

Commencement notice for Land (Compulsory Sale for Redevelopment) (Amendment) Ordinance 2024 gazetted

The Government published in the Gazette today (October 10) the Land (Compulsory Sale for Redevelopment) (Amendment) Ordinance 2024 (Commencement) Notice (the Commencement Notice), which specifies that the Land (Compulsory Sale for Redevelopment) (Amendment) Ordinance 2024 (the Amendment Ordinance) will come into operation on December 6, 2024. The Commencement Notice will be tabled at the Legislative Council (LegCo) for negative vetting on October 16, 2024.

To promote private companies to redevelop aged and dilapidated private buildings in Hong Kong, the LegCo passed the Amendment Ordinance on July 18, 2024, to update and streamline the statutory compulsory sale regime under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) (LCSRO) in four directions, namely (1) lowering the compulsory sale application thresholds; (2) facilitating multiple adjoining-lot compulsory sale applications; (3) streamlining the legal process of compulsory sale regime; and (4) enhancing support for affected minority owners.

A spokesperson for the Development Bureau (DEVB) said, "The Amendment Ordinance aims to expedite the consolidation of private property interests so as to facilitate the redevelopment of old and dilapidated buildings, thereby tackling the safety risk of those buildings and improving people's livelihood. At the same time, legal protection of the interests of minority owners has been enhanced."

In addition to the statutory safeguards, the Dedicated Office of Support Services for Minority Owners under Compulsory Sale (DOSS) set up under the DEVB and the Support Service Centre for Minority Owners under Compulsory Sale (SMOCS), a wholly owned subsidiary set up by the Urban Renewal Authority, both came into operation on August 27, 2024. The SMOCS, which is accountable to the DEVB and supervised by the DOSS, provides one-stop enhanced support services to minority owners at various stages of the compulsory sale application process, so as to help them understand their statutory rights and obtain professional advice. Public education activities and publicity programmes are being rolled out to enhance public understanding of the LCSRO and the services of the SMOCS.

To help different stakeholders (in particular minority owners) to better understand the requirements of the law, as well as the content and practical application of the provisions of the amended LCSRO, the DEVB will soon publish a guidance note to explain the main provisions of the amended LCSRO in plain language with illustrative examples to serve as a practical reference for the industry, professionals and the general public.

The DEVB will also in due course seek the LegCo's approval to provide additional manpower resources to the Lands Tribunal to cope with the increased workload arising from the implementation of the Amendment Ordinance, and to set up a loan guarantee scheme for the Government to provide guarantee to assist eligible minority owners in obtaining bank loans to address their cash flow problems arising from the engagement of legal and other professionals to deal with compulsory sale litigation.

EMSD announces test results of LPG quality in September 2024

The Electrical and Mechanical Services Department (EMSD) today (October 10) announced that the department collected eight liquefied petroleum gas (LPG) samples from auto-LPG filling stations and LPG terminals on a random basis in September 2024 for laboratory tests. The results show that the LPG quality of all these samples complied with auto-LPG specifications.

The detailed test results are available on the EMSD's website (www.emsd.gov.hk/en/gas_safety/lpg_vehicle_scheme/publications/general/results_of_lpg_sample_analysis/index.html). Enquiries can also be made to the EMSD's hotline on 2333 3762.

In addition, the EMSD has been vetting independent third-party test reports submitted by LPG supply companies for each shipment to ensure that the quality of imported LPG complies with the specified requirements.

Preservatives in Food (Amendment) Regulation 2024 gazetted

The Government gazetted today (October 10) the Preservatives in Food (Amendment) Regulation 2024 (Amendment Regulation) to update the food safety standards in relation to preservatives and antioxidants in food.

The objective of the Amendment Regulation is to keep local food safety standards on par with international standards, thereby enhancing consumer protection and facilitating the food trade. The Amendment Regulation has kept the standards of the Codex Alimentarius Commission (Codex) as the backbone, supplemented with those adopted by the Mainland and by Hong Kong's other major food-trading partners.

A Government spokesman said, "A four-month public consultation was conducted from May 29 to September 30 last year, to collect views on the proposed amendments to the Preservatives in Food Regulation (Cap. 132BD). Respondents and stakeholders generally welcomed and supported the proposed amendments. Taking into account the comments received during the public consultation, we have formulated the updated proposals, as reflected in the Amendment Regulation."

The Amendment Regulation updates the definitions of "preservative" and "antioxidant" with reference to the corresponding definitions adopted by Codex. The list of permitted preservatives/antioxidants has also been updated, which comprises 58 preservatives/antioxidants after the legislative amendments. The number of "additive-food" pairs with specified maximum permitted levels has increased from around 900 to around 2 000.

"We consider that the Amendment Regulation should be implemented as soon as possible. However, we acknowledge the importance of providing sufficient time for the stakeholders to adjust to the new food safety standards, and for the local testing laboratories to establish the capability for performing relevant tests. We have also taken into consideration the longer shelf life of processed and pre-packaged foods that may contain preservatives or antioxidants. On balance, we propose a transitional period of 24 months, during which it would be legal for any single food item to comply wholly with the requirements of either the existing or the amended Cap. 132BD," the spokesman added.

The Amendment Regulation will be tabled at the Legislative Council on October 16 for negative vetting.

Rural By-election gazetted

â€‹The Government gazetted the Rural By-election today (October 10). Fifty-eight Rural Representative vacancies will be open for nominations from October 22 to November 4.

The by-election will return one Resident Representative (ReR) for each of the 35 Existing Villages, one Indigenous Inhabitant Representative (IIR) for each of the 22 Indigenous Villages, and one Kaifong Representative (KFR) for one Market Town (Cheung Chau). The 35 Existing Villages are Po Toi, Ngau Kwu Long, Pui O Lo Wai, Sha Lo Wan, Luk Keng Wong Uk, Nam Chung, San Tsuen, Wu Shek Kok, Shek Chung Au, Kam Tsin, Nga Yiu Ha, Lung Mei, Ma Nam Wat, Nam Wai, Pak Kong Au, Pak Tam Chung, Ping Tun, Sai Wan, Hoi Pong Street, Mui Tsz Lam, Ha Yeung, Pak Sha O, Ping Chau Sha Tau, Uk Tau, Fung Yuen, Kam Shan Village, Kau Lung Hang, Ma Wo Tsuen, Lin Au Cheng Uk, San Tsuen (Lam Tsuen), Tin Liu Ha, Ham Tin, Sai Lau Kok, Sheung Kwai Chung and Tseng Tau Tsuen (Upper); whereas the 22 Indigenous Villages are Po Toi, Sok Kwu Wan, Pui O Lo Wai, Wu Shek Kok, Mang Kung Uk, Pan Long Wan, Long Ke, Mau Ping New Village,

Pak Tam Chung, Wong Keng Tsai, Ko Tong, Kei Ling Ha San Wai, Lai Chi Chong, Pak Tam Au, Tung Sam Kei, Uk Tau, Cheung Uk Tei, To Yuen Tung, Tong Sheung Tsuen, Yin Ngam, Sam Tung Uk and Sham Tseng.

For the IIR By-election, a candidate must be an indigenous inhabitant of an Indigenous Village/Composite Indigenous Village as well as an elector of the relevant Village and ordinarily resides in Hong Kong. For the ReR and KFR By-elections, a candidate must be a resident of the relevant Existing Village/Market Town and have resided there for six years immediately preceding the nomination. The candidate must also be an elector of the relevant Village/Market Town.

All candidates must be Hong Kong permanent residents aged 21 or above and must be nominated by at least five registered electors from that Village/Market Town. No person is allowed to stand as a candidate in more than one type of election (i.e. IIR, ReR or KFR By-elections).

Nomination forms are available at the Home Affairs Department (HAD), the New Territories District Offices (NTDOs) and the Rural Representative Election (RRE) website (www.had.gov.hk/rre).

Completed nomination forms must be submitted in person to the Returning Officer concerned between 9am and 5pm from Mondays to Fridays, and from 9am to noon on Saturdays, except general holidays.

A gazette notice on all valid nominations will be published within 14 days after the nomination period. Each validly nominated candidate will be informed separately.

A spokesman for the HAD said that if there is more than one validly nominated candidate for the same Indigenous Village, Existing Village or Market Town, a poll would be held for that Village/Market Town on December 1 (Sunday). Eligible electors will receive a polling notice which specifies the date, time and place of the poll.

For enquiries, please call 2152 1521 or contact the respective NTDO. Members of the public can also visit the RRE website for more information.

Court users may use integrated Court Case Management System for bulk claims in Small Claims Tribunal

The following is issued on behalf of the Judiciary:

The Judiciary today (October 10) announced that starting from October

31, the application of the integrated Court Case Management System (iCMS) will be extended to cover bulk claims in the Small Claims Tribunal (SCT) such that court users can handle filing and payments electronically.

Bulk claims refer to claims filed by claimants who have been approved by the Principal Adjudicator to file claims in bulk for hearing at the same time in the SCT.

The iCMS is an integral part of the Judiciary's Information Technology Strategy Plan. It aims to facilitate the handling of court-related documents and payments through an electronic mode across the various levels of court. Since 2022, the iCMS has been implemented in phases. It currently covers personal injury actions, tax claim proceedings, civil action proceedings and employees' compensation cases in the District Court, as well as summons cases in the Magistrates' Courts. It will incrementally be extended to other levels of court. It is also the Judiciary's target to mandate the use of the iCMS for all legally represented litigants in respect of case types where the electronic mode have been made available, starting in 2026.

The major electronic services under the iCMS include sending case-specific court documents to the courts and receiving such documents from the courts, inspecting or searching filed documents and other case-related information held by the courts, searching cause books, and making payments for court services.

Eligible users need to register for a user account for using the full range of services under the iCMS. Eligible users include parties of an ongoing or new e-proceeding and their legal representatives (if any), the Hong Kong Bar Association, the Law Society of Hong Kong, law firms, government departments, law enforcement agencies and statutory bodies. Registration is free of charge.

Unregistered members of the public may also use certain types of iCMS services, mainly related to searching of electronic documents that are open to public inspection.

To encourage migration to e-filing and e-payment through the iCMS, a 20 per cent concession is offered to iCMS users for three years on fee items of the SCT, which are primarily or directly related to electronic handling of court documents.

As for technical requirements, the iCMS can be accessed using personal computers or mobile devices with an Internet connection, commonly used operating systems and browsers. Relevant technical requirements are available at www.judiciary.hk/doc/en/e_courts/AI_TechReq_iCMS_e.pdf.

Generally speaking, the iCMS operates around the clock except during system maintenance. The system maintenance schedules of the iCMS, as specified by the Judiciary, are published on the dedicated webpage of the Judiciary's website (www.judiciary.hk/en/e_courts/index.html).

Any e-filing and e-payment received under the iCMS after the registry and the accounts office are normally closed to the public (i.e. after 5.30pm on a working day) will be deemed to be received upon the starting time of the normal opening hours of the registry and the accounts office on the following working day.

For enquiries, please call the general enquiry hotline at 2477 1002 or the technical helpline at 2886 6474, e-mail to enquiry@judiciary.hk or visit the Help Centre at 5/F, Wanchai Tower, 12 Harbour Road, Wan Chai.