

Public Accounts Committee
Public hearing on 2 December 2013

Opening Remarks by the Secretary for Development
on Chapter 2: Management of roadside skips of
the Director of Audit's Report No. 61

Mr Chairman and Members of the Public Accounts Committee,

- As stated in the Audit's Report, the issues caused by roadside skips are multi-faceted, including posing obstruction to road users and posing road safety risks, creating environmental and public hygiene problems, causing nuisance and obstruction to neighbourhood, causing damages to roads and rendering unlawful occupation of government land. To address these issues from various perspectives including district street management, traffic and transport, public road maintenance, waste removal and land administration, it involves various policy areas and departments. The Audit Commission has recommended that the bureaux concerned, i.e. the Development Bureau, the Environment Bureau and the Transport and Housing Bureau, should follow up the issues.
- I have already had preliminary exchanges of views on the Report and its recommendations with the Secretary for the Environment and the Secretary for Transport and Housing. On the whole, we agree with the way forward suggested in the Audit Report in dealing with this matter. The three Bureaux should jointly review the problems caused by skip operations and the effectiveness of the existing regulatory regime, and formulate action plans for regulating and facilitating skip operations. The three Bureaux will set up a joint working group to take forward the relevant work and follow up the other recommendations made in the Report which concern various bureaux and departments.
- At present, the relevant departments are tackling the problems caused by roadside skips according to their nature through their respective applicable legislations and administrative measures. Such a regulatory approach involves both demarcation of responsibilities and areas of co-operation among different departments. For example, the Environmental Protection Department and the Transport Department have formulated guidelines setting out good practices for skip operations. For skips causing serious obstruction or imminent danger to the public and vehicles, the Hong Kong

Police Force will take immediate actions to remove the skips and where appropriate, take prosecution actions under the Summary Offences Ordinance. For non-emergency cases, the Lands Department (LandsD) will take land control actions in accordance with the Land (Miscellaneous Provisions) Ordinance.

- In conducting the review, the inter-departmental joint working group will take into account a number of factors, including the modus operandi and needs of the skip industry, the experience of relevant departments in skip management, the applicability and suitability of relevant legislations and administrative measures as well as other related legal and administrative matters. As the problems caused by roadside skips are multi-faceted, the tentative plan would be to complete the review in a year. We will report the progress of the review to the Public Accounts Committee in a timely manner, and will consult the relevant Panels of the Legislative Council as and when required.
- Now, I would like to give a brief account of the work relating to land control of LandsD under the purview of the Development Bureau. At present, LandsD handles roadside skips pursuant to the provisions on unlawful occupation of government land under the Land (Miscellaneous Provisions) Ordinance. Under the Ordinance, LandsD should first post a notice requiring the occupation of the land to cease. If the land occupier fails to comply with the notice, LandsD may remove the skip and institute prosecution where appropriate. The legislation currently invoked by the lands authority focuses on the management and control of land, particularly those affecting the Government's land right on a long-term basis (such as unlawful occupation of government land by structures and unauthorised development). As stated in the Audit's Report, this is not an effective tool in regulating roadside skip operations. Regarding the recommendations made in the Audit's Report on the future work of LandsD, the Department will take follow-up actions, including stepping up of prosecution actions. We will also report this to the Public Accounts Committee on a regular basis.
- Coming up, the Secretary for Environment and the Acting Secretary for Transport and Housing will in turn speak to the Public Accounts Committee.

Development Bureau
Lands Department
November 2013