



業權註冊

Title Registration

近期發展

持份者的參與

一如去年所匯報，各主要持份者對應否以「即時不可推翻」原則取代《土地業權條例》下的強制更正規則，以作為新業權制度下的更正安排持有不同意見。為回應他們的關注，本處構思了新的建議方案，讓合資格的土地進行兩個階段的自動轉換，但同時為希望保留強制更正規則的現有業主提供選擇不作完全轉換的安排。在完全轉換後，土地擁有人將享有不可推翻的業權。

我們在2011年5月的《土地業權條例》督導委員會會議上向各主要持份者介紹了新的建議方案，與會的代表包括消費者委員會、地產代理監管局、香港銀行公會、香港大律師公會、香港律師會、香港按揭證券有限公司、香港地產建設商會及鄉議局。此外，我們為不同的持份者安排了個別的討論會，就新的建議方案進行意見交流。我們會繼續與各持份者保持密切聯繫，為未來路向尋求共識。

與立法會聯合小組委員會就《土地業權條例》修訂事宜舉行的會議

我們在2011年6月舉行的立法會發展事務委員會和司法及法律事務委員會研究《土地業權條例》修訂建議聯合小組委員會（「立法會聯合小組委員會」）的最後一次會議上，匯報了《土地業權（修訂）條例草案》擬備工作的進展及尚待解決的事宜。我們在會上向委員介紹了「兩階段轉換機制」的建議方案，以及簡述當局就有關實施業權註冊制度建議的未來路向進行公眾參與活動的計劃。公眾可在本處網站瀏覽呈交予立法會聯合小組委員會的資料文件，以及該委員會的審議及工作報告。

檢討《土地業權條例》及擬備《土地業權（修訂）條例草案》

年內，我們繼續進行《土地業權條例》的檢討工作，以擬備《土地業權（修訂）條例草案》。為此，我們一直與不同的政府部門進行諮詢和緊密合作，以處理及解決《土地業權條例》與關乎各政府部門轄下法例之間的事宜。

未來計劃

我們會繼續就建議的「兩階段轉換機制」與各持份者緊密溝通。當與各持份者就建議方案達成共識後，我們會安排專項介紹活動，讓公眾知悉最新的發展，並聽取他們對未來路向的意見。與此同時，我們會繼續擬備《土地業權（修訂）條例草案》及草擬附屬法例。

RECENT DEVELOPMENT

Stakeholder Engagement

As reported last year, there were divergent views among major stakeholders as to whether the mandatory rectification rule currently provided under the LTO should be replaced by the principle of immediate indefeasibility as the rectification arrangement under the new titles system. To address these concerns, the Land Registry has developed a new proposal whereby eligible land would undergo two stages of automatic conversion, with an opt-out arrangement for existing owners who wish to maintain mandatory rectification. On full conversion, owners will enjoy indefeasible title.

We introduced the new proposal to the major stakeholders at the LTO Steering Committee Meeting in May 2011 with representatives from the Consumer Council, the Estate Agents Authority, the Hong Kong Association of Banks, the Hong Kong Bar Association, the Law Society of Hong Kong, the Hong Kong Mortgage Corporation Limited, the Real Estate Developers Association of Hong Kong and the Heung Yee Kuk. Individual discussion sessions were also arranged with different stakeholders to exchange views on the proposal. We are closely liaising with stakeholders to work out an agreed way forward.

Meeting with LegCo's Joint Subcommittee on Amendments to LTO

We reported to the Joint Subcommittee on Amendments to LTO formed under the Panel on Development and the Panel on Administration of Justice and Legal Services of the Legislative Council (the LegCo Joint Subcommittee) at its last meeting held in June 2011 on the progress and the outstanding issues relating to the preparation of the LT(A)B. At the meeting, we briefed Members on the proposed Two-Stage Conversion Mechanism and the Administration's plan to launch a public engagement exercise on the proposed way forward for the implementation of the title registration system. Papers and documents submitted to the LegCo Joint Subcommittee and the report summarising the deliberations and work of the LegCo Joint Subcommittee are available on the Land Registry's website.

Review of LTO and Preparation of LT(A)B

During the year, we continued with the review of the LTO for the purpose of preparing the LT(A)B. As part of the review, we consulted various Government departments and worked closely with them to address and resolve issues arising from the inter-relationship between the LTO and ordinances under their purview.

FUTURE PLAN

We will continue to engage stakeholders on the proposed Two-Stage Conversion Mechanism. When a general consensus on the proposal is reached with the stakeholders, we will launch a targeted exercise to update members of the public of the latest development and to hear their views on the proposed way forward. In parallel, we will continue to work on the preparation of the LT(A)B and drafting of the subsidiary legislation.