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我們矢志努力不懈，提供盡善盡美的土地行政服務。
We strive to achieve excellence in land administration.
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28 June 2016

**Legal Advisory and Conveyancing Office (“LACO”)
Circular Memorandum (“CM”) No. 75A**

**Lands Department Consent Scheme
for sale of non-residential units in uncompleted developments**

With the enactment of the Contracts (Rights of Third Parties) Ordinance (Cap. 623) (“the Ordinance”), the standard form of Agreement for Sale and Purchase (“ASP”) in respect of sale of uncompleted units in non-residential developments has been revised to incorporate a new clause in relation to the Ordinance. With immediate effect, the revised form of ASP shall be adopted for all ongoing and new applications for consent to sell uncompleted non-residential units.

In respect of cases where consent has already been given, amendment to the approved form of ASP by incorporating the new clause in relation to the Ordinance, whether an addition or a replacement, may be made without reference to LACO. To this extent, approval to the amendment to the approved form of ASP shall be deemed to be given by the Director of Lands under the relevant consent letter.

In addition, certain refinements or updating of the Lands Department Consent Scheme for sale of non-residential units in uncompleted developments are required. They include –

- (a) To expedite the process, LACO will aim at (i) issuing the first round of comments within one calendar month of receipt of an application; and (ii) replying to the applicant’s solicitors within 2 weeks of receipt of the response from them for subsequent rounds of correspondence.
- (b) To ensure proper prioritization in the processing of the applications received, LACO would devote staff time to those applications which are active, and applications which are inactive may be regarded as withdrawn.

— The Annex and Appendix I, Appendix III and Appendix IV to the Annex attached to LACO CM No. 75 are revised to reflect the changes. For ease of reference, the revised Annex and all Appendices thereto are attached hereto. The changes will take immediate effect. Except as varied by this CM, LACO CM No. 75 remain in full force and effect.

Copies of this CM and the attachments may be downloaded from the Lands Department website www.landsd.gov.hk.



(Mrs Maria LAM)
Deputy Director/Legal
for Director of Lands

To: All Solicitors

c.c. Transport and Housing Bureau
The Real Estate Developers Association of Hong Kong
Consumer Council
Estate Agents Authority
The Hong Kong Institute of Surveyors
The Hong Kong Institute of Architects
The Hong Kong Association of Banks