

Section I

Mandatory Requirement of the Solicitors Firms (Submission of evidence is required)

1. Year of Services

1.1 The firm should have been established for a minimum of 10 years. (Change of firm's name due to acquisition and merger during the last 10 years is permitted subject to support of relevant documents).

2. Accountant's Report

2.1 The firm should receive clean accountant's report for 3-year period from date of application.

3. Professional Indemnity

3.1 Minimum HK\$50,000,000

Section II

Selection Criteria for Property Development and Conveyance Solicitors List

1. Property Development

Proven experiences and track records in providing legal advisory services in the areas of :-

1.1 Lease modification, land grant conditions & building covenant extension

1.2 Property acquisition under the Urban Renewal Authority Ordinance (Cap 563) and Land (Compulsory Sale for Redevelopment) Ordinance (Cap 545)

1.3 Town planning submissions under the Town Planning Ordinance (Cap 131)

1.4 Building management and related issues e.g. Building Management Ordinance (Cap 344), Deed of Mutual Covenants (DMC), Lands Tribunal proceedings, insurance policies & claims, recovery of default payments, etc.

1.5 Building maintenance matters such as construction / repair contract, building consultancy service, tendering and contractual disputes, arbitration and mediation, and related statutory requirements such as Occupational Safety and Health Ordinance (Cap 509)

1.6 Lands Resumption Ordinance (Cap 124)

1.7 Trespassing and encroachment

1.8 Judicial review

2. Property Conveyance & Leasing

Proven experiences and track records in providing legal advisory services in:-

2.1 Experience in handling the pre-sale and sale under the Residential Properties (First-hand Sales) Ordinance (Cap 621) for matters including but not limited to the following:-

- Sales literatures & materials for sales operation
- Sales brochure, sale arrangements, price list, register of transactions, website, show flats, road show, building models, print advertisements, advertorial, sales video, image book, tender for sale, sale administration with Sale of First-hand Residential Properties Authority etc.
- Agreement for agency arrangements
- Stamp duty

2.2 Good experience in liaison with related government authorities such as Legal Advisory and Conveyancing Office, District Lands Office, Government Property Agency etc. on the following matters:-

- Application for the approval of the Pre-sale consent
- Drafting for the approval of the Deed of Mutual Covenant and Management Agreement
- Application for Certificate of Compliance including government accommodation or GI/C facilities

2.3 Building defects and small claims proceedings under the Small Claims Tribunal Ordinance (Cap 338).

2.4 Residential and commercial leasing under Landlord & Tenant (Consolidation) Ordinance (Cap 7).

2.5 Powers of Attorney Ordinance (Cap 31)

2.6 Enduring Powers of Attorney Ordinance (Cap 501)

3. General Administration

3.1 Proven experiences and track records in providing legal advisory services in the areas of:-

3.1.1 Personal Data (Privacy) Ordinance (Cap 486)

3.1.2 Anti-discrimination Ordinance:-

- Sex Discrimination Ordinance (Cap 480)
- Race Discrimination Ordinance (Cap 602)
- Disability Discrimination Ordinance (Cap 487)
- Family Status Discrimination Ordinance (Cap 527)

4. Establishment of the Property Development and Conveyance Team of the Firm (The Team)

- 4.1 The Team should be established for a minimum of 10 years subject to support of relevant documents, change of firm's name due to acquisition and merger during the last 10 years is permitted).
- 4.2 The Team should have at least 10 persons.
- 4.3 A minimum of 3 out of these 10 persons must be full time qualified solicitors.
- 4.4 One of the solicitors should be responsible for conveyancing and have at least 10 years post qualification full time services with the present Team.
- 4.5 The other two solicitors should have at least 5 years post qualification full time service with the present Team.
- 4.6 A minimum of 3 out of these 10 persons must be full time conveyancing clerks.
- 4.7 One of the conveyancing clerks should have at least 10 years' experience of which 5 years must be gained through serving in the present Team.
- 4.8 The firm should receive clean accountants' report for 3-year period from the date of application.
- 4.9 The Team should have experience and capacity in handling the conveyance of a minimum no. of 150 residential units in one project at one time.
- 4.10 The Team should have experience and capacity in handling government accommodation conveyancing within the project.
- 4.11 The firm should have acquired a valid professional indemnity of at least HK\$50,000,000.