

# Government welcomes CFA judgment on Small House Policy

The Court of Final Appeal (CFA) today (November 5) ruled on the judicial review of the Small House Policy (the Policy), upholding the lawfulness and compatibility of the Policy with the Basic Law.

â€‹ "The Government welcomes the CFA's judgment," a spokesman for the Development Bureau said.

â€‹ The spokesman said the Government will continue to receive and process small house applications in accordance with the Policy, and give due regard to various considerations in the course of processing them, including the eligibility of the applicant as an indigenous inhabitant, the planned land use of the location under application, and the availability of infrastructure facilities.

â€‹ The Policy has been implemented since 1972. The forms of grants under the Policy include Free Building Licence (FBL) which allows applicants to build small houses on their private land, Private Treaty Grant (PTG) for grant of government land to build small houses, and Land Exchange. Article 40 of the Basic Law stipulates that the lawful traditional rights and interests of the indigenous inhabitants of the "New Territories" shall be protected by the Hong Kong Special Administrative Region. The CFA confirmed that all components under the Policy, namely FBL, PTG and Land Exchange, are lawful traditional rights and interests of the indigenous inhabitants of the New Territories within the meaning of Article 40 of the Basic Law.