

Bills Committee on Residential Properties (First-hand Sales) Bill

**List of follow-up action arising from the discussion
at the meeting on 11 April 2012**

- (1) To review the Chinese rendition of the term "assignment" in the long title.
- (2) To advise how to deal with the circumstances where part of a residential development (to be sold after the enactment of the Bill) is governed by the Bill while part of the development (sold before the coming into effect of the Bill) is not covered by the Bill.
- (3) To review the drafting of part (a) of the interpretations on "authorized person" and "building contractors" to cater for any changes in the appointment of such persons during the interim.
- (4) To advise if the agreement for sale and purchase under clause 10(1)(a) includes a preliminary agreement for sale and purchase.
- (5) To clarify when the "three year" prosecution time limit under clause 73 starts to run for contravention under clauses 20(2) and (5) (whether at the date on which the sales brochures is printed or the date when the sales brochures was made available to the proposed enforcement authority). To also review the provisions in the Bill for summary offence to ensure that the legislative intention of clause 73 can be effectively carried in these provisions.
- (6) To consider expanding the scope of Part 4 (clauses 65 and 66) to misrepresentation and dissemination of false or misleading information in relation to the sale of overseas properties in Hong Kong.
- (7) To consider specifying in clause 74(1)(a) the rank of public officer eligible for appointment as the Authority. To also provide a paper setting out the establishment of the proposed enforcement authority.
- (8) To regularly review the adequacy of the Consumer Legal Action Fund following the enactment of the Bill to ensure that sufficient financial support would be provided to assist consumers to lodge legal proceedings against unscrupulous developers.