

# A Guide to Registration of Document



**THE LAND REGISTRY**

Securing Your Property, Supporting an Open Market





## Introduction

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When you purchase a property or enter into a transaction relating to property, you will execute a deed or other document e.g. assignment or mortgage as proof. The document will normally be registered at the Land Registry.

This leaflet explains why and how land documents are registered at the Land Registry.



## Land Registration in Hong Kong

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- Hong Kong operates a deeds registration system under the Land Registration Ordinance (Cap. 128).
- A land register is maintained for each property and a unique Property Reference Number (PRN) is assigned to each land register.
- Deeds or other documents affecting a property are entered in the land register of that property.
- Registration does not give the document any validity it does not have.
- Land registers and imaged copies of registered documents and the corresponding memorials are open to public search subject to payment of the prescribed fees.
- The system makes it possible for persons who intend to deal with a property, for example, a purchaser or mortgagee, to find out and check all registered documents affecting that property before making their decisions.



## Reasons for registering your land document

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- Your interest in the property is recorded on the land register which brings notice to everyone who intends to deal with that property.
- In general, a document registered earlier in time has priority over those subsequently registered.
- Any person subsequently dealing with the property may be bound by your prior registered document.
- Unregistered documents may lose priority and be void as against any subsequent bona fide purchaser or mortgagee for valuable consideration.



## Documents that are registrable at the Land Registry

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Only documents affecting land can be registered at the Land Registry. In general, a document affects land if it:

- calls for a change of land title, e.g. Assignment, Deed of Gift;
- prevents a change of land title, e.g. Injunction Order, Writ of Summons; or
- itself creates an interest in land, e.g. Agreement for Sale and Purchase, Lease, Mortgage, Declaration of Trust, Grant of Easement.



## Procedure of registering a document

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The solicitor handling a property transaction will prepare the necessary document and arrange for its registration as follows:

- complete a specified form called the “memorial”, which can be purchased from the Land Registry or downloaded (i.e. an e-Memorial Form) from LR website ([www.landreg.gov.hk](http://www.landreg.gov.hk)) free-of-charge, with the essential particulars of the document for registration;
- verify the contents of the memorial;
- attach the memorial to the document; and
- present the document and its memorial for registration together with a lodgement list, and pay the registration fee in person at our Customer Centre or by post. The address, phone number and service hours of the Customer Centre are provided in the loose-leaf on “Information of the Land Registry’s Offices” attached to this leaflet.



The Land Registry will take the following steps upon receipt of a document for registration:

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### ***Receive Document***

- allot a unique 14-digit memorial number to each of the document lodged for registration;
- input the particulars contained in the memorial into the Integrated Registration Information System (IRIS) on the same day of receipt; and
- show an entry of the memorial in the Memorial Day Book and the Deeds Pending Registration section of the land register on the following day.

## ***Register Document***

- scrutinize the document to ensure that:
  - the document does affect land and is registrable
  - the information contained in the memorial is accurate and correct
  - the requirements under the Land Registration Regulations are met
- update the land register for public search;
- certify registration on certification label with the Land Registrar's printed signature; and
- image the registered document for public search.

## ***Return Document***

- return the registered document to the lodging party by courier.