

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1056/16-17  
(These minutes have been  
seen by the Administration)

Ref : CB1/PL/HG/1

**Panel on Housing**

**Minutes of meeting**  
**held on Tuesday, 11 April 2017, at 4:30 pm**  
**in Conference Room 3 of the Legislative Council Complex**

**Members present** : Hon Alice MAK Mei-kuen, BBS, JP (Chairman)  
Hon Andrew WAN Siu-kin (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Prof Hon Joseph LEE Kok-long, SBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon LEUNG Kwok-hung  
Hon WU Chi-wai, MH  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung  
Hon POON Siu-ping, BBS, MH  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Jimmy NG Wing-ka, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Hon HO Kai-ming  
Hon SHIU Ka-fai  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan

Hon CHEUNG Kwok-kwan, JP  
Hon LUK Chung-hung  
Hon LAU Kwok-fan, MH  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho  
Hon Nathan LAW Kwun-chung  
Dr Hon YIU Chung-yim  
Dr Hon LAU Siu-lai

**Members absent** : Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon CHU Hoi-dick  
Hon Kenneth LAU Ip-keung, MH, JP  
Dr Hon CHENG Chung-tai

**Public Officers  
attending** : Agenda Item IV

Ms Ada FUNG, JP  
Deputy Director (Development & Construction)  
Housing Department

Mr Kenneth LEUNG  
Acting Chief Civil Engineer (Public Works Programme)  
Housing Department

Mr Alan HUI  
Chief Architect (3)  
Housing Department

Mrs Doris FOK  
Assistant Director (Leisure Services)1  
Leisure and Cultural Services Department

Agenda Item V

Mr Philip CHAN, JP  
Director of Sales of First-hand Residential Properties  
Authority

Ms Mildred CHEUNG  
Deputy Director of Sales of First-hand Residential  
Properties Authority

**Clerk in attendance** : Mr Derek LO  
Chief Council Secretary (1)5

**Staff in attendance** : Mr Fred PANG  
Senior Council Secretary (1)5

Ms Michelle NIEN  
Legislative Assistant (1)5

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**I. Confirmation of minutes**

(LC Paper No. CB(1)769/16-17 — Minutes of policy briefing  
cum meeting held on  
6 February 2017)

The minutes of the policy briefing cum meeting held on 6 February 2017 were confirmed.

**II. Information papers issued since last meeting**

2. Members noted that the following papers had been issued since last meeting –

LC Paper No. CB(1)776/16-17(01) — Land Registry Statistics for  
March 2017 provided by the  
Administration (press  
release)

LC Paper No. CB(1)768/16-17(01) — Administration's paper on  
Marking Scheme for Estate  
Management Enforcement in  
Public Housing Estates

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- LC Paper No. CB(1)721/16-17(01) — Referral from the Panel on Food Safety and Environmental Hygiene regarding rodent prevention and control work in public rental housing estates (English version only) (Restricted to members only)
- LC Paper No. CB(1)715/16-17(01) — Administration's paper on short and medium-term measures to alleviate the housing difficulties of residents of sub-divided units
- LC Paper No. CB(1)655/16-17(01) — Letter dated 6 March 2017 from Hon Jeremy TAM Man-ho regarding "Measures to facilitate the mobility needs of elderly residents by the Hong Kong Housing Authority" (Chinese version only)
- LC Paper No. CB(1)651/16-17(01) — Land Registry Statistics for February 2017 provided by the Administration (press release)

3. Members noted the Administration's response (issued vide LC Paper No. CB(1)715/16-17(01)) to the Panel's request for discussing the item "short and medium-term measures to alleviate the housing difficulties of residents of sub-divided units" on the list of outstanding items for discussion. The Chairman proposed and members agreed that the Panel would discuss the item with the Administration at the meeting on 3 July 2017. Members further agreed that the Panel would receive public views on the subject at the same meeting, or if this was not practicable due to time constraint, at another Panel meeting. The Chairman instructed the Clerk to invite the Secretary for Transport and Housing of the next-term Government to discuss the subject with members at the meetings concerned.

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**III. Items for discussion at the next meeting**

(LC Paper No. CB(1)765/16-17(01) — List of follow-up actions

LC Paper No. CB(1)765/16-17(02) — List of outstanding items for discussion)

4. Members agreed to discuss the following items proposed by the Administration at the next regular meeting scheduled for Tuesday, 9 May 2017, at 4:30 pm –

- (a) Head 711 projects no. B286RS and B779CL – Re-provisioning of recreational facilities and site formation works for public housing development at Hiu Ming Street, Kwun Tong; and
- (b) Development of bazaars in public housing estates.

5. In response to Dr KWOK Ka-ki's suggestion that the Panel should receive public views on the subject of "development of bazaars in public housing estates", the Chairman advised that she would consider whether it was more practicable for the Panel to receive public views on the subject at the regular meeting in June or July 2017.

6. The Chairman advised that the Administration had proposed to discuss an item on the list of outstanding items for discussion, i.e. "Marking Scheme for Estate Management Enforcement in Public Housing Estates". The Secretariat had circulated the Administration's paper for the item to members vide LC Paper No. CB(1)768/16-17(01) to facilitate members to consider whether it was necessary to discuss the item at a Panel meeting. As 11 members had already indicated that the Administration's paper for the item required discussion by the Panel, the Panel would discuss the item with the Administration at the meeting on 9 May 2017.

*(Post-meeting note: The notice of meeting and agenda were issued to members vide LC Paper No. CB(1)809/16-17 on 13 April 2017.)*

*(At 4:41 pm, the Chairman left the meeting due to other commitments, and Mr Andrew WAN, the Deputy Chairman, took over the chair.)*

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**IV. Head 711 project no. B440RO – District open space adjoining public housing development at Anderson Road**

(LC Paper No. CB(1)765/16-17(03) — Administration's paper on Public Works Programme Item No. B440RO District open space adjoining public housing development at Anderson Road)

7. With the aid of PowerPoint, Deputy Director of Housing (Development & Construction) ("DDH(D&C)") briefed members on the Administration's proposal to upgrade public works programme item no. B440RO "District open space adjoining public housing development at Anderson Road" to Category A, details of which were set out in the Administration's paper (LC Paper No. CB(1)765/16-17(03)).

*(Post-meeting note: Presentation materials for the item were issued to members vide LC Paper No. CB(1)810/16-17(01) on 12 April 2017 in electronic form.)*

8. The Deputy Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP") of the Legislative Council ("LegCo"), they should disclose the nature of any direct or indirect pecuniary interests relating to the subjects under discussion at the meeting before they spoke on the subjects. He further drew members' attention to Rule 84 of the RoP on voting in case of direct pecuniary interest.

Provision of the proposed facilities in tandem with public housing developments

9. Mr HO Kai-ming and Mr Wilson OR enquired why the provision of the proposed district open space could not tie in with the population intake of On Tat Estate and On Tai Estate. Mr HO was concerned that as the Administration had yet to commence the proposed project, residents of the two estates would have to continue travelling a long way in order to access open space facilities. Mr OR and Mr KWONG Chun-yu raised similar concerns. Mr SHIU Ka-chun and Dr LAU Siu-lai considered it important for the Administration to provide in a timely manner community service facilities in the vicinity of the estates concerned for the residents' convenience. Mr SHIU said that residents of On Tat Estate currently had to travel to Tsui

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Ping Estate and Shun Lee Estate in order to access community mental health and family care services. Dr LAU was concerned about the Administration's progress in providing a school, elderly and youth centres in On Tat Estate.

10. DDH(D&C) replied that the Hong Kong Housing Authority ("HA") had earlier on constructed a local open space as part of the development of On Tat Estate and On Tai Estate, and the facilities provided in the local open space included basketball and badminton courts, table tennis tables, facilities for elderly and children, etc. Unlike the local open space which would mainly cater for the demand of residents of the two estates, the proposed district open space would serve a wider area. She advised that the project to develop the two housing estates was financed by HA, whereas the proposed district open space was a public works project and its funding was subject to the Finance Committee's approval. In light of the actual circumstances, the timetable for taking forward the two projects might not be exactly the same.

11. Mr KWOK Wai-keung, Mr HO Kai-ming, Mr Wilson OR, Mr KWONG Chun-yu, Dr KWOK Ka-ki, Dr YIU Chung-yim, Mr SHIU Ka-chun, Dr LAU Siu-lai and Mr LEUNG Yiu-chung queried why the Administration did not submit the funding application for the proposed project at an earlier time in synchronization with the development of the two estates. Mr SHIU was concerned whether the same problem would recur in respect of the development of facilities that supported other new public housing estates such as Hung Fuk Estate. Mr KWOK Wai-keung and Mr OR considered the late provision of the proposed district open space reflected that the Administration had not given due consideration to residents' needs and aspirations. Mr KWONG enquired whether the Administration had accorded a higher priority to the proposed project in the allocation of resources.

12. DDH(D&C) replied that it would be desirable but not always be practicable to submit the funding application for the proposed project to LegCo in tandem with the public housing development concerned considering that public works projects would be implemented progressively by the Administration according to the priority. The proposed district open space which was expected to be completed in the fourth quarter of 2019 might dovetail with other phases of development of On Tai Estate. She advised that the facilities to be provided for residents of Hung Fuk Estate would not include a district open space. Mr HO Kai-ming, Mr Wilson OR, Mr LEUNG Yiu-chung and Mr KWONG Chun-yu said that the Administration and HA should learn a lesson from the problem and prevent similar problems from recurring in future. Mr OR requested the Administration to provide supplementary information to explain why it had not submitted the proposal to LegCo in good time in order to tie in with the

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population intake of the estates concerned, and how the Administration would prevent recurrence of similar situation in future.

*(Post-meeting note: The Administration's supplementary information was issued to members vide Annex 2 to LC Paper No. CB(1)958/16-17(01) on 16 May 2017.)*

Artificial turf soccer pitch

13. Mr KWOK Wai-keung and Mr HO Kai-ming were concerned that the utilization rate of the proposed artificial turf soccer pitch might be low if the venue would be available for hire only. Mr KWOK enquired why the Administration did not provide hard-surfaced soccer pitches under the proposed project. Assistant Director (Leisure Services)1, Leisure and Cultural Services Department ("AD(LS)1, LCSD") replied that the Administration had consulted Kwun Tong District Council ("KTDC") on the facilities to be provided in the proposed district open space, and KTDC supported the provision of a 7-a-side artificial turf soccer pitch under the proposed project. There were currently three 7-a-side artificial turf soccer pitches in Kwun Tong, and their average utilization rates were about 75% and more than 90% during peak hours. As an artificial turf soccer pitch could be used for 270 sessions per month whereas the maximum number of sessions provided by a natural turf pitch was 60 per month, providing an artificial turf soccer pitch could more effectively relieve the demand for soccer pitches. She advised that there were currently 21 hard-surfaced soccer pitches in Kwun Tong, and one of them which was relatively close to On Tat Estate and On Tai Estate was provided at Sau Ming Road Park.

14. Mr HO Kai-ming said that Sau Ming Road Park was not close to On Tat Estate and On Tai Estate, and enquired whether the proposed artificial turf soccer pitch could be made available for public enjoyment when there were no bookings, given that the district open space including the soccer pitch was under the supervision of staff deployed by the Administration. AD(LS)1, LCSD replied that it was necessary for the Administration to strike a balance between the needs of different users of the facilities. Certain areas in the proposed district open space including the multi-purpose open area would be open for public use for free. As the artificial turf soccer pitch was a fee-charging facility, it would be made available for public use at a charge. The Administration would review the utilization rate of the soccer pitch after its commissioning, and consideration would be given to making it available for other activities, such as tai chi classes. In response to the Chairman's enquiry on whether the Administration would consult KTDC in future on the

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possible alternative uses of the soccer pitch, AD(LS)1, LCSD advised that the Administration might consult KTDC on the matter where appropriate.

15. Dr KWOK Ka-ki enquired about the measures taken by the Administration to ensure that the surfacing materials used in the proposed artificial turf soccer pitch did not contain carcinogens. He was concerned whether the rubber granules in the surfacing materials would contain polyaromatic hydrocarbons ("PAHs"). AD(LS)1, LCSD replied that a third generation artificial turf soccer pitch would be provided under the proposed project. The contractors concerned would be required to ensure that the materials to be used for constructing the soccer pitch were in compliance with the safety requirements of the Fédération Internationale de Football Association Quality Programme for Football Turf. The rubber granules might contain PAHs, but the level of PAHs would not exceed the limit set by REACH regulation (of Entry 28), an European Union regulation. Dr KWOK Ka-ki enquired whether the Administration would conduct tests on the surfacing materials. AD(LS)1, LCSD replied that the contractors concerned were required to submit an assurance confirming compliance of the materials with the relevant international safety requirements. Dr KWOK remained of the view that the Administration should not merely rely on the test reports produced by contractors, and should carry out their own tests. In response to Dr YIU Chung-yim's enquiry on whether HA had made reference to the requirements stipulated by the Architectural Services Department ("ArchSD") with respect to the materials used in artificial turf soccer pitches, Chief Architect(3), Housing Department ("CA(3)/HD") advised that HA would continue to make reference to the relevant ArchSD's specifications, and revise the HA's requirements if appropriate.

Other facilities under the proposed project

16. Dr KWOK Ka-ki enquired whether roller skating rinks, basketball and volleyball courts would be provided under the proposed project. CA(3)/HD replied that basketball courts would be provided at On Tat Estate and On Tai Estate. Volleyball courts and roller skating rinks would not be provided in the local open space or under the proposed project.

17. Mr WU Chi-wai enquired whether the Administration would provide a cycle track connecting the two estates so that children who wished to ride tricycles for recreational purpose could do so on the track. CA(3)/HD replied that in view of the size and topography of the area concerned, it was not appropriate for the Administration to provide a cycle track as suggested by Mr WU. In response to Mr WU's and the Deputy Chairman's enquiry whether riding of tricycles would be permitted in the proposed district open

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space, CA(3)/HD advised that if tricycles were permitted in the proposed district open space, there would be conflict between the riders and other users of the open space.

18. Mr Wilson OR enquired whether Administration would consider providing a cycle velodrome under the proposed project. He further enquired about the total area occupied by the proposed multi-purpose open area. DDH(D&C) replied that the Administration would provide supplementary information to address Mr OR's enquiries. In response to Ir Dr LO Wai-  
kwok's request, DDH(D&C) undertook to provide with plans/drawings, the facilities provided in the local open space that had been/would be provided as part of the development of On Tat Estate/On Tai Estate.

*(Post-meeting note: The Administration's supplementary information was issued to members vide Annex 2 to LC Paper No. CB(1)958/16-17(01) on 16 May 2017.)*

19. Mr LEUNG Yiu-chung enquired whether the proposed project would provide venues at appropriate locations for group dancing, tai chi practice, yoga, etc. so that these activities would not generate nuisances to the residents nearby. CA(3)/HD replied that spaces near the proposed jogging track could be used for carrying out such group activities. AD(LS)1, LCSD advised that members of the public might also carry out group activities in the proposed multi-purpose open area. DDH(D&C) said that as the proposed district open space was not close to the residential blocks of On Tat Estate and On Tai Estate, it was less likely that the group activities carried out there would cause nuisances to residents of the two estates.

*(The Chairman returned to the conference room at 5:08 pm to resume chair.)*

Implementation of the proposed project

20. Mr Wilson OR said that facilities in other estates in Kwun Tong district were already fully utilized. Certain facilities planned to be provided in the local open space of the two housing estates had not been open to the public. To provide adequate facilities to meet the residents' needs, the Administration should submit as early as possible the proposal to the Public Works Subcommittee and the Finance Committee for consideration. He further enquired about the government departments responsible for the construction and management of the proposed district open space. DDH(D&C) replied that HA was entrusted by the Administration to implement the proposed project. Upon its commissioning, the district open

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space would be managed by the Leisure and Cultural Services Department ("LCSD").

21. Noting that the proposed project would take about two years to complete, Ir Dr LO Wai-kwok enquired whether HA would consider constructing the proposed district open space in phases so that part of the facilities could be open for public use earlier. CA(3)/HD replied that HA would consider Ir Dr LO's suggestion. The Chairman said that HA might work out a proposal in light of the suggestion before submitting the funding proposal to the Public Works Subcommittee. In response to the Chairman's enquiry on whether LCSD, which would manage the district open space, considered the suggestion feasible, AD(LS)1, LCSD advised that whether the suggestion could be taken forward depended on, among others, whether HA could implement the proposed project in phases, and whether the required manpower resources could be made available to LCSD earlier for taking over the management of the facilities to be commissioned in the district open space.

Concluding remarks

22. Concluding the discussion, the Chairman said that members supported the submission of the proposal to the Public Works Subcommittee for consideration.

**V. The work of the Sales of First-hand Residential Properties Authority**

(LC Paper No. CB(1)765/16-17(04) — Administration's paper on the work of the Sales of First-hand Residential Properties Authority

LC Paper No. CB(1)765/16-17(05) — Paper on the work of the Sales of First-hand Residential Properties Authority prepared by the Legislative Council Secretariat (updated background brief))

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23. The Director of Sales of First-hand Residential Properties Authority ("D/SRPA") briefed members on the latest work of the Sales of First-hand Residential Properties Authority ("SRPA") by highlighting the salient points of the discussion paper (LC Paper No. CB(1)765/16-17(04)).

Complaint cases

24. Mr POON Siu-ping noted that of the complaint cases received by SRPA, the Authority was following up 44 cases. He enquired about the details of the 44 cases. D/SRPA replied that as at 28 February 2017, SRPA had received 189 complaint cases relating to the Residential Properties (First-hand Sales) Ordinance (Cap. 621) ("the Ordinance"), and the objects of these complaints had been set out in the discussion paper. The 44 cases being followed up were part of the 189 cases, and it was not known at this stage whether these cases were substantiated. In response to Mr POON's enquiry about the details of the 54 complaint cases on advertisement, D/SRPA advised that they included aspects such as false or misleading information, etc.

Sales brochures

25. Mr Jeremy TAM said that under the existing design of the Sales of First-hand Residential Properties Electronic Platform ("SRPE"), users would be prompted to input a four-character code for a search on the sales brochure of a residential development, and were required to input another four-character code again for a new search thereafter, hence it would be inconvenient for users to search for the sales brochures of multiple number of developments. SRPA should consider making SRPE more user-friendly. In response, D/SRPA said SRPA would look into the design of SRPE in light of Mr TAM's comments and consider improvements to the user-friendliness of the platform.

26. Dr YIU Chung-yim said that the vendors of residential developments built on the sites selected for the "Hong Kong Property for Hong Kong People" measure had not provided information in the sales brochures that the sale of the residential units was restricted to Hong Kong Permanent Residents only. He enquired whether SRPA had investigated such practice to see if it constituted a case of misrepresentation and/or dissemination of false or misleading information. D/SRPA replied that SRPA had not received any complaint cases on the matter mentioned by Dr YIU, and if SRPA received such a complaint, it would follow up.

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27. Mr Jeremy TAM said that prospective purchasers of first-hand residential developments might wish to check certain information in the Deeds of Mutual Covenant ("DMC"), such as the property management fee, and whether dogs were allowed to be kept in the residential property. The Ordinance should include provisions requiring vendors to make clear in sales brochures whether residents were allowed to keep dogs. When inspecting sales offices, SRPA should check whether vendors had made available at sales offices a copy of the DMC for customers' reference. D/SRPA took note of Mr TAM's suggestions.

Sales tactics of vendors of first-hand residential properties

28. Mr CHAN Chi-chuen cited a case in which a developer of a new residential development used the development's proximity to the Fanling Golf Course as a selling point, and the Chinese name of the development contained the word "golf". He enquired whether the developer was legally required to make clear to prospective purchasers of the development that the golf course which was located on land granted under private recreational lease might be resumed by the Government for other development purposes in future. He further enquired whether vendors who used a sea view as a selling point during the sales of flats were legally required to inform prospective purchasers whether the sea view would be obstructed by some newly constructed buildings in future. D/SRPA replied that as a general principle, vendors should include in sales brochures for first-hand residential developments information about the developments to enable consumers to make informed purchase decisions. The Ordinance had stipulated the information that should be contained in sales brochures.

29. Ms Starry LEE and Mr LEUNG Kwok-hung enquired how SRPA would deal with cases in which the residential property purchased by a household did not correspond to the sales descriptions provided by the vendor. Ms LEE said that she had received a complaint case in which the purchaser of a residential property considered that the design of part of the building and the quality of the building materials used were inferior and did not tally with the sales descriptions. She enquired how SRPA would deal with such case, and whether SRPA would offer help to the complainant who wished to instigate prosecution against the vendor concerned. D/SRPA said that Ms LEE might refer the case to SRPA for its follow-up with the complainant. He explained that upon receiving a complaint, SRPA would study the case, and request the vendor concerned to provide information. If there were any suspected contraventions of the Ordinance, the Administration would consider taking prosecution action. He advised that the prosecution would be

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instigated by the Administration and would not be conducted on behalf of the complainant concerned.

30. The Chairman enquired whether SRPA had maintained communications with the industry regarding the prospective purchasers' concern that the actual situation of a first-hand residential development might not be the same as the one shown in the advertisement. D/SRPA replied that under the Ordinance, vendors might commit an offence if their advertisements contained false or misleading information.

31. Dr YIU Chung-yim enquired whether vendors' practice of giving higher flat section priority to purchasers of a batch of flats over other purchasers had created an unlevel playing field, and hence contravened the Ordinance. D/SRPA replied that while vendors were required under the Ordinance to make available to the public the sales arrangements before the date of sale, they had the discretion to decide the sales arrangements, and the vendors' practice mentioned by Dr YIU did not constitute contraventions of the Ordinance. In response to Mr LEUNG Kwok-hung's enquiry on whether the practice of acquiring multiple residential properties under a single instrument by purchasers of first-hand residential developments was within the purview of the Ordinance, D/SRPA advised in the negative.

32. The Chairman said that some developers offered advantages/concessions such as a second mortgage to purchasers of first-hand residential properties, and enquired whether it was SRPA to ensure a proper regulatory control in this regard. D/SRPA replied that developers had the discretion to decide the types of financial advantage and benefit, including mortgage arrangements, offered to purchasers. The mortgage arrangements had to comply with the relevant laws and regulations. Under the Ordinance, developers might commit an offence if the actual mortgage arrangements were different from the terms of payment mentioned in the price list.

Prosecutions and convictions

33. Noting that the Administration had so far taken prosecution action against the vendors of three developments, Dr YIU Chung-yim enquired whether SRPA would take measures such as holding seminars to assist the industry players to understand the requirements under the Ordinance, so that they could avoid contravening the Ordinance. D/SRPA replied that SRPA had uploaded information of the offences committed by the vendors to its website for public viewing. To facilitate the industry to understand and comply with the Ordinance, SRPA would continue to carry out public education activities, and had been planning seminars to be held this year.

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34. Mr Nathan LAW and Mr LEUNG Kwok-hung noted with concern that since the full implementation of the Ordinance, the Administration had taken prosecution actions against the vendors of three developments only. Mr LAW questioned whether the requirements under the Ordinance were not stringent enough to eliminate irregularities. He referred to one of the cases of prosecution which involved misrepresentation, and considered the penalty imposed on the convicted vendor (i.e. a fine of \$360,000) light. Mr LAW further said that an advertisement in respect of the residential development of The Zumurud contained messages such as that each flat owner would be provided with a car parking space, but it also had some words in small fonts indicating that the car parking spaces had to be purchased by flat owners at their own cost. He asked whether the advertisement had contravened the Ordinance, and if not, whether the Ordinance lacked deterrent effect.

35. D/SRPA replied that Mr LAW might refer the case to SRPA for follow-up. He advised that to support a prosecution, there must be legally sufficient evidence. Of the vendors prosecuted so far, all had been convicted and hence the rate of conviction was high. The penalties imposed on the vendors concerned were decided by the Court. The fact that there were few cases of prosecution might reflect that vendors had made good efforts to comply with the Ordinance. In response to the Chairman, D/SRPA advised that the maximum penalties under the Ordinance were imprisonment for seven years and a fine of \$5 million.

36. Mr Abraham SHEK and Dr Junius HO opined that the requirements under the Ordinance were stringent, given that there were about 120 criminal offences under the Ordinance. Mr SHEK said that the industry players had made good efforts to comply with the Ordinance in view of the number of first-hand residential properties that had been offered for sale by vendors and the number of complaint cases received by SRPA.

37. Dr Junius HO suggested that SRPA might consider providing through its website more information about the SRPA's work that had been completed or in progress. He said that as the Law Society of Hong Kong ("LSHK") could help find the law firms which volunteered to provide not exceeding 45 minutes initial free legal consultation, SRPA might consider co-operating with LSHK to assist the prospective purchasers of first-hand residential properties who needed legal advice. D/SRPA replied that apart from providing information to the public through its website, SRPA had staged a roving exhibition to promote the Ordinance in ten locations across the territory. The exhibition had showcased the protection brought by the implementation of the Ordinance to purchasers of first-hand residential

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properties and points to note for them. D/SRPA advised that SRPA had been liaising with LSHK to explore how the organization could help SRPA to foster consumers' understanding of the protection afforded by the Ordinance.

Review of the requirements under the Ordinance

38. Mr Abraham SHEK said that to meet the relevant requirements under the Ordinance, developers had to allocate considerable resources in providing information on their developments such as publication of sales brochures. He enquired whether SRPA had a target date for reviewing the Ordinance. D/SRPA replied in the negative. He advised that the requirements under the Ordinance had balanced the interests of different stakeholders including purchasers and vendors. As the Ordinance had only been in full operation for about four years, SRPA was still accumulating implementation experience. He said that the concern raised by Mr SHEK had been noted. SRPA would continue to monitor the effectiveness of the Ordinance, and communicate with the industry with a view to identifying the areas that required improvement.

39. The Chairman considered it appropriate to conduct a review on whether vendors should provide more information in the sales brochures so that before making a purchase decision, prospective purchasers would know whether the first-hand residential development concerned or its adjacent buildings would be erected with telecommunication installations, whether the public car park adjacent to the development was under a short-term tenancy, whether animals/pets were allowed to be kept in the residential properties, etc. D/SRPA responded that according to the Ordinance, SRPA might from time to time issue guidelines covering matters on sales brochures for the industry to follow. SRPA would consider whether it was appropriate to formulate guidelines in view of the issues of concern raised by the Chairman. The Chairman said that SRPA should consider formulating the guidelines, and might report to LegCo on the progress of the matter where appropriate.

**VI. Any other business**

40. There being no other business, the meeting ended at 6:28 pm.