

立法會

Legislative Council

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Report of the Panel on Housing for submission to the Legislative Council

Purpose

This paper gives an account of the work of the Panel on Housing (the Panel) during the Legislative Council (LegCo) session 2011-2012. It will be tabled at the meeting of the Council on 11 July 2012 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to private and public housing matters. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 20 members, with Hon LEE Wing-tat and Hon WONG Kwok-hing elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

Public housing

Waiting List income and asset limits

4. The Hong Kong Housing Authority (HA) has a Waiting List (WL) system through which low-income families who cannot afford to rent private accommodation may apply for public rental housing (PRH). The eligibility of PRH applicants is determined by way of WL income and asset limits, which measure the total household income required to rent private accommodation comparable to PRH while meeting other non-housing expenditure. The WL

income limits are derived using a "household expenditure" approach, which consists of housing and non-housing costs, plus a "contingency provision" of 5% of the housing expenditure. The asset limits are adjusted with reference to the movement in Consumer Price Index (A) over the year. The WL income and asset limits are reviewed annually at the beginning of each year using the latest available statistics as of the last quarter as compared to the corresponding quarter of the previous year.

5. On 2 March 2012, the Panel discussed the findings of the review of the WL income and asset limits for 2012-2013. According to the Administration, when comparing the income limits this year determined using the established methodology of a 5% contingency provision with the existing income limits (which included the special and one-off additional 10% contingency provision as buffer¹), there should be a decrease in the income limits for 1-person and 2-person households while an increase for 3-person households and above. However, in the light of the current economic situation and in order to provide an additional buffer for 1-person and 2-person households, special consideration was given to freezing their income limits at the existing levels. For 3-person households and above, the changes would be effected in accordance with the established formula. As a result, the proposed WL income and asset limits for 2012-2013 would increase by an average of 7.7% and 5.3% respectively over those for 2011-2012. It was expected that some 112 800 non-owner occupied households would become eligible for PRH, representing 29.2% of the total number of non-owner occupied households in the private sector.

6. Some Panel members held the view that the methodology of using the differential unit rent derived from a sample survey on private dwellings conducted by the Census and Statistics Department (C&SD) to calculate the housing costs was too broad-brushed as all smaller flats (including cubicles and subdivided) were grouped under private flats with sizes of 69.9 square metres. As a result, the findings of the survey might not be able to reflect the high rentals of subdivided flats in urban area, thereby leading to an under-estimation of the housing costs of 1-person and 2-person households. Given that the survey conducted by C&SD was meant for general reference and not specific housing purposes, HA should conduct its own survey on rentals of subdivided flats or entrust the survey to professional organizations. These members were also concerned that the proposed freeze might render some existing 1-person and 2-person WL applicants ineligible for PRH. To this end, consideration should be given for HA to adjust the income limits for 1-person and 2-person. Some other members however did not support for the proposed separate adjustment. These members opined that while the reliability of the sample

¹ Taking into account the uncertainties arising from possible changes in the economic environment (including the implementation of the statutory minimum wage, the Subsidised Housing Committee of HA incorporated a special and one-off additional 10% contingency provision to the income limit last year as buffer.

survey was questionable, the review of WL income and asset limits for 2012-2013 was based on an established mechanism and members should respect the results. Besides, the Administration had confirmed that the freezing of the income limits for 1-person and 2-person households would not affect the eligibility of WL applicants for PRH.

Second rent review for PRH

7. Section 16A of the Housing Ordinance (Cap. 283) (HO) provides for the rent adjustment mechanism for PRH, which came into effect in 2008. Under this rent adjustment mechanism, a review of PRH rent will be conducted once every two years. The PRH rent will be either adjusted upward or downward according to changes in the income index, which reflects changes in PRH tenants' household income in the first and second periods of the review. If the income index for the second period is higher than that of the first period by more than 0.1%, HA shall increase the PRH rent by the rate of increase of the income index or 10%, whichever is less. If the income index for the second period is lower than that of the first period by more than 0.1%, HA shall reduce the PRH rent by the rate of reduction of the income index. To provide a new starting point for the income-based rent adjustment mechanism to operate, HA reduced the PRH rent by 11.6% in August 2007. The level of adjustment in PRH rent under the first rent review exercise covering the two-year period from 2007 to 2009 was +4.68%.

8. The outcome of the second rent review covering the two-year period from 2009 to 2011 was discussed by the Panel on 4 June 2012. The Panel noted that the level of rent adjustment in accordance with the second rent review was +10%. Some members expressed grave concern that many of the so called adjustment mechanisms which allowed for upward or downward adjustment would eventually result in upward adjustment. Besides, the rent adjustment mechanism failed to take into account the factor of inflation. These members urged for the reinstatement of the obsolete rent review system adopted in 1997 under which any determination of variation of rent by HA should only take effect at least three years after the preceding rent determination came into effect, and the rent so determined should be subject to a cap of 10% of the median rent-to-income ratio. Some other members however considered it necessary to respect the outcome of the rent review which was based on an established rent adjustment mechanism. Nevertheless, these members agreed that assistance or relief measures should be put in place to help ease the pressure of the economic downturn on the community, and thus welcomed the proposed provision of a rent waiver of one month to all PRH tenants.

Construction, maintenance and management of public housing

9. To meet the public housing production programme for green and

healthy living as well as reduction in urban heat island effect, HA has incorporated a series of environment-friendly features for the design and construction of housing projects, including the Choi Hei Road Park, the PRH developments at Kai Tak Sites 1A and 1B, as well as the district open space adjoining Lower Ngau Tau Kok public housing redevelopment.

10. On 4 January 2012, the Panel discussed the development of the Choi Hei Road Park which was a theme garden converted from an abandoned quarry with a meandering leisure walk trail and various amenity facilities. The design objective of the Park was to create a "Green Connector" linking the housing clusters situated at different platforms with access for the disabled, and to reinstate the environmental quality of the ex-quarry site. The Panel noted that the Park was well received by the public since its opening in July 2010. Given that one of the main features of the Park was the adoption of the design theme of a "Geopark" where indigenous granite specimens and information boards were displayed along the walking trail, some members suggested that guided tours should be arranged in collaboration with geologist associations to help visitors to appreciate the beauty of the rocks and enrich their understanding about geo-conservation. Some other members emphasized that sufficient exercising equipment and shades should be provided within the Park, and that adequate staff should be deployed to render assistance to the elderly if needed.

11. Prior to the discussion on the PRH developments at Kai Tak Sites 1A and 1B on 6 February 2012, the Panel conducted a visit to Kai Tak Site 1A on 30 January 2012 to better understand the design theme of "Homes in the Park" adopted for the design and construction of the two housing projects. The Panel generally welcomed the use of passive building designs (particularly the concept of bringing life to the street level by providing retail facilities primarily in the form of street front shops in pedestrian precincts) in refining the estate layout and building design through optimal use of the natural environment (such as wind environment, ventilation, day-lighting and solar radiation as well as energy consumption). While welcoming the use of green construction techniques to enhance productivity and efficiency as well as reducing environmental impact to the neighbourhood, members considered that HA should promote the adoption of these environment-friendly design initiatives and green construction technologies to the building trades. There was also a need to ensure the availability of supporting infrastructure (including schools, transport and community facilities as well as wet markets etc.) to tie in with the first population intake.

12. The construction of a district open space adjoining Lower Ngau Tau Kok (LNTK) public housing redevelopment was discussed at the Panel meeting on 17 April 2012. The Panel generally welcomed the provision of an open space because Ngau Tau Kok was a densely populated residential area and there was a strong demand for open space, particularly upon the completion of the

public housing redevelopment at LNTK. On the project scope of the open space, some members emphasized the need to provide more fitness facilities for the elderly given the ageing population in LNTK. There should also be sufficient number of pergolas at the sitting out areas and the pergolas should be large enough to provide shelter in times of rain. Suitable materials should be used to pave the mini-soccer pitch to ensure that this could be used for other purposes, including venues for open performances and festive events. In view of the lack of a basketball court with the open space, some other members suggested scaling down the jogging track to make way for at least one basketball court. To ascertain the need for an additional basketball court, the Administration was requested to provide information on the utilization rate of the existing basketballs courts in the vicinity.

13. To promote healthy living and green environment for tenants, HA has established an Environment Policy in 1999. To manage the overall implementation of the Environment Policy, HA establishes environmental targets and initiatives at the beginning of each fiscal year and stocktaking the performance on a quarterly basis for monitoring purposes. Later in 2004, HA has adopted a comprehensive strategy on sustainable development to, among others, improve estate management and maintenance to minimize the impact on the environment and improve the quality of living. On 4 January 2012, the Panel discussed the progress of energy saving measures in existing PRH estates. According to the Administration, the annual energy consumption of communal areas per rental flat had dropped from 877 kWh in 2001-2002 to 751 kWh in 2010-2011, representing a drop of 14.4% in 10 years. Apart from the energy saving measures already taken, additional energy saving initiatives would be implemented to further enhance the efficiency and effectiveness of energy performance in PRH blocks. These additional measures included retrofitting of light fitting, compliance with the New Building Energy Efficiency Ordinance (Cap. 610), and trial use of light emitting diode light fitting etc. The Panel generally supported that HA, being the largest property owner in Hong Kong, should take a leading and exemplary role in reducing energy consumption. While appreciating the reduction in energy consumption achieved so far, some members enquired about the target saving in energy consumption of PRH blocks to be achieved over the next five or 10 years with the implementation of additional energy saving initiatives. Some other members were concerned about the slow progress of wider application of solar-powered lighting in PRH estates, given that the use of solar energy for lighting had been commonly adopted in many parts of the Mainland.

14. To enhance pedestrian circulation for tenants and allow barrier-free access for the disabled and elderly, new lifts, escalators and footbridges will be provided in external areas of PRH blocks within estate boundaries to connect elevated platforms with large-level differences. Where technically feasible, lift towers will be added to PRH blocks which were built without lift services. As

part of an on-going lift modernization programme, lifts aged over 25 years will be replaced and opportunity will be taken to provide lift openings for floors currently without such openings, where the structure permits. The progress report on the addition of lifts, escalators and footbridges in existing PRH estates was discussed by the Panel on 7 May 2012. According to the Administration, the programmes had been making good progress and would be completed in 2012 as scheduled. While appreciating the efforts made by HA (including the use of steel lift towers, steel footbridges and off-site prefabrication of parts) to shorten construction time on site and to minimize possible nuisance to tenants, the Panel urged the Administration to encourage other government departments to adopt similar techniques with a view to expediting the construction works. Consideration should also be given to connecting the lift/escalator networks of PRH estates with that of MTR Corporation Limited for the convenience of residents. Some members questioned HA's recent decision to redevelop Pak Tin Estate which formed part of the programme on addition of lifts. These members considered it a waste of resources and urged HA to review the entire programme to prevent similar recurrences.

15. To strengthen enforcement measures against hygiene-related offences in PRH estates and Interim Housing, HA launched the Marking Scheme for Environmental Hygiene in Public Housing Estates in August 2003. Tenants or authorized occupants committing the misdeeds in their residing estates would be liable to allotment of points under the Marking Scheme. Any points allotted would be valid for two years. Except for cases with strong compassionate elements, households carrying valid points would be barred from applying for all types of voluntary transfer. Upon accumulation of 16 points within two years, the tenancy of the subject household would be terminated by a Notice-to-Quit pursuant to section 19(1)(b) of HO. The Marking Scheme is reviewed annually. As at January 2009, the Marking Scheme covers 28 misdeeds. The progress of implementing the Marking Scheme was discussed by the Panel on 6 February 2012. Some members considered the Marking Scheme unnecessary as most of the misdeeds were punishable under the existing legal regime. The termination of tenancy under the Marking Scheme was indeed a double penalty given that the same would not apply to similar offences committed by households living in private tenements. Besides, it would be unfair to hold the entire household liable for a misdeed committed by an individual family member. Some other members however held the view that HA as the landlord had the right to include specific conditions in tenancy agreements for tenants to follow.

16. To enable residents to receive messages on the services and activities as well as other information of general public interest, notice boards are set up in common areas of PRH estates to allow a convenient channel through which LegCo Members, District Council members, non-governmental organizations, and residents associations to display publicity materials (including publicity

posters). In the light of allegations on self censorship by the Housing Department (HD) in displaying posters by political parties, the Panel held a meeting on 7 May 2012 to discuss the policy on display of publicity materials in PRH estates. Some members held the view that HD had tightened the policy as some publicity materials which had been approved for display in the past were no longer allowed. While agreeing that publicity materials should not carry any messages that were unlawful, obscene, defamatory or insinuating, these members could not accept that publicity materials were rejected just because they carried names of government officials who should be subject to public scrutiny under the accountability system. In this connection, the Panel passed a motion strongly condemning HD for its recent intervention on and tightening of the freedom of posting posters in PRH estates, which was a severe violation of and a blow to the freedoms of speech and information, and requesting HA to immediately stop such acts of political censorship and ensure that criticisms on government officials, policy objectives and policies, as well as political publicity activities were allowed.

Rehousing

17. The fire at Fa Yuen Street had not only affected stall owners but also residents living in the proximity. To tide the affected fire victims over the difficult period, HD had exercised flexibility under the existing policy to arrange temporary accommodation for them. When the rehousing arrangements for the fire victims were discussed at the Panel meeting on 4 January 2012, some members stressed that the fire victims had no intention to jump queue on WL. As the victims had lost their homes in the fire, they would have no choice but to seek special consideration for rehousing. These members held the view that the fire at Fa Yuen Street was a tragedy and hence warranted special consideration. The Administration was urged to exercise greater flexibility in rehousing the affected households on humanitarian grounds, particularly those who were not eligible for PRH.

Meeting the aspiration for home ownership

18. Driven by the progressive economic recovery, low interest rate environment and the relatively tight supply of private residential flats in the past few years, private residential property prices rose by 19% in September 2010 as compared to September 2009. In view of public concern on the availability of mass market flats at affordable prices and the overall supply of land for flat production, the Administration conducted a public consultation exercise on the issue of subsidizing home ownership from May to September 2010 to gauge public views on issues relevant to the subject, with a view to identifying a way forward to address the concerns of the community at large. The outcome of the public consultation revealed that many people are concerned about the recent rise in property prices and the difficulties in purchasing their first flats. In the

light of the latest situation, the Administration considers that targeted measures should be introduced to help the sandwich class purchase their own flats. However, any form of subsidized home ownership will only serve as a buffer, given that delivering the overarching objective of providing subsidized rental housing for families in need remains the very heart of the Administration's housing strategy.

My Home Purchase Plan

19. Based on the outcome of the consultation, the Chief Executive (CE) announced in his 2010-2011 Policy Address that, in collaboration with Hong Kong Housing Society (HS), a new housing initiative entitled "My Home Purchase Plan (MHPP)" would be introduced. Premised on the concept of "rent-and-buy", the objective of MHPP is to help households which have the long-term ability to purchase a flat but do not have enough savings for the down payment to rent a MHPP flats first at the then prevailing market rental and save up for the future home purchase plan. The Administration will provide land for HS to build "no-frills" small and medium sized flats for lease to eligible applicants. The tenancy period is five years during which the rent will not be adjusted. Within a specified time frame (two years after the first admission of tenants and within two years after the termination of tenancy), MHPP tenants may purchase the flat they rent or another flat under MHPP at prevailing market price, or a flat in the private market. They will receive a Purchase Subsidy equivalent to half of the net rental they have paid during the tenancy period, and they may use it for part of the down payment. Tenants who have not purchased a flat under MHPP or in the private market within the prescribed period will not receive any Purchase Subsidy.

20. Taking into account the concerns of Members and the public that tenants intending to buy MHPP flats under the "rent-and-buy" arrangement might find their plans upset by the soaring property prices, CE announced in his 2011-2012 Policy Address that MHPP would be enhanced to include a "buy-or-rent" option in addition to the "buy-and-rent" mode to allow participants to buy their MHPP flats direct at market price without going through a rental period. Moreover, the initial market selling price will serve as the ceiling price of that flat. A participant choosing the "rent-or-buy" option will be guaranteed to purchase the flat at the "ceiling price" if he purchases a flat within two years after the termination of tenancy. This will protect participants from soaring property prices which may disrupt their plan for home ownership, and enable them to set more specific saving targets. When the prevailing market price is lower than the "ceiling price", they can buy MHPP flats at the prevailing market price.

21. The progress of MHPP was discussed at the Panel meeting on 4 January 2012. There were dissenting views on the proposed inclusion of an

additional "buy-or-rent" option. Some members opined that the proposal might have deviated from the original objective of MHPP to allow eligible participants to save for the down payment during the five-year tenancy period. These members pointed out that those who could afford to buy MHPP flats under the "buy-or-rent" option at the outset without going through a rental period might have the financial ability to purchase flats in the private sector. Besides, the Administration would be seen to compete with private developers if MHPP flats were sold at the outset and could be re-sold in the open market without any resale restrictions. There was also the possibility of speculation if owners were allowed to make quick profits from resale of their MHPP flats under a booming property market. Some other members however supported the proposal which aimed at allowing greater flexibility for MHPP participants. While tenants who chose to buy MHPP flats under the "buy-and-rent" option could receive a purchase subsidy equivalent to half of the net rental paid during the tenancy period, those who chose to buy MHPP flats under the "buy-or-rent" option at the outset would benefit even more as they did not have to pay rent thereafter.

22. The Panel noted that the first two MHPP projects would be at Tsing Luk Street of Tsing Yi and Sha Tin Area 36C. The Tsing Yi site (which would provide around 1 000 MHPP flats) was expected to be completed in 2014 and application for pre-letting would begin in 2012. As the Sha Tin site would need to undergo the land grant procedure and carry out slope stabilization works, the exact number of flats to be built had yet to be worked out after further studies. Given that applications for pre-letting of the Tsing Yi project would commence later this year, some members held the view that the Administration should be able to provide more information on the level of rents and "ceiling price" of MHPP flats for reference of prospective participants. As the success of MHPP would hinge on the selling price and quality of MHPP flats as well as the market trend, there might be a need for a contingency plan in the event that MHPP was not well received, such as converting MHPP flats into New Home Ownership Scheme (HOS) flats.

New Home Ownership Scheme

23. Apart from the enhancement of MHPP, CE also announced in his 2011-2012 Policy Address a new policy for resumption of HOS to meet the aspirations of low and middle-income families to buy their own homes. The initial plan is to provide more than 17 000 flats of about 400 to 500 square feet over four years from 2016-2017 onwards, with an annual production between 2 500 and 6 500 flats. The first batch of about 2 500 flats is expected to be ready for pre-sale in 2014-2015. The New HOS will be targeted at mainly first-time home buyers with a monthly household income under \$30,000. The prices of New HOS flats will be set with reference to the mortgage repayment ability of eligible households. As in previous subsidized housing schemes,

flats sold under the New HOS will be subject to resale restrictions such that owners may only sell their flats to green form applicants or HA within the first five years from the date of purchase. After five years, owners may sell their flats on the open market after paying a premium to HA. When calculating the premium to be paid, a unit's purchase price will be viewed as a loan to the owner, the amount of which will not be adjusted even if the market value of the unit increases in future. Premised on the two basic approaches of "loan only" and "loan plus interest", five possible options² have been drawn up for calculating the premium payable under the New HOS. According to a comparison between the existing methodology and the possible options using 120 random samples of HOS flats sold by HA in previous years, the premium amount for some selected flat owners under the New HOS would be higher than the existing methodology, mainly because the market value of these flats was high at the time of purchase.

24. The initial ideas on price setting and calculation of premium payable under the New HOS were discussed at the Panel meeting on 14 March 2012. While there was no objection to the setting of price of New HOS flats with reference to the mortgage payment ability of eligible households, some members were concerned that HA would take up the role of a lending institution under the premium arrangements for New HOS which were based on a fixed loan. As the loan was interest bearing under most of the possible options, the longer owners kept their New HOS flats the higher the premium payable upon resale which might deter them from selling their flats, thereby defeating the objective of the New HOS to facilitate upward mobility of owners to the private residential market. Given the land constraints and the difficulty encountered by the Administration in identifying suitable sites for the development of New HOS, some other members failed to see why the Administration should allow New HOS flats to be re-sold on the open market. This would not only encourage speculation (particularly during a rising property trend) but also defeat the objective of New HOS to assist low-income households to achieve home ownership. As both existing and New HOS flats were subsidized housing, there was a need to impose alienation restrictions for the sale of these flats which should only be sold to green form and white form applicants as well as those on the Waiting List for PRH to ensure that the scarce land resources were optimized for the benefit of eligible households.

25. To cope with the upfront increase in workload for implementation of the New HOS, the Administration proposed to create six directorate posts in the Development and Construction Division (DCD) of HD and increase the establishment ceilings for the Transport Department and the Environmental Protection Department. When the proposed creation of posts was discussed at

² These options include "Loan only", "Loan plus interest at "no gain, no loss" (NGNL)", Loan plus interest at NGNL rate each year, plus 1.5%", "Loan plus interest at NGNL rate fixed at the year of purchase", and "Loan plus interest at 2%".

the Panel meeting on 17 April 2012, members generally supported the proposal to take forward the New HOS and fast-track the production of the first batch of six New HOS projects. Given that the average production of some 13 630 flats before the cessation of HOS in 2002 was much higher than the target annual production of 5 000 flats under the New HOS, some members considered it necessary for the Administration to provide a comparison between the establishment of DCD prior to the cessation of HOS and under the proposal in question. The relevant funding proposal was subsequently endorsed by the Establishment Subcommittee in June 2012.

Private housing

26. Inadequate and misleading sales information on uncompleted residential properties is of concern to prospective buyers as they have no opportunity to view the properties before purchase. Problems such as inaccurate size of the property, misleading descriptions of fittings and finishes, sketchy layout and location plans were rampant in the 80s and early 90s. The problems were even more serious with overseas uncompleted residential properties sold in Hong Kong, particularly those located in the Mainland. In recent years, concerns have been raised about the provision and dissemination of misleading information on the prices of property transactions and sales figures. As the number of such complaints grows, there are increasing calls for measures to address the problems. Since then, the Panel has been following up measures introduced by the Administration to strengthen the monitoring of sales of uncompleted residential properties. There is a general consensus among Panel members that the self-regulatory regime of developers for sales of uncompleted properties is ineffective to protect the interest of consumers, and that there is a need for legislation to regulate property sales.

27. To further strengthen the regulation of the sale of first-hand residential properties, the Transport and Housing Bureau established a Steering Committee to discuss specific issues on regulating the sale of first-hand flats by legislation. The Steering Committee completed its work and submitted its report to the Secretary for Transport and Housing in October 2011, recommending that legislation should be introduced to regulate the sale of all types of first-hand residential properties. It also came up with detailed recommendation on the requirements on sales brochures, price lists, show flats, transaction information, advertisement, sales arrangements, prohibition on misrepresentation and dissemination of false and misleading information, penalties, enforcement agency, and exemption arrangements. Premised on the recommendations of the Steering Committee, the Administration prepared a consultation document on the proposed legislation to regulate the sale of first-hand residential properties for public consultation in end November 2011. At the Panel meeting on 7 November 2011, members supported the proposed creation of two supernumerary directorate posts to take forward the regulation of sale of

first-hand residential properties by legislation. The relevant funding proposal was subsequently approved by the Establishment Subcommittee and Finance Committee in November and December 2011 respectively.

28. The public consultation on the proposed legislation was discussed at the Panel meetings on 5 December 2011 and 5 January 2012. Deputations (including the trades and professional bodies) were invited to express their views at the meeting in January 2012. The Panel generally supported the proposed legislation which was considered a step forward in the right direction. The Panel noted that some deputations (including a developers' association) considered it more desirable to confine the scope to uncompleted flats because there was no difference between first-hand and second-hand completed flats as both of which could be viewed by potential buyers. Some other deputations (including the Consumer Council) considered that there should be a clear definition of first-hand residential properties to prevent circumvention by vendors through sale of new flats to their subsidiary companies to make these second-hand flats. While there was general support for the use of "saleable area (SA)" to quote area and price of flats, consideration should be given to allowing the use of both "gross floor area (GFA)" and SA in the sales brochures, price lists and advertisements to facilitate comparison between first-hand flats and flats in the secondary market since the latter used GFA for price quotation.

29. Recent complaints on insufficient information provided in the sales brochures of a first-hand residential development in Ma On Shan regarding the difference in levels between the lowest residential floor of the buildings and the adjacent streets had aroused much public concern. When the subject was discussed at the Panel meeting on 17 April 2012, members noted that in the light of the incident, the Administration had included an additional requirement in the Residential Properties (First-hand Sales) Bill (the Bill) for the inclusion of a plan in the sales brochures showing a cross-section of the building in relation to every street adjacent to the building and the level of every such street in relation to a known datum, as well as the level of the lowest residential floor of the building. While welcoming the additional requirement, some members opined that this might have demonstrated that the Bill had not been well thought out in the first place. Some other members enquired if the enforcement authority could respond to complaints in an expeditious manner, and whether consideration could be given to empowering the enforcement authority to lodge legal proceedings on behalf of consumers against misrepresentations and dissemination of false or misleading information in relation to the sale of first-hand residential properties.

30. The relevant Bill was introduced into LegCo on 21 March 2012 and a Bills Committee was set up to scrutinize the Bill.

Others

31. The Panel also discussed the relief measure of paying two months' rent for public housing tenants, provision of rent subsidy to people who could not benefit from any of the relief measures announced in the 2012-2013 Budget, Joyous Living Scheme of HS, redevelopment of Pak Tin Estate, progress report of the Total Maintenance Scheme, and organization structure in relation to the housing portfolio proposed by the Chief Executive-elect.

32. From October 2011 to June 2012, the Panel held a total of 13 meetings, including one joint meeting with the Panel on Welfare Services.

Council Business Division 1
Legislative Council Secretariat
26 June 2012

Legislative Council

Panel on Housing

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to private and public housing.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Legislative Council
Panel on Housing**

Membership list for 2011-2012 session

Chairman Hon LEE Wing-tat

Deputy Chairman Hon WONG Kwok-hing, MH

Members Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Fred LI Wah-ming, SBS, JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Dr Hon Joseph LEE Kok-long, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon CHAN Hak-kan
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Tanya CHAN

(Total : 20 Members)

Clerk Miss Becky YU

Legal Adviser Miss Winnie LO

Date 13 October 2011