

Steering Committee on Regulation of Sale of First-hand Residential Properties by Legislation

立法規管一手住宅物業銷售 督導委員會

Housing Panel Meeting 房屋事務委員會會議

4.4.2011



Establishment of the Steering Committee 督導委員會的設立

- Announced in the Chief Executive's Policy Address in 2010-11

由行政長官在2010-11年度的《施政報告》宣布

- Formally established in October 2010

於2010年10月正式成立



Composition of the Steering Committee 督導委員會的組成

- Representatives from / 代表來自：
 - Consumer Council / 消費者委員會
 - Law Society of Hong Kong / 香港律師會
 - Hong Kong Institute of Surveyors / 香港測量師學會
 - Estate Agents Authority / 地產代理監管局
 - Real Estate Developers Association of Hong Kong
/ 香港地產建設商會

Composition of the Steering Committee

督導委員會的組成

- Members appointed on ad personam basis

以個人身份獲委任的成員：

- Hon LEE Wing-tat / 李永達議員
- Professor the Hon Patrick Lau / 劉秀成教授
- Mr Horace Cheung / 張國鈞先生
- Professor Andrew Chan / 陳志輝教授
- Professor LAM Kin-che / 林健枝教授



Composition of the Steering Committee

督導委員會的組成

- Government representatives/政府部門:
 - Transport and Housing Bureau / 運輸及房屋局
 - Buildings Department / 屋宇署
 - Lands Department / 地政總署

Terms of Reference - Steering Committee

督導委員會 – 職權範圍

- To consider and advise on / 研究下列事項並提供意見-
 - the scope of the legislative framework;
擬議法例的涵蓋範圍;
 - how such properties should be regulated by legislation in terms of transparency and accuracy of property information; and
有關的物業應如何受擬議法例所監管以確保物業資訊具透明度及準確; 及
 - the enforcement mechanism and penalties.
執法機制與罰則。



Terms of Reference - Steering Committee

督導委員會-職權範圍

- To come up with practical recommendations on the above for the Secretary for Transport and Housing's consideration.

就上述範疇向運輸及房屋局局長提出切實可行的建議。



Setting up of 3 Subcommittees

設立三個小組委員會

- Subcommittee on Property Information and Show Flats

物業資訊及示範單位小組委員會

- 
- Subcommittee on Sales Arrangements and Practices

銷售安排及方式小組委員會

- Subcommittee on Enforcement and Mechanism and Penalties



執法機制及罰則小組委員會



Co-opted Members 增選委員

- Representatives from relevant professional bodies, bureaux/departments may be invited as co-opted members or invited to attend meetings on a need basis.



按需要邀請其他相關專業團體、政策局及部門的代表，擔任增選委員或出席個別會議。

- The Hong Kong Institute of Architects has been co-opted onto the three Subcommittees.



香港建築師學會現時已有代表出任三個小組委員會的增選委員。




Terms of Reference


Subcommittee on Property Information and Show Flats

物業資訊及示範單位小組委員會 職權範圍

- To consider and advise on the types of, and specifications for, property information in relation to sales, including saleable area and pricing information in any types of publicity including sales brochures, price lists, show flats, and promotional materials at all stages of sale to be regulated by legislation.



對將受法例規管的各階段樓宇銷售資訊，例如售樓說明書、價單、示範單位，以及推廣資料中會提及的物業資訊（包括實用面積及定價資訊）的種類及規範進行研究，並提供意見。





Terms of Reference

Subcommittee on Property Information and Show Flats

物業資訊及示範單位小組委員會 職權範圍

- To come up with practical recommendations to the Steering Committee on the above.



就上述範疇向督導委員會提出切實可行的建議。



Terms of Reference

Subcommittee on Sales Arrangements and Practices

銷售安排及方式小組委員會 職權範圍

- To consider and advise on the types of, and specifications for, sales arrangements and practices to be regulated by legislation.

就須受法例規管的銷售安排及方式的種類及規範進行研究，並提供意見。

- To come up with practical recommendations to the Steering Committee on the above.

就上述範疇向督導委員會提出切實可行的建議。






Terms of Reference

Subcommittee on Enforcement Mechanism and Penalties

執法機制及罰則小組委員會 職權範圍

- To advise on the enforcement infrastructure including monitoring compliance, complaints handling and prosecution, and to identify a suitable agency to enforce the regulations.



就各項執行措施，包括監察有關規例的遵行情況、處理投訴和提出檢控等，提供意見，並識別合適的機構執行有關規例。





Terms of Reference

Subcommittee on Enforcement Mechanism and Penalties

執法機制及罰則小組委員會 職權範圍

- To consider and advise on the nature (criminal or civil) of offences under the legislation, the level of penalties for criminal offences, and the parties to be held liable for different types of offences.

研究有關違規個案的性質（刑事或民事）、刑事違規個案的懲處輕重，以及不同的違規行為應由那方負上法律責任，並提供意見。

- To come up with practical recommendations to the Steering Committee on the above.

就上述範疇向督導委員會提出切實可行的建議。





Work Progress 工作進度

- Commenced work in November 2010

於2010年11月開始工作

- 
- Eight meetings have been held

迄今舉行了共八次會議

- At least 15 more meetings will be held until October 2011




至本年10月將最少召開15次會議



Items Discussed

已討論的議題

- The scope of the legislation (i.e. the definition of first-hand residential properties for the purpose of the legislation)



法例的涵蓋範圍(即擬議法例下一手住宅物業的定義)

- Requirements on sales brochures (including the timing for the release of sales brochure and contents)



對售樓說明書的規管(包括發放售樓說明書的時間及其內容)



Items Discussed

已討論的議題

- Requirements on price lists (including the timing for the issue of price list, the minimum number of units to be included in each price list; and the information provided in the price list)

對價單的規管（包括發出價單的時間；每張價單最少須包括多少個單位、及須列於價單上的資訊）

- Requirements on show flats

對示範單位的規管






Items Discussed 已討論的議題

- Requirements on disclosure of transaction information (including the timing for disclosure and contents)

對披露交易資料的規管(包括披露的時間及內容)

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- Requirements on disclosure of area information in price list and sales brochure

在價單及售樓說明書上公布樓宇面積的規管





Target 目標

- To submit a report containing recommendations on a practicable way forward to the Secretary for Transport and Housing in October 2011

於2011年10月向運輸及房屋局局長提交報告，並提出切實可行的建議

- To take forward the subsequent consultation in the form of a White Paper

以白紙條例草案形式進行之後的公眾諮詢





-The End-

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