

TITLE Registration

业权注册



近期发展

咨询持份者「新土地先行」方案及《土地业权条例》修订建议

年内，本处继续与持份者磋商，以就先行在新批出的土地实施业权注册的方案(即「新土地先行」方案)达成普遍共识。我们已经与香港律师会、地产代理监管局及消费者委员会就《土地业权条例》的最新发展和「新土地先行」方案交流意见。

我们亦与香港律师会举行会议，介绍在《土地业权条例》下常见的物业转易的模拟运作，让他们更了解业权注册制度下的预期运作。

此外，我们已完成对数个海外司法管辖区的业权注册法例及其采用的优良措施的研究工作。本处并召开了《土地业权条例》督导委员会和《土地业权条例》检讨委员会的会议，就「新土地先行」方案、海外司法管辖区研究报告及《土地业权条例》相关的修订建议进行讨论。

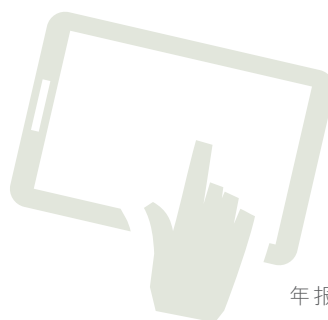
Recent Development

Stakeholder Consultation on “New Land First” Proposal and Proposed Amendments to the LTO

During the year, we have continued with our engagement with stakeholders to achieve general consensus on the proposal of implementing title registration on newly granted land first (“new land first” proposal). We have met with the Law Society of Hong Kong, the Estate Agents Authority and the Consumer Council to exchange views on the latest development of LTO and the “new land first” proposal.

A meeting was also held with the Law Society of Hong Kong for conducting a dummy run of typical transactions under the LTO to give them a better understanding of the likely operation of the TRS.

The study of title registration legislation and good practices in some overseas jurisdictions was completed. Meetings of the Land Titles Ordinance Steering Committee (LTOSC) and the Land Titles Ordinance Review Committee (LTORC) were convened for discussing the “new land first” proposal, the overseas jurisdictions study report as well as pertinent proposed amendments to the LTO.





虽然所有主要持份者对「新土地先行」方案均表示支持，但仍有尚待解决的事宜，包括弥偿安排、警告书机制等。

While all key stakeholders have indicated support for the “new land first” proposal, there are still issues to be resolved, including the indemnity arrangements, the caution mechanism, etc.

我们会继续与主要持份者紧密联系，以回应他们的关注，并就落实「新土地先行」方案的细节取得共识。

We will continue to liaise closely with the key stakeholders to address their concern and to reach agreement on the details for implementing the “new land first” proposal.

《土地业权条例》督导委员会和《土地业权条例》检讨委员会的成员名单分别载于附件II (d)及(e)。

The membership lists of the LTOSC and LTORC are at Annexes II (d) and (e) respectively.



检讨《土地业权条例》及拟备《土地业权(修订)条例草案》

业权注册制度本质上十分复杂，涉及繁复的法律问题，并且影响深远。我们正检视从《土地业权条例》中找出的法律和技术性问题，并继续拟备为引进《土地业权(修订)条例草案》的立法工作。

Review of LTO and Preparation of LT(A)B

The TRS is inherently complicated as it involves complex legal issues and carries significant implications. Legal and other technical issues in the LTO that have been identified are being reviewed. Preparation of the legislative work for the introduction of the LT(A)B is in progress.

未来计划

我们会继续与主要持份者及相关政府部门磋商，进一步优化「新土地先行」方案及敲定《土地业权条例》相关的修订建议，使香港能早日实施业权注册。与此同时，我们会继续与主要持份者紧密合作，处理就现有土地和物业转换至业权注册制度的机制下尚未解决的事宜。

Future Plan

We will continue to engage the key stakeholders and relevant Government departments to further refine the “new land first” proposal and finalise the proposed pertinent amendments to the LTO for early implementation of title registration in Hong Kong. In parallel, we will continue to work closely with the key stakeholders to resolve the outstanding issues regarding the mechanism of converting existing land and properties to the TRS.

