



地政總署
法律諮詢及田土轉易處
LEGAL ADVISORY AND
CONVEYANCING OFFICE
LANDS DEPARTMENT

電話 Tel: 2231 3722
圖文傳真 Fax: 2845 1017
本署檔號 Our Ref: (1) in LD/LACO/HQ 4-45/4 Pt. 3
來函檔號 Your Ref:

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.

香港北角渣華道三三三號北角政府合署 20 樓
20/F, NORTH POINT GOVERNMENT OFFICES
333 JAVA ROAD, NORTH POINT, HONG KONG

網址 Website : www.landsd.gov.hk

來函請註明本署檔號
Please quote our reference in your reply

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

12 October 2023

Dear Sirs,

Invitation to Express Interest to Provide Legal Services to 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 to provide legal services to the Director of Lands through Legal Advisory and Conveyancing Office ("LACO") of Lands Department. I shall be grateful if you would circulate this letter to your Members.

Scope of Work

Legal services to be provided for the following two Jobs are as follows:

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

Firms are required to check draft DMCs and other supporting documentations in respect of residential developments or composite commercial and residential developments. Firms are required to ensure that the draft DMCs comply with the lease conditions, the Guidelines for 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

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approval of the final DMCs to LACO within 6 months from the date of LACO's instruction or within any extended period(s) as approved in writing by LACO.

Job (B) : 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 Hong Kong Special Administrative Region ("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 firms to advise on how to rectify or resolve any title defects or problems.

Pre-qualification Criteria

- (1) Firms should have at least 5 partners. At least one of the partners should be principally involved in conveyancing matters. All 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, two conveyancing assistant solicitors (or one conveyancing assistant solicitor and one conveyancing partner, or two conveyancing partners instead), 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.
 - (a) For Job (A), firms should have been the lead solicitors' firms appointed by the developers to act for them in the sale of units of the developments and in the drafting of the Principal DMCs of residential developments or composite commercial and residential developments (other than DMCs for New Territories Exempted Houses). Firms should, since 12 October 2018, have completed at least three such Principal DMCs subject to either the Guidelines for DMCs issued by LACO or the DMC Guidelines promulgated by The Law Society of Hong Kong in respect of residential or composite commercial and residential developments. For Principal DMCs subject to the Guidelines for DMCs issued by LACO, a Principal DMC would be regarded as completed when DMC approval was issued by LACO on behalf of the Director of Lands. For Principal DMC subject to the Guidelines promulgated by The Law Society of Hong Kong, a Principal DMC would be regarded as completed when it was registered in the Land Registry.

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- (b) For Job (B), firms should have extensive 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.
- (a) For Job (A), firms should be able to finalize all necessary amendments to the draft DMC and to recommend approval of the DMC within six months from the date of instruction or within any extended period(s) as approved in writing by LACO.
- (b) For Job (B), firms are expected to spend a minimum average of an hour on checking title to each lot.

Method of Selection of Firms

Firms who respond to this invitation and meet the pre-qualification criteria will be put on a list while the list prepared in a previous invitation exercise will then be cancelled. Firms on the new list may from time to time receive an invitation from LACO to submit quotations for the services.

Application Procedure

Any interested firm who meets the prequalification criteria should submit an application in the manner stated below:

- (1) Complete the attached letter and the Application Pro Forma. If the space on the Application Pro Forma is not sufficient to include all relevant information, such information should be put down on separate sheets, which should be attached to the Application Pro Forma.
- (2) Enclose the completed letter and the Application Pro Forma in a **sealed plain envelope** and affix the attached Application Label on the envelope.
- (3) Place **by hand** the sealed envelope in a Quotation Box located at Room 2130 on 21st Floor of North Point Government Offices, 333 Java Road, North Point, Hong Kong **or post** the sealed envelope to reach this Department **not later than 10:00 a.m. on 23 November 2023 (“the closing date”)**. In case a black rainstorm warning signal or a typhoon signal No. 8 or above is issued between 7:00 a.m. and 10:00 a.m. on the closing date, the closing time for application will be extended to 10:00 a.m. on the next working day.

Please ask your Members not to send their application by mail or addressed personally to me or any other named officer of this Department. The application must be placed in the Quotation Box or posted to this Department.

Late application will not be accepted.

Firms should note that the Director of Lands reserves the right to reject any application and does not bind himself to accept any particular application. Further, the Director of Lands reserves the right to issue or not to issue any invitation to any interested firm on the list to submit quotations for any of the services.

Notwithstanding anything to the contrary as mentioned above, the Director of Lands reserves the right to disqualify any interested firm on the grounds that the said interested firm has engaged, is engaging, or is reasonably believed to have engaged or be engaging in acts or activities that are likely to cause or constitute the occurrence of offences endangering national security or otherwise the exclusion is necessary in the interest of national security, or is necessary to protect the public interest of Hong Kong, public morals, public order or public safety.

Enquiries

All enquiries in relation to this invitation should be directed to Miss Lana CHANG at Telephone No. 2231 3735.

Yours faithfully,



(Miss Anita TONG)
Deputy Director/Legal
for Director of Lands

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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 12 October 2023.

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

- * checking of draft Deeds of Mutual Covenant and Management Agreements (if any)
- * title checking in connection with payment of compensation in land resumption cases

I confirm that my firm meets all the pre-qualification criteria. I submit a completed Application Pro Forma for your information.

Dated this day of 2023.

Name of Firm

Signature of Partner
authorized to sign

*Tick if appropriate

Application Pro Forma

- A. (1) Name of Firm: _____
(2) Date of establishment: _____
(3) Address: _____

B. No. of Partners admitted for at least 5 years : _____

C. No. of Conveyancing Partners with at least 5 years' conveyancing experience : _____

D. No. of Conveyancing Assistant Solicitors with at least 5 years' conveyancing experience : _____

E. No. of Conveyancing Clerks with at least 5 years' conveyancing experience : _____

F. For Job (A), my firm has completed at least three Principal DMCs on its own or as the lead firm (where more than one firm are involved) since 12 October 2018. Details are set out in the **Annex** attached.

G. For Job (B), my firm has extensive experience in conveyancing involving the New Territories matters. Details are set out below:

H. (1) Name of contact person:

(2) Telephone No.:

(3) Fax No.:

(4) e-mail address:

Dated this day of 2023.

Name and Signature
of Partner authorized to sign

Firm's chop

Annex

| | Lot No. | Name of Development | Type of Development (See Note 1) | Date of DMC (See Note 2) | Memorial No. of DMC (See Note 2) | LACO Reference (See Note 2) | Date of Approval by LACO (See Note 2) |
|-----|---------|---------------------|-------------------------------------|-----------------------------|-------------------------------------|--------------------------------|--|
| (1) | | | | | | | |
| (2) | | | | | | | |
| (3) | | | | | | | |

Note 1: State whether residential development or composite commercial and residential development

Note 2: State only if appropriate

Quotation Opening Committee

Lands Department

Room 2130, 21/F., North Point Government Offices

333 Java Road, North Point, Hong Kong

Restricted – Invitation to Express Interest to Provide Legal Services to Lands Department

Application Invitation Ref: LD/LACO/HQ 4-45/4 Pt. 3

Closing Date and Time: 23 November 2023 (10:00 a.m.)

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NOTES:

1. The application **MUST** be placed in the Quotation Box located at the address stated on Application Label or posted to reach this Department **BEFORE 10:00 a.m.** on the closing date specified. **Misplaced application will not be considered.**
2. Application must be returned in a properly sealed **PLAIN ENVELOPE** with the Application Label affixed on the envelope.
3. Application may be lodged from 9:00 a.m. to 5:30 p.m. daily, from Monday to Friday (excluding Saturdays, Sundays and Public Holidays).
4. In case of a black rainstorm warning signal or a typhoon signal No. 8 or above is issued between 7:00 a.m. and 10:00 a.m. on the application closing date, the closing time of this application will be extended to 10:00 a.m. on the next working day.
5. Each invitation to application, irrespective of whether it is with or without offer, must be put in an individual envelope. It is not acceptable to put more than one application in the same envelope.
6. Application will not be accepted if it is sent by post with inadequate postage.
7. **Late application will not be considered.**