



THE HONG KONG INSTITUTE OF SURVEYORS

1st March, 2002

BY FAX & POST
#2596 0281

Your ref.: (4)in LR/HQ/101/3/36 Pt.V

Land Registrar
The Land Registry
Queensway Government Offices
28/F., 66 Queensway
Hong Kong

Attn: Mr Kim Salkeld

Dear Mr Salkeld

Land Titles Bill

Thank you for your letter of 24 December 2001 addressed to the President of The Hong Kong Institute of Surveyors. The Institute has the following comments on the Land Titles Bill.

The revised Land Titles Bill has, to some extent, incorporated our past comments but still falls short of our expectation. In principle, we maintain that a correct description of the land parcel is as important as the correct record of the landowners. Whenever a land lot is converted from the deed registration system to the title registration, an accurate land boundary plan should be prepared as part of the conversion action to support the new system. Accordingly, we have comments on various parts of the revised land titles bill as follows, same paragraph numbering system being used for easy reference:-

Para. 10 (d), The certification of a good title must be supported by an accurate land boundary plan prepared by an Authorized Land Surveyor.

Para. 11. Hitherto, many land boundary plans for improving the definition of the boundary record, e.g. a coordinated boundary plan as the enhanced definition of a DD land lot, have been left idle without admitted for record. On conversion to the land titles registration, these plans must be recognized in their proper perspective and be included in the converted documents.

Para. 13 (a), The comment on para. 10 (d) applies.

Para. 15. Loss of land area through fraud of any other person or mistake of the Land Registry staff should also be covered by the Indemnity Fund. This should not apply to the apparent shortage of area in square feet as converted from the equivalent acreage in the past as this exercise of changing measurement units is altogether a different matter.



Para. 16 (b), This should be made an additional provision to para. 10 (d) which should have been amended as commented above.

Para. 16 (c), The land lot owner must allow the boundaries of his lot be surveyed. Lots held under Block Government Lease are particularly in need of an up-graded definition. What has been drafted in this revised bill exactly defeats our suggested objective.

Para. 16 (g), Comment on para. 15 applies.

Lastly, apart from the comments, we would take this opportunity to suggest that our corporate members in the General Practice Division be allowed to provide conveyancing services of properties when the new system comes into operation. We are confident that our fellow General Practice Surveyors with their relevant training will serve the community on general property conveyancing in a professional manner.

Should you wish to have further discussion with us, please contact our Mr. Gordon Ng on 2526 3679.

Yours faithfully

Alex Wong
Hon. Secretary

c.c. President	- Mr. Chan Hak	#2117 0431
LSD, Chairman	- Mr. Wong Chung Hang	#2310 8985
GPD, Chairman	- Mr. Alexander Lam	#2869 7372