

# **The Incorporated Owners of One Beacon Hill Notice of Extraordinary General Meeting**

To: All Owners

As requested by 5% of owners to convene a general meeting, pursuant to paragraph 1(2) on Schedule 3 of the Building Management Ordinance Chapter 344, notice is hereby given that the Extraordinary General Meeting of The Incorporated Owners of One Beacon Hill will be held at the following time and place:-

Date : November 29<sup>th</sup>, 2012 (Thursday)

Time : 8:30 p.m.

Place: Club House, One Beacon Hill

The Agenda:

1. Render a full account to and answer queries from owners on the litigation against Match Power including but not limited to the following :
  - Procedures and justifications of appointing solicitors and counsels
  - Provide details of costs and expenses incurred and disclosing facts and/or documents whose confidentiality has now been superseded by the latest events
  - What precipitated or warranted the convening of the EGM on 31 August 2012 to vote on an issue already decided by the majority of owners two months before
  - Whether there had been intentional or reckless misrepresentation of the merit and outcome of the litigation on various occasions and in particular in the posting in the common areas of OBH of a note from the barristers
  - Discuss the responsibility and liability, if any, of any member of the Management Committee who had intentionally or recklessly misrepresented about any matter relating to the litigation or who has failed to consider and handle the matter with due care and diligence
2. Suggest plans for discussion by the owners on how to wrap up the litigation against Match Power and to remedy the defects in the common areas;
3. Confirm that IOC will abstain from using any more of the reserve fund (which is from all owners the majority of whom are second hand owners) for the purpose of the litigation against Match Power. This is in view of the judgment dated 4 October 2012 pointing out that second hand owners have no ground

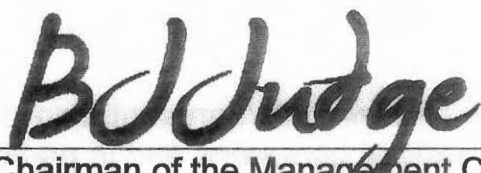
to sue Match Power, and accordingly, "the situation could be unfair to the other owners to whom the cause of action did not accrue" (para 31); and

4. Suggest ways to establish communication channels among all the owners for greater transparency and efficiency in the dissemination of information including minority opinions and alternative views.

All owners are cordially invited to attend the meeting to discuss and vote personally or by proxy appointed in writing. Registration for attendance will commence at 8:00 p.m., please bring along your ID Card for registration purpose.

**If the title of your unit is registered under a company name or you may not attend the meeting personally and would like to appoint other person to attend on your behalf, please complete the attached proxy form and submit to the collection box of Management Committee located at the opposite side of Service Counter at the Club House not less than 48 hours (on or before 8:30 p.m., November 27<sup>th</sup>, 2012) before the time for the holding of this Extraordinary General Meeting.** Proxy form should be set out according to the format in Form 2 in Schedule 1A of the Building Management Ordinance 344.

The Extraordinary General Meeting will be cancelled if typhoon signal No.8 or above or black rainstorm warning signal is hoisted after 6:00 p.m or lack of a minimum quorum of 10% of the total number of owners at 8:45p.m.



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Chairman of the Management Committee of  
The Incorporated Owners of One Beacon Hill  
31 October 2012

# 畢架山一號業主立案法團 召開業主特別大會

畢架山一號各業主：

就收到不少於 5% 業主要求下召開業主特別大會，現根據《建築物管理條例》(第 344 章附表 3 第 1(2)段)，將於下列日期及時間召開業主特別大會。

日期：2012 年 11 月 29 日(星期四)

時間：晚上 8 時 30 分

地點：畢架山一號會所

是次業主特別大會的議程如下：

1. 提供有關業主立案法團與進勢投資有限公司的訴訟之完整帳目並就是次訴訟回應各業主包括但不僅限於下列之查詢：
  - 委任是次訴訟律師及大律師之程序及其委任之理由；
  - 提供是次訴訟之詳細開支及費用並透露於訴訟期間需要保密之資料及文件；
  - 根據什麼因素促使於 2012 年 8 月 31 日召開特別業主大會並就該已於兩個月前議決之議題進行投票；
  - 是否於不同場合有意誤傳有關是次訴訟之法律依據及訴訟結果，例如在畢架山一號公眾地方張貼之律師意見；
  - 討論管理委員會委員有否有意誤傳是次訴訟事宜或有否謹慎考慮是次訴訟一事之責任事宜。
2. 提供方案予業主就與進勢投資有限公司之訴訟作出總結並討論如何執修公眾地方缺陷。
3. 確保業主立案法團放棄使用儲備基金（儲備基金均來自所有業主而大部份為二手業主）用作處理與進勢投資有限公司之間的訴訟事宜。鑑於 2012 年 10 月 4 日的判案書指出二手業主沒有理據控告進勢投資有限公司，及相應地，「情況對於訴訟事由沒有發生在其他業主身上便不公平（第三十一段）」，及
4. 建議方案於各業主之間建立溝通渠道以增加傳播資訊之透明度及效率，並包括小眾意見和其他觀點。

[此為翻譯版本，如有歧義，以英文為準]



我們誠邀各業主出席是次業主特別大會以便討論及就上述事項親身或透過授權代表作出投票。我們將於晚上 8 時正開始登記入場，敬請閣下攜帶身份證以作登記。

如閣下單位以公司名義登記或當日未能出席而需要授權其他人士代為出席，請填妥隨函附上之授權書並於業主特別大會舉行之 48 小時前(即 2012 年 11 月 27 日，晚上 8 時 30 分前)，將填妥之授權書放入管理委員會位於會所接待處對面的授權書收集箱內。

授權書必須按《建築物管理條例》(第 344 章附表 1A 表格 2)的格式填寫。

若天文台於會議當晚 6 時後懸掛八號及以上風球或黑色暴雨訊號，或於晚上 8 時 45 分上述會議仍未達至足夠之法定人數，會議將取消。

畢架山一號業主立案法團管理委員會主席

\*此乃中文譯本，如內容跟英文原文有任何不同之處，當以英文原文為準。

2012 年 10 月 31 日



畢架山一號業主立案法團業主特別大會  
就法團會議委任代表的文書

畢架山一號業主立案法團

本人/我們 \_\_\_\_\_ (業主姓名), 為畢架山一號 \_\_\_\_\_ 座 \_\_\_\_\_ 樓 \_\_\_\_\_ 室;  
\_\_\_\_\_ 號車位 (建築物地址及單位)的業主, 現委任 \_\_\_\_\_ (代表姓名)\* [如他未能出席, 則委任 \_\_\_\_\_ (替代代表姓名)]為本人/我們的代表, 出席於 2012 年 11 月 29 日晚上 8 時 30 分假畢架山一號住客會所舉行的業主特別大會\*[及任何延會]並代表本人/我們投票。

業主簽名/公司蓋章 : \_\_\_\_\_

業主姓名/公司名稱 : \_\_\_\_\_

聯絡電話 : \_\_\_\_\_

日期 : 2012 年 \_\_\_\_\_ 月 \_\_\_\_\_ 日

\*刪去不適用者

填妥之授權書必須於 2012 年 11 月 27 日晚上 8 時 30 分前放入位於會所接待處對面之授權書收集箱內或提交至服務中心。

FORM 2

EXTRAORDINARY GENERAL MEETING OF THE INCORPORATED OWNERS OF ONE BEACON HILL  
INSTRUMENT OF PROXY FOR MEETINGS OF CORPORATION

The Incorporated Owners of One Beacon Hill

I/We, \_\_\_\_\_ (name(s) of owner(s)), being the owner(s) of Flat \_\_\_\_\_, Floor \_\_\_\_\_, Tower \_\_\_\_\_; Car parking space \_\_\_\_\_ (unit and address of building), hereby appoint \_\_\_\_\_ (Name of proxy) \*[or failing him \_\_\_\_\_ (name of alternative proxy)], as my/our proxy to attend and vote on my/our behalf at the extraordinary general meeting of the owners described above, to be held at 8:30 p.m. on 29 November 2012 in the Clubhouse\* [and at any adjournment thereof].

Owner's signature/Company : \_\_\_\_\_

Owner's name/Company : \_\_\_\_\_ (In Capital Letter)

Contact Number : \_\_\_\_\_

Date : \_\_\_\_\_ 2012

\*Delete where inapplicable

The duly completed proxy form must be put into the Proxy Collection Box located at the opposite side of service counter of the Club House or submitted to the Service Centre before 8:30 p.m. on 27<sup>th</sup> November 2012.

# 收集個人資料目的說明

## 收集資料的目的

1. 本文書供你／你們用以委任代表，出席畢架山一號業主立案法團業主特別大會。代表你／你們出席業主會議的人士會組成會議的法定人數，並代表你／你們投票。
2. 業主會議召集人或會跟進你／你們所提供的個人資料，並會在有需要時與你／你們聯絡，以查證你／你們所作出的委任是否有效。

## 取得委任代表的同意

3. 你／你們在本文書提供有關委任代表的個人資料前，應取得他／她的同意，並向他／她提供本說明文件，解釋收集其個人資料的目的和用途。

## 資料轉交的對象

4. 你／你們在本文書提供的個人資料，會議召集人及／或法團和其管委會可能會為上文第 2 段所述的目的而向建築物其他業主及／或其他有關人士和團體披露。

## 查閱個人資料

5. 根據《個人資料(私隱)條例》(第486章)第18條、第22條及附表1第6原則的規定，你／你們有權查閱和改正個人資料。你／你們查閱資料的權利，包括索取你／你們在本文書所提供的個人資料的副本。

## 查詢

6. 如對本文書所收集的個人資料有任何查詢，包括要求查閱和改正資料，可與會議召集人聯絡(電話：3165 1908)。

## Statement of Purposes in respect of Collection of Personal Data

### Purpose of Collection

1. This instrument is to be used by you to appoint a proxy to attend the extraordinary general meeting of the incorporated owners of One Beacon Hill. Your proxy will form the quorum and vote on your behalf at the meeting.
2. The convenor of the meeting may follow up on the personal data you provided in this instrument and, if necessary, will contact you for the purpose of verifying the validity of the appointment of your proxy.

### Consent of your Proxy

3. You should obtain the consent of your proxy in using his/her personal data provided in this instrument, and provide your proxy with this statement, informing him/her of the purpose for collecting his/her personal data.

### Classes of Transferees

4. The convenor of the meeting and/or the OC and its MC may disclose the personal data you provided in this instrument to other owners of this building, and/or other relevant persons and bodies for the purposes mentioned in paragraph 2 above.

### Access to Personal Data

5. You have the rights of access and correction to the personal data as provided for in sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance, Cap. 486. Your right of access includes the right to obtain a copy of your personal data provided in this instrument.

### Enquiries

6. Enquiries concerning the personal data collected by means of this instrument, including requests for access to and correction of data, should be directed to the convenor of the meeting (Telephone Number: 31651908).