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Ms Winnie SO
Principal Assistant Secretary for Development
(Planning and Lands) 4
9/F, Murray Building
Garden Road
Central
Hong Kong

26 January 2010

BY FAX
Fax No.: 2905 1002

Dear Ms SO,

**Land (Compulsory Sale for Redevelopment)
(Specification of Lower Percentage) Notice (L.N. 6 of 2010)**

I am scrutinizing the legal and drafting aspects of the above Notice. I would be most grateful if you may clarify the matter set out below.

Section 4(1)(a) of the Notice provides that –

- "(1) The following classes of lot are specified for the purposes of section 3 –
(a) a lot with each of the units on the lot representing more than 10% of all the undivided shares in the lot;"

If each of the units on the lot represents less than 10% of all undivided shares in the lot, except one particular unit, it appears that section 4(1)(a) is not applicable. If this is the correct interpretation, please explain how the policy objective set out in paragraph 11 of the LegCo Brief (File Ref. : DEVB(PL-UR)70/41/85)¹ can be achieved.

¹ According to paragraph 11, the policy objective is "to address deadlock situations where the majority owner(s) cannot proceed to a compulsory sale application despite the acquisition of all units but one in the lot when the remaining one un-acquired unit accounts for more than 10% of the undivided shares in the lot."

I shall be most grateful if you could provide your response to me in Chinese and English before the **close of play on 27 January 2010**.

Yours faithfully,

(Kelvin Ka-yun LEE)
Assistant Legal Adviser

c.c. LA
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DoJ (Attn.: Miss Francoise LAM, SGC) (Fax : 2869 1302)