

立法會
Legislative Council

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Tel : 3919 3328
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From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 13 October 2021

**Proposed amendments to
the Landlord and Tenant (Consolidation) (Amendment) Bill 2021**

In accordance with the President's ruling issued under LC Paper No. CB(3) 1066/20-21 earlier today, subject to the above Bill receiving Second Reading, Hon Abraham SHEK is allowed to move amendments to the Bill.

2. As directed by the President, the proposed amendments are attached for Members' consideration.

(Thomas CHAN)
for Clerk to the Legislative Council

Encl.

Landlord and Tenant (Consolidation) (Amendment) Bill 2021

Committee Stage

Amendments to be moved by the Honourable Abraham SHEK Lai-him

<u>Clause</u>	<u>Amendment Proposed</u>
4	In the proposed section 120AAR, by adding— “(4) This section does not apply to the tenancies specified in Schedule 8.”.
4	In the proposed Part IVA, in Division 3, in Subdivision 2, by adding— “ 120AAYA. Application of this Subdivision 2 under this Division This Subdivision 2 does not apply to the tenancies specified in Schedule 8.”.
8	(a) In the heading, by deleting “ 6 and 7 ” and substituting “ 6, 7 and 8 ”. (b) By adding— “ Schedule 8 [ss. 120AAR & 120AAYA]

Tenancies Excluded from Application of Section 120AAR and Subdivision 2 of Division 3 of Part IVA

1. Excluded tenancies

(1) Section 120AAR and Subdivision 2 of Division 3 of Part IVA do not apply to any of the tenancies under the following situations—

- (a) a person has made an application to the Lands Tribunal for an order to sell all the undivided

shares in the lot for the purposes of the redevelopment of the lot pursuant to the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) (*Compulsory Sale Ordinance*) and that—

- (i) at any time before the Lands Tribunal made an order for sale under the Compulsory Sale Ordinance, that person becomes the owner of the lot; and
 - (ii) there is/are subdivided unit(s) in the building(s) which is/are subject to tenancy(ies); or
- (b) a person who becomes the owner of a lot (as referred to in the approved plans or approval letter for demolition works) without making an application for an order to sell under the Compulsory Sale Ordinance has obtained approval of plans for demolition works of the building(s) within the lot from the Building Authority and there is/are subdivided unit(s) in the building(s) which is/are subject to tenancy(ies).

(2) Unless otherwise agreed between the person referred to in subsection (1)(a) or (b) (as the case may be) and the tenant, under the situations specified in subsection (1) above—

- (a) immediately upon the expiration of 6 months following the day on which the person referred to in subsection (1)(a) or (b) (as the case may be) becomes the owner of the lot; or
- (b) immediately upon the expiration of the respective tenancy(ies) of the subdivided unit(s) of the building(s),

whichever is the later, the person referred to in subsection (1)(a) or (b) (as the case may be) is entitled to, and the respective tenant is required to deliver up, vacant possession of his subdivided unit.”.