九廣鐵路公司向地政總署發出的信件

- 1. 2010年12月6日的信件
- 2. 2010 年 12 月 13 日的信件(夾附長江實業地產發展有限公司("長實")2010 年 12 月 9 日發出的信件)
- 3. 2010年12月22日的信件
- 4. 2011年1月4日的信件(夾附經長實轉交億成投資有限公司 2010年12月21日的信件、地政總署 2010年12月17日發出的信件以及長實 2010年12月21日發出的信件)
- 5. 2011年1月18日的信件
- 6. 2011年1月21日的信件(夾附長實 2011年1月15日發出的信件)
- 7. 2011 年 2 月 1 日的信件
- 8. 2011 年 2 月 11 日的信件(夾附經長實轉交億成投資有限公司 2011 年 1 月 31 日的信件)
- 9. 2011年2月23日的信件
- 10. 2011年3月9日的信件(夾附 2010年11月20日的傳媒報導副本)
- 11. 2011年3月24日的信件
- 12. 2011 年 4 月 14 日的信件
- 13. 2011 年 4 月 27 日的第一封信件
- 14. 2011 年 4 月 27 日的第二封信件
- 15. 2011 年 4 月 29 日的信件
- 16. 2011 年 5 月 3 日的第一封信件
- 17. 2011 年 5 月 3 日的第二封信件
- 18. 2011年5月4日的信件

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Secretarial & Legal Department - Property

22/F., MTR Headquarters Building.

Telford Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tel: 2993 3918

Direct Fax: 2993 7736 E-mail: maychang@mr.com.hk 1 . 27 . 27

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/104/10/TWMC-PS Your Ref.: LACO/RD 4/580/2010 Pt.2

Date: 6 December 2010

By Fax (2119 0754) and By Hand

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18/P., North Point Government Offices
333 Java Road
North Point
Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Sha Tin Town Lot No. 529 ("the Development") Phase 2 of the Development

We refer to your letter of 30 November 2010 to KCRC, to which we are replying.

We refer to the "Statement" referred to in your letter (which we assume to be "今天 (i.e. 19 November 2010) 買盛資絕對不受新的政府措施影響!"). We do not consider it appropriate to comment on the Statement.

We have no knowledge of the Statement and the date and time when it was first published. We do not know whether any purchaser has been affected by the Statement.

Our record shows that a total of 157 units in Phase 2 of the Development were sold for the whole day of 19 November 2010.

Yours faithfully,

May Chang

Legal Advisor - Property

MTR Corporation Limited

for and on behalf of

Kowloon-Canton Railway Corporation .

MTR Tower, Telford Plaza, Kowloon Bay, Kowloon, Hong Kong. GPO Box 9916, Hong Kong Tel (852) 2993 2111 Fax (852) 2798 8822 香港九龍灣德福廣場港鐵總部大樓 香港郵政總局在給9916號 章話 (852) 2993 2111 - 傳賞 (852) 2798 8822

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Secretarial & Logal Department - Property

22/F., MTR Headquarters Building, Taiferd Plaza, Kowloon Bay

Kowkoon, Hong Kong Direct Tel: 2993 3918 Direct Fax: 2993 7736 E-mail: maychang@nur.com.hk

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/106/10/TWMC-PS

Your Ref.: LACO/RD 4/580/2010 Pt.2

13 December 2010

By Fax (2119 0754) and By Hand

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18/F., North Point Government Offices
333 Java Road
North Point
Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ('the Development'')
Phase 2 of the Development

I refer to your letter of 8 December 2010.

I enclose a copy letter from Cheung Kong Property Development Limited ("CKPD") of 9 December 2010 which is self-explanatory for your attention. As confirmed by CKPD, the "Statement" was only a personal statement of Mr. Kwok made in his private and personal blog expressing his personal understanding of the announcement of the Government's new anti-property speculation measures.

Yours faithfully,

May Chang
Legal Advisor - Property
MTR Corporation Limited
for and on behalf of

Kowloon-Canton Railway Corporation

Encl.

MTR Tower, Telford Plaza, Kowłoon Bey. Kowloan, Hong Kong. GPO Box 9916, Hong Kong Tel (852) 2993 2111 Fax (852) 2798 8822

Received on

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g DEC 2012 By Secrets of E Legal Department

長江實業地產發展有限公司 CHEUNG KONG PROPERTY DEVFLOPMENT LIMITED

BY FAX NO 2993 7736 & BY POST

Your Ref: S&L/MC/104/10/TWMC-PS.

Our Ref: YKM/C0096/10-pw

December 09, 2010

MTR Corporation Limited MTR Headquarters Building Telford Plaza Kowloon Bay Kowloon Hong Kong SAR

ATTENTION: Ms May CHANG

Dear Sirs

Re: Sho Tin Town Lot No 529 ("the Lot")

Festival City Phase 2 ("the Development")

We refer to the letter from Lands Department to you dated December 08, 2010 regarding the Statement (as defined therein) made by Mr. Kwok Tse-wai ("Mr. Kwok").

According to Mr. Kwok:

- He cannot recall the exact time when he made the Statement in his private and personal blog that night; and
- 2. He further explains that the Statement was only a personal statement in his private and personal blog expressing his personal understanding of the announcement of the Government's new anti-property speculation measures shortly after the same was released and was induced and triggered by the Financial Secretary's remarks at the press conference on 19 November 2010, which is extracted in the below:

"記者:另外,關於明天起生效方面,早前簽寄了臨時合約的都會包括在 內,還是由明天起才計算?

财政司司長:明天起才計算。"

CONT'O..../P.Z

7-12/F Cheung Kong Center, 2 Queen's Road Central, Hong Kong Tel: (852) 2128 8886 / (852) 2526 6911 Fax: (852) 2845 2940

09-DEC-2010 16:31 14-DEC-2010 11:49 25374307 29937736 97% 98%

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P.01

P.02

14-DEC-2010 12:05

CONTINUATION

.../P.2

Your Ref: S&L/MC/104/10/TWMC-PS

Our Ref: YKM/C0096/10-pw

December 09, 2010

MTR Corporation Limited

Hong Kong SAR

in the absence of information about the exact time that the Statement was made by Mr. Kwok, the exact number of sales which took place thereafter and just before mid-night of November 19, 2010 cannot be ascertained.

CHEUNG KONG PROPERTY DEVELOPMENT LIMITED

Yours faithfully

CHEUNG KONG PROPERTY DEVELOPMENT LTD

as agent for and on behalf of

EAST CITY INVESTMENTS LTD

Emmanuel K M YIP

Chief Manager - Legal

/pw

Secretarial & Legal Department - Property

22/F., MTR Headquarters Building, Telford Plaza, Kowkom Bay

E-mail: maychang@mtr.com.lik

Kowloon, Hong Kong Direct Tel : 2993 3918 Direct Fax: 2993 7736

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref. : S&L/MC/113/10/TWMC-PS Your Ref: LACO/RD 4/580/2010 Pt.2

Date: 22 December 2010

By Fax (2119 0754) and By Hand

Lands Department Legal Advisory and Conveyancing Office Railway Development Section 18th Floor, North Point Government Offices 333 Java Road North Point Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot") Phase 2, Festival City

We refer to your letter of 17 December 2010.

As a few of the key personnel involved in the present case are on leave and we need more time to gather the information requested by you, we should be grateful if you could extend the latest time required to respond to your letter to 6:00pm on 4th January 2011.

Yours faithfully,

May Chang

Legal Advisor - Property

MTR Tower, Telford Plaza, Kowloon Bay. Kowloon, Hong Kong. GPO 80x 9916, Hong Kong Tel (852) 2993 2111 Fax (852) 2798 8822

苍港九龍灣伽湛區屬場港鐵線部大楼 香港郵歌總局信和9916號 電話 (852) 2993 2111 傳真 (852) 2798 8822

Secretarial & Legal Department - Property 22/F., MTR Headquarters Building.

Telford Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tel: 2093 7661

Direct Fax: 2993 7736 E-mail: findali@mtr.com.hk

MTR Corporation Limited 暂港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/2/11/TWMC-P2-PS Your Ref: LACO/RD 4/580/2010 Pt.2

Date: 4 January 2011

By Fax (2119 0754) and By Hand

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 17 December 2010 in respect of the Development.

We would opine that comments relating to newly announced Government policies, which effect may not be clear at the material time, should not be made until after clarification from the Government has been sought.

We have already advised our sales agent to be cautious when making any statement and where it is necessary or appropriate, to clarify the policy intent with the Government on any newly announced Government policies which may impact on the Development before making any comments thereon.

Pursuant to your said letter, we have obtained further clarification from our sales agent. We enclose our letter to the sales agent and their reply both dated 21 December 2010 for your attention.

Since the letter dated 21 December 2010 from our sales agent, we have made further enquiries with them. They confirmed again that they do not have record of the number of sales which took place between 5:00pm and mid-night of 19 November 2010. Nevertheless, they estimated (which is their best estimate but cannot be guaranteed for accuracy) that according to the stock taken at around 9:00pm on 19 November 2010, there were about 152 committed



sales. Thereafter, there were about another 5 committed sales until mid-night of 19 November 2010. I hope this estimate is helpful.

Yours faithfully,

Linda Li

Legal Manager - Property MTR Corporation Limited

for and on behalf of

Kowloon- Canton Railway Corporation

Encl.

MTR Corporation Limited 香港鐵路有限公司

www.intr.com.hk

Our Ref.: S&L/MC/111/10/TWMC

Date: 21 December 2010

Past City Investments Limited c/o Cheung Kong Property Development Limited 8th Floor, Cheung Kong Center, 2 Queen's Road Central, Hong Kong

Attn: Mr. Emmanuel Yip



Socretarial & Legal Department - Property 22/F., MTR Headquarters Building, Tufford Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tel : 2993 3918
Direct Fax: 2093 7736
E-mail: maychang@mir.com.hk

By fax (2845 2940) and by hand

Dear Sirs.

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

I attach a copy letter from LACO dated 17 December 2010 in respect of the Development for your urgent attention.

In view of the queries raised by LACO, please let me have your replies to the following:

- 1. In relation to the "Statement" made by Mr. Kwok, please confirm:-
 - (a) whether in your view as the sales agent the making of the Statement by Mr. Kwok is appropriate, bearing in mind that Mr. Kwok is the senior executive of Cheung Kong Property Development Limited; and
 - (b) whether it was appropriate for such a statement to have been made by Mr. Kwok in the tone that it was made in regard to the Development at that particular time.
- 2. You have previously mentioned that Mr. Kwok could not recall the exact time of when he made the Statement. Please confirm the number of sales which took place from 5:00pm on 19th November 2010 to mid-night of 19th November 2010; the number of those sales which have been cancelled (if any); and on what terms and conditions those sales (if any) were cancelled.

Please let me have your replies to the above by no later than 5:00 pm on 22 December 2010.

Yours faithfully,

May Chang Legal Advisor - Property

Encl.

MTR Townr, Telford Plaza, Kowlunn Bay. Kowloon, Hong Kong. GPO 80x 9916, Hong Kong Tel (85)) 2993 2111 Fax (852) 2798 8k/2

17-DEC-2010 14:55 FROM LACD/PARD

TO 29937736

P.81

Please quote our reference in your reply



地 政 接 答 法 体 諮 詢 及 田 土 轉 品 腐 LEGAL ADVISORY AND CONVEYANCING OFFICE LANDS DEPARTMENT

昭 話 Tel:

2231 3535

置文傳译 Fux:

2119 0754

電部地址 Email:

monicalo iaco@landsd.gov.hk

本署相別 Our Ref:

LACO/RD 4/580/2010 Pt. 2

來面檔號 Your Red.:

S&L/MC/106/10/TWMC-PS

我们失志努力不能,提供重要重要的土均行政反應。 We strive to achieve coordience in last administration. 香港北角運擎提三三三號北角政府合單十八樓 18/F., NORTH FOINT GO VERNMENT OFFICES 333 JAVA ROAD, NORTH POINT, HONG KOND

翻址 Website: www.landsd.gouhk

17 December 2010

Kowloon-Canton Railway Corporation
c/o MTR Corporation Limited
MTR Headquarters Building
Telford Plaza
Kowloon Bay
Kowloon

Attn.: Ms May Chang

By Fax (2993 7736) & By Post

Dear Sirs.

Sha Tin Town Lot No. 529 ("the Lot") Festival City Phase 2 ("the Development")

I refer to your letter dated 13 December 2010 which was received by me on 14 December 2010.

You have conveyed the confirmation by the Cheung Kong Property Development Limited (CKPD) that the "Statement" was "only a personal statement of Mr Kwok made in his private and personal blog expressing his personal understanding of the announcement of the Government's new anti-property speculation measures". We note that Mr Kwok is a senior executive of CKPD which acts as your sales agent in respect of the Development and that Mr Kwok is reported to have been closely related to the sale of the units thereof. As the grantee of the Lot to whom my presale consent was given on 20 October 2010, you have the full responsibility for the Development including all matters relating to the sale of the units thereof. Please let me have your comments (as requested in my letters of 30 November 2010 and 8 December 2010) as to whether in your view the making of the Statement is appropriate, and in particular whether it was appropriate for such a statement to have been made by Mr Kwok in the tone that it was made in regard to the Development at that particular time.

I note it was claimed that Mr. Kwok could not recall the exact time when he made the Statement, but I take it that you should not have great difficulty in finding out from him or other sources the rough time when the Statement was made, and on that basis let me know the number of sales which took place from around the time of the making of the Statement to the

This mercupe and any conclusions is intended for the survey the addresses only. It may contain information which is confidential and/or togethy privileged. You are horses notified that no unauthorized discharges or set of this menage is parallel. If you have neurical this increase by whathe, places notifie us burnedistry and delace or decorp this memage, as expression. Any littling artiring from the use of this information is contained.

幣時數額地稅 - 以免緊視受損 Don't put your property at risk- make sure the Government rent le prid!

17-DEC-2010 15:11

LACO/PARD

P.01

17-DEC-2010 14:55 FROM LACD/PAR

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P.02

inch hafens wid wishs at 10 Mr. and a gotto about the section of

time just before mid-night of 19 November 2010; the number of those sales which have been cancelled (if any); and on what terms and conditions those sales (if any) were cancelled.

Please let me have your reply in writing by noon 23 December 2010.

All Government's rights in this matter, including those under my consent letter dated 20 October 2010, are reserved.

Yours faithfully,

Monice lo

(Ms. Monica LO)
Senior Solicitor
for Director of Lands

ML/lyy

TOTAL P.02 P.02

17-DEC-2010 15:11

LACO/PARD

98%

98%

BY FAX NO 2993 7736 & BY HAND

Your Ref : S&L/MC/111/10/TWMC Our Ref : YKM/C0107/10-pw

December 21, 2010

MTR Corporation Limited MTR Headquarters Building Telford Plaza Kowloon Bay Kowloon Hong Kong SAR

ATTENTION: Ms May CHANG

Dear Sirs

Re: Sha Tin Town Lot No 529 ("the Lot")
Festival City Phase 2 ("the Development")

We refer to your letter dated 21 December 2010.

1 (a)+(b) Mr. Kwok has declared that it was in his own rest time whilst surfing the internet that he made this private statement in his personal blog expressing his understanding of the remarks made by Mr. John Tsang at the press conference held on 19 November 2010. We do not wish to comment the making of the statement by Mr. Kwok and/or the tone thereof as we would not wish to be seen to interfere with Mr. Kwok's freedom of expression in his own rest time.

2. We do not have record of the number of sales that took place from 5:00 pm on 19 November 2010 to mid-night of 19 November 2010. There is no cancellation of sales too.

Yours faithfully

CHEUNG KONG PROPERTY DEVELOPMENT LTD

as agent for and on behalf of

EAST CITY INVESTMENTS LTD

Emmanuel KM YIP

Chief Manager - Legal

7-12/F Cheung Kong Center, 2 Queen's Road Central, Hong Kong Tel: (852) 2126 8888 / (852) 2526 6911 Fax: (852) 2845 2940

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/TWMC-P2- PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 18 January 2011

By Fax (2119 0754) and By Hand

MTR

Secretarial & Logal Department - Property 22/F., MTR Headquarters Building. Telford Plaza, Kowloon Bay Kowloon, Hong Kong

Direct Tel: 2993 7661 Direct Fax: 2993 7736 B-mail: lindali@mtr.com.hk

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 12 January 2011 in respect of the above.

As we need more time to review the matter, we should be grateful if you could extend the time required to respond to your letter to 6:00pm on 21 January 2011.

Yours faithfully,

Linda Li

Legal Manager - Property

MTR Corporation Limited

for and on behalf of

Kowloon- Canton Railway Corporation

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/07/11/TWMC-pt2-PS Your Ref: LACO/RD 4/580/2010 Pt.3

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

MTR

Secretarial & Legal Department - Property 22/F., MTR Headquarters Building, Telford Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tel: 2993 7661

Direct Fax: 2993 7736 E-mail: findali@mr.com.lik

Date: 21 January 2011

By Fax (2119 0754) and By Hand

Attention: Ms. Monica Lo

Dear Sirs.

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 12 January 2011 ("your Letter") in respect of the Development.

Our opinion expressed in the second paragraph of our letter dated 4 January 2011 was our general view and not an opinion on Mr. Kwok's Statement. The last sentence in the 2nd paragraph of your Letter is not what we say in our said letter. We did not consider the "appropriateness" or the "tone" of Mr. Kwok's Statement.

As mentioned in our last letter of 4 January 2011, we have already advised our sales agent to be cautious when making any statement. Further, assurance has been given by our sales agent to us that they would continue to comply with the terms of the pre-sale consent for the Development dated 20 October 2010. Copy of the letter from our sales agent dated 15th January 2011 is enclosed for your reference.



With regard to the fourth paragraph of your Letter, we have already replied to you in our letter of 6th December 2010 that we do not know whether any purchaser has been "affected" by the Statement.

I am afraid there is no further information that we can give you in this matter.

Yours faithfully,

Linda Li

Legal Manager – Property MTR Corporation Limited

for and on behalf of

Kowloon-Canton Railway Corporation

Encl.



Ref: YKM/C0003/11-pw

January 15, 2011

MTR Corporation Limited
MTR Headquarters Building
Telford Plaza Kowloon Bay
Kowloon
Hong Kong SAR

ATTENTION: Ms Linda LI

Dear Sirs

Re: Sha Tin Town Lot No 529 ("the Lot")

Festival City Phase 2 ("the Development")

We refer to the letter from LACO to you dated January 12, 2011 and have the following comments:-

- The statement made by Mr Kwok is accurate and appropriate. According to Mr Kwok, he was in gist replicating Mr John Tsang's remarks at the press conference held on November 19, 2010. He recalled that Mr Tsang in reply to a reporter's question maintained that SSD would not apply to those Preliminary Agreements for Sale and Purchase signed before November 20, 2010.
- 2. The statement of Mr Kwok was made in his private and porsonal blog to share with his blog-mates. Unless there is cogent evidence to substantiate that all the 157 purchasers are his blog-mates and have actually read and relied on Mr Kwok's statement before entering into the relevant Preliminary Agreements for Sale and Purchase, it is wrong to assume that all the purchasers of the 157 sales committed on that day had been affected by Mr Kwok's statement.

Would it be more correct and realistic to say that all the flat purchasers on that day had been affected and confused by those government officials in charge of the implementation of the SSD?—It is utmost unfortunate that such confusion has still not yet been clarified after numerous adverse comments having been voiced out these days.

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CHEUNG KONG PROPERTY DEVELOPMENT LIMITED

CONTINUATION

..../8.2

Ref: YKM/C0003/11-pw

January 15, 2011

MTR Corporation Limited MTR Headquarters Building Telford Plaza Kowloon Bay Kowloon Hong Kong SAR

3. We, as the sales agent of the Development, have all along been acting in an appropriate manner (even taking into account of Mr Kwok's incident). We can assure you that we will continue to do so and will continue to comply with the terms of the pre-sale consent for the Development dated October 20, 2010.

Yours faithfully CHEUNG KONG PROPERTY DEVELOPMENT LTD

as agent for and on behalf of

EAST CITY INVESTMENTS LTD

Authorized Signature

MTR Corporation Limited 新港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/TWMC-P2- PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 1 February 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

MTR

Secretarial & Legal Department - Property 22/F., MTR Headquarters Building.

Telford Plaza, Kowloon Bay Kowloon, Hong Kang Direct Tel: 2993 7661 Direct Fax: 2993 7736 H-mail: findali@mtr.com.bk

By Fax (2119 0754) and By Post

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 26 January 2011 in respect of the above.

In view of the approaching Chinese New Year and some of our colleagues and those in our developer company are on leave, we need more time to review the matter. We would therefore be grateful if you could extend the time for us to respond to your letter to 6:00 pm on 11 February 2011. Thank you.

Yours faithfully,

Linda Li

Legal Manager - Property

MTR Corporation Limited

for and on behalf of

Kowloon- Canton Railway Corporation

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref. : S&L/MC/12/11/TWMC-pt2-PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 11 February 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

Attn: Ms. Monica Lo



Secretarial & Legal Department - Property 22/F., MTR Headquarters Building, Telford Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tel: 2993 7661 Direct Pax: 2993 7736

By Fax (2119 0754) and by Post

E-mail: findah@nur.com.bk

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 26 January 2011 in respect of the Development.

As previously stated, we have no views on the "appropriateness" or the "tone" of Mr. Kwok's Statement. We understand that Mr. Kwok's "Statement" was a personal statement in his private and personal blog which, in gist, followed the Financial Secretary's remarks made at the press conference on 19 November 2010, and we do not see how issues can relate to the "appropriateness" or "tone" of Mr. Kwok's "Statement".

If any of the 157 purchasers were to make a claim that they had been "affected" by the "Statement" and asked for rescission of the Agreement for Sale and Purchase ("ASP"), it would depend on whether such a claim is justified in law, and would be a matter for the court to decide.



According to our records, all of the 157 purchasers who signed their Preliminary Agreements for Sale and Purchase on 19 November 2010 have executed their respective ASPs, and none of the 157 purchasers who have executed their respective ASPs have requested to rescind their respective ASPs.

As requested, please find attached our letter to our sales agent dated 31 January 2011 for your reference.

Yours faithfully,

Linda Li

Legal Manager – Property
MTR Corporation Limited
for and on behalf of
Kowloon – Canton Railway Corporation

Encl.

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/11/11/TWMC-pt2-PS

Date: 31 January 2011

East City Investments Limited c/o Cheung Kong Property Development Limited 8th Floor, Cheung Kong Center, 2 Queen's Road Central, Hong Kong

Attn: Mr. Justin Chiu



Property Development Department 21/F., MTR Headquarters Huilding, Telford Plaza, Kowloon Day Kowloon, Hong Kong Direct Tel.; 2993-3681 Direct Fax.; 2993-7742 E-mail: Jappeshor(Anne, eagl. hk

By fax 2121 2326 and by post

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We write to record that at the meeting held between your Mr. Kwok Tse-wai and our Mr. Steven Li on 23 December 2010, our Mr. Steven Li has advised you, being the sales agent of the Development, to be cautious when making any statement on newly announced Government policies, and where it was necessary or appropriate, to clarify the policy intent with the Government on any newly announced Government policies which might impact on the Development before making any comments thereon.

Please acknowledge receipt of this letter by signing and returning a copy of this letter to us by urgent return, and in any event no later than noon on 31st January 2011 (Monday).

Yours faithfully,

James Hor

Head of Property Development

We hereby acknowledge receipt of the above letter

Mr. Justin Chiu, Director

East City Investments Limited

MTR Heathmarters Building, Telford Plate, Kowlinin Bay, Kowloon, Hong Kong. GPO Box 9014, Hong Kong Tel (852) 2993-2111 Fax (852) 2798-8872

資港九龍海低福廣楼池編獎粉大換 普灣錦雕線的信翰9916號 墓譜 (852) 2993 2111 | 傳責 (852) 2798 8827

Secretarial & Legal Department - Property 22/F., MTR Headquarters Building.

MTR Corporation Limited 野港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/21/11/TWMC-P2- PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 23 February 2011

By Fax (2119 0754) and By Hand

Telford Plaza, Kowhoon Bay

2011

Source: Fax: 2993 7661

Direct Fax: 2993 7736

E-mail: lindali@mtr.com.hk

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 17 February 2011 in respect of the above.

As we need more time to review the matter, we should be grateful if you could extend the time required to respond to your letter to 6:00pm on 9 March 2011.

Yours faithfully,

Lindali

Legal Manager – Property MTR Corporation Limited

for and on behalf of

Kowloon- Canton Railway Corporation

MTR Corporation Limited 香油鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/023/11/TWMC-pt2-PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 9th March 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

Attn: Ms. Monica Lo

MTR

Secretarial & Legal Department - Property 22/F., MTR Headquarters Building, Telford Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tet : 2993 7661 Direct Fax: 2993 7736

E-mail: lindsli@mtr.com.hk

By Fax (2119 0754) and by Post

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 17 February 2011 in respect of the Development.

We reiterate our view as set out in the second paragraph of our letter to you dated 11 February 2011.

You made reference to the third paragraph of our letter dated 21 January 2011 wherein we stated that we had advised our sales agent to be cautious when making any statement. You have requested for copy of the relevant correspondence with our sales agent on this point for your reference. We confirm that our letter dated 31 January 2011 to East City Investments Limited (a copy of which was attached to our letter to you of 11 February 2011) constitutes all the relevant correspondence between ourselves and our sales agent on this point. There is no record of the meeting held between our Mr. Steven Li and Mr. Kwok of Cheung Kong Property Development Limited on 23 December 2010 other than the said letter dated 31 January 2011.

On the clarifications sought under the third paragraph on page 2 of your letter dated 17 February 2011, our requirement to our sales agent is that they should



observe and perform all the conditions under the pre-sale consent letter issued by your office on 20 October 2010 in respect of the Development.

We note you referred to a media report in the first paragraph on P. 3 of your letter dated 17 February 2011. We do not consider it appropriate to rest presumption on such media reports, for instance, attached is a contrary media report at that time. In any case, as advised by our sales agent, none of the 157 purchasers who entered into the PASPs on 19 November 2010 has made any enquiries in relation to Mr. Kwok's "Statement" and none of them has ever requested to rescind his PASP or the subsequent formal agreement for sale and purchase he has entered into.

Yours faithfully,

Linda Li

Legal Manager – Property MTR Corporation Limited

1

for and on behalf of

Kowloon - Canton Railway Corporation

Encl

未愈影響

市場無視政 府連營出招越炒 越張,當局最終

再出「鍊招」指摩短炒。昨日開賣撞正政府出 招的長實〔00001〕大圈盛舊。臨時變陣只推 首帶批單位合共216伙,市傳全晚幾近沾濟。 結懷屬市場預期。

熱軟效緊「亞水」比例與政府保空絕火的長官。 執行或爭想繼進聚馬、敦集出台繼時課、但依然 有用。他表示、大量資金購入亞洲、東東亞早已 出租課控、無家書德曼創於與美光崇傳、助實力

發低,是次接施只針對打單級炒,對點裡大市沒有大影響 ,接市長端發展仍發信,加上QB2藥力來必足夠,QB3 及QB4有標點提出台,仍第55中長领三線模市,料與年 提市比今年更過點。

地面提供於認知權而之緣,認爲有關道統計級下訊費 中的盛音新影響,集團傳輸一向以用蒙主擎,經營資東比 例少於5%。

不會因新措施減價

廢否網質部署雜時調動。並進運開度加騰合計發放3 位共335億個單、組體重衡作晚七時網遊網標。只准备首 批及首度加推耗共216款。構舊不會遊散府學遊網號售價 。在於有準質家有到場下。首批108 伏在1 与建內法清。 並於半限體後簽約作實。婆現近10億元。買家以本地客居 多、每零1 間、未見有大手提貸。查通買家認為新措施到 業影響不大。多數質入厚位自住非短妙。另繼過90%買家 稅居即供。

趙鄞煌縣故。第二批108 依於九時開始漢懷。其間有 李表示意故治籍第3 批價單內單位。集盛已向相關貿寬設 出貨賃收、可於今日優先數解。

長官地震投資實際等子觀表示。計劃政府收棄接機成 数、早前移柏前級財富爲藏舊提供的10%二按、或權加至



20%,但智琦未有黄素提出要求。

市場補急指、政府出租前是昨年已得出,應定昨晚配 質的重者及受整理解转要得。由晚上上時效成單上模模、 並經接豐單位總數由原先可供發售的335份減少至216份、 、同時集中處理大手成交,維輕起表示。下午時段已告出 百多伙單位、前悟理想明顯來更被及、當中更不乏大手提 質、消息指1名買來動用近復提入約8至10份、乃最大手 成交、線褪紀表示10點半216個單位近估清。

傳蔚然預留單位「甩單」

亦午三時許規場所見、歷數已完成部分核變型序、堪 內水評場長、至五時許買家及便起整備到場。情況轉為驗 領。

政府突然出招领乎無難實策人而意欲,同點內地客的

較家周先生及 Kelvin 吳口河蒙指拍戲劇其無影響、不捨心 藝價下談、周先生本差是名城寬京,之前所 800 萬光壽入 1 車位作投資移民用途,今次再動用 900 萬寶入車位或線 殖兒子:至於 Kelvin 即購入 2 伙分別 800 萬及 700 萬元。

上海及賈等電先生兩人第2座中層C宣・面積約1030 平方呎,望內國景・以約860萬元成交、呎值約8350元、 環好上处交通望入市。

重新昨日期實仍經及恐慌稅及收緊接揭尾班率,但與 時預質的新鐵即遭受當獎權馬,今日時質的太古西辛山崩 然,候可豐澤或提斯措施的模樣品,清惠推戰然該建之前 已有約60依接預留,但連悉部分實實打事轉獻,已預留的 理位有後「魔眾」,結構如何今日將見實章。

另新地(00016)透露,沒下洪水杨泉香用家主場。 對撥施不影響就發锅情,無實揮後間資達度。 09-MAR-2011 15:39 FROM MTRC-LEGAL

TO 921190754

P.03/03

MTR Corporation Limited 香港鐵路有银公司

www.mtr.com.hk

Our Ref.: S&L/MC/21/11/TWMC-P2- PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 24 March 2011

By Fax (2119 0754) and By Hand

MTR

Secretarial & Legal Department - Property 22F., MTR Headquarters Building. Telford Plaza, Kowloon Bay Kowloon, Hong Kong

Direct Tel: 2993 7661 Direct Fax: 2993 7736 H-mail: lindali@mar.com.hk

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

Attention: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 18 March 2011 in respect of the above.

As some of our colleagues are on leave, we need more time to review the matter. We should be grateful if you could extend the time to respond to your letter to 6:00pm on 14 April 2011.

Yours faithfully,

Legal Manager - Property MTR Corporation Limited

for and on behalf of

Kowloon- Canton Railway Corporation

MTR Headquarters Building, Telford Plaza, Kowloon Bay, Kowloon, Hong Kong, GPO Box 9916, Hong Kong Tel (852) 2993 2111 Fax (852) 2798 8822

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/42/11/TWMC-pt2-PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 14 April 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong



Secretarial & Legal Department - Property

22/F, MTR Headquaters Building.

Telford Plaza, Kowloon Bay

Kowloon, Hong Kong

Direct Tel : 2993 7661

Direct Fax ; 2993-2736

H-mail: linduli@mir.com.hk

By Fax (2119 0754) and by

Post

Attn: Ms. Monica Lo

Dear Sirs,

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 18 March 2011 in respect of the Development.

Our responses to your queries raised in relation to Mr. Kwok's "Statement" have been set out in our correspondence with you and we do not consider it appropriate for you to refer to your own "summaries" thereof which contain your own assumptions, perception and judgments. The "summaries" set out in your said letter of 18 March 2011 are not agreed.

We have no objection for you to disclose to LegCo all of our correspondences (and all attachments thereto) on Mr. Kwok's



"Statement" commencing from your letter to us dated 30 November 2010 up to and including this reply to your said letter of 18 March 2011. As regards any subsequent letters on the same subject, we consider it pre-mature at this stage to agree to their disclosure as we do not even know the contents thereof.

Yours faithfully,

Linda Li

Legal Manager - Property

MTR Corporation Limited

for and on behalf of

Kowloon - Canton Railway Corporation

98x

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk



Our Ref. : S&L/MC/44/11/TWMC-P2- PS Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 27 April 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point

Secretarial & Legal Department - Property 22/F., MTR Headquarters Building, Tettord Plaza, Kowloon Bay Kowloon, Hong Kong Direct Tel.; 2993-7661

Direct Fax: 2993 7736
E-mail: lindali@mm.com.hk

By Fax (2119 0754) and By Hand

Attention: Ms. Monica Lo

Dear Sirs.

Hong Kong

Re: Sha Tin Town Lot No. 529 ("the Lot")

Phase 2, Festival City ("the Development")

We refer to your letter of 21 April 2011 in respect of the above.

As we need more time to review the matter, we would be grateful if you could extend the time to respond to your letter to 3:30pm on 27 April 2011.

Yours faithfully,

Linda Li

Legal Manager – Property MTR Corporation Limited

for and on behalf of

Kowloon- Canton Railway Corporation

بعدى سا

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/45/11/TWMC-pt2-PS

Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 27th April 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

MTR

Secretarial & Legal Department - Property

1.02

22/F., MTR Headquarters Building,

Telford Plaza, Kowloon Bay

Kowloon, Hong Kong

Direct Tel : 2993 7661

Direct Fax: 2993 7736

E-mail: lindali@mr.com.hk

By Fax (2119 0754) and by Post

Attn: Ms. Monica Lo

Dear Sirs.

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We refer to your letter of 21 April 2011 in respect of the Development.

As we have made clear in our previous correspondence, Mr. Kwok's "Statement" was a personal statement in his private and personal blog which, in gist, we understand, followed the Financial Secretary's remarks made at the press conference on 19 November 2010. As pointed out in our letter to you of 21 January 2011, assurance has been given by our sales agent to us that they would continue to comply with the terms of the pre-sale consent for the Development issued on 20 October 2010.

We note that the views expressed by you in your said letter of 21 April 2011 are your own conclusions of, and judgments on, the issues raised by you.



If you wish to disclose this letter and the previous correspondence on this issue (as set out in your letter of 21 April 2011), we would have no objection.

Yours faithfully,

Linda Li

Legal Manager - Property

MTR Corporation Limited

for and on behalf of

Kowloon - Canton Railway Corporation

98%

MTR Corporation Limited 答准解路有限公司 www.mtr.com.hk



Our Ref.: S&L/MC/046/11/TWMC-pt2-PS Your Ref.: LACO/RD 4/580/2010 Pt.3

Lands Department
Legal Advisory & Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point
Hong Kong

By Fax & By Hand (Fax: 2119-0754)

29th April 2011

Attention: Ms. Monica Lo

Dear Ms. Lo,

Re: Sha Tin Town Lot No. 529 ("the Lot")

Phase 2, Festival City ("the Development")

I refer to our recent correspondence in relation to the above matter and am writing to clarify MTR Corporation Limited (MTR)'s role in relation to the Festival City property development at Sha Tin Town Lot No.529 as this question has recently been raised and thereby to explain, for the avoidance of doubt, why MTR has been dealing directly with your correspondence.

At the time of the merger between MTR and Kowloon-Canton Railway Corporation (KCRC) in late 2007, the entire economic interest in Sha Tin Town Lot No.529 and the associated Festival City property development was purchased by MTR, which was appointed as KCRC's agent with authority to exercise the rights and perform the obligations of KCRC in relation to such development.

Indeed, in order to assist MTR in performing its agency functions, MTR is specifically authorised, inter alia, to "manage and respond to queries, enquiries, objections and appeals of third parties (including, without limitation, Government departments, utility companies, developers, developers' sub-contractors, tenderers and the public)" and to "take any steps and do any thing which [MTR] in its absolute discretion considers desirable in connection therewith or incidental thereto." MTR therefore has full power and authority (and indeed a duty) to deal with issues such as those arising as a result of Mr Kwok's statement and to respond to Lands Department's queries.

1 of 2

MTR Headquarters Building, Telford Plaza, Kowloon Bay. Kowloon, Hong Kong. GPO Box 9916, Hong Kong Tel (852) 2993 2111 Fox (852) 2796 8822

香泡九體達德裝廣場準級患部大樓 香港縣政銀局信報9916號 電路 (852) 2993 2111 | 傅英 (852) 2798 8822



Further, as well as acting as KCRC's agent, MTR has the right to give KCRC instructions in respect of any action or matter relating to the Festival City development, and KCRC has undertaken not to take any action in relation to the development which is not carried out by MTR (acting as KCRC's agent) or according to MTR's instructions. KCRC does not therefore have the authority to deal with this issue and would be acting in breach of the agreements entered into at the time of the merger if it attempts to do so without receiving instructions in this regard from MTR.

I hope the above serves to clarify the position but please do not hesitate to contact me if you have any queries.

I confirm, for the avoidance of doubt, that we have no objection to the disclosure of this letter to LegCo.

Yours sincerely,

Linda Li

Legal Manager - Property MTR Corporation Limited for and on behalf of

Kowloon - Canton Railway Corporation

c.c.: Mr. James Blake (By Fax: 2688-0183)

GM/fh

2 of 2



九廣鐵路公司 Kowloon-Canton Railway Corporation

維教 Chief Officer

Our Ref.: KCRC/CO/WR/FC-01

03 May 2011

BY HAND & BY FAX

(Fax No. 2119 0754)

URGENT

Lands Department,
Legal Advisory and Conveyancing Office,
Railway Development Section,
18th Floor, North Point Government Offices,
333 Java Road, North Point,
HONG KONG

Attn.: Ms Monica Lo

Dear Sirs,

Sha Tin Town Lot No. 529 ("the Lot")

Phase 2, Festival City ("the Development")

MTRCL's letter to you, ref. S&L/MC/046/11/TWMC-pt2-PS, dated 29 April 2011, refers.

As part of the rail merger package, MTRCL purchased KCRC's property development rights for eight sites along East Rail, Ma On Shan Rail, Light Rail and Kowloon Southern Link. These included the property development situated at the podium of the Tai Wai Maintenance Centre, now called Festival City, the joint venture for which had been signed between KCRC and Cheung Kong prior to the rail network merger on 2 December 2007.

Under the merger agreement for this site, KCRC remains the original grantee for the maintenance centre site, which comprises both railway and non-railway portions. MTRCL assumed full and absolute responsibility for all day-to-day matters in respect of the non-railway portion of the site occupied by the Festival City residential development. Accordingly, KCRC has no power to intervene in or to direct MTRCL's actions in this regard.

KCRC understands that the arrangements in respect of the property package have been made public and the Legislative Council briefed.

KCRC has no objection to the disclosure of this letter to the Legislative Council.

Yours faithfully,

(James Blake) Chief Officer

Kowloon-Canton Railway Corporation

c.c. MTRCL (Attn.: Ms Linda Li)

ЈВЛІ (L3MAY2011-1)

MTR Corporation Limited 晉港總路有限公司

www.mtr.com.hk

03-MAY-2011 15:52

Our Ref.: S&L/MC/047/11/TWMC-pt2-PS

Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 3rd May 2011

Lands Department Legal Advisory and Conveyancing Office Railway Development Section 18th Floor, North Point Government Offices 333 Java Road North Point

Attn: Ms. Monica Lo

Secretarial & Legal Department - Property

22/F., MTR Headquarters Building,

Telford Plaza, Kowloon Bay

Kowloon, Hong Kong

Direct Tel : 2993 7661

Direct Fax . 2993 7736

E-mail lindali@mir.com.hk

By Fax (2119 0754) and by Post

Dear Sirs,

Hong Kong

Re: Sha Tin Town Lot No. 529 ("the Lot") Phase 2, Festival City ("the Development")

We refer to your letter of 29th April 2011. I hope to be in a position to give you a reply tomorrow.

Yours faithfully,

Linda Li

Legal Manager - Property

MTR Corporation Limited

98%

MTR Corporation Limited 香港鐵路有限公司

www.mtr.com.hk

Our Ref.: S&L/MC/048/11/TWMC-pt2-PS

Your Ref: LACO/RD 4/580/2010 Pt.3

Date: 4th May 2011

Lands Department
Legal Advisory and Conveyancing Office
Railway Development Section
18th Floor, North Point Government Offices
333 Java Road
North Point

Attn: Ms. Monica Lo

3MTR

Secretarial & Legal Department - Property

22/F., MTR Headquarters Building.

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Telford Plaza, Kowloon Bay

Kowloon, Hong Kong

Direct Tel : 2993 7661

Direct Fax 2993 7736

E-mail: lindal@mtr.com.hk

By Fax (2119 0754) and

by Hand

Dear Sirs.

Hong Kong

Re: Sha Tin Town Lot No. 529 ("the Lot")
Phase 2, Festival City ("the Development")

We write further to your letter of 29 April 2011 in respect of the Development.

As we have mentioned in our previous correspondence, Mr. Kwok's "Statement" was a personal statement in his private and personal blog.

However, we have taken the opportunity to review your continuing comments, particularly as expressed in your letter of 21 April 2011, and in order to alleviate your concerns, we are prepared to issue guidelines to our developers in future sales of our property developments to observe and perform the following:-

to fully observe and comply with all the terms and conditions of the pre-sale consent issued by the Government;



- 2. to be cautious when making any statement on newly announced Government policies, and where it is necessary or appropriate, to clarify the policy intent with the Government on any newly announced Government policies which might impact upon the development before making any comments thereon; and
- 3. to avoid any practice which may bring discredit/disrepute to the development concerned.

As a reputable listed company, you can be assured that we shall always take our responsibilities seriously and strive to do our best. The Corporation is determined to fully comply with all applicable rules, regulations and guidelines in the sale of its property developments and would always observe and perform its obligations responsibly.

We have no objection for you to disclose this letter to LegCo.

Yours faithfully,

Linda Li

Legal Manager - Property

MTR Corporation Limited