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The Government of the Hong Kong Special Administrative Region

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29 May 2012

Clerk to the Panel on Development
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Attn: Ms Connie Szeto)

Dear Ms Szeto,

**Panel on Development
Follow-up Action on the Discussion
at the Meeting Held on 17 April 2012 -
Proposed Creation of Judicial Posts in the Lands Tribunal of the Judiciary**

At the meeting of the Panel on Development on 17 April 2012, Members requested further information relating to the proposed creation of judicial posts in the Lands Tribunal of the Judiciary. I have pleasure in enclosing the information, as below -

- (a) A note at Attachment 1 on the average time required to complete the various necessary procedures for the trial of compulsory sale cases and the expected improvement with the proposed creation of the two judicial posts. Please note that this information also forms part of our submission to the Establishment Subcommittee for discussion on 6 June 2012.
- (b) Members have asked for the results of those compulsory sale cases which attempted mediation under the Pilot Mediation Scheme. Please be informed that of the 34 requests for mediation handled by the Pilot Mediation Scheme up till 30 April 2012, 24 have not attempted mediation (of which 16 are cases where the parties involved have settled their differences themselves, five are cases where one of the parties has refused to mediate and three are cases where the parties have yet to start mediation). Of the 10 cases which have either been

successfully mediated or with mediation terminated or are still being handled by the Pilot Mediation Scheme, compulsory sale applications relating to two of the cases have already been heard by the Lands Tribunal and compulsory sale orders have been granted for these applications. The related applications of the rest of the 10 cases have yet to be heard by the Lands Tribunal.

- (c) A note at Attachment 2 on further details of all the 34 mediation cases handled under the Pilot Mediation Scheme up till 30 April 2012.

Yours sincerely,



(Winnie So)
for Secretary for Development

c.c. Judiciary Administrator (with encl.)

**Proposed Creation of Judicial Posts in the Lands Tribunal
Supplementary Information on Compulsory Sale Cases**

Purpose

This note seeks to provide additional information as requested by the LegCo Panel on Development at its meeting held on 17 April 2012. The supplementary information covers the various stages of the procedures for processing compulsory sale applications, and the time required for these different stages.

Procedures for Processing Compulsory Sale Applications

2. Normally, when parties are involved in compulsory sale applications, they have to go through the following key stages.

Stage I: From filing to setting down for trial

3. An applicant seeking an order for compulsory sale under section 3(1) of the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) must file with the Registrar of the Lands Tribunal a notice of application (in accordance with Form 32). The applicant must then:

- (a) cause a copy of the notice of application to be served on each minority owner of the land in question not later than 7 days after it is filed;
- (b) register the notice of application with the Land Registry as required under the Land Registration Ordinance (Cap. 128) not later than 7 days after it is filed; and
- (c) cause a copy of the notice as specified in Part 2 of Schedule 1 to Cap. 545 in Chinese and English languages to be affixed at the land in question and also published in a Chinese language newspaper and an English language newspaper not later than 7 days after filing of the notice of application.

4. In addition, the applicant must file with the Registrar of the Tribunal an affidavit of service (as referred to in paragraph 3(a) above), an affidavit of the registration (as referred to in paragraph 3(b) above), an affidavit of affixture and an affidavit of the publication (as referred to in paragraph 3(c) above) within 3 days after such actions are effected.

5. The respondent, if he/she wishes to oppose the application, must file with the Registrar of the Tribunal a notice of opposition (in accordance with Form 33) and serve a copy of it on the applicant within 21 days of the service of the notice of application on him. Upon the expiry of the 21-day period, the applicant can then proceed to file an application for setting down (in accordance with Form 31).

6. Following the filing of an application for setting down, a call-over hearing for directions would as far as practicable be held by the Listing Presiding Officer (or in his absence, the other Presiding Officer) of the Lands Tribunal within 30 working days after receipt of the said application. At the call-over hearing, the Presiding Officer would identify outstanding issues between the parties and give directions to the parties for preparing the case for trial, such as ordering the filing and serving of expert reports, witness statements and relevant documents, as well as fixing the case for trial and exploration of mediation. Before and during this period, there could also be interlocutory hearings for considering issues such as applications for substituted service or dispensation of service, appointment of a person to represent the estate of a deceased respondent as well as extension of time to file and/or serve relevant documents.

7. The length of Stage I would vary from case to case depending on factors like complexity of the case, the state of preparedness of parties concerned in preparing the expert reports and the time taken for considering mediation. The lead-time from filing of application to setting down for trial can be long particularly if more interlocutory hearings are required or the parties are unrepresented. Nevertheless, the parties can proceed to setting down generally after one or two call-over/ interlocutory hearings.

8. For the compulsory sale applications filed in 2011, the average time taken from filing of application to setting down for trial, including interlocutory and call-over hearings, is 163 days. This was largely the time required by the parties for preparing the cases for trial.

Stage II: From setting down to trial

9. For civil cases including the compulsory sale cases, the period from the date of setting down to the date of trial, i.e. from the date the case is ready for trial to the date of trial, is regarded as the waiting time for the purpose of assessing the administrative efficiency in the processing of cases, or, in other words, the adequacy, or otherwise, of judicial and other supporting resources so deployed. This relates to the period where the control rests with the Judiciary itself and not with the parties, unlike the preparatory work under Stage I, the responsibility for which lies primarily with the parties themselves.

10. Insofar as the compulsory sale cases in the Lands Tribunal are concerned, the average waiting time from the date of setting down to the date of trial had been reduced upon the appointment of a Temporary Member, Lands Tribunal and the temporary deployment of an additional Deputy District Judge from the District Court to the Lands Tribunal in September and October 2011 respectively. It was reduced by **16%** from 49 days (January to August 2011) to 41 days (September to December 2011). The waiting time was further reduced to 28 days for the first four months of 2012, i.e. a decrease of **43%** when compared with that of January to August 2011.

Stage III : Trial

11. In 2011, it took about one to six days to hear a compulsory sale case. The judicial resources involved would be doubled if the case was heard by a Presiding Officer and the Member.

Other Observations

12. It should be noted that the temporary addition of judicial manpower mentioned in paragraph 10 above has not only improved the average waiting time for compulsory sale cases, but has also eased off the pressure on the other types of cases. Before the injection of the temporary judicial resources concerned, when a compulsory sale case was being heard, there would usually be one Presiding Officer left to deal with all the other types of cases at the Lands Tribunal. The hearing timetable of the other types of cases was hence affected. Upon the appointment of the Temporary Member and the Deputy District Judge, the situation has improved.

13. As the redeployment arrangements could not be continued on a permanent basis, it is therefore considered necessary to regularise them with the proposed creation of the new permanent posts.

**Mediation Cases Handled under the Pilot Mediation Scheme
for the Land (Compulsory Sale for Redevelopment) Ordinance
as at 30 April 2012**

Since the launch of the “Pilot Mediation Scheme” (“the Scheme”) in January 2011 and up till 30 April 2012, the Scheme handled 97 enquiries and received 34 requests for mediation (involving a total of 15 sites). Of the 34 mediation cases involving 43 minority owners, mediation was successfully conducted in five and the parties involved had entered into settlement agreements. The parties involved in another 16 cases had approached the service provider, the Joint Mediation Helpline Office Limited (“JMHO”), for an introduction to the Scheme. The parties of these 16 cases subsequently resolved their differences themselves. In five other cases, one of the parties refused to participate in mediation. In another two cases, the parties could not reach settlement agreement after mediation. The remaining six cases were still under processing.

2. According to the Hong Kong Mediation Code promulgated in early 2010 by the Working Group on Mediation headed by the Secretary for Justice, the mediator shall keep confidential all information, arising out of or in connection with the mediation (unless compelled by law or on public policy grounds). In this connection, mediators handling mediation cases under the Scheme will not divulge to the JMHO any information deliberated in the mediation process (including details of the settlement agreement reached and the acquisition prices offered etc. in the successful mediation cases). The JMHO does not therefore keep information on the details and the price negotiations of such cases. However, since mediation is a voluntary process, if the parties involved eventually reach agreement through mediation or through negotiation amongst themselves, the agreement must be able to satisfy their respective aspirations and are acceptable to the parties.

3. To arrange mediation for property owners participating in the Scheme, the JMHO has been gathering and keeping general information on each mediation case, including the names and contact details of the parties involved, the address of the property involved, a summary of the dispute/differences between the parties and the proposed settlement (if any), and whether compulsory sale application has been made to the Lands Tribunal by the majority owner, etc. As for mediation cases which involve elderly minority owners who wish to apply for the Government’s financial assistance for payment of mediator fees, the JMHO also gathers and keeps information on the age, income and assets of these elderly applicants so as to verify their eligibility for assistance. Given the principle of confidentiality in mediation, the service contract between the Development Bureau (“DEVB”) and the JMHO stipulates that the JMHO shall not divulge, except for the purpose of the service contract, any personal

information of the parties involved (including the names of the parties and the addresses of the properties concerned). To monitor the implementation of the Scheme, and without prejudice to the requirement on confidentiality to be observed by the JMHOL, DEVB has requested the JMHOL to submit on a regular basis statistical reports on the mediation cases, including information on the number of property owners participating in mediation, the location of the properties concerned (Hong Kong Island or Kowloon), the assistance provided by the JMHOL and the progress of mediation etc.

4. Information on the 34 requests for mediation handled under the Scheme as at 30 April 2012 is as follows –

- (a) Successful mediation cases (**Annex 1**);
- (b) Cases in which the parties have resolved their differences themselves (**Annex 2**);
- (c) Cases in which one of the parties have refused to participate in mediation (**Annex 3**);
- (d) Cases in which no settlement agreement can be reached after mediation (**Annex 4**); and
- (e) Cases still under processing (**Annex 5**).

In all these cases, the JMHOL will render the following forms of assistance where applicable –

- (i) To assist the party/parties in filling in the “Request for Mediation” form under the Scheme, and explain to him/them in detail the process and rules of mediation;
- (ii) To approach the other party/parties in dispute to explain to him/them about the Scheme and provide him/them with the information of the case to facilitate mediation;
- (iii) To verify whether acquisition by the majority owner has reached the compulsory sale threshold; and
- (iv) To assist the parties in appointing the mediator and arrange the pre-mediation session and subsequent mediation sessions.

In addition, for mediation cases involving elderly minority owners, the JMHOL will explain to them in detail the financial assistance provided by the Government for eligible elderly minority owners for payment of mediator fees as well as the eligibility criteria, and will verify the eligibility of these elderly applicants based on the information provided by them.

**Successful Mediation Cases under the Pilot Mediation Scheme
as at 30 April 2012**

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
(1)	LCSRO 2011.5.1	May 2011	Hong Kong Island <small>Note 2</small>	No	Not applicable	Not applicable	The parties reached settlement agreement after a pre-mediation session and three subsequent mediation sessions.	14.25 hours
(2)	LCSRO 2011.5.6	May 2011	Kowloon <small>Note 3</small>	Yes	The Tribunal has granted a compulsory sale order.	1/6* (*One of the minority owners cannot be reached. Another minority owner has successfully mediated with the majority owner. As for the outcome of the JMHO’s approach	The parties reached settlement agreement after a pre-mediation session and one subsequent mediation session.	15 hours

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JM HOL”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
						to the remaining four minority owners, please refer to Annex 2.)		
(3)	LCSRO 2011.6.3	June 2011	Kowloon	Yes	The Tribunal will conduct a call-over hearing; and the date for actual trial has yet to be fixed.	1/3* (*One of the minority owners has successfully mediated with the majority owner. The JM HOL has mailed the information on the Pilot Mediation Scheme to the remaining two minority owners, but their replies have yet to be received.)	The parties themselves reached settlement agreement after a pre-mediation session and one subsequent mediation session.	7 hours

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
(4)	LCSRO 2011.12.1	December 2011	Kowloon	Yes	The date for call-over hearing has yet to be fixed.	1/2* (*One of the minority owners has successfully mediated with the majority owner. The JMHO has approached the representative of the remaining minority owner, who has indicated that he will not participate in the Pilot Mediation Scheme for the time being.)	The parties reached settlement agreement after a pre- mediation session and two subsequent mediation sessions.	18 hours ^{Note 4}
(5)	LCSRO 2012.2.1	February 2012	Kowloon	Yes	The date for call-over hearing has yet	The case involves two compulsory sale applications ^{Note 5}	The parties reached settlement agreement after a pre- mediation	10 hours

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JM HOL”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of the hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
					to be fixed.	<p>For the first compulsory sale application: 1/8* (*One of the minority owners has successfully mediated with the majority owner. The JM HOL has mailed the information on the Pilot Mediation Scheme to the remaining seven minority owners, but their replies have yet to be received.)</p>	session and one subsequent mediation session.	

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JM HOL”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
						<p>For the second compulsory sale application: 1/7** (**The same aforesaid minority owner has successfully mediated with the same majority owner. The JM HOL has mailed the information on the Pilot Mediation Scheme to the remaining six minority owners, but their replies have yet to be received.)</p>		

Note 1 One of the successful mediation cases involves an elderly minority owner who had applied for the Government's financial assistance for payment of mediator fees. However, the application was subsequently withdrawn after the elderly applicant was made aware of the requirement to declare his assets outside Hong Kong (including assets in Mainland China) in addition to local assets.

Note 2 This site is the same as the one in Case 1 (LCSRO 2011.6.1) set out in **Annex 5**.

Note 3 This site is the same as the one in Cases 1 to 4 (LCSRO 2011.5.2, 2011.5.3, 2011.5.4 and 2011.5.5) set out in **Annex 2**.

Note 4 Upon agreement by both parties and the mediator, mediation beyond the first 15 hours was held outside the framework of the Pilot Mediation Scheme, the mediator fee for which was also negotiated separately.

Note 5 While this mediation case involves two compulsory sale applications, the parties involved in the mediation are the same majority owner and the same minority owner, and mediation was conducted for the disputes over the two compulsory sale applications in the same sessions. The JMHO has thus classified this as one mediation case.

**Cases in which the Parties Resolved their Differences Themselves
under the Pilot Mediation Scheme
as at 30 April 2012**

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JM HOL”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners) /respondents (minority owners) in the compulsory sale application (if applicable)
(1) (2) (3) (4)	LCSRO 2011.5.2, 2011.5.3, 2011.5.4, 2011.5.5	May 2011	Kowloon Note 1	Yes	The Tribunal has granted a compulsory sale order.	1/6* (*One of the minority owners cannot be reached. Four other minority owners have reached agreement with the majority owner themselves. As for details of the mediation case of the remaining minority owner, please refer to Annex 1 .)
(5) (6) (7) (8) (9) (10) (11)	LCSRO 2011.5.7, 2011.5.8, 2011.5.9, 2011.5.11, 2011.5.12, 2011.5.13,	May 2011	Hong Kong Island Note 2	Yes	The Tribunal has conducted a call-over hearing; and the actual trial has been cancelled.	2/14* (*11 of the minority owners have reached agreement with the majority owners themselves. As for the outcome of the JM HOL’s approach to the remaining three minority owners, please refer to Annex 3 .)

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners) /respondents (minority owners) in the compulsory sale application (if applicable)
(12) (13) (14) (15)	2011.5.14, 2011.5.16, 2011.5.18, 2011.5.19, 2011.5.20					
(16)	LCSRO 2012.1.1	January 2012	Kowloon	Yes	The Tribunal has conducted a call-over hearing. The date for actual trial has yet to be fixed.	3/2* (*One of the minority owners has reached agreement with the majority owner themselves. The JMHO has mailed the information on the Pilot Mediation Scheme to the remaining minority owner, but his reply has yet to be received.)

^{Note 1} This site is the same as the one in Case 2 (LCSRO 2011.5.6) set out in **Annex 1**.

^{Note 2} This site is the same as the one in Cases 1 to 3 (LCSRO 2011.5.10, 2011.5.15 and 2011.5.17) set out in **Annex 3**.

**Cases in which One of the Parties Refused to Participate in Mediation
under the Pilot Mediation Scheme
as at 30 April 2012**

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners) /respondents (minority owners) in the compulsory sale application (if applicable)
(1) (2) (3)	LCSRO 2011.5.10, 2011.5.15, 2011.5.17	May 2011	Hong Kong Island Note 1	Yes	The Tribunal has conducted a call-over hearing; and the actual trial has been cancelled.	2/14* (*Three of the minority owners have refused to participate in mediation. As for details of the mediation cases of the remaining 11 minority owners, please refer to Annex 2.)
(4)	LCSRO 2011.10.1	October 2011	Hong Kong Island	No	Not applicable	Not applicable

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners) /respondents (minority owners) in the compulsory sale application (if applicable)
(5)	LCSRO 2011.11.2	November 2011	Hong Kong Island	No	Not applicable	Not applicable

^{Note 1} This site is the same as the one in Cases 5 to 15 (LCSRO 2011.5.7, 2011.5.8, 2011.5.9, 2011.5.11, 2011.5.12, 2011.5.13, 2011.5.14, 2011.5.16, 2011.5.18, 2011.5.19 and 2011.5.20) set out in **Annex 2**.

**Cases in which No Settlement Agreement Can Be Reached
under the Pilot Mediation Scheme
as at 30 April 2012**

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners) in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
(1)	LCSRO 2011.6.2	June 2011	Kowloon	Yes	The Tribunal has granted a compulsory sale order.	9/5* (*One of the minority owners has participated in the Pilot Mediation Scheme. The JMHO has mailed the information on the Pilot Mediation Scheme to the remaining four minority owners, but their replies have yet to be received.)	The parties could not reach settlement agreement after a pre-mediation session and one subsequent mediation session, and both parties subsequently agreed to terminate the mediation.	5.75 hours

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners) in the compulsory sale application (if applicable)	Progress of the mediation case	Number of mediation hours spent by the parties
(2)	LCSRO 2011.11.1	November 2011	Hong Kong Island	Yes	The Tribunal has conducted a call-over hearing; and the actual trial has been cancelled.	1/3* (*One of the minority owners has participated in the Pilot Mediation Scheme. The JMHO has mailed the information on the Pilot Mediation Scheme to the remaining two minority owners, but their replies have yet to be received.)	The parties could not reach settlement agreement after a pre-mediation session and one subsequent mediation session, and both parties subsequently agreed to terminate the mediation.	4.5 hours

**Cases Still under Processing under the Pilot Mediation Scheme
as at 30 April 2012**

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case
(1)	LCSRO 2011.6.1	June 2011	Hong Kong Island <small>Note 2</small>	No	Not applicable	Not applicable	A pre-mediation session and four subsequent mediation sessions have been held. The date for the fifth subsequent mediation session has yet to be fixed.
(2)	LCSRO 2011.5.21	May 2011	Kowloon	Yes	The Tribunal has conducted a call-over hearing; and the actual trial has been cancelled.	1/1	A pre-mediation session and one subsequent mediation session have been held. The JMHO is now following up on whether both parties would wish to participate in another subsequent mediation session.

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JM HOL”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case
(3)	LCSRO 2011.9.1	September 2011	Hong Kong Island	Yes	The Tribunal has conducted a call-over hearing, and an actual trial will be conducted.	3/4* (*Two of the minority owners have participated in the Pilot Mediation Scheme. The JM HOL has mailed the information on the Pilot Mediation Scheme to the remaining two minority owners, but their replies have yet to be received.)	A pre-mediation session and one subsequent mediation session have been held. The JM HOL is now following up on whether both parties would wish to participate in another subsequent mediation session.
(4)	LCSRO 2012.1.2	January 2012	Hong Kong Island Note 3	Yes	The date for call-over hearing has yet to be fixed.	4/6* (*Two of the minority owners have participated in the Pilot Mediation Scheme. The JM HOL has mailed the information on the Pilot Mediation Scheme to the	Subject to the other party’s agreement to participate in mediation, the JM HOL will assist both parties in appointing the mediator and arrange mediation sessions.

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JMHO”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case
						remaining four minority owners, but their replies have yet to be received.)	
(5)	LCSRO 2012.3.1	March 2012	Hong Kong Island <small>Note 3</small>	Yes	The date for call-over hearing has yet to be fixed.	4/6* (*Two of the minority owners have participated in the Pilot Mediation Scheme. The JMHO has mailed the information on the Pilot Mediation Scheme to the remaining four minority owners, but their replies have yet to be received.)	Both parties have agreed to proceed with mediation. Upon receipt of the deposit of the parties’ respective share of mediator fees, the JMHO will assist the parties in appointing the mediator and arrange mediation sessions.
(6)	LCSRO 2012.4.1	April 2012	Kowloon	Yes	The date for call-over hearing has yet to be fixed.	1/6* (*One of the minority owners has participated in the Pilot	Both parties have agreed to proceed with mediation. Upon receipt of the deposit of the parties’ respective share of

	Mediation case number	Month in which the Joint Mediation Helpline Office Limited (“JM HOL”) received the request for mediation	Location of the property	Has the majority owner made a compulsory sale application to the Lands Tribunal (“the Tribunal”)?	Progress of hearing for the compulsory sale application (if applicable)	Number of applicants (majority owners)/ respondents (minority owners)^{Note 1} in the compulsory sale application (if applicable)	Progress of the mediation case
						Mediation Scheme. The JM HOL has mailed the information on the Pilot Mediation Scheme to the remaining five minority owners, but their replies have yet to be received.)	mediator fees, the JM HOL will assist the parties in appointing the mediator and arrange mediation sessions.

^{Note 1} Two of the mediation cases still under processing involve a total of three elderly minority owners who have applied for the Government’s financial assistance for payment of mediator fees. For one case involving two elderly applicants, the JM HOL is now verifying the eligibility of the two applicants and will, upon completion of the mediation case, apply to the Development Bureau for these applicants for disbursement of their share of mediator fees as appropriate. For the other case involving one elderly applicant, based on the information submitted by the applicant to the JM HOL, he is not eligible for the financial assistance. The JM HOL has already informed this applicant of the result of his financial assistance application in writing.

Note ² This site is the same as the one in Case 1 (LCSRO 2011.5.1) set out in **Annex 1**.

Note ³ The site in Cases 4 and 5 above (LCSRO 2012.1.2 and 2012.3.1) is the same.