

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(W)097

Head: 60 - Highways Department

Subhead: 000 Operational expenses

Question Serial No.

1405

Programme: (2) District and Maintenance

Controlling Officer: Director of Highways

Director of Bureau: Secretary for Development

Question:

What is the number of cases of non-compliance with excavation permit conditions recorded in 2006-2007, 2007-2008 and 2008-2009 respectively? Please provide details about the penalty measures taken by the Government and the relevant figures.

Asked by: Hon. CHEUNG Hok-ming

Reply:

The number of items of non-compliance with excavation permit conditions, the total number of items inspected and the percentage of non-compliance in 2006 to 2008 are as follows:

Year	2006	2007	2008
Number of items of non-compliance	22 185	26 350	26 492
Total number of items inspected	853 443	1 082 637	1 290 822
Percentage of non-compliance	2.6	2.5	2.1

Highways Department instigates enforcement action on serious or repeated contraventions of excavation permit conditions in accordance with Chapter 28 Land (Miscellaneous Provisions) Ordinance, which also specifies the level of fines on conviction. The number of convicted cases and range of fines in 2006 to 2008 are as follows-

Year	2006	2007	2008
Number of convicted cases	39	41	40
Range of fines	\$100 - \$7,000	\$250 - \$6,000	\$100 - \$10,000

Signature _____

Name in block letters WAI CHI SING

Post Title Director of Highways

Date 20 March 2009