

**Bills Committee on
Landlord and Tenant (Consolidation) Amendment Bill 2001**

List of outstanding actions

Administration's response

1. To advise the increase in the number of claims for interest in respect of rent in arrears by landlords in proceedings for recovery of rent as a result of advice given by staff of the Rating and Valuation Department (RVD). (*meeting on 8 July 2002*)
2. To advise the compliance rate whereby repossession of premises can be completed within 103 days. (*meeting on 8 July 2002*)
3. To provide the required manpower and financial resources to the Lands Tribunal with a view to expediting the repossession procedures. (*meeting on 8 July 2002*)
4. To consider vesting RVD with the power to deal with tenancy disputes not exceeding a prescribed amount of money as in the case of labour disputes by the Labour Department. (*meeting on 8 July 2002*)
5. To ask the Judiciary Administrator to consider including in Form 22 (Notice of application under the Landlord and Tenant (Consolidation) Ordinance (Cap. 7) (LTO)) applications for interest for rent in arrears and disposal of properties left in premises by tenants. (*meeting on 16 July 2002*)
6. To include an undertaking in the speech to be delivered by the Secretary for Housing, Planning and Lands at the resumption of Second Reading debate on the Bill that the provision of false information by tenants should be included in the context of the comprehensive review of the security of tenure provisions under LTO. The involvement of the sub-tenants in the legal proceedings at which the principal tenant was in default of rent payment should also be considered. (*meeting on 23 July 2002*)
7. To seek advice from the Judiciary Administrator on the bailiff resources and procedure in the event of repossession of premises and disposal/valuation of left over property. Consideration should also be given to including in the Form 22 or the Writ of Possession a claim for the disposal of properties left in premises. (*meeting on 31 July 2002*)
8. To ensure that tenants' and sub-tenants' compensation in the event of redevelopment of their premises will not be reduced as a result of the proposed change of the law. (*meeting on 31 July 2002*)

9. To inform the Bills Committee of the progress of the review of the Police internal guidelines on handling of disputes between landlords and tenants. (*meeting on 31 July 2002*)
10. To arrange to notify the Housing Panel of the commencement of provisions of the Bill. (*meeting on 31 July 2002*)

Committee Stage amendments (CSA) -

11. To prepare a CSA to reflect the legislative intent of forbidding a tenant to claim for relief from forfeiture more than once per tenancy unless with good cause as determined by the Court. (*meeting on 16 July 2002*)
12. To introduce CSA to proposed section 144 to the effect that the implied forfeiture clauses newly moved under clause 11 of the Bill should be applicable only to new tenancy agreements signed after enactment of Bill. (*meeting on 23 July 2002*)
13. To consider redrafting CSA for the proposed section 117(3)(d) with reference to the Buildings Ordinance (Cap. 123) regarding unauthorized alteration and to provide the revised draft of clause 11 to the Clerk for onward submission to the Hong Kong Bar Association and the Law Society of Hong Kong for comments. (*meeting on 31 July 2002*)
14. To introduce CSA to amend the hours of entry upon a warrant for possession of premises under section 131 (a) to “between 9 am and 7 pm”. (*meeting on 31 July 2002*)
15. To review the drafting of the English and Chinese versions of the Bill to ensure consistency. (*meeting on 31 July 2002*)

Legislative Council Secretariat
23 September 2002