

Circular

Circular No. 05-01 (CR)

Landlord and Tenant (Consolidation) (Amendment) Ordinance 2004

The Authority has from time to time received enquiries regarding the changes of the security of tenure regime brought about by the Landlord and Tenant (Consolidation) (Amendment) Ordinance 2004 (“Amendment Ordinance”).

The Amendment Ordinance which came into effect on **9 July 2004** has brought about certain major changes to the Landlord and Tenant (Consolidation) Ordinance (Cap.7) (“LTO”). Essentially, the Amendment Ordinance has removed security of tenure for all domestic and non-domestic tenancies, except that in the case of tenancies created before **9 July 2004**, the Amendment Ordinance contains transitional provisions giving limited protection to those tenants. Practitioners should take note of the relevant changes for the purpose of providing service to their client and, where necessary, should invite their clients to seek legal advice.

For a better understanding of the changes brought by the Amendment Ordinance to the LTO, practitioners are strongly advised to refer to the *Summary Guide on the Landlord and Tenant (Consolidation) Ordinance* issued by the Rating and Valuation Department.

The *Summary Guide on the Landlord and Tenant (Consolidation) Ordinance* is available in the website of the Rating and Valuation Department at www.info.gov.hk/rvd/public/SummaryGuide-e.pdf and in the website of the Authority at www.eaa.org.hk/landlord.pdf

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This Circular should be made available for the information of all staff engaged in estate agency work