

**立法會**  
**Legislative Council**

**(issued by email only)**  
LC Paper No. CB(3) 1070/20-21

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Tel : 3919 3300  
Date : 11 October 2021  
From : Clerk to the Legislative Council  
To : All Members of the Legislative Council

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**Council meeting of 13 October 2021**

**Debate and voting arrangements for  
the Landlord and Tenant (Consolidation) (Amendment) Bill 2021**

Further to LC Paper Nos. CB(3) 1063/20-21 and CB(3) 1067/20-21 issued on 8 and 11 October 2021 respectively regarding the proposed amendments to the captioned Bill, I attach a table on the debate and voting arrangements for the captioned Bill for Members' information.

2. Members are reminded that in accordance with Appendix IIIA to the House Rules, the speaking time limits in the debates are as follows:

	<u>Number of speech(es) allowed for each Member</u>	<u>Maximum time for a speech</u>
(a) Resumption of the second reading debate	1	10 minutes
(b) Consideration by committee of the whole Council	Multiple	5 minutes
(c) Third reading debate	1	3 minutes

(Miranda HON)  
for Clerk to the Legislative Council

Encl.

**Landlord and Tenant (Consolidation) (Amendment) Bill 2021**  
**Debate and voting arrangements**

**Object of the Bill:** To amend the Landlord and Tenant (Consolidation) Ordinance (Cap. 7) to regulate tenancies of subdivided units (“SDUs”) of buildings, and to provide for related matters.

**Joint debate : Clauses with no amendment, and clauses — Clauses 1 to 17 with amendments proposed by the Secretary for Transport and Housing (“STH”) and Hon Abraham SHEK**

Joint debate on the original clauses and the amendments.

**STH’s amendments**

**Clauses 4, 5 and 8**

- Expanding the definition of “family member”: to expand the definition of “family member” in the proposed section 120AA(1) to include a person’s grandparent and adult grandchild, and to define “child” to include an illegitimate child, a stepchild and a child adopted in a way recognized by law, and that “parent”, “grandchild” and “grandparent” are to be construed accordingly;
- Lowering the rent increase cap on tenancy renewal: to amend the proposed section 120AAZE(2)(b) to revise the cap on the rent increase for a second term tenancy in a regulated cycle of tenancies from 15% to 10%;
- Enhancing the protection for SDU sub-tenants: to add the proposed new section 120AAZJA in Division 6 of the proposed Part IVA to confine the financial compensation that a sub-tenant is liable to pay due to his continued occupation of the SDU after his sub-tenancy is terminated following the termination of the superior tenancy;
- Specifying additional types of excluded tenancies: to amend the proposed Schedule 6 to the effect that the following two types of tenancies are excluded from the application of regulated tenancies:
  - (a) a tenancy where the landlord resides in a unit and only lets a room (which is a bedroom as shown in the latest building plan of a building) or some of the remaining rooms (which are bedrooms as shown in the latest building plan of a building) in the unit as a dwelling; and
  - (b) a tenancy made under the “Letting Scheme for Subsidized Sale Developments with Premium Unpaid” administered by the Hong Kong Housing Society; and
- to make technical and textual amendments.

**Clause 9**

- Expanding the jurisdiction of the Lands Tribunal: consequent upon the above addition of the proposed new section 120AAZJA, to amend section 8(8) of the Lands Tribunal Ordinance (Cap. 17) to expand the jurisdiction of the Lands Tribunal.

## **Hon Abraham SHEK's amendments**

### **Clauses 4 and 8**

- To add the proposed new Schedule 8 to exclude the following tenancies from the application of the provisions in the proposed Part IVA that concern the entitlement of second term tenancy by the tenants (i.e. proposed section 120AAR and Subdivision 2 of Division 3):
  - (a) tenancies relating to SDUs in buildings on a lot intended for redevelopment; and
  - (b) tenancies relating to SDUs in buildings on a lot which approval of plans for demolition works of the buildings has been obtained from the Building Authority.

<b>Voting order</b>	<b>Remarks</b>
Clauses with no amendment (i.e. clauses 1 to 3, 6, 7 and 10 to 17) standing part of the Bill	—
STH's amendments (to amend clauses 4, 5, 8 and 9)	<b><u>Irrespective of whether</u> STH's amendments <b>are passed or not</b>, Hon Abraham SHEK <b>may move</b> his amendments.</b>
Hon Abraham SHEK's amendments (to amend clauses 4 and 8)	—

### **STH's amendments**

(set out in LC Paper No. CB(3) 1063/20-21 issued on 8 October 2021)

### **Hon Abraham SHEK's amendments**

(set out in LC Paper No. CB(3) 1067/20-21 issued on 11 October 2021)

Council Business Division 3  
Legislative Council Secretariat  
11 October 2021