

迈向业权注册

MOVING TOWARDS TITLE REGISTRATION



香港现行的土地注册制度是按照《土地注册条例》(第128章)(《土注条例》)实施的契约注册制度。此制度可规管土地登记册内已注册文书的优先次序，但不提供土地业权的保证。

《土地业权条例》(第585章)(《业权条例》)于2004年制定后，涵盖主要持份者代表的《业权条例》督导委员会(督导委员会)及《业权条例》检讨委员会(检讨委员会)相继成立，负责督导和推展《业权条例》在实施前的检讨工作，以确保其顺利实施。

至于业权注册教育委员会(教育委员会)亦已成立，专责统筹及监督宣传和专业教育活动的策划与推行，为实施业权注册制度作好准备。督导委员会、检讨委员会及教育委员会的成员名单分别载于附件II (d)、(e)及(f)。

虽然主要持份者尚未就把《土注条例》下的现有土地转换为《业权条例》下注册土地的机制达成共识，但我们正积极推进已获得主要持份者支持在新批出土地先行实施业权注册的方案(即「新土地先行」方案)。该方案亦获得立法会发展事务委员会的普遍支持。一般而言，「新土地先行」方案涵盖政府在《业权条例》实施日期或之后批出的土地。

此方案的实施有助政府和主要持份者累积从运作新制度取得的实际经验，以便于稍后阶段进一步商讨现有土地的转换机制并达成共识。

为此，《2025年业权及土地的注册(杂项修订)条例草案》(《条例草案》)已于2025年3月提交立法会。《条例草案》建议修订《业权条例》、《土注条例》及超过70条其他相关成文法则。

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.

迈向业权注册 Moving towards Title Registration

立法会已成立法案委员会，负责审议《条例草案》条文。倘若《条例草案》于2025年年底前获得通过，预计可于2027年上半年在新土地实施业权注册制度。

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.



同时，我们已展开内部研究，评估现时290万份土地登记册中存在问题的登记册范围及类型。根据收集到涉及业权问题的现有土地资料，政府计划在2026年探讨可行的转换安排，并尽快与持份者就转换方案进行磋商，以期逐步将《业权条例》的实施范围扩展至现有土地。

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.

我们亦持续与主要持份者及业界人士保持沟通。督导委员会及教育委员会已于2025年1月举行会议，向主要持份者汇报最新发展及实施计划，并就宣传及专业教育事宜征询他们的意见。

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.



迈向业权注册 Moving towards Title Registration

此外，我们于2025年3月举办了两场《条例草案》简介会，约有200名不同持份者的代表出席。为协助业界人士熟悉新制度，我们亦于2025年4月及5月为约450名香港律师会的会员举办了两场简介会。

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.

