

Tender for a Tenancy for Kai Tak Cruise Terminal
(Tender Ref.: TC 1/2025)
Response to Tender Enquiries

Contract Management

Q1 Will the Government permit novation of the Tenancy Agreement by the Successful Tenderer to a newly incorporated joint venture company with the same members and shareholding structure as the original bidding consortium after the award of the Contract?

A1 Clause 17.2 of the Terms of Tender specifies that “Unless and save ..., the Government will enter into the Agreement with the Successful Tenderer.” The Successful Tenderer(s) should be the person(s) entering into the Agreement with the Government and will become the Tenant(s) thereunder. The Government will not enter into the Agreement with any person(s) other than the Successful Tenderer(s). The Tenant may however involve others such as its contractors, agents and employees under its Tenancy, subject to relevant clauses in the Agreement.

After execution of the Agreement, whether there could be subsequent changes of the contracting parties or novation is a contract management matter and such matter will not be considered by the Government at the tender evaluation stage. For the avoidance of doubt, any proposal for change of contracting parties or novation will be subject to the Government’s approval pursuant to the Agreement which may be given or withheld at its sole discretion having regard to a host of factors as the Government may consider appropriate. It may be a favourable factor, amongst all other factors that the Government may or may not consider, that the proposed newly incorporated joint venture has the same members and shareholding structure as the Successful Tenderer. However, Tenderers should not put subsequent novation or change of contracting parties as a condition of their offer for the Government to consider. The Government does not make any warranty, representation and/or commitment as to whether or not any proposal for change of contracting parties or novation after execution of the Agreement will be considered and/or approved. Tenderers are advised to seek their own legal advice if in doubt.

Tender Submission

Q2 Can an unincorporated joint venture submit a Tender?

A2 Yes. Please refer to the Terms of Tender, in particular Paragraph 12.4, on the tender submission requirement in case the Tenderer/its Performance Guarantor is an unincorporated joint venture.

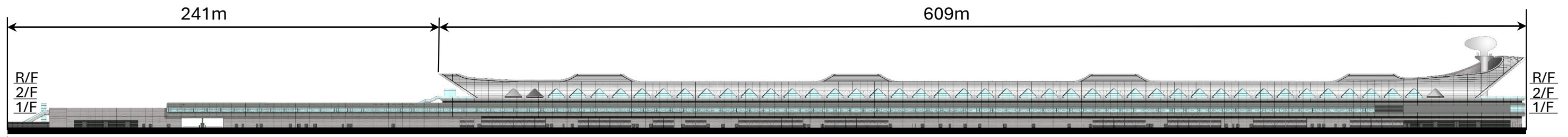
In the case where the Tenderer is an unincorporated joint venture, the Tenderer shall submit details of each Joint Tenderer (i.e., each member of the joint venture) as set out in Paragraphs 12.2 and 12.3 of the Terms of Tender. However, at the time of submitting its Tender, all companies comprising a joint venture must be incorporated, and all partnerships comprising a joint venture must have been formed and shall continue in existence during the Tender Validity Period according to Paragraph 12.1 of the Terms of Tender.

Asset Record

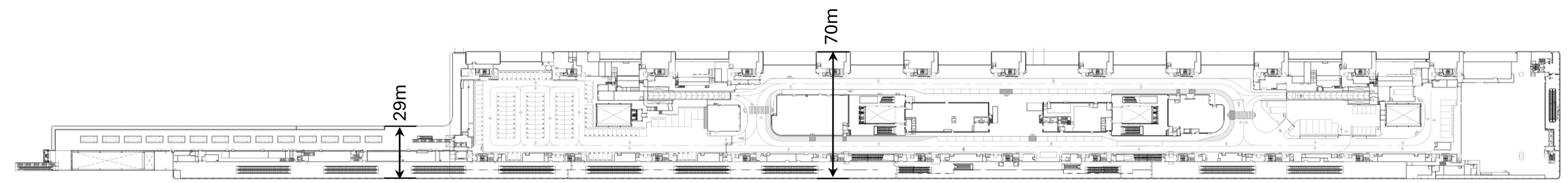
Q3 Will the Government provide the dimensions and building plans of the exterior walls of Kai Tak Cruise Terminal?

A3 Yes. Please refer to **Enclosure 1** for information on the exterior walls of Kai Tak Cruise Terminal.

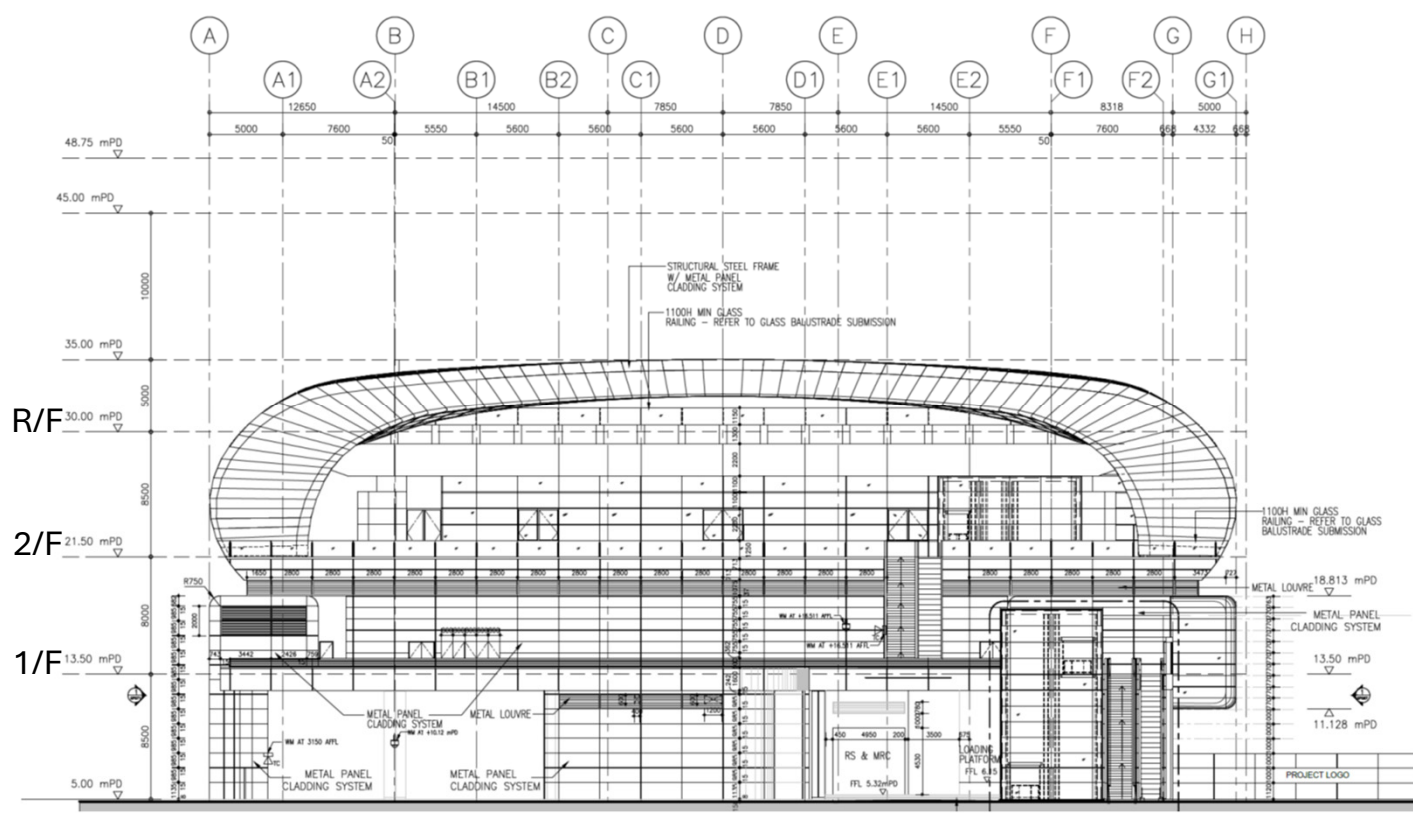
(Issued on 28 May 2026)



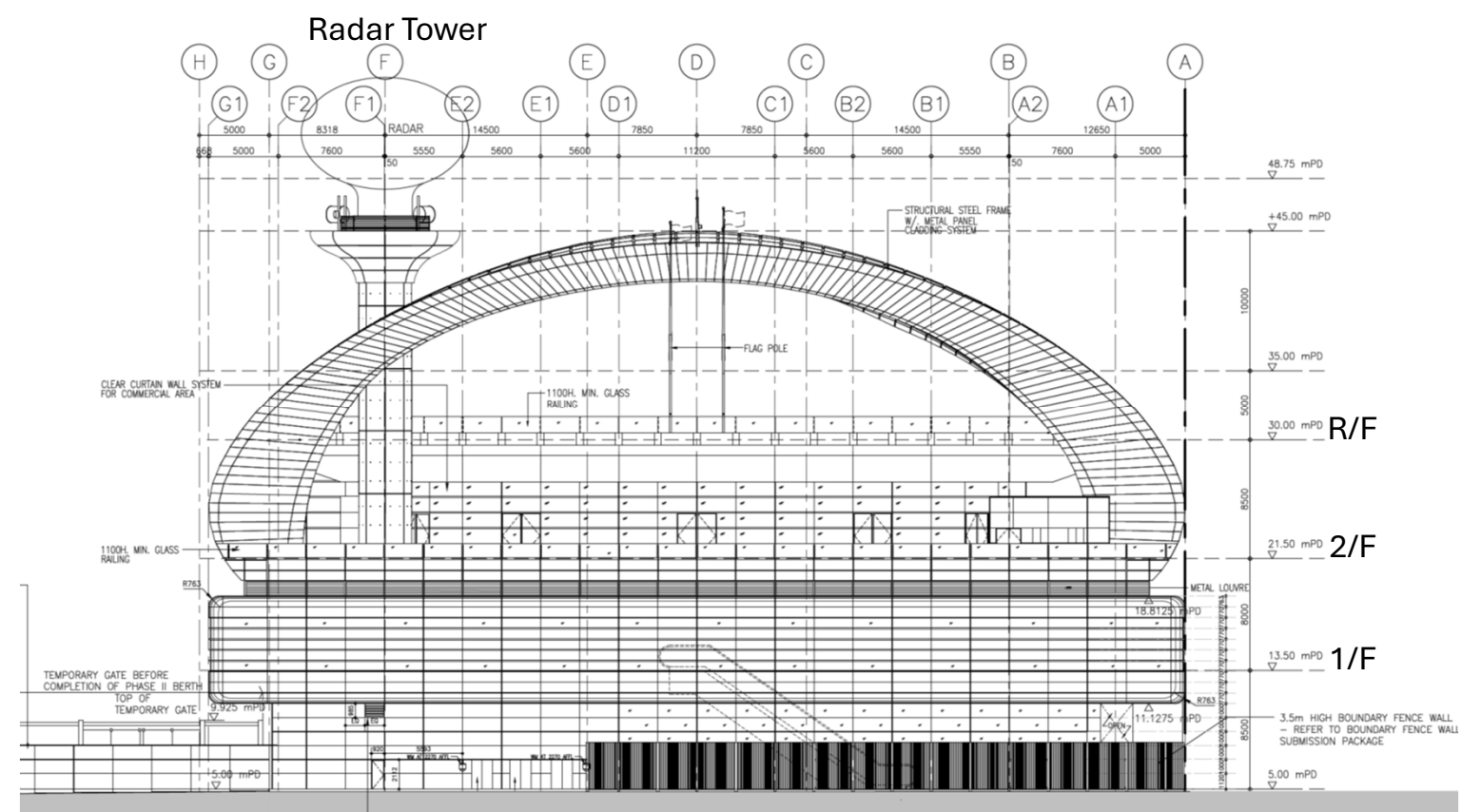
South West Elevation (Sea Side)



First Floor Plan



North West Elevation



South East Elevation

For Reference Only
 Subject to change made by Landlord

KAI TAK CRUISE TERMINAL