

LEGCO QUESTION NO. 13 (Written Reply)

Asked by: Hon Albert CHAN

Date of meeting: 29 October 2003

Replied by: Secretary for Housing,
Planning and Lands

Question:

I have received a number of complaints against lessees of government land on short-term leases who have not used or managed the land in accordance with the lease conditions, such as abandoning the land for prolonged periods or making unauthorized use of the land. In this connection, will the Government inform this Council of:

- (a) the existing number of short-term leases granted;
- (b)
 - (i) the number of cases in which the lessee surrendered, of his own accord, the leased land to the authorities;
 - (ii) the number of cases in which the authorities resumed land on grounds that the lessee had breached the lease conditions; and
 - (iii) the respective numbers of warnings issued and prosecutions instituted against lessees who have made unauthorized use of the landover the past three years; and
- (c) the number of government staff responsible for monitoring the use of government land by lessees, the number of inspections of the leased land they conduct each year, and the measures in place to ensure that lessees of government land use and manage their land in accordance with the lease conditions?

Reply :

President,

In response to the question raised by the Honourable Member in respect of Short Term Tenancies (STTs), my reply is as follows -

- (a) The current number of STTs is 4,358.
- (b) Over the past three years, from October 2000 to September 2003, the relevant statistics are as follows:
 - (i) the number of STTs surrendered by the tenants is 358;
 - (ii) the number of STTs cancelled by the authority because of breaches of tenancy conditions is 80;
 - (iii) the number of warning letters issued to tenants of STTs for breaches of tenancy conditions is 3,119. There have been no prosecution cases against tenants because such action is not applicable in a landlord-tenant contract such as an STT. However, appropriate actions to enforce the tenancy conditions have been taken.
- (c) Monitoring the use of sites covered by STTs is part of the overall duties of staff in the 14 District Lands Offices (DLOs). The average number of site inspections by DLO staff relating to the STTs is 3,000 each year.

To ensure compliance of the STT conditions, DLO staff will conduct inspections to detect any breach of the tenancy conditions. Where breaches have been detected, DLO staff will issue warning letters to the tenants requiring them to rectify breaches of the STT conditions. In the event that the breaches are not rectified, appropriate enforcement actions (such as cancellation of the STTs) will be initiated.