



# 街坊工友服務處 立法會議員梁耀忠辦事處

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致：立法會《2007 年房屋（修訂）條例草案》委員會

本人擬因應以下兩項原意，提出附件中所述的修正案：

**1) 維持租金檢討期 3 年一次**

在 1997 年立法局修訂《房屋修例》時，本人提出修訂，要求參考房屋委員會對商業租戶的做法，每 3 年才檢討公屋住戶租金一次，令居民有較長的租金穩定期，以避免頻繁加租，影響他們的生活。該修訂最終獲立法局通過。

有見政府今次提出的草案，把 3 年的檢討期，回復至 2 年，本人對該做法有保留，並提出相關修訂，把租金檢討期維持在 3 年一次。

**2) 加入新加租上限，每次加租加幅最大不超過 10%**

政府是次提出的草案，把原本的租金調整上限撤走，令居民擔心，日後政府可無止境加租。為此，本人提出相關修訂，加入新的加租上限，每次加租的幅度不能超逾 10%，以保障公屋居民。

現附上有關修正案，以供法案委員會省覽，謝謝！

立法會議員梁耀忠

二零零七年五月二十九日

**HOUSING (AMEMDMENT) BILL 2007**

**COMMITTEE STAGE**

Amendments to be moved by the Honourable LEUNG Yiu-chung

<u>Clause</u>	<u>Amendment Proposed</u>
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4 By deleting the clause and substituting -

**“4. Section added**

The following is added –

**“16A. Variation of rent for residential estates**

(1) The Authority shall review the relevant rent –

(a) as soon as practicable after [1 January 2011]; and

(b) as soon as practicable after the third anniversary of the expiry date of the second period for the last review under this subsection.

(2) Despite section 16, the Authority shall not vary the relevant rent unless the variation is carried out under subsection (4).

(3) This section –

(a) does not apply to –

(i) an adjustment in the rent of a residential tenant where the total household income or total value

of the household assets, or a combination of that income and that value, as determined by the Authority, is greater than a threshold established by the Authority for the purposes of an increase in the rent; and

- (ii) a re-adjustment in the rent of that tenant where the total household income or total value of the household assets, or a combination of that income and that value, as determined by the Authority, is less than that threshold; and

(b) does not apply to –

- (i) an adjustment in the rent of a residential tenant where the total household income or total value of the household assets, or a combination of that income and that value, as determined by the Authority, is less than a threshold established by the Authority for the purposes of a reduction in the rent; and

- (ii) a re-adjustment in the rent of that tenant where the total household income or total value of the household assets, or a combination of that income and that value, as determined by the Authority, is greater than that threshold.

(4) Subject to subsections (5), the Authority -

- (a) if satisfied on a review of the relevant rent that the income index for the second period is higher than the income index for the first period by more than [0.1%], shall as soon as practicable after the review increase the relevant rent by the rate of the increase of the income index or 10%, whichever is the less; and
- (b) if satisfied on a review of the relevant rent that the income index for the second period is lower than the income index for the first period by more than [0.1%], shall as soon as practicable after the review reduce the relevant rent by the rate of the reduction of the income index.

(5) The Authority shall not vary the relevant rent -

- (a) on or before [1 January 2011]; or
- (b) where the relevant rent is varied under subsection (4), within 3 years after the date of the last variation.

(6) In varying the relevant rent, the Authority may round down the amount of the relevant rent to the nearest dollar.

(7) For the purpose of a review of the relevant rent -

- (a) the Authority may compile -

- (i) an index that reflects the level of the mean monthly household income of any class of residential tenant over the first period; and
  - (ii) an index that reflects the level of the adjusted mean monthly household income of that class of residential tenant over the second period; and
- (b) the Commissioner for Census and Statistics shall, in relation to the compilation of such an index, compute the index.

(8) In this section –

“adjusted mean monthly household income”(經調整後的家庭每月平均收入), in relation to any class of residential tenant identified for the purpose of a review of the relevant rent, means the mean monthly household income of that class of residential tenant assessed on the basis of the distribution of the household size of that class of residential tenant over the first period for that review;

“first period”(第一期間) –

- (a) in relation to the first review of the relevant rent after[1 January 2011], means a period of 12 months expiring on [31 December 2007];
- (b) in relation to a subsequent review of the relevant rent, means –

(i) the second period for the last review of the relevant rent in consequence of which the relevant rent was varied; or

(ii) in the absence of a review in consequence of which the relevant rent was varied, a period of 12 months expiring on 31 December 2007;

“income index”(收入指數) means an index computed under subsection (7)(b);

“land”(土地) does not include land in respect of which the Authority has granted to a person a licence, or a permit, to occupy;

“relevant rent”(有關租金) means the rent subject to the payment of which any land in an estate is let for residential purposes under section 16(1) but does not include the rent of a residential tenant who is required to pay a higher rent after an adjustment under subsection (3)(a)(i) or is permitted to pay a lower rent after an adjustment under subsection (3)(b)(i);

“residential tenant”(住宅租戶) means a tenant of the land in an estate let for residential purposes under section 16(1);

“second period”(第二期間) –

(a) in relation to the first review of the relevant rent after 1 January 2011, means a period of 12 months expiring on 31 December 2010; or

(b) in relation to a subsequent review of the relevant rent, means a period of 12 months

expiring on the third anniversary of the expiry date of the second period for the last review.”.