

**Extract from minutes of meeting of Subcommittee on review of the
Building Management Ordinance of Home Affairs Panel on 10 July 2002**

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Establishment of a non-statutory mediation mechanism to resolve building management disputes

20. The Chairman enquired about the progress in the development of a non-statutory mediation mechanism to resolve building management disputes. Mr Albert HO suggested that the Administration should consider empowering the Lands Tribunal in the legislation to refer building management disputes to a mediation mechanism operated by the Home Affairs Department for settlement, in order to save the substantial legal costs incurred for legal proceedings on such disputes.

21. PAS(HA)5 responded that the Administration had to assess the effectiveness of a non-statutory mediation mechanism to resolve building management disputes before formulating a proposal for members' consideration. She pointed out that currently mediation bodies did not require their mediators to be accredited and persons in possession of a professional expertise could become a mediator after receiving certain training in mediation. Furthermore, according to the Hong Kong Mediation Centre and the Hong Kong Mediation Council, there was at present a limited supply of qualified mediators in respect of building management disputes.

22. Assistant Director of Home Affairs (4) supplemented that the Administration was liaising with Hong Kong Mediation Centre and Hong Kong Mediation Council on the detailed arrangements for provision of free mediation services at Building Management Resources Centres (BMRCs). A total of eight dispute cases would be given to the two organisations for their assessment on whether the cases were mediable and for the provision of appropriate mediators. In addition, the two organisations had agreed to conduct publicity workshops on mediation services in July, August and September 2002. Subject to the assessment of the two organisations on the eight cases, the parties involved in the dispute cases would be invited to attend the workshops. The Administration would assess the effectiveness of the free mediation services in respect of the dispute cases concerned and revert to the Subcommittee in due course. She added that so far the two organisations had not confirmed the number of qualified mediators available for handling building management disputes.

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