Establish the Urban Renewal Authority for the purpose of carrying out urban renewal and for connected purposes.

Enacted by the Legislative Council.

PART I
Preliminary
1. Short title and commencement
   (1) This Ordinance may be cited as the Urban Renewal Authority Ordinance.
   (2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Planning and Lands by notice in the Gazette.

2. Interpretation
   In this Ordinance, unless the context otherwise requires---
   "auditor" (核數師) shall be construed in accordance with section 43 of the Professional Accountants Ordinance (Cap. 50);
   "Authority" (市建局) means the Urban Renewal Authority established under section 3;
   "building" (建築物) has the same meaning as "building" in section 2(1) of the Buildings Ordinance (Cap. 123);
   "business plan" (業務計劃) means a business plan prepared by the Authority and approved by the Financial Secretary under section 19;
   "corporate plan" (業務綱領) means a corporate plan prepared by the Authority and approved by the Financial Secretary under section 18;
   "executive director" (執行董事) means a person who, by virtue of section 4, is a member and an executive director of the Board of the Authority;
   "financial year" (財政年度) means the period commencing on 1 April each year and ending on 31 March the year after;
   "land" (土地) means land, whether covered by water or not, of whatever description and includes a building erected thereon and where an undivided share of a leasehold interest in land has appurtenant to it rights to the exclusive use and occupation of a building or part thereof erected thereon, includes such share in the land and all rights appurtenant thereto, and any estate, right, share or interest in land;
   "Land Development Corporation" (土發公司) means the Land Development Corporation established by section 3(1) of the repealed Ordinance;
   "non-executive director" (非執行董事) means a person who, by virtue of section 4, is a member of the Board of the Authority who is not an executive director;
   "owner" (擁有人) has the same meaning as "owner" in section 2(1) of the Buildings Ordinance (Cap. 123);
   "project" (項目) means---
   (a) a development scheme of the description mentioned in section 22;
   (b) a development project of the description mentioned in section 23;
   (c) a development proposal of the description mentioned in section 5(2)(b) of the repealed Ordinance;
   or
   (d) a development scheme of the description mentioned in section 13(1) of the repealed Ordinance, which is included in a business plan and approved by the Financial Secretary for implementation under section 19;
   "proposal" (提案) means a proposal for a project;
   "repealed Ordinance" (已廢除條例) means the Land Development Corporation Ordinance (Cap. 15) repealed under section 31;
   "Secretary" (局長) means the Secretary for Planning and Lands;
   "Town Planning Board" (城規會) means the Town Planning Board appointed under section 2 of the Town Planning Ordinance (Cap. 131).

PART II
Urban Renewal Authority
3. Establishment of Authority
   (1) There shall be established a body corporate to be named the Urban Renewal Authority which shall have such powers and duties as are conferred and imposed on it by, or by virtue of, this Ordinance.
   (2) The Authority shall have perpetual succession and a common seal and shall in its own name be capable of suing and of being sued.
   (3) The Authority shall not be regarded as a servant or agent of the Government or as enjoying any status, immunity or privilege of the Government.
   (4) Part VII of the Interpretation and General Clauses Ordinance (Cap. 1) shall apply to the Authority except where the context of this Ordinance otherwise requires.

4. Establishment of Board of Authority
   (1) There shall be established a Board to be named the Board of the Urban Renewal Authority comprised of the following members---
   (a) a Chairman of the Board of the Authority ("the Chairman"), who is at the same time an executive director and is not a public officer;
   (b) 2 other executive directors, not being public officers;
   (c) 7 non-executive directors, not being public officers; and
   (d) 4 non-executive directors who are public officers.
   (2) All members of the Board of the Authority, including the Chairman, shall be appointed
by the Chief Executive for a term not exceeding 3 years.

(3) The Chief Executive may appoint an executive director to be the Deputy Chairman of the Board of the Authority for a term not exceeding 3 years.

(4) The Board of the Authority shall be the governing and executive body of the Authority and as such shall, in the name of the Authority, exercise and perform the powers and duties as are conferred and imposed on the Authority by, or by virtue of, this Ordinance.

(5) A member of the Board of the Authority who is appointed as an executive director shall be responsible to the Board of the Authority for the day to day management and administration of the affairs of the Authority.

(6) The Schedule shall have effect with respect to the Board of the Authority and its members.

5. Purposes of Authority

The purposes of the Authority are to---

(a) replace the Land Development Corporation as the body corporate established by statute having the responsibility of improving the standard of housing and the built environment of Hong Kong by undertaking, encouraging, promoting and facilitating urban renewal;

(b) improve the standard of housing and the built environment of Hong Kong and the layout of built-up areas by replacing old and dilapidated areas with new development which is properly planned and, where appropriate, provided with adequate transport and other infrastructure and community facilities;

(c) achieve better utilization of land in the dilapidated areas of the built environment of Hong Kong and to make land available to meet various development needs;

(d) prevent the decay of the built environment of Hong Kong by promoting the maintenance and improvement of individual buildings as regards their structural stability, integrity of external finishes and fire safety as well as the improvement of the physical appearance and conditions of that built environment;

(e) preserve buildings, sites and structures of historical, cultural or architectural interest; and

(f) engage in such other activities, and to perform such other duties, as the Chief Executive may, after consultation with the Authority, permit or assign to it by order published in the Gazette.

6. General power of Authority

(1) The Authority shall have power to do anything which is expedient for or conducive or incidental to the attainment of the purposes declared in or permitted or assigned under section 5 and shall exercise that power so as to improve the standard of housing and the built environment of Hong Kong by way of development.

(2) Without prejudice to the generality of subsection (1), the Authority shall have power to and may---

(a) enter into contracts, including employment contracts, or other agreements with any person;

(b) prepare draft corporate plans and draft business plans for the operation of the Authority;

(c) lease, purchase or otherwise acquire and hold land of any description in Hong Kong for the purpose of undertaking development, providing accommodation for the Authority, or for providing residential accommodation for persons displaced by the carrying out of the purposes of the Authority;

(d) implement projects by way of---

(i) a development scheme under section 22;

(ii) a development project under section 23;

(iii) the continuation and completion of a development proposal under section 31(4);

(iv) the continuation and completion of a development scheme under section 31(7);

(e) alter, construct, demolish, maintain or repair any building, premises or structure ancillary thereto;

(f) provide and where appropriate alter, maintain or repair roads, footways, parks, recreational facilities and similar open spaces, bridges, drains, sewers and water courses other than those the maintenance of which the Government or other public body has undertaken or decides to undertake;

(g) manage any building, premises, or structures which it has leased, purchased, acquired or otherwise holds and any common parts thereof including any land ancillary thereto, having regard to the interests, welfare and comfort of the tenants, owners or occupiers thereof and may charge fees for its services in connection with such management;

(h) manage any roads, footways, parks, car parks, parking spaces, recreational facilities and similar open spaces, bridges, drains, sewers and water courses other than those the maintenance of which the Government or other public body has undertaken or decides to undertake, and, where appropriate, provide adequate transport and other infrastructure and community facilities in connection with such management;

(i) set aside as use for car parks any land held by the Authority, designate parking spaces, and may allocate any place in a car park or parking place for the use of vehicles of any description or any particular type or class or for the use of any person or persons or any particular class;

(j) provide fixtures, fittings or furniture in buildings acquired by or under the control of the Authority and may let, lend, hire or otherwise dispose of such fixtures, fittings or furniture on such terms and conditions as to payment or otherwise as the Authority may think fit;

(k) grant, sell, convey, assign, surrender, yield up, demise, let, transfer or otherwise dispose of any land or building, messuages, tenements, vessels, goods and chattels for the time being owned or held by the Authority on such terms and conditions as the Authority thinks fit;

(l) enter into agreements with any person for the management by such person of any land owned or held by the Authority;

(m) conduct any survey and census as it thinks fit for the purpose of drawing up any plans and for the purposes of ascertaining a rehousing commitment resulting from any project of the Authority;

(n) surrender any lease or apply for and agree to the modification of lease conditions or enter into any
The executive directors to attend its meetings and they shall comply. The Chairman and the executive directors

9. Answer to Legislative Council

matter, section 7(5)(b), (c) and (d) shall not apply as regards the matter.

(b) unless he has made a declaration or disclosure under section 7(1) or (5) which is relevant to the

potential conflict with that interest, as so perceived, arises or could arise; and

perceived, and the matter, and, where appropriate, he shall also state how, in his opinion, an actual or

could be contrary to, or otherwise raises or puts in issue, or could so raise or put in issue, the public interest

any matter whatsoever which is to be or is being considered, decided or determined by the Authority, is or

Chairman, if any, who is in any way directly or indirectly interested in a contract made or proposed to be

made by the Authority, or in any other matter whatsoever which is to be considered, decided or determined

by the Board, shall comply with the following requirements---

(a) he shall, if present, disclose to the relevant meeting of the Board the nature of his interest and such
disclosure shall be recorded in the minutes of the meeting;

(b) he shall withdraw from the meeting while the matter is being discussed or considered unless---

(i) if he is not the person presiding at such meeting of the Board, he is permitted to take part

in such discussion or consideration by the person so presiding; or

(ii) if he is the person so presiding, the majority of the other members present at the meeting
decide so to permit him;

(c) he shall not vote or otherwise act as a member of the Board in relation to the matter unless so

permitted; and

(d) he shall neither influence nor seek to influence a decision of the Board as regards the matter
otherwise than with the Chairman's prior approval or in accordance with paragraph (b).

(6) Where a disclosure is made under subsection (5) and the person concerned is neither

required to withdraw from the relevant meeting nor permitted to vote, then for so long as the matter to

which the disclosure relates is being discussed or otherwise considered at such meeting, the presence of the

person by whom the disclosure was made shall be disregarded for the purposes of forming a quorum for the

meeting.

(7) The validity of any proceedings of the Authority shall not be affected by the failure by a

member of the Board of the Authority to comply with this section.

(8) A member of the Board of the Authority need not attend in person at the meeting of the

Authority in order to make a disclosure which he is required to make under subsection (5) if he takes
reasonable steps to secure that the disclosure is made by a notice in writing which is brought up and read at

the meeting.

8. Duty of public officers to

state public interest

Where at a meeting of the Board a member who is a public officer and is present considers that

any matter whatsoever which is to be or is being considered, decided or determined by the Authority, is or
could be contrary to, or otherwise raises or puts in issue, or could so raise or put in issue, the public interest

as perceived by him, the following shall apply---

(a) he shall state to the meeting his opinion regarding the relation between the public interest, as so

perceived, and the matter, and, where appropriate, he shall also state how, in his opinion, an actual or

potential conflict with that interest, as so perceived, arises or could arise; and

(b) unless he has made a declaration or disclosure under section 7(1) or (5) which is relevant to the

matter, section 7(5)(b), (c) and (d) shall not apply as regards the matter.

9. Answer to Legislative Council

The committees and subcommittees of the Legislative Council may request the Chairman and the
executive directors to attend its meetings and they shall comply. The Chairman and the executive directors
shall answer questions raised by the Members of the Legislative Council at the meetings.

PART IV
Financial Provisions

10. Resources of Authority
   (1) The resources of the Authority shall consist of—
   (a) all money paid by the Government to the Authority and appropriated for that purpose by the
       Legislative Council;
   (b) all other money and property, including fees, rent, interest and accumulations of income received
       by the Authority for its purposes.
   (2) All money paid to or received by the Authority shall be deposited with banks licensed by
       the Hong Kong Monetary Authority.

11. Borrowing powers
   (1) The Authority may borrow from the Government, such money as may be required for the
       performance of the duties of the Authority under this Ordinance, on such terms and conditions as may be
       approved by the Financial Secretary.
   (2) Subject to subsection (3), the Authority may borrow by way of overdraft from sources other
       than the Government such money as it may require for meeting its obligations or performing its duties
       under this Ordinance;
   (3) The Authority for the Treasury may give directions in writing of a general or specific
       character to the Authority in relation to the amount of money which may be borrowed under subsection
       (2) and the Authority shall comply with those directions.
   (4) The Authority may with the approval of the Financial Secretary borrow, otherwise than
       by way of overdraft from sources other than the Government, such money as it may require for meeting its
       obligations or performing its duties under this Ordinance,
       (5) A person lending money to the Authority shall not be concerned to inquire whether the
           borrowing of the money by the Authority is legal or regular or whether the money lent has been properly
           applied by the Authority and shall not be prejudiced by any illegality or irregularity or by misapplication
           or non-application by the Authority of the money.
   (6) The Authority may with the approval of the Financial Secretary charge all or any part of
       its property as security for the repayment of money borrowed.

12. Power to lend money
   (1) The Authority may lend money on such terms and conditions as the Authority thinks fit
       to any person or persons for the purposes of implementing a project of the Authority.
   (2) The Secretary for the Treasury may give directions in writing of a general or specific
       character to the Authority in relation to the amount of money which may be lent under subsection (1) and
       the Authority shall comply with those directions.

13. Guarantee by Government
   (1) The Legislative Council may from time to time by resolution authorize the Financial
       Secretary on behalf of the Government to grant guarantees in respect of—
       (a) the repayment of loans made to, or the discharge of other indebtedness of, the Authority and the
           payment of interest, premium or other charge thereon; and
       (b) the redemption or repayment of, and the payment of interest, premium or other charge on, any
           bonds, notes or other securities issued by the Authority,
           up to an amount not exceeding in total that specified in the resolution and subject to any terms or conditions
           specified therein.
   (2) A guarantee granted under subsection (1) which includes interest, amounts payable in
       consequence of the operation of any price variation clause, premium or other charges, shall not be invalid by
       reason only of the fact that such interest, amounts, premiums or charges, although specified in the resolution
       authorizing the granting of the guarantee, are not quantified as to total amount or included in the amount
       quantified in such resolution.
   (3) Any sum required for fulfilling a guarantee granted under subsection (1) by the
       Government shall be charged on and paid out of the general revenue and any sum received by the
       Government by way of repayment of a sum so paid out, or for interest thereon, shall be paid into the general
       revenue.
   (4) If, pursuant to a guarantee granted under subsection (1), the Government makes a
       payment to a creditor of the Authority in respect of a debt secured by a mortgage or a specific or floating
       charge, such sum shall be repayable to the Government by the Authority, together with interest thereon at
       such rate as the Financial Secretary may determine, and the Government shall as from the time of payment
       have the benefit of all the remedies vested in the creditor by virtue of such mortgage or charge with liberty
       to exercise the rights and powers arising thereunder in its own name and without any assignment by the
       creditor.

14. Use of surplus funds
   (1) The Authority may invest money that in any financial year is not immediately required to
       be expended in such forms of investment as the Financial Secretary may approve.
   (2) If in any financial year there is an excess of revenue of the Authority over the total sum
       required by it to be expended—
(a) to meet the total outgoings of the Authority properly chargeable to revenue; and
(b) to enable the Authority to---
(i) make such allocations to reserve as it may reasonably consider adequate;
(ii) pay any moneys owing by it, whether or not payment is legally due at the time,
the Financial Secretary may, after consultation with the Authority, give the Authority directions requiring it
to pay the whole or part of the excess to the Government and the Authority shall comply with those
directions.
(3) Subject to any directions given under subsection (2), the Authority may deal with any
such excess as is mentioned in that subsection---
(a) by applying it for such of the purposes of the Authority as the Authority may determine; or
(b) by allocating it to reserve, whether generally or for a particular purpose,
or partly in one of those ways and partly in another.
(4) Any sum received by the Government under subsection (2) shall be paid into the general
revenue.
15. Debt of Authority
(1) The Authority shall be indebted to the Government in a sum equal to---
(a) all money received by the Authority under section 10(1)(a);
(b) all expenditure directly or indirectly incurred by the Government for the benefit of the Authority.
(2) The Financial Secretary shall determine the amount of such indebtedness and any interest
thereon by certificate under his hand and may for sufficient cause reduce or increase any amount so
certified.
(3) The indebtedness of the Authority under subsections (1) and (2) and any interest thereon
shall be discharged in such manner as the Financial Secretary directs.
16. Accounts, audit and annual report
(1) The Authority shall keep proper accounts and proper records in relation to the accounts.
(2) The Authority shall, as soon as is practicable and in any case not later than 3 months after
the expiry of a financial year, prepare a statement of the accounts of the Authority, which statement shall
include an income and expenditure account and a balance sheet.
(3) The Authority shall appoint an auditor who shall, as soon as is practicable, audit the
accounts required under subsection (2) and shall submit a report on the accounts to the Authority.
(4) The Authority shall, as soon as is practicable and in any case not later than 6 months after
the expiry of a financial year, furnish---
(a) a report on the affairs of the Authority for that year;
(b) a copy of its accounts thereof; and
(c) the auditor's report on the accounts,
to the Financial Secretary who shall cause the same to be tabled in the Legislative Council.
17. Exemption from taxation
The Authority shall be exempt from taxation under the Inland Revenue Ordinance (Cap. 112).

PART V
Planning Procedures
18. Corporate plan
(1) The Authority shall not later than 3 months before the end of each financial year submit
to the Financial Secretary for approval a draft corporate plan for a period of 5 years beginning on the first
day of the next financial year covering in relation to that period---
(a) its programme of proposals to be implemented including commencement dates of implementation,
and for each proposal, whether it is to be implemented by way of a development scheme under section 22 or
by way of a development project under section 23;
(b) its programme of implementation for development proposals and development schemes of the
description mentioned in section 6(2)(d)(iii) and (iv), including commencement dates and for each project,
whether it is to be implemented by way of a development scheme under section 13(1) of the repealed
Ordinance or by way of a development proposal under section 5(2)(b) of the repealed Ordinance;
(c) its financial plan to achieve the programme mentioned in paragraph (a), including---

(i) the projected income and expenditure for---
(A) the projects that have already commenced;
(B) the proposals to be commenced during that period;
(C) the development proposals and development schemes of the description mentioned in section 6(2)
(d)(iii) and (iv) that have already commenced;
(D) the development proposals and development schemes of the description mentioned in section 6(2)
(d)(iii) and (iv) to be commenced during that period;
(ii) the amount of any money required to be borrowed from the Government or from sources
other than the Government for financing the implementation of the proposals and projects that have already
commenced or are to be commenced before the end of the financial year and the repayment schedule for any
such loan; and
(iii) the staffing requirements of the Authority to implement such programme.
(2) The Authority shall submit its first draft corporate plan to the Financial Secretary for
approval as soon as is practicable after the Authority is established.
(3) The Authority, when preparing its programme of proposals and its programme of
implementation for projects---
(a) shall follow any guidelines set out in an urban renewal strategy prepared from time to time by the
Secretary for the purposes of this section in relation to the implementation of those proposals and projects;
(b) shall, as far as is practicable, include proposals of projects of the description mentioned in section 6(2)(d) to the extent as may be set out in such an urban renewal strategy;
(c) may suggest, for the approval of the Financial Secretary, for inclusion in its corporate plan any other proposal or the implementation of any other project as it thinks fit.
(4) Upon submission of a draft corporate plan the Financial Secretary may---
(a) approve it with or without amendments; or
(b) refuse to approve it.
19. Business plan
(1) At the same time as the submission of the draft corporate plan mentioned in section 18 (1), the Authority shall submit to the Financial Secretary for approval a draft business plan for the next financial year covering in relation to that financial year---
(a) its programme of proposals to be implemented including commencement dates of implementation, and for each proposal, whether it is to be implemented by way of a development scheme under section 22 or by way of a development project under section 23;
(b) its programme of implementation for development proposals and development schemes of the description mentioned in section 6(2)(d)(iii) and (iv), including commencement dates and for each project, whether it is to be implemented by way of a development scheme under section 13(1) of the repealed Ordinance or by way of a development proposal under section 5(2)(b) of the repealed Ordinance;
(c) the resources required to implement---
(i) the projects that have already commenced;
(ii) the proposals to be commenced in the next financial year;
(iii) the development proposals and development schemes of the description mentioned in section 6(2)(d)(iii) and (iv) that have already commenced;
(iv) the development proposals and development schemes of the description mentioned in section 6(2)(d)(iii) and (iv) to be commenced in the next financial year;
(d) the estimated revenue and expenditure of the Authority;
(e) the amount of any money required to be borrowed from the Government or from sources other than the Government for financing the implementation of the proposals and projects that have already commenced or are to be commenced before the end of the financial year and the repayment schedule for any such loan; and
(f) an estimate of the number of residential accommodations that need to be made available to receive persons who will be displaced by the proposals and projects.
(2) The Authority shall submit its first draft business plan to the Financial Secretary for approval as soon as is practicable after the Authority is established.
(3) The Authority shall not implement any proposal not included in or covered by the corporate plan or the business plan, whether it is to be implemented by way of a development scheme under section 22 or by way of a development project under section 23, except with the prior approval of the Financial Secretary.
(4) The Authority shall not implement any development proposal or development scheme of the description mentioned in section 6(2)(d)(iii) and (iv) not included in or covered by the corporate plan or the business plan, whether it is to be implemented by way of a development scheme under section 13(1) of the repealed Ordinance or by way of a development proposal under section 5(2)(b) of the repealed Ordinance, except with the prior approval of the Financial Secretary.
(5) Upon submission of a draft business plan the Financial Secretary may---
(a) approve it with or without amendments; or
(b) refuse to approve it.
20. Publication of project
(1) For the purpose of the implementation of a project, the Authority shall publish in each issue of the Gazette within the space of a period of one month ("the publication period"), and once a week during the publication period in a Chinese language and an English language local newspaper, notice of the project is first published in the Gazette.
(2) The commencement date of the implementation of the project shall be the date on which notice of the project is first published in the Gazette.
(3) The Authority shall exhibit for public inspection the following information related to the project---
(a) a description of the general nature and effects of the project; and
(b) a plan delineating the boundaries of the project.
(4) Without prejudice to the Lands Resumption Ordinance (Cap. 124), the Authority may make reference to the commencement date of the implementation of the project notified in the Gazette or, the commencement date for the implementation of the part of the project determined under section 21(8) or 22(8), as the case may be, for determining, in accordance with the Authority's policies as published from time to time, the eligibility of any person to receive compensation, payments or other benefits including the provision of alternative residential accommodation where necessary as a result of the Authority's implementation of the project.
(5) For the purposes of this section, "project" (項目) means---
(a) a development scheme of the description mentioned in section 22; or
(b) a development project of the description mentioned in section 23, as the case may be.
21. Objections to projects to be implemented by way of development project

(1) Any person who considers that he will be affected by a project to be implemented by way of a development project under section 23 referred to in a notice published under section 20(1) and who wishes to object to the implementation of the development project may, within the publication period, send to the Authority a written statement of his objections to the project.

(2) The written statement mentioned in subsection (1) shall set out---
(a) the nature and reasons for the objection;
(b) where the objection would be removed by an amendment of the development project any amendment proposed.

(3) The Authority shall consider all objections and shall, not later than 3 months after the expiration of the publication period, submit the development project, the Authority's deliberations on the objections and any objections which are not withdrawn, to the Secretary for his consideration.

(4) The Secretary shall consider the development project and any objections which are not withdrawn and determine, consequent upon those objections, whether to make an amendment to the development project to meet an objection raised under subsection (1), whether to authorize the Authority to proceed with the development project with or without any amendment, or whether to decline to authorize the development project.

(5) The Secretary may authorize the Authority to proceed with the development project if after the expiration of the publication period no objections have been lodged.

(6) Where an amendment made by the Secretary under subsection (4) to meet an objection raised under subsection (1) appears to the Secretary to affect any land, other than that of the objector, the Secretary shall serve notice in writing of that amendment on the owner of that other land or give such other notice by advertisement or otherwise as he deems desirable and practicable to the owner of that other land to inform that owner of the amendment.

(7) The owner of the other land mentioned in subsection (6) who wishes to object to the amendment made by the Secretary under subsection (4) shall, within 14 days after the service or giving of notice by the Secretary under subsection (6), send to the Secretary a written statement of that objection. The Secretary shall consider the written statement to determine, in view of that objection, whether to authorize the Authority to proceed with the development project with or without the amendment and shall serve notice in writing of that determination on the owner who made the objection.

(8) Where the Secretary authorizes the Authority to proceed with a development project under subsection (4) or (7), as the case may be, with amendments which include an expansion of the boundaries of the project, the commencement date of the implementation of the part of the project concerning the land not included in the original development project submitted to the Secretary under subsection (3) shall be the date when notice was served or given under subsection (6). The commencement date of the implementation of the part of the project concerning the land included in the original development project submitted to the Secretary under subsection (3) shall remain as provided under section 20(2).

(9) Where the Secretary authorizes the Authority to proceed with a development project under subsection (4) or (7), as the case may be, with or without amendments, he shall order the Authority to publish in the Gazette notice of authorization of the project, together with a summary of the information of the description mentioned in section 20(3)(a) and (b) concerning the project as authorized by the Secretary. The Authority shall, upon request made to it by any person in that behalf, make available for inspection information of the description mentioned in section 20(3)(a) and (b) concerning the authorized project.

22. Development schemes

(1) The Authority may, in accordance with this section, implement a project by way of a development scheme.

(2) No objection shall be entertained or considered in respect of a project which is to be implemented by way of a development scheme under this section and the objection procedures set out in section 21 shall not be applicable in respect of any such project or in respect of the implementation of that project by way of a development scheme.

(3) A development scheme shall contain such matters as the Authority considers relevant and shall---
(a) comprise a plan which may contain anything that a draft plan may contain under section 3 or 4 of the Town Planning Ordinance (Cap. 131);
(b) set out how the Authority intends that the development scheme will be implemented, including whether implementation will be by the Authority alone or the Authority in association with another person and in relation to land within the boundaries of the development scheme, what portion of the land is owned or leased by the Authority and what arrangements have been made or are contemplated by the Authority for the acquisition of any land not so owned or leased;
(c) contain an assessment by the Authority as to the likely effect of the implementation of the development scheme including, in relation to the residential accommodation of persons who will be displaced by the implementation of the development scheme, an assessment as to whether or not, insofar as suitable residential accommodation for such persons does not already exist, arrangements can be made for the provision of such residential accommodation in advance of any such displacement which will result as the development scheme is implemented.

(4) Without affecting the generality of subsection (3)(a), a plan prepared under that subsection may provide for the grant of permission under section 16 of the Town Planning Ordinance (Cap.
24. Power of Secretary to recommend resumption

(1) The Authority may apply in writing to the Secretary requesting him to recommend to the Chief Executive in Council the resumption, under the Lands Resumption Ordinance (Cap. 124)—

(a) in relation to a development scheme contained in a corporate plan and a business plan or approved by the Financial Secretary under section 19, of any land within the area of a plan which is deemed to be a draft plan by virtue of section 22(7) of this Ordinance, after the approval of such plan by the Chief Executive in Council under section 9 of the Town Planning Ordinance (Cap. 131); or

(b) in relation to a development project contained in a corporate plan and a business plan or approved by the Financial Secretary under section 19, of any land that the Authority requires to implement such development project, after the authorization of such development project by the Secretary under section 21(4), (5) or (7).

(2) The Secretary shall not make a recommendation under subsection (1) unless—

(a) in the case of a development scheme, application is made to him not later than 12 months after the approval by the Chief Executive in Council under section 9 of the Town Planning Ordinance (Cap. 131) of the plan prepared under section 22(3)(a); or

(b) in the case of a development project, application is made to him not later than 12 months after the authorization by the Secretary under section 21(4), (5) or (7) for the project to proceed.

(3) The Authority shall set out in the application under subsection (1) the following information for consideration of the Secretary—

(a) whether the Authority will implement the development scheme or development project on its own, in association with any other person or persons, or sell the land so resumed to any other person or persons;

(b) for a development scheme, an assessment by the Authority as to the likely effect of the implementation of the development scheme including, in relation to the residential accommodation of persons who will be displaced by the implementation of the development scheme, an assessment as to whether or not, insofar as suitable residential accommodation for such persons does not already exist, arrangements can be made for the provision of such residential accommodation in advance of any such displacement which will result as the development scheme is implemented;
(c) for a development project, an assessment by the Authority as to the likely effect of the implementation of the development project including, in relation to the residential accommodation of persons who will be displaced by the implementation of the development project, an assessment as to whether or not, insofar as suitable residential accommodation for such persons does not already exist, arrangements can be made for the provision of such residential accommodation in advance of any such displacement which will result as the development project is implemented.

(4) A resumption in pursuance of a recommendation by the Secretary under this section shall be deemed to be a resumption for a public purpose within the meaning of the Lands Resumption Ordinance (Cap. 124).

25. Disposal of land resumed under

Lands Resumption Ordinance

(1) The Authority may sell or dispose of land resumed under the Lands Resumption Ordinance (Cap. 124) that it has resumed for the purpose of a development scheme or a development project, unless prior approval for such sale or disposal has been granted by the Chief Executive in Council.

(2) The Authority under delegated authority from entering or inspecting any land or any premises on it under this section he shall produce his authorization and may require any person present on that land or in those premises---

(a) to give details of his identity, name and address and produce his identity card issued under the Registration of Persons Ordinance (Cap. 177) for inspection; or

(b) who appears at the time to be a person responsible for or in charge of that land or those premises to give such information or render such assistance as may be necessary for the purposes of this section.

(3) Where the Authority, the Secretary or any person authorized in writing by the Secretary or the Authority under delegated authority enters any land or premises under an authorization issued under this section he shall produce his authorization and may require any person present on that land or in those premises---

(a) to give details of his identity, name and address and produce his identity card issued under the Registration of Persons Ordinance (Cap. 177) for inspection; or

(b) who appears at the time to be a person responsible for or in charge of that land or those premises to give such information or render such assistance as may be necessary for the purposes of this section.

(4) A resumption in pursuance of a recommendation by the Secretary under this section shall be deemed to be a resumption for a public purpose within the meaning of the Lands Resumption Ordinance (Cap. 124).

26. Power to enter and inspect

(1) The Secretary or any person authorized by him in writing may, at a reasonable time, enter and inspect any land or any premises on it situated within the boundaries of a development scheme or a development project for the purpose of preparing an assessment required by sections 22(3)(c) and 24(3)(b) and (c).

(2) The Secretary may delegate to the Authority the powers to enter and inspect as provided under subsection (1).

(3) An authorization issued under subsection (1) may authorize the Authority or any person authorized by the Authority in writing before the issue of the authorization to enter the land or any premises on it on such occasions and at such times as may be necessary for the purpose for which the authorization was issued.

(4) Where the Secretary, the Authority or any person authorized in writing by the Secretary or the Authority under delegated authority is unable to effect an entry to the land or into any premises on it in accordance with subsection (1), he may serve on the owner and occupier a notice in writing requiring permission to so enter and inspect and after the expiry of 48 hours from the service of the notice he may, at any reasonable time during daylight, enter, using such force as is necessary therefor, and inspect such land or premises and take such particulars as he thinks fit.

(5) Where the Authority or any person authorized in writing by the Secretary or the Authority under delegated authority enters any land or premises under an authorization issued under this section shall produce his authorization and may require any person present on that land or in those premises---

(a) to give details of his identity, name and address and produce his identity card issued under the Registration of Persons Ordinance (Cap. 177) for inspection; or

(b) who appears at the time to be a person responsible for or in charge of that land or those premises to give such information or render such assistance as may be necessary for the purposes of this section.

(6) An authorization issued under subsection (3) shall continue in force until the purpose for which the entry is necessary has been satisfied.

(7) Any person who---

(a) obstructs the Secretary, the Authority or any person authorized in writing by the Secretary or the Authority under delegated authority from entering or inspecting any land or any premises on it under this section;

(b) without reasonable excuse, refuses to give details of his identity, name and address and produce his identity card issued under the Registration of Persons Ordinance (Cap. 177) for inspection when so required under subsection (5)(a); or

(c) without reasonable excuse, refuses to give such information or render such assistance as may be necessary for the purposes of this section when so required under subsection (5)(b), commits an offence and is liable---

(i) on first conviction to a fine of $2,000;

(ii) on second or subsequent conviction to a fine of $10,000.

PART VII

Miscellaneous

27. Secretary may obtain information

The Authority shall upon request by the Secretary afford to him sufficient facilities for obtaining information with respect to the property and affairs of the Authority and shall, in such manner and at such times as the Secretary may require, furnish him with returns, accounts and other information with respect thereto and afford to him facilities for the verification of information furnished.

28. Chief Executive may give directions

The Chief Executive may, if he considers the public interest so requires, give directions in writing to the Authority in relation to the exercise of its powers or the performance of its duties and the Authority shall comply with those directions.

29. Authority may make bylaws

(1) The Authority may make bylaws regulating the conduct of persons within any---

(a) land, building, premises or structure which it has leased, purchased, acquired or otherwise owns or holds and any common parts thereof;
(b) roads, footways, parks, car parks, parking spaces, recreational facilities and similar open spaces, bridges, drains, sewers and water courses and other transport and recreational facilities owned or held by the Authority.

(2) The following provisions shall apply in relation to bylaws made by the Authority under subsection (1)---
(a) any bylaw so made may provide that a contravention of specified provisions thereof shall be an offence and may prescribe penalties therefor not exceeding a fine of $10,000;
(b) without prejudice to any Ordinance relating to the prosecution of criminal offences or to the powers of the Secretary for Justice in relation to the prosecution of criminal offences, prosecutions under any bylaw so made may be brought in the name of the Authority;
(c) all bylaws so made shall be subject to the approval of the Legislative Council;
(d) the Authority shall cause to be printed copies of all bylaws so made which shall be kept at its principal office and be available for sale to any person at a reasonable cost.

30. Service of notices
A notice to be served under this Ordinance may be served by serving a copy---
(a) personally;
(b) by registered post addressed to the last known place of business or residence of the person to be served;
(c) where the notice relates to any premises or part thereof, by leaving the same with an adult occupier of the premises or part thereof to which the notice relates or by posting the same in a prominent position upon or near such premises or upon a conspicuous part of such premises or part thereof; or
(d) where the notice relates to land, by posting the same in a prominent position upon or near such land.

PART VIII
Transitional Provisions
31. Repeal of Land Development Corporation Ordinance
(1) On the same date when Parts II to VIII of this Ordinance come into operation, the Land Development Corporation Ordinance (Cap. 15) shall be repealed and the Land Development Corporation shall be dissolved.

(2) With effect from the date mentioned in subsection (1), any lease, tenancy, permit or licence granted to the Land Development Corporation under the repealed Ordinance and in force immediately before the commencement of Parts II to VIII of this Ordinance shall, on the date when Parts II to VIII of this Ordinance come into operation, continue to be in force and have effect upon the same terms, covenants and conditions as if that lease, tenancy, permit or licence, as the case may be, were granted to the Authority.

(3) With effect from the date mentioned in subsection (1), any document referring to the repealed Ordinance shall, so far as may be necessary for preserving its effect, be construed as referring to or as including a reference to this Ordinance.

(4) Subject to subsections (5) and (6), where at the date of commencement of Parts II to VIII of this Ordinance, a development proposal has been prepared in accordance with section 5(2)(b) of the repealed Ordinance, the development proposal may be continued and completed by the Authority as if the repealed Ordinance had not been repealed and the powers and duties of the Land Development Corporation shall be exercised and performed by the Authority.

(5) Upon the request in writing of the Authority to the Secretary in that behalf, the Secretary may treat section 15(4)(c) and (5) of the repealed Ordinance as having no application to a resumption in pursuance of a development proposal of the description mentioned in subsection (4), and the circumstances specified in section 15(2)(b) of the repealed Ordinance may be construed as being such that the land in respect of which the recommendation for resumption is made is required by the Land Development Corporation to implement such development proposal authorized under section 5(2)(b) of the repealed Ordinance.

(6) The Secretary may request the Authority to furnish him with such information as he considers necessary to justify a request made under subsection (5).

(7) Subject to subsections (8) and (9), where at the date of commencement of Parts II to VIII of this Ordinance, a development scheme has been prepared in accordance with section 13(1) of the repealed Ordinance, the development scheme may be continued and completed by the Authority as if the repealed Ordinance had not been repealed and the powers and duties of the Land Development Corporation shall be exercised and performed by the Authority.

(8) Upon the request in writing of the Authority to the Secretary in that behalf, the Secretary may treat section 15(3)(b) and (5) of the repealed Ordinance as having no application to a resumption in pursuance of a development scheme of the description mentioned in subsection (7), and the circumstances specified in section 15(2)(a) of the repealed Ordinance may be construed as being such that the land in respect of which the recommendation for resumption is made is within the area of a plan which is deemed to be a draft plan by virtue of section 14(3) of the repealed Ordinance.

(9) The Secretary may request the Authority to furnish him with such information as he considers necessary to justify a request made under subsection (8).

32. Transfer of properties, assets, contracts, etc.
(1) All immovable property owned by the Land Development Corporation at the date of commencement of Parts II to VIII of this Ordinance shall, at that date, be owned by the Authority by virtue
of this Ordinance for the residue of the term of years created by the respective Government leases, subject to
the covenants, conditions, stipulations, exceptions, reservations, provisos and powers contained in and
reserved by those respective Government leases.

(2) All permissions and approvals obtained by the Land Development Corporation from the
Town Planning Board, the Secretary, the Financial Secretary, or the Chief Executive in Council which were
in force immediately before the commencement of Parts II to VIII of this Ordinance shall, on the
commencement of Parts II to VIII of this Ordinance, be transferred to the Authority on the same terms and
conditions.

(3) Any movable property, right and privilege vested in the Land Development Corporation
shall, on the commencement of Parts II to VIII of this Ordinance, be vested in the Authority on the same
terms and conditions, and the Authority shall be subject to the same obligations and liabilities to which the
Land Development Corporation was subject at the date of commencement of Parts II to VIII of this
Ordinance.

(4) At the date of commencement of Parts II to VIII of this Ordinance, all books, papers,
documents, minutes, equipment, receipts and accounts relating to the Land Development Corporation and to
its operation under the repealed Ordinance shall be delivered to the Authority.

(5) Every contract, including every employment contract or other agreement with any person,
entered into by the Land Development Corporation which was in force immediately before the
commencement of Parts II to VIII of this Ordinance shall, as from that date, have effect as if the Authority is
substituted for the Land Development Corporation, and the contract or other agreement may be enforced by
or against the Authority.

(6) The legal claims including present, future, actual and contingent claims by or against the
Land Development Corporation and judicial proceedings instituted by or against the Land Development
Corporation that existed immediately before the commencement of Parts II to VIII of this Ordinance, do not
abate by reason only of the fact of the repeal of the Land Development Corporation Ordinance (Cap. 15),
and the Authority is substituted for the Land Development Corporation in any proceedings pending before
any court or tribunal.

(7) The property of the Land Development Corporation owned by it immediately before the
commencement of Parts II to VIII of this Ordinance is transferred to and is owned by the Authority subject
to any existing claim or liability, and the Authority may sue on, recover or enforce a chose in action
transferred by this subsection without having to give notice of the transfer to a person bound by the chose in
action. The Authority may sue on, recover or enforce a chose in action transferred by this subsection without having to give notice of the transfer to a person bound by the chose in action.

(8) Any contributory or non-contributory scheme for payment of provident funds to the
employees of the Land Development Corporation which was in place immediately before the
commencement of Parts II to VIII of this Ordinance shall, as from that date, continue to operate as if the
scheme had been put in place by the Authority. The employees of the Land Development Corporation under
the arrangements of such a scheme shall be taken to be the employees of the Authority, and the Authority shall
replace the Land Development Corporation in all the arrangements of such a scheme.

(9) On the commencement of Parts II to VIII of this Ordinance, the Authority is to repay any
outstanding balance of the loan referred to in paragraph 1(k) of Part I of the Schedule to the Loan Fund
(Cap. 2 sub. leg.) of the Land Development Corporation to the Government under the same terms and
conditions as was determined between the Land Development Corporation and the Government prior to that
commencement.

33. Consequential amendments

(1) Schedule 1 to the Prevention of Bribery Ordinance (Cap. 201) is amended by repealing
item 51 and substituting---
"51. Urban Renewal Authority.”.
(2) Part IVA of the Schedule to the Protection of Investors Ordinance (Cap. 335) is amended
by repealing item 8 and substituting---
"8. Urban Renewal Authority.”.
(3) Part I of Schedule 1 to The Ombudsman Ordinance (Cap. 397) is amended by repealing
"Land Development Corporation” and substituting---
"Urban Renewal Authority”.

SCHEDULE [s. 4]
Provisions with Respect to Board of
Authority and Its Members

1. Terms and conditions of appointment
and dismissal

(1) The Chief Executive shall determine the terms and conditions of appointment of---
(a) the Chairman;
(b) the Deputy Chairman, if any; and
(c) the executive directors;

of the Board of the Authority.

(2) A non-executive director not being a public officer shall hold and vacate his office in
accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for
reappointment.

(3) A non-executive director not being a public officer may at any time resign his office by
notice in writing to the Chief Executive.
5. Board of Authority may establish committees at a meeting of the Board of the Authority.

7. Board of Authority may make and execute any document in the exercise of its powers or the performance of its duties or in connection with any matter reasonably incidental to or
consequent upon the exercise of its powers or the performance of its duties.

(2) Any document purporting to be executed under the common seal of the Authority shall be admitted in evidence and shall, unless the contrary is proved, be deemed to have been duly executed.

(3) A certificate signed by the Chairman of the Board of the Authority that an instrument of the Authority purporting to be made or issued by or on behalf of the Authority was so made or issued shall be conclusive evidence of that fact.

(4) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be entered into or executed under seal, may be entered into or executed on behalf of the Authority by the Chairman of the Board of the Authority or any of its executive director generally or specifically authorized in writing by the Board of the Authority for that purpose.

8. Employees of Authority

(1) The Board of the Authority shall determine---
(a) the remuneration, and the terms and conditions of employment, of the employees of the Authority; and
(b) the standards of work and conduct of the employees of the Authority, and matters relating to their suspension or dismissal from office.

(2) The Board of the Authority shall determine the remuneration and the terms and conditions of engagement of technical and professional advisers, and the manner of their engagement.

(3) The Board of the Authority may---
(a) grant, or make provision for the grant of, pensions, gratuities and retirement benefits to the employees of the Authority;
(b) provide other benefits for the welfare of the employees of the Authority and their dependants; and
(c) authorize payments, whether or not legally due, to the personal representatives of a deceased employee of the Authority or to any person who was dependent on such employee at his death.

(4) The Board of the Authority may---
(a) establish, manage and control; or
(b) enter into an arrangement with the Government, any company or association for the establishment, management and control by the Government, that company or association either alone or jointly with the Authority of, any fund or scheme for the purpose of providing for the pensions, gratuities, retirement benefits and payments referred to in subsection (3).

(5) The Board of the Authority may make contributions to and may require employees to make contributions to any fund or scheme referred to in subsection (4).

Explanatory Memorandum

The objects of this Bill are---
(a) to establish a statutory corporation named the Urban Renewal Authority to replace the Land Development Corporation, for the purpose of improving the built environment of Hong Kong by undertaking urban renewal;
(b) to provide for the structure, purposes and powers of the Urban Renewal Authority; and
(c) to set out procedures for planning and land resumption which relate to development schemes and development projects to be implemented by the Urban Renewal Authority.

2. Part I comprises clauses 1 and 2 is preliminary and, in clause 2, the terms used in the Bill are defined.

3. Part II, which comprises clauses 3 to 6, establishes the Urban Renewal Authority---
(a) clause 3 establishes the Urban Renewal Authority (the "Authority");
(b) clause 4 provides that the members of the Board of the Authority shall be the governing and executive body of the Authority;
(c) clause 5 sets out the purposes of the Authority;
(d) clause 6 sets out the general power of the Authority.

4. Part III, which comprises clauses 7 to 9, deals with the public accountability of the Authority---
(a) clause 7 requires members of the Board of the Authority to declare interests;
(b) clause 8 deals with the duty of public officers to state the public interest;
(c) clause 9 requires the Chairman and executive directors of the Board of the Authority to attend before the Legislative Council if so requested.

5. Part IV, which comprises clauses 10 to 17, deals with the financial side of the operations of the Authority---
(a) clause 10 deals with resources;
(b) clause 11 sets out the borrowing powers of the Authority;
(c) clause 12 deals with lending powers;
(d) clause 13 enables the Government to guarantee the Authority's borrowings;
(e) clause 14 provides for the use of surplus funds;
(f) clause 15 relates to the debt of the Authority;
(g) clause 16 provides for accounts, audit and annual reports;
(h) clause 17 exempts the Authority from taxation.

6. Part V, which comprises clauses 18 to 23, deals with the planning procedures that are required to implement the urban renewal programme---
(a) clause 18 requires the Authority to prepare 5-year forward planned corporate plans;
(b) clause 19 requires the Authority to prepare business plans for each next financial year;
(c) clause 20 deals with the publication of information relating to projects to be implemented by way of a development project or development scheme for the purposes of the urban renewal programme;
(d) clause 21 enables persons who will be affected by projects to make objections to the Authority;
(e) clause 22 deals with projects to be implemented by way of a development scheme for the purposes of the urban renewal programme;
(f) clause 23 requires development projects to be implemented in accordance with any draft or approved plan prepared under the Town Planning Ordinance (Cap. 131).

7. Part VI, which comprises clauses 24 to 26, deals with the resumption of land for the purposes of the implementation of the urban renewal programme---
(a) clause 24 enables the Secretary for Planning and Lands to recommend to the Chief Executive in Council the resumption of land so required;
(b) clause 25 restricts the sale by the Authority of resumed land;
(c) clause 26 provides for powers of entry and inspection.

8. Part VII, which comprises clauses 27 to 30, contains miscellaneous provisions---
(a) clause 27 empowers the Secretary for Planning and Lands to request information from the Authority;
(b) clause 28 empowers the Chief Executive to give directions to the Authority;
(c) clause 29 enables the Authority to make bylaws;
(d) clause 30 provides for the method of service of notices to be served under the Ordinance.

9. Part VIII, which comprises clauses 31 to 33 and a Schedule, is transitional---
(a) clause 31 sets out various matters which are to apply as a result of the repeal of the Land Development Corporation Ordinance (Cap. 15);
(b) clause 32 provides for the transfer, to the Authority, of properties, assets, permissions and contracts;
(c) clause 33 is consequential;
(d) the Schedule sets out the provisions which apply to the Board of the Authority and its members.