

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

by
Mr. Clemence Yeung,
Barrister-at-Law



Mr. Yeung was called to the Bar in 1997. Prior to that he was admitted as a solicitor in England and Wales and in Hong Kong and practised as a solicitor in the litigation department of an international firm. He was a contributor to Halsbury's Laws of Hong Kong Volume 18(1) Maritime Law (Butterworths) and has authored a book on the law of unjust enrichment in Hong Kong.

This is a repeat of a presentation on the Land (Compulsory Sale for Redevelopment) Ordinance given in 2018. It will take a critical look at the case law on the question of whether the reserve price for an auction for sale should take into account adjoining lots which are to be developed together with the land the subject of the application for compulsory sale. It will also consider the question of whether the Ordinance is constitutionally sound, as well as a number of valuation issues arising in the most recent cases.

Cases considered will include:

▪ On adjoining or wholly owned lots

1. *South Crown Development Limited v Chung Ki To (as administrator of the estate of Chung Koon Kow, deceased) & Ors*, CAMP 288/2019, 7 May 2020, unreported
2. *Lead Harvest Group Ltd v Cheong Wing Electric Ltd* [2019] 2 HKLRD 575
3. *Swift China Limited v Hui Hon Chu*, LDCS 6000/2017, 6 August 2020, unreported
4. *First Mate Development Ltd v Gee Wing Chung & Ors* [2018] 1 HKLRD 668
5. *First Kind Ltd & Anor v Liu Keng Chor (as administrator of the estate of Li Fung Man, deceased) & Anor* [2016] 4 HKC 9
6. *Day Bright Development Ltd & Ors v Choi Pak Ling & Ors* [2014] 4 HKC 364
7. *Bond Star Development Ltd v Capital Well Ltd* [2003] 4 HKC 22
8. *Capital Well Ltd v Bond Star Development Ltd* (2005) 8 HKCFAR 578
9. *Golden Bay Investment Ltd v Chou Hung* [1994] 2 HKC 197

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▪ **On the Basic Law**



1. *Harvest Gold Development Ltd v Secretary for Justice & Ors* [2007] 4 HKC 1
2. *Fortress Jet Ltd and Others v Tang Hoi Yip and Cheung Sau Chan Property Ltd & Ors*, LDCS 3000/2015, 28 February 2017, unreported
3. *Intelligent House Ltd v Chan Tung Shing & Ors* [2008] 4 HKC 421
4. *Hysan Development Co Ltd v Town Planning Board* [2016] 6 HKC 58
5. *James v United Kingdom* (1986) 8 E.H.R.R. 123
6. *Lithgow v United Kingdom* (1986) 8 E.H.R.R. 329
7. *Motais de Narbonne v France*, Application No 4816/99, 2 July 2002

▪ **On valuation**

1. *Perfect Horizon Ltd v Co Sam & Ors*, LDCS23000/2018. 11 September 2020, unreported
2. *Sarford Development Ltd & Ors v Super Star Properties Ltd & Anor*, LDCS14000/2018, 27 March 2020, unreported
3. *Kannix Ltd & Anor v Corelux Developments Ltd & Ors*, LDCS8000/2018, 25 March 2020, unreported

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Code:	EVT000000330	Level:	Intermediate
Date:	25 February 2021 (Thursday)	Language:	English
Time:	14:30 - 17:45 (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 CPD Points
Venue:	<p><i>Option of:</i> (1) Online via Zoom; <i>or</i> (2) Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong</p> 	Request for Rerun:	Please Contact Us for Details
			

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