

Head 91 — LANDS DEPARTMENT

Controlling officer: the Director of Lands will account for expenditure under this Head.

Estimate 2019–20 **\$3,017.8m**

Establishment ceiling 2019–20 (notional annual mid-point salary value) representing an estimated 4 512 non-directorate posts as at 31 March 2019 rising by 174 posts to 4 686 posts as at 31 March 2020..... **\$2,230.3m**

In addition, there will be an estimated 46 directorate posts as at 31 March 2019 rising by one post to 47 posts as at 31 March 2020.

Controlling Officer's Report

Programmes

Programme (1) Land Administration
Programme (2) Survey and Mapping
Programme (3) Legal Advice

These programmes contribute to Policy Area 21: Land and Waterborne Transport (Secretary for Transport and Housing), Policy Area 22: Buildings, Lands, Planning, Heritage Conservation, Greening and Landscape (Secretary for Development) and Policy Area 31: Housing (Secretary for Transport and Housing).

Detail

Programme (1): Land Administration

	2017–18 (Actual)	2018–19 (Original)	2018–19 (Revised)	2019–20 (Estimate)
Financial provision (\$m)	1,841.8	2,041.2	2,022.6 (–0.9%)	2,224.6 (+10.0%)
				(or +9.0% on 2018–19 Original)

Aim

2 The aim is to administer land in Hong Kong by allocating and disposing of land for various uses to meet the needs of Hong Kong; acquiring private land and clearing land required for the implementation of public works and other projects; administering government leases and other land instruments including their renewal, extension and modification; controlling unleased and unallocated government land against illegal occupation and unauthorised structures; managing and maintaining certain land and property under the responsibility of the Department including man-made slopes and vacant government sites.

Brief Description

3 The Department is responsible for the allocation and disposal of government land for different uses by way of various land instruments. It acquires private land and clears land required for the implementation of public works projects or other approved schemes. It is also responsible for administering government leases and other land instruments to ensure compliance and facilitate development; controlling government land and taking control measures against illegal occupation and unauthorised structures; managing and maintaining certain land, buildings or units in buildings under the responsibility of the Department including man-made slopes and vacant government sites.

4 On 1 March 2018, the Government announced the 2018–19 Land Sale Programme comprising 27 residential sites, four commercial/hotel sites and one industrial site. During 2018, eight sites from the 2018–19 Land Sale Programme were sold by tender. The Department completed 78 lease modification, 16 land exchange and one lot extension applications. Other land disposals and allocations such as those by private treaty, short-term tenancy and government land allocation proceeded in accordance with the established practice.

5 In 2018, the Department helped to resume 0.24 hectares of land required for public works projects. The Department also took land control actions leading to clearance of 10 724 sites involving unlawful occupation of government land, handled 1 824 cases involving breaches of lease conditions, and took control actions against 182 unauthorised squatters in breaches of squatter control policy. The Department also managed and maintained some 1 626 vacant sites and 152 properties under its direct control and management responsibility.

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6 The key performance measures in respect of land administration are:

Targets

	Target	2017 (Actual)	2018 (Actual)	2019 (Plan)
<i>Lease modifications /land exchanges (other than small house cases)</i>				
issue of letter of reply to application within three weeks (%).....	100	100	94	100
issue of letter of offer of provisional basic terms (without premium)/rejection/ indicating in-principle agreement within 22 weeks from receipt of application (%).....	100	100	100	100
issue of legal document for execution within 12 weeks from receipt of a binding acceptance of the final basic terms and premium offer (%).....	100	100	100	100
<i>Land acquisition</i>				
offer of compensation based on ex-gratia rates made within four weeks from the date of gazette notice of resumption of agricultural land in the New Territories (N.T.) (%).....	100	100	100	100
cheques for compensation made available for collection within four weeks from receipt of acceptance by the Department proof of legal title (for agricultural land cases in N.T.) (%).....	100	100	100	100
offer of compensation or invitation to claims made within three weeks from land reversion (%).....	100	100	100	100
<i>Rural villages</i>				
small houses (cases processed).....	2 300	2 231	2 389	2 300

Indicators

	2017 (Actual)	2018 (Actual)	2019 (Estimate)
<i>Land disposal</i>			
land disposed (ha).....	39.55	20.35	—Δ
land sale			
land sold (auction and tender) (ha).....	13.25	14.62	—Δ
no. of flats.....	6 083	5 401	—Δ
private treaty grants			
land granted (ha).....	10.32	3.35	—Ψ
no. of flats.....	7 617	4 981	—Ψ
<i>Lease modification, land exchange and lot extension</i>			
lease modifications, land exchanges and lot extension			
no. of cases.....	105	95	—Ψ
no. of net increase in flats.....	17 293	4 218	—Ψ
<i>Temporary use of government land</i>			
temporary allocations issued to government departments			
no. of casesΩ.....	59	56	34
land area (ha).....	22.41	113.85	9.62
short-term tenancies issued to non-government entities			
short-term tenancies let by tender			
no. of casesΩ.....	43	57	40
land area (ha).....	20.19	22.60	28.00
short-term tenancies let by direct grant			
no. of casesΩ.....	190	123	120
land area (ha).....	33.10	11.19	10.00

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	2017 (Actual)	2018 (Actual)	2019 (Estimate)
<i>Land acquisition</i>			
Public Works Programme projects (ha)	3.78	0.24	78.05@
railway development projects (ha)	0.41	0	0
urban renewal projects (no. of property interests)	78	0	2 356
Rural Planning and Improvement Strategy/Village Improvement (ha)	0	0	0
total acquisition/clearance costs (\$m)	744.3	563.7	3,378.8
<i>Land control and lease enforcement</i>			
government sites cleared from unlawful occupation	11 615	10 724	11 000
surveyed structures inspected.....	199 697	196 771	197 000
rebuilding of temporary domestic structures approved.....	3	3	3
unauthorised structures demolished	235	182	180
structures cleared in programmed development clearances and emergency clearances (excluding surveyed structures cleared on grounds of slope safety)	288	213	1 487
surveyed structures demolished on grounds of slope safety (no. of structures).....	21	10	10
lease enforcement action taken (cases)	1 980	1 824	1 980
<i>Land/property management and maintenance</i>			
lease extensionsΩ			
no. of cases.....	0	6	6
vacant sites managedΩ			
no. of sites	—	1 626	1 550
land area (ha).....	—	297	300
properties/units managed	152	152	152
repair orders for government properties issued.....	105	141	120
government properties disposed.....	9	5	8
vegetation maintenance cases handled.....	17 982	26 736	23 000
maintenance of man-made slopes on unleased and unallocated government land			
man-made slopes to be inspected.....	12 000	11 896	12 000
man-made slopes to be maintained or improved	7 071	7 272	7 000
<i>Rural villages</i>			
rebuilding of village houses (cases processed)Ω	579	476	490
applications from indigenous villagers for rent concession processed (no. of lots/tenements)	851	847	750

Δ Not possible to estimate because sale of government land is subject to market response.

Ψ Not possible to estimate as the transactions are subject to applicants' acceptance of the proposed terms which is influenced by the market.

Ω New indicator as from 2019.

@ The significant increase of land planned to be resumed in 2019 over the 2018 (actual) is attributable to the implementation programme of a number of large scale public projects in 2019 involving resumption of about 76.3 ha private land.

Matters Requiring Special Attention in 2019–20

7 During 2019–20, the Department will:

- implement the measures under the new round of revitalisation scheme for industrial buildings;
- continue land sales under the Land Sale Programme and facilitate railway property development projects by the railway corporations and urban renewal projects by the Urban Renewal Authority (URA);
- continue with the work on resumption and clearance of land for approved public projects and undertake preparatory work on resumption and clearance of land required for proposed new projects;
- continue with undertaking land administration work and handling compensation claims in respect of railway development projects by the railway corporations and urban renewal projects by the URA;
- continue to facilitate and expedite land supply for housing and other developments through streamlining processes and expediting procedures for land disposal and lease modifications/land exchanges;

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- continue to implement and keep under review the extended Pilot Scheme for Arbitration on Land Premium to facilitate agreement on land premium; and
- continue land control and lease enforcement work, including enforcement against unlawful occupation of government land, unauthorised structures on private agricultural land and lease breaches in industrial buildings.

Programme (2): Survey and Mapping

	2017–18 (Actual)	2018–19 (Original)	2018–19 (Revised)	2019–20 (Estimate)
Financial provision (\$m)	591.1	623.7	683.9 (+9.7%)	705.3 (+3.1%)
				(or +13.1% on 2018–19 Original)

Aim

8 The aim is to formulate and implement survey and mapping policies, standards, regulations and specifications; provide professional advice on matters relating to survey and mapping including geospatial data and positioning infrastructure; provide and maintain the basic mapping, geodetic and land information databases; carry out geodetic, mapping and land boundary surveys; and administer the Land Survey Ordinance (Cap. 473) (LSO) under the Land Survey Authority to cope with land and building developments in Hong Kong.

Brief Description

9 The Survey and Mapping Office (SMO) provides and maintains maps and plans of Hong Kong in both digital and printed formats at various scales and for various purposes for use by both the public and private sectors and the general public, including the 1:1 000 basic maps covering the whole territory. SMO operates a Land Information System for maintaining updated digital maps and databases for land information and geospatial data, which serves as the foundation for the spatial data framework and infrastructure in Hong Kong. SMO is also responsible for the establishment and maintenance of the territory-wide geodetic network and the satellite positioning reference station network system which form an essential component of the positioning infrastructure for Hong Kong.

10 SMO provides web map services to the public through the Internet and mobile apps including free and accessible maps with integrated information on government facilities, public services, as well as photogrammetric and aerial survey services for specific purposes in addition to general mapping for use by both the public and private sectors. The general public and private sector organisations can purchase surveying and mapping data for their own uses under a permit or licence, and can also make use of open spatial data provided by the office for non-commercial and commercial uses. SMO also provides survey and mapping and other related services in support of the land administration functions of the Lands Administration Office and various public functions and services of other government departments.

11 Under the Land Survey Authority, SMO administers the LSO which governs the registration and discipline of authorised land surveyors and the control of the standards of land boundary surveys. It is also responsible for street naming under the Public Health and Municipal Services Ordinance (Cap. 132).

12 The key performance measures in respect of survey and mapping are as follows:

Targets

	Target	2017 (Actual)	2018 (Actual)	2019 (Plan)
setting out land boundaries within 12 weeks from receipt of request (%).....	100	100	99	100
providing mapping and geodetic information within one working day from receipt of request (%).....	100	100	100	100
updating large-scale plans within 12 weeks on completion of major infrastructural projects (%).....	100	100	100	100

Indicators

	2017 (Actual)	2018 (Actual)	2019 (Estimate)
<i>Geodetic survey</i>			
precise horizontal and vertical control points fixed	820	931	700
survey monuments and marks built and maintained	4 491	4 492	4 500

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	2017 (Actual)	2018 (Actual)	2019 (Estimate)
<i>Topographical survey and map production</i>			
continuous revision, area surveyed and inspected (ha).....	48 679	50 374	49 200
maps and charts produced.....	8 042	8 063	7 900
reprographic services provided (no. of copies).....	425 529	427 006	410 000
<i>Land boundary survey</i>			
lots defined or set out.....	1 618	1 511	1 680
land boundary plans prepared‡.....	62 212	59 182	65 000
<i>Aerial survey</i>			
photographs taken for measurement and record.....	21 500	19 500	17 000
total area of photogrammetric survey conducted (ha).....	31 535	30 776	31 000
<i>LSO administration</i>			
total no. of lot sub-division plans examined.....	1 642	1 478	1 580

‡ Revised description of the previous indicator “cadastral plans prepared” as from 2019.

Matters Requiring Special Attention in 2019–20

13 During 2019–20, the Department will:

- continue to enhance the quality of the territory-wide 3D spatial data, explore and develop the integration of Building Information Modelling data with 3D spatial data;
- continue to assist in the formulation of spatial data policy and work plan for developing the Common Spatial Data Infrastructure initiative through the establishment of data standards to facilitate data sharing;
- provide the Web-Map Application Programming Interfaces to government departments to support their public services with web map display and development of geographical information system applications;
- continue to enhance the GeoInfo Map service to enable the public to access geospatial information more effectively through the Internet, and develop Web-Map Application Programming Interfaces for the public;
- continue to enhance MyMapHK and VoiceMapHK mobile map apps to facilitate the general public and the visually impaired to access geospatial information while on the go using smartphones and mobile devices; and
- provide a web portal to facilitate the discovery and dissemination of public sector spatial data in open format and Application Programming Interface for free reuse for both commercial and non-commercial purposes.

Programme (3): Legal Advice

	2017–18 (Actual)	2018–19 (Original)	2018–19 (Revised)	2019–20 (Estimate)
Financial provision (\$m)	76.5	85.5	83.6 (–2.2%)	87.9 (+5.1%)
				(or +2.8% on 2018–19 Original)

Aim

14 The aim is to facilitate government land transactions by providing legal advice and conveyancing services to the departments and bureaux concerned, and to give consent to sales of units in uncompleted developments.

Brief Description

15 The Legal Advisory and Conveyancing Office (LACO) provides professional legal services within the Department in relation to Programme (1) for the issue, renewal and variation of government leases as well as the drafting and execution of land documents including conditions of sale, grant and exchange. In compulsory acquisition cases, the LACO is responsible for approving the legal title of the former owners and preparing the compensation documents before compensation is released. The LACO is also responsible for checking the legal title of the former owners and preparing the surrender documents before their land is surrendered to the Government in exchange for a new grant of land for development. It also provides conveyancing services to The Financial Secretary Incorporated, The Secretary for Home Affairs Incorporated and other government departments and policy bureaux in their property transactions.

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16 Under the Lands Department Consent Scheme, the LACO processes applications for consent to sell units in uncompleted developments prior to compliance with the lease conditions. The Scheme's main objective is to ensure that developers have the financial and technical ability to complete the units to be sold to protect the interests of purchasers. When required under the leases for commercial and residential developments, Deeds of Mutual Covenant (DMCs) setting out the respective rights and obligations of all the owners of the developments need to be approved by the LACO before consent is issued or sales of the units can begin.

17 The key performance measures in respect of legal advice are:

Targets

	Target	2017 (Actual)	2018 (Actual)	2019 (Plan)
<i>Consents</i>				
Sale and Purchase Agreements—approved within 13 weeks (excluding time for approval of DMC) (%)	100	94	91	100
DMCs—approved within 13 weeks (%)	100	92	80	90

Indicators

	2017 (Actual)	2018 (Actual)	2019 (Estimate)
<i>Consents</i>			
Sale and Purchase Agreements approved			
—non-residential developments	12	8	8
—residential developments	37	36	37
sale of uncompleted residential units (no. of flats)	16 408	21 722	19 000
DMCs approved			
—non-residential developments	7	1	4
—residential developments	43	39	43

Matters Requiring Special Attention in 2019–20

18 During 2019–20, the Department will continue to:

- contract out to private firms the processing of applications for approval of DMCs, title checking and related legal work for payment of compensation for land resumption; and
- explore ways to further streamline the existing procedures in relation to the Lands Department Consent Scheme and Programme (1).

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ANALYSIS OF FINANCIAL PROVISION

	2017–18 (Actual) (\$m)	2018–19 (Original) (\$m)	2018–19 (Revised) (\$m)	2019–20 (Estimate) (\$m)
Programme				
(1) Land Administration	1,841.8	2,041.2	2,022.6	2,224.6
(2) Survey and Mapping	591.1	623.7	683.9	705.3
(3) Legal Advice	76.5	85.5	83.6	87.9
	2,509.4	2,750.4	2,790.1 (+1.4%)	3,017.8 (+8.2%)
				(or +9.7% on 2018–19 Original)

Analysis of Financial and Staffing Provision

Programme (1)

Provision for 2019–20 is \$202.0 million (10.0%) higher than the revised estimate for 2018–19. This is mainly due to a net increase of 127 posts, salary increments for staff, filling of vacancies and other operating expenses.

Programme (2)

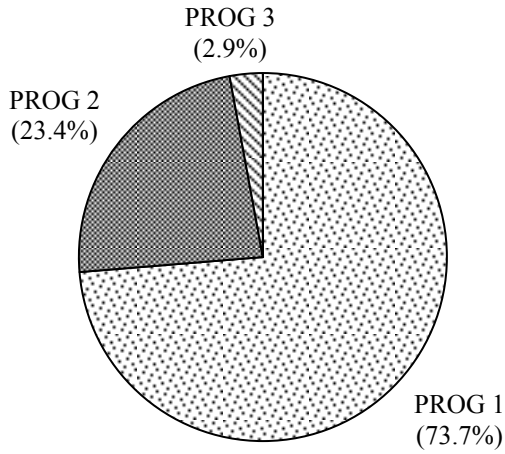
Provision for 2019–20 is \$21.4 million (3.1%) higher than the revised estimate for 2018–19. This is mainly due to a net increase of 41 posts, salary increments for staff, filling of vacancies and other operating expenses.

Programme (3)

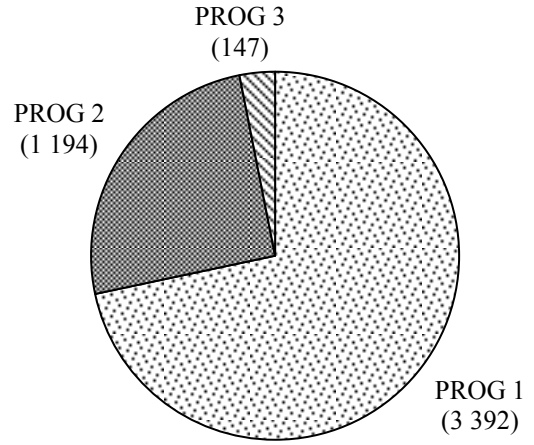
Provision for 2019–20 is \$4.3 million (5.1%) higher than the revised estimate for 2018–19. This is mainly due to a net increase of seven posts, salary increments for staff, filling of vacancies and other operating expenses.

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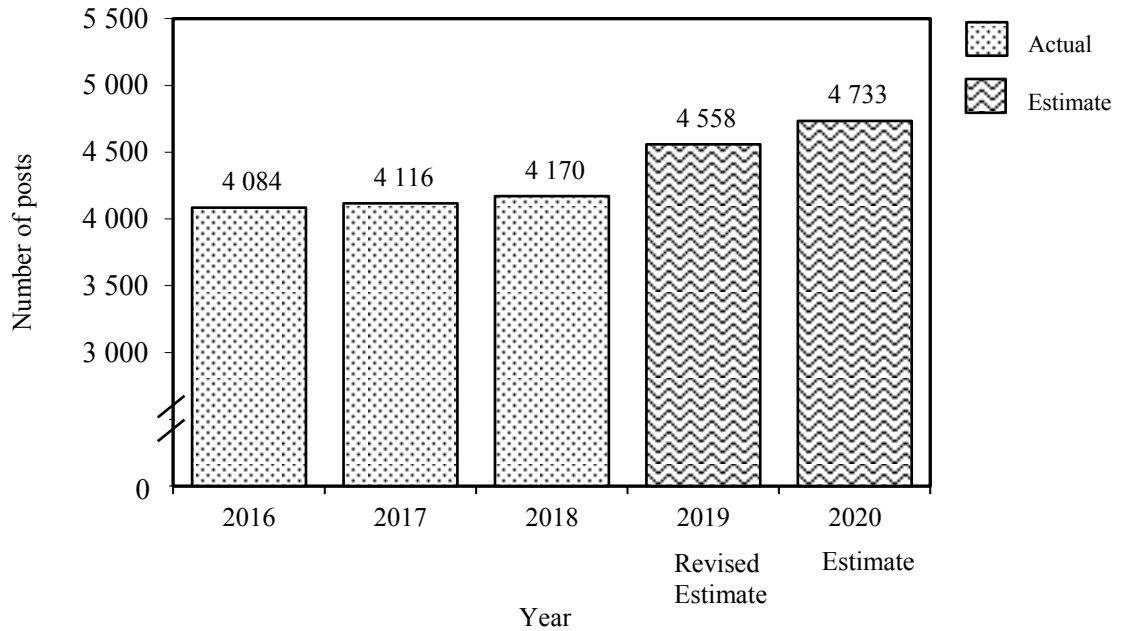
Allocation of provision to programmes (2019-20)



Staff by programme (as at 31 March 2020)



Changes in the size of the establishment (as at 31 March)



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Sub-head (Code)		Actual expenditure 2017-18	Approved estimate 2018-19	Revised estimate 2018-19	Estimate 2019-20
	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Account					
Recurrent					
000	Operational expenses	2,499,365	2,745,002	2,783,025	3,003,689
003	Recoverable salaries and allowances (General).....	42,719			
	<i>Deduct</i> reimbursements <i>Cr. 42,719</i>	—	—	—	—
221	Clearance of government land - ex-gratia allowances	1,819	785	2,480	5,572
	Total, Recurrent.....	2,501,184	2,745,787	2,785,505	3,009,261
	Total, Operating Account	2,501,184	2,745,787	2,785,505	3,009,261
Capital Account					
Plant, Equipment and Works					
661	Minor plant, vehicles and equipment (block vote).....	8,170	4,593	4,593	8,579
	Total, Plant, Equipment and Works.....	8,170	4,593	4,593	8,579
	Total, Capital Account.....	8,170	4,593	4,593	8,579
	Total Expenditure	2,509,354	2,750,380	2,790,098	3,017,840

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Details of Expenditure by Subhead

The estimate of the amount required in 2019–20 for the salaries and expenses of the Lands Department is \$3,017,840,000. This represents an increase of \$227,742,000 over the revised estimate for 2018–19 and \$508,486,000 over the actual expenditure in 2017–18.

Operating Account

Recurrent

2 Provision of \$3,003,689,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Lands Department.

3 The establishment as at 31 March 2019 will be 4 558 posts. It is expected that there will be a net increase of 175 posts including one supernumerary post in 2019–20. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2019–20, but the notional annual mid-point salary value of all such posts must not exceed \$2,230,284,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2017–18 (Actual) (\$'000)	2018–19 (Original) (\$'000)	2018–19 (Revised) (\$'000)	2019–20 (Estimate) (\$'000)
Personal Emoluments				
- Salaries.....	1,927,092	2,060,115	2,087,823	2,135,872
- Allowances.....	25,014	19,087	27,680	27,694
- Job-related allowances.....	2,777	3,197	3,334	3,335
Personnel Related Expenses				
- Mandatory Provident Fund contribution.....	5,721	8,820	8,770	14,985
- Civil Service Provident Fund contribution.....	64,544	84,798	88,128	101,200
Departmental Expenses				
- Hire of services and professional fees	59,848	73,590	69,425	120,536
- Contract maintenance	215,391	226,671	233,922	290,409
- General departmental expenses	198,978	268,709	263,928	309,643
Other Charges				
- Financial Secretary Incorporated - suspense account adjustment.....	—	15	15	15
	2,499,365	2,745,002	2,783,025	3,003,689

5 Gross provision of \$42,719,000 under *Subhead 003 Recoverable salaries and allowances (General)* includes salaries and allowances for the urban renewal team which processes land resumption to make land available for the urban renewal projects. The cost will be fully recovered from the Urban Renewal Authority.

6 Provision of \$5,572,000 under *Subhead 221 Clearance of government land - ex-gratia allowances* is for allowances payable to persons cleared from government land other than clearances required for public works projects. The increase of \$3,092,000 (124.7%) over the revised estimate for 2018–19 is mainly due to clearance projects rescheduled from 2018–19 to 2019–20.

Capital Account

Plant, Equipment and Works

7 Provision of \$8,579,000 under *Subhead 661 Minor plant, vehicles and equipment (block vote)* represents an increase of \$3,986,000 (86.8%) over the revised estimate for 2018–19. This is mainly due to the increased requirement for replacement of minor plant and equipment.