. As the rental units of Dedicated Estates will be offered in the form of non-means tested rehousing, rents will be set at the standard of HKHS's Group B rental units. According to the HKHS's information, the rental level for HKHS's Group B rental units is currently about 50% of the market rent.

7. Occupants, who are allocated rental units of Dedicated Estates by way of non-means tested rehousing but have genuine financial difficulties and are unable to pay the rent, may apply to the Social Welfare Department for Comprehensive Social Security Assistance (CSSA), if eligible, which includes rent allowance. For other households with financial difficulties but fail to meet the application criteria of CSSA, they may apply to the HKHS for rent assistance under the established policy of the HKHS.

Housing Benefits

8. To ensure rational allocation of public housing resources, under the existing policy, occupants affected by the Government clearance exercises have to meet all other relevant eligibility criteria for rehousing application. Also, the applicants and the family members listed in the application form are subject to the general eligibility requirements set by the HA and HKHS before receiving rehousing.

9. In particular, owners and their spouses who have been past beneficiaries of any subsidised home ownership schemes are ineligible to apply for further applications for purchasing flats under various subsidised home ownership schemes or for PRH, even after they have sold out their flats, have sold back their flats or have repaid their loans to the HA. They should have known such terms and conditions when applying for these schemes and deciding to sell their SSFs.

10. Nevertheless, the HA and HKHS have established policies to address exceptional circumstances, including applicants having special needs due to personal or family problems like bankruptcy, financial hardship or divorce. The HA and HKHS will continue to adopt a “people-oriented” approach to handle these cases according to the prevailing policies.

11. In addition, the HA and HKHS keep a record of other family members who used to live with former owners of Home Ownership Scheme flats. The family members concerned have to apply to the HA or HKHS for deletion from such record before they can submit application for rehousing, provided that all family members listed in the application form have met other requirements of application.

Land Acquisition and Clearance Arrangement

12. The private lots within the works area were reverted to the Government on 3 August 2017 and became government land thereafter. The LandsD will invoke the Land (Miscellaneous Provisions) Ordinance (Cap.28) (“the Ordinance”) to carry out land clearance for the government land. Notices requiring the occupiers to cease occupation of the government land by the specified deadlines will be posted within the works area. If the occupiers do not cease occupation of the government land as required, the LandsD will take appropriate land control actions according to the Ordinance to demolish those structures within the works area and advise the occupiers to leave.

Yours sincerely,

Original Signed

(HONG Wing-kit, Michael)
for Secretary for Transport and Housing

c.c.

Secretary for Development
Director of Lands
Director of Housing

(Attn.: Ms Polly CHONG)
(Attn.: Ms Lily CHIU)
(Attn.: Mr Stephen MAK)