|  |  |  |  |
| --- | --- | --- | --- |
| |  | | --- | | **Form 5A - Owner’s Statement regarding**  **Self-Certification of Compliance for Landscape Works** Notes (1), (2) & (4) |  |  |  | | --- | --- | | **To:** | **\*District Lands Office/#\_\_\_\_\_\_\_\_\_/ #\_\_\_\_\_\_\_\_\_ Section of Lands Department** | |

\*I/ We, #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*Name of the Lot Owner(s)*), have appointed or authorized the Registered Landscape Architect (RLA), #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(Name)* (Registration Number (No.) #\_\_\_\_\_\_\_\_\_\_\_) to act on \*my/ our behalf to submit a Self-Certification of Compliance (SCC) of the completed Landscape Works required under Special Condition No.(s) #\_\_\_\_ of the lease Note (3) of #\_\_\_\_\_\_\_\_\_\_\_\_ (*lot number*). The Landscape works under the \*Landscape Master Plan (LMP)/ Landscape Proposal (LP) are certified by \*my/ our RLA to have been satisfactorily completed in accordance with the Drawing No(s). & Rev. #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ approved by the Director of Lands dated #\_\_\_\_\_\_\_\_\_\_\_\_ (*dd/mm/yyyy*) under letter ref. #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. \*My/ Our RLA will submit the **Form 4A** dated #\_\_\_\_\_\_\_\_\_ (*dd/mm/yyyy*) together with the full report attached in **Form 3A** to #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of Lands Department (LandsD) for processing the SCC.

I hereby acknowledge that the submission of the SCC for deemed compliance and the deemed compliance (if given) of the landscape clause under lease pursuant to PN 1/2020 and PN 1/2020A will be limited to the landscape works within the lot, and should not be construed as an acknowledgement that anything indicated in the SCC or the approved or implemented LMP/ LP is in all respects in compliance with other lease conditions. I further acknowledge that any such deemed compliance, if given, will not in any way prejudice or affect any rights of the Government under the lease including the right to take lease enforcement action in respect of any breach or failure to observe any of the lease conditions which may exist at the date when the deemed compliance is given and that any such compliance, if given, will not in any way prejudice or affect LandsD’s rights to withdraw or revoke the deemed compliance for any reasons, and that LandsD reserves its right to withdraw or revoke the deemed compliance if it finds out at any time that the landscape works have not been completed in accordance with the approved LMP/ LP.

\*I/ We hereby acknowledge that the Director of Lands (the Director) is not obliged to keep the content of this **Statement**, **Form 3A** and **Form 4A**, their attachments/ enclosures or any documents submitted in support of or in relation to the report and SCC under Form 3A and Form 4A confidential, particularly in circumstances when the Director considers that disclosure is in the public interest and/ or it would be reasonable for the Director to accede to requests from third parties with interest over the above lot for access to this **Statement, Form 3A** and **Form 4A** mentioned above. This acknowledgement applies irrespective of whether the consent in the following paragraph is given or not.

|  |  |  |
| --- | --- | --- |
| |  |  | | --- | --- | |  | Insofar as \*my/ our consent is required under any statutory, regulatory or other provisions, \*I/ we hereby consent and/or have procured consent from the relevant intellectual property rights owner that the Director may disclose the content of this **Statement**, **Form 3A** and **Form 4A** mentioned above, their attachments/ enclosures and any documents submitted in support of or in relation to the report and SCC under **Form 3A** and **Form 4A** to any third party including members of the public upon request of any such third party, media or otherwise, or on LandsD’s own accord. | |

Date #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*dd/mm/yyyy*)

|  |  |  |  |
| --- | --- | --- | --- |
| Signed by the Lot Owner(s) | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |
|  | Name: | [# ] | |
|  | | | |
| in the presence of | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |
|  | Witness name: | | [# ] |
|  | Address: | | [# ] [# ] |

OR

Sealed with the Common Seal of the Lot Owner

and signed by:

#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| Name: | [# ] |

in the presence of

#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| Witness name: | [# ] |
| Address: | [# ] [# ] |

OR ^

#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| Executed by the Lot Owner acting through |
|  | | |  |
| [# ] | | | , its sole director |
| or | | |  |
| [# ] | | | , its director and |
| [# ] | | | , its director |
| or | | |  |
| [# ] | | | , its director and |
| [# ] | | | , its company secretary |

in accordance with sections 127(3) and 127(5) of the Companies Ordinance (Cap. 622)

in the presence of

#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| Witness name: | [# ] |  |
| Address: | [# ] [# ] |  |

|  |
| --- |
| **Notes:** |
| 1. This Form shall be used in conjunction with Form 3A and Form 4A for submission of a SCC on completion of landscape works required under leases pursuant to PN 1/2020 and PN 1/2020A, save for situations mentioned in Note (2) below. The submission of SCC is mandatory for LMP and optional for LP clause. 2. Where landscape works are also imposed as a planning condition, it is not necessaryto submit a SCC for landscape works to LandsD as Planning Department will be responsible for compliance checking. 3. All references to “lease” in this Form shall include Conditions of Sale / Grant / Exchange, etc. as the case may be. 4. Compliance checking upon completion of landscape works for areas to be handed back to the Government or areas formed outside lot boundary or government land designated by colour (Coloured Areas) on the lease plan, the concerned Bureau/ Department will be responsible for compliance checking at the implementation stage in accordance with the relevant clauses under lease, JPN 3 and DEVB TC(W) No. 6/2015. |
| \* Select as appropriate  #Fill in as appropriate  □ Tick this box if the Lot Owner/ Representative of the Lot Owner agrees to give the consent as set out in this paragraph  ^ Applicable if the Lot Owner is a limited company incorporated in Hong Kong |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Personal Information Collection Statement*

*PLEASE READ THE FOLLOWING*

*BEFORE COMPLETING THIS FORM*

*1. The information provided in this Statement will be used by Lands Department for the purpose of processing self-certification of compliance of landscape works submitted in Form 4A and processing application for Certificate of Compliance and for other purposes related to such submission and application.*

*2. The provision of all the information in this Statement including Form 3A and Form 4A, their enclosures or any documents submitted in support of or in relation to the same is required in relation to checking or ensuring compliance with the lease conditions. The provision of personal data in this Statement is obligatory. Your application for self-certification of compliance of landscape works will not be processed if you fail to provide all the information as requested.*

*3. All the information provided in this Statement including Form 3A and Form 4A, their enclosures and any documents submitted in support of or in relation to the same may be disclosed to other government bureaux / departments for the purposes mentioned in paragraphs 1 and 2 above.*

*4. You have the right of access and correction with respect to personal data as provided in Sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance (Cap. 486). Such right of access includes the right to obtain a copy of the personal data provided in this Statement on payment of the applicable charge.*

*5. Enquiries on the personal data collected, including the request for access to and correction of the data, should be addressed to the Departmental Personal Data Controlling Officer of Lands Department, 20/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.*