

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

**List of follow-up action arising from the discussion
at the meeting on 31 May 2012**

- (1) To consider re-instating clauses 16(2) to (4) in the proposed Committee Stage amendments (CSAs) with suitable amendments to the definition of "specified information" by replacing "section 18(2)(b) or (c)" with "clause 18(2)", and the phrase "any change" in clause 16(2) by "any material change" to narrow down the scope to major changes.
- (2) To review the need for the phrase "from time to time" in the proposed CSA to clause 16A.
- (3) To advise the basis upon which the six-month period for examination and revision of sales brochures in the proposed CSA to clause 23(9) is arrived at, and the feasibility of shortening such period to say two to three months in consultation with the trade and the Consumer Council. To also advise how to prevent circulation of outdated sales brochures by parties other than the vendor, and possible exploitation by vendors who are not required to update the sales brochures within the six-month period even if there are major changes during the interim.
- (4) To advise the liability of an "owner" in the sale of a specified residential property where he does not actually conduct the sale himself, a liquidator in the sale of properties of a company being wound-up, and a personal representative of the estate of a deceased owner in the sale of the property of the estate in the event of contravention to clauses 50(1) and (2) committed by the owner.
- (5) To advise whether it is a contravention under proposed section 10 of Schedule 4 for codifying the provisions on raising requisition or objection in respect of title under the Consent Scheme in the Preliminary Agreement for Sale and Purchase/Agreement for Sale and Purchase.
- (6) To consider replacing the word "and" in the third line of clause 7(2) with "or" with a view to preventing circumvention of liability by vendors by engaging two or more persons to carry out the prescribed work, while ensuring that the right person will be held liable for the contravention he/she has committed.