

Bills Committee on Residential Properties (First-hand Sales) Bill

**List of follow-up action arising from the discussion
at the meeting on 18 April 2012**

- (1) To review the Chinese rendition of the phrases "no agreement for sale and purchase has ever been entered into" and "no assignment has ever been made" in the long title as well as in clause 10(1).
- (2) To advise whether the "company" in clause 2 includes companies incorporated or registered overseas with subsidiaries in Hong Kong, and whether the Bill applies to these companies.
- (3) To consider deleting clause 2(2) regarding a "note" located in the text of the Bill, and the two relevant "notes" in the Bill.
- (4) To review the need for the phrase "without contravening the land grant and the occupation permit" in clause 6(1), lest this might be exploited say through illegal conversion of commercial/industrial units to residential units.
- (5) To review the exemption for the Hong Kong Housing Authority from the Bill under clause 10(6).
- (6) To explain with illustration the date on which the Bill becomes applicable to a residential property in the case where an agreement for sale and purchase has been subsequently terminated or declared void by the court.
- (7) To seriously re-consider expanding the scope of Part 4 (clauses 65 and 66) to misrepresentation and dissemination of false or misleading information in relation to the sale of overseas residential properties conducted in Hong Kong. To also advise the difference between the provisions in the Bill and the Theft Ordinance (Cap. 210) in dealing with misrepresentation and dissemination of false or misleading information.
- (8) To provide, at a later stage, a paper setting out the initial ideas on the establishment of the proposed enforcement authority.