

For information

LEGISLATIVE COUNCIL PANEL ON DEVELOPMENT

**Revision of Fees for
Services Provided by the Lands Department
under the Land Survey (Fees) Regulation (Cap. 473A)**

PURPOSE

This paper briefs Members on the proposed revision of fee items for land survey related services provided by the Government as set out in the Schedule to the Land Survey (Fees) Regulation (Cap. 473A) (the “Schedule”) under the Land Survey Ordinance (Cap.473) (the “Ordinance”).

PROPOSAL

2. In line with the “user pays” principle, it is the Government’s policy that fees charged by the Government should in general be set at levels adequate to recover the full costs of providing the services. The seven fee items prescribed in the Land Survey (Fees) Regulation (Cap. 473A) (the “Regulation”) are listed below-

Item (1) - inspection of land boundary record:

- (a) for each land boundary plan included in the record; and
- (b) for each survey record plan included in the record;

Item (2) - supply of copies of plans:

- (a) for each copy of land boundary plan; and
- (b) for each copy of survey record plan;

Item (3) - deposit of land boundary plan and corresponding survey record plan with the Land Survey Authority:

Item (4) - registration as an authorized land surveyor; and

Item (5) - renewal of registration as an authorized land surveyor.

3. The above fees were last revised in July 2018. To support enterprises and ease the financial burden of the public, the Government announced the implementation of a fee review moratorium on government fees and charges set based on cost recovery principle from 15 August 2019 to 31 December 2021. After the end of the moratorium period, we have reviewed the fees for the seven service items listed above.

4. The result of the review reveals that the existing cost recovery rates for the seven fee items range from 84.6% to 95.8% at the 2023-24 price level. Having taken into consideration the above principle and relevant factors¹, we propose to increase the fees for the seven items mentioned above across the board to the levels adequate to recover the full costs of providing the services. The details are set out at the *Annex*.

5. The increases in this fee revision exercise range from 4.7% to 17.4%, which will have little impact on general users of the services (most of them are land survey professionals or authorized land surveyors).

EFFICIENCY IMPROVEMENT MEASURES

6. We have contained the service costs through enhancing efficiency and streamlining procedures, including upgrading of computer applications to speed up the storage and retrieval of plans and making amendments to the standard forms to simplify the processing procedures. These measures have been factored into the calculation of costs for the relevant fee items.

FINANCIAL IMPLICATIONS

7. When the fee revision proposal is implemented, there will be an estimated increase of about \$0.14 million per annum in government revenue.

BACKGROUND

8. Section 37(1) of the Ordinance provides that the Chief Executive in Council may make regulations to provide for the fees and charges payable under the Ordinance. The seven service fee items mentioned above were first prescribed in the Regulation when it was enacted in 1995. Section 29A of the Interpretation and General Clauses Ordinance (Cap. 1) empowers the Financial Secretary to vary fees

¹ When considering whether to adjust the fees, in addition to cost recovery principle, we would also consider other relevant factors, such as the amount of additional revenue that could be generated after the fee revision, the manpower resources required for implementing the fee revision, etc.

which have previously been determined by subsidiary legislation made by the Chief Executive in Council. The Financial Secretary also means the Secretary for Financial Services and the Treasury by virtue of section 3 of Cap. 1. The legislative amendments pertaining to revision of the fees is made by the exercise of such power by the Secretary for Financial Services and the Treasury.

WAY FORWARD

9. Members are invited to note the fee revision proposal set out in paragraph 4 above and the details at the *Annex*. The Government expects that a bill will be introduced to the Legislative Council in January 2024, and the Regulation will be amended by way of negative vetting. Our target is to implement the proposal in late-March 2024.

Development Bureau
Lands Department
December 2023

**Proposed revision of fees
under the Land Survey (Fees) Regulation (Cap. 473A)**

	Item	Existing Fee (\$)	Existing Cost Recovery Rate at 2023-24 Price Level	Proposed Fee (\$)	Percentage Increase	Cost Recovery Rate after Fee Revision ²
1	Inspection of land boundary record- (a) For each land boundary plan included in the record (b) For each survey record plan included in the record	75 75	89.3% 89.3%	84 84	12.0% 12.0%	100.0% 100.0%
2	Supply of copies of plans- (a) For each copy of land boundary plan (b) For each copy of survey record plan	115 115	84.6% 84.6%	135 135	17.4% 17.4%	99.3% 99.3%
3	Deposit of land boundary plan and corresponding survey record plan with the Land Survey Authority	3,920	94.3%	4,160	6.1%	100.0%
4	Registration as an authorized land surveyor	7,680	95.4%	8,050	4.8%	100.0%
5	Renewal of registration as an authorized land surveyor	1,290	95.8%	1,350	4.7%	100.3%

² The corresponding cost recovery rate after fee revision falls within the range of plus/minus 5% of the “full-cost recovery level”.