

**Measures by Lands Department on the Management of
Placing of Used Clothing Collection Cages in the Streets**

1. Processing of application

- 1.1 According to the Land (Miscellaneous Provisions) Ordinance, no property shall be placed on Government land without applying to Lands Department (LandsD) for permission. For placing of used clothing collection cages in the streets, LandsD would only approve applications from non-profit making organizations. LandsD will require the responsible person of the concerned organization for an assurance that the collection activity will not cause nuisance to the pedestrian and nearby shop operators and will keep the environment clean. LandsD would consult District Offices, Transport Department and Food and Environmental Hygiene Department (FEHD) for advice in all these regards.
- 1.2 In the past year (during 7/2004-6/2005), LandsD received 323 complaints on activities for used clothing collection, mostly on grounds of obstruction, hazard to environmental health or eyesores. On discovering unauthorized placing of used clothing collection cage, LandsD will post notice under provisions of the Land (Miscellaneous Provisions) Ordinance requiring the concerned party to remove the cage before a specified date. If the cage remains there upon expiry of the notice, LandsD will confiscate the cage. According to LandsD's record, most cages would be removed before the specified date. Those cages which still remains will be confiscated. In the past year, LandsD carried out 52 clearances and confiscated 95 cages.

2. Proposal for measures to improve the management

To improve the management of used clothing collection cages placed in the streets, LandsD has prepared guidelines for its district staff to follow so that they may apply them flexibly to cope with their respective situations. The main points of the guidelines are summarized as follows:

- 2.1 District Lands Offices (DLOs) will draw up a list of designated spots and consult government departments concerned and the respective District Councils. Applications outside the agreed designated spots will not be accepted and LandsD will take prompt enforcement action jointly with FEHD against cages placed on spots other than those agreed designated spots. District Lands Office/Kowloon West proposes the location of designated spots shown at **Annex I**. These spots were recently always included into the application for placing clothing collection cages submitted by the non-profit making or charitable organizations in Yau Tsim Mong district. In processing the applications, the concerned government departments such as Hong Kong Police, Transport Department, District Office/Yau Tsim Mong have indicated no objection and such applications were approved by District Lands Officer/Kowloon West.

- 2.2 Organizations wishing to place clothing collection cages on the designated spots must apply in writing to the relevant DLOs at least three weeks in advance. Applications will be processed on a first come first serve basis and should not be submitted earlier than three months to avoid monopoly.
- 2.3 Each application should not involve more than 3 designated spots. The cage shall not be larger than 0.9 m (L) x 0.6 m (W) x 1.5 m (H).
- 2.4 Only applications from non-profit making or charitable organizations will be considered. DLOs may require applicants to submit documents to prove their non-profit making or charitable status (e.g. letter issued by Inland Revenue Department under Section 88 of the Inland Revenue Ordinance), or else, the applications will be rejected.
- 2.5 The approval period will be one day for each application. The applicant will be required to display the approval letter on a conspicuous position of the cage(s).
- 2.6 Only one collection cage will be permitted in any one designated spot.
- 2.7 Applicants are required to empty the collection cages regularly, maintain them in a neat and tidy condition at all times and operate them in such a manner so as not to cause any form of nuisance. Applicants may be required to remove any approved collection cages that have become damaged or dilapidated.
- 2.8 If circumstances warrant, DLOs reserve the right to terminate the approval by giving the applicants a 1-day's notice and the applicants shall arrange to remove the collection cage(s).
- 2.9 Staff of DLOs will work out a patrol programme to ensure that actions against unauthorized cages on unleased land will be taken and to ensure that the conditions laid down in the approval letter are complied with for the approved sites.
- 2.10 If an applicant violates any condition(s) laid down in the approval letter, DLO may give the applicant warnings for rectification, or else the approval will be withdrawn and their articles are liable to forfeiture. Government may recover the clearance and removal costs from the applicant, who will also be barred from application for 6 months.
- 2.11 If DLOs suspect that the unauthorized placing of used clothing collection cages may be for profit making purposes through deceiving the public, DLOs will report the case to the police to ascertain whether a deception case can be substantiated.

3. Consultation and Implementation

- 3.1 DLOs will consult their respective District Councils between October and December this year regarding the above proposal. Comments will be considered for relevant amendments. Tentatively, these measures are scheduled to be implemented in the early next year.

3.2 In the coming months, DLOs will work closely with FEHD to clear the unauthorized cages placed in public streets. By doing so, we hope that the obstruction and environmental problem generated by the unauthorized cages in public streets will be under proper control.

**Lands Department
December 2005**

Cage Hot Spots

Locations within Administrative Boundary of DO/Yau Tsim Mong

	Locations
YTM 1	Pavement at Junction of Canton Road and Public Square Street (pavement near Yau Ma Tei Jockey Club Polyclinic) 佐敦眾坊街與廣東道交界(近油麻地賽馬會分科診所)
YTM 2	Pavement at Junction of Ferry Street and Jordan Road (near Lee Kui Building) 佐敦渡船街及佐敦道交界(近利僑大廈)
YTM 3	Pavement at Junction of Ferry Street and Jordan Road (near Ferry Street Subway) 佐敦渡船街及佐敦道交界(近八文樓隧道口)



