

Application for Registration of Owners as a Corporation Appendix 1 (provided by the Land Registry – L.R. 164)

BUILDING MANAGEMENT ORDINANCE

(Section 7)

APPLICATION FOR REGISTRATION OF OWNERS AS A CORPORATION

Application is hereby made on behalf of the Management Committee appointed under Section *3/3A/4/40C of the Building Management Ordinance for registration of the owners of the under-mentioned building as a corporation, particulars of which are as follows:

* Delete whichever is not applicable.

- (1) Name of the proposed Corporation

The Incorporated Owners of
(Description of building) ("Building")

- (2) Name, if any, and Address of the Building:

- (3) Address of the proposed Registered Office of the Corporation:

- (4) Name and address of the Chairman and the Secretary of the Management Committee:

	Name	Address
Chairman		
Secretary		

2. The following documents are attached:

† Delete as appropriate.

†(1) Copy of Deed of Mutual Covenant dated and registered in the Land Registry by Memorial No.

†(2) Copy of Order of the Lands Tribunal dated in No. of 20

†(3) Copy of Order of the Authority dated in No. of 20

* Delete whichever is not applicable.

(4) Copy of Resolution or other document evidencing the appointment of the Management Committee certified as correct by the * Chairman/Secretary of the Management Committee/chairman of the meeting at which the resolution was passed.

(5) Declaration by the *Chairman/Secretary of the Management Committee that the provisions of Section *3/3A/4/40C and the relevant provisions in Section 5B have been complied with.

A member who fails to lodge with the secretary of the management committee the declaration within 21 days after the appointment shall cease to be such member.

(6) Declarations by the members of the Management Committee declaring that he/she does not fall within the description of paragraph 4(1)(a) or (b) of Schedule 2.#

3. We have read the 'Notes About Your Personal Data' and fully understand it.

Dated this day of 20 .. .

.....
*Chairman of the
Management Committee*

.....
*Secretary of the
Management Committee*

To the Land Registrar,
Hong Kong.

Note: Application for registration of owners as a corporation must be made within 28 days of the appointment of the Management Committee. A separate filing fee, the amount of which being specified in the Building Management (Fees) Regulations (Cap. 344 sub. leg. A), is payable for each document attached to this application.

(Applicable to the form provided by the Land Registry – L.R. 164)

NOTES ABOUT YOUR PERSONAL DATA

The phrase “personal data” used in this Notes shall have the same meaning as from time to time defined in the Personal Data (Privacy) Ordinance (Cap. 486) (“PDPO”).

1. Purpose of Collection

The personal data provided in this form will be used by the Land Registry for one/more of the following purposes:

- (a) to maintain a register of corporations, and permit any person to inspect at any reasonable time:
 - (i) the register to ascertain, in connection with the management of buildings, the particulars of a corporation entered in the register pursuant to the Building Management Ordinance (Cap. 344) (“BMO”); or
 - (ii) documents required to be submitted to the Land Registry under BMO;
- (b) to provide a certified copy, copy or extract of the register or document required to be submitted to the Land Registry under BMO;
- (c) to administer and enforce the relevant provisions in BMO;
- (d) any other purposes as may be required, authorized or permitted by law; and
- (e) to facilitate communications between the data subjects and the Land Registry.

You understand that the personal data provided in this form is obligatory. If you fail to provide your personal data in this form, the Land Registry will not be able to record/update the particulars in the register or documents mentioned in paragraph 1(a) above. Please take all practical steps to make sure that the data subjects whose personal data being disclosed in the document(s) to be submitted together with this form or will be submitted pursuant to the relevant provision of BMO understand that the said document(s) will be made available for public inspection and a copy of which may be provided to the public pursuant to section 12 of BMO.

2. Classes of Transferees

Please take all practical steps to make sure that the data subjects understand that the personal data provided in this form and any attached documents may be transferred to:

- (a) other government departments, bureaux and relevant organizations for the purposes mentioned in paragraph 1 above; and
- (b) any person for the purposes mentioned in paragraphs 1(a) and (b) above.

3. Right of Access

You understand that pursuant to sections 18 and 22 and Principle 6 of Schedule 1 of PDPO, you have the right to request access to and correction of the personal data provided in this form. Under PDPO, the Land Registry is entitled to charge a reasonable fee to process the said request. Any such request shall be made to the Personal Data (Privacy) Officer of the Land Registry at 28th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.

4. Enquiries

For enquiries on owners incorporation matters, please call our Customer Service Hotline at 3105 0000. The completed form should be submitted to the Land Registry at 19th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.

Declaration of Eligibility (provided by the Land Registry — L.R. 169)

Appendix 3

Corporation No. : _____

BUILDING MANAGEMENT ORDINANCE

DECLARATION OF ELIGIBILITY UNDER PARAGRAPH 4(3) OF SCHEDULE 2

The Incorporated Owners of _____
(Name of Corporation)

Insert the name as appearing in the Hong Kong Identity Card or other identity document.

I, (#English name) _____ (^Chinese name) _____,
of (address) _____,

◇ To be deleted if no Chinese name.

*being an authorized representative of _____ (name of body corporate),

* Delete whichever is not applicable.

solemnly and sincerely declare that:

* To be deleted if inappropriate.

(1) *I am / The body corporate is a member of the management committee^ of the above Corporation appointed under the Building Management Ordinance.

^ A member who fails to lodge with the secretary of the management committee the declaration within 21 days after the appointment shall cease to be such member.

(2) For the purposes of paragraph 4(3) of Schedule 2 to the Building Management Ordinance, I

- (i) am not an undischarged bankrupt at the time of the appointment;
- (ii) have, within the previous 5 years, neither obtained a discharge in bankruptcy nor entered into a voluntary arrangement within the meaning of the Bankruptcy Ordinance (Cap. 6) with my creditors, in either case without paying the creditors in full; and
- (iii) have not, within the previous 5 years, been convicted of an offence in Hong Kong or any other place for which I have been sentenced to imprisonment, whether suspended or not, for a term exceeding 3 months without the option of a fine.

(3) I have read the 'Notes About Your Personal Data' and fully understand it.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance.

Signature of Declarant : _____

Declared at _____ in _____

Hong Kong this _____ day of _____ .

Before me,

()
of District Office () / Land Registry*
A Commissioner for Oaths

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- (a) to maintain a register of corporations, and permit any person to inspect at any reasonable time:
 - (i) the register to ascertain, in connection with the management of buildings, the particulars of a corporation entered in the register pursuant to the Building Management Ordinance (Cap. 344) (“BMO”); or
 - (ii) documents required to be submitted to the Land Registry under BMO;
- (b) to provide a certified copy, copy or extract of the register or document required to be submitted to the Land Registry under BMO;
- (c) to administer and enforce the relevant provisions in BMO;
- (d) any other purposes as may be required, authorized or permitted by law; and
- (e) to facilitate communications between you and the Land Registry.

You understand that the personal data provided in this form is obligatory. If you fail to provide your personal data in this form, the Land Registry will not be able to record/update the particulars in the register or documents mentioned in paragraph 1(a) above.

2. Classes of Transferees

You understand that the personal data provided in this form may be transferred to:

- (a) other government departments, bureaux and relevant organizations for the purposes mentioned in paragraph 1 above; and
- (b) any person for the purposes mentioned in paragraphs 1(a) and (b) above.

3. Right of Access

You understand that pursuant to sections 18 and 22 and Principle 6 of Schedule 1 of PDPO, you have the right to request access to and correction of your personal data. Under PDPO, the Land Registry is entitled to charge a reasonable fee to process the said request. Any such request shall be made to the Personal Data (Privacy) Officer of the Land Registry at 28th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.

4. Enquiries

For enquiries on owners incorporation matters, please call our Customer Service Hotline at 3105 0000. The completed form should be submitted to the Land Registry at 19th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.

Notice of Change of Particulars (provided by the Land Registry — L.R. 124)

Appendix 5

Corporation No. : _____

BUILDING MANAGEMENT ORDINANCE

(Section 12(3) & Section 28(6A))

NOTICE OF CHANGE OF PARTICULARS / NOTICE OF POLICY OF INSURANCE

The Incorporated Owners of _____
(Name of Corporation)

NOTICE is hereby given that with effect from the _____ day of _____,
particulars of the above-named Corporation have been changed as follows / a policy of insurance
under section 28(1) was effected on the _____ day of _____ as follows:

*Here insert particulars
of any change in:

- (a) Name of the corporation
- (b) Name and address of the building
- (c) Address of the registered office of the corporation
- (d) Name and address of the chairman, vice-chairman, secretary, treasurer and any other person who is a member of the management committee
- (e) Name and address of the insurance company and the period covered by the policy of insurance

I have read the 'Notes About Your Personal Data' and fully understand it.

Dated this _____ day of _____ 20 _____.

Secretary of the Management Committee

To the Land Registrar,
Hong Kong.

Note: Notice must be given to the Land Registrar within 28 days of the date of any change in the registered particulars or within 28 days after the corporation has effected a policy of insurance.

(Applicable to the form provided by the Land Registry — L.R. 124)

NOTES ABOUT YOUR PERSONAL DATA

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1. Purpose of Collection

The personal data provided in this form will be used by the Land Registry for one/more of the following purposes:

- (a) to maintain a register of corporations, and permit any person to inspect at any reasonable time:
 - (i) the register to ascertain, in connection with the management of buildings, the particulars of a corporation entered in the register pursuant to the Building Management Ordinance (Cap. 344) (“BMO”); or
 - (ii) documents required to be submitted to the Land Registry under BMO;
- (b) to provide a certified copy, copy or extract of the register or document required to be submitted to the Land Registry under BMO;
- (c) to administer and enforce the relevant provisions in BMO;
- (d) any other purposes as may be required, authorized or permitted by law; and
- (e) to facilitate communications between the data subjects and the Land Registry.

Please take all practical steps to make sure that the data subjects understand that the personal data provided in this form is obligatory. If they fail to provide their personal data in this form, the Land Registry will not be able to record/update the particulars in the register or documents mentioned in paragraph 1(a) above.

2. Classes of Transferees

Please take all practical steps to make sure that the data subjects understand that the personal data provided in this form may be transferred to:

- (a) other government departments, bureaux and relevant organizations for the purposes mentioned in paragraph 1 above; and
- (b) any person for the purposes mentioned in paragraphs 1(a) and (b) above.

3. Right of Access

You understand that pursuant to sections 18 and 22 and Principle 6 of Schedule 1 of PDPO, you have the right to request access to and correction of the personal data provided in this form. Under PDPO, the Land Registry is entitled to charge a reasonable fee to process the said request. Any such request shall be made to the Personal Data (Privacy) Officer of the Land Registry at 28th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.

4. Enquiries

For enquiries on owners incorporation matters, please call our Customer Service Hotline at 3105 0000. The completed form should be submitted to the Land Registry at 19th Floor, Queensway Government Offices, 66 Queensway, Hong Kong.

Declaration of Change of Particulars (provided by the Land Registry — L.R. 170)

Appendix 7

Corporation No. : _____

BUILDING MANAGEMENT ORDINANCE

DECLARATION OF CHANGE OF PARTICULARS UNDER PARAGRAPH 4(5) of SCHEDULE 2

The Incorporated Owners of _____
(Name of Corporation)

Insert the name as appearing in the Hong Kong Identity Card or other identity document.

I, (#English name) _____ (*Chinese name) _____,
of (address) _____,

✧ To be deleted if no Chinese name.

solemnly and sincerely declare that:

* Delete whichever is not applicable.

(1) I ceased to be a member of the management committee of the above Corporation appointed under the Building Management Ordinance.

✧ To be deleted if inappropriate.

(2) For the purposes of paragraph 4(5) of Schedule 2 to the Building Management Ordinance, there has been a change in the particulars as follows:

† To insert the place where the declarant is convicted of the offence.

- * (i) a bankruptcy order was made against me on _____ ;
- * (ii) I have on _____ entered into a voluntary arrangement within the meaning of the Bankruptcy Ordinance (Cap. 6) with my creditors, without paying the creditors in full; and
- * (iii) I have on _____ been convicted of an offence in _____
+ _____ for which I have been sentenced to imprisonment, *which is a suspended sentence, for a term exceeding 3 months without the option of a fine.

(3) I have read the 'Notes About Your Personal Data' and fully understand it.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance.

Signature of Declarant : _____

Declared at _____ in _____

Hong Kong this _____ day of _____

Before me,

(_____)
of District Office (_____)/Land Registry*
A Commissioner for Oaths

Statutory Format of the Instrument of Proxy for Meetings of Corporation

Appendix 8

INSTRUMENT OF PROXY FOR MEETINGS OF CORPORATION

The Incorporated Owners of
(description of building)

I/We, (name(s) of owner(s)),
being the owner(s) of
..... (unit and address of building),
hereby appoint (name of proxy)
*[or failing him (name of
alternative proxy)], as my/our proxy to attend and vote on my/our behalf at the
[*general meeting/annual general meeting] of The Incorporated Owners
of(description of
building), to be held on the day
of*[and at any adjournment thereof].

Dated this day of .

(Signature of owner(s))

*Delete where inapplicable.

The format as shown in this instrument is the statutory one which is set out in the Building Management Ordinance (Form 2 in Schedule 1A). No alteration of the format is permitted.

Statement of Purposes in respect of Collection of Personal Data (Sample)

Appendix 9

(for reference only)

Purpose of Collection

1. This instrument is to be used by you to appoint a proxy to attend the general meeting of the corporation/the annual general meeting of the corporation and any adjourned meeting (if applicable). Your proxy will form the quorum and vote on your behalf at the meeting.
2. The chairman and/or secretary of the management committee (MC) of the owners' corporation (OC) may follow up on the personal data you provided in this instrument and, if necessary, will contact you for the purpose of verifying the validity of the appointment of your proxy.

Consent of your Proxy

3. You should obtain the consent of your proxy in using his/her personal data provided in this instrument, and provide your proxy with this statement, informing him/her of the purpose for collecting his/her personal data.

Classes of Transferees

4. The OC and its MC may disclose the personal data you provided in this instrument to other owners of this building, and/or other relevant persons and bodies for the purposes mentioned in paragraph 2 above.

Access to Personal Data

5. You have the rights of access and correction to the personal data as provided for in sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance, Cap. 486. Your right of access includes the right to obtain a copy of your personal data provided in this instrument.

Enquiries

6. Enquiries concerning the personal data collected by means of this instrument, including requests for access to and correction of data, should be directed to the secretary of the MC (Telephone Number :)

Acknowledgement Receipt of the Instrument of Proxy (Sample)

Appendix 10

_____ (Date)

To : #The owner(s) of/body corporate which owns Flat ____, Floor ____, Block ____

General Meeting of _____
(name of owners' corporation)

(Date and time of the meeting: #a.m./p.m. on _____)

I hereby acknowledge receipt of the instrument of proxy lodged by you.

According to paragraph 4(5)(b) of Schedule 3 to the Building Management Ordinance, the chairman of the management committee or, if he is absent, the person who presides at the meeting shall determine the validity of the instrument.

Name of the secretary of the management committee :

Signature :

#Delete where inapplicable.

List of Flats with Instruments of Proxy lodged (Sample)

Appendix 11

General Meeting of _____
(name of owners' corporation)

Date :

Time :

Venue :

The owners of the flats listed below have lodged the instruments appointing proxies with the secretary of the management committee –

Flats		

Note :

- (1) The secretary of the management committee shall display a list of the flats whose owners have lodged the instruments of proxy (irrespective of validity) in a prominent place in the place of the meeting before the time for the holding of the meeting and cause the list to remain so displayed until the conclusion of the meeting.
- (2) Those flats whose instruments of proxy have been determined to be invalid by the chairman of the management committee or, if he is absent, the person who presides at the meeting, are marked with a sign.

HAD's Homepage on Building Management — www.buildingmgt.gov.hk

Publications related to building management are available at Public Enquiry Service Centres of the District Offices as below —

Hong Kong Island	
Central & Western	Unit 5, The Center, 99 Queen's Road Central, Central
Eastern	G/F., Eastern Law Courts Building, 29 Tai on Street, Sai Wan Ho
Wan Chai	G/F., 2 O'Brien Road, Wan Chai
Southern	G/F., Ocean Court, 3 Aberdeen Praya Road, Aberdeen
Kowloon	
Kowloon City	Room 1707, 17/F., One Harbourfront, 18 - 22 Tak Fung Street, Hung Hom
Sham Shui Po	G/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Sham Shui Po
Yau Tsim Mong	G/F., Mong Kok Government Offices, 30 Luen Wan Street, Mong Kok
Kwun Tong	Lower G/F., Kwun Tong District Branch Offices Building, 6 Tung Yan Street, Kwun Tong
Wong Tai Sin	Unit 201, 2/F., Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin



New Territories	
Kwai Tsing	2/F., Kwai Hing Government Offices Building, 166 - 174 Hing Fong Road, Kwai Chung
Yuen Long	G/F., Yuen Long District Office Building, 269 Castle Peak Road, Yuen Long
Tuen Mun	2/F., Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun
Sai Kung	1/F., King Lam Neighbourhood Community Center, King Lam Estate, Tseung Kwan O
Tsuen Wan	1/F., Tsuen Wan Multi-Storey Carpark Building, 174 - 208 Castle Peak Road, Tsuen Wan
North	G/F., North District Government Offices, 3 Pik Fung Road, Fanling
Tai Po	G/F., Tai Po Government Offices Building, 1 Ting Kok Road, Tai Po
Sha Tin	G/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin
Islands	G/F., 22 San Hing Street, Cheung Chau (Cheung Chau Sub-office)
	G/F., Mui Wo Government Offices, 2 Ngan Kwong Wan Road, Mui Wo, Lantau Island (Mui Wo Sub-office)
	1/F., Tung Chung Post Office Building, 6 Mei Tung Street, Tung Chung, Lantau Island (Tung Chung Sub-office)

Enquiries on building management matters can be directed to the District Building Management Liaison Teams of the respective District Offices —

Hong Kong Island			
Central & Western	2119 5010	Wan Chai	2835 1999
Eastern	2886 6569	Southern	2814 5762
Kowloon			
Kowloon City	2621 3406	Kwun Tong	2171 7465
Sham Shui Po	2150 8175	Wong Tai Sin	3143 1160
Yau Tsim Mong	2399 2155		
New Territories			
Kwai Tsing	2494 4543	Tsuen Wan	3515 5654
Yuen Long	2470 1125	North	2675 1719
Tuen Mun	2451 3466	Tai Po	2654 1262
Sai Kung	2163 9431	Sha Tin	2158 5388
Islands	2852 4318		