

**Submission of Mr CHEN Yoh-wen of the Tsuen Wan Provisional District Board
for the special meeting of the Home Affairs Panel to be held on 29 June 1999**

The purpose of setting up Owners' Corporation is to organize residents for gathering their opinions and implementing environmental improvement works in the building. It is also aimed at enhancing the spirit of mutual assistance and maintaining the law and order.

Members of the Corporation are mostly volunteers who sacrifice their own time and knowledge to provide service to others. A lot of them even devote money and effort and are willing to bear hardship without complaint.

However, many owners are too busy in their own business that they can hardly have time to participate in the work of the corporation. Besides, a lack of effective monitoring system has given rise to a situation that certain Corporations are manipulated by people who are ill-intentioned, and they can make use of the Corporation to do whatever they like, eg. unlawful occupancy of public area, collusion with management company, having under-the-counter dealings with maintenance company, embezzlement of the Corporation's money by caretaker employed by the Corporation and even defalcation of maintenance fee. The Owners' Corporation becomes a seminary of crime, and the residents do not dare to speak out although feeling indignant.

It is often seen that the incoming and outgoing members of the Corporation argue over the issues of the building, so I hope a sound system could be established to uphold the justice for owners.

As many owners are not concerned about the affairs of their building, the number of participants in the owners' meeting is very limited, and this problem has become a hard nut to crack. In order to tackle this problem, the existing ordinances stipulate that the quorum of a owners' meeting is 10% of the number of owners of a building. However, there is also a shortcoming in it. For example, if a building only consists of 30 or 50 premises, only 3 or 5 persons would meet the quorum. As a result, when an election of a Corporation is held, these people will be elected ipso facto as official members of the Corporation. Many owners have no knowledge about the situation of the meetings, so the Corporations are easily manipulated by people who have ulterior motives. It is worthy to look into the matter as the authority has not yet implemented any monitoring system till now, and the government should strengthen the publicity of the function of the Owners' Corporation and the rights of owners.