

Notice to Complainant

The Sales of First-hand Residential Properties Authority (“the SRPA”) is a law enforcement agency implementing the Residential Properties (First-hand Sales) Ordinance (“the Ordinance”). Contraventions of the Ordinance are criminal offences. In this respect, a complainant may be a victim of crime who has suffered harm, loss or damage to property as a result of the purchase of a first-hand residential property, the sale of which is regulated by the Ordinance.

As a complainant, you are entitled to know what your obligations are in assisting the SRPA in the investigation of the complaint and, in return, what standard of service you expect to receive from the SRPA in connection with your complaint. This Notice sets out these rights and obligations of a complainant.

Rights:

- ♦ To be treated with courtesy and respect – The staff of the SRPA should treat all complainants with courtesy, compassion, sensitivity and respect for their personal dignity and privacy.
- ♦ To receive a proper response to complaints – The SRPA should respond to complaints promptly. The SRPA would conduct fair, proficient and professional investigation of every complaint related to the implementation of the Ordinance.
- ♦ To be provided with information related to the complaint handling – Complainants shall be provided with the name and contact telephone number of the SRPA staff handling the case. If an interview has been conducted with the complainant who may be required to be a prosecution witness, the complainant shall be provided with a copy of the statement he has made. If there are any remedies to the complaint or other available channels for assistance, the SRPA staff shall inform the complainants of such information (like other complaint handling agencies and free legal service available for initiating civil claims) as soon as is practicable.
- ♦ To be informed of the progress and the investigation result of the complaints – The complainants would be informed of the progress of the complaints at a regular interval (i.e. on a monthly basis) and the investigation results of the complaints.

- ♦ To be fully briefed of the court proceedings – If complainants are to give evidence in court, they shall be fully briefed of the arrangements by the SRPA staff.
- ♦ To keep their own privacy and confidentiality – The staff of the SRPA, the Department of Justice and the Judiciary shall respect the complainants' right to privacy and confidentiality.
- ♦ To be returned of evidence promptly – The SRPA staff shall return as promptly as possible any evidence (like documents, records, photographs) provided by the complainants for investigation and prosecution purposes upon the completion of the complaints.

Obligations

- ♦ Be co-operative – Complainants should provide assistance to the SRPA when being asked to help and give information related to the complaints including attending an interview with the SRPA staff.
- ♦ Be providing genuine information – Complainants should provide genuine and factual information and evidence to the SRPA for investigation. Malicious complaints would not be followed up.
- ♦ Be ready to come forward as witnesses – The SRPA is a law enforcement agency. If there are any prosecution actions taken as a result of the investigation findings of the complaints, complainants shall be ready to be prosecution witnesses even though written statements may have been obtained during the investigation process. Witness evidence provided by the complainants in court is vital to the successful conviction of any offences under the Ordinance.

Sales of First-hand Residential Properties Authority
April 2019

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