



Foreword

A comfortable home is desired by all Hong Kong people. Most people want to have their own properties, if they can afford it. However, many owners of private buildings may not be aware that the properties they own include not only the flats they live in. When a person purchases a flat in a building, he purchases also the common parts of the building.

Take the Chan's family as an example. The Chan's is a family of three who lives in a 600 square feet-flat on 38th floor, Block C of Happy Garden. The favourite pastime of Mr. and Mrs. Chan is to use the sauna and fitness facilities of the club of the estate, while their son is a basketball lover who plays the game with his friends every day in the open basketball court of the estate. The water the family consumes every day is provided through the water supply system and water pipes of the estate. Every day when they go out, they use the lift of the building. Furthermore, the estate has external walls, ground foundation, pillars, beams, etc. All these facilities, fixtures and structures form the common parts of the building, which are jointly owned by all owners of the estate.

Hence, even though the Chan's family may not be aware of what the "common parts" of their building are, they are enjoying and using these common facilities every day. "Rights and responsibility go hand in hand" – an owner is thus not only responsible for maintaining his own flat but also has to share with other owners the responsibility of properly managing and maintaining the common parts. All owners of a building may 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 the building.

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. A residential estate is no different from a small community. The participation of all owners and occupants is required in order to achieve harmony in the community. Owners and occupants should join hands to resolve building management matters, which is a huge step towards the goal of achieving a comfortable home.

The Home Affairs Department (HAD) has always encouraged and assisted owners in forming appropriate residents' organisations, such as owners' corporations (OCs) to facilitate coordination among owners and effective building management. We provide a legal framework through the Building Management Ordinance (Cap. 344) (BMO) for the formation and operation of OCs.



This Guide outlines in layman's terms the main provisions of the BMO for better understanding by the public. The legal provisions referred to in this Guide shall be construed in accordance with the BMO. For any enquiry about the BMO, please see **Appendix 10** for the services provided by HAD.

