



中華人民共和國香港特別行政區政府
發展局



《土地（為重新發展而強制售賣）條例》（第 545 章）

支援少數份數擁有人 （舊樓小業主） 外展服務（先導計劃） 強拍支援服務簡介



熱線電話：2345 5265
服務時間：星期一至五 上午 9 時至下午 5 時 30 分
星期六 上午 9 時至下午 12 時 30 分
（公眾假期除外）
電郵地址：ossmo@schsa.org.hk
地址：何文田愛民廣場二樓 S2



服務網站
schsa.org.hk/ossmo



WhatsApp 查詢
5582 2272

關於支援少數份數擁有人（舊樓小業主）外展服務
長者安居協會自 2011 年起受發展局委聘，為全港受《土地（為重新發展而強制售賣）條例》（第 545 章）（《條例》）或私人收購影響的舊樓小業主提供協助。此服務包括提供適當意見和資訊、陪同有需要的小業主與收購一方見面商議等。協會的註冊社工團隊在跨專業顧問的支援下，協助小業主在面對物業收購或強拍時，作出適合其個人需要的選擇。



什麼是少數份數擁有人？

指在該地段擁有業權份數及並非在《條例》下向土地審裁處提出強拍申請的小業主，而提出強拍申請的大業主則稱為多數份數擁有人。

什麼是強制售賣（強拍）？

鑑於市區老化的規模和速度，為鼓勵私營機構參與市區更新的工作，政府制訂的《土地（為重新發展而強制售賣）條例》自 1999 年 6 月起實施，目的是協助業權分散的私人樓宇業主把地段重新發展。申請強拍的門檻最初定為須擁有地段不少於 90% 的業權。

考慮到樓宇急速老化，政府透過 2010 年 4 月 1 日生效的《土地（為重新發展而強制售賣）（指明較低百分比）公告》（第 545A 章）（《公告》），為以下三類地段引入較低的強拍申請門檻，即由不少於 90% 業權降至不少於 80% 業權：

- （一）地段上每個單位均佔業權份數 10% 以上；
- （二）地段上所有樓宇的樓齡達 50 年或以上；
- （三）位於非工業地帶，而地段上所有樓宇均為樓齡達 30 年或以上的工業大廈。

如有需要，本計劃的社工會免費幫助小業主核實其物業是否屬於《公告》下其中一種指定地段類別。

服務範疇：

諮詢服務

- 電話查詢
- 網上資訊及查詢

資料包括：強拍申請及程序、小業主的權益、土地審裁處處理強拍申請程序、物業參考價、過往強拍個案的拍賣底價等

外展服務

- 社工主動前往收購活躍的地區進行服務宣傳及家訪工作

社區教育

- 在各地區舉辦講座、工作坊及地區諮詢站講解物業收購的一般做法、《條例》的相關資訊及宣傳調解在強拍個案的作用



個案服務

- 對個別有需要的小業主提供有關物業收購及強拍資訊
- 免費幫助小業主核實物業是否屬適用八成業權的強拍申請門檻的地段類別
- 如小業主面對搬遷問題，協會將安排轉介至有關服務機構
- 協助轉介小業主予專業人士*（如測量師），以尋求專業意見
- 協助轉介受強拍影響的小業主予合資格的調解員，以安排調解服務
- 如有需要，陪同小業主面見有關人士，確保小業主獲得適切訊息及意見

* 專業服務收費需視乎個別專業人士定價，本協會並不收取轉介費用

服務對象

受私人發展商收購或強拍影響的舊樓小業主及其直系親屬

什麼是調解？

調解屬自願參與，由一名受過訓練和公正的第三者，即調解員，協助各方當事人在良好的氣氛下，達致既能滿足各方所需，又為各方所接受的和解。調解是除了訴諸法庭之外，另一類解決爭議的方法。



強拍案件的調解

在強拍案件中，土地審裁處（審裁處）會按土地審裁處庭長根據《土地審裁處條例》（第 17 章）第 10 (5)(a) 條發出「根據《土地（為重新發展而強制售賣）條例》（第 545 章）進行的強制售賣土地案件的調解」的指示（LTPD: CS No.1/2011），要求訴訟各方在強拍案件中協助審裁處履行其有關推行利便解決爭議的職責。在審裁處認為合適的情況下，鼓勵各方採用另類排解爭議程序。另類排解程序指的是一個過程，由各方協議委任一名第三者協助他們和解案件或解決爭議，而調解是一種常見的另類排解程序。調解的優點是當訴訟雙方達成和解後，審訊便無須繼續進行，從而節省雙方的時間和訟費。

關於長者安居協會

長者安居協會（「協會」）於 1996 年成立，為香港最具規模的社會企業之一，同時為自負盈虧的非牟利慈善團體。協會提供全天候 24 小時全面支援服務「一線通平安鐘™」，以緊急支援、綜合關顧、日夜守護、健康管理、生活輔助為主要的服務範疇。此外，協會也為長者及其照顧者提供照護訓練及工作坊；另設「管家易」上門式看顧、陪診、清潔及復康服務。協會的全方位長者服務結合科技及人本元素，以創新的理念及手法，務求讓銀髮族居家安老，享受有質素的自主生活。



掃描 QR CODE 即可觀看有關強拍及收購資訊短片

賣樓唔同買棟菜



收購大不同



合約條款要睇真



調解為先創造雙贏



專業人士助應訊

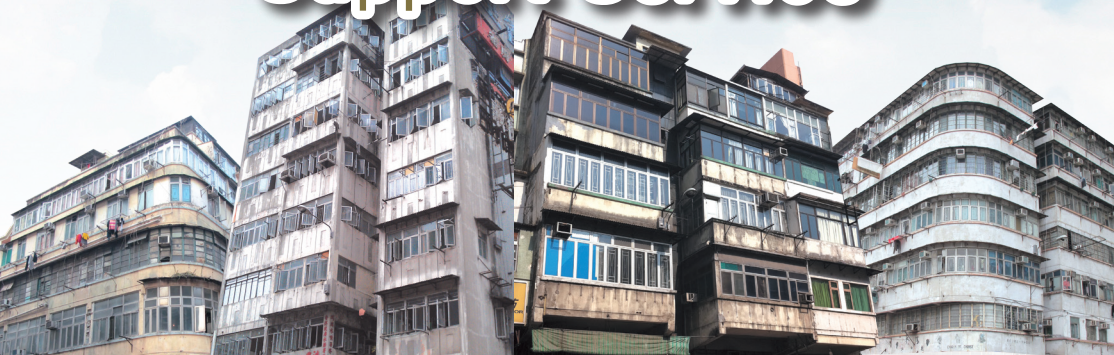




Land (Compulsory Sale for Redevelopment) Ordinance (Cap.545)

Outreach Support Service for Minority Owners (Pilot Scheme)

Introduction of Compulsory Sale Support Service



Enquiry Hotline : **2345 5265**

Service Hours : Monday to Friday 9:00a.m. to 5:30p.m.
Saturday 9:00a.m. to 12:30p.m.
(except Public Holidays)

Email : ossmo@schsa.org.hk
Address : S2, 2/F, Oi Man Plaza, Homantin



Website
schsa.org.hk/ossmo



WhatsApp
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About Outreach Support Service for Minority Owners
Since 2011, Senior Citizen Home Safety Association has been appointed by the Development Bureau to provide assistance to minority owners of old buildings in Hong Kong affected by the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) ("Ordinance") or private acquisitions. Our service includes providing suitable advice and information as well as accompanying minority owners in need to meet the acquiring party. With support from a cross-functional team of professional consultants, our social workers team helps minority owners facing compulsory sale and acquisitions make suitable and informed decisions.



What are Minority Owners?

It means the persons who own undivided shares in the lot but not the persons who have made the application under the Ordinance in relation to the lot. On the other hand, the persons who have made the application under the Ordinance in relation to the lot are called "Majority Owners".

What is Compulsory Sale?

In view of the scale and pace of urban decay, to encourage private sector participation in urban renewal, the Land (Compulsory Sale for Redevelopment) Ordinance was enacted and came into operation since June 1999 to facilitate owners of buildings in multiple ownership to redevelop their lots. The threshold for making a compulsory sale application was first set at no less than 90% or all classes of lots.

With the rapid ageing of buildings, a lower threshold being no less than 80% was introduced through the enactment of the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice (Cap. 545A) ("the Notice") from 1 April 2010 for the following three classes of lots –

- a lot with units each representing more than 10% of all the undivided shares;
- a lot with all buildings aged 50 years or above;
- a lot that is not located within an industrial zone and with all buildings being industrial building aged 30 years or above.

If necessary, our social workers will check for the minority owners free-of-charge whether their properties fall within one of the specified classes of lot under the Notice.

Scope of Services

Enquiry

- Telephone enquiry
- Online information and enquiry

Information to be provided: The application and procedure of compulsory sale, the rights of minority owners, the Lands Tribunal's procedure in handling compulsory sale application, reference prices of properties, reserve prices of compulsory sale cases in the past etc.

Outreach Advisory Service

- Social workers will proactively outreach to buildings affected by acquisition activities to promote the service and will visit households of the minority owners

Community Education

- Organise talks, workshops and roadshows to explain the general practice of property acquisition and the process of compulsory sale under the Ordinance; and to promote the understanding on mediation in compulsory sale



What is Mediation?

Mediation is a voluntary process in which a trained and impartial third person, the mediator, helps the parties in dispute to reach an amicable settlement that is responsive to their needs and acceptable to all sides. Mediation is an alternative to resolving a dispute through the court system.

Mediation for Compulsory Sale Cases

In accordance with the direction issued by the President of the Lands Tribunal (the Tribunal) pursuant to Section 10(5)(a) of the Lands Tribunal Ordinance (Cap. 17) on "Mediation for Compulsory Sale Cases Under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545)" (LTPD: CS No. 1/2011), the Tribunal has the duty to facilitate the settlement of disputes by encouraging the parties to use alternative dispute resolution procedure (ADR) if the tribunal considers that appropriate. ADR means a process whereby the parties agree to appoint a third party to assist them to settle or resolve their dispute and a common mode of ADR is mediation. If settled, the dispute will come to an end without going through a trial process. It will save time and costs.

Case Service

- Explain to minority owners the general practice of property acquisition and the process of compulsory sale under the Ordinance
- Check for minority owners free-of-charge whether their properties fall within one of the classes of lot to which the 80% application threshold for compulsory sale applies
- Refer the minority owners to other social service organisations if they have relocation needs
- Refer the minority owners to professionals such as surveyors for advice and assistance*
- Refer the minority owners affected by compulsory sale to qualified mediators for mediation
- Social workers will accompany the minority owners to meet with concerned party if necessary

* The level of professional service fees is subject to specific professionals. SCHSA will not charge any referral fees.

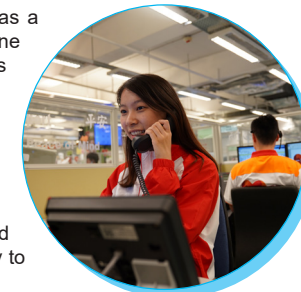
Service Target

Minority owners and their immediate family members who are affected by compulsory sale or property acquisition by private developers



About Senior Citizen Home Safety Association ('SCHSA')

Senior Citizen Home Safety Association ('SCHSA') was founded in 1996 as a non-profit charitable organisation with a self-financing model. Today it is one of the most established social enterprises in Hong Kong. SCHSA provides Care-on-Call Service, a comprehensive 24/7 support service consisting of emergency aid, integrated care, around-the-clock vigilance service, health management, and day-to-day living assistance. The Association also provides training and workshops to the elderly and their family and caregivers. In addition, SCHSA's EasyHome Services provide at-home care to elderly consisting of elderly care, medical escort, house cleaning and rehabilitation services. SCHSA strives to enable elderly to age in place and lead quality lives independently. SCHSA innovates and leverages technology to deliver people-centric services.



Scan QR CODE to watch videos about Compulsory Sale and Acquisition. (Chinese Only)

Property sale is not like casual shopping



Acquisitions are all different



Mediate first to achieve a win-win situation



Professional assistance in hearings



Pay attention to all contract terms and conditions

