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4 October 2002

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

Dear Sir,

**Guidelines for Deeds of Mutual Covenant ("DMC")  
Guide to Slope Maintenance**

Legal Advisory and Conveyancing Office ("LACO") Circular Memorandum No. 41B stipulates that a Slope Maintenance Manual must be annexed to the DMC for any private developments containing slope structures. The objective of this is to make known to flat owners the extent of their maintenance responsibilities over these slope structures and the maintenance standards as set out in the Manual.

Recently, it has come to LACO's attention that these Manuals have grown to be quite voluminous. The result is that it creates an unintentional heavy administrative charge for flat purchasers when they need copies of the DMCs with their title deeds or from the Land Registry. LACO has now agreed with the Slope Safety Division of the Geotechnical Engineering Office an alternative way of achieving this objective.

With immediate effect, the requirement of annexing a Slope Maintenance Manual to the DMCs can be dispensed with subject to:

- (1) a full set of the Slope Maintenance Manual to be deposited in the Estate Management Office within one month of the execution of the DMC and kept available during office hours for inspection by all owners free of charge; and

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- (2) the availability of the Manual to be clearly specified in the DMC.

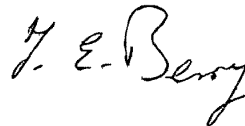
This relaxation also applies to DMCs which have already been approved by LACO, provided that the above conditions are also met.

Except as varied as above, all other requirements relating to slope maintenance contained in Guideline No. 28 in LACO Circular Memorandum No. 41B remain effective. In particular, the slope plan should continue to be annexed to the DMC for any developments with slope structures.

LACO is in the process of reviewing several other Guidelines for approving DMCs. A LACO Circular Memorandum will be issued in due course incorporating all changes when the review has been completed.

Pending the issue of a formal Circular Memorandum, you are requested to circulate this letter to your Members for their information of the revision relating to Guideline No. 28 as to the Slope Maintenance Manual in the interim.

Yours faithfully,



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