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ESTATE AGENTS AUTHORITY

Dear Licensees,

**Re: Unauthorised structures on private agricultural land and
unlawful occupation of government land**

The Estate Agents Authority (“EAA”) was informed by the Lands Department that the Land (Miscellaneous Provisions) (Amendment) Ordinance (“the Ordinance”), which has increased the penalties for the offences related to unlawful occupation of government land, has come into effect on 6 February 2015. The EAA would like to draw your attention to this subject so that you may advise your clients, including land owners, prospective purchasers or tenants, as appropriate.

The amendments of the Ordinance were made for the purpose of enhancing the deterrent effect and have heavily increased the fines for convictions relating to unlawful occupation of unleased land, erection of structure on unleased land and disposing of the structures on unleased land. Licensees are advised to read the [Ordinance](#) carefully.

The Lands Department urged members of the public who intend to purchase or rent structures erected on private agricultural land to seek independent professional advice beforehand to ascertain that the structures concerned fully comply with the relevant lease conditions and do not occupy government land unlawfully. Otherwise, they may face losses or liabilities in the event of enforcement action by the Government against such unauthorised or unlawful structures.

In this connection, the EAA would like to remind all licensees to note the above and, in the course of handling land transactions particularly in the New Territories, advise their clients, including land owners, prospective purchasers or tenants, about the above and the possible losses or liabilities that they may face. For enquiries concerning the Ordinance, licensees are advised to contact the Lands Department directly by the contact methods listed in the [webpage](#) of the Lands Department.

Estate Agents Authority

26 February 2015