

立法會
Legislative Council

LC Paper No. CB(2)1165/14-15

(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

**Minutes of special meeting
held on Saturday, 24 January 2015, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon Starry LEE Wai-king, JP (Chairman)
Hon YIU Si-wing (Deputy Chairman)
Hon Cyd HO Sau-lan, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon IP Kwok-him, GBS, JP
Hon Claudia MO
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS
- Member attending** : Hon James TO Kun-sun
- Members absent** : Hon CHEUNG Kwok-che
Dr Hon Kenneth CHAN Ka-lok
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon TANG Ka-piu, JP

**Public Officers : Item I
attending**

Mr Franco KWOK Wai-fan, JP
Assistant Director of Home Affairs (4)

Mr Indiana WONG Man-chung
Senior Administrative Officer (4)
Home Affairs Department

**Attendance : Item I
by invitation**

Individual

Ms Amy YUNG Wing-sheung
Islands District Council member

Kwun Tong District Council - Housing Committee

Mr Wilson OR Chong-shing
Chairman of Housing Committee

The Hong Kong Association of Property Management
Companies

Mr Ivan TAM
President

The Hong Kong Institute of Housing

Mr Ellis IP Chi-ming
President

Individual

Mr CHAN Sze-ching
Yuen Long District Council member

Individual

Mr NGAN Man-yu
Kwun Tong District Council member

Democratic Alliance for the Betterment and Progress of
Hong Kong

Mr KWAN Ho-yeung
Representative

The Property Owners Anti-Bid Rigging Alliance

Mr LAM Cheuk-ting
Spokesman

New Territories Anti-Bid Rigging Alliance

Mr WAN Siu-kin
Spokesman

Hong Kong Island Anti-Bid Rigging Alliance

Mr CHONG Wing-fai
Spokesman

Grandway Garden Anti-Bid Rigging Alliance

Miss CHAN Wai-ling
Spokesman

Block A Garden Vista Anti-Bid Rigging Alliance

Miss CHO Kin-ying
Spokesman

Block B Garden Vista Anti-Bid Rigging Alliance

Miss Emily OWEN Oi-ming
Spokesman

Block C Garden Vista Anti-Bid Rigging Alliance

Miss Doris FAN Hoi-yin
Spokesman

Block B Kingswood Villas Anti-Bid Rigging Alliance

Miss Polly HO Wai-fong
Spokesman

Block C Kingswood Villas Anti-Bid Rigging Alliance

Mr NG Sze-lam
Spokesman

Block D Kingswood Villas Anti-Bid Rigging Alliance

Miss CHAN Yee-mei
Spokesman

Block A Grand View Garden Anti-Bid Rigging Alliance

Miss YEUNG Yuk-foon
Spokesman

Chevalier Garden Anti-Bid Rigging Alliance

Mr YEUNG Ping-chiu
Spokesman

Well On Garden Anti-Bid Rigging Alliance

Miss LEE Siu-ying
Spokesman

Management Committee, The Incorporated Owners of
Grenville House

Mr WONG Tak-keung
Chairman

Labour Party

Mr CHIU Yan-loy
Representative

Individual

Mr WU Kin-wa

Individual

Mr LEE Yuet-man
Yuen Long District Council member

344 關注小組

Mr WONG Fo-keung
Member

The Federation of Hong Kong Property Management
Industry Limited

Mr William LAI Chi-man
Secretary

Tsui Lok Sunshine Residents Association

Mr CHENG Keng-ieong
President

Tin Ping Estate Owners' Corporation

Mr POON Tak-wing
Secretary

Sun Pei Community Dynamics

Mr LAU Ki-fung
Chairman

Individual

Mr LAW Sai-yan
North District Council member

Owners' Committee of Noble Hill

Mr LEUNG Yuk-cheung
Chairman

Liberal Party

Mr Anson LAM
Representative

Liberal Party Youth Committee

Mr Dominic LEE
Chairman

Castle Road Concern Group

Mr Victor NG
Convenor

Young Civics

Mr CHENG Tat-hung
Chairman

Individual

Mr CHING Kwan-hung

關注顯徑業戶大聯盟

Mr KWONG Kwan-ming
Organizer

Yuen Long District Council - Culture, Recreation,
Community Service and Housing Committee

Mr CHAM Ka-hung
Chairman of Culture, Recreation, Community Service
and Housing Committee

Concerning Old Building Facilities Group

Mr MAK Tak-ching
Secretary

Individual

Miss Christine FONG Kwok-shan
Sai Kung District Council member

Tseung Kwan O Estate Committees Union

Mr CHAN Kai-wai
Chairman

Individual

AU YEUNG Ho-kwan

The Incorporated Owners of Choi Ming Court

Mr HO Man-kit
Chairman

MTR Property Owners' Association

Mr Jeff LAM
Chairman

Clerk in attendance : Ms Alice LEUNG
Chief Council Secretary (2) 2

Staff in attendance : Miss Josephine SO
Senior Council Secretary (2) 6

Mr Richard WONG
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

Action

I. Review of the Building Management Ordinance

(Consultation document on "Review of the Building Management Ordinance" issued by the Home Affairs Department on 11 November 2014 and LC Paper Nos. CB(2)662/14-15(01) and (02))

Presentation of views by deputations/individuals

The Chairman said that in view of the number of deputations attending this special meeting, the meeting would last for three and a half hours and be conducted in two sessions with a break in between. During each session, deputations would be invited to present their views, to be followed by the Administration's response and views/questions from Members.

2. The Chairman reminded the deputations attending the meeting that they were not covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) when addressing the Panel.

Action

3. At the invitation of the Chairman, a total of 44 deputations/individuals (23 in Session One and 21 in Session Two) presented their views on how the various provisions of the Building Management Ordinance (Cap. 344) ("BMO") could be further improved. A summary of these deputations' views is in the **Appendix**. Members also noted a written submission from an individual who did not attend the meeting.

Procedural matters

4. After all the 23 deputations attending Session One of the meeting had presented their views on the subject matter, 13 deputations rose from their seats, crossed the floor and approached the Public Officers' bench, shouting slogans and displaying signs on their way. The Chairman asked them to return to their seats, but to no avail. The Chairman then ordered that the meeting be suspended.

(The meeting was suspended at 10:25 am and resumed at 10:27 am. These 13 deputations had walked out of the meeting room before the meeting resumed.)

Administration's response to deputations' views

5. At the invitation of the Chairman, Assistant Director of Home Affairs (4) ("ADHA(4)") gave a consolidated response to the views and concerns raised by the deputations as follows -

- (a) the Administration would continue to adopt a multi-pronged approach through proactive measures such as publicity and education, procedural enhancement, active investigation and enforcement action as well as provision of better support and assistance to property owners to prevent unlawful activities in the course of large-scale maintenance projects;
- (b) on law enforcement, the Hong Kong Police Force ("HKPF") and the Independent Commission Against Corruption ("ICAC") took proactive actions to follow up on and investigate into all complaints and reported cases, in particular bid-rigging, in building repair and maintenance works;
- (c) the Competition Ordinance (Cap. 619), enacted in 2012, provided that an undertaking must not make or give effect to an agreement if the object or effect of the agreement was to prevent, restrict or distort competition in Hong Kong. A bid-rigging agreement between undertakings might contravene the

Action

Competition Ordinance. At present, the Administration, the Competition Commission and the Judiciary were working towards the full implementation of the Competition Ordinance which would be brought into full operation when all preparatory work was completed. After the Competition Ordinance had come into force, the Competition Commission might conduct investigations against bid-rigging activities, as appropriate;

- (d) on publicity and education, ICAC and HKPF, in collaboration with the Home Affairs Department ("HAD"), the Urban Renewal Authority ("URA") and the Hong Kong Housing Society ("HKHS") etc., had been making concerted efforts to provide owners' corporations ("OCs"), property owners and residents with guidance on corruption and crime prevention as well as guidelines on the tendering of building maintenance works. In mid-December 2013, ICAC published a new edition of the Building Maintenance Toolkit, providing advice on effective corruption prevention measures, checklists on points to note and documents templates for the reference of OCs and owners. In 2014, ICAC conducted some 40 seminars to promote the Building Maintenance Toolkit and related corruption prevention measures;
- (e) as regards the provision of better support for OCs and owners, HAD had, through the Building Management Professional Advisory Service Scheme, engaged professional property management companies ("PMCs") to provide the target "three-nil" buildings with one-stop and customized professional advice and support, including assisting the owners in forming OCs or reactivating defunct OCs, supporting the operation of OCs and assisting OCs in taking forward maintenance works and follow up on tender matters;
- (f) in the course of daily building management, owners might encounter various legal matters, e.g. the interpretation of BMO, the powers and responsibilities of an OC, apportionment of maintenance fee and management fee, etc. To provide assistance to OCs and owners, HAD had, in collaboration with the Law Society of Hong Kong, launched the Free Legal Advice Service on Building Management to offer legal advice free of charge;
- (g) the consultation document had set out a number of legislative and administrative proposals that might help enhance the

Action

transparency and the decision making process for taking forward maintenance works and address the main concerns raised by the public in recent years including disputes arising from large-scale maintenance projects as well as the use, collection and verification of proxies at OC meetings. Deputations' views and suggestions in these aspects, including measures proposed for improving the existing procedures in the collection and verification of proxy instruments would be considered, having regard to their technical feasibility and impact on the operation of OCs;

- (h) to minimize improper or abusive use of proxies at OC meetings, a number of legislative and administrative proposals covering the use, collection and verification of proxies had been put forward for public consideration;
- (i) HAD encouraged the parties in dispute to resolve their conflicts through enhanced communication and alternative dispute resolution arrangements, especially mediation. To assist the parties in dispute to start constructive dialogue, HAD set up in 2011 a dedicated Panel of Advisors on Building Management Disputes to render impartial and professional advice to the parties concerned on the issues in dispute. If both sides agreed, HAD might also refer them to free voluntary mediation services provided by professional mediation bodies. HAD would continue to promote the use of mediation to resolve building management disputes; and
- (j) in view of the concerns raised by some owners that they found it very difficult to invoke the mechanism stipulated in BMO for the termination of a deed of mutual covenant ("DMC") manager even though his performance was unsatisfactory, especially when the developer held a large percentage of shares and the DMC manager was a subsidiary company of the developer, the Administration proposed for public consultation that (i) the threshold for terminating the appointment of DMC manager be lowered from 50% to 30% of shares in aggregate; or (ii) the term of appointment of DMC managers be limited to five years.

Discussion

Bid-rigging and disputes relating to large-scale maintenance projects

6. Mr Tony TSE and Mr CHAN Chi-chuen said that they had doubt on

Action

the effectiveness of the new measures as proposed in the consultation document in addressing various issues of concern raised by the deputations relating to the problem of bid-rigging in the tendering process of large-scale maintenance projects. In their views, the chances of bid-rigging and disputes could not be reduced simply through mediation or the launch of various schemes outlined in the consultation document, e.g. the "AP Easy" Building Maintenance Advisory Service Scheme. Mr TSE considered that criminal sanctions should be provided in BMO to deter people, including members of the management committee ("MC") of OCs, from breaching the requirements of BMO. In his view, the inclusion into BMO of corresponding penalty provisions could help curb syndicated bid-rigging in large-scale building maintenance projects. He also hoped that HAD, HKPF and ICAC would take more proactive actions to prohibit and prevent the occurrence of bid-rigging in building repair and maintenance works, instead of awaiting and relying on the implementation of the Competition Ordinance. Echoing their views, the Chairman said that the crux of the matter lay in the lack of penalty clauses in BMO to address the problems of improper practices and operation of PMCs and/or MCs of OCs.

7. ADHA(4) responded that with a growing number of aged buildings in Hong Kong that needed to undergo major maintenance or renovation, disputes concerning large-scale maintenance projects had become increasingly common. There had been allegations that bid-rigging activities were involved in the tendering of these projects, triggering calls from members of the public for tightening the requirements relating to the passage of resolutions on large-scale maintenance projects at OC meetings and ensuring that the decision to proceed with such projects were made after thorough discussion and active participation by a majority of the owners. To address the problem, the Administration had put forward in the consultation document two proposals to ensure that there had been thorough discussion and wide participation by owners before a decision on large-scale maintenance projects was made. These proposals were (a) to raise the quorum of the OC meeting at which the voting of the resolution took place; or (b) to raise the percentage of shares of votes required for the passage of the resolution. ADHA(4) stressed that the two proposals were options for consideration by the public and the Administration would take a decision on the proposals in light of the views received in the public consultation exercise.

8. Responding to Members' concerns about the penalty for the offence of non-compliance with BMO, ADHA(4) advised that there were penalty provisions in BMO respectively related to OCs' non-compliance with the registration requirements (i.e. sections 10, 11 and 12), the making of false statement and furnishing of false information (i.e. section 36), the failure of an OC in maintaining proper books or records of account and other financial

Action

records, and preparing financial statements (i.e. section 27) and OCs' non-compliance with the requirement to procure third party risks insurance for the common parts of the building and the property of the OC (i.e. section 28) etc. Law enforcement agencies would investigate into cases of suspected non-compliance and take appropriate follow-up actions, depending on the circumstances of each case.

9. The Deputy Chairman said that building management was a highly sophisticated profession which embraced a wide spectrum of expertise like maintenance and repairs, accountancy and law. Property owners, who were mostly amateur in building management, often faced a host of problems. He was particularly concerned about the problems faced by owners living in aged single block buildings or old tenement buildings in the management and maintenance of their buildings. He and Ms Claudia MO expressed similar view that it would be difficult for such buildings to commence major maintenance or renovation if the required percentage of shares of votes for the passage of the relevant resolution was raised from 50% to 75% of the shares of votes at the OC meeting. In the Deputy Chairman's view, the Administration should provide property owners and OCs with the required professional knowledge and technical skill to facilitate more effective building management and maintenance. Sharing a similar view, the Chairman and Mr Tony TSE urged HAD to strengthen its role in supporting and protecting the interests of OCs and property owners.

10. In response, ADHA(4) made the following points -

- (a) since many buildings in Hong Kong were in need of repairs, the Administration considered that if the threshold for passing the resolution for large-scale maintenance projects was to be raised, either of the two options proposed in the consultation document, i.e. (i) the quorum of the meeting be raised from 10% to, say 20%, of the total number of owners; or (ii) the required percentage of shares of votes for the passage of the resolution be raised from 50% to, say 75%, of the shares of votes at the meeting might be considered but they should not be implemented at the same time; and
- (b) as regards the support for OCs and owners, HAD had all along been working closely with other relevant bodies, such as URA and HKHS, to introduce appropriate advisory and financial assistance schemes to facilitate the former in the management and maintenance of their properties.

Action

11. Mr Tony TSE also enquired about the manpower situation of and the training provided for Liaison Officers in HAD engaged in building management duties. ADHA(4) advised that there were currently around 120 Liaison Officers engaged in building management duties in HAD Headquarters and the District Building Management Liaison Teams in 18 District Offices to provide dedicated support and outreach services to OCs and property owners. Apart from on-the-job training, HAD organized regular training courses for staff members performing building management duties to enhance their knowledge in building management and capabilities in handling disputes with the owners. The training covered various topics including the legal aspect of management of multi-storey buildings, workshops on study of court cases relating to building management and study of the provisions of BMO.

12. Mr Christopher CHUNG considered that the best way to prevent bid-rigging was to enhance the transparency of the tender process for large-scale maintenance projects to facilitate owners' monitoring of the process. Pointing out that building maintenance works involved professional knowledge and substantial costs, he suggested that the Administration should consider establishing a "central database" that captured information on market prices for various maintenance items and past performance of consultants/contractors in the market for reference of owners or OCs in planning building maintenance works.

13. In response, ADHA(4) made the following points -

- (a) to ensure that there had been thorough discussion and wide participation by the owners before a decision on large-scale maintenance project was made, the Administration proposed that the threshold for passing the resolution for such projects be raised, e.g., by raising the quorum of the OC meeting at which the voting of the resolution took place or the percentage of shares of votes required for the passage of the resolution;
- (b) the Administration would continue to adopt a multi-pronged approach through proactive measures such as publicity and education, procedural enhancement, provision of better support for OCs and owners as well as active investigation and enforcement actions to prevent unlawful activities in the course of building maintenance works;
- (c) HKHS and URA had been displaying on their websites information of buildings undergoing tendering exercise under the Operation Building Bright ("OBB") to encourage more

Action

contractors' participation in the tendering process and enhance competition; and

- (d) ICAC had also commissioned an independent academic institution to analyze the costs of maintenance projects completed under OBB and to study the feasibility of setting up a renovation cost database for public reference. The research institute aimed to announce the findings in early 2015.

14. The Chairman noted that under OBB, HKHS and URA engaged independent consultants to provide OCs or owners with an evaluation of maintenance costs as reference for assessing whether the tender prices were comparable with the market level. This apart, a new tendering arrangement ("NTA") was also introduced in late 2013 for the appointment of works contractors under OBB projects. Under NTA, independent professional accounting firms were engaged to handle administrative work related to tendering exercises for the appointment of building contractors. Noting the positive and encouraging effect of NTA as evidenced by the increased numbers of returns of "Expressions of Interest" and tenders as compared to those before the introduction of NTA, the Chairman considered the above measures effective in containing the risks of corruption and malpractices by consultancy firms and contractors and suggested that HAD should draw reference from HKHS' and URA's operation of OBB to identify room for improvement in addressing the problem of bid-rigging.

15. ADHA(4) responded that HKHS and URA would keep monitoring the outcome and effectiveness of NTA. The Administration would capitalize on the experience HKHS and URA gained, as and where necessary.

16. Ms Claudia MO said that due to the varying number of household units in different property development projects, she considered that it would be more practical for the Administration to set the threshold for the passage of resolutions on large-scale maintenance projects at OC meetings based on the total number of units in a development. ADHA(4) responded that the Administration would take all views and suggestions received during the public consultation period into account before finalizing the legislative proposals. It would revert to the Panel on the outcome of the consultation exercise and the Administration's future course of action at the earliest appropriate opportunity.

Collection and verification of proxy instruments

17. Mr Christopher CHUNG said that it was provided in BMO that the proxy instruments should be lodged with the MC Secretary at least 48 hours

Action

before the meeting. According to his understanding, some property owners were of the view that the 48-hour time limit should be extended so that the requisite time for displaying the list of flats with proxy instruments lodged would be longer to facilitate relevant owners to check the information. He enquired whether consideration would be given to this suggestion. ADHA(4) responded that the Administration would consider this suggestion, taking into account whether the time adjustment would have impact on the operation of OCs.

Mediation

18. Dr CHIANG Lai-wan opined that to better protect the right of property owners, the Administration should consider establishing under HAD a mediation mechanism in which mediation bodies would provide voluntary advice and services to help parties concerned to resolve building management disputes. She said that the suggested mechanism could model on the Financial Dispute Resolution Centre which was set up to assist financial institutions and their individual customers in resolving monetary disputes through mediation and arbitration.

19. In response, ADHA(4) advised that the Administration encouraged the parties in dispute to resolve their conflicts through mediation. For this reason, HAD was exploring the feasibility of introducing a pilot scheme under which the two professional mediation bodies would provide voluntary mediation services in building management cases. The objective was to provide a quicker and cheaper way to resolve building management disputes.

Other issues raised

20. Mr Tony TSE expressed concern that some old DMCs contained terms which were unfair to the minority owners. An example of such problem was the unfair allocation of undivided shares and management shares between owners and developers, where the developers might have a large number of undivided shares but only needed to pay a small amount of management expenses. He enquired whether the Administration would address the issues in its forthcoming legislative proposals.

21. ADHA(4) responded that -

- (a) the Legal Advisory and Conveyancing Office ("LACO") of the Lands Department was the approving authority of DMCs submitted by developers if the land grant contained a DMC clause. LACO issued "Guidelines for Deeds of Mutual Covenant" ("Guidelines") and would ensure that the current Guidelines were complied with in approving DMCs;

Action

- (b) a DMC was a private deed among the parties who entered into it. As in the case of any other private contracts, no party to a DMC should unilaterally modify any provisions in DMC without the consent of all other parties; and
- (c) in view of the concerns over the enforcement of DMC provisions, the Administration would refer Members' concerns and suggestions to the Lands Department for consideration.

Conclusion

22. In closing, the Chairman called on the Administration to take into account the views and suggestions expressed by Members and deputations when considering various possible amendments to BMO. She also requested the Administration to follow up with the cases concerning building management problems of individual buildings/housing estates as mentioned by deputations at the meeting. ADHA(4) undertook to do so.

23. There being no other business, the meeting ended at 12:41 pm.

Council Business Division 2
Legislative Council Secretariat
2 April 2015

.Panel on Home Affairs
Special meeting on Saturday, 24 January 2015, at 9:00 am
in Conference Room 1 of the Legislative Council Complex

Meeting to receive views on the public consultation document
on "Review of the Building Management Ordinance"

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation/individual	Submission/Major views and concerns
<i>Session One</i>		
1.	Ms Amy YUNG Wing-sheung, Islands District Council member	<ul style="list-style-type: none"> ● LC Paper No. CB(2)689/14-15(01)
2.	Kwun Tong District Council - Housing Committee	<ul style="list-style-type: none"> ● Expressed support for the proposal to tighten the requirements concerning the collection and verification of proxy instruments. ● The Administration should enhance the support to property owners and owners' corporations ("OCs") to facilitate their discharge of building management duties. ● The measures proposed for addressing bid-rigging and disputes relating to large-scale maintenance projects might not be able to achieve the desired effect.
3.	The Hong Kong Association of Property Management Companies	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(01)
4.	The Hong Kong Institute of Housing	<ul style="list-style-type: none"> ● LC Paper No. CB(2)689/14-15(02)
5.	Mr CHAN Sze-ching, Yuen Long District Council member	<ul style="list-style-type: none"> ● Expressed reservations about the proposal to raise the percentage of shares of votes required for the passage of resolution for large-scale maintenance projects. ● Expressed support for the proposal to tighten the requirements concerning the collection and verification of proxy instruments. ● The Home Affairs Department ("HAD") was not providing adequate professional support to assist property owners/OCs in managing their buildings effectively.

No.	Name of deputation/individual	Submission/Major views and concerns
6.	Mr NGAN Man-yu, Kwun Tong District Council member	<ul style="list-style-type: none"> ● Careful consideration should be given as to how "large-scale maintenance projects" should be defined in the Building Management Ordinance (Cap. 344) ("BMO"). ● The Government should adopt a multi-pronged approach, covering legislation, enforcement, support and assistance to property owners to prevent bid-rigging. ● Expressed support for the proposal of setting lower ceilings on the remuneration rates of deed of mutual covenant ("DMC") managers for large-scale developments as these managers should be able to achieve economies of scale.
7.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> ● The Administration should consider establishing a "central database" that captured information on market prices for various maintenance items and past performance of consultants/contractors in the market for reference of owners or OCs in planning building maintenance works. ● Regarding the appointment of proxy for owners' meetings, the Administration should make proposals to improve BMO with a view to raising the transparency in the collection and verification of proxy instruments. ● Expressed support for the proposal of lowering the threshold for OC formation from 30% to 20% of shares in aggregate.
8.	The Property Owners Anti-Bid Rigging Alliance	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(02)
9.	New Territories Anti-Bid Rigging Alliance	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(02)
10.	Hong Kong Island Anti-Bid Rigging Alliance	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(02)
11.	Grandway Garden Anti-Bid Rigging Alliance	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(02)
12.	Block A Garden Vista Anti-Bid Rigging Alliance	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(02)
13.	Block B Garden Vista Anti-Bid Rigging Alliance	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(02)

No.	Name of deputation/individual	Submission/Major views and concerns
14.	Block C Garden Vista Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
15.	Block B Kingswood Villas Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
16.	Block C Kingswood Villas Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
17.	Block D Kingswood Villas Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
18.	Block A Grand View Garden Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
19.	Chevalier Garden Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
20.	Well On Garden Anti-Bid Rigging Alliance	● LC Paper No. CB(2)716/14-15(02)
21.	Management Committee, The Incorporated Owners of Grenville House	● LC Paper No. CB(2)716/14-15(02)
22.	Labour Party	<ul style="list-style-type: none"> ● Some old DMCs contained terms which were unfair to the minority owners. The unfair allocation of undivided shares between owners and developers made it very difficult for owners to form an OC. ● The Administration should attach more importance to preventing bid-rigging activities in the tendering of large-scale maintenance projects.
23.	Mr WU Kin-wa	● LC Paper No. CB(2)662/14-15(03)
<i>Session Two</i>		
24.	Mr LEE Yuet-man, Yuen Long District Council member	● LC Paper Nos. CB(2)689/14-15(03) and CB(2)716/14-15(03)
25.	344 關注小組	● LC Paper No. CB(2)689/14-15(04)
26.	The Federation of Hong Kong Property Management Industry Limited	● LC Paper No. CB(2)662/14-15(04)
27.	Tsui Lok Sunshine Residents Association	● LC Paper No. CB(2)689/14-15(05)
28.	Tin Ping Estate Owners' Corporation	● LC Paper No. CB(2)689/14-15(06)

No.	Name of deputation/individual	Submission/Major views and concerns
29.	Sun Pei Community Dynamics	<ul style="list-style-type: none"> ● LC Paper No. CB(2)689/14-15(07)
30.	Mr LAW Sai-yan, North District Council member	<ul style="list-style-type: none"> ● LC Paper No. CB(2)689/14-15(08)
31.	Owners' Committee of Noble Hill	<ul style="list-style-type: none"> ● LC Paper No. CB(2)689/14-15(09)
32.	Liberal Party	<ul style="list-style-type: none"> ● The Administration should re-consider the proposed rates of increase in the percentage thresholds concerning the quorum of OC meetings at which voting of resolutions on large-scale maintenance projects took place as well as the percentage of shares of votes required for the passage of such resolutions. ● As to how "large-scale maintenance projects" should be defined, the threshold should not be simply set as a percentage (or percentages) of the total annual budget of an OC, or the amount the owner(s) of each flat would have to contribute to the project. The Administration should adopt a tiered system to define "large-scale maintenance projects" having regard to the complexity and the scope of the maintenance works involved. ● To address issues relating to the use of counterfeit proxy instruments, mandatory measures should be introduced to tighten the arrangements for the collection and verification of proxy instruments.
33.	Liberal Party Youth Committee	<ul style="list-style-type: none"> ● Supported the proposal that the quorum of the OC meeting at which voting of resolutions on large-scale maintenance projects would take place be raised from 10% to, say 20%, of the total number of owners. ● It would, however, be difficult for OCs to commence building maintenance projects if the required percentage of shares of votes for the passage of the resolution was raised from 50% to 75% of the shares of votes at the meeting. ● Expressed support for the proposal to tighten the requirements concerning the collection and verification of proxy instruments.
34.	Castle Road Concern Group	<ul style="list-style-type: none"> ● Suggested stipulating in BMO additional requirements so as to enhance the transparency of the tender process for large-scale

No.	Name of deputation/individual	Submission/Major views and concerns
		maintenance projects and to facilitate owners' monitoring of the process.
35.	Young Civics	● LC Paper No. CB(2)716/14-15(04)
36.	Mr CHING Kwan-hung	● LC Paper No. CB(2)716/14-15(05)
37.	關注顯徑業戶大聯盟	● LC Paper No. CB(2)689/14-15(10)
38.	Yuen Long District Council - Culture, Recreation, Community Service and Housing Committee	● LC Paper No. CB(2)716/14-16(06)
39.	Concerning Old Building Facilities Group	● LC Paper No. CB(2)689/14-15(11)
40.	Miss Christine FONG Kwok-shan, Sai Kung District Council member	<ul style="list-style-type: none"> ● Expressed support for the proposal to amend BMO to enhance the transparency of the tender process for large-scale maintenance projects and to facilitate owners' monitoring of the process. ● As building management disputes often arose in the cases of buildings/developments the DMCs of which contained terms unfair to the minority owners, HAD and the Lands Department should consider providing standard provisions of DMC for estate developers to follow and for reference of property buyers/owners to help avoid disputes. ● Expressed support for the proposals regarding the termination of appointment of DMC managers and the mechanism for determining the remuneration of DMC managers.
41.	Tseung Kwan O Estate Committees Union	<ul style="list-style-type: none"> ● The Administration should put in place measures which could help curb syndicated bid-rigging in large-scale building maintenance projects. ● Suggested inclusion of penalty provisions in BMO to regulate the conduct and operation of OCs and their management committees. ● HAD should enhance its support and assistance to property owners and OCs to facilitate their discharge of building management duties.
42.	AU YEUNG Ho-kwan	● The Administration should provide professional and tailor-made advice and support to property owners to facilitate their discharge of building

No.	Name of deputation/individual	Submission/Major views and concerns
		management duties, including the launching of building maintenance works and effective monitoring of the work of their OCs as well as DMC managers.
43.	The Incorporated Owners of Choi Ming Court	<ul style="list-style-type: none"> ● The Administration should conduct a comprehensive review on BMO with a view to making improvements to address the inadequacies identified in the legislation.
44.	MTR Property Owners' Association	<ul style="list-style-type: none"> ● Suggested stipulating in BMO additional requirements on the tender process for service contracts/large-scale maintenance projects, so as to raise transparency and to facilitate owners' monitoring of the process. ● Expressed support for the proposals set out in the consultation document on issues relating to the termination of appointment of DMC managers.
<i>Written submission from an individual not attending the meeting</i>		
45.	Mr YEUNG Wai-sing, Eastern District Council Member	<ul style="list-style-type: none"> ● LC Paper No. CB(2)716/14-15(07)