**Appendix XI**

### Independent \*Authorized Person’s Certificate/

### Quantity Surveyor’s Certificate

To: The Director of Lands

c.c.: (1) [*insert name of registered owner of land*]

(2) [*insert name of solicitors’ firm*]

\*[(3) [*insert name of mortgagee under building mortgage*]]

Date: [*insert date*]

Lot No.: [*insert lot number*] (“the land”)

(1) I, [*insert name of independent authorized person/quantity surveyor*] of [*insert name and address of firm/corporation of independent authorized person/quantity surveyor*], \*[\*an architect/an engineer/a surveyor listed in the authorized persons’ register kept by the Building Authority under section 3(1) of the Buildings Ordinance OR a quantity surveyor and a member of the Hong Kong Institute of Surveyors (Quantity Surveying Division) OR a registered professional surveyor (Quantity Surveying) registered under the Surveyors Registration Ordinance], certify as follows:-

◊[(a) I have verified the various amounts mentioned in paragraphs (1)(h), (1)(i) and (1)(k) of the certificate dated [*insert date*] (“the AP’s Certificate”) in respect of β[Phase [*insert phase number*] (“the Phase”) of] the development now being constructed or to be constructed on the land and intended to be known as “[*insert name of development*]” (“the Development”) issued by [*insert name of authorized person*] (“the Authorized Person”) of [*insert name of firm/corporation of authorized person*] (“the AP Company”). I confirm that they are true and correct.

(b) I have received written confirmation with supporting evidence from [*insert name of registered owner of the land*] (“the Vendor”) that the construction costs and the professional fees as referred to in paragraph (1)(j) of the AP’s Certificate in respect of the γPhase/Development have been paid.]

###### OR

Ć[(a) I have verified the various amounts mentioned in paragraphs (1)(d), (1)(e) and (1)(g) of the \*quarterly/final certificate dated [*insert date*] (“the \*Quarterly/Final Certificate”) in respect of β[Phase [*insert phase number*] (“the Phase”) of] the development now being constructed or to be constructed on the land and intended to be known as “[*insert name of development*]” (“the Development”) issued by [*insert name of authorized person*] (“the Authorized Person”) of [*insert name of firm/corporation of authorized person*] (“the AP Company”). I confirm that they are true and correct.

(b) I have received written confirmation with supporting evidence from [*insert name of registered owner of the land*] (“the Vendor”) that the construction costs and the professional fees as referred to in paragraph (1)(f) of the \*Quarterly/Final Certificate in respect of the γPhase/Development have been paid.]

(2) I confirm that:-

1. [*Insert name of firm/corporation of independent authorized person/quantity surveyor*] (“the Company”) is \*[not] a corporation and I am \*a proprietor/the sole proprietor/a director/an employee of the Company; and

ν[(b) the AP Company is a corporation and is a \*private/listed company; and]

(c) (i) the Authorized Person is not my immediate family member \*[or an immediate family member of the \*[other] \*proprietor/proprietors/director/directors of the Company]; and

(ii) I am not an employee of the Authorized Person \*[and no \*[other] \*proprietor/director of the Company is an employee of the Authorized Person]; and

(d) (i) no \*proprietor/director or company secretary of the AP Company is my immediate family member \*[or an immediate family member of the \*[other] \*proprietor/proprietors/director/directors of the Company]; and

 ν [(ii) I do not hold at least [*insert 1% where the AP Company is a listed company OR insert 10% where the AP Company is a private company*] of the issued shares in the AP Company \*[and no \*[other] \*proprietor/director of the Company holds at least [*insert 1% where the AP Company is a listed company OR insert 10% where the AP Company is a private company*] of the issued shares in the AP Company]; and]

(iii) I am not an \*employee or proprietor/employee, director or company secretary of the AP Company \*[and no \*[other] \*proprietor/director of the Company is an \*employee or proprietor/employee, director or company secretary of the AP Company]; and

φ(e) (i) no director or company secretary of the Vendor, [*insert name of holding company of the Vendor*] (“the holding company of the Vendor”), ∞[[*insert name of corporation engaged by the Vendor to co-ordinate and supervise the process of designing, planning, constructing, fitting out, completing and marketing the Phase/Development*] (“the JV Partner”), [*insert name of holding company of the JV Partner*] (“the holding company of the JV Partner”)] or [*insert name of building contractor for the Phase/Development*] (“the Building Contractor”) is my immediate family member \*[or an immediate family member of the \*[other] \*proprietor/proprietors/director/directors of the Company]; and

 (ii) I do not hold at least 1% (in the case of a listed company), or at least 10% (in the case of a private company), of the issued shares in the Vendor, the holding company of the Vendor ∞[, the JV Partner, the holding company of the JV Partner] or the Building Contractor \*[and no \*[other] \*proprietor/director of the Company holds at least 1% (in the case of a listed company), or at least 10% (in the case of a private company), of the issued shares in the Vendor, the holding company of the Vendor ∞[, the JV Partner, the holding company of the JV Partner] or the Building Contractor]; and

 (iii) I am not an employee, director or company secretary of the Vendor, the holding company of the Vendor ∞[, the JV Partner, the holding company of the JV Partner] or the Building Contractor \*[and no \*[other] \*proprietor/director of the Company is an employee, director or company secretary of the Vendor, the holding company of the Vendor ∞[, the JV Partner, the holding company of the JV Partner] or the Building Contractor].

Ε[(3) I confirm that:-

ν[(a) the Company is not an associate corporation of the AP Company; and]

φ(b) the Company is not an associate corporation of the Vendor, the holding company of the Vendor ∞[, the JV Partner, the holding company of the JV Partner] or the Building Contractor.]

∂(4) For the purpose of this certificate,

(a) “associate corporation”, in relation to a corporation, means-

(i) a subsidiary of the corporation; or

(ii) a subsidiary of a holding company of the corporation;

(b) “company secretary” has the meaning given by section 2(1) of the Companies Ordinance;

(c) “corporation” means-

(i) a company as defined by section 2(1) of the Companies Ordinance; or

(ii) a company incorporated outside Hong Kong;

1. “director” has the meaning given by section 2(1) of the Companies Ordinance;

(e) “holding company” means a holding company within the meaning of the Companies Ordinance;

(f) “immediate family member”, in relation to an individual, means a spouse, parent, child, sibling, grandparent or grandchild of the individual;

(g) “listed company” has the meaning given by section 2(1) of the Companies Ordinance;

(h) “private company” has the meaning given by section 11 of the Companies Ordinance;

(i) “proprietor”-

(i) in relation to a firm constituted of a sole proprietor, means the sole proprietor of the firm; or

(ii) in relation to a firm constituted as a partnership, means a partner of the firm; and

(j) “subsidiary” means a subsidiary within the meaning of the Companies Ordinance.

[*insert name of independent authorized person/quantity surveyor*]

\*Authorized Person/Quantity Surveyor

\* Delete as appropriate.

◊ Applicable for verification of information in AP’s Certificate.

β For phased development only. Delete as appropriate.

γ Delete “Development” for phased development. Otherwise delete “Phase”.

Ć Applicable for verification of information in Quarterly/Final Certificate by Authorized Person.

ν Applicable where the AP Company is a corporation.

φ Amend as appropriate where the Vendor, the JV Partner or the Building Contractor is an individual or a partnership or where the Vendor or the JV Partner is a corporation, there is no or there are more than one holding company of the Vendor or the JV Partner.

∞ Applicable where there is a corporation engaged to co-ordinate and supervise the process of designing, planning, constructing, fitting out, completing and marketing the Development or the Phase (as the case may be).

Ε Applicable where the Company is a corporation.

∂ Delete definition(s) as appropriate.