

## **LEGCO QUESTION NO. 19 (Written Reply)**

Asked by: Hon Albert CHAN

Date of meeting: 26 February 2003

Replied by: Secretary for Housing,  
Planning and Lands

### **Question:**

It is learnt that the Lands Department ("LD") will consult the Agriculture, Fisheries and Conservation Department ("AFCD") about trees suspected to have withered on government land. If AFCD indicates that a tree has withered but poses no immediate danger of falling down, LD will put it on the waiting list for removal. In this connection, will the Government inform this Council:

- (a) of the number of withered trees that fell down before removal by LD over the last three years and, among them, the number of those that affected residential premises and caused obstruction on roads;
- (b) of the number of trees currently on the list of trees awaiting removal and the average waiting time for removal; and
- (c) whether the Administration will pay compensations to the relevant persons for casualties or damage to property caused by the fall of withered trees awaiting removal, and of the procedure for such persons to claim compensation from the Administration?

### **Reply :**

President,

Depending on the location, the maintenance responsibility of vegetation on Government land falls on a number of Government departments. As far as the Lands Department is concerned, it is responsible for maintaining vegetation on those Government land that is not under the management of other Government departments.

The specific information requested in relation to the Lands Department is as follows:

- (a) In the past three years, there is not a single case of trees collapsing while awaiting removal by the Lands Department.
- (b) There are currently 78 trees waiting to be felled. These trees do not pose immediate danger of collapsing. The waiting and processing time for felling trees is up to three months.
- (c) If anybody is injured or killed, or if any property is damaged, as a result of a collapsing tree, it is up to the injured person, the representative of the deceased or the property owner, to take whatever action they deem fit to claim damages from Government. The legal liability, if any, of Government paying compensation would depend on the particular circumstances of the case.

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