

CONTROLLING OFFICER'S REPLY

THB(H)049

(Question Serial No. 1157)

Head: (62) Housing Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Private Housing

Controlling Officer: Permanent Secretary for Transport and Housing (Housing)
(Agnes WONG)

Director of Bureau: Secretary for Transport and Housing

Question:

Regarding the implementation of the Residential Properties (First-hand Sales) Ordinance (Cap.621) (the Ordinance) to regulate the sale of first-hand residential properties, please advise this Committee:

- a. of the relevant expenditure and staff establishment in the coming year;
- b. of the number of “surprise” inspections on sales offices alone in each of the past 3 years, and the factors to be considered for conducting a “surprise” inspection; and
- c. of the total number of cases prosecuted and convicted for contravention of the Ordinance, as well as the respective convicted charges and penalties involved since the commencement of the Ordinance.

Asked by: Hon OR Chong-shing, Wilson (LegCo internal reference no.: 4)

Reply:

- a. The estimated expenditure of the Sales of First-hand Residential Properties Authority (SRPA) in 2021-22 is \$64.33 million. It has an establishment of 44 staff.
- b. All inspections to sales offices are conducted by SRPA in a surprise manner, except where vendor’s arrangement is required for inspections involving access to areas that are not open to the public (e.g. flat selection counter). In 2020, the SRPA conducted a total of 387 surprise inspections to sales offices. The SRPA has not kept a breakdown of the inspection figures in 2018 and 2019.

- c. Since the commencement of the Residential Properties (First-hand Sales) Ordinance (the Ordinance) (Cap. 621) up to the end of 2020, 11 cases involving 131 counts of offences have been prosecuted and convicted for contraventions of the Ordinance. The charges were mainly about contraventions of the provisions of the Ordinance in respect of sales brochures, price lists, advertisements, register of transactions, the mandatory provisions for the preliminary agreement for sale and purchase and the agreement for sale and purchase, etc. The vendors of the developments concerned were convicted and fined a total of \$2.584 million. Details of the offences involved in the convicted cases have been uploaded onto the website of the SRPA for public perusal.

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