

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

政府總部
運輸及房屋局

香港九龍何文田佛光街33號



Government Secretariat
Transport and Housing Bureau

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本局檔號 Our Ref. HD(CR) 72/1/177

來函檔號 Your Ref.

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26 July 2010

Clerk to Panel
LegCo Panel on Financial Affairs
Legislative Council Secretariat
3/F Citibank Tower
3 Garden Road
Hong Kong

CB(1)2655/09-10(01)

(Attn: Ms Anita Sit)

Dear Ms Sit,

**Panel on Financial Affairs
Transactions of flats at 39 Conduit Road**


I refer to your letter of 5 July 2010 to the Secretary for Financial Services and the Treasury (SFST). As mentioned in SFST's reply letter of 19 July to you, the Financial Services and the Treasury Bureau has referred the letter to us for a consolidated reply on those parts not falling under FSTB or the Securities and Futures Commission's ambit. Having consulted relevant Government departments, we are now giving you a consolidated reply as below.

Relevant Government agencies, including the Police, are investigating matters relating to the 24 concerned transactions at 39 Conduit Road.

At present, there are various pieces of legislation regulating misrepresentation or fraudulent acts which mislead the market. They are also applicable to misrepresentation or fraudulent acts in the course of property transactions. Under the Theft Ordinance (Cap. 210), committing a fraudulent act is a criminal offence, and the offender may be liable to

prosecution. Under the common law, where a misrepresentation amounts to fraud, the person who makes the misrepresentation may be sued by the victims for damages. Also, pursuant to the Misrepresentation Ordinance (Cap. 284), a person who makes a misrepresentation inducing another person to enter into a contract may be legally liable for damages.

Yours sincerely,



(Eugene Fung)

for Secretary for Transport and Housing

c.c.

Secretary for Financial Services and the Treasury (Attn: Mr Bernard Lo)
Commissioner of Police (Attn: Mr Cheung Kwai-kee)