

菜園村居民通訊



Issue 9

Preface

Since the announcement of the “Ex-gratia Rehousing Package” which is exclusively applicable to villagers affected by land resumption and clearance under the XRL project, **the Government has approved some of the applications and has been informing the villagers of the results in batches. Some villagers have already received the ex-gratia cash allowance. For those who have been approved for the ex-gratia cash allowance may contact the Railway Development Section of the Lands Department for collection of the allowance. We set out several approved cases as samples in this issue for easy reference.**

In February and May 2010, land owners will receive a proposal from the Government for ex-gratia land compensation calculated on the basis of the existing ex-gratia land compensation rate for Zone A. The existing agricultural land compensation is \$526.8 per sq. ft while that for building land is \$1,041 per sq. ft plus professional valuation; the compensation rates will be reviewed in April 2010. The final compensation rate will be calculated based on whichever is higher.

Resumption notice has been posted in all districts affected by the resumption in the New Territories on 28 January 2010, and has been gazetted on 29 January 2010. The rights of ownership of all concerned land will be expired on 29 April 2010.

Having regard to the existing Squatter Control Policy, **the Government will not relocate Choi Yuen Tsuen.** The “Ex-gratia Rehousing Package” approved by the Executive Council and the Legislative Council did not provide for such an option, **and there is no room for the Government to negotiate on this subject.** The Government will implement the compensation and rehousing package as announced earlier and it would not be changed.

The construction of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) has commenced, and the land resumption and clearance for the XRL has been gradually arranging. Villagers who would like to apply for the “Ex-gratia Rehousing Package” should register with the Lands Department **on or before 28 February 2010.** The Government will continue to visit the affected households and provide assistance if necessary, while villagers are also welcomed to contact us directly.

Highways Department
12 February 2010

Crop Survey Begins

The crop assessment and evaluation is underway, farmers who would like to have assessment on crops and permanent improvements of agricultural facilities (such as wells or water pipes), please contact Mr. Kam (Tel: 2683 9176) or Mr. Tam (2683 9179) of the Lands Department to arrange an inspection as soon as possible.



At the agreed time, staff from the Lands Department will verify and register the identification of farmers, validate and mark the land resumption area, as well as record the location and size of the agricultural land. Field Officer from the Agriculture, Fisheries and Conservation Department will have a field inspection with the farmer to record information such as species, amount and condition of the plants, as well as field management, etc. A copy of these records will be given to the farmer right after the field inspection.

The Agriculture, Fisheries and Conservation Department will notify farmers of the completion of crop survey by mail. Afterwards, the farmers are free to handle the crops by all means.

“Ex-gratia Rehousing Package” Cases

Qualified Households meeting prescribed eligibility criteria will be offered an ex-gratia cash allowance of \$600,000, or an allowance of \$500,000 and priority to purchase surplus Home Ownership Scheme (HOS) flats in the New Territories that will be put up for sale in due course.

The basic principle of “Ex-gratia Rehousing Package” is to offer ex-gratia assistance to a qualified household residing in a qualified structure. If there are more than a household residing in a qualified structure, they will be treated as one unit for the purpose of the Special Assistance. A core family (consists of parent and dependent children) residing in more than one qualified structures will still be treated as one household for the purpose of the Special Assistance.

The Government is processing the applications from Choi Yuen Tsuen residents, some of the applications have already been approved and the ex-gratia allowance collected by the applicant. Sample cases are set out below to show, depending on actual circumstances, how more than one application from members of the same family will be handled:

Approved Case I

A three-generation family composes of parents, son, daughter-in-law and two grandchildren, counted as two core families and submitted two applications separately. The parent’s family and the son’s family residing in two separate domestic structures which both were registered in the 1982 Squatter Structure Survey. These two core families are also registered in the 1984/85 Squatter Occupancy Survey and fulfilled the relevant criteria. These two applications were approved and two ex-gratia cash allowances were given.

Approved Case II

Two brothers reside in a domestic structure which was registered in the 1982 Squatter Structure Survey, submitted two applications separately. Both brothers could provide proof of residing in the structure for 23 years and fulfilled the relevant criteria. However, two applicants were sharing one structure and could only be given one ex-gratia allowance.

Approved Case III

A mother and a daughter's family submitted two applications separately. Two applicants were registered in the 1984/85 Squatter Occupancy Survey. The daughter and her husband are residing in a 1982 registered domestic structure, but the mother is residing in a 1982 registered non-domestic structure. Two applications fulfilled the relevant criteria. The application from the daughter and husband was approved; although the mother’s structure was not fully qualified, she was offered certain amount of discretionary ex-gratia allowance after considered by the Secretary for Transport and Housing (STH).

Household failing to meet prescribed requirements may apply for discretionary handling, such cases, with written representation if necessary, will be submitted to the Inter-departmental Advisory Panel (the Panel) comprising of representatives from the departments concerned for consideration. STH will decide on the cases based on the merits of individual applications and the advice given by the Panel. The purpose of discretion is to allow STH a greater flexibility in assisting residents who are in need but fail to meet relevant criteria. In principle, STH will handle these cases with greatest flexibility to provide necessary assistance to households as far as possible. Villagers may make reference to the following cases:

Discretionary Offer Case I

A singleton elderly household residing in a 1982 surveyed non-domestic structure fulfilled relevant criteria but the structure is not fully qualified. Certain amount of ex-gratia cash allowance was still offered after consideration by STH.

Discretionary Offer Case I

A household with parents and three dependent children residing in a 1982 surveyed non-domestic structure, but could only provide proof of living for 10 years. Certain amount of ex-gratia cash allowance was still offered after consideration by STH.

Please refer to previous issues for the compensation and rehousing package details, newsletters can be obtained from Choi Yuen Tsuen Service Centre, Tang Kwai Yau District Councilor’s Office or the following Government Departments.

Enquiries and Meeting Arrangement:

Residents may also contact the staff of the following government departments by phone during office hour, or to arrange meetings:-

General Enquiries:	Specific Enquiries:
Clearance Team, Lands Department Mr. MAN Yuk Wa (Tel: 2664 5141) Railway Development Section, Lands Department Mr. KAN Ping Kwong (Tel: 2683 9176) Railways Development Office, Highways Department Mr. LEUNG Yuen Sing (Tel: 2762 3536)	Housing Department Mrs. YU POON Mei Kum (Tel: 2794 5225) Agriculture, Fisheries and Conservation Department Mr. SIU Kim Kwong (Tel: 2476 9662) Social Welfare Department Ms. WEI Wai Lin (Tel: 2478 1432)