

Circular

Circular No. 99-07(CR)

30th June, 1999

Sale and Purchase of Flats Under The Home Ownership Scheme & The Private Sector Participation Scheme

Since the coming into effect of the amendments to the Schedule of the Housing Ordinance (Cap. 283) on 1st June 1999, restrictions on alienation regarding flats under the Home Ownership Scheme (HOS) and the Private Sector Participation Scheme (PSPS) have been relaxed. These flats are now alienable as follows:-

Period of Ownership ^(see note)	Method 1	Method 2
First two years	re-sale to Housing Authority at original price	not applicable
Third to fifth year	re-sale to Housing Authority at a price assessed by Housing Authority (assessed market price minus the discount enjoyed at the time of purchasing from Housing Authority)	sale to qualified persons in the Secondary Market
After five years	after payment of premium to Housing Authority, sale/lease in the open market	sale to qualified persons in the Secondary Market

For practitioners' reference, all the estates under the HOS and the PSPS are listed in Schedule 1 hereto.

Flats under the Flat for Sale Scheme and the Sandwich Class Housing Scheme of the Hong Kong Housing Society have similar restrictions on alienation. A list of the estates concerned and provisions regarding alienation are listed in Schedule 2 hereto.

For details, please consult the Housing Authority or the Housing Society (as the case may be).

(Note: The period of ownership is calculated from the date of the first assignment by the Housing Authority/developer to a purchaser of the relevant flat and not from the date of the occupation permit granted to the building of which the relevant flat forms part.)

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

附表一 Schedule 1

List of Estates under Hong Kong Housing Authority which have Restrictions on Alienation (For Ref. Only)

香港房屋委員會轄下有轉讓限制屋苑名單(本名單僅作參考之用)

Estate which have reached 5 years 已滿五年屋苑 (up to 31/5/99)		Estate which have reached 5 years 已滿五年屋苑 (up to 31/5/99)	
District 地區	Name of Estate 屋苑名稱	District 地區	Name of Estate 屋苑名稱
HONG KONG 香港		Tin Shui Wai 天水圍	Tin Yau Court Phase II 天祐苑二期
Chai Wan 柴灣	Yan Tsui Court 茵翠苑		Tin Oi Court Phase I 天愛苑一期
	Greenwood Terrace 康翠臺		Tin Oi Court Phase II 天愛苑二期
	Neptune Terrace 樂翠臺	Tuen Mun 屯門	Siu Hong Court Phase I 兆康苑一期
	Hiu Tsui Court 曉翠苑		Siu Hong Court Phase II 兆康苑二期
	King Tsui Court 景翠苑		Siu Shan Court 兆山苑
	Fullview Garden Phase I 富景花園一期		Melody Garden 美樂花園
	Fullview Garden Phase II 富景花園二期		Siu Hong Court Phase III 兆康苑三期
	Kai Tsui Court 佳翠苑		Siu Hong Court Phase IV 兆康苑四期
Quarry Bay 靉魚涌	Kornhill 康山花園		Prime View Garden 景峰花園
Ap Lei Chau 鴨洲	Yue On Court 漁安苑		Siu Hei Court Phase I 兆禧苑一期
	KA Lung Court 嘉隆苑		Siu Hei Court Phase II 兆禧苑二期
Stanley 赤柱	Lung Yan Court 龍欣苑		San Wai Court Phase I 新圍苑一期
Shau Kei Wan 筲箕灣	Tung Chun Court 東駿苑		Affluence Garden Phase I 澤豐花園一期
			Affluence Garden Phase II 澤豐花園二期
KOWLOON 九龍			San Wai Court Phase II 新圍苑二期
Ngau Tau Kok 牛頭角	On Kay Court Phase I 安基苑一期		Siu Kwai Court 兆哇苑
	Lok Nga Court 樂雅苑		Siu Pong Court 兆邦苑
	On Kay Court Phase II 安基苑二期		Siu Lung Court 兆隆苑
	Chun Wah Court 振華苑		Siu Hin Court 兆軒苑
Hammer Hill 斧山	King Shan Court Phase I 瓊山苑一期		Tsui Ning Garden Phase I 翠寧花園一期
	King Shan Court Phase II 瓊山苑二期		Tsui Ning Garden Phase II 翠寧花園二期
Ngau Chi Wan 牛池灣	Sun Lai Garden 新麗花園		Siu Lun Court Phase I 兆麟苑一期
	King Lai Court 瓊麗苑		Siu Lun Court Phase II 兆麟苑二期
Kwun Tong 觀塘	Kai Tai Court 啓泰苑		Siu Lun Court Phase III 兆麟苑三期
	Cheung Wo Court 祥和苑		Yuet Wu Villa Phase I 悅湖山莊一期
Sham Shui Po 梁水滸	Yee Kok Court Phase II 怡閣苑二期		Yuet Wu Villa Phase II 悅湖山莊二期
	Po Lai Court 寶麗苑		Siu Lun Court Phase IV 兆麟苑四期
	Yee Ching Court 怡靖苑	Tsing Yi 青衣	Ching Shing Court 青盛苑
	Po Hei Court 寶熙苑		Ching Wah Court Phase I 青華苑一期
Kowloon Bay 九龍灣	Richland Gardens 麗晶花園		Ching Wah Court Phase II 青華苑二期
Wong Tai Sin 黃大仙	Tin Ma Court 天馬苑		Ching Tai Court 青泰苑
Diamond Hill 鑽石山	Lung Poon Court Phase I & II 龍蟠苑一、二期		Ching Nga Court 青雅苑
	Fung Chuen Court 鳳鑽苑		Serene Garden 海悅花園
	Lung Poon Court Phase III 龍蟠苑三期	Lai King 荔景	Yin Lai Court 賢麗苑
Lam Tin 藍田	Hong Wah Court 康華苑	Tai Wo Hau 大窩口	Kwai Yin Court 葵賢苑
	Hong Ying Court 康盈苑	Kwai Chung 葵涌	Kwai Hong Court 葵康苑
	Hong Pak Court 康柏苑	Sheung Shui 上水	Tsui Lai Garden Phase I 翠麗花園一期
	Hong Nga Court Phase I 康雅苑一期		Tsui Lai Garden Phase II 翠麗花園二期
	Hong Nga Court Phase II 康雅苑二期		On Shing Court 安盛苑
Chuk Yuen 竹園	Tsui Chuk Garden Phase I 翠竹花園一期		Sunningdale Garden 順欣花園
	Tsui Chuk Garden Phase II 翠竹花園二期		Yuk Po Court 旭埔苑
	Pang Ching Court 鵬程苑	Shek Wu Hui 石湖墟	Choi Po Court Phase I 彩蒲苑一期
	Tsui Chuk Garden Phase III 翠竹花園三期		Choi Po Court Phase II 彩蒲苑二期
	Tin Wang Court 天宏苑		Yan Shing Court Phase I 欣盛苑一期
Wang Tau Hom 橫頭磡	Fu Keung Court Phase I 富強苑一期	Fanling 粉嶺	Yan Shing Court Phase II 欣盛苑二期
	Fu Keung Court Phase II 富強苑二期		Wing Fuk Centre 榮福中心
	Tsz On Court Phase I 慈安苑一期	Tai Po 大埔	Wang Fuk Court 宏福苑
NEW TERRITORIES 新界			Tai Po Plaza 大埔廣場
Tseung Kwan O 將軍澳	King Ming Court 景明苑		Ming Nga Court 明雅苑
	Ying Ming Court Phase I 英明苑一期		Sun Hing Garden 新興花園
	Ying Ming Court Phase II 英明苑二期		Po Nga Court Phase I 寶雅苑一期
	Hong Sing Garden 康盛花園		Po Nga Court Phase II 寶雅苑二期
	Yan Ming Court 欣明苑		Chung Nga Court 頌雅苑
	Fu Ning Garden Phase I 富寧花園一期		Elegance Garden 富雅花園
	Fu Ning Garden Phase II 富寧花園二期		Yat Nga Court 逸雅苑
	Ho Ming Court 浩明苑		King Nga Court 景雅苑
	On Ning Garden 安寧花園		Tak Nga Court 德雅苑
	Chung Ming Court Phase I 頌明苑一期		Yee Nga Court 怡雅苑
	Chung Ming Court Phase II 頌明苑二期	Sha Tin 沙田	Yue Tin Court 愉田苑
	Yu Ming Court Phase I 裕明苑一期		King Tin Court 景田苑
	Yu Ming Court Phase II 裕明苑二期		May Shing Court Phase I 美城苑一期
Tin Shui Wai 天水圍	Tin Yau Court 天祐苑一期		

Estate which have reached 5 years 已滿五年屋苑 (up to 31/5/99)			Estate which have not reached 2 years 未滿兩年屋苑		
District 地區	Name of Estate 屋苑名稱		District 地區	Name of Estate 屋苑名稱	
Sha Tin 沙田	May Shing Court Phase II	美城苑二期	Mong Kok 旺角	Charming Garden Phase I	富榮花園第一期
	Fung Shing Court	豐盛苑		Charming Garden Phase II	富榮花園第二期
	Holford Garden	海福花園	Lam Tin 藍田	Hong Shui Court	康瑞苑
	Ka Tin Court	嘉田苑	Lok Fu 樂富	Hong Keung Court	康強苑
	Grandway Garden	富嘉花園	Diamond Hill 鑽石山	Grand View Garden	宏景花園
	Kwong Lam Court Phase I	廣林苑一期	Wang Tau Hom 橫頭磡	Ka Keung Court Phase II	嘉強苑二期
	Kwong Lam Court Phase II	廣林苑二期	Tsz Wan Shan 慈雲山	Tsz Oi Court Phase III	慈愛苑三期
	Hong Lam Court	康林苑	NEW TERRITORIES 新界		
	Carado Garden	雲却花園	Tseung Kwan O 將軍澳	Kwong Ming Court	廣明苑
Ma On Shan 馬鞍山	Kam On Court	錦鞍苑		Tong Ming Court	唐明苑
	Chevalier Garden Phase I	富安花園一期		Beverly Garden Phase I	富康花園第一期
	Chevalier Garden Phase II	富安花園二期		Beverly Garden Phase II	富康花園第二期
	Kam Hay Court	錦禧苑		Wo Ming Court Phase I	和明苑第一期
	Kam Ying Court Phase I	錦英苑一期		Wo Ming Court Phase II	和明苑第二期
	Kam Ying Court Phase II	錦英苑二期		Po Ming Court	寶明苑
	Fu Fai Garden	富輝花園		Hiu Lai Court Phase I to III	曉麗苑一至三期
	Fok On Garden	福安花園	Tin Shui Wai 天水圍	Kwong Ming Court	廣明苑
	Kam Lung Court Phase I	錦龍苑一期		Tin Lai Court	天麗苑
	Kam Lung Court Phase II	錦龍苑二期		Tin Shing Court Phase I	天盛苑第一期
	Saddle Ridge Garden Phase I	富寶花園一期		Tin Shing Court Phase II	天盛苑第二期
	Saddle Ridge Garden Phase II	富寶花園二期		Tin Shing Court Phase III	天盛苑第三期
Estate which have reached 2 years 已滿兩年屋苑 (up to 31/5/99)				Tin Chung Court	天頌苑
District 地區	Name of Estate 屋苑名稱			Lakeside Garden	翠塘花園
HONG KONG 香港			Sai Kung 西貢	Yee Fung Court	怡峰苑
Aberdeen 香港仔	South Wave Court	南灣閣	Kwai Chung 葵涌	Lung Mun Oasis	龍門居
Chai Wan 柴灣	Cheerful Garden	富怡花園	Tuen Mun 屯門	Glorious Garden	富健花園
	Lok Hin Terrace	樂軒臺	Ma On Shan 馬鞍山	Kam Tai Court	錦泰苑
	Harmony Garden	富欣花園	Fanling 粉嶺	Cheong Shing Court	昌盛苑
Shau Kei Wan 筲箕灣	Tung Chun Court	東駿苑	Tsing Yi 青衣	Ching Wang Court	青宏苑
	Tung Hei Court	東熹苑	KOWLOON 九龍		
	Tung Lam Court	東霖苑	Diamond Hill 鑽石山	Fung Lai Court	鳳禮苑
			Wang Tau Hom 橫頭磡	Ka Keung Court	嘉強苑
KOWLOON 九龍			ISLAND 離島		
Wang Tau Hom 橫頭磡	Fu Keung Court	富強苑	Tai O 大澳	Lung Hin Court	龍軒苑
Tsz Wan Shan 慈雲山	Tsz On Court	慈安苑	Tung Chung 東涌	Yu Tung Court	裕東苑
	Tsz Oi Court	慈愛苑			
Ngau Chi Wan 牛池灣	Choi Fung Court	彩峰苑			
Kwun Tong 觀塘	Po Pui Court	寶珮苑			
	Hiu Lai Court	曉麗苑			
Yau Tong 油塘	Ko Chun Court	高俊苑			
NEW TERRITORIES 新界					
Tseung Kwan O 將軍澳	Yuk Ming Court	煜明苑			
	Hin Ming Court	顯明苑			
Sha Tin 沙田	Mei Chung Court	美松苑			
Ma On Shan 馬鞍山	Kam Fung Court	錦豐苑			
Fanling 粉嶺	Ka Shing Court	嘉盛苑			
	King Shing Court	景盛苑			
	Wing Fai Centre	榮輝中心			
Kwai Chung 葵涌	Kwai Chun Court	葵俊苑			
Tuen Mun 屯門	Siu Lun Court Phase IV	兆麟苑(四期)			
ISLAND 離島					
Peng Chau 坪洲	Peng Lai Court	坪麗苑			
Tung Chung 東涌	Yu Tung Court	裕東苑			
Estate which have not reached 2 years 未滿兩年屋苑					
District 地區	Name of Estate 屋苑名稱				
HONG KONG 香港					
Shau Kei Wan 筲箕灣	Tung Yan Court	東欣苑			
	Tung Shing Court	東盛苑			
Chai Wan 柴灣	Yuet Tsui Court	悅翠苑			
	Hang Tsui Court	杏翠苑			
Aberdeen 香港仔	Ocean Court	逸港居			
	Hung Fuk Court	鴻福苑			
KOWLOON 九龍					
Wong Tai Sin 黃大仙	Kai Tak Court	啓德花園			
	Ying Fuk Court	盈福苑			

Schedule 2

List of Estates under the Hong Kong Housing Society

<i>Flat For Sale Scheme (FFSS)</i>	
District	Name of Estate
HONG KONG	
North Point	Healthy Village Phase I Blk 3 & 4 Healthy Village Phase II Blk 1A, 1B, 2
KOWLOON	
Hung Hom	Ka Wai Chuen Phase III Blk 10 Ka Wai Chuen Phase IV Blk 7-9
Sham Shui Po	Cronin Garden
Wong Tai Sin	Kai Tak Court
NEW TERRITORIES	
Tsuen Wan	Clague Garden Estate Bo Shek Mansion
Tsing Yi	Broadview Garden
Tseung Kwan O	Verbena Heights
Sai Kung	Lakeside Garden

(For Restrictions on Alienation See Notes 1 – 2)

<i>Sandwich Class Housing Scheme (SCHS)</i>	
District	Name of Estate
HONG KONG	
Ap Lei Chau	Marina Habitat
NEW TERRITORIES	
Tsing Yi	Tivoli Garden
Ma On Shan	Park Belvedere
Tseung Kwan O	Radiant Tower
	The Pinnacle
Kwai Chung	Hibiscus Park
Sha Tin	Sunshine Grove

(For Restrictions on Alienation See Notes 3 – 4)

Notes:

1. Since the relaxation of restrictions on alienation on 2nd July, 1999, FFSS flats are subject to 5-year restriction. During the restriction period, owners have to first offer the flats to the Housing Society (HS) and, if the HS does not exercise its option to buy back within 28 days, owners can sell in the open market after payment of premium. From the 3rd to the 5th year, there is an alternative channel to sell in the Secondary Market at negotiated price without payment. Only certain category of applicants (e.g., public housing tenants) are allowed to purchase in the Secondary Market. Both purchasers and flat owners have to obtain the relevant certificates from the HS before they could enter into binding agreements for sale and purchase.
2. After the 5-year period has expired, owners can sell in the open market after payment of premium without first offering to the HS.
3. SCHS flats are subject to 5-year resale restriction. During the restriction period, owners have to first offer the flats to the HS and, if the HS does not exercise its option to buy back within 28 days, owners can sell in the open market after payment of premium.
4. After the 5-year period has expired, owners can sell in the open market after payment of premium, without first offering to the HS.