



地政總署
法律諮詢及田土轉易處
LANDS DEPARTMENT

LEGAL ADVISORY AND CONVEYANCING OFFICE

(PORT, AIRPORT RAILWAY DEVELOPMENT SECTION AND
TECHNICAL INFORMATION SECTION)
18/F., North Point Government Offices,
333, Java Road, North Point, Hong Kong.

>Please quote this reference in your reply.

電 話 Tel: 2231 3722
傳真 Fax: 2119 0754
本署編號 Our Ref: LACO 23/3616/99 Pt. II
來函編號 Your Ref:

3 October 2001

The Secretary General
The Law Society of Hong Kong
3/F., Wing On House,
71 Des Voeux Road, Central,
Hong Kong.

Dear Sirs,

**Invitation to Express Interest to Provide
Legal Services to the Lands Department**

I am writing to seek expressions of interest from any of your Members' firms which would like to be considered to be instructed by the Director of Lands ("the Director") to provide legal services to the Director of Lands through the Legal Advisory and Conveyancing Office ("LACO") of the Lands Department. I shall be grateful if you would circulate this letter to your Members.

Scope of Work

Legal services to be provided are as follows :-

**(A) Checking Draft Deeds of Mutual Covenant and Management Agreements
(if any) ("DMC") under the Lands Department Guidelines**

Firms are required to check draft DMCs and other supporting documentations in respect of residential or commercial/residential developments under the Lands Department Guidelines and to ensure that the draft DMCs comply with the lease conditions, the Guidelines on DMCs issued by LACO under LACO Circular Memoranda, provisions under the Building Management Ordinance (Cap.344) and any other instructions issued by LACO. Firms should propose to the applicant's solicitors all necessary and appropriate amendments to the draft DMCs (including draft clauses or amendments, if necessary) and to recommend approval of the final DMCs to LACO.

**(B) Title Checking in connection with Surrender of Land in Land Exchange
cases for Regrant of a new Lot**

Firms are required to examine and verify title of the registered owner (s) of a varying number of lots to be surrendered to the Government of the Hong Kong Special Administrative Region ("HKSAR") in exchange for the grant of a new lot of land. Firms are required to check title to the lots including raising all usual requisitions with the owner or the owner's solicitors. It may be necessary for the

firms to advise LACO how best to rectify or resolve title defects or problems. Finally, the firm will be required to recommend to LACO as to whether, in their professional opinion, title to the lots is in order or not.

(C) Title Checking in connection with Payment of Compensation in Land Resumption cases

Firms are required to examine and verify title of the registered owner(s) of a varying number of lots to be resumed and reverted to the Government of the HKSAR in connection with resumption of land under various statutes. Firms are required to check title to the lots, to prepare Agreements as to Compensation and Indemnity (in a form to be provided by LACO) and to recommend to LACO as to whether title to the lots is in order or not. In some complicated cases, it will also be necessary for the firm to advise on how to rectify or resolve any title defects or problems for LACO instructions.

Prequalification Criteria

- (1) Firms should have at least 5 partners, with at least one of them principally involved in conveyancing matters. All such partners must have been admitted as solicitors of the High Court of Hong Kong for at least 5 years as at the date of this letter.
- (2) Firms should have an experienced team of conveyancing staff. The team should comprise at least one conveyancing partner, one conveyancing assistant solicitor (or another partner) and two conveyancing clerks. All of them must have a minimum of 5 years experience in conveyancing.
- (3) Firms should have experience in the field of the services to be provided.
For Job (A), firms should have completed at least 2 Principal DMCs under the Lands Department Guidelines in respect of private residential or commercial / residential developments since 1.1.2000.
For Job (B), firms should have acted at least twice on behalf of landowners in connection with land exchange cases since 1.1.2000.
For Job (C), firms should have experience in conveyancing, customary law of succession, Tso or Tong matters and appointment of trustees for minors. Firms must be familiar with, inter alia, the New Territories Ordinance (Cap.97), the New Territories Land (Exemption) Ordinance (Cap.452) and the Conveyancing and Property Ordinance (Cap.219).
- (4) Firms should be able to complete the services within a specified period.
For Job (A), firms should be able to finalise all necessary amendments to the draft DMC and to recommend approval of the DMC within six months from the date of instruction.
For Jobs (B) and (C), firms are expected to spend a minimum average of 30 minutes on checking title to each lot.

Method of Selection of Firms

Firms who respond to this invitation and meet the prequalification criteria will be put on a list. Firms on the list will from time to time receive an invitation from LACO to submit quotations for the services.

Application Procedure

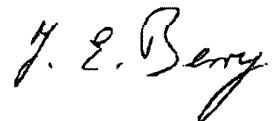
Interested firms who meet the prequalification criteria should submit an application by completing the attached letter and the pro forma and enclose it in a sealed envelope addressed to "The Supplies Section, Lands Department, North Point Government Offices" and clearly marked on the outside of the envelope: "RESTRICTED - Expression of Interest to Provide Legal Services to the Lands Department" and place it **by hand in the Quotation Box** situated on the 21st Floor, Room 2130, Lands Department, North Point Government Offices, 333 Java Road, North Point, Hong Kong **before 12:00 noon on Friday, 26th October 2001**. In case a rainstorm black warning or typhoon signal No. 8 or above is hoisted between 9:00 am and 12:00 noon on the said date, the deadline will be extended to 12:00 noon on the first working day of the following week.

Firms should note that the Director reserves the right to reject any application and does not bind himself to accept any particular application.

Enquiries

Mrs. Beatrice Kong at telephone no. 2231 3532 will answer any enquiry in relation to this invitation.

Yours faithfully,



(T. E. Berry)
Deputy Director/Legal
for Director of Lands

RESTRICTED

To: Director of Lands
(Attn.: Deputy Director/Legal)

**Expression of Interest to
Provide Legal Services to the
Lands Department**

I refer to your letter dated 3rd October 2001.

My firm is interested in providing the following legal services to the Lands Department:

- * checking of DMCs
- * title checking in connection with surrender of land in Land Exchange cases
- * title checking in connection with payment of compensation in Land Resumption cases

I confirm that my firm meets all the pre-qualification criteria and in support thereof I submit a completed pro forma for your information.

Dated this day of 2001.

Name of Firm

Signature of Partner
authorized to sign

*Tick if appropriate

Application Pro forma

- | | | |
|----|--|---|
| A. | Name of firm: | _____ |
| | Date of establishment: | _____ |
| | Address: | _____ |
| | | |
| B. | No. of Partners (Conveyancing Partners in brackets) admitted for at least 5 years : | _____ |
| C. | No. of Conveyancing Assistant Solicitors with at least 5 years conveyancing experience : | _____ |
| D. | No. of Conveyancing Clerks with at least 5 years conveyancing experience : | _____ |
| E. | For Job (A), at least 2 DMCs had been completed by my firm since 1.1.2000
(Please specify the lot no. of the DMCs*) : | Yes/No

(1) _____
(2) _____ |
| F. | For Job (B), my firm had acted at least 2 times on behalf of landowners in connection with land exchange cases since 1.1.2000
(Please specify the lot no. of the new grant lots*) : | Yes/No

(1) _____
(2) _____ |
| G. | For Job (C), my firm has extensive experience in conveyancing involving New Territories matters* : | Yes/No
_____ |
| | | |
| H. | Name of contact person : | _____ |
| | Telephone No. : | _____ |
| | Fax No. : | _____ |
| | e-mail address : | _____ |

Signature of Partner
authorized to sign

Firm's chop

*A separate note of any additional cases may be submitted in support of your application.