

義捐物資被關愛隊無理強制接收 大埔宏福苑火災義捐財物歸屬

背景：

在2025年11月26日發生的大埔宏福苑五級火災慘劇中，我們看到人間有愛，大量香港人透過社交媒體串連，群起組織臨時義工隊及物資站，並熱心支援在火場受災的災民及家屬。市民群策群力，開發軟件並整理在地資訊及報平安求助方式，災後短短幾小時已經建立好民間自發的支援體制。

自發義工們亦在大埔災場附近設立，並存有大量由不同區域捐助的物資（包括但不限於食物、飲品、衣物、禦寒用品、家居用品如熱水壺等）的物資站。然而在災難發生的兩日後，有義工及居民表示，當區的部分物資站義工被警方強行趕離現場，該些物資站的物資更被當區「關愛隊」強制接收。此舉引起義工及居民的不滿，並擔心相關物資除了不能有效分配，更成為了這些雖自稱「關愛隊」，但實際上在這兩天的災場附近只主力拍照留記錄，而非全力協助災民的無能組織的形象工程和政績。

加上，部分義工亦表示這些「關愛隊」在場只呆站不做事的情況下，更對部分義工發號司令。須知所謂「關愛隊」的制度由港共政府設立之時，已由政權定調為「義工」而非公職人員，為何一介關愛隊義工有權指揮自發義工的權力，以及接管市民捐贈的物資？如有此等冒認公職人員之情況出現，豈非破壞法治，令香港出現官方承認的法外港版「朝陽群眾」、「西城大媽」？

問題：

- 1) 請民政處及民青局提供災場附近的所有避難設施、庇護中心的資料及其管轄單位，以及其負責人職銜。
- 2) 請消防處提供指定災場範圍，及回答上述民政處提供的避難設施列表中，是否有被災場指定範圍包括在內。
- 3) 請警務處提供貴處接管的災場控制區範圍，及執勤範圍，並解釋根據什麼法例或部門守則作為出動的依據。
- 4) 根據《基本法》第105條，香港特別行政區依法保護私人和法人財產的取得、使用、處置和繼承的權利，以及依法徵用私人和法人財產時被徵用財產的所有人得到補償的權利。徵用財產的補償應相當於該財產當時的實際價值，可自由兌換，不得無故遲延支付。請律政司提供政府徵用市民財產的法理依據及相關補償方式，及該些方式是否適用於災難期間由政府或政府委任人員進行的徵用行為，以及相關補償程序。
- 5) 請民青局、保安局、民政事務總署及警務處提供警方對社區會堂等避難設施中進行清場的法例依據，及是否有向關愛隊及其成員進行授權任命代行需擁有公職人員資格方能進行的政府行為，包括但不限於進入及管理該等避難場所的權力。如有，請提供任命該等人士的程序及通知副本，並以列表形式提供以上人員的授權者名稱及職銜、被授權者的名稱及職銜、委任及代行公職人員期間、被授權者所代行的政府職務，及相關人士的利益申報表。
- 6) 請以上部門提供「關愛隊」阻截、接收並接管義工自發組織物資站的法理依據及程序，並回覆是否有透過法定程序由負責公職人員向現場人士確認所有權及進行點算估價，並向該等財物被接收的人士開出回執，以便及後進行補償、認領或取回的程序。
- 7) 根據香港法例第228章《簡易程序治罪條例》第22條 假冒公職人員或假裝能影響公職人員，任何人藉任何作為或不作為假冒公職人員，或假裝能促使公職人員作出或不作出與其職責有關的任何作為或事情，不論是否意圖取得任何有價值的東西，均可處第1

級罰款或監禁6個月。另根據香港法例第210章《盜竊罪條例》第9條，如任何人不誠實地挪佔屬於另一人的財產，意圖永久地剝奪該另一人的財產，即屬犯盜竊罪。如以上所述「關愛隊」人士並未有任行合法授權代表政府執行公權力，並且在沒有法理依據及基礎下自稱公職人員向市民進行財產的徵用，是否構成假冒公職人員及盜竊罪？相關部門會否據此進行調查及執法？

文件提交人：

葉錦龍

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Unjustified Seizure of Relief Supplies by “Care Teams”: Ownership of Donated Goods Following the Tai Po Wang Fuk Court Fire

Background

In the wake of the catastrophic No. 5 alarm fire at **Wang Fuk Court, Tai Po**, on 26 November 2025, we witnessed tremendous compassion among Hong Kong citizens. Through social media mobilisation, residents rapidly organised ad hoc volunteer groups and supply stations to support victims and their families. Members of the public collaboratively developed software, gathered and verified local information, and coordinated safety-check channels. Within mere hours after the disaster, a robust, community-driven relief system had emerged.

Volunteer teams also set up supply stations near the disaster site, holding large quantities of donated goods from across the territory—including, but not limited to, food, drinks, clothing, winter items, and household necessities such as electric kettles. However, two days after the incident, some volunteers and residents reported that police officers forcibly removed volunteers from certain supply stations, after which the goods were taken over by the district's so-called “Care Teams.” This action triggered public discontent, with concerns that, rather than ensuring efficient distribution, the seized goods might instead be used to bolster the image and political performance of these Care Teams—groups that had, in the preceding days, been seen largely photographing and documenting the scene rather than meaningfully assisting victims.

Some volunteers further reported that these Care Team members, despite doing little on site, issued orders to volunteer workers. It must be stressed that the Care Team system, established by the HKSAR Government, designates its members as “volunteers” rather than holders of public office. On what basis, then, do Care Team volunteers possess the authority to direct community volunteers or to take over privately donated supplies? Should any person falsely assume powers reserved for public officers, this would constitute a violation of the rule of law and create an officially sanctioned, extralegal equivalent of mainland groups such as the “Chaoyang Masses” or “Xicheng Damas.”

Questions

1. To HAD and HYAB:

Please provide the list of all emergency shelters and temporary refuge centres in the vicinity of the disaster site, along with their managing authorities and the titles of the officers-in-charge.

2. To FSD:

Please provide the designated boundary of the disaster site as defined by the Department, and indicate whether the above-mentioned shelters (as listed by HAD) fall within this designated zone.

3. To HKPF:

Please provide the delineation of the Police-controlled disaster control area, the scope of deployment, and the statutory or departmental basis authorising such deployment.

4. To DoJ:

Article 105 of the Basic Law protects the rights of individuals and legal persons to acquire, use, and dispose of property, and stipulates that compensation must be provided where property is lawfully requisitioned.

Please provide the legal basis and compensation mechanism for any government requisition of citizens' property, and clarify whether such mechanisms apply to requisitions conducted by government personnel or persons appointed by the Government during a disaster, including the relevant compensation procedures.

5. To HYAB, SB, HAD, and HKPF:

Please provide the statutory basis for Police clearance operations within community halls or other shelter facilities, and clarify whether any authorisation or appointment was granted to Care Team members enabling them to execute government functions requiring public-officer authority—including but not limited to entry into, and management of, such facilities.

If authorisations were issued, please provide:

- copies of the appointment notices,
- the names and titles of the authorising officers,
- the names and titles of the appointees,
- the duration of appointment and duties authorised, and
- declarations of interests submitted by these individuals.

6. To all relevant departments:

Please provide the legal basis and procedures under which Care Teams were permitted to block, receive, or take over volunteer-run supply stations, and clarify whether any statutory procedures were followed—such as verifying ownership, conducting valuation, issuing receipts to affected parties, and establishing mechanisms for compensation, reclaiming, or retrieval of seized goods.

7. To HKPF and DoJ:

Under the Summary Offences Ordinance (Cap. 228) section 22, impersonation of a public officer is an offence punishable by a level 1 fine or imprisonment for six months. Under the Theft Ordinance (Cap. 210) section 9, dishonest appropriation of property belonging to another constitutes theft.

If Care Team members acted without lawful authority yet claimed public-officer powers to requisition property without a legal basis, would such conduct constitute impersonation of a public officer and/or theft? Will the relevant departments investigate and enforce the law accordingly?

Submitted by:

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自發物資地圖(來源:宏福苑報平安 物資地圖 <https://taipo-fire.web.app>
<https://experience.arcgis.com/experience/22b9d309e69548f28d2f4055d4de5ace>)



市民表示財物被自稱「關愛隊」人士強制徵收的內容

> 關愛隊 2小時



大家早晨 想講下琴晚大埔現場發生咗咩嘢事
有居民喺大埔嘅物資站見到班防暴警察
同一時間 有交通警喺附近抄牌
而好多中招嘅都係嚟運送物資嘅市民
全港嘅市民呢兩日示範有錢出錢、有力出力
而大家頻撲完成晚之後
朝早關愛隊開始蒲頭
有義工問佢哋係點樣分物資
有個着住關愛隊背心嘅阿姐答「咩點樣分物資？」
有啲就 on99 咁企喺度做企鵝以為自己幫緊手
又有啲就翹埋雙手望住義工搬上搬落
去到晏晝
佢哋開始「接管」啲社區中心
民眾義工喺後面做嘢
呢班人就喺前面同物資影大合照
然後就限制非受災居民進入社區中心
再到夜晚
麥美娟話多謝市民捐物資比佢哋政府嘅庇護中心
而關愛隊就正式接管咗文娛中心
要求義工離開場地 打算接手民眾自發捐贈嘅物資
有義工聽到即刻漏夜將物資運走
雖然幫人係應該不分立場、不分你我
但做就人哋做、出又係人哋出

Citizens reported the contents of property that were forcibly seized by individuals claiming to be part of the “Care Team.” :

Good morning everyone. I’d like to talk about what happened last night at the scene in Tai Po.

Some residents saw riot police appearing at the volunteer-run supply station in Tai Po. At the same time, traffic police were issuing tickets in the nearby area — and many of those fined were citizens who came to deliver supplies.

Over the past two days, people from all over Hong Kong have shown what genuine solidarity looks like.

Those who had money contributed money; those who had strength contributed strength. Everyone worked nonstop until late at night to get things done.

But come the next morning, the **Care Teams** started to surface.

Some volunteers asked them how they planned to distribute the supplies. One woman wearing a Care Team vest simply replied, **“What do you mean, how to distribute supplies?”**

Some of them just stood around cluelessly, like penguins, thinking they were helping. Others simply folded their arms and watched volunteers move heavy boxes up and down.

By the afternoon, they began **“taking over”** community centres.

While the citizen volunteers were working in the back, this group stood at the front taking **big group photos with the donated supplies.**

They then **restricted non-affected residents from entering** the community centre.

By nightfall, Secretary for Home and Youth Affairs Mak Mei-kuen publicly *thanked citizens for donating supplies to the government’s shelters* —

and the Care Teams then **formally took control of the Cultural and Recreational Centre**, ordering volunteers to leave the premises and preparing to take over the supplies that had been collected voluntarily by the public.

Some volunteers, upon hearing this, immediately moved the supplies away overnight.

Helping others **should** transcend political stance and identity.

But in this situation, **the hard work was done by the people, and yet the credit was taken by others.**