

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

**List of follow-up action arising from the discussion
at the meeting on 9 May 2012**

- (1) To advise whether the Bill should apply to the sale of car parking spaces in first-hand residential properties.
- (2) To review the drafting of the Chinese rendition of clauses 27(3), (5) and (7) to ensure that these tally with the English rendition.
- (3) To consider providing in clause 28(2)(a) the specific information to be included in the "description of" a residential property for the sake of clarity.
- (4) To consider replacing the Chinese rendition of "prospective buyer (潛在買方)" under clause 28(4)(b) and other relevant provisions with the more common term of "準買家".
- (5) To advise the rationale behind clause 30 as the clause as drafted may preclude any negotiation or expression of interest which is a common practice nowadays. To consider reviewing the drafting of the clause to strike a balance between prevention of manipulation of market and facilitating commercial activities.
- (6) To review the need for clause 32(1)(e) taking into account the provisions under clause 32(2).
- (7) To advise whether clause 34(4) applies to show flats appeared in advertisements. To also consider allowing greater flexibility for vendors to provide show flats before release of relevant sales brochures since it remains the vendors' responsibility to ensure compliance of the show flats with the Bill.
- (8) To consider providing in the Bill a level of tolerance for deviations between show flats (which are provided in accordance with the sales brochures) and the actual flats to be sold (which are built according to approved plans) to ensure that such deviations would not be used as an excuse for rescission of Agreement for Sale and Purchase.

- (9) To consider stipulating in clause 40(1) that viewing of a specified residential should be made available at the request of a prospective buyer, or the number of maximum viewing to be allowed.
- (10) To make it clear in clause 41 and other relevant provisions that the comparable property for viewing should be situated at the same residential development.
- (11) To advise whether there is question of privacy if photo taking under clause 42 is allowed during viewing of flats which have already been occupied.

Council Business Division 1
Legislative Council Secretariat
14 May 2012