



Lands Administration Office  
Lands Department

Practice Note

Issue No. 5/2020A

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**Payment of Professional Fees  
in connection with Compensation Claims involving  
more than one professional**

This Practice Note supplements Lands Department Lands Administration Office Practice Note No. 5/2020.

2. With a view to facilitating the claimant and / or the professional company acting on his or her behalf (Applicant) to process and submit a claim to the Lands Department for reimbursement of the professional fee(s) reasonably incurred, a sample application form for claim of professional fees (Application Form) is at Appendix. The Applicant is requested to take note of the general guidelines in the Application Form when submitting the claim.

3. This Practice Note is issued for general reference purpose only. All rights to modify the whole or any part of this Practice Note are hereby reserved.

A handwritten signature in blue ink, appearing to read 'Andrew LAI'.

( Andrew LAI )  
Director of Lands  
21 January 2021

*Sample*  
**Application Form for Claim of Professional Fees**

Notes :

1. The completed form may either be mailed or handed in to the respective District Lands Office or Section of Lands Department.
2. The Government does not bind itself to accept any application submitted.

To : District Lands Office/ \_\_\_\_\_ / \_\_\_\_\_ Section of Lands Department  
 [Lands Department's File Ref: \_\_\_\_\_]

We (details in Section I and Section III) wish to act on behalf of the claimant to claim for reimbursement of professional fees reasonably incurred in respect of the work set out in Section II below.

<b>Section I</b>	
(a) Name of Company	: _____ _____
(b) Address	: _____ _____ _____
(c) Telephone No.	: _____
(d) Fax No.	: _____
(e) Email Address	: _____
(f) Name of the Applicant and Post Title	: _____ _____
(g) Applicant(s)'s Signature	: _____
(h) Date	: _____ _____

**Section II**

- (a) Project Title : \_\_\_\_\_  
\_\_\_\_\_
- (b) Ordinance(s) Applied : \_\_\_\_\_  
\_\_\_\_\_
- (c) Lots / Property(ies) / Landed Interest(s) Involved : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (d) Name(s) of Claimant(s) : \_\_\_\_\_  
\_\_\_\_\_
- (e) Compensation Assessment's Works Involved :  Resumption of Lot(s) / Property(ies) / Landed Interests Involved  
*[Please tick as appropriate]*  Creation of Easement(s) & other permanent rights  
 Creation of Temporary Occupation of Land  
 Disturbance to Business  
 Severance due to Loss of Marine Right of Access  
 Severance due to Resumption of Lot(s)  
 Removal of Grave(s), Urn(s), etc.  
 Others (please specify below)
- (f) Any other claims for compensation settled / being handled by the professional(s) set out in Section III below in the same and/or related project(s) of a proposed development <sup>Note 1?</sup>  
**Yes / No**  
If stated "Yes", please also include the name(s) of other claimant(s) represented, title of the related project(s) (if applicable), and nature of the other claim(s).

**Note 1**

The "related project(s) of a proposed development" means two or more projects created or provided to facilitate implementation of a single development proposal. For example, a proposed public housing development may not only require the resumption of private land under Lands Resumption Ordinance (Cap. 124) but also for the associated road works under Roads (Works, Use and Compensation) Ordinance (Cap. 370) and/or reclamation works under Foreshore and Seabed (Reclamations) Ordinance (Cap. 127).

<b>Section III</b>					
<b>General Practice (GP) Surveyor/Solicitor/Accountant/ Other Professional(s) (please specify)</b>					
<b>(i) No. of professional(s) Involved :</b>					
<b>(ii) Details of professional(s) Involved</b>					
	Name(s) and Qualification (Membership No.) <sup>Note 2</sup>	Post Title	Date of Qualification Acquired	Brief Description of Nature of Work Involved	Claimed Amount (HK\$)
1.					
2.					
3.					
4.					
				Sub-total :	
<b>(iii) Disbursements (if any)</b>					
<b>Total</b>					

**Note 2**

Please mark “(Coordinator)” on one of the professionals involved if he or she is appointed to act as coordinator of the multi-discipline team of professionals engaged by the claimant in handling a compensation claim.

#### **Section IV**

##### **Provision of Supporting Documents *(please tick if provided and submitted together with this form)***

**(A) Please provide copies of the following documents when submitting this form:-**

- Claimant's letter to authorize the company to reimburse the professional fees incurred in the claim of compensation.
- Employment contract(s) / agreement(s) made between the company and the claimant on the terms and conditions of payment of the professional fee incurred.
- Receipt(s) / Demand Note(s) in respect of the professional fee(s) paid / payable by the claimant (if any).
- Breakdown of disbursement(s) (if any)
- Assessment Report(s) for the claim of compensation *(if not previously provided)*
- Time Log Sheet(s) of the professional(s) involved  
*(One time log sheet should be provided for each professional involved if the applicant opts to reimburse the professional fees incurred on time-charge basis, sample at Annex)*

**(B) Please provide copies of the following documents if considers appropriate :**

- Scale(s) of rates chargeable by the company to its client(s).
- Other supporting document(s) (please specify)

### **Personal Information Collection Statement**

Any information, including the personal data, submitted to the Director of Lands in connection with the application for claim of professional fees will be used for the processing of the claim and other related purposes. The provision of the information, including the personal data, is obligatory. If such information, including the personal data, as required is not provided as requested, the claims may be rejected. Any information, including the personal data, so submitted may be disclosed to the relevant government departments and other organizations or agencies which are required to handle the claims and related matters. Persons who have so submitted their personal data have the rights to request access to and correction of their personal data held by us. Request for access to or correction of the personal data should be made in writing to the Departmental Personal Data Controlling Officer of the Lands Department at 21st Floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong

*Sample*  
**Time Log Sheet for Professional Fee Incurred**

Name \_\_\_\_\_  
 Professional Status : \_\_\_\_\_  
 Membership No. : \_\_\_\_\_

Date	Item of Works <sup>A</sup> (Code)	Brief Description of Work (Optional)	Time Spent (hours) (a)	Hourly Rate (HK\$/hr) (b)	Amount (HK\$) (a) x (b)	Documentary Proof <sup>B</sup> (Y / N)
e.g. 13/12/2018	1	Meeting LandsD on basis of assessment	2.15	3,500.0	7,525.0	Y
<b>Total</b>			<b>2.15</b>		<b>7,525.0</b>	

**Notes**

A Codes of Items of Works

<u>Code</u>	<u>Item of Work</u>
1	Meeting with Lands Department and/or other Government departments
2	Meeting / Discussion with Claimant and/or Professional Team
3	Discussion / Negotiation with Lands Department and/or other Government departments
4	Conducting Site Inspection (e.g. subject and comparable sites)
5	Research and Analysis (e.g. collate and analyze of comparable, statistics, etc.)
6	Title checking and Vetting of legal document(s)
7	Preparation of Assessment Report(s) / Legal document(s)
8	Preparation of paper works (e.g. drafting letter on behalf of the claimant to respond to the Government's offer)
9	Arranging execution / submission of documents (e.g. Agreement as to Compensation and Indemnity for the Claimant)
10	Coordination works of the professional team
11	Others (please specify in the "Brief Description of Works")

B If stated yes ("Y"), please provide a copy of the documentary proof for reference.



**Guidelines for the Professional Company submitting claims for reimbursement of professional fees incurred on behalf of his client:**

1. In considering a submission of reimbursement of the professional fees incurred in a claim for compensation, Lands Department will generally consider its reasonableness in relation to various factors such as the nature, type, extent and complexity of compensation works involved; and the qualification and post-qualification experience of the professional(s) involved. Professional's employment contract signed by the claimant could be a relevant reference provided the contract sum is not overrated and is considered reasonable.
2. If the professional company submits a claim to reimburse the professional fees incurred on time-charge basis, the Lands Department would generally consider the work of the qualified professionals. If the submission involves more than one professional, the hourly rate and time spent by individual professional will be assessed separately.
3. If the claimant has engaged a multi-discipline team in handling the compensation claim, the applicant should submit a consolidated claim for all professionals involved. The claimant may appoint one of the professionals involved to act as the team coordinator.