

Date: 10 October 2024

Our ref.: HD4-1/SMS/6-60/5

Your ref.:

BY HAND

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

Attention: Ms. Eileen Tam

Dear Sirs,

Home Ownership Scheme Secondary Market Scheme
Updated documentation

We refer to the Secondary Market Scheme administered by the Hong Kong Housing Authority (HA) and our previous letters to you dated 25 July 2023 and 3 April 2024 (copies without enclosures attached).

Restrictions on ownership of domestic property in Hong Kong have been imposed on the Green Form (GF) applicants (as a tenant or authorised occupant(s) of a Public Rental flat of the HA or a Rental Estate flat of the Hong Kong Housing Society, or resident(s) of Interim Housing of the HA) who apply to purchase subsidised sale flats under the Secondary Market Scheme since 31 July 2023.

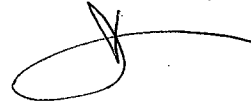
Pursuant to the above new policy, the GF applicants (unless their application for Certificate of Eligibility to Purchase (CEP)(Green Form) was made before 31 July 2023) are required to make a declaration on the ownership of domestic property in Hong Kong in Part B ("Part B Declaration") of the "Declaration in Support of the Application for a Letter of Nomination for Sale of Flats under Home Ownership Scheme Secondary Market Scheme (HD891)".

The validity of all the CEP with applications made before 31 July 2023 has already expired in September 2024. **ALL** GF applicants will need to make the Part B Declaration in HD891.

Attached please find the updated HD891 (Rev. 10/2024) which will soon be uploaded to the website of the HA. In any event, **all members are required to adopt the updated version of HD891 (Rev. 10/2024) from 1 November 2024 onwards.**

We should be grateful if you could assist in informing your members of the revision to the present documentation under the Secondary Market Scheme in the coming two circulars, 24 and 31 October 2024. If you/your members have any queries, please do not hesitate to contact Miss Sandra CHEUNG (for Green Form Status) at 3162 0680 or Mr. YAU (for White Form Secondary Market Scheme) at 2794 5504. Thank you for your assistance in this matter.

Yours faithfully,



(Ms. LO Choi-ying, Alison)
for Director of Housing

c.c. LC/LC
SHM/HS2
HM/WSM

Encls.

Date: 25 July 2023

Our ref.: HD4-1/SMS/6-60/5

Your ref.:

BY HAND

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

Attention: Ms. Eileen Tam

Dear Sirs,

**Home Ownership Scheme Secondary Market Scheme
Updated documentation**

We refer to the Secondary Market Scheme administered by the Hong Kong Housing Authority (HA).

The HA has recently tightened the eligibility criteria for Green Form (GF) applicants ("the Subject Applicants") for the purchase of subsidised sale flats (SSFs) under the subject Scheme. Starting from 31 July 2023, there shall be a new restriction imposed on the Subject Applicants, namely that a tenant or authorised occupant(s) of a Public Rental flat of the HA or a Rental Estate flat of the Hong Kong Housing Society, or resident(s) of Interim Housing of the HA who apply to purchase SSFs as GF applicants should not have owned domestic property in Hong Kong at any time from 24 months preceding the date of the Application Form for Certificate of Eligibility to Purchase (CEP) (Green Form) under Home Ownership Scheme (HOS) Secondary Market Scheme up to the date of the signing of the Provisional Agreement for Sale and Purchase. The Subject Applicant(s) shall also be required to make a declaration on ownership of domestic property in Hong Kong.

In view of the new policy aforementioned, there are certain updates to the current forms which will soon be uploaded to the website of HA, including the Application for CEP (HD874), the Home Ownership Scheme (HOS) Secondary Market Scheme (Green Form Status) Application Guide and the Declaration in Support of the Application for a Letter of Nomination for Sale of Flats under Home Ownership Scheme Secondary Market Scheme (HD891). In particular, the revised versions of such documents (Rev. 7/2023) have set out the details and definition of "ownership of domestic property in Hong Kong" in the present context.

In contemplation of the new practice, a chop will be appended to future CEP in respect of Application for CEP (HD 874) received from 31 July 2023 onwards to enable members to better identify and ascertain whether the Subject Applicants will need to make the declaration on the ownership of domestic property in Hong Kong in Part B of the updated HD891. If the chop is not appended, the Subject Applicants will not be required to make such declaration. Apart from the above, for other groups of applicants including White Form applicants, etc., there is no change to the current practice. They will still need to complete the same declaration in Part B of the updated HD891.

Attached please find the updated HD891 and a sample of the CEP with the chop appended thereon setting out the present requirement for reference. In any event, all members **are required to** adopt the updated version of HD891 from **7 AUGUST 2023** onwards, otherwise the current version of HD891 submitted after such date might not be entertained.

We should be grateful if you can assist in informing your members of the revision to the present documentation under the Secondary Market Scheme in the coming two circulars, 27 July 2023 and 3 August 2023. If you have any queries, please do not hesitate to contact Miss Sandra Cheung (for Green Form Status) at 3162 0680 or Mr. Choi (for White Form Secondary Market Scheme) at 2794 5463. Thank you for your assistance in this matter.

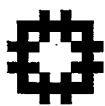
Yours faithfully,



(Ms. Peggy Yuen)
for Director of Housing

c.c. LC/LC
SHM/HS2
HM/WSM

Encls.



香港房屋委員會
Hong Kong Housing Authority

White Form Secondary Market
Scheme Unit
Podium Level 4 HKHA Customer
Services Centre,
3 Wang Tau Hom South Road,
Kowloon

Our Ref. : HD 4-1/WSM/6-60/2(I)
Your Ref. :

Tel. : 2794 5463
Fax : 2794 5461

BY HAND

Date: 3 April 2024

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

(Attn : Ms. Eileen TAM)

Dear Ms. TAM,

**Home Ownership Scheme Secondary Market Scheme
Updated documentation**

We refer to the Secondary Market Scheme administered by the Hong Kong Housing Authority (HA) and our previous letter to you dated 25 July 2023 (copy without enclosures attached).

Following the tightening of the eligibility criteria for Green Form applicants for purchase of subsidised sale flats (SSFs) in 2023, flat owners under the Tenants Purchase Scheme (TPS) of HA who obtained ownership of the TPS flats by virtue of their previous status as sitting tenants thereof for less than 10 years ("Flat Owners") and/or their authorised family member(s) who have applied/will apply for the purchase of SSFs under the **White Form Secondary Market Scheme (WSM) 2023 and afterwards** shall be subject to a new restriction that they should not have owned any domestic property in Hong Kong (save and except the current TPS flats purchased by Flat Owners) at any time from 24 months preceding the closing date of submitting the application for the relevant WSM. Such applicants shall also be required to make a declaration on ownership of domestic property in Hong Kong similar to all other applicants under the WSM at present. For the avoidance of doubt, the current TPS flats purchased by Flat Owners will NOT be considered as a domestic property under the declaration mentioned hereinafter.

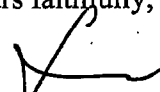
In connection with the above, there are certain updates to the current "Declaration in Support of the Application for a Letter of Nomination for Sale of Flats under Home Ownership

Scheme Secondary Market Scheme (HD 891)", which will soon be uploaded to the website of HA. Attached please find the **updated HD 891 (Rev. 3/2024)** for your reference.

We should be grateful if you can assist in informing your members of the present revision of HD 891(Rev. 3/2024) in your forthcoming circulars to be published on 11 April 2024. In any event, all members are required to adopt the updated version of HD 891 from **15 April 2024** onwards, otherwise the current version HD891(Rev. 7/2023) submitted after such date may not be entertained.

If you have any enquiries, please feel free to contact Mr. YAU at 2794 5504 (for White Form Secondary Market Scheme) or Miss Sandra Cheung (for Green Form Status) at 3162 0680. Thank you for your assistance in this matter.

Yours faithfully,


(Ms. Ho Kwai-foon)
for Director of Housing

c.c. LC/LC
SHM/HS2
HM/SMS

Encls.

Hong Kong Housing Authority
Declaration in Support of the
Application for a Letter of Nomination for Sale of Flats under
Home Ownership Scheme Secondary Market Scheme

To : Hong Kong Housing Authority

Property :

Part A: Declared by all declarant(s)

I/ We, _____ (Holder of Hong Kong Identity Card No. _____)
and _____ (Holder of Hong Kong Identity Card No. _____) purchaser(s)
of the above property pursuant to Certificate of Eligibility to Purchase No. _____ ("the Certificate"),
hereby declare that

*the information provided by me/us and/or my/our family member(s) to the Hong Kong Housing Authority as stated in the Application Form regarding my/our application for the Certificate is still accurate and the eligibility criteria are still fulfilled up to the date of the signing of the Provisional Agreement for Sale and Purchase

*the information provided by me/us and/or my/our family member(s) to the Hong Kong Housing Authority as stated in the Application Form regarding my/our application for the Certificate has since then been changed and I/we declare that save as those set out below, all other information set out in the said Application Form is, up to the date of the signing of the Provisional Agreement for Sale and Purchase, still accurate:-

p.2...

Part B: Declared by all declarant(s)

I/ We declare that neither I/we nor my/our family member(s) included in the Application Form at any time from

*24 months preceding the closing date of submitting Application for White Form Secondary Market Scheme /

*24 months preceding the date of the Application Form for Certificate of Eligibility to Purchase (Green Form) (for tenant or authorised occupant(s) of a Public Rental flat of the Hong Kong Housing Authority or a Rental Estate flat of the Hong Kong Housing Society, or resident(s) of Interim Housing of the Hong Kong Housing Authority) /

*the date of the Application Form for Public Rental Housing/

*the closing date for submitting the Application for Green Form Certificate of Civil Service Public Housing Quota/

*the date of pre-clearance survey/

*24 months preceding the date of Domestic Screening Form of Urban Renewal Authority/

*the date of the Application Form for Certificate of Eligibility to Purchase (for recipients of Rent Allowance for Elderly Scheme only)/

*the date of the Application for Green Form Certificate (for applicants of Housing Arrangements for Divorce/ Splitting cases in Public Rental Housing or 'Letter of Assurance' holders only)

up to the date of the signing of the Provisional Agreement for Sale and Purchase have (a) owned or co-owned any domestic property in Hong Kong or any interest in such kind of property; or (b) entered into any agreement (including preliminary agreement) to purchase any domestic property in Hong Kong; or (c) owned more than 50% of the shares in a company which directly or through a subsidiary company owned any domestic property in Hong Kong; or (d) been a beneficiary of the estate of any deceased person which includes any domestic property or land in Hong Kong; or (e) assigned any domestic properties in Hong Kong or any interest in such properties in Hong Kong (the date of assignment means the date of execution of the Deed of Assignment); or (f) withdrawn from any company which owned any domestic property in Hong Kong in which I/we and/or my/our family member(s) owned more than 50% of the shares. I/We understand that domestic properties include any domestic property, uncompleted private domestic property, rooftop structures approved by the Building Authority, domestic building lots and small house grants approved by the Lands Department in Hong Kong¹.

Part C: Declared by all declarant(s)

I/We understand that the above information and the information contained in the Application Form are provided to the Hong Kong Housing Authority in relation to my/our application for nomination as purchaser(s) to purchase the above property. I/We understand that any person who makes any statement or provides any information to the Hong Kong Housing Authority in respect of any matter relating to the purchase of a flat which he knows to be false or misleading shall be guilty of an offence under Section 26(2) of the Housing Ordinance and shall be liable on conviction to a fine of \$500,000 and to imprisonment for one year. When a person is convicted of such an offence in relation to the purchase of flat by him, the court may under Section 26A of the Housing Ordinance order either (a) that the flat so purchased be transferred to the Hong Kong Housing Authority or its nominee or (b) that the offender forfeit to the Hong Kong Housing Authority a sum equivalent to the difference between the purchase price of the flat and its full market value at the date of the conviction.

Dated the _____ day of _____ 20 ____.

+DECLARED BY-

Name of Purchaser(s)

HKIC No.

Signature

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in the presence of:

Interpreted by:

Solicitor, Hong Kong SAR

¹ For declarants who are flat owners under the Tenants Purchase Scheme (TPS) of the Hong Kong Housing Authority who obtained ownership of the TPS flats by virtue of their previous status as sitting tenants thereof and/or their authorised family members under White Form Secondary Market Scheme, the current TPS flat purchased for less than 10 years by a sitting tenant is NOT considered as a domestic property under this Part.

* Delete where inappropriate and deletion(s) countersigned by the declarant(s)

+ The declarant(s) shall sign this Declaration before a solicitor

HD891 (Rev. 10/2024)