

Building Management Ordinance (Cap.344)

How to form an Owners' Corporation



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Disclaimer

This booklet “*How to form an Owners’ Corporation*” is prepared by the Home Affairs Department for general reference only. Users of this booklet should not rely on the information as professional legal advice and are strongly advised to seek assistance from lawyers should there be doubts about the application of the Building Management Ordinance in individual circumstances. While every effort has been made to ensure the accuracy of this booklet, Home Affairs Department shall not be responsible for any liability howsoever caused to any person by the use of or reliance on this booklet.



Chapter 1

Introduction

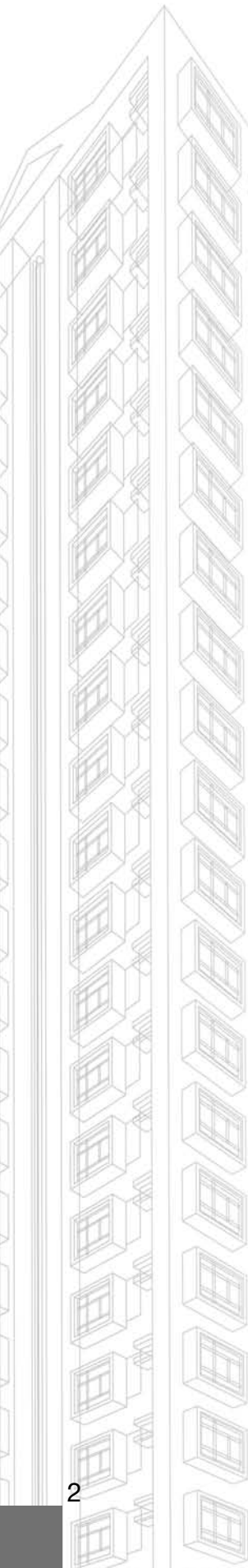
- 1.1 Management of private properties is the responsibility of the owners. It has always been the Government's policy to encourage and assist owners to form owners' corporations (OCs) for effective building management. This booklet provides general guidelines to owners on the formation of an OC.

Building Management Ordinance


- 1.2 The Building Management Ordinance (Cap.344) (BMO) was enacted to provide a legal framework for the formation and operation of an OC. It aims to facilitate the incorporation of private property owners for better building management.

Objectives of forming an Owners' Corporation

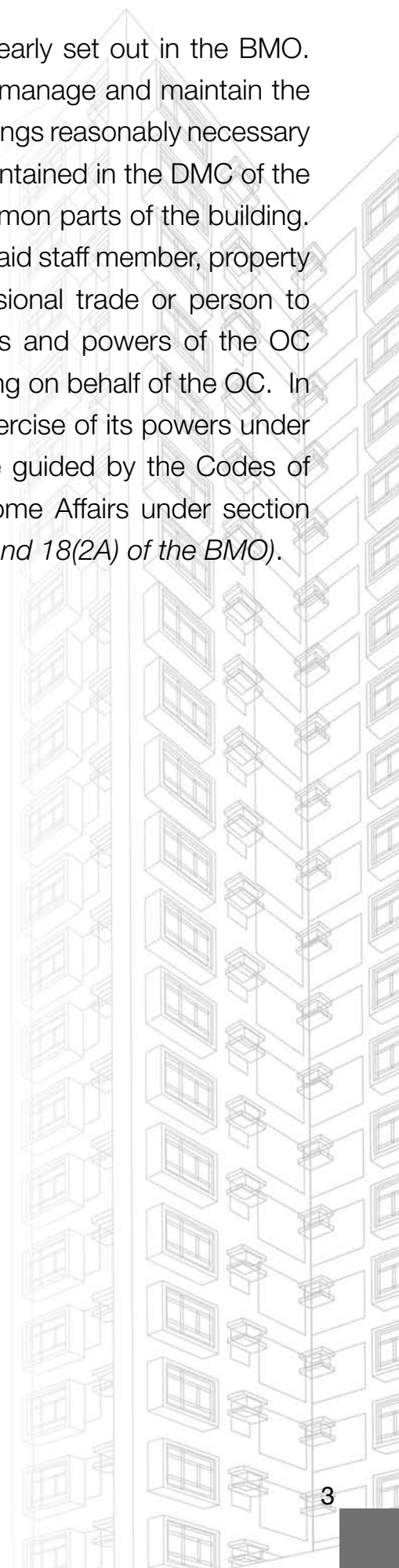
- 1.3 Hong Kong is a small place with a large population. Most people live in private multi-storey buildings or private residential estates with individual blocks of buildings. These buildings and estates may comprise several hundreds to a few thousands residential units. It is the responsibility of property owners to jointly manage and maintain their buildings or estates. They may also be held jointly and severally liable for the liabilities arising from any accidents caused by the improper management or lack of maintenance of the common parts of their buildings or estates.



- 1.4 Managing and maintaining a building is no simple task. It involves a myriad of matters, ranging from the cleansing, refuse clearing and security of the common parts of the buildings to non-recurring tasks such as the appointment of property management companies and commission of maintenance works. Subject to the terms of the deed of mutual covenant (DMC) of the building, unanimous agreement of all owners may be required for every management and maintenance matter if the owners were not incorporated. For a building or residential estate with several hundreds or thousands of units, it is not only inefficient but also highly impractical.
- 1.5 Effective building management helps provide a pleasant and comfortable living environment for the owners, and ensure that the value of their assets will not be unduly affected as a result of lack of proper management and maintenance. To manage a building through an OC may not be the only way, but is by far the best practical way. An OC is an independent body corporate set up under the BMO. It acts legally on behalf of all owners in managing the common parts of the building, and exercises and performs the rights, powers, privileges and duties of the owners under the BMO. It is also empowered to appoint property management companies, terminate their appointment and monitor their work.
- 1.6 Under the BMO, any resolution may be passed at a general meeting of an OC with respect to the control, management and administration of the common parts of the building and the renovation, improvement or decoration of those parts and any such resolution shall be binding on the management committee (MC) and all the owners (*section 14(1) of the BMO*).



1.7 The duties and powers of an OC are clearly set out in the BMO. An OC has legal obligations to properly manage and maintain the common parts of its building and do all things reasonably necessary for the enforcement of the obligations contained in the DMC of the building for the management of the common parts of the building. OC may decide whether to engage any paid staff member, property management company or other professional trade or person to assist the OC or to carry out the duties and powers of the OC under the BMO or the DMC of the building on behalf of the OC. In the performance of its duties and the exercise of its powers under section 18 of the BMO, an OC shall be guided by the Codes of Practice issued by the Secretary for Home Affairs under section 44(1) of the BMO (*sections 18(1), 18(2) and 18(2A) of the BMO*).



Chapter 2

Formation of an Owners' Corporation

- 2.1 Owners may, in accordance with section 3, 3A or 4 of the BMO, convene a meeting of owners to appoint an MC and form an OC.
- 2.2 For the appointment of an MC and the formation of an OC, owners should follow the requirements set out in the BMO, instead of the DMC of the building. However, they still have to refer to the DMC to ascertain the owners' votes at a meeting of owners. Unless the DMC otherwise provides, an owner shall have one vote in respect of each share he owns. A vote may be cast either personally or by proxy.

Section 3

- 2.3 In most circumstances, owners would appoint an MC and form an OC under section 3 of the BMO. The Government also encourages owners to invoke section 3 of the BMO as this will enlist more support from owners which is conducive to the smooth operation of the OC and effective building management thereafter.
- 2.4 According to section 3 of the BMO, a meeting of owners may be convened by –
- (a) any person managing the building in accordance with the DMC (DMC manager); or
 - (b) any person authorized to convene such a meeting by the DMC (person authorized by the DMC); or
 - (c) an owner appointed by the owners of not less than 5% of the shares in aggregate.

2.5 A resolution to appoint an MC shall be –

- (a) passed by a majority of the votes of the owners voting either personally or by proxy; **and**
- (b) supported by the owners of not less than 30% of the shares in aggregate.



2.6 Where owners cannot appoint an MC and form an OC under section 3 of the BMO, the following options may be considered.

Section 3A

Application to the Authority (Secretary for Home Affairs)

2.7 The owners of not less than 20% of the shares in aggregate may apply to the Secretary for Home Affairs for a meeting of owners to be convened.

2.8 If the Secretary for Home Affairs approves the application, he will make an order that a meeting of owners shall be convened by such owner as specified in the application. At the meeting of owners, the owners may appoint an MC by a resolution passed by a majority of the votes of the owners voting either personally or by proxy.



2.9 An order of the Secretary for Home Affairs made under section 3A shall be of no effect if a notice of objection from the owners of not less than 20% of the shares in aggregate is given to the Secretary for Home Affairs at least 7 days before the date of meeting. In such case, the applicants shall not convene a meeting of owners for the appointment of an MC and the formation of an OC under the order.

Section 4

Application to the Lands Tribunal

2.10 The Lands Tribunal may, upon application by the owners of not less than 10% of the shares in aggregate or the Secretary for Home Affairs, order that a meeting of owners be convened by such owner as the Lands Tribunal may direct. The owners may appoint an MC by a resolution passed by a majority of the votes of the owners voting either personally or by proxy.

Chapter 3

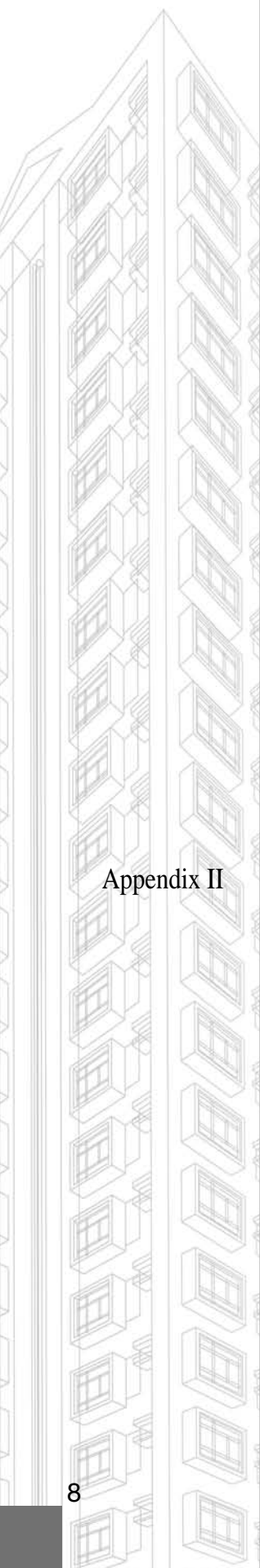
Procedures of forming an Owners' Corporation

- 3.1 If owners intend to appoint an MC and form an OC under section 3 of the BMO (i.e. appointment of one owner by owners of not less than 5% of the shares in aggregate to convene a meeting of owners), they should convene a meeting of owners following the procedures as set out in paragraphs 3.4 to 3.6 below.
- 3.2 If owners intend to appoint an MC and form an OC under section 3A or 4 of the BMO, apart from complying with the provisions on the application for an order or the passing of the resolutions which are mentioned in Chapter 2, the procedures in convening a meeting of owners as set out in paragraphs 3.4 to 3.6 below should also be followed.
- 3.3 Should owners have any question, they may refer to the relevant provisions in the BMO or contact the District Building Management Liaison Team (DBMLT) of the relevant District Office (DO) or seek legal advice.

3.4 Preparation before a meeting of owners held

Appointment of convenor and compilation of owners' information

- (1) The owners of not less than 5% of the shares in aggregate shall appoint an owner as the convenor of the meeting of owners (*section 3(1)(c) of the BMO*). The form at Appendix I may be used to record the decision on the appointment of the convenor.



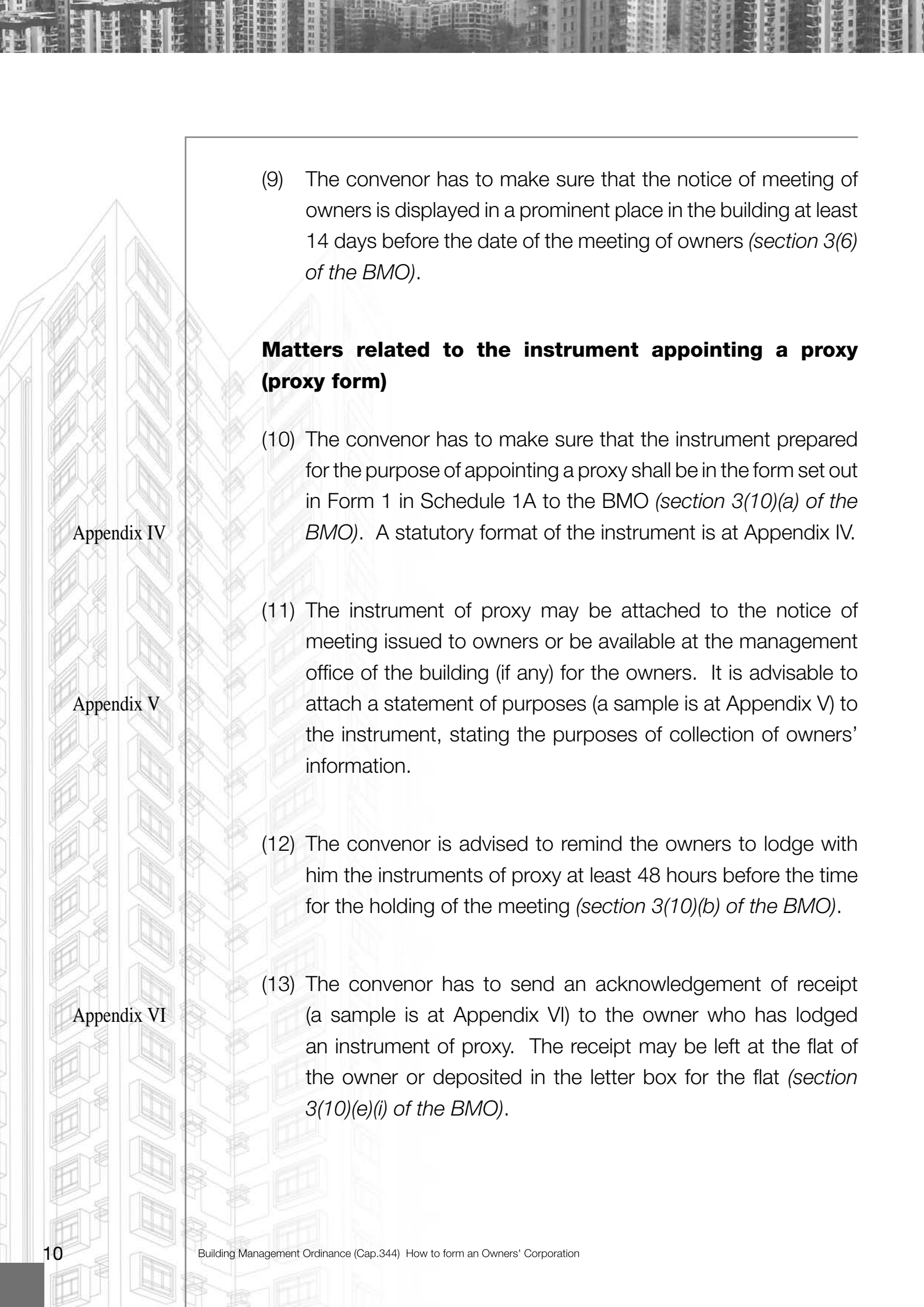
- (2) The convenor should ascertain the number of shares and voting rights of each flat by making reference to the clauses in the DMC of the building. This is to facilitate the recording at the meeting of owners the shares of the owners who attend the meeting personally or by proxy. The DMC, which is a public document, is available from the offices of the Land Registry or can be downloaded from the website of the Land Registry (www.landreg.gov.hk). The convenor can get a copy of the DMC upon payment of the prescribed fee.
- (3) The convenor should check the land register to ascertain the name of each owner.
- (4) The land register contains the record of owners of the flats in the building which are public information. The convenor can get a copy of the relevant information from the offices of Land Registry or by visiting the website of the Land Registry upon payment of the prescribed fee.
- (5) The convenor may use the form at Appendix II to apply to the respective DO for an exemption certificate for obtaining a free copy of the record of owners from the Land Registry. Each building will only be issued with the exemption certificate once.

Appendix II

Notice of meeting of owners

- (6) The convenor has to make sure that the date, time and place of the meeting as well as the agenda of meeting are clearly specified in the notice of meeting of owners (a sample of the notice of meeting of owners is at Appendix III). The agenda shall only specify the resolutions that are related to the incorporation of the owners and the appointment of an MC (*section 3(4) of the BMO*).
- (7) The convenor has to make sure that the address of the building (especially the name of the building) as specified on the notice of meeting of owners is the same as the address appeared in the land register. (The book "*Names of Buildings*" published by the Rating and Valuation Department or the DMC of the building may be used as reference.)
- (8) The convenor has to make sure that the notice of meeting of owners is delivered to all the owners, the DMC manager and the person authorized by the DMC (if any) at least 14 days before the date of the meeting (*section 3(3) of the BMO*). The notice of meeting of owners may be delivered personally to the recipient, sent by post to his/her last known address, left at the owner's flat or deposited in the letter box for that flat (*section 3(5) of the BMO*).

(The 14-day notification period includes the day of issue of the notice of meeting, but excludes the day of the meeting. Public holidays, Saturdays and Sundays are included. It would be more desirable if longer period of notification is given.)

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- (9) The convenor has to make sure that the notice of meeting of owners is displayed in a prominent place in the building at least 14 days before the date of the meeting of owners (*section 3(6) of the BMO*).

Matters related to the instrument appointing a proxy (proxy form)

- (10) The convenor has to make sure that the instrument prepared for the purpose of appointing a proxy shall be in the form set out in Form 1 in Schedule 1A to the BMO (*section 3(10)(a) of the BMO*). A statutory format of the instrument is at Appendix IV.

Appendix IV

- (11) The instrument of proxy may be attached to the notice of meeting issued to owners or be available at the management office of the building (if any) for the owners. It is advisable to attach a statement of purposes (a sample is at Appendix V) to the instrument, stating the purposes of collection of owners' information.

Appendix V

- (12) The convenor is advised to remind the owners to lodge with him the instruments of proxy at least 48 hours before the time for the holding of the meeting (*section 3(10)(b) of the BMO*).

- (13) The convenor has to send an acknowledgement of receipt (a sample is at Appendix VI) to the owner who has lodged an instrument of proxy. The receipt may be left at the flat of the owner or deposited in the letter box for the flat (*section 3(10)(e)(i) of the BMO*).

Appendix VI

(14) The convenor has to determine the validity of the instruments of proxy (*section 3(10)(e)(ii) of the BMO*).

(15) The instrument appointing a proxy is valid only if it is made and lodged in the following manner –

(i) The instrument of proxy shall be in the form set out in the BMO and signed by the owner. If the owner is a body corporate (such as a company or a society, etc), it should be impressed with the seal or chop of the body corporate and signed by the person authorized by the body corporate in that behalf.

(ii) All instruments of proxy shall be lodged with the convenor at least 48 hours before the time for the holding of the meeting. (*section 3(10)(c) of the BMO*)

(If the convenor has decided that the instrument of proxy lodged by any owner is invalid, he is advised to inform the owner concerned before the meeting.)

Appendix VII

(16) A list (Appendix VII) setting out the flats with instruments of proxy lodged (no matter the instrument is valid or not) shall be displayed in a prominent place in the place of the meeting before the time for the holding of the meeting. The information shall remain so displayed until the conclusion of the meeting (*section 3(10)(e)(iii) of the BMO*).

(If the convenor has decided that the instrument of proxy lodged by any owner is invalid, he is advised to put a mark against the flat concerned on the list for information of the attendees of the meeting.)



3.5 Holding a meeting of owners

Making sure that the quorum is met

- (1) The convenor has to record clearly the name of the owners and proxies present at the meeting of owners, and the number of shares allotted to the flats concerned.
- (2) The convenor should make sure that the quorum, i.e. 10% of the owners (including those present personally and those represented by proxies) is met (*sections 3(8) and 3(10)(d) of the BMO*).

(As set out in section 5B of the BMO, a reference to a percentage of the owners is to be construed as a reference to the total expressed percentage of the number of persons who are owners without regard to their ownership of any particular percentage of the total number of shares into which the building is divided.)

Schedule 11 to the BMO provides for the enumeration of the percentage of owners for the purpose of forming a quorum at a meeting. For example, multiple ownership of one flat is to be counted as one owner; an owner owning more than one flat is to be counted as one owner; a person holding proxies from ten owners is to be counted as ten ones.)

Presiding at the meeting of owners

- (3) The convenor has to preside at a meeting of owners (*section 3(7) of the BMO*).

Determining the voting method

- (4) Before a resolution is put to vote, the convenor has to explain to the owners present at the meeting the voting method, for example, by a show of hands or by putting a “✓” or “X” on the voting forms.

Explaining how votes are counted

- (5) Unless the DMC of the building provides otherwise, an owner shall have one vote in respect of each share he owns (*section 3(9)(a) of the BMO*). Any valid vote cast by the owner personally or by proxy is to be counted.

- (6) If a share is owned by 2 or more persons –

- (i) the vote in respect of the share of the flat may be cast –


- (a) by a proxy jointly appointed by the co-owners;

- (b) by a person appointed by the co-owners from amongst themselves; or

- (c) if no appointment is made under subparagraph (a) or (b), either by one of the co-owners personally or by a proxy appointed by one of the co-owners.

(section 3(9)(c) of the BMO)

- (ii) where more than one of the co-owners seeks to cast a vote in respect of the share, the convenor shall only treat the vote cast by the co-owner whose name, in order of priority, stands highest in relation to that share in the register kept at the Land Registry be a valid one no matter whether such vote is cast personally or by proxy (*section 3(9)(d) of the BMO*).

- 
- (7) In determining whether a resolution is passed by a majority of the votes of the owners at a meeting of owners, the following shall be disregarded –
- (i) owners who are not present at the meeting;
 - (ii) owners who are present at the meeting but do not vote;
 - (iii) blank or invalid votes;
 - (iv) abstentions. *(section 2B of the BMO)*

Appointment of an MC

- (8) The convenor has to make sure that the resolution on the appointment of an MC must be passed by a majority of votes of the owners, and supported by the owners of not less than 30% of the shares in aggregate *(section 3(2) of the BMO)*.
- (9) The convenor has to make sure that the resolution on the number of MC members is passed by a majority of votes of the owners *(paragraph 2(1)(a) of Schedule 2 to the BMO)*.

Paragraph 1(1) of Schedule 2 to the BMO specifies the number of MC members which is determined according to the number of flats in the building –

- where the building contains not more than 50 flats, the number of members shall be not less than 3;
- where the building contains more than 50 flats but not more than 100 flats, the number of members shall be not less than 7;

- where the building contains more than 100 flats, the number of members shall be not less than 9.

Appointment of members, chairman, vice-chairman (if applicable), secretary and treasurer of MC

- (10) The convenor has to make sure that the resolution to appoint eligible MC members (see paragraph (17) below) from amongst the owners attending the same owners' meeting is passed by the "first past the post" voting system (*paragraphs 2(1)(b) and 2(3)(b)(i) of Schedule 2 to the BMO*). Where the number of candidates is not more than the number of MC members, the candidates shall be deemed to be appointed as members uncontested (*paragraph 2(3)(a) of Schedule 2 to the BMO*).
- (11) The convenor has to make sure that the resolution on the establishment of the office of the MC vice-chairman is passed by a majority of votes at the same owners' meeting.
- (12) The convenor has to make sure that the resolutions to appoint the MC chairman, vice-chairman (if applicable), secretary and treasurer from amongst the MC members by owners attending the same owners' meeting are passed by the "first past the post" voting system (*paragraphs 2(1)(c), 2(1)(d) and 2(4)(b)(i) of Schedule 2 to the BMO*).

The secretary and treasurer need not be MC members or owners.

Where there is only one candidate respectively for each of these offices, the candidate shall be deemed to be appointed uncontested (*paragraph 2(4)(a) of Schedule 2 to the BMO*).



(13) If the secretary and treasurer are not MC members, the convenor has to point out that they shall not become MC members by virtue of their appointment to these two offices (*paragraph 2(5) of Schedule 2 to the BMO*).

(14) If, after the counting is finished, two or more candidates have an equal number of votes, the result shall be determined by drawing lots and the candidate on whom the lot falls is to be appointed (*paragraphs 2(3)(b)(ii) and 2(4)(b)(ii) of Schedule 2 to the BMO*).

(15) The convenor has to put clearly on record the voting results and the resolutions passed.

(To facilitate vote counting, the Home Affairs Department (HAD) has designed the “Easy Count” vote-counting computer programme. The programme can be downloaded from the HAD homepage on building management (www.buildingmgt.gov.hk)).

(16) The convenor has to remind every MC member to make a declaration under oath in a form specified by the Land Registry (Appendix XIV) to state that they do not fall within the description of paragraph (17) below, and lodge it with the MC secretary within 21 days after the appointment. An MC member who fails to comply with the requirement shall cease to be such member (*paragraphs 4(3) and 4(4) of Schedule 2 to the BMO*).

Appendix XIV

Eligibility of a person to be appointed as an MC member

- (17) The convenor has to remind owners that a person is not eligible to be appointed as an MC member if he –
- (i) is an undischarged bankrupt or has, within the previous 5 years, either obtained a discharge in bankruptcy or entered into a voluntary arrangement within the meaning of the Bankruptcy Ordinance (Cap. 6) with his creditors, in either case without paying the creditors in full;
 - (ii) has, within the previous 5 years, been convicted of an offence in Hong Kong, or any other place for which he has been sentenced to imprisonment, whether suspended or not, for a term exceeding 3 months without the option of a fine.

(paragraph 4(1) of Schedule 2 to the BMO)

3.6 Action following a meeting of owners

Keeping the instruments of proxy

- (1) The convenor has to deliver all the instruments for the appointment of proxies received to the newly appointed MC who should keep them for at least 12 months (*section 3(12) of the BMO*).
- (2) The convenor has to keep all the instruments of proxy received for at least 12 months if the meeting did not pass the resolution to appoint an MC (*section 3(11) of the BMO*).



Applying to the Land Registrar for registration of owners as a corporation

(3) The newly-appointed MC shall within 28 days after its appointment make an application in the prescribed form (Appendix VIII) to the Land Registrar for the registration of the owners as a corporation (*section 7(1) of the BMO*).

(4) An application shall be accompanied by the following documents (*sections 7(2) and 7(3) of the BMO*) –

(i) a copy of the DMC of the building;

(ii) a certified copy of the resolution (Appendix X) or any other document (e.g. minutes of the meeting) evidencing the appointment of an MC and its chairman, vice-chairman (if any), secretary and treasurer;

(iii) a declaration (Appendix XII) by the MC chairman or secretary that the appointment of an MC is in compliance with the BMO;

(iv) a declaration (Appendix XIV) by each MC member that he does not fall within the description of paragraph 4(1)(a) or 4(1)(b) of Schedule 2 to the BMO.

(The MC secretary shall complete and sign the Confirmation on Lodgment of Declaration (Appendix XV) after receiving the declarations from MC members as mentioned in paragraph (4)(iv) above. The duly signed Confirmation shall be submitted together with the application to the Land Registry.)

Appendix VIII

Appendix X

Appendix XII

Appendix XIV

Appendix XV



Appendix I

(If the meeting of owners is held under section 3 of the BMO and the appointment of the convenor is duly recorded in the form at Appendix I, the MC may submit such form as a proof together with other documents required evidencing that the convenor is duly appointed.

If an OC is formed under sections 3A or 4 of the BMO, a copy of the relevant order issued by the Secretary for Home Affairs or the Lands Tribunal, as the case may be, shall be submitted as well.)

Appendix XVI


Appendix XVIII

- (5) The declarations mentioned in paragraphs (4)(iii) and (iv) above can be made at the offices of the Land Registry or the Public Enquiry Service Centres (PESCs) of DOs, or before other person authorized by law to administer an oath (e.g. a justice of the peace, lawyer or notary public). Address and telephone number of the HAD's PESCs and that of the offices of the Land Registry are at Appendices XVI and XVIII respectively.

Appendix XVIII

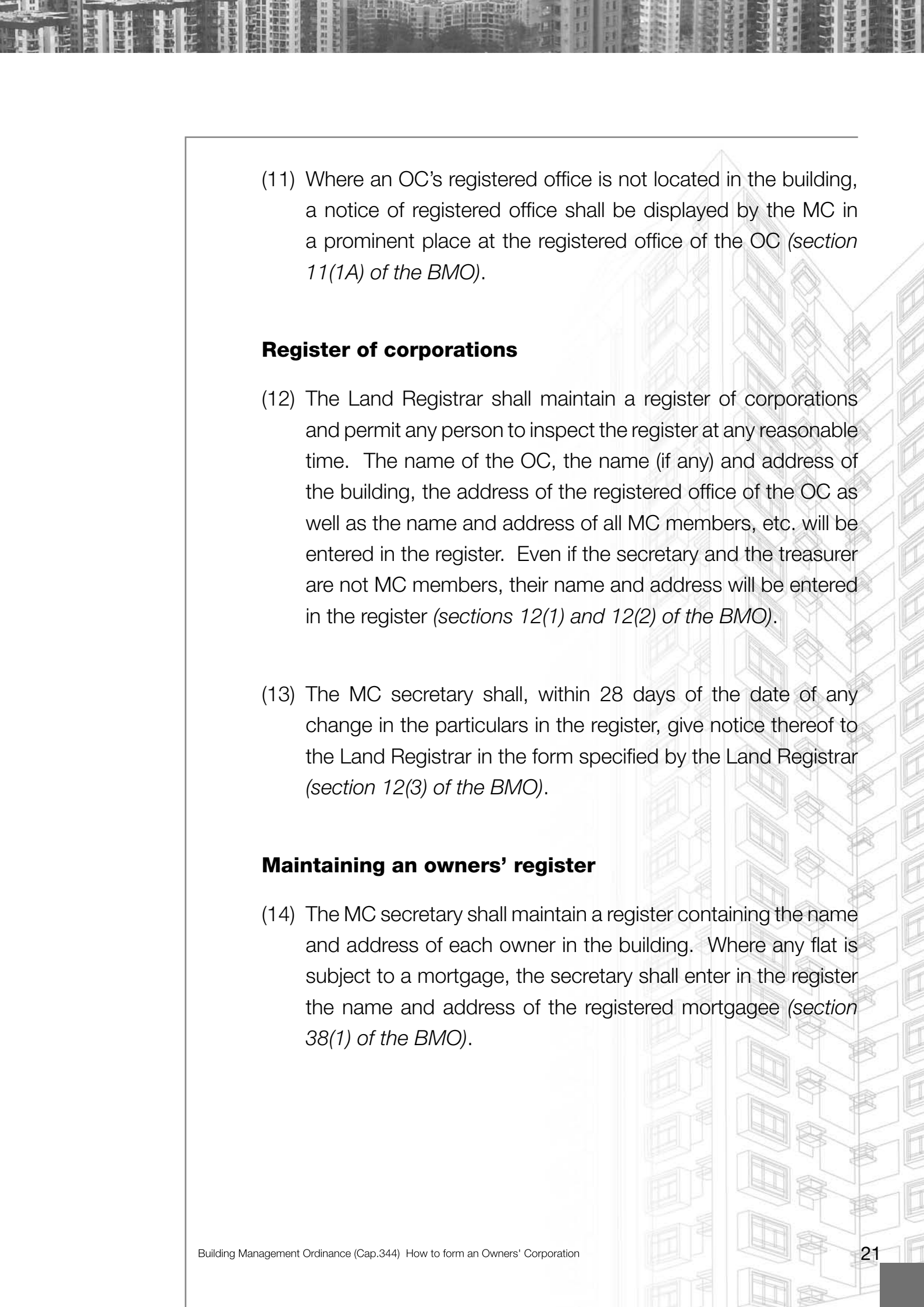
- (6) The MC chairman or secretary should, where possible, make the application and pay the fee in person at the relevant office of the Land Registry (see Appendix XVIII). To save time, the MC chairman or secretary may make an appointment with the Land Registry before submission of an application.

(If the MC chairman or secretary is a body corporate, its representative shall bring along the body corporate's seal or chop when making the application at the relevant office of the Land Registry.)

- 
- (7) It may take 1 to 3 months for the Land Registry to process the application, depending on individual circumstances. If there is a need to complete the registration in 1 month's time, reasons have to be given in writing to the Land Registry at the time of submission of an application.

Displaying a copy of OC's certificate of registration

- (8) Upon approval of the application for incorporation and payment of the registration fee, a certificate of registration will be issued (*section 8(1) of the BMO*).
- (9) The date of formation of an OC is the date on which the certificate of registration is issued by the Land Registry. With effect from the date of issue of the certificate, the owners for the time being shall be a body corporate with perpetual succession and the new MC shall be deemed to be the first MC of the corporation (*section 8(2) of the BMO*).
- (10) Under section 11 of the BMO, an MC shall display in a prominent place in the building the following documents –
- (i) a copy of the certificate of registration of OC; **and**
 - (ii) a notice of registered office of OC (if the office is located in the building); or
 - (iii) a copy of that notice endorsed with the address of the registered office (if the office is not located in the building).


- 
- (11) Where an OC's registered office is not located in the building, a notice of registered office shall be displayed by the MC in a prominent place at the registered office of the OC (*section 11(1A) of the BMO*).

Register of corporations

- (12) The Land Registrar shall maintain a register of corporations and permit any person to inspect the register at any reasonable time. The name of the OC, the name (if any) and address of the building, the address of the registered office of the OC as well as the name and address of all MC members, etc. will be entered in the register. Even if the secretary and the treasurer are not MC members, their name and address will be entered in the register (*sections 12(1) and 12(2) of the BMO*).
- (13) The MC secretary shall, within 28 days of the date of any change in the particulars in the register, give notice thereof to the Land Registrar in the form specified by the Land Registrar (*section 12(3) of the BMO*).

Maintaining an owners' register

- (14) The MC secretary shall maintain a register containing the name and address of each owner in the building. Where any flat is subject to a mortgage, the secretary shall enter in the register the name and address of the registered mortgagee (*section 38(1) of the BMO*).



(15) The address of an owner shall be the address of the flat which he owns and the address of a registered mortgagee shall be his address appearing in the registered mortgage, unless the owner or registered mortgagee notifies the MC secretary in writing of some other address (*section 38(2) of the BMO*).

(16) The MC secretary shall from time to time amend the register if there is any change to the particulars of owners and registered mortgagees (*section 38(3) of the BMO*).

3.7 Annual general meeting of an OC

Convening an annual general meeting of an OC

(1) An MC shall convene the first annual general meeting of the OC not later than 15 months after the date of the registration of the OC (*paragraph 1(1)(a) of Schedule 3 to the BMO*).

(2) An MC shall convene another annual general meeting not earlier than 12 months, and not later than 15 months, after the date of the first annual general meeting (*paragraph 1(1)(b) of Schedule 3 to the BMO*). At the annual general meeting, all MC members, together with the secretary and the treasurer (even if they are not MC members), shall retire from office. An OC shall, by a resolution passed at the same annual general meeting, appoint a new MC (*paragraphs 3, 5(1) and 5(2) of Schedule 2 to the BMO*).

Chapter 4

Assistance provided by the Home Affairs Department to Owners

4.1 The HAD always encourages owners to form OCs to facilitate effective building management. To assist owners to better manage their buildings, staff of the DBMLTs in each district will –

- (1) visit owners of private buildings in the district to promote the good practices of building management;
- (2) advise the convenor and owners on the procedures of the formation of an OC;
- (3) issue an exemption certificate to the convenor for obtaining a free copy of record of owners of the building from the Land Registry for the purpose of convening a meeting of owners to form an OC. Each building will only be issued with the exemption certificate once. Whether an OC is formed or not, the convenor shall return the record of owners to the relevant DO within 60 days after the issuance of the exemption certificate;
- (4) attend the meeting of owners for the formation of an OC and give advice on the procedures for the appointment of an MC;
- (5) process applications made to the Secretary for Home Affairs for an order to convene a meeting of owners under section 3A of the BMO;



Appendix XIX

(6) where legal issues are involved on the formation of an OC, refer owners to the relevant Property Management Advisory Centres (PMACs) of the Hong Kong Housing Society for preliminary legal advice from duty lawyers by appointment. Duty lawyer services at the PMACs are free legal advice service provided by the Law Society of Hong Kong to the public. Owners can also make appointment for legal advice at the PMACs themselves. The address and telephone number of the PMACs are at Appendix XIX.

(7) produce booklet on the procedures of the formation of an OC, and provide samples of documents and forms required for the purpose of forming an OC.

Appendix XVII

4.2 The address of the 18 DOs and the contact telephone number of the DBMLTs are at Appendix XVII.

Chapter 5

Conclusion

- 5.1 The formation of OC is the first step towards proper building management. To achieve effective building management, the MC of an OC has to act in accordance with the provisions of the BMO and the DMC. The enactment of the BMO provides a legal framework for the operation of OCs. To enable the MCs to have a better understanding of the BMO and building management-related matters, the HAD and the DBMLTs under the DOs arrange, on a regular basis, relevant training courses, seminars, talks and workshops, and produce a series of promotional materials on proper building management so as to enhance owners' awareness of building management. For details of the building management services provided by the HAD, please visit the HAD Homepage on Building Management at www.buildingmgt.gov.hk.
- 5.2 In addition to the efforts on the part of MCs, cooperation and mutual understanding among owners are equally important so as to achieve effective building management. Members of MCs participate in building management largely on a voluntary basis. Full support and concerted efforts from the owners are conducive to proper building management and a better living environment.



Points to note

5.3 This booklet is prepared by the HAD for owners' reference in regard to the formation of OCs and appointment of MCs under section 3, 3A or 4 of the BMO. This booklet is neither legally binding nor comprehensive about all building management-related matters. Owners are advised to seek independent legal advice on the BMO, the DMC and/or management agreement of the relevant building and the matters related to formation of OCs. Owners who are interested in forming an OC may like to consult the DBMLT under the respective DO and/or legal professionals regarding the procedures.

5.4 The legal provisions referred to in this booklet shall be construed in accordance with the BMO. Except for the instrument appointing a proxy which is in the statutory format, all the other sample forms in this booklet are for reference only. The samples and prescribed forms provided by the HAD and the Land Registry as contained in this booklet can be downloaded from the HAD Homepage on Building Management (www.buildingmgt.gov.hk) and the Land Registry Homepage (www.landreg.gov.hk) respectively.



Form of Appointment of the Convenor of an Owners' Meeting (Sample)

Appendix I

BUILDING MANAGEMENT ORDINANCE

APPOINTMENT OF CONVENOR OF A MEETING OF OWNERS UNDER SECTION 3(1)(c) (SAMPLE FORM)

We, being the owners holding not less than 5% of the shares in aggregate of _____
 _____ (name and address of the building) erected on
 _____ (description of the lot), hereby appoint
 _____ (name of convenor) under section 3(1)(c) of the Building
 Management Ordinance to convene a meeting of owners to appoint a management committee.

| Name of owner/ Registered name and registration number of the company * | Property held (unit and address of building) | Number of shares held | Contact Telephone Number | Signature/ Company chop* |
|--|--|-----------------------------|-----------------------------|-----------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

* If the owner is a body corporate

Dated

Application Form for an Exemption Certificate for obtaining a Free Copy of the Record of Owners (provided by the Home Affairs Department)

Appendix II

(Page 1 of 3)

_____ (Date)

To: The Government of Hong Kong Special Administrative Region
(via _____ District Office)

Application for an Exemption Certificate for obtaining a Free Copy of the Record of Owners

I, _____ (Name), hereby confirm that I am the owner of _____ (Name of the Building) and have been appointed to be the convenor of the meeting by the owner(s) of not less than 5% of the shares in aggregate (hereinafter referred to "the said owner(s)") as per section 3(1)(c) of the Building Management Ordinance for the purpose of incorporation of owners. Attached herewith please find a **photocopy** of the designated form of Land Registry as completed by the said owner(s) in appointing me as the convenor for the meeting of owners to be held for formation of an owners' corporation (OC) for your reference. Details of the building are as follows:

Name of the building : (in English) _____
(in Chinese) _____

Address of the building : (in English) _____
(in Chinese) _____

I will soon convene an OC formation meeting in which a management committee will be appointed by the owners. To facilitate the formation of OC, I need to obtain the records of all owners in the building from the Land Registry and hereby apply for an Exemption Certificate in respect of the charge for the said records. If the application is approved, please give the Certificate to *me/ my representative. Following is the contact details of the person concerned:

Name : (in English) _____
(in Chinese) _____

Contact Tel. No. : _____

* Delete where inapplicable

(Signature of the convenor of the meeting)

_____ (Date)

To: The Government of Hong Kong Special Administrative Region
(via _____ District Office)

Undertaking
Application for an Exemption Certificate for obtaining a Free Copy
of the Record of Owners

Following the consent of the Government of Hong Kong Special Administrative Region to process my application for an Exemption Certificate in respect of the charge for the owners' records of the _____ (Name of Building), I, _____ (Name), being the convenor of the meeting of owners, hereby undertake to obtain relevant owners' records from the Land Registry and to convene an owners' meeting to appoint a management committee within 60 days after the approval of the application and the issue of the Certificate by _____ District Office. No matter whether an owners' corporation (OC) is formed, I shall return the records of all owners in the building to _____ District Office within the 60-day period.

I agree that the owners' records belong to the Government and undertake that the owners' records obtained from the Land Registry will not be used for any purpose other than the OC formation. I shall comply with the provisions of the Personal Data (Privacy) Ordinance in handling the owners' records. A copy of the deed of mutual covenant of the building is enclosed herewith for your reference.

(Signature of the convenor of the meeting)

Statement of Purposes in respect of Collection of Information

Purpose of Collection

1. The personal data you provided by means of this form will be used by the District Office concerned in processing your application for an Exemption Certificate for obtaining a free copy of the record of owners. The owners' records which you would obtain from the Land Registry will be solely used for the purpose of forming an Owners' Corporation under section 3 of the Building Management Ordinance.

Classes of Transferees

2. The personal data provided in this form may be disclosed to other Government bureaux, departments, and other relevant persons and bodies for the purposes mentioned in paragraph 1 above.

Access to Personal Data

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

Enquiries

4. Enquiries concerning the personal data collected by means of this form, including requests for access to and correction of data, should be directed to respective District Offices (Contact Person: _____ ; Telephone No.: _____).

_____ (Date)

To : The owners

Notice of an Owners' Meeting

of _____ (name of building)

at [_____] (address of building)

to be convened in accordance with section 3 of the Building Management Ordinance

Notice is hereby given pursuant to section 3 of the Building Management Ordinance (BMO) that a meeting of owners of the above-mentioned building will be held. Details are as follows –

Date :

Time :

Venue :

The meeting is convened for the purpose of forming an owners' corporation and appointing a management committee consisting of a chairman, a vice-chairman (subject to the passage of a resolution by owners on the establishment of the office), a secretary, a treasurer and other members in compliance with section 3 of the BMO. It will also discuss and pass the resolutions for the matters related to the incorporation of owners. The agenda of the meeting is as follows –

- (1) to resolve on the formation of an owners' corporation and the appointment of a management committee
- (2) to resolve on the number of members of the management committee
- (3) to resolve on the appointment of members of the management committee
- (4) to resolve on the establishment of the office of vice-chairman of the management committee
- (5) to resolve on the appointment of a chairman of the management committee
- (6) to resolve on the appointment of a vice-chairman of the management committee (subject to the passage of a resolution on the establishment of the office)
- (7) to resolve on the appointment of a secretary of the management committee
- (8) to resolve on the appointment of a treasurer of the management committee
- (9) to resolve on the registered address of the owners' corporation
- (10) any other business

You are cordially invited to attend the meeting. If you are unable to attend the meeting, you may appoint a proxy to attend and vote on your behalf. Appointment of proxy has to be made by using the enclosed instrument of proxy (i.e. proxy form), which is in the format specified by the BMO. The instrument of proxy is also available at _____ (details of location). The instrument of proxy duly signed by the owner(s) must be lodged with the convenor of the owners' meeting (address : _____) at least 48 hours before the time for the holding of the meeting.

Name of the meeting convenor :

Signature of the meeting convenor :

INSTRUMENT OF PROXY FOR MEETINGS OF OWNERS

Meeting of the 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 meeting of the owners of the building described above,
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 1 in Schedule 1A). No alteration of the format is permitted.



Statement of Purposes in respect of Collection of Personal Data (Document attached to the Instrument of Proxy) (Sample)

(for reference only)

Appendix V

Purpose of Collection

1. This instrument is to be used by you to appoint a proxy to attend the owners' meeting of this building held for the purpose of forming an owners' corporation (OC) and appointing a management committee (MC). Your proxy will form the quorum and vote on your behalf at the meeting.
2. The convenor of the meeting 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 convenor of the meeting and/or the new 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 convenor of the meeting (Telephone Number : _____).

Acknowledgement Receipt of the Instrument of Proxy (Sample)

Appendix VI

_____ (Date)

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

Meeting of the owners of

_____ (Name of Building)

(Date and time of the meeting:

_____ #a.m./p.m. on _____)

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

As the convenor of the meeting, I shall determine the validity of the instrument in accordance with section 3(10)(e)(ii) of the Building Management Ordinance.

Name of the convenor of the meeting :

Signature of the convenor of the meeting :

Delete where inapplicable.

Application Form for Registration as an Appendix VIII Owners' Corporation (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.

(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.[#]

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.

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.

Notes About Your Personal Data (Applicable to the form provided by the Land Registry—L. R. 164)

Appendix IX

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.

Resolution on Appointment of the Management Committee and Members, Chairman, Vice-chairman, Secretary and Treasurer of the Management Committee (Sample—L. R. 167) Appendix X

RESOLUTION

Building Management Ordinance

.....
(Name of Building)

* Delete if inappropriate

At a meeting of the owners of the above-named building convened under and in accordance with *Section 3(1)()/3A(1)/4(1)/40C of the above Ordinance and held at *(place of meeting)* on _____ at _____ *(date and time of meeting)*, at which the owners of _____ shares were present or represented by proxy, it was resolved by the owners or their proxies of _____ shares in the said building that a Management Committee be appointed.

It was also resolved by the owners at the above meeting:

- “(1) That the Management Committee consists of _____ persons be appointed;
- (2) That the following owners be appointed as members of the Management Committee:

The Chairman/Vice Chairman must be one of the persons appointed as a member of the Management Committee

- (3) That _____ be appointed as Chairman/Vice Chairman of the Management Committee;

The Secretary/Treasurer may but need not be one of the persons appointed as a member of the Management Committee

- (4) That _____ be appointed as Secretary/Treasurer of the Management Committee.”

This should be certified as correct by the Chairman or Secretary of the Management Committee or by the Chairman of the Meeting at which the resolution was passed

Certified Correct

.....
 (_____ of the Management Committee)

Dated the _____ day of _____

Note: This certified copy of Resolution should accompany the application made to the Land Registrar for registration of the owners as a corporation.

Notes About Your Personal Data (Applicable to the sample of resolution provided by the Land Registry—L. R. 167)

Appendix XI

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.

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 Compliance with the Building Management Ordinance in the Appointment of the Management Committee (provided by the Land Registry—L. R. 161)

BUILDING MANAGEMENT ORDINANCE (Section 7(3)(d))

DECLARATION OF COMPLIANCE WITH THE PROVISIONS OF SECTION 3, 3A, 4 OR 40C AND THE RELEVANT PROVISIONS IN SECTION 5B

The Incorporated Owners of _____
(Name of proposed Corporation)

Insert the Chinese name as appearing in the Hong Kong Identity Card or other identity document. To be deleted if no Chinese name.

I, (English name) _____ (*Chinese name) _____ ,
of (address) _____ ,
*being an authorized representative of _____ (name of body corporate),
solemnly and sincerely declare that:

* Delete whichever is not applicable.

(1) *I am / The body corporate is the *Chairman/Secretary of the Management Committee of the above proposed Corporation appointed under Section *3/3A/4/40C of the Building Management Ordinance (“the Ordinance”).

* To be deleted if inappropriate.

(2) To the best of my knowledge and belief, the provisions of Sections *3/3A/4/40C and the relevant provisions in Section 5B of the Ordinance have been complied with.

(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

Note: This declaration should accompany the application made to the Land Registrar for registration of the proposed Corporation.

Notes About Your Personal Data (Applicable to the forms provided by the Land Registry—L. R. 161, 169 and 171)

Appendix XIII

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 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.

Declaration of Compliance with Paragraph 4(3) of Schedule 2 to the Building Management Ordinance in the Appointment of Management Committee Member (provided by the Land Registry—L. R. 169)

Appendix XIV

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

Confirmation on Lodgment of Declaration (provided by the Land Registry—L. R. 171)

Appendix XV

BUILDING MANAGEMENT ORDINANCE

CONFIRMATION ON LODGMENT OF DECLARATION UNDER PARAGRAPH 4(3) OF SCHEDULE 2

The Incorporated Owners of _____
(Name of Proposed Corporation)

Insert the Chinese name as appearing in the Hong Kong Identity Card or other identity document. To be deleted if no Chinese name.

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

confirm that for the purpose of the application referred to in sub-paragraph (ii) below:

+ 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.

- (i) I am the secretary of the management committee of the above proposed Corporation appointed under paragraph 2(1)(c) of Schedule 2 to the Building Management Ordinance; and
- (ii) the declarations by the members of the management committee⁺ and accompanying the application for the registration of the owners as a corporation under section 7(1) of the Ordinance have been lodged with me by virtue of paragraph 4(3) of Schedule 2 within 21 days of the appointment.

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

Dated this _____ day of _____.

Signature: _____
Secretary of the Management Committee

To the Land Registrar,
Hong Kong.

Note: A copy of the confirmation duly signed by the secretary of the management committee should be presented to the Land Registry upon application for registration as a corporation.

Address and Telephone Number of the Public Enquiry Service Centres of the 18 District Offices

Appendix XVI

| District | Address | Tel. No. |
|-------------------------|---|-----------|
| Hong Kong Island | | |
| Central & Western | Unit 5, The Center, 99 Queen's Road Central, Central | 2189 2819 |
| Eastern | G/F., Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho | 2886 6531 |
| Southern | G/F., Ocean Court, 3 Aberdeen Praya Road, Aberdeen | 2814 5720 |
| Wan Chai | G/F., 2 O'Brien Road, Wan Chai | 2575 2477 |
| Kowloon | | |
| Kowloon City | Room 1707, 17/F., One Harbourfront, 18 - 22 Tak Fung Street, Hung Hom | 2621 3401 |
| Kwun Tong | Lower G/F., Kwun Tong District Branch Offices Building, 6 Tung Yan Street, Kwun Tong | 2342 3431 |
| Sham Shui Po | G/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Sham Shui Po | 2728 0781 |
| Wong Tai Sin | Unit 201, 2/F., Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin | 2322 9701 |
| Yau Tsim Mong | G/F., Mong Kok Government Offices, 30 Luen Wan Street, Mong Kok | 2399 2111 |
| New Territories | | |
| Islands | G/F., 22 San Hing Street, Cheung Chau (Cheung Chau Sub-office) | 2981 1060 |
| | G/F., Mui Wo Government Offices, 2 Ngan Kwong Wan Road, Mui Wo, Lantau Island (Mui Wo Sub-office) | 2984 7231 |
| | 1/F., Tung Chung Post Office Building, 6 Mei Tung Street, Tung Chung, Lantau Island (Tung Chung Sub-office) | 2109 4953 |
| Kwai Tsing | 2/F., Kwai Hing Government Offices Building, 166 - 174 Hing Fong Road, Kwai Chung | 2425 4602 |
| North | G/F., North District Government Offices, 3 Pik Fung Road, Fanling | 2683 2913 |
| Sai Kung | 1/F., King Lam Neighbourhood Community Centre, King Lam Estate, Tseung Kwan O | 2701 3218 |
| Sha Tin | G/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin | 2606 5456 |
| Tai Po | G/F., Tai Po Government Offices Building, 1 Ting Kok Road, Tai Po | 2654 1262 |
| Tsuen Wan | 1/F., Tsuen Wan Multi-Storey Carpark Building, 174 - 208 Castle Peak Road, Tsuen Wan | 2492 5096 |
| Tuen Mun | 2/F., Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun | 2451 1151 |
| Yuen Long | G/F., Yuen Long District Office Building, 269 Castle Peak Road, Yuen Long | 2474 0324 |

Address of the 18 District Offices and Telephone Number of the District Building Management Liaison Teams

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| District | Address | Tel. No. |
|-------------------------|---|-----------|
| Hong Kong Island | | |
| Central & Western | 11/F., Harbour Building, 38 Pier Road, Central | 2119 5010 |
| | 11/F, Kennedy Town Community Complex, 12 Rock Hill Street, Kennedy Town | |
| Eastern | 11/F., Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho | 2886 6569 |
| Southern | 1/F., Ocean Court, 3 Aberdeen Praya Road, Aberdeen | 2814 5762 |
| | 1/F., Stanley Municipal Services Building, 6 Stanley Market Road, Stanley (Stanley Sub-office) | |
| | 2/F., Wah Kwai Community Centre, Wah Kwai Estate (Wah Kwai Sub-office) | |
| Wan Chai | 21/F., Southorn Centre, 130 Hennessy Road, Wan Chai | 2835 1999 |
| Kowloon | | |
| Kowloon City | Rooms 1706-1713, One Harbourfront, 18-22 Tak Fung Street, Hung Hom | 2621 3406 |
| | G/F., Yat Man House, Homantin Estate (Ho Man Tin Sub-office) | |
| | G/F., Site 5, Whampoa Garden, Hung Hom (Hung Hom Sub-office) | |
| | Shops 1, 5 and 6, G/F., 68-74 Junction Road (Lung Shing Sub-office) | |
| | Shops 2 and 3, G/F., Jubilant Place, 33 Ma Tau Kok Road, Tokwawan (To Kwa Wan Sub-office) | |
| Kwun Tong | 3/F., Kwun Tong District Branch Offices Building, 6 Tung Yan Street, Kwun Tong | 2171 7465 |
| Sham Shui Po | 4/F., Cheung Sha Wan Government Offices 303 Cheung Sha Wan Road, Sham Shui Po | 2150 8175 |
| Wong Tai Sin | 6/F., Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin | 3143 1160 |
| | Fung Tak Estate Community Centre, 111 Fung Tak Road, Diamond Hill (Fung Tak Sub-office) | |
| | Wong Tai Sin Community Centre, 104 Ching Tak Street, Wong Tai Sin (Lower Wong Tai Sin Sub-office) | |
| | LG1, Lok Foon House, Phase 3, Tsz Lok Estate, Tsz Wan Shan (Tsz Wan Shan Sub-office) | |
| Yau Tsim Mong | 6/F., Mong Kok Government Offices, 30 Luen Wan Street, Mong Kok | 2399 2155 |

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| District | Address | Tel. No. |
|------------|---|-----------|
| | New Territories | |
| Islands | 20/F., Harbour Building, 38 Pier Road, Central | 2852 4318 |
| | G/F., 22 San Hing Street, Cheung Chau (Cheung Chau Sub-office) | |
| | G/F., and 2/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) | |
| Kwai Tsing | 10/F., Kwai Hing Government Offices Building, 166-174 Hing Fong Road, Kwai Chung, N.T. | 2494 4543 |
| | Lai King Community Hall, 205 Lai King Hill Road, Kwai Chung (Kwai Chung (Central and South) Sub-office) | |
| | Shek Lei Community Hall, No. 2 Tai Pak Tin Street, Kwai Chung (Kwai Chung (North East) Sub-office) | |
| | 1/F., Tai Wo Hau Estate Community Centre, 15 Tai Wo Hau Road, Kwai Chung (Kwai Chung (West) Sub-office) | |
| | 1/F., Cheung Fat Estate Community Centre, Cheung Fat Estate, 6 Tam Kon Shan Road, Tsing Yi (Tsing Yi (North East) Sub-office) | |
| | Room 103, 1/F., Cheung Ching Estate Community Centre, 6 Ching Hong Road, Tsing Yi (Tsing Yi (South West) Sub-office) | |
| North | 3/F., North District Government Offices, 3 Pik Fung Road, Fanling | 2675 1719 |
| Sai Kung | 2/F., Sai Kung Government Offices Building 34 Chan Man Street, Sai Kung | 2163 9431 |
| | 4/F., King Lam Neighbourhood Community Centre, King Lam Estate, Tseung Kwan O (Tseung Kwan O Sub-office) | |
| Sha Tin | 4/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin | 2158 5388 |
| | Shop No. 1, G/F., Sunshine City Phase 4, 18 On Luk Street, Ma On Shan, Sha Tin (Ma On Shan Sub-office) | |
| Tai Po | Tai Po Government Offices Building, 1 Ting Kok Road, Tai Po | 2654 1262 |
| Tsuen Wan | 1/F., Tsuen Wan Multi-storey Carpark Building, 174-208 Castle Peak Road, Tsuen Wan | 3515 5654 |
| Tuen Mun | 2/F., Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun | 2451 3466 |
| | 4/F., Tseng Choi Street Government Services Complex, 27 Tseng Choi Street, Tuen Mun | |
| | Butterfly Bay Community Centre, Butterfly Estate, Tuen Mun (Butterfly / Wu King Sub-office) | |
| | Leung King Community Centre, Leung King Estate, Tuen Mun (Leung King Sub-office) | |
| | Commercial Complex, Tai Hing Estate, Tuen Mun (Tai Hing Sub-office) | |
| Yuen Long | Yuen Long District Office Building, 269 Castle Peak Road, Yuen Long | 2470 1125 |

Address and Telephone Number of the Offices of the Land Registry

Appendix XVIII

| District(s) | Address | Tel. No. |
|--|---|-----------|
| Urban <ul style="list-style-type: none"> • Hong Kong • Kowloon • Islands | Urban Owners Incorporation Unit 19/F., Queensway Government Offices, 66 Queensway, Hong Kong | 3105 0000 |
| <ul style="list-style-type: none"> • Tsuen Wan • Kwai Tsing • Tuen Mun | Tsuen Wan Search Office Tsuen Wan Multi-storey Carpark Building, 11/F., 174-208 Castle Peak Road, Tsuen Wan, New Territories | 2416 3505 |
| Yuen Long | Yuen Long Search Office 7/F., Yuen Long Government Offices and Tai Kiu Market, 2 Kiu Lok Square, Yuen Long, N.T. | 2475 0341 |
| <ul style="list-style-type: none"> • Tai Po • Sha Tin • Sai Kung • North | Tai Po Search Office 4/F., Tai Po Complex, 8 Heung Sze Wui Street, Tai Po, N.T. | 2653 5859 |

Address and Telephone Number of the Property Management Advisory Centres of the Hong Kong Housing Society

Appendix XIX

| Office | Address | Tel. No. |
|-------------------------|---|-----------|
| Hong Kong Island | | |
| Central | 5A, G/F., The Center, 99 Queen's Road Central, Central | 2839 7533 |
| Western | Shop C, G/F., Elegance Court, 8 Upper Station Street, Sheung Wan | 2839 7183 |
| Eastern | Shop C, G/F, Scenic Horizon, 250 Shau Kei Wan Road, Sai Wan Ho | 2839 7480 |
| Kowloon | | |
| Sham Shui Po | G/F., Ngun Hoi Mansion, 163D Hai Tan Street, Sham Shui Po | 2839 7186 |
| To Kwa Wan | Shop B, G/F., Tin Fu Building, 156-162 Ma Tau Wai Road, Hunghom | 2839 7456 |
| Yau Tsim Mong | 5/F., Henry G. Leong Yaumatei Community Centre, 60 Public Square Street, Yau Ma Tei | 2839 7185 |
| Tai Kok Tsui | Shop 1, Shopping Arcade, June Garden, 28 Tung Chau Street, Tai Kok Tsui | 2839 7171 |
| New Territories | | |
| Tsuen Wan | Shop 169, G/F, Fook Chi Lau, Moon Lok Dai Ha, 141-169 Sha Tsui Road, Tsuen Wan | 2839 7184 |
| Tai Po | G/F., No. 11-13 Wai Yi Street, Tai Po | 2839 7400 |
| Yuen Long | Shop 6, G/F., Kam Long Building, 41 - 59 Tai Tong Road, Yuen Long | 2839 7128 |

