

27 斜坡維修 MAINTENANCE OF SLOPES

1. 每名住宅擁有人均須分擔維修斜坡及護土牆工程的費用。
2. 公契第III部第13(h)(xii)條訂明「管理開支」應包括「檢查、維修及保養根據本契約，並按照《斜坡維修指南》和《斜坡維修手冊》的要求，須由擁有人負責該維修保養的斜坡及護土牆之費用」。
3. 公契第III部第38(bg)條訂明管理人擁有全權及不受限制的權力「聘請合資格人員檢查、維持及維修斜坡及護土牆，以保持其在妥善及維修充足的良好狀況，並進行任何有關斜坡及護土牆必要的工程，以遵守本契約的要求，以及按照《斜坡維修指南》、《斜坡維修手冊》和所有由有關政府部門不時發出有關保養斜坡，護土牆及相關結構的指引，及向擁有人收取管理人因進行此等有關斜坡及護土牆之保養、維修及任何其他工程而招致的所有費用。倘若管理人經過一切合理努力仍未能根據本契約之條款向所有擁有人收取所需的工程費用，則管理人不會因執行該等本契約的要求而負上個人責任，該責任仍須由擁有人負責」。
4. 公契第VIII部第78(b)條訂明「擁有人必須根據本契約，並按照《斜坡維修指南》和《斜坡維修手冊》的要求自費保養及執行有關斜坡及護土牆的所有工程。管理人(就本條款而言應包括業主委員會或業主立案法團)現獲所有擁有人授以全權聘請合資格人員檢查、維持及維修斜坡及護土牆，以保持其在妥善及維修充足的良好狀況，並進行任何有關斜坡及護土牆必要的工程，以遵守本契約的要求，以及按照《斜坡維修手冊》和所有由有關政府部門不時發出有關保養斜坡，護土牆及相關結構的指引。所有擁有人須向管理人支付其因進行此等保養工程及任何其他工程而招致的費用。倘若管理人經過一切合理努力仍未能向所有擁有人收取所需的工程費用，則管理人不會因執行任何該等本契約的要求而負上個人責任，該責任仍須由擁有人負責」。
5. 已經或將會在發展項目所位處的土地範圍內或其之外建造的斜坡及護土牆或有關構築物已在本部分結尾的圖則顯示，僅供識別。


註：除非本售樓說明書另有規定，本「斜坡維修」內所採用的詞彙與該詞彙在公契內的意思相同。

1. Each of the residential owners is obliged to contribute towards the costs of the maintenance work of the Slopes and Retaining Walls.
2. Clause 13(h)(xii) of Section III of the Deed of Mutual Covenant provides that the Management Expenses shall cover “the cost lawfully incurred or to be incurred in inspecting, repairing and maintaining the Slopes and Retaining Walls the maintenance of which is the liability of the Owners under this Deed and in accordance with the Slope Maintenance Guidelines and the Slope Maintenance Manual”.
3. Clause 38(bg) of Section III of the Deed of Mutual Covenant provides that the Manager has the full and unrestricted authority “to engage qualified personnel to inspect keep and maintain in good substantial repair and condition, and to carry out any necessary works in respect of any of the Slopes and Retaining Walls in compliance with this Deed and in accordance with the Slope Maintenance Guidelines and the Slope Maintenance Manual and all guidelines issued from time to time by the appropriate government department regarding the maintenance of slopes, retaining walls and related structures and to collect from the Owners all costs lawfully incurred or to be incurred by the Manager in carrying out such necessary maintenance, repair and any other works in respect of the Slopes and Retaining Walls Provided That the Manager shall not be made personally liable for carrying out any such requirements of this Deed which shall remain the responsibility of the Owners if, having used all reasonable endeavours, the Manager is unable to collect the costs of the required works from all Owners pursuant to the terms of this Deed”.
4. Clause 78(b) of Section VIII of the Deed of Mutual Covenant provides that “The Owners shall at their own expense maintain and carry out all works in respect of the Slopes and Retaining Walls as required by this Deed and in accordance with the Slope Maintenance Guidelines and the Slope Maintenance Manual. The Manager (which for the purpose of this Clause shall include the Owners’ Committee or Owners’ Incorporation) is hereby given full authority by the Owners to engage suitable qualified personnel to inspect keep and maintain in good substantial repair and condition, and carry out any necessary works in respect of the Slopes and Retaining Walls in compliance with this Deed and in accordance with the Slope Maintenance Manual and all guidelines issued from time to time by the appropriate Government department regarding the maintenance of slopes, retaining walls and related structure. All Owners shall pay to the Manager all costs lawfully incurred or to be incurred by it in carrying out such maintenance, repair and any other works. The Manager shall not be personally liable for carrying out any such requirements of this Deed which shall remain the responsibility of the Owners if, having used all reasonable endeavours, it has not been able to collect the costs of the required works from all Owners”.

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圖例 NOTATION

 斜坡及護土牆
Slopes and Retaining Walls

圖則僅供識別用途及並非按比例製作。
This plan is for identification purpose only and is not drawn to scale.

5. The Slopes and Retaining Walls or the related structures constructed, or to be constructed, within or outside the Lot is, for the purpose of identification only, shown on the plan at the end of this section.

Remarks: Unless otherwise defined in this sales brochure, the capitalized terms used in this "Maintenance of Slopes" shall have the same meaning of such terms in the Deed of Mutual Covenant.

28 修訂 MODIFICATION

本發展項目現時並沒有向政府提出申請修訂批地文件。

No application to the Government for a modification of the Land Grant for this development is underway.