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14 April 2009

By Fax and Email

Ms Betty FONG
Clerk to the Panel on Home Affairs
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

(Fax number: 2509 9055)
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Dear Ms FONG,

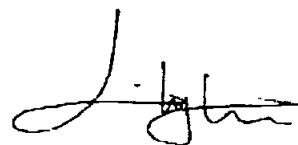
**Panel on Home Affairs
Declaration Requirement for Management Committee Members
Building Management (Amendment) Bill**

At the meeting on 20 March 2009, the Under Secretary for Home Affairs reiterated the key discussions with Panel members on 12 December 2008 on the statutory declaration requirement for Management Committee members and hence not introducing in the current legislative session the Building Management (Amendment) Bill. She agreed to provide a written response with updates on the administrative measures taken to facilitate compliance with the statutory declaration requirement for Management Committee members. We would like to provide details as follows for Members' information.

We consulted Members at the meeting on 12 December 2008 regarding the existing statutory declaration requirement for Management Committee members of an Owners' Corporation under the Building Management Ordinance. It was noted that while some Management Committee members found it inconvenient to make a statutory declaration, Management Committee members had a vital role to play in the operation of Owners' Corporations and they should make a serious and solemn statutory declaration under the requirement of law. There were different views on retaining the existing statutory requirement for making the declaration before a third party. As such, Members considered that the Administration should explore administrative measures to assist Management Committee members to observe the existing statutory requirement such as provision of declaration services during outside office hours.

In the light of Members' views, we have enlisted the support of the Hong Kong Housing Society in providing declaration services at four Property Management Advisory Centres (two in Hong Kong Island, one in Kowloon and one in New Territories). Starting from February 2009, these Property Management Advisory Centres have provided declaration services by prior appointment on Saturdays. This new service is on top of the existing declaration services provided at the Public Enquiry Service Centres of District Offices and Land Registry offices during office hours. As the statutory declaration requirement would be retained, we would not pursue legislative amendments to amend the requirement in the current legislative session and shall continue to explore further administrative measures to facilitate compliance with the existing statutory declaration requirement.

Yours sincerely,



(Miss Lily LEE)
for Director of Home Affairs

cc Home Affairs Bureau (Attn: Miss Alice PANG)