業權註冊 TITLE REGISTRATION

近期發展

諮詢持份者「新土地先行」方案及《土地業權條例》(第585章)修訂建議

年內，本處繼續與主要持份者緊密合作，以期落實「新土地先行」方案，從而盡早在香港推行土地業權註冊制度。在2019冠狀病毒病疫情下，我們與主要持份者以傳閱討論／資料文件及來往書信進行諮詢和討論。我們亦與香港律師會來往書信，就《土地業權條例》下核實申請的規定和彌償安排進行持續討論。我們亦向《土地業權條例》督導委員會(督導委員會)的委員傳閱一份編號為督導委員會第21號文件的資料文件，讓他們知悉截至2020年12月尚未解決的重要事宜的進展。

RECENT DEVELOPMENT

Stakeholder Consultation on "New Land First" Proposal and Proposed Amendments to the Land Titles Ordinance (Cap. 585) (LTO)

During the year, we continued to work closely with key stakeholders to pursue the "new land first" proposal in order to enable early implementation of the Title Registration System (TRS) in Hong Kong. Given the COVID-19 pandemic, the consultation and discussions with the key stakeholders were mainly conducted through circulation of discussion/information papers and by correspondence. We also had on-going discussion with the Law Society of Hong Kong on the verification requirements for applications and indemnity arrangements under the LTO by correspondence. An information paper Land Titles Ordinance Steering Committee (LTOSC) Paper No. 21 was circulated to members of the LTOSC to update them on the progress of the major outstanding issues as at December 2020.

本處就《土地業權條例》下發出業權證明書進一步諮詢督導委員會的意見。經考慮有關委員的意見和參考海外國家的經驗後，本處透過督導委員會第20號文件，通知有關委員我們不反對在《土地業權條例》下採納向業主強制發出業權證明書的建議。我們亦已將此事宜通知《土地業權條例》檢討委員會(檢討委員會)的委員。

On the issuance of title certificates under the LTO, we had further consulted the LTOSC. Having considered the views of the LTOSC members and with reference to overseas experience, we had, by LTOSC Paper No. 20, informed LTOSC members that we had no objection to adopting mandatory issuance of title certificates to property owners under the LTO. Members of the Land Titles Ordinance Review Committee (LTORC) had also been updated on this matter.

本處會繼續與主要持份者就尚未解決的重要事宜進行討論，以期達成共識並落實「新土地先行」方案。

We will continue to engage key stakeholders in discussion on the main outstanding issues with a view to forging consensus on the issues for implementation of the "new land first" proposal.

督導委員會和檢討委員會的成員名單分別載於附件II (d)及(e)。

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

檢討《土地業權條例》及擬備《土地業權(修訂)條例草案》

Review of LTO and Preparation of Land Titles (Amendment) Bill (LT(A)B)

業權註冊制度本質上十分複雜，涉及繁複的法律問題，並且影響深遠。我們正檢視從《土地業權條例》中找出的法律和技術性問題，並繼續為引進《土地業權(修訂)條例草案》進行立法工作。

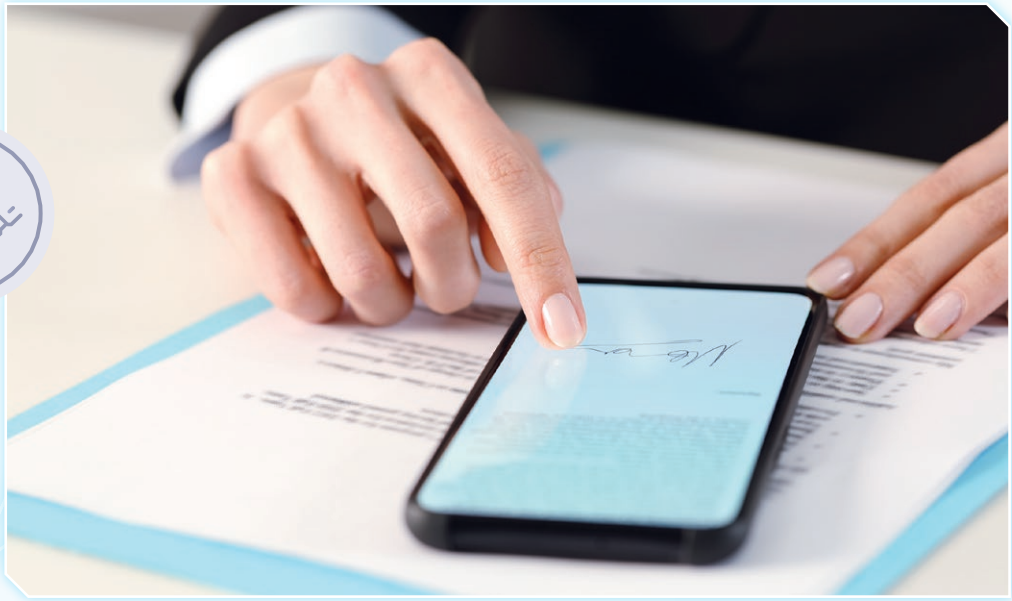
The TRS is inherently complicated as it involves complex legal issues and carries significant implications. Legal and other technical issues in the LTO that have been identified are being reviewed. Preparation of the legislative work for the introduction of the LT(A)B is in progress.

未來計劃

我們會繼續與主要持份者和相關政府部門磋商，以處理有關「新土地先行」方案的議題，以及敲定《土地業權條例》相關的修訂建議，使香港能早日實施土地業權註冊制度。我們亦會繼續與主要持份者緊密合作，處理就現有土地和物業轉換至業權註冊制度的機制下尚未解決的事宜。

此外，本處從2020年舉辦的第47屆「業權註冊處長會議」得悉，2019冠狀病毒病疫情導致不同海外司法管轄區的辦事處關閉、需實施社交距離措施和遙距工作，為各司法管轄區帶來挑戰並影響其運作。就此，督導委員會已通過我們就《土地業權條例》下新增以電子方式遞交註冊申請予本處的建議，此建議或可成為本處在將來遇到同類情況下仍能維持遞交註冊申請服務的務實方法。我們會參考海外土地註冊機構的經驗，探討各項技術和設計方案，就電子方式遞交註冊申請及業權註冊服務擬定相關的詳細系統要求和運作流程。

FUTURE PLAN

We will continue our engagement with key stakeholders and relevant Government departments to address any issues relating to the "new land first" proposal and finalise the proposed pertinent amendments to the LTO for early implementation of the TRS in Hong Kong. We will also continue to work closely with key stakeholders to resolve the outstanding issues regarding the mechanism of converting existing land and properties to the TRS.

Further, we note from the 47th Registrars of Title Conference 2020 that the COVID-19 pandemic has posed challenges and impacted operations of different overseas jurisdictions due to closure of offices, social distancing measures and remote working environment. Our proposal to introduce electronic lodgement (e-lodgement) as an additional channel for lodgement of applications for registration under the LTO as endorsed by the LTOSC may provide a practical means of maintaining our lodgement service in similar situations in the future. We will make reference to experience of overseas land registries and explore the technologies and designs for the development of the detailed system requirements and operational procedures for the e-lodgement and title registration services.