

# Land Registry releases statistics for October

The Land Registry today (November 2) released its statistics for October 2018.

## Land registration

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\* The number of sale and purchase agreements for all building units received for registration in October was 5,374 (+12.0 per cent compared with September but -23.9 per cent compared with October 2017)

\* The 12-month moving average for October was 7,247 (1.9 per cent below the 12-month moving average for September but 2.8 per cent above that for October 2017)

\* The total consideration for sale and purchase agreements in October was \$45.5 billion (+0.1 per cent compared with September but -15.1 per cent compared with October 2017)

\* Among the sale and purchase agreements, 4,243 were for residential units (+21.2 per cent compared with September but -19.8 per cent compared with October 2017)

\* The total consideration for sale and purchase agreements in respect of residential units was \$38.6 billion (+4.0 per cent compared with September but -7.9 per cent compared with October 2017)

Statistics on sales of residential units do not include sale and purchase agreements relating to sales of units under the Home Ownership Scheme, the Private Sector Participation Scheme and the Tenants Purchase Scheme unless the premium of the unit concerned has been paid after the sale restriction period.

Figures on sale and purchase agreements received for the past 12 months, the year-on-year rate of change and breakdown figures on residential sales have also been released.

As deeds may not be lodged with the Land Registry until up to 30 days after the transaction, these statistics generally relate to land transactions in the previous month.

## Land search

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\* The number of searches of land registers made by the public in October was

445,881 (+17.1 per cent compared with September but -1.0 per cent compared with October 2017)

The statistics cover searches made at the counter, through the self-service terminals and via the Integrated Registration Information System Online Services.

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## **Registered General Building Contractor and its Authorised Signatory disciplined for misconduct in building works**

The Registered Contractors' Disciplinary Board has completed a disciplinary inquiry and decided that a Registered General Building Contractor (RGBC) and its Authorised Signatory (AS) should be disciplined for misconduct in building works under section 13(2)(b) of the Buildings Ordinance.

The Board ordered the RGBC and its AS each to be fined and to pay the costs of inquiry of the Board and the Buildings Department in the sums of \$123,625 and \$116,625 respectively. The Board's decision was published in the Gazette today (November 2). Details are available at the following link: [www.gld.gov.hk/egazette/pdf/20182244/egn201822448332.pdf](http://www.gld.gov.hk/egazette/pdf/20182244/egn201822448332.pdf).

The two respondents misconducted themselves in relation to the building works carried out to an earth-retaining wall of about 2.5 metres high and 7.8m long in Sai Kung between July and August 2009, which were required to be carried out by a Registered Specialist Contractor (Site Formation Works), whereas the RGBC concerned was not registered for such specialist works. Moreover, the building works were inconsistent with the plans approved by the Buildings Department and were done without the department's prior consent.

After conducting the disciplinary hearings, the Board made the above decision and order on April 17, 2018, in accordance with section 13 of the Ordinance.

The two Authorised Persons and one Registered Structural Engineer involved in the subject case were found guilty and disciplined by the Authorized Persons', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board in 2015 for misconducting themselves in a professional way in relation to the said building works under section 7(1A)(b) of the Ordinance. The relevant Gazette Notice is available at the following link: [www.gld.gov.hk/egazette/pdf/20151942/egn201519427832.pdf](http://www.gld.gov.hk/egazette/pdf/20151942/egn201519427832.pdf).

A spokesperson for the Buildings Department emphasised that persons registered under the Ordinance and/or appointed to act on the registered contractors' behalf for the purposes of the Ordinance may be disciplined if they are negligent or misconduct themselves. They may be liable to criminal prosecution if they commit other offences under the Ordinance.

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## **Kai Tak Airport North Apron Area Stage 5B and remaining infrastructure works gazetted**

The Government gazetted today (November 2) the proposed Stage 5B and remaining infrastructure works at the North Apron Area of the Kai Tak Airport to provide essential infrastructure works serving the future developments.

Details of the proposal are set out in the Annex. The plan and scheme of the works are available for public inspection at the following government offices during office hours:

Central and Western Home Affairs Enquiry Centre,  
G/F, Harbour Building,  
38 Pier Road, Central, Hong Kong

Kowloon City Home Affairs Enquiry Centre,  
LG/F, Kowloon City Government Offices,  
42 Bailey Street, Hung Hom, Kowloon

Kwun Tong Home Affairs Enquiry Centre,  
G/F, The Grande Building,  
398 Kwun Tong Road, Kwun Tong, Kowloon

Wong Tai Sin Home Affairs Enquiry Centre,  
Unit 201, 2/F, Lung Cheung Office Block,  
138 Lung Cheung Road, Wong Tai Sin, Kowloon

District Lands Office,  
Kowloon East and Kowloon West,  
10/F, Yau Ma Tei Carpark Building, 250 Shanghai Street, Kowloon

The gazette notice, scheme, plan and location plan will be available at [www.thb.gov.hk/eng/psp/publications/transport/gazette/gazette.htm](http://www.thb.gov.hk/eng/psp/publications/transport/gazette/gazette.htm).

Any person who wishes to object to the works or the use, or both, is required to address to the Secretary for Transport and Housing an objection in writing, which can be submitted via the following means:

- By post or by hand to the Transport and Housing Bureau's drop-in box No. 6 located at the entrance on 2/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong. The box is available for use between 8am and 7pm from Monday to Friday (except public holidays);
- By fax to 2868 4643; or
- By email to [gazettethb@thb.gov.hk](mailto:gazettethb@thb.gov.hk).

A notice of objection should describe the objector's interest and the manner in which he or she alleges that he or she will be affected by the works or the use. Objectors are requested to provide contact details to facilitate communication. A notice of objection should be delivered to the Secretary for Transport and Housing not later than January 2, 2019.

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## **Proposed amendments to road works at North Apron Area of Kai Tak Airport gazetted**

The Government gazetted today (November 2) the proposed amendments to the road works at the North Apron Area of Kai Tak Airport, in order to comply with the revised design of the proposed Stage 5 Infrastructure Works.

Details of the proposed amendments are set out in the Annex. The amendment plans and amendment scheme of the works are available for public inspection at the following government offices during office hours:

Central and Western Home Affairs Enquiry Centre,  
G/F, Harbour Building,  
38 Pier Road, Central, Hong Kong

Kowloon City Home Affairs Enquiry Centre,  
LG/F, Kowloon City Government Offices,  
42 Bailey Street, Hung Hom, Kowloon

Kwun Tong Home Affairs Enquiry Centre,  
G/F, The Grande Building,  
398 Kwun Tong Road, Kwun Tong, Kowloon

Wong Tai Sin Home Affairs Enquiry Centre,  
Unit 201, 2/F, Lung Cheung Office Block,  
138 Lung Cheung Road, Wong Tai Sin, Kowloon

District Lands Office, Kowloon East and Kowloon West,  
10/F, Yau Ma Tei Carpark Building,  
250 Shanghai Street, Kowloon

The gazette notice, amendment scheme, amendment plans and location plan will be available at [www.thb.gov.hk/eng/psp/publications/transport/gazette/gazette.htm](http://www.thb.gov.hk/eng/psp/publications/transport/gazette/gazette.htm).

Any person who wishes to object to the proposed amendments is required to address to the Secretary for Transport and Housing an objection in writing, which can be submitted via the following means:

- By post or by hand to the Transport and Housing Bureau's drop-in box No. 6 located at the entrance on 2/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong. The box is available for use between 8am and 7pm from Monday to Friday (except public holidays);
- By fax to 2868 4643; or
- By email to [gazettethb@thb.gov.hk](mailto:gazettethb@thb.gov.hk).

A notice of objection should describe the objector's interest and the manner in which he or she alleges that he or she will be affected by the proposed amendments. Objectors are requested to provide contact details to facilitate communication. A notice of objection should be delivered to the Secretary for Transport and Housing not later than January 2, 2019.

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## Thirty-three immigration offenders arrested

The Immigration Department (ImmD) mounted a series of territory-wide anti-illegal worker operations, including an operation codenamed "Twilight", and joint operations with the Hong Kong Police Force and the Labour Department codenamed "Champion" from October 29 to November 1. A total of 25 illegal workers and eight suspected employers.

During operation "Twilight", ImmD Task Force officers raided 21 target locations including a dance studio, a food stall, guest houses, shops, an office, a residential flat, restaurants, warehouse and fish markets. 20 illegal workers and four employers were arrested. The illegal workers comprised 17 men and three women, aged 19 to 49. Among them, 11 men were holders of recognisance forms, which prohibit them from taking any employment. In addition, a woman was suspected of using and being in possession of a forged Hong Kong identity card. Meanwhile, two men and two women, aged 33 to 63, were suspected of employing the illegal workers.

In addition, during operation "Champion", enforcement officers raided 27 target locations in Tsuen Wan, Shatin, Sham Shui Po and Cheung Sha Wan including a warehouse, a massage parlor and restaurants. Five illegal workers and four employers were arrested. The illegal workers comprised three men and

two women, aged 24 to 38. Meanwhile, four men, aged 20 to 37, were suspected of employing the illegal workers.

"Any person who contravenes a condition of stay in force in respect of him shall be guilty of an offence. Also, visitors are not allowed to take employment in Hong Kong, whether paid or unpaid, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction face a maximum fine of \$50,000 and up to two years' imprisonment. Aiders and abettors are also liable to prosecution and penalties," an ImmD spokesman said.

The spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Offenders are liable upon conviction to a maximum fine of \$50,000 and up to three years' imprisonment. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases. It is an offence to use or possess a forged Hong Kong identity card or a Hong Kong identity card related to another person. Offenders are liable to prosecution and a maximum penalty of a \$100,000 fine and up to 10 years' imprisonment.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct initial screening of vulnerable persons, including illegal workers, illegal immigrants, sex workers and foreign domestic helpers, who are arrested during any operation with a view to ascertaining whether they are trafficking in persons (TIP) victims. When any TIP indicator is revealed in the initial screening, the officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threat and coercion in the recruitment phase and the nature of exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent interference, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant

departments.