

CB(1)1081/14-15(08)

**Fw: Petition from GBHS, Lung Cheung Court residents**

Saturday, May 16, 2015 9:27 AM

**From:** "Henry Tung" [REDACTED]  
**To:** "paul chan" <sdev@devb.gov.hk>  
**Cc:** [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] more ...  
**Bcc:** [REDACTED]  
[REDACTED]  
[REDACTED]

Dear Sdevb Hon Mr. Paul Chan,

On 30th April, 2015, we had submitted a petition on the above mentioned subject to CEO Dr. C.Y. Leung and he replied to say that this matter has been ordered to you for follow up action. Since these complaints from us is due to the maladministration of the previous Colonial Government, your Honour has the authority belayed to you under the Basic Law stipulation to rectify such mistakes committed by the previous Colonial Government. We are looking forward to your justical and fair decision on our petition. Thank you in anticipation.

GBHS Lung Cheung Court all residents (we are all retired Civil Servants for over at least 18 years)

Convenor: TUNG Shu-shing

Correspondence Address: [REDACTED]

From: Henry Tung [REDACTED]  
Subject: Petition from GBHS, Lung Cheung Court residents  
To: "CE O" <ceo@ceo.gov.hk>  
Cc: [REDACTED]

Date: Sunday, May 10, 2015, 3:45 PM  
Dear CEO Hon Dr. C.Y. Leung,

On 30th April, 2015, we had lodged a petition to your Honour for protesting the unreasonable charge of Land Premium on GBHS Lung Cheung Court set by the previous Colonial Government and the current relevant officer blindly to follow such imposition on us.

The former Colonial Government did a lot of mistakes in administering this scheme. In our petition to your Honour previously, it has been pointed it out explicitly, and we now sum up the main points of our petition as follows:

Our grounds of petition are:

1. EC No.69/68 dd 30.11.68 (the invitation Circular to local Civil Servants for application to purchase the flats under GBHS by instalments) clearly stated that the selling price of GBHS to Civil Servants by instalments does include the land cost. And no requirement of any arrears land premium to be paid in the future is stipulated.
2. Some blocks in the scheme already started construction before a formal land lease was finalised on 27.06.1969. Our question is how can a permit for construction be issued without a valid land lease? Is it an illegal construction when the construction

development was started?

3. Occupation permit for those blocks had been issued in April, 1969 before a valid land lease was available in June, 1969, and the

then B.O.O dared to issue such certification saying the construction did comply with the lease condition. Is this occupation permit a valid document? And also that some civil servants applied for purchasing the flats successfully had

paid the down payment already by that time, does the sale comply with the Cap 26 Sale of Goods Ordinance and other Protection of Consumers Ordinance?

4. The later land lease issued on 27 June, 1969 did not say the land cost paid by The Colonial Treasurer Incorporated to

acquire the land from Lands Department was a partly pay of the land cost, and that it does not say any about there would be an arrears of land premium to be paid in the future either.

5. The CSR circular issued later in 1985 (signed by Wong Sing Wah) listing the terms of land premium payment for both

Housing Schemes and GBHS are the same and the circular/regulation is a "one side from top to low instruction" and is an

unconscionable contract (similar to Nanking Treaty). And the Scheme purchasers had no opportunity to object or argue. Furthermore, the purchase of GBHS flats is entirely different with that for the development of the Coopts Society Housing Schemes, why the same terms of payment of land premium is applied to GBHS purchasers?

6. In 2002, the then DLO/Kowloon East used his personal officer title to sign a letter of lease modification incorporated Wong Sing Wah's circular forcing LCC to abide with. Such action had not been discussed and approved by both Exco and Legco of SAR Government. Furthermore, according to Govt.

correspondence procedure, such important document, it should

be signed and issued by the Head of Department rather than by an officer whose grade is below D3. Apparently it is not the opinion of the head of the policy maker.

From the above, it would appear the then Colonial Government

administration does commit serious mistakes to have violated Cap 26 Sale of Goods Ordinance as well as other Protection of Consumers Ordinance and in particular Cap 458 Unconscionable Ordinance plus to use the Colonial way to administer which are totally unlawful and unacceptable.

The

SAR Government has the duty to rectify it now. We beg therefore your Honour to rule that the imposition of land premium payment on GBHS Lung Cheung Court is invalid. Thank you in anticipation.

Residents of GBHS, Lung Cheung Court, (we are all retired Civil Servants for over at least 15 years)  
Convenor: TUNG Shu-shing