

邁向業權註冊

MOVING TOWARDS TITLE REGISTRATION



香港現行的土地註冊制度是按照《土地註冊條例》(第128章)(《土註條例》)實施的契約註冊制度。此制度可規管土地登記冊內已註冊文書的優先次序，但不提供土地業權的保證。

《土地業權條例》(第585章)(《業權條例》)於2004年制定後，涵蓋主要持份者代表的《業權條例》督導委員會(督導委員會)及《業權條例》檢討委員會(檢討委員會)相繼成立，負責督導和推展《業權條例》在實施前的檢討工作，以確保其順利實施。

至於業權註冊教育委員會(教育委員會)亦已成立，專責統籌及監督宣傳和專業教育活動的策劃與推行，為實施業權註冊制度作好準備。督導委員會、檢討委員會及教育委員會的成員名單分別載於附件II (d)、(e)及(f)。

雖然主要持份者尚未就把《土註條例》下的現有土地轉換為《業權條例》下註冊土地的機制達成共識，但我們正積極推進已獲得主要持份者支持在新批出土地先行實施業權註冊的方案(即「新土地先行」方案)。該方案亦獲得立法會發展事務委員會的普遍支持。一般而言，「新土地先行」方案涵蓋政府在《業權條例》實施日期或之後批出的土地。

此方案的實施有助政府和主要持份者累積從運作新制度取得的實際經驗，以便於稍後階段進一步商討現有土地的轉換機制並達成共識。

為此，《2025年業權及土地的註冊(雜項修訂)條例草案》(《條例草案》)已於2025年3月提交立法會。《條例草案》建議修訂《業權條例》、《土註條例》及超過70條其他相關成文法則。

The present land registration system in Hong Kong is a deeds registration system operating under the Land Registration Ordinance (Cap. 128) (LRO), which governs the priority of registered instruments in the land register but gives no guarantee of title to land.

After the enactment of the Land Titles Ordinance (Cap. 585) (LTO) in 2004, the LTO Steering Committee (LTOSC) and the LTO Review Committee (LTORC), comprising representatives of key stakeholders, were set up to steer and carry out the review of the LTO before its commencement, to ensure its smooth implementation.

The Title Registration Education Committee (TREC) was also set up to steer and oversee the planning and implementation of publicity and professional education programmes to pave way for the introduction of title registration. The membership lists of the LTOSC, LTORC and TREC are at Annexes II (d), (e) and (f) respectively.

While consensus on the mechanism for converting existing land under the LRO to registered land under the LTO has yet to be reached among key stakeholders, the Government is actively pursuing the proposal of implementing title registration on newly granted land first ("new land first" proposal) with support from key stakeholders. General support from the Legislative Council's (LegCo) Panel on Development has also been obtained. Generally speaking, the "new land first" proposal covers land granted by the Government on or after the commencement date of the LTO.

Implementation of the "new land first" proposal will facilitate the Government and key stakeholders to further deliberate and reach a consensus on the mechanism for conversion of existing land at a later stage, in the light of operational experience gained.

To this end, the Registration of Titles and Land (Miscellaneous Amendments) Bill 2025 (Amendment Bill) was introduced into the LegCo in March 2025. The Amendment Bill has proposed to amend the LTO, LRO and over 70 pieces of other related enactments.

邁向業權註冊 Moving towards Title Registration

立法會已成立法案委員會，負責審議《條例草案》條文。倘若《條例草案》於2025年年底前獲得通過，預計可於2027年上半年在新土地實施業權註冊制度。

A LegCo Bills Committee has been formed to scrutinise the provisions of the Amendment Bill. If the Amendment Bill is passed by the end of 2025, title registration on new land is expected to come into operation in the first half of 2027.



同時，我們已展開內部研究，評估現時290萬份土地登記冊中存在問題的登記冊範圍及類型。根據收集到涉及業權問題的現有土地資料，政府計劃在2026年探討可行的轉換安排，並儘快與持份者就轉換方案進行磋商，以期逐步將《業權條例》的實施範圍擴展至現有土地。

In parallel, we have kick-started internal research to assess the scope and types of problematic land registers in the existing 2.9 million land registers. Based on the data gathered on existing land with title problems, the Government plans to explore feasible conversion arrangements in 2026 and engage stakeholders on the conversion approach as soon as possible, with a view to expansion of the scope of LTO implementation to existing land progressively.

我們亦持續與主要持份者及業界人士保持溝通。督導委員會及教育委員會已於2025年1月舉行會議，向主要持份者匯報最新發展及實施計劃，並就宣傳及專業教育事宜徵詢他們的意見。

At the same time, we have continued to engage key stakeholders and industry practitioners. Meetings of LTOSC and TREC were held in January 2025 to update key stakeholders on the latest developments and the implementation plan, and to seek their input on issues relating to publicity and professional education.



邁向業權註冊 Moving towards Title Registration

此外，我們於2025年3月舉辦了兩場《條例草案》簡介會，約有200名不同持份者的代表出席。為協助業界人士熟悉新制度，我們亦於2025年4月及5月為約450名香港律師會的會員舉辦了兩場簡介會。

Two briefing sessions on the Amendment Bill were held in March 2025. Around 200 representatives from various stakeholders attended the briefings. To help industry practitioners get familiarised with the new system, two more briefings were held in April and May 2025 for around 450 participants from members of the Law Society of Hong Kong.

