

(Translation)

**Motion on
“Implementing a licensing regime for property management companies
and establishing a Building Affairs Tribunal”
moved by Hon CHOY So-yuk
at the Legislative Council meeting
of Wednesday, 8 November 2006**

Motion as amended by Hon Alan LEONG Kah-kit and Hon James TO Kun-sun

“That, in order to enhance the existing building management standard, avoid malpractices and effectively deal with disputes involving the management of private buildings (including those public housing estates and Home Ownership Scheme courts the management of which has been outsourced to private management companies), this Council urges the Government, apart from clearly defining the powers and responsibilities of the parties concerned in the Building Management Ordinance and by establishing a mechanism for amending extremely unreasonable provisions in the deed of mutual covenants, to expeditiously implement a licensing regime for property management companies and, through preventing conflict of interests and enhancing financial transparency, to strengthen their regulation and ensure fair competition in the property management market and, at the same time, establish a Building Affairs Tribunal to streamline and speed up the handling of the increasing disputes among owners, developers, owners’ corporations and property management companies; and conduct a study on establishing a mechanism to assist small property owners in resuming their management right in the situation of the existence of a sub-deed of mutual covenant so as to safeguard their interests.”