

持續專業進修講座

CPD SEMINAR

“物業交易 — 大廈公契及《建築物管理條例》的常見爭議”

PROPERTY TRANSACTIONS – COMMON DISPUTES RELATING TO THE DEED OF MUTUAL COVENANT AND THE BUILDING MANAGEMENT ORDINANCE



In order to enhance estate agency practitioners' knowledge regarding the legal and practical matters related to the deed of mutual covenant and the Building Management Ordinance, the EAA organised a seminar on the subject on 28 October 2015.

The speaker of this seminar, Ms. Doreen Kong, an experienced practising lawyer, briefed

為加強持牌人就大廈公契及《建築物管理條例》涉及的法律及實務的認識，監管局於2015年10月28日舉辦了相關的講座。

是次講座由饒富經驗的江玉歡律師主講，她為從業員講解相關的法例和規定，並引用了一些實際案件例子，讓持牌人更容易了解有關法例和物業管理的要求。是次講座反應熱烈，出席人數刷新本年紀錄，有429名從業員參加，並就是次講座給予正面評價。

江律師重申，物業或土地的用途是受着政府批出該土地的地契、其他法例或相關條文及有關大廈公契所約束，因此，從業員應查閱相關賣地/批地條件及大廈公契等對該物業或土地的用途是否有任何限制或規定，及查核有可能影響有關物業的法律糾紛，例如物業是否附有違建工程、滲水問題等，以保障客戶的利益。在有需要的情況下，持牌人應建議客戶尋求認可人士的專業意見。

practitioners on the relevant laws and regulations. She also quoted some illustrative real-life cases in order to facilitate practitioners' understanding of the relevant legal and property management requirements. The seminar was extremely well received, with a yearly high of 429 participants, and all of them gave positive feedback on the seminar.

At the seminar, Ms. Kong emphasised that the user of a property or land is restricted by the government lease, related ordinances or government regulations as well as the related deed of mutual covenants. Hence, to protect the interest of their clients, practitioners should check the Conditions of Sale/Grant and the deed of mutual covenants, etc. for any restrictions or requirements set for the property or land, and any legal proceedings, for example relating to unauthorised building works or water leakage, etc., commenced against the concerned property, when needed. If necessary, practitioners should advise their clients to seek the opinion of authorised persons.