



Self-Certification of Compliance Provision of Sales Office and Show Flats

This practice note (“PN”) sets out the streamlined approval arrangement under lease¹ for providing sales office and show flats and related marketing activities in residential developments².

2. Where a lot owner intends to seek written approval from the Director of Lands (“the Director”) pursuant to the “Provision of sales office and show flats” clause in the lease (“the Clause”) for erecting on the lot separate temporary structure(s) and/ or using parts of building(s) on the lot for use as a sales office and show flats and related marketing activities to facilitate the sale of residential units on the lot, approval would normally be given provided that the proposed scale and period of operation of such sales office and show flats and related marketing activities are temporary and reasonable.

The Streamlined Arrangement

3. Under the streamlined arrangement, the lot owner may opt to appoint a registered professional³ (“RP”) to prepare and submit a self-certification of compliance (“SCC”) in relation to the requirements under the Clause, comprising Form 1 (“Self-Certification Form”) and Form 2 (“Owner’s Statement”) (both attached to this PN), to seek the approval in accordance with paragraph 2 above from the relevant District Lands Office⁴ (“DLO”). For compiling the SCC, the RP should refer to the “Guidance Notes on Provision of Sales Office and Show Flats”

¹ All references to “lease” in this PN shall include Government Lease or Conditions of Sale / Grant / Exchange, etc. as the case may be and “lease” shall be construed accordingly.

² Residential developments include private residential developments or composite commercial / residential developments.

³ RP includes Authorized Person / Registered Professional Surveyor (General Practice) / Registered Professional Surveyor (Building Surveying) / Registered Architect.

⁴ DLO includes Railway Development Section.

which are available on Lands Department (“LandsD”) website (<https://www.landsd.gov.hk/doc/en/practice-note/lpn/PN 5 2022 Guidance.pdf>).

4. The SCC submission shall be made upon the issuance of pre-sale consent under the LandsD Consent Scheme. Approval given under paragraph 5 or 6 below shall be valid until the application for issuance of a Certificate of Compliance under lease is lodged by the lot owner with LandsD.

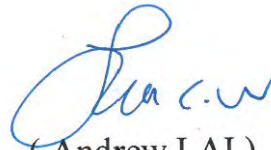
5. All valid SCC submitted to DLO will be entered into a register and randomly selected for full compliance checking. The RP will be notified by DLO whether the submission is selected for full compliance checking within 10 working days from the date of receipt of the valid SCC submission (“the Receipt Date”). If the SCC is not selected for full compliance checking, LandsD pledges to issue a letter of acknowledgement to the RP within 10 working days from the Receipt Date signifying a deemed approval under the Clause. Such approval shall be subject to and deemed to have contained the terms and conditions as specified in paragraph 2 of the Owner’s Statement.

6. If the SCC is selected for full compliance checking, the RP will be notified of the result within 8 weeks from the Receipt Date after the checking of the SCC submission and on-site inspection. If rectification of the SCC submission and/ or any concerned works or provision on the lot are required after the checking, the RP shall submit, upon completion of all works and/ or provision (as the case may be), a fresh Form 1 and Form 2 for further checking. If the full compliance checking has been conducted and no rectification and/ or any concerned works or provision are required, DLO will issue a letter of approval under the Clause which may contain such terms and conditions as the Director may think fit.

7. The deemed approval under paragraph 5 above shall not be construed as an acknowledgement that anything indicated in the SCC based on which a deemed approval is given under this PN is in all respects in compliance with other lease conditions. Any such deemed approval based on the SCC submitted by the lot owner and the RP shall not in any way prejudice LandsD’s rights to revoke or withdraw the deemed approval for any reasons. LandsD reserves its right to revoke or withdraw the deemed approval if it finds out at any time that the SCC does not comply with LandsD’s requirements or upon any breach of the terms and conditions as specified in paragraph 2 of Form 2.

8. Nothing in this PN shall in any way fetter or affect or prejudice the rights of the Government, the Director and their officers under the relevant lease or the Government’s rights as lessor or landlord, and all such rights are hereby reserved. Nothing in this PN including any words and expressions used shall in

any way be construed as any variation or waiver of any provisions under the relevant lease or affect or bind the Government in relation to interpretation or enforcement of the terms and conditions of the relevant lease or otherwise. All rights to modify the whole or any part of this PN are hereby reserved.



(Andrew LAI)
Director of Lands
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