

LANDLORD AND TENANT (CONSOLIDATION) (AMENDMENT) BILL 2003

COMMITTEE STAGE

Amendments to be moved by the Honourable Albert HO Chun-yan

Clause

Amendment Proposed

5 (a) By adding before subclause (1)—

"(1A) Nothing in this Ordinance shall affect a tenancy of premises of which the rateable value is less than \$60,000 such that on and after the commencement date—

- (a) the provisions repealed by section 3 of this Ordinance shall continue to apply to the tenancy as if they were not repealed; and
- (b) the enactments amended by sections 8 to 15 and the Schedule to this Ordinance shall, if applicable, apply to the tenancy as if they were not amended.

(1B) For the purposes of this section, the rateable value of any premises shall be—

- (a) in the case of premises being a tenement included in the valuation list declared in [] under section 13 of the Rating Ordinance (Cap. 116) as amended or altered from time to time up to and including [], the

rateable value contained in that list on [] ; and

- (b) in any other case, the rateable value which would have been contained in the list referred to in paragraph (a) on [] had the premises been included in that list and which is certified by the Commissioner as regards the premises for the purposes of this section and that certificate shall be final and binding .

(1C) The dates mentioned in subsection (1B) may be amended by resolution of the Legislative Council."

- (b) In subclause (1), by deleting "In the case" and substituting "Subject to subsection (1A), in the case".
- (c) In subclause (2), by deleting "On and after" and substituting "Subject to subsection (1A), on and after".
- (d) In subclauses (3) and (4), by deleting "If, " and substituting "Subject to subsection (1A), if".
- (e) In subclauses (5) and (6), by deleting " Proceedings" and substituting "Subject to subsection (1A), proceedings".