

(Translation)

**Special Meeting for LegCo Panel on Home Affairs to be Held on 29 June 1999**

**Building Management**

**Speaking Notes of Mr LI Po-ming, Chairman of**

**Development and Housing Committee, Sha Tin Provisional District Board**

The Public Consultation on Proposals to Improve Fire Safety in Private Buildings was discussed by the Sha Tin Provisional District Board(STPDB) on 31.7.1997. Members were generally concerned about the fire safety issues of buildings. They proposed the Government to accord priority to settle those buildings of high fire risk and demolish unauthorized structures on rooftops of private buildings, to streamline the operation procedures and to enhance the co-ordination among enforcement departments.

2. The Development and Housing Committee(the Committee), STPDB at its meeting on 23.2.1999 discussed a member's question on the establishment of Owners' Corporations(OC) arising from the case on Phase IV, Sunshine City, Ma On Shan. In that particular case, although the area of the residential portion was three times of that of the shopping arcade, its undivided shares of estate right and interest were less than that of the latter such that it was difficult for owners to form an OC. Members put forth the following comments on that day:-

- (i) In most Deed of Mutual Covenant (DMC), the undivided shares of estate right and interest of commercial portions were often more than those of the residential portions such that owners would encounter quite a number of difficulties in the formation of OCs. Members proposed the Government to amend the requirement on undivided shares of estate right and interest in the Building Management Ordinance or even to provide in the land lease that the developers were required to assist the owners to form their OCs to safeguard their interests.

(ii) A comprehensive review should be conducted by Lands Department on its clearing procedures on DMC to avoid any unequal provisions.

(iii) Consideration should be given to divide the commercial and residential portions of commercial/residential developments to form their respective OCs in order to plug the existing loopholes.

3. After discussion, the Committee formally submitted their proposal to Lands Department to request the Department to adopt impartial and objective principles in clearing DMC on the allocation of the undivided shares of estate right and interest according to the ratio of the floor area in future.