



民政事務總署
Home Affairs Department

大廈管理 義務專業調解服務 試驗計劃

Free Mediation
Service Pilot Scheme
for Building Management

申請簡介 Application Guide

省時
Save time

雙贏
Win-win

免費
Free of
charge

合作機構：
Collaborating organisations:



香港和解中心
Hong Kong Mediation Centre



香港調解會
The Hong Kong Mediation Council
(A Division of Hong Kong International Arbitration Centre)

(排名不分先後 In no particular order)



Background

- Building management may be complicated and tedious. The owners, owners' corporations (OCs) and property management companies may have different views just on day-to-day management and maintenance work. Insufficient communication may lead to disputes or even litigation.
- In the event of any disputes on building management, the parties concerned may engage mediation service to enhance communication for attaining a win-win solution in a collaborative manner. This will not only enable disputes to be resolved efficiently and effectively, but will also save the costs and time incurred in taking legal actions.
- In view of this, the Home Affairs Department (HAD) will launch the Free Mediation Service Pilot Scheme for Building Management in collaboration with the Hong Kong Mediation Centre and the Hong Kong Mediation Council. The Scheme will run for 24 months, HAD will arrange mediators to provide free professional mediation services for the parties concerned who would like to resolve the disputes on building management through mediation.

Implementation Period

24 months from March 2015 to February 2017

Scope of Service

- HAD will arrange a mediator to meet the clients of each party concerned separately ("intake interview") to explain the details of the Scheme, and the basic principle, concept and procedures of mediation, as well as encourage the parties concerned to resolve their dispute by way of mediation. An assessment will then be made with due regard to individual circumstances to decide if the case is suitable for mediation. The total number of hours for the intake interview with the clients of the parties concerned shall not exceed three hours.
- If the clients of all parties concerned agree to mediation, HAD will appoint a mediator to have (1) a preparatory meeting and (2) a formal mediation session with the parties concerned.
- Having considered the circumstances, the mediator will hold a preparatory meeting with the clients of the parties concerned separately, so as to understand the case and the need of the parties concerned to work out an initial approach for resolving the problem and make preparation for the formal mediation session.
- During the formal mediation session, the mediator will invite both parties to state their case respectively and assist them to clarify, discuss and understand the core of their dispute, explore the need of the parties concerned and seek a mutually agreeable solution, so as to reach a settlement. The total number of meeting hours for the preparatory meeting and the formal mediation session shall not exceed 12 hours.

Points to Note

- The mediator is an independent and neutral third party who does not give any legal or other professional advice to nor make decisions for any party undertaking mediation.
- When the parties concerned in the dispute agree to undertake mediation, the clients are required to submit an **Application Form and sign the Acknowledgement of Disclaimer in the Form** to indicate their consent to the mediation session, their undertaking that they will not disclose any information (both oral and written) of the session to any unrelated parties.
- Before attending a formal mediation session, they will be required by the mediator to sign an **Agreement to Mediate** stating that all discussion conducted pursuant to the Agreement to Mediate will not be disclosed except in specified circumstances, and all negotiations are conducted on a basis without prejudice to any of their rights.
- When a settlement is reached, the parties concerned are required to sign a **Settlement Agreement** which is legally-binding.
- After the mediation service, the clients are required to complete an evaluation form for evaluation of effectiveness.
- OCs wishing to undertake mediation service can only submit an application after a resolution is passed at their management committee meeting. The Chairman, Vice-chairman (if applicable), Secretary, Treasurer or Members shall also be authorised at the meeting to attend the mediation session, make decisions and sign the Settlement Agreement on behalf of the OC. The minutes of the meeting concerned, with the seal or chop of the OC impressed, shall be submitted with the Application Form.

Application Form and Application Guide

Available at Public Enquiry Service Centres of District Offices, or the dedicated website: <http://www.buildingmgt.gov.hk>

Submission of Application

Application forms completed shall be submitted to the respective District Offices.

Enquiries

Home Affairs Department
Tel: 2835 2500

District Building Management Liaison Teams of the respective District Offices under HAD:

HONG KONG ISLAND

Central & Western	11/F., Kennedy Town Community Complex, 12 Rockhill Street, Kennedy Town	2119 5010
Eastern	11/F., Eastern Law Courts Building, 29 Tai On Street, Sai Wan Ho	2886 6569
Southern	1/F., Ocean Court, 3 Aberdeen Praya Road, Aberdeen	2814 5763
Wan Chai	Room 2104, 21/F., Southorn Centre, 130 Hennessy Road, Wan Chai	2835 1999

KOWLOON

Kowloon City	7/F., Kowloon City Government Offices, 42 Bailey Street, Hung Hom	2621 3406
Kwun Tong	21/F., Millennium City 6, 392 Kwun Tong Road, Kwun Tong	2171 7465
Sham Shui Po	4/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Sham Shui Po	2150 8175
Wong Tai Sin	6/F., Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin	2324 1871
Yau Tsim Mong	1/F., Mong Kok Government Offices, 30 Luen Wan Street, Mong Kok	2399 2155

NEW TERRITORIES EAST

North	3/F., North District Government Offices, 3 Pik Fung Road, Fanling	2675 1719
Sai Kung	6/F., Sai Kung Tseung Kwan O Government Complex, 38 Pui Shing Road, Hang Hau, Tseung Kwan O	3740 5351
Sha Tin	4/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin	2158 5388
Tai Po	2/F., Tai Po Government Offices Building, 1 Ting Kok Road, Tai Po	2654 1262

NEW TERRITORIES WEST

Islands	20/F., Harbour Building, 38 Pier Road, Central	2852 4318
Kwai Tsing	5/F., Kwai Hing Government Offices Building, 166 – 174 Hing Fong Road, Kwai Chung	2494 4543
Tsuen Wan	1/F., Tsuen Wan Multi-Storey Carpark Building, 174 – 208 Castle Peak Road, Tsuen Wan	3515 5654
Tuen Mun	2/F., Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun	2451 3466
Yuen Long	4/F., Yuen Long District Office Building, 269 Castle Peak Road, Yuen Long	2470 1125