

立法會
Legislative Council

LC Paper No. CB(1) 107/02-03
(These minutes have been seen
by the Administration)

Ref: CB1/BC/14/00/2

**Bills Committee on
Landlord and Tenant (Consolidation) (Amendment) Bill 2001**

**Minutes of tenth meeting held on
Wednesday, 25 September 2002, at 2:30 pm
in Conference Room B of the Legislative Council Building**

Members present : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon HUI Cheung-ching, JP
Hon CHAN Kam-lam, JP
Hon TAM Yiu-chung, GBS, JP
Hon Albert CHAN Wai-yip

Members absent : Hon James TIEN Pei-chun, GBS, JP
Hon James TO Kun-sun
Hon LAU Ping-cheung

Public officers attending : Housing, Planning and Lands Bureau

Ms Ophelia TSANG Oi-lin
Assistant Director (Private Housing)

Miss Drew LAI Sai-ming
Administrative Officer (Private Housing)

Department of Justice

Ms Grace LEUNG
Government Counsel

Rating and Valuation Department

Mr WONG Chun-siu, JP
Deputy Commissioner

Mr SIU Kuen-sang
Acting Assistant Commissioner
(Rent Control and Special Duties)

Mr LAM Kin-ha
Principal Valuation Surveyor

Mr CHAN Kwok-fan
Senior Rent Officer

Clerk in attendance : Miss Becky YU
Chief Assistant Secretary (1)1

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Mrs Mary TANG
Senior Assistant Secretary (1)2

I Confirmation of minutes of previous meeting

(LC Paper No. CB(1) 2445/01-02 -- Minutes of the meeting held on
23 July 2002)

LC Paper No. CB(1) 2560/01-02 -- Minutes of the meeting held on
31 July 2002)

The minutes of the meetings held on 23 and 31 July 2002 were confirmed.

II Meeting with the Administration

(LC Paper No. CB(1) 2561/01-02(01) -- List of outstanding actions arising
from previous meetings

LC Paper No. CB(1) 2561/01-02(02) -- Administration's response to
CB(1) 2561/01-02(01))

2. The Committee deliberated (Index of proceedings attached at **Annex A**).

3. The Administration was requested to -

- (a) report to the Panel on Housing the outcome of the study on the feasibility of vesting the Rating and Valuation Department with the power to deal with tenancy disputes not exceeding a prescribed amount of money;
- (b) include the distress procedures in the comprehensive review of the security of tenure provisions of the Landlord and Tenant (Consolidation) Ordinance (Cap. 7);
- (c) provide the revised internal guidelines on the handling of tenancy disputes by the Police;
- (d) introduce Committee Stage amendment to revise the Notice of Application under the Landlord and Tenant (Consolidation) Ordinance (Form 22); and
- (e) review the drafting of proposed sections 117(3) of clause 11, 119F(2)(a), 119F(4)(d) and 119F(5)(ba) of clause 18 and section 69(3) of the District Court Ordinance (Cap. 336) of the Schedule.

4. There being no other business, the meeting ended at 4:00 pm.

Legislative Council Secretariat

21 October 2002

**Proceedings of the meeting of the
Bills Committee on Landlord and Tenant (Consolidation) (Amendment) Bill 2001
Meeting on Wednesday, 25 September 2002, at 2:30 pm
in Conference Room B of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000000 - 000140	Chairman	Confirmation of minutes of meetings held on 23 and 31 July 2002 (LC Paper Nos. CB(1) 2445 and 2560/01-02)	
000141 - 000248	Administration Mr HUI Cheung-ching	Administration's response (LC Paper No CB(1) 2561/01-02) Item 1 - Claims for interest in respect of rent in arrears	
000249 - 000944	Chairman Administration Mr CHAN Kam-lam	Item 2 - Compliance rate for repossession of premises within 103 days	
000945 - 001126	Administration Mr TAM Yiu-chung Chairman	Item 3 - Manpower and financial resources for expediting the repossession procedures	
001127 - 002006	Administration Chairman Mr TAM Yiu-chung Mr HUI Cheung-ching Mr Albert CHAN	Item 4 - Vesting RVD with the power to deal with tenancy disputes not exceeding a prescribed amount of money	The Administration to report to the Panel on Housing outcome of the feasibility study on vesting RVD with the power to deal with tenancy disputes not exceeding a prescribed amount of money

002007 - 002105	Administration Chairman	Item 5 - Inclusion of applications for interest for rent in arrears and disposal of properties left in premises in Form 22 (Notice of Application under the Landlord and Tenant (Consolidation) Ordinance (Cap.7))(LTO)	The Administration to introduce Committee Stage amendments (CSAs) to revise Form 22
002106 - 002840	Mr Albert CHAN Administration Mr CHAN Kam-lam Chairman	Procedures for distraint	The Administration to consider including the distress procedures in the comprehensive review of the security of tenure provisions under LTO
002841 - 002916	Administration	Item 6 - Undertaking by the Secretary for Housing, Planning and Lands that the provision of false information by tenants should be included in the context of the comprehensive review of the security of tenure provisions under LTO.	
002917 - 003447	Administration Chairman Mr Albert CHAN	Item 7 - Disposal/valuation of left over properties by bailiff	
003448 - 003555	Chairman Administration	Item 8 - Tenants' and sub-tenants' compensation	
003556 - 003736	Administration Chairman	Item 9 - Police internal guidelines on handling of disputes between landlords and tenants	The Administration to provide for members' reference the revised Police internal guidelines on handling of disputes between landlords and tenants

003737 - 003908	Chairman Administration Mr TAM Yiu-chung	Item 10 - Notification of commencement of provisions of the Bill	
003909 - 011219	Administration Chairman Mr TAM Yiu-chung SALA2 Mr CHAN Kam-lam Mr Albert CHAN Mr HUI Cheung-ching	Item 13 - Proposed section 117(3)(d)	The Legal Service Division to liaise with the Hong Kong Bar Association and the Law Society of Hong Kong regarding wording of the proposed section 117(3)(d) under clause 11 of the Bill
011220 - 011237	Chairman Administration	Item 14 - CSA to amend the hours of entry under proposed section 131 (a) to “between 9 am and 7 pm”	
011237 - 011249	Chairman Administration	Item 15 - Drafting of the English and Chinese versions of the Bill to ensure consistency	
011250 - 011759	SALA2 Mr Albert CHAN Chairman Mr CHAN Kam-lam	Chinese rendition of “and other accommodation” in section 119F(2)(a)	The Administration to re-consider the Chinese rendition of “and other accommodation” in proposed section 119F(2)(a) under clause 18(a) of the Bill
011800 - 012218	SALA2 Chairman Administration Mr Albert CHAN	Use of the phrases “subject” and “subject matter” in proposed sections 119F(4)(d) and 119F(5)(ba)	The Administration to ensure consistency in the use of the phrases “subject” and “subject matter” in proposed sections 119F(4)(d) and 119F(5)(ba)

012219 - 012557	Chairman	Chinese rendition of “is broken” and “suffer” under proposed section 117(3) of clause 11	The Administration to review the drafting of the Chinese version of proposed section 117(3) of clause 11
012558 - 012718	Administration	Technical amendments to be introduced for the specification of forms by the Judiciary	
012719 - 012750	SALA2	CSA to section 69(3) of the District Court Ordinance (Cap. 336) of the Schedule	The Administration to amend “4 個星期” to “4 星期” in the CSA to section 69(3) of the District Court Ordinance (Cap. 336) of the Schedule
012751 - 012801	Chairman	Next meeting to be scheduled	

Note: The audio records of the above proceedings are kept at the LegCo Library

Legislative Council Secretariat
21 October 2002