## Contents

1 **Law, Economics and Finance Issues in Singapore’s Housing Development Board Flats** ............................. 1  
   1.1 The Birth of the Housing Development Board .................. 1  
   1.2 HDB Upgrading Programme ........................................... 2  
   1.3 Recent Singapore HDB Development ................................. 4  
   1.4 Legal Issues in HDB .................................................. 4  
      1.4.1 Quality Living Standard ....................................... 4  
      1.4.2 Restrictions on Ownership and Sales in HDB ............ 4  
   1.5 HDB Finance .......................................................... 6  
      1.5.1 Recent Development of HDB Finance ....................... 8  
   1.6 The Housing Sector and the Economy in Singapore .......... 8  
   1.7 Sustainable HDB Flats .............................................. 8  
   1.8 Case Studies .......................................................... 13  
      1.8.1 Case Study 1: Toa Payoh ..................................... 13  
      1.8.2 Case Study 2: Little India (662 Buffalo Road) .......... 14  
      1.8.3 Case Study 3: The Pinnacle@Duxton ....................... 16  
   1.9 Conclusion ............................................................ 23  
References ................................................................. 24

2 **Internalization of Environmental Externality in Dwellings: Review of Court Cases in Hong Kong in the Past**  
Two Decades ................................................................. 27  
   2.1 Introduction ............................................................ 27  
   2.2 Market Externality, Private Property Rights and Transaction Costs .................................................. 28  
   2.3 Liability of Negative Environmental Externality Producer Under Common Law ............................................. 31  
      2.3.1 Air Pollution ..................................................... 32  
      2.3.2 Noise Pollution .................................................. 32  
      2.3.3 Water Seepage/Leakage ........................................ 33
2.4 Current Legal Rules and Regulations Concerning and Regulating the Problem of Externality in Residential Units ........................................ 33
  2.4.1 Air Pollution Regulations ....................................... 33
  2.4.2 Rules and Regulations on Noise ................................... 34
  2.4.3 Rules and Regulations on Water Seepage/Leakage ....... 34
2.5 Data ........................................................................ 37
2.6 Results ....................................................................... 37
  2.6.1 Water Seepage/Leakage. ............................................ 37
  2.6.2 Noise Pollution ....................................................... 38
  2.6.3 Air Pollution ............................................................ 40
2.7 Discussion and Conclusion ............................................. 41
References ..................................................................... 41

3 The Institutional Analysis of Fittings in Residential Units ........ 45
  3.1 Introduction ............................................................... 45
  3.2 Background of Nanjing, Hong Kong and Boston .......... 46
    3.2.1 Nanjing ............................................................... 47
    3.2.2 Hong Kong ........................................................... 48
    3.2.3 Boston ................................................................. 48
  3.3 Institutions and Contractual Arrangement ....................... 48
    3.3.1 Formal Institutions .................................................. 48
    3.3.2 Informal Institutions ................................................. 49
    3.3.3 Informal and Formal Institutions .................... 52
  3.4 The Economic Systems of the Three Cities ................. 53
  3.5 The Legal System of the Three Cities ......................... 53
  3.6 Discussion ............................................................... 58
References ..................................................................... 59

4 Asymmetric Information and Residential Entrepreneurs’ Choice on Provision of House Fittings ....................... 63
  4.1 Introduction ............................................................... 63
  4.2 Information, Imperfect Information and Asymmetric Information ................................................. 64
  4.3 Risk-Averse Human Behaviour ..................................... 65
  4.4 Housing Entrepreneurs’ Decisions on Provision of Fittings ....................................................... 66
  4.5 Conclusion ............................................................... 68
References ..................................................................... 68

5 Property, Credit and Business Cycles in Hong Kong ......... 71
  5.1 Introduction ............................................................... 71
  5.2 Property, Credit and Business Cycles ......................... 72
  5.3 Data ........................................................................ 75
6 Should We Abandon the Concept of Artistic Craftsmanship in the Copyright Act in Australia? 85
6.1 Introduction 85
6.2 The Inherent Problem of a “Work of Artistic Craftsmanship” (Hereafter WAC): There is no Definition Provided by the Copyright Act 87
   6.2.1 The Swarbrick Case 87
   6.2.2 Other Case Law 88
6.3 Possibility of Removing the Category of WAC 88
   6.3.1 Can Other Categories of Artistic Work Take Over the Regime of the WAC? 88
   6.3.2 Can the Designs Act Take Over the Job? 89
6.4 Reasons for Keeping the WAC in the Copyright Act: Practical Considerations Involved 89
   6.4.1 The Deficiency of the Designs Act 89
   6.4.2 The Deficiency of the Copyright Act 90
   6.4.3 Guidance for Interpreting a WAC 91
   6.4.4 Policy Considerations 91
6.5 Conclusion 92
References 92

7 An Offer, An Invitation to Treat and Transaction Costs 95
7.1 Introduction 95
7.2 Invitation to Treat and Offer 96
7.3 Asymmetric Information, Transaction Costs and Risk Aversion 98
7.4 The Boots Case 99
   7.4.1 Judgments 100
   7.4.2 Arguments Supporting the Judgment of the Boots Case 100
7.5 Poole’s Finding 100
7.6 Display as an Invitation to Treat 101
7.7 Extension 101
7.8 Display in the Self-Service Shop as an Offer 102
7.9 Conclusion 103
References 103
8 The Effect of the Global Subprime Financial Crisis on the Macroeconomy and the Housing Market in the UK

8.1 Introduction ............................................. 105
8.2 Background of the United Kingdom ......................... 106
  8.2.1 Analysis of the Macroeconomic Environment .......... 106
  8.2.2 International Investment Position .................... 106
8.3 Subprime Financial Crisis .................................. 109
8.4 Research Methodology .................................... 109
  8.4.1 Data Sources ....................................... 110
  8.4.2 Data Range ........................................ 110
8.5 Data Analysis on UK Housing Market ...................... 110
  8.5.1 Demand in the Housing Market ....................... 110
  8.5.2 Supply of the Housing Market ....................... 114
8.6 The Reasons that the US Subprime Lending Affected the UK Real Estate Market .......................... 114
8.7 Conclusion .............................................. 115
References ................................................ 116

9 Changes from the Visible Hand to the Invisible Hand: The Land Market in Hong Kong Before and After the Asian Financial Crisis

9.1 Introduction .............................................. 119
9.2 An Overview of the Land Market in Hong Kong ............ 120
9.3 High Land Price Policy Before 1997 ........................ 120
9.4 Abandon Annual 50 ha Limit on Land Disposal ............. 122
9.5 Immediate Market Response to the Removal of the 50 ha Land Restriction .......................... 122
  9.5.1 Price of Land ....................................... 122
  9.5.2 A Change the Market Structure of Leasing Out Land ....................... 123
  9.5.3 Changing the Role of the Government in the Hong Kong Land Market .................. 124
  9.5.4 The Intervention of the Visible Hand in the Land Market .................. 124
  9.5.5 Unclear and Blurred Land Policy ....................... 124
  9.5.6 Increasing the Risk of Investment in the Land Market .................. 125
9.6 Land Application .......................................... 125
9.7 Change in the Role of Government: The Invisible Hand Replaces the Visible Hand .......................... 126
  9.7.1 The Disadvantage of Using the Visible Hand ....................... 126
  9.7.2 The Merits of Using the Market Mechanism (Invisible Hand) Instead of the Visible Hand .......................... 127
  9.7.3 Changes in Transaction Costs ......................... 127
References ................................................ 129
10 An Overview of Regulations that Protect Indirect Real Estate Investors in Hong Kong During Financial Crises

10.1 Introduction .............................................. 131
10.2 Indirect Real Estate Investment Tools ...................... 133
  10.2.1 Real Estate Stocks ............................... 133
  10.2.2 Real Estate Investment Trusts (REITs) ............ 134
  10.2.3 Real Estate Derivative ......................... 135
10.3 Laws and Regulations that Govern Real Estate Stocks,
  Derivatives and REITs ...................................... 138
  10.3.1 Common Law in Hong Kong: Jurisprudence
  and Legal Reasoning ........................................ 138
10.4 Statutes of Hong Kong Real Estate Derivatives, REITs
  and Stocks ................................................. 140
  10.4.1 Regulation of Real Estate Stocks ................ 140
  10.4.2 Regulation of Real Estate Investment
  Trusts (REITs) ........................................ 141
  10.4.3 Regulation of Hong Kong’s Derivatives ........ 142
  10.4.4 Corporate Governance ......................... 143
10.5 Conclusion ............................................. 144
References ..................................................... 145