

LEGISLATIVE COUNCIL BRIEF

**Land Registration Ordinance
(Chapter 128)**

LAND REGISTRATION (AMENDMENT) BILL 2000

INTRODUCTION

-----^A-----
At the meeting of the Executive Council on 12 December 2000 the Council ADVISED and the Chief Executive ORDERED that the Land Registration (Amendment) Bill 2000 (the Bill), at **Annex A**, should be introduced into the Legislative Council to increase the efficiency and to improve the services of the Land Registry.

BACKGROUND AND ARGUMENT

General Background

2. As part of the Land Registry's effort to increase its efficiency and to improve its services to its customers, the Land Registry proposed a Strategic Change Plan (SCP) in March 1998. The strategy recommended in the SCP requires substantial changes to the Land Registry's organization, business procedures and information technology (IT) system. Legislative amendments are necessary to provide for a Central Registration System (CRS), which is a key component of the SCP, and a new service of colour imaging of plans. After an overall review of the Land Registration Ordinance and its Regulations, we also propose some amendments to improve the procedures for land registration.

The Proposals

(A) Central Registration System

3. The Land Registry was established under the Land Registration Ordinance to provide land registration services in Hong Kong. At present, the Land Registry maintains registration offices in nine districts: Urban, Islands, Tsuen Wan, Tuen Mun, Yuen Long, North, Tai Po, Shatin and Sai Kung. Each registration office is independent and self-contained and each maintains a separate set of records for its own registration district. Each also provides services for registration and search of land records and for processing of applications for the incorporation of owners under the Building Management Ordinance (Cap. 344). Conveyancing solicitors are required to deliver documents to the respective registration offices for registration. As nearly 96% of all law firms doing conveyancing work are located in the urban area, this arrangement is inconvenient, time-consuming and unnecessarily expensive for law firms and their customers.

4. Under the proposed CRS, all documents for registration would be lodged at a central registration office in the urban area at the Queensway Government Offices. There would be one set of consolidated registration records to determine the priority of each registered instrument. To satisfy local customers' needs, the New Territories offices would be retained to provide cross-district search services and owners' incorporation services. However, registration services would no longer be available in the New Territories offices.

5. A Consultation Paper on the proposed CRS was issued to customer representatives and interested parties in 1998. The proposal was supported by the consulted parties. The Legislative Council Panel on Planning, Lands and Works was also briefed on 12 November 1998 about the proposal.

6. In May 1999, the Land Registry commissioned a firm of consultants to recommend an Information Systems Strategy to support the IT aspects of the CRS. The core strategy recommended is to develop an Integrated

Registration Information System (IRIS) to replace the existing fragmented computer systems. The new integrated computer system would be developed in two phases. The Land Registry proposes to implement the CRS after the development of Phase I of the IRIS. Phase II of IRIS would only become necessary if approval is obtained later to change the land registration system to a land titles system.

7. We **propose** the following changes to the registration process and procedures to facilitate the implementation of centralized registration -

(a) **Property Reference Number**

A unique identification number would be allocated to each land register as an identifier key to facilitate speedy retrieval of data from the land register.

(b) **Memorial**

Registration of an instrument in the Land Registry is effected by the delivery of the instrument together with the memorial to the Land Registry. The memorial, which contains the essential information on a property transaction, is a form for entering the particulars of the instrument according to the provisions of the Land Registration Ordinance. On the implementation of the CRS –

- (i) all memorial forms would be standardized and bar-coded. To maintain system integrity, the forms would be printed by the Land Registry;
- (ii) new particulars would be entered in the memorial, including –
 - Property Reference Number;
 - number of undivided shares in the land;

- district code identifiers, which would be added before memorial numbers to identify districts (this is necessary because currently each of the nine Land Registries has its own set of memorial numbers and there is duplication of such memorial numbers) ; and
- Chinese names of parties and Chinese property address (if known).

(c) **Memorial Day Book**

The particulars of the memorial are currently kept in the Memorial Day Book in hard copy form. To facilitate land searches, the Memorial Day Book would be kept in and accessed via the computer terminals in the Land Registry on the implementation of the CRS.

(B) Colour Imaging System

8. At present, the Land Registry records a coloured plan attached to an instrument in black and white image and will colour such plan manually upon the request of the searchers. To improve its services, the Land Registry is now procuring a colour imaging service in which the coloured plans attached to, or endorsed on, an instrument will be imaged in colour. In future, coloured plans will be produced directly from the colour images and manual colouring will no longer be necessary. Copies of existing plans kept in the Land Registry will also be imaged in colour.

(C) Overall Review of Land Registration Ordinance and Land Registration Regulations

9. As a result of an overall review of the Land Registration Ordinance and Land Registration Regulations, we have identified a number of amendments to improve registration and search services and to regulate the existing practices.

10. We **propose** the following amendments to the existing procedures –

(a) **Temporary withdrawal of instruments**

The Land Registry currently allows withdrawal of instruments by the lodging party for correction of errors if registration is not yet completed or if the instrument is not withheld from registration due to non-compliance with the Land Registration Ordinance. We **propose** that temporary withdrawal should be formally governed by a new regulation and the same disincentive fee for instruments withheld from registration, i.e. \$200 for each period of 28 days, should be charged.

(b) **Removal of entry of instruments withheld or temporarily withdrawn from registration**

At present, there is no provision under the Land Registration Ordinance and Regulations to remove from the land register a deed withheld from registration due to a mistake or other issue. These deeds, known as “stopped” deeds, are now entered on the “Deeds Pending Registration” portion of the computer land register. There are more than 2 000 deeds which have been “stopped” for more than one year. This causes inconvenience to the searchers because copies of these deeds are not available for search as their registration has not been completed. We **propose** that power be given to the Land Registrar to remove the entries of these “stopped” deeds and the instruments temporarily withdrawn by the lodging parties from the land register after one year from the date of delivery. We further **propose** that the lodging party and other affected persons be notified of the proposed removal of such an entry and be given a period of 28 days for them to make written submissions to the Land Registrar for a decision on the matter. After a decision is made by the Land Registrar, any aggrieved party could apply to the appropriate court against the Registrar’s decision.

(c) **Certified copy instruments**

It is a requirement under the Land Registration Ordinance and Regulations that the original instruments (not copies), should be registered. However, the Land Registry will, in practice, accept copies of documents issued and certified by Government departments and copies of certain documents certified by solicitors where the originals are not recoverable. We **propose** to amend the Land Registration Regulations to provide for registration of certain types of copy documents which are certified in a manner satisfactory to the Land Registrar. The Land Registry would issue a Circular Memorandum from time to time notifying legal practitioners and interested bodies of the types of documents where certified copies are acceptable for registration and the necessary certification manner.

(d) **Identification of signing parties in the instruments**

To provide for identification of companies and individuals signing the instruments, we **propose** that the instrument delivered for registration should contain where practicable –

- (i) in case of an individual, the identity card number or the number of valid travel document; or
- (ii) in case of a company, the incorporation number of the company.

(e) **Names in the Memorial Day Book**

To avoid the setting up of a names index by the users of the Memorial Day Book [which is in breach of the Personal Data (Privacy) Ordinance (Cap. 486)], we **propose** that the names of the parties or other relevant persons should not be entered in the Memorial Day Book. As data obtained from the Memorial Day

Book are mostly used for research purposes and the full particulars including names of the parties will continue to be recorded in the relevant land registers, we believe this proposal would not have any effect on the customers.

(f) **New Territories Register Cards**

We **propose** to send the New Territories register cards, which serve no further purpose after the computerization of the New Territories land registers in 1994, to the Public Records Office for preservation and research purposes.

Benefits

11. The proposed amendments in the Bill for the introduction of a CRS, the colour imaging system and other new procedures will bring substantial benefits to the Land Registry's customers, including -

- (a) simplified registration procedures;
- (b) reduced transaction times;
- (c) a clear customer contact point in the Urban Office;
- (d) easier tracking of the registration process;
- (e) lower operating costs for both law firms and the Land Registry; and
- (f) better customer service.

Timetable

12. We **propose** that the changes should come into effect at different times. The proposed stages are -

- (a) To implement the **CRS**, the Land Registry would develop a new and integrated computer system. Some changes in procedures and forms would be necessary. We envisage that the related changes for the CRS would come into operation when the new integrated computer system is ready by the end of 2002.
- (b) To implement the **colour imaging system**, the Land Registry is now procuring the colour imaging service. We expect that the colour imaging system will be fully operative upon the implementation of the CRS and that the related changes for the colour imaging system will come into operation by the end of 2002.
- (c) The **changes proposed** as a result of the **overall review** of the Land Registration Ordinance and Land Registration Regulations would come into operation upon the enactment of the Bill.

THE BILL

13. To give effect to the CRS and to delete references to the terms “New Territories Land Registry” and “District Land Registry” –

- (a) **clauses 2 and 3** repeal section 30 of the Land Registration Ordinance and the First and Second Schedules;
- (b) **section 53 of the Schedule** repeals sections 10 and 11 of the New Territories Ordinance (Cap. 97) in relation to the interpretation of the term “Land Registry” and registration of memorials at such places other than the New Territories Land Registries; and
- (c) **sections 1 to 52, 54 to 57, 58(a) and (c), 69,73, 75 and 78 to 105 of the Schedule** make consequential amendments to a number of Ordinances and subsidiary legislation.

14. **The Schedule** amends the Land Registration Regulations to –

- (a) require further particulars to be contained in a memorial submitted for registration (**section 60**);
- (b) clarify that the verification of a memorial under regulation 7(c) only applies where the memorial has been prepared in the Land Registry for a department of the Government (**section 61**);
- (c) simplify the requirements applicable to plans attached to instruments delivered for registration once the Land Registry has introduced a new service of colour imaging of plans (**section 62**);
- (d) require instruments delivered for registration, where practicable, to contain better or alternative particulars of the persons signing the instruments (**section 63**);
- (e) amend the procedures to be carried out when an instrument and memorial are delivered for registration, in particular to take account of unique Property Reference Numbers which will be assigned to properties to assist searches (**section 64**). [see, also, the definition of “Property Reference Number” in **section 58(c)**];
- (f) repeal regulation 15 and replace it with new regulations 15 and 15A which, inter alia –
 - (i) enables an instrument to be withheld from registration at the request of the person who delivered it for registration;
 - (ii) introduces procedures to permit the Land Registrar to remove particulars concerning any instrument which has been withheld from registration for more than 12 months (**section 67**); and
 - (iii) provide for an appeal by an aggrieved party to the appropriate court against the decision of the Land Registrar on the removal of such particulars (**section 67**); and
- (g) introduce a new regulation 18A to extend the Land Registry’s colour imaging service to coloured plans mentioned in and attached to or endorsed on instruments registered before the commencement of the new regulation (**section 70**).

^B
----- The existing provisions which are being amended are at **Annex B**.

PUBLIC CONSULTATION

^C
----- 15. In August 2000, a Consultation Paper on the Bill was issued to the Law Society, the Heung Yee Kuk and the members of the Public and Private Sectors of the Land Registry Customer Liaison Group. Their comments and the Administration's response are summarized at **Annex C**. A paper on the Bill was issued to the Legislative Council Panel on Planning, Lands and Works in October 2000 and discussed on 4 December 2000.

BASIC LAW IMPLICATIONS

16. The Department of Justice advises that the Bill does not conflict with those provisions of the Basic Law carrying no human rights implications.

HUMAN RIGHTS IMPLICATIONS

17. The Department of Justice advises that the Bill has no human rights implications.

BINDING EFFECT OF THE LEGISLATION

18. The amendments will not affect the current binding effect of the Ordinance.

FINANCIAL AND STAFFING IMPLICATIONS

19. The IRIS will be funded by the retained earnings of the Land Registry Trading Fund. The annual operation costs of the system will be

offset by savings through managing an integrated system, in particular through staff, accommodation and stationery costs. The annual staff cost saving after deletion of all the posts is estimated to be \$32.7 million (at 2000-01 price level). The number of posts involved will be 19 for the Land Registration Officers grade and 67 for the clerical and secretarial grade. This estimated staff saving is expected to be achieved over a period of four years from the implementation of CRS. Professional staff will be redeployed within the Land Registry and clerical grade staff will be redeployed within the civil service. We do not anticipate that fees will need to be increased.

ECONOMIC IMPLICATIONS

20. The proposals in the Bill will improve the efficiency of the registration of property transactions and provide better quality service to the Land Registry customers.

PRODUCTIVITY

21. The proposals will enhance the productivity of the Land Registry in its core business of -

- (a) registration of instruments – a re-engineered business process with shorter processing times, perhaps reduced to six days for straight forward cases from the present average time of 20 days;
- (b) search for land records – better and easier search facility via a Chinese facility added to the land search and a colour imaging facility which produces high quality copy of plans; and
- (c) remote land search – extended service hours to 16 hours a day; seven days a week.

22. A key objective of the IRIS is to enable the Land Registry to obtain a

significantly higher level of productivity, such that the Land Registry will be able to handle the workload and improve the service delivery with significantly less human resources, as identified in the Information System Strategy Study of the Land Registry completed in 1999. A substantial staff saving of 10% is expected over a period of four years upon the implementation of the CRS.

LEGISLATIVE TIMETABLE

23. The legislative timetable for the Bill will be –

Publication in the Gazette	22 December 2000
First Reading and commencement of the Second Reading Debate	17 January 2001
Resumption of the Second Reading, Committee Stage and Third Reading	To be notified

PUBLICITY

24. A Legislative Council brief was issued and a press release will be issued on 22 December 2000 when the Bill is published in the Gazette. A spokesman will be made available to answer enquiries.

ENQUIRIES

25. Enquiries on this brief may be directed to Mr G F Woodhead, Principal Assistant Secretary (Buildings)/Planning and Lands Bureau at tel : 2848 6288 or fax : 2899 2916.

Planning and Lands Bureau
December 2000

Land Registration Ordinance
(Chapter 128)

LAND REGISTRATION (AMENDMENT) BILL 2000

ANNEXES

- Annex A - Land Registration (Amendment) Bill 2000
- Annex B - Relevant Extracts of Existing Legislation to be amended by the Bill
- Annex C - Summary of Views of the Consultees and the Administration's Response

LAND REGISTRATION (AMENDMENT) BILL 2000

CONTENTS

Clause		Page
1.	Short title and commencement	1
2.	Saving in respect of New Territories Land Registries, etc.	1
3.	Schedules repealed	1
4.	Consequential and other amendments	1
Schedule	Consequential amendments	2

A BILL

To

Amend the Land Registration Ordinance.

Enacted by the Legislative Council.

1. Short title and commencement

(1) This Ordinance may be cited as the Land Registration (Amendment) Ordinance 2000.

(2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Planning and Lands by notice published in the Gazette.

**2. Saving in respect of New Territories
Land Registries, etc.**

Section 30 of the Land Registration Ordinance (Cap. 128) is repealed.

3. Schedules repealed

The First and Second Schedules are repealed.

4. Consequential and other amendments

The enactments specified in the Schedule are amended as set out in that Schedule.

SCHEDULE

[s. 4]

CONSEQUENTIAL AMENDMENTS

Bankruptcy Rules**1. Registration of petition in
Land Registry**

Rule 53 of the Bankruptcy Rules (Cap. 6 sub. leg.) is amended by repealing "or in any District Land Registry".

**2. Registration of petition in Land
Registry against partner**

Rule 54 is amended by repealing "or in any District Land Registry".

**3. Registration of bankruptcy order in
Land Registry**

Rule 73 is amended by repealing "or in any District Land Registry".

**4. Registration of bankruptcy order in
Land Registry against partner**

Rule 74 is amended by repealing "or in any District Land Registry".

5. Disclaimer of lease

Rule 130(3) is amended by repealing "or in any District Land Registry" where it twice appears.

Bankruptcy (Forms) Rules

6. Schedule amended

The Schedule to the Bankruptcy (Forms) Rules (Cap. 6 sub. leg.) is amended, in Forms 128 and 129, by repealing "or in the District Land Registry".

Antiquities and Monuments Ordinance

7. Interpretation

Section 2 of the Antiquities and Monuments Ordinance (Cap. 53) is amended, in the definition of "Land Registry", by repealing "and any District Land Registry established under the New Territories Ordinance (Cap. 97)".

8. Declaration of proposed monuments etc. and plans thereof

Section 2A(4)(a) is amended by repealing "appropriate".

9. Declaration of monuments and plans thereof

Section 3(4)(a) is amended by repealing "appropriate".

Antiquities and Monuments (Designation of Monuments) Declaration 1979

10. Declaration of monuments

Paragraph 2(a), (b) and (c) of the Antiquities and Monuments

(Designation of Monuments) Declaration 1979 (L.N. 34 of 1979) is amended by repealing "District Land Office Sai Kung" and substituting "Land Registry".

**Antiquities and Monuments (Designation of
Monuments) (No. 2) Declaration 1979**

11. Declaration of monuments

Paragraph 2(a) and (b) of the Antiquities and Monuments (Designation of Monuments) (No. 2) Declaration 1979 (L.N. 111 of 1979) is amended by repealing "District Land Office Islands" and substituting "Land Registry".

**Antiquities and Monuments (Designation of
Monuments) (No. 3) Declaration 1979**

12. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) (No. 3) Declaration 1979 (L.N. 201 of 1979) is amended by repealing "District Land Office Islands" and substituting "Land Registry".

**Antiquities and Monuments (Designation of
Monuments) Declaration 1980**

13. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) Declaration 1980 (L.N. 197 of 1980) is amended by

repealing "District Land Office, Sai Kung" and substituting "Land Registry".

**Antiquities and Monuments (Designation of
Monuments) Declaration 1981**

14. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) Declaration 1981 (L.N. 73 of 1981) is amended by repealing "Tsuen Wan District Land Office" and substituting "Land Registry".

**Antiquities and Monuments (Designation of
Monuments) (No. 2) Declaration 1981**

15. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) (No. 2) Declaration 1981 (L.N. 356 of 1981) is amended by repealing "District Land Office, Tai Po" and substituting "Land Registry".

**Antiquities and Monuments (Designation of
Monuments) (No. 3) Declaration 1981**

16. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) (No. 3) Declaration 1981 (L.N. 357 of 1981) is amended by repealing "Sai Kung District Land Office" and substituting

"Land Registry".

Antiquities and Monuments (Designation of Monuments) (No. 4) Declaration 1981

17. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) (No. 4) Declaration 1981 (L.N. 358 of 1981) is amended by repealing "District Land Office, Islands" and substituting "Land Registry".

Antiquities and Monuments (Designation of Monuments) Declaration 1982

18. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Designation of Monuments) Declaration 1982 (L.N. 25 of 1982) is amended by repealing "District Land Office, Islands" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) Notice 1983

19. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) Notice 1983 (L.N. 75 of 1983) is amended by repealing "District Lands Office, Sai Kung" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 2) Notice 1983

20. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 2) Notice 1983 (L.N. 76 of 1983) is amended by repealing "District Lands Office, Sai Kung" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 3) Notice 1983

21. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 3) Notice 1983 (L.N. 77 of 1983) is amended by repealing "District Lands Office, Tai Po" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 4) Notice 1983

22. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 4) Notice 1983 (L.N. 78 of 1983) is amended by repealing "District Lands Office, Yuen Long" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 5) Notice 1983

23. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 5) Notice 1983 (L.N. 138 of 1983) is amended by repealing "District Lands Office, Tai Po" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 6) Notice 1983

24. Declaration of monument

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 6) Notice 1983 (L.N. 139 of 1983) is amended by repealing "District Lands Office, Islands" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 9) Notice 1983

25. Declaration of monuments

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 9) Notice 1983 (L.N. 362 of 1983) is amended by repealing "District Lands Office, Islands" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 2) Notice 1984

26. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 2) Notice 1984 (L.N. 125 of 1984) is amended by repealing "District Land Office, Tai Po" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 5) Notice 1984

27. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 5) Notice 1984 (L.N. 385 of 1984) is amended by repealing "District Land Office, Tai Po" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) Notice 1985

28. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) Notice 1985 (L.N. 10 of 1985) is amended by repealing "District Land Office, North" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) Notice 1986

29. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) Notice 1986 (L.N. 170 of 1986) is amended by repealing "District Land Office, Tsuen Wan" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) Notice 1987

30. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) Notice 1987 (L.N. 215 of 1987) is amended by repealing "District Land Office, Yuen Long" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) Notice 1988

31. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) Notice 1988 (L.N. 61 of 1988) is amended by repealing "District Land Office, North" and substituting "Land Registry".

Antiquities and Monuments (Declaration of Monument) (No. 2) Notice 1988

32. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of

Monument) (No. 2) Notice 1988 (L.N. 307 of 1988) is amended by repealing "District Land Office, Yuen Long" and substituting "Land Registry".

**Antiquities and Monuments (Declaration of
Monument) (No. 3) Notice 1989**

33. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Monument) (No. 3) Notice 1989 (L.N. 410 of 1989) is amended by repealing "District Land Office, Sha Tin" and substituting "Land Registry".

**Antiquities and Monuments (Declaration of
Historical Building) Notice 1991**

34. Declaration of historical building

Paragraph 2 of the Antiquities and Monuments (Declaration of Historical Building) Notice 1991 (L.N. 175 of 1991) is amended by repealing "District Land Office, North" and substituting "Land Registry".

**Antiquities and Monuments (Declaration of
Historical Building) (No. 2) Notice 1992**

35. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) (No. 2) Notice 1992 (L.N. 206 of 1992) is

amended by repealing "District Land office, Yuen Long" and substituting "Land Registry".

**Antiquities and Monuments (Declaration of
Monument) Notice 1993**

36. Declaration of monument

Paragraph 1 of the Antiquities and Monuments (Declaration of Monument) Notice 1993 (L.N. 105 of 1993) is amended by repealing "District Land Office, North" and substituting "Land Registry".

**Antiquities and Monuments (Declaration of
Historical Building) Notice 1994**

37. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) Notice 1994 (L.N. 633 of 1994) is amended by repealing "North New Territories".

**Antiquities and Monuments (Declaration of
Historical Building) (No. 2) Notice 1996**

38. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) (No. 2) Notice 1996 (L.N. 265 of 1996) is amended by repealing "Yuen Long New Territories".

Antiquities and Monuments (Declaration of Monument) Notice 1997

39. Declaration of monument

Paragraph 1 of the Antiquities and Monuments (Declaration of Monument) Notice 1997 (L.N. 52 of 1997) is amended by repealing "North New Territories".

Antiquities and Monuments (Declaration of Historical Building) Notice 1997

40. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) Notice 1997 (L.N. 530 of 1997) is amended by repealing "North New Territories".

Antiquities and Monuments (Declaration of Historical Building) (No. 2) Notice 1997

41. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) (No. 2) Notice 1997 (L.N. 39 of 1998) is amended by repealing "North New Territories".

Antiquities and Monuments (Declaration of Historical Building) Notice 1998

42. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of

Historical Building) Notice 1998 (L.N. 301 of 1998) is amended by repealing "Tai Po New Territories".

**Antiquities and Monuments (Declaration of
Historical Building) Notice 1999**

43. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) Notice 1999 (L.N. 328 of 1999) is amended by repealing "Yuen Long New Territories".

**Antiquities and Monuments (Declaration of
Historical Building) (No. 2) Notice 1999**

44. Declaration of historical building

Paragraph 1 of the Antiquities and Monuments (Declaration of Historical Building) (No. 2) Notice 1999 (L.N. 329 of 1999) is amended by repealing "Tai Po New Territories".

**Antiquities and Monuments (Declaration of Monuments
and Historical Buildings) (Consolidation) Notice**

45. Declaration of monuments

Paragraph 2 of the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) Notice (Cap. 53 sub. leg.) is amended -

- (a) in subparagraphs (b), (c) and (d), by repealing "District Land Registry, Sai Kung" and substituting

"Land Registry";

- (b) in subparagraphs (e), (f) and (g), by repealing "District Land Registry, Islands" and substituting "Land Registry";
- (c) in subparagraph (i), by repealing "District Land Registry, Sai Kung" and substituting "Land Registry";
- (d) in subparagraph (j), by repealing "Tsuen Wan District" where it secondly appears;
- (e) in subparagraph (k), by repealing "District Land Registry, Tai Po" and substituting "Land Registry";
- (f) in subparagraph (l), by repealing "Sai Kung District";
- (g) in subparagraphs (m) and (n), by repealing "District Land Registry, Islands" and substituting "Land Registry";
- (h) in subparagraphs (p) and (q), by repealing "District Land Registry, Sai Kung" and substituting "Land Registry";
- (i) in subparagraph (r), by repealing "District Land Registry, Tai Po" and substituting "Land Registry";
- (j) in subparagraphs (s) and (t), by repealing "District Land Registry, Islands" and substituting "Land Registry";
- (k) in subparagraph (aa), by repealing "District Land Registry, North" and substituting "Land Registry";
- (l) in subparagraph (ab), by repealing "North New

Territories".

46. Declaration of historical buildings

Paragraph 3 is amended -

- (a) in subparagraph (a), by repealing "District Land Registry, Tai Po" and substituting "Land Registry";
- (b) in subparagraph (b), by repealing "District Land Registry, Yuen Long" and substituting "Land Registry";
- (c) in subparagraphs (e) and (g), by repealing "District Land Registry, Tai Po" and substituting "Land Registry";
- (d) in subparagraph (h), by repealing "District Land Registry, North" and substituting "Land Registry";
- (e) in subparagraph (i), by repealing "District Land Registry, Tsuen Wan" and substituting "Land Registry";
- (f) in subparagraph (j), by repealing "District Land Registry, Yuen Long" and substituting "Land Registry";
- (g) in subparagraph (k), by repealing "District Land Registry, North" and substituting "Land Registry";
- (h) in subparagraph (l), by repealing "District Land Registry, Yuen Long" and substituting "Land Registry";
- (i) in subparagraph (p), by repealing "District Land Registry, Sha Tin" and substituting "Land Registry";

- (j) in subparagraph (t), by repealing "District Land Registry, North" and substituting "Land Registry";
- (k) in subparagraph (w), by repealing "District Land Registry, Yuen Long" and substituting "Land Registry";
- (l) in subparagraph (y), by repealing "North New Territories";
- (m) in subparagraph (aj), by repealing "Yuen Long New Territories";
- (n) in subparagraphs (al) and (am), by repealing "North New Territories";
- (o) in subparagraph (an), by repealing "Tai Po New Territories";
- (p) in subparagraph (ao), by repealing "Yuen Long New Territories";
- (q) in subparagraph (ap), by repealing "Tai Po New Territories".

**Port Control (Public Cargo Working Area)
(No. 6) Order 1998**

47. Public cargo working area

Paragraph 2 of the Port Control (Public Cargo Working Area) (No. 6) Order 1998 (L.N. 59 of 1998) is amended by repealing "Tsuen Wan New Territories".

**Port Control (Public Cargo Working Area)
(No. 8) Order 1998**

48. Public cargo working area

Paragraph 2 of the Port Control (Public Cargo Working Area) (No. 8) Order 1998 (L.N. 61 of 1998) is amended by repealing "Tuen Mun New Territories".

**Port Control (Public Cargo Working Area)
(No. 2) Order 1999**

49. Public cargo working area

Paragraph 2 of the Port Control (Public Cargo Working Area) (No. 2) Order 1999 (L.N. 268 of 1999) is amended by repealing "Tsuen Wan New Territories".

**Port Control (Public Cargo Working Area)
(Consolidation) Order**

**50. Rambler Channel public cargo
working area**

Paragraph 8 of the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg.) is amended by repealing "Tsuen Wan New Territories".

51. Tuen Mun public cargo working area

Paragraph 10 is amended by repealing "Tuen Mun New Territories".

**52. Stonecutters Island public cargo
working area**

Paragraph 12 is amended by repealing "Tsuen Wan New Territories".

New Territories Ordinance

53. Sections repealed

Sections 10 and 11 of the New Territories Ordinance (Cap. 97) are repealed.

**54. Registration of manager of "t'ong",
etc.**

Section 15 is amended by repealing "appropriate New Territories Land Registry" and substituting "Land Registry".

55. Power to appoint trustees for minors

Section 18 is amended by repealing "appropriate New Territories".

New Territories (Land Registries Approval) Order

56. Repeal

The New Territories (Land Registries Approval) Order (Cap. 97 sub. leg.) is repealed.

Waterworks Ordinance

57. Mapping of gathering grounds

Section 23(5) of the Waterworks Ordinance (Cap. 102) is repealed and the following substituted -

"(5) A map of a gathering ground prepared under this section shall be deposited in the Land Registry."

Land Registration Regulations

58. Interpretation

Regulation 2 of the Land Registration Regulations (Cap. 128 sub. leg.) is amended -

- (a) by repealing the definitions of "Land Registry" and "New Territories Land Registry";
- (b) by repealing the definition of "register card" and substituting -

"register card" (註冊資料卡), in relation to a memorial, means a register card kept and maintained -

- (a) in the Land Registry by the Land Registrar for the land and premises affected by the instrument to which the memorial relates; and
- (b) for entering in accordance with

regulation 14 particulars of the memorial before a register computer was used for entering such particulars;"

(c) by adding -

"A3 size" (A3 尺寸) means a size measuring 297 mm by 420 mm;

"by post" (郵遞) includes by courier service (and whether or not the courier service is provided by the Government);

"Property Reference Number" (物業參考編號), in relation to any land and premises, means an identification number -

(a) assigned by the Land Registrar to the portion of the record of a register computer kept by him for the purposes of regulation 14 for the land and premises; and

(b) shown on the record;"

59. Delivery and form of memorial

Regulation 5(1) is amended by adding "and provided" after "specified".

60. Particulars to be contained in memorial

Regulation 6 is amended -

(a) in paragraph (1) -

(i) in subparagraph (c), by adding "(including the names in the Chinese language if known)" after "names";

(ii) in subparagraph (d), by adding "(including the address in the Chinese language if known)" after "address";

(iii) by adding -

"(ea) the undivided shares in the land (if any);

(eb) the Property Reference Number (if any) for the land and premises to which the instrument relates;"

(iv) in subparagraph (f)(v), by repealing "and";

(v) by adding -

"(fa) immediately before the number of the memorial as specified in subparagraph (f), the district code identifier for the land and premises to which the instrument relates if, and only if, the memorial

concerned were delivered into the Land Registry before the commencement of this subparagraph; and";

(b) in paragraph (2) -

(i) in subparagraph (c), by adding "(including the names in the Chinese language if known)" after "names";

(ii) in subparagraph (e), by adding "(including the address in the Chinese language if known)" after "address";

(iii) by adding -

"(ea) the undivided shares in the land (if any);

(eb) the Property Reference Number (if any) for the land and premises to which the instrument relates;"

(iv) in subparagraph (f), by repealing "and";

(v) by adding -

"(fa) immediately before the number of the memorial as specified in subparagraph (f), the district code identifier for the land and premises to which the instrument relates if, and only if, the memorial

concerned were delivered into the Land Registry before the commencement of this subparagraph; and";

(c) in paragraph (4), by adding -

""district code identifier" (地區標識代號), in relation to any land and premises, means an identification number, or letter or letters of the alphabet, or any combination thereof, assigned by the Land Registrar to a memorial delivered into the Land Registry immediately before the commencement of paragraphs (1)(fa) and (2)(fa);".

61. **Verification of memorial**

Regulation 7(c) is amended by adding "for a department of the Government" after "Registry".

62. **Plans**

Regulation 8 is amended -

- (a) in paragraph (1), by repealing "on 16 mm black and white microfilm or";
- (b) by repealing paragraphs (2), (3), (4) and (5) and substituting -

"(2) A copy of any such plan which is

larger than A3 size -

- (a) shall be attached to the memorial of the instrument to which it relates; and
- (b) may be destroyed or otherwise disposed of by the Land Registrar in such manner as he thinks fit after it has been recorded by the imaging method in accordance with paragraph (1).

(3) Any colour, other than black and white, on any such plan and copy thereof shall be -

- (a) identified by the marking specified in respect of such colour in the Second Schedule;
- (b) if the colour does not appear in the Second Schedule, identified by its name in full on the plan and the copy.

(4) Unless the Land Registrar otherwise permits, any such plan shall be of A4 size."

63. Size and form of instruments

Regulation 9 is amended -

- (a) in paragraph (1) -

(i) by adding "(or, where the Land Registrar so permits in writing, a copy thereof certified, in a manner satisfactory to the Land Registrar, to be such a copy)" after "An instrument";

(ii) by repealing subparagraph (b) and substituting -

"(b) contain, where practicable -

(i) in the case of an individual signing the instrument -

(A) who is the holder of an identity card, the identity card number;

(B) if sub-sub-subparagraph (A) does not apply, particulars of a travel document of which he is the holder;

(ii) in the case of a company executing the instrument, the number by which it is

registered under the Companies Ordinance (Cap. 32) or, if that Ordinance does not apply, particulars of its incorporation or establishment sufficient to identify the company;"

(b) in paragraph (3), by adding -

"travel document" (旅行證件) means a travel document within the meaning of the Immigration Ordinance (Cap. 115)."

64. Procedure upon receipt of instrument and memorial

Regulation 10(d) is amended -

(a) in subparagraph (i), by adding "if he is satisfied that the land or premises to which the Property Reference Number (if any) specified in the memorial relates is the same land or premises to which the memorial relates, or that the address specified in the memorial of the land or premises corresponds with the address of the land or premises specified on the portion of the record of a register computer kept by him for the purposes of regulation 14 for

the land or premises," before "enter -";

- (b) in subparagraph (ii), by adding "in any other case," before "enter".

65. Memorial Day Book

Regulation 12(1) is amended -

- (a) by adding "or computer" after "book";
- (b) by repealing subparagraph (g) and substituting -

"(g) the Property Reference Number (if any);".

66. Procedure where memorial complies with regulations

Regulation 14 is amended -

- (a) in paragraph (1), by repealing "or on a register card";
- (b) by repealing paragraph (1A);
- (c) in paragraph (2) -
 - (i) by repealing "either sign a certificate of registration on the instrument or sign a certificate of registration printed on a gum label" and substituting "sign a certificate of registration on the instrument or have his printed signature on a certificate of registration";
 - (ii) by repealing ", subject to paragraph (2A),";
- (d) by repealing paragraph (2A);

(e) by adding -

"(2B) The Land Registrar shall cause a plan mentioned in and attached to or endorsed on the instrument to be imaged in colour upon completion of registration.";

(f) by repealing paragraph (3)(a).

67. **Regulation substituted**

Regulation 15 is repealed and the following substituted -

"15. Procedure where instrument is withheld from registration

(1) Where, in respect of any memorial, plan or instrument delivered for registration, either -

- (a) the Land Registrar is not satisfied as to any of the matters specified in section 23 of the Ordinance; or
- (b) the person who so delivered the instrument requests the Land Registrar to do so,

the Land Registrar shall, subject to paragraph (6), withhold the instrument from registration.

(2) Where under paragraph (1) an instrument is withheld from registration, the Land Registrar shall -

- (a) enter on a docket the reasons why such instrument has been withheld; and
- (b) either -
 - (i) send by post the instrument together with the memorial and plans (if any)

relating thereto and a notice that the instrument has been withheld from registration to the person by whom it was delivered; or

- (ii) at the request of the person who delivered the instrument, permit the person to collect the instrument in accordance with paragraph (3).

(3) Any person who collects an instrument withheld from registration shall

-

- (a) at the same time collect the memorial and plans (if any) relating thereto;
- (b) acknowledge receipt of such instrument, memorial and plans (if any) by signing and dating in a book of record kept by the Land Registrar for the purposes of this regulation; and
- (c) collect and retain the docket.

(4) If an instrument collected by or sent by post to the person by whom it was delivered under paragraph (2) or (3) is redelivered for registration, such instrument, together with the memorial and plans (if any) relating thereto shall be scrutinized by the Land Registrar, and the Land Registrar shall -

- (a) if he is satisfied in respect of such instrument, memorial and plans (if any) as to the matters specified in section 23 of the

Ordinance, proceed to register the instrument in accordance with regulation 14; or

- (b) if he is not so satisfied and subject to paragraph (6), withhold the instrument from registration.

(5) Paragraphs (2), (3) and (4) shall apply in respect of any instrument withheld under paragraph (4)(b).

(6) Where under paragraph (1), or under paragraphs (1) and (4)(b), as in force at any time (including at any time before the commencement of this paragraph), an instrument is withheld from registration for not less than 12 months commencing on the date it is delivered for registration -

- (a) the Land Registrar may, as he thinks fit but subject to paragraph (7), on or after the expiration of the period of 60 days mentioned in regulation 15A(1) remove any particulars -
 - (i) entered in the portion of a register computer kept by him for the purposes of regulation 10(d)(i) for the land and premises affected by the instrument; and
 - (ii) which were so entered in consequence of such delivery of the instrument;
- (b) the Land Registrar shall, as soon as is practicable after exercising his power under subparagraph (a), give notice of the exercise of the power -

- (i) by placing a prescribed notice on a notice board -
 - (A) maintained for the purposes of this paragraph;
 - (B) in a conspicuous place in the Land Registry;
and
 - (C) for not less than 28 days; and
- (ii) if practicable, by sending a prescribed notice by post to the persons concerned mentioned in paragraph (7)(a).

(7) Where the Land Registrar proposes to exercise his power under paragraph (6)(a), he shall -

- (a) give the person who delivered the instrument concerned, and any other person who, in the opinion of the Land Registrar, may be affected by the exercise of that power, an opportunity of making written submissions;
- (b) not exercise that power -
 - (i) subject to sub-subparagraph (ii), after he has been served with a writ, originating summons, originating motion or petition which relates to the registration of the instrument that would be affected by the exercise of that power;
 - (ii) until the conclusion of the

proceedings on the writ, summons, motion or petition, as the case may be.

(8) For the purposes of paragraph (7)(a), a person shall be deemed to have been given an opportunity of making written submissions if -

- (a) he intimates, personally or by a solicitor or other agent, that he does not wish to make any such submissions; or
- (b) both -
 - (i) subject to paragraph (9), a notice in writing has been issued to him by post specifying the proposed exercise of the power under paragraph (6)(a) and a date, being a date not less than 28 days after the date of service of the notice, on or before which he may make any such submissions; and
 - (ii) a notice in writing specifying the name of the person, the proposed exercise of the power under paragraph (6)(a) and a date, being a date after the expiration of the period mentioned in sub-sub-subparagraph (C), on or before which he may make any such submissions has

been placed on a notice board -

- (A) maintained for the purposes of this paragraph;
- (B) in a conspicuous place in the Land Registry;
and
- (C) for not less than 28 days.

(9) Paragraph (8)(b)(i) does not need to be complied with in the case of a person in respect of whom the Land Registrar is satisfied that it is not practicable to comply with that paragraph and, in the case of that person, compliance with paragraph (8)(b)(ii) shall be deemed to be sufficient for the purposes mentioned in paragraph (8).

(10) After the expiry of the period for making any written submissions under this regulation, the Land Registrar shall, as soon as is practicable -

- (a) consider the submissions and make a decision on whether or not to implement the proposed exercise of his power under paragraph (6)(a); and
- (b) issue a notice in writing to the persons mentioned in paragraph (7)(a) specifying his decision.

(11) In this regulation, "prescribed notice" (訂明通知), in relation to an instrument delivered for registration, means a notice specifying -

- (a) the memorial number;

- (b) the date of the instrument;
- (c) the date of delivery;
- (d) the names of the parties or other persons concerned mentioned in paragraph (7)(a);
- (e) the name of the lodging party; and
- (f) the address of the land and premises to which the instrument relates.

(12) For the avoidance of doubt, it is hereby declared that -

- (a) the Land Registrar may under paragraph (1) withhold an instrument from registration on the ground mentioned in subparagraph (a) of that paragraph notwithstanding that a request mentioned in subparagraph (b) of that paragraph has been made in relation to the instrument, and the other provisions of this regulation shall be construed accordingly;
- (b) where the Land Registrar exercises his power under paragraph (6)(a) to remove particulars from a register computer, then, for all purposes, the register computer shall be regarded as never having had those particulars entered in it.

15A. Application to Court by person aggrieved by decision mentioned in regulation 15(10)

- (1) A person aggrieved by a decision mentioned in

regulation 15(10) may have the decision reviewed by making an application by originating summons or petition to the Court not later than 60 days after the notice of the decision has been issued under that regulation or within such further period as to the Court appears just in any particular case.

(2) An applicant mentioned in paragraph (1) shall -

- (a) serve the originating summons or petition concerned on the Land Registrar; and
- (b) register that summons or petition, as the case may be, under the Ordinance.

(3) The Court may make such order on an application under paragraph (1) as the circumstances may require together with, as to the Court appears just, any costs and expenses properly incurred in relation to the application.

(4) The Land Registrar shall give effect to an order referred to in paragraph (3) in so far as it relates to him and, for that purpose, shall have such powers (whether or not conferred on him under the Ordinance or these regulations) as are necessary to give effect to the order.

(5) An application under paragraph (1) shall not affect a disposition of any estate or interest in land -

- (a) made in good faith and for valuable consideration; and
- (b) registered under the Ordinance at any time before the originating summons or petition concerned is registered under the Ordinance.

- (6) In this regulation, "Court" (法庭) means -
- (a) if the rateable value determined in accordance with the provisions of the Rating Ordinance (Cap. 116), or the annual value, whichever is the less, of the land and premises to which the decision mentioned in regulation 15(10) relates does not exceed \$240,000, a judge sitting in the District Court;
 - (b) in any other case, a judge sitting in the Court of First Instance."

68. Notice of instruments available for collection

Regulation 17 is repealed.

69. Recording of old memorials and register cards, etc.

Regulation 18 is amended by adding -

"(5) In this regulation, "New Territories Land Registry" (新界區土地註冊處) has the meaning assigned to it by regulation 2 as in force immediately before the commencement of section 58(a) of the Schedule to the Land Registration (Amendment) Ordinance 2000 (of 2000)."

70. Regulation added

The following is added -

"18A. Colour imaging of old copy plan attached to or endorsed on an instrument

(1) The Land Registrar shall record by the colour imaging method the copy of every coloured plan mentioned in and attached to or endorsed on an instrument registered in the Land Registry before the commencement of this regulation.

(2) The image record of the copy of a coloured plan referred to in paragraph (1) shall be deposited and kept by the Land Registrar in a secure place in the Land Registry for future reference when required.

(3) Where a record has been made under paragraph (1) of the copy of a coloured plan referred to in that paragraph, the Land Registrar may destroy or otherwise dispose of the copy in such manner as he thinks fit."

71. Correction of memorials

Regulation 20(1)(b) is amended by repealing "in red ink".

72. Supply of copies and inspection of Land Registry records

Regulation 21(1) is amended -

- (a) by repealing subparagraph (a)(i)(A);
- (b) in subparagraph (d)(i), by repealing "and" and substituting "or";
- (c) in subparagraph (e), by repealing "kept under regulation 14";
- (d) in subparagraph (f) -

- (i) by repealing sub-subparagraph (ii);
- (ii) in sub-subparagraph (iii), by adding "or" at the end;
- (iii) in sub-subparagraph (iiia), by repealing "or";
- (iv) by repealing sub-subparagraph (iv);
- (e) in subparagraph (i)(ii), by repealing "a diazo copy or".

73. New Territories Land Registries

The First Schedule is repealed.

74. "處長" substituted for "土地註冊處處長"

Regulations 4(1), (2) and (4), 5(1), (2), (4) and (5)(a) and (b), 6(4), 7, 9(1)(a), (c) and (d), 10, 11, 12, 13, 14, 18, 19, 20, 21, 22(1) and (3) and 23 are amended by repealing "土地註冊處處長" wherever it appears and substituting "處長".

Land Registration Fees Regulations

75. Interpretation

Regulation 1A of the Land Registration Fees Regulations (Cap. 128 sub. leg.) is amended by repealing the definitions of "Land Registry" and "New Territories Land Registry".

76. Duty to grant exemption

Regulation 4(1) is amended -

- (a) in subparagraph (a), by adding "or" at the end;
- (b) in subparagraph (b), by repealing "; or" and substituting a comma;
- (c) by repealing subparagraph (c).

77. Schedule amended

The Schedule is amended -

- (a) in item 7, by repealing everything after paragraph (a) and substituting -
 - "(b) (where the instrument is returned by post under regulation 15 of those regulations) the date impressed on or indicated by the relevant postage stamp or the date of delivery to the provider of the courier service concerned
.....\$200";
- (b) in item 8(a), by repealing ", Government lease, plan or New Territories Land Registry register" and substituting "or Government lease";
- (c) by repealing items 12 and 15;
- (d) by repealing item 16 and substituting -
 - "16. Supplying a coloured
plan.....\$150".

Public Health and Municipal Services Ordinance

78. Provision for stadia

Section 105A(4) of the Public Health and Municipal Services Ordinance (Cap. 132) is amended by repealing "appropriate".

79. Provision for civil centres

Section 105M(4) is amended by repealing "appropriate".

80. Provision of public pleasure grounds

Section 106(5) is amended by repealing "appropriate".

81. Plans and demarcations of cemeteries

Section 114(3) is amended by repealing "appropriate".

New Territories (Renewable Government Leases) Ordinance

82. Interpretation

Section 2 of the New Territories (Renewable Government Leases) Ordinance (Cap. 152) is amended, in the definition of "section", by repealing "a District" and substituting "the".

83. New Government leases deemed to be granted on 1st July 1973

Section 4(4)(a) is amended by repealing "a District" and substituting "the".

Legal Practitioners Ordinance

84. Unqualified persons not to prepare instruments, etc.

Section 47(1)(b) of the Legal Practitioners Ordinance (Cap. 159) is amended by repealing "or at any District Land Registry".

Solicitors (General) Costs Rules

85. Second Schedule amended

The Second Schedule to the Solicitors (General) Costs Rules (Cap. 159 sub. leg.) is amended, in paragraph 2, by repealing "appropriate".

Solicitors' Practice Rules

86. Representation in conveyancing transactions

Rule 5C(3)(a) of the Solicitors' Practice Rules (Cap. 159 sub. leg.) is amended by repealing "or a District Land Registry".

Country Parks Ordinance

87. Power of Chief Executive in Council upon submission of draft map

Section 13(4) of the Country Parks Ordinance (Cap. 208) is repealed and the following substituted -

"(4) Every map approved by the Chief Executive in

Council shall be signed by the Authority and shall be deposited in the Land Registry."

88. Replacement or amendment of approved maps

Section 15(4) is amended by repealing "District Land Registries" and substituting "Land Registry".

Hong Kong Industrial Estates Corporation Ordinance

89. Plans of industrial estates

Section 6(5) of the Hong Kong Industrial Estates Corporation Ordinance (Cap. 209) is repealed and the following substituted -

"(5) A plan prepared under subsection (1) shall be deposited in the Land Registry."

Housing Ordinance

90. Interpretation

Section 2 of the Housing Ordinance (Cap. 283) is amended, in the definition of "Land Registry", by repealing "and a District Land Registry established under the New Territories Ordinance (Cap. 97)".

Hong Kong Airport (Control of Obstructions) (Exemption) Order

91. Exemption from height Restriction

The Schedule to the Hong Kong Airport (Control of Obstructions) (Exemption) Order (Cap. 301 sub. leg.) is amended -

- (a) in item 1, by repealing "Sai Kung New Territories";
- (b) in item 2, by repealing "Tsuen Wan New Territories".

Demolished Buildings (Re-development of Sites) Ordinance

92. Interpretation

Section 2(1) of the Demolished Buildings (Re-development of sites) Ordinance (Cap. 337) is amended, in the definition of "Land Registry", by repealing ", and any New Territories Land Registry approved under the New Territories Ordinance (Cap. 97)".

Building Management Ordinance

93. Interpretation

Section 2 of the Building Management Ordinance (Cap. 344) is amended by repealing the definitions of "Land Registrar" and "Land Registry" and substituting -

""Land Registrar" (土地註冊處處長) includes, in relation to buildings on land in the New Territories, the Authority, save that only the Land Registrar may specify forms;

"Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap. 128);".

Kowloon-Canton Railway Corporation Ordinance

94. Second Schedule amended

The Second Schedule to the Kowloon-Canton Railway Corporation Ordinance (Cap. 372) is amended -

- (a) in paragraph 2, in the proviso, by repealing "District Land Registry, Sha Tin" and substituting "Land Registry";
- (b) in paragraph 23 -
 - (i) by repealing "District Land Registry, Sha Tin," and substituting "Land Registry";
 - (ii) by repealing "said District".

Sewage Tunnels (Statutory Easements) Ordinance

95. Interpretation

Section 2 of the Sewage Tunnels (Statutory Easements) Ordinance (Cap. 438) is amended, in the definition of "Land Registry", by repealing "and any District Land Registry established under the New Territories Ordinance (Cap. 97)".

Land Drainage Ordinance

96. Interpretation

Section 2 of the Land Drainage Ordinance (Cap. 446) is amended, in the definition of "Land Registry", by repealing "and any District Land Registry established under the New Territories Ordinance (Cap. 97)".

Land Survey Ordinance

97. Interpretation

Section 2 of the Land Survey Ordinance (Cap. 473) is amended, in the definition of "Land Registry", by repealing "or any District Land Registry established under the New Territories Ordinance (Cap. 97)".

Marine Parks Ordinance

98. Publication of notice and inspection of draft map

Section 8(3) of the Marine Parks Ordinance (Cap. 476) is amended by repealing "the relevant District Land Registry,".

99. Power of Chief Executive in Council upon submission of draft map

Section 14(5) is amended by repealing "the relevant District Land Registry,".

Marine Parks and Marine Reserves Regulation

100. Interpretation

Section 2 of the Marine Parks and Marine Reserves Regulation (Cap. 476 sub. leg.) is amended by repealing the definition of "Land Registry".

Marine Parks (Designation) Order

101. Schedule amended

The Schedule to the Marine Parks (Designation) Order (Cap. 476 sub. leg.) is amended, in items 1, 2 and 3, by repealing every thing after "in the Land Registry," to and including ", the headquarters" and substituting "the headquarters".

Marine Reserve (Designation) Order

102. Schedule amended

The Schedule to the Marine Reserve (Designation) Order (Cap. 476 sub. leg.) is amended by repealing every thing after "in the Land Registry," to and including ", the headquarters" and substituting "the headquarters".

**New Territories Land Exchange Entitlements
(Redemption) Ordinance**

103. Interpretation

Section 2 of the New Territories Land Exchange Entitlements (Redemption) Ordinance (Cap. 495) is amended -

- (a) by repealing the definition of "appropriate New Territories Land Registry";
- (b) in the definition of "lot", by repealing "appropriate New Territories".

**Mass Transit Railway (Transport Interchange)
(Deposit of Plans) Notice**

104. Deposit of plans

Section 1(1) of the Mass Transit Railway (Transport Interchange) (Deposit of Plans) Notice (Cap. 556 sub. leg.) is amended by repealing "Tsuen Wan New Territories".

**Hong Kong Council of the Church of Christ
in China Incorporation Ordinance**

105. Vesting of property

Section 6(1) of the Hong Kong Council of the Church of Christ in China Incorporation Ordinance (Cap. 1095) is amended by repealing "appropriate".

Explanatory Memorandum

The principal object of this Bill is to amend the Land Registration Ordinance (Cap. 128) and its subsidiary legislation to -

- (a) give effect to the Central Registration System proposed in the Land Registry's Strategic Change Plan issued in 1998. Under the Central Registration System, all registration of property transactions will be carried out in the Land Registry's Central office;
 - (b) introduce a new service of colour imaging of plans; and
 - (c) improve the performance of the registration and search functions of the Land Registry, and regulate certain existing practices of the Land Registry, consequent upon an overall review of the Ordinance and its subsidiary legislation.
2. To give effect to the Central Registration System -
- (a) Clauses 2 and 3 repeal section 30 and the First and Second Schedules;
 - (b) section 53 of the Schedule repeals sections 10 and 11 of the New Territories Ordinance (Cap. 97); and
 - (c) sections 1 to 52, 54 to 57, 58(a) and (c), 69, 73, 75 and 78 to 105 of the Schedule make consequential amendments to a number of Ordinances and subsidiary legislation.
3. The Schedule amends the Land Registration Regulations (Cap.

128 sub. leg.) to -

- (a) require further particulars to be contained in a memorial submitted for registration (section 60 of the Schedule);
- (b) clarify that the verification of a memorial under regulation 7(c) only applies where the memorial has been prepared in the Land Registry for a department of the Government (section 61 of the Schedule);
- (c) simplify the requirements applicable to plans attached to instruments delivered for registration when the Land Registry introduces a new service of colour imaging of plans (section 62 of the Schedule);
- (d) require instruments delivered for registration to, where practicable, contain better or alternative particulars of the persons signing the instruments (section 63 of the Schedule);
- (e) amend the procedures to be carried out when an instrument and memorial are delivered for registration, in particular to take account of unique Property Reference Numbers which will be assigned to properties to assist searches (section 64 of the Schedule). See, also, the definition of "Property Reference Number" in section 58(c) of the Schedule;
- (f) repeal regulation 15 and replace it with new regulations 15 and 15A (section 67 of the Schedule).

New regulation 15 enables an instrument to be withheld from registration at the request of the person who delivered it for registration, and introduces procedures to permit the Land Registrar to remove particulars concerning any instrument which has been withheld from registration for more than 12 months. New regulation 15A provides that a person aggrieved by a decision of the Land Registrar to remove such particulars may have the decision reviewed by making an application to the Court by way of originating summons or petition; and

- (g) introduce a new regulation 18A to extend the Land Registry's colour imaging service to coloured plans mentioned in and attached to or endorsed on instruments registered before the commencement of the new regulation (section 70 of the Schedule).

Chapter:	128	Title:	LAND REGISTRATION ORDINANCE	Gazette Number:	61 of 1999
Section:	30	Heading:	Saving in respect of New Territories Land Offices, etc.	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 61 of 1999 s. 3

(1) Notwithstanding anything contained in this Ordinance, sections 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 25 and the Schedule in force immediately before the date of commencement* of the Land Registration (Amendment) Ordinance 1980 (56 of 1980) and which are set out for convenience in the First Schedule shall continue to apply to the registration of deeds, conveyances, judgments and other instruments affecting real or immovable property in- (Amended 56 of 1992 s. 15)

(a) any office specified in the Second Schedule; and

(b) any place approved under section 11 of the New Territories Ordinance (Cap 97),

and a reference in any enactment to a section of this Ordinance referred to in this subsection shall be construed accordingly.

(1A) As from the commencement of section 14 of the Land Registration (Amendment) Ordinance 1992 (56 of 1992), the provisions referred to in subsection (1) cease to apply, in any circumstances, to the registration of wills and the First Schedule has been amended accordingly. (Added 56 of 1992 s. 14)

(1B) The First Schedule has been amended by the Adaptation of Laws (Courts and Tribunals) Ordinance (25 of 1998) and the Adaptation of Laws (No. 24) Ordinance 1999 (61 of 1999) to bring them into conformity with the Basic Law and with the status of Hong Kong as a Special Administrative Region of the People's Republic of China. (Added 61 of 1999 s. 3)

(2) The Land Registrar may, by order published in the Gazette, amend the Second Schedule. (Amended 56 of 1992 s. 14; 8 of 1993 s. 3)

(Added 56 of 1980 s. 10)

* Date of commencement-8 June 1981.

Chapter:	128	Title:	LAND REGISTRATION ORDINANCE	Gazette Number:	25 of 1998; 61 of 1999
Schedule:	1	Heading:	PROVISIONS OF THE ORDINANCE IN FORCE IMMEDIATELY BEFORE THE DATE OF COMMENCEMENT OF THE LAND REGISTRATION (AMENDMENT) ORDINANCE 1980 WHICH SHALL CONTINUE TO APPLY IN THE CIRCUMSTANCES SET OUT IN SECTION 30	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2; 61 of 1999 s. 3

[section 30]

2. Establishment of Land Registry for registration of instruments affecting land

(1) The Land Registry shall be a public office for the registration of deeds, conveyances, and other instruments in writing, and judgments; and all deeds, conveyances, and other instruments in writing, and all judgments, by which deeds, conveyances, and other instruments in writing, and judgments, any parcels of ground, tenements, or premises in Hong Kong may be affected, may be entered and registered in the said office in the manner hereinafter directed. (Amended 56 of 1992 s. 15; 8 of 1993 s. 2; 61 of 1999 s. 3)

(2) For the purpose of this Ordinance, "judgments" (判決) includes judgments and orders both of the Court of First Instance and of the District Court. (Amended 25 of 1998 s. 2)

3. Priority of registered instruments; effect of non-registration

(1) Subject to this Ordinance, all such deeds, conveyances, and other instruments in writing, and judgments, made, executed, or obtained, and registered in pursuance hereof, shall have priority one over the other according to the priority of their respective respective dates of registration.

(2) All such deeds, conveyances, and other instruments in writing, and judgments, as last aforesaid, which are not registered shall, as against any subsequent bona fide purchaser or mortgagee for valuable consideration of the same parcels of ground, tenements, or premises, be absolutely null and void to all intents and purposes:

Provided that nothing herein contained shall extend to bona fide leases at rack rent for any term not exceeding 3 years.

(Amended 56 of 1992 s. 15)

6. Delivery into Land Registry of memorial of instrument to be registered

The registration intended by this Ordinance shall be made in manner following, that is to say, a memorial containing the particulars hereinafter specified shall be delivered into the Land Registry, signed, in the case of a deed, conveyance, or other instrument in writing, by some or one of the parties to the original instrument, or, if such parties are dead or absent from Hong Kong, then by one or more of the witnesses to such instrument, and in the case of a and in the case of a judgment by a party to the action in which such judgment is delivered or by his agent or by a person claiming under or through such party.

(Amended 56 of 1992 s. 15; 8 of 1993 s. 2; 61 of 1999 s. 3)

7. Verification of memorial

Every such memorial shall contain a just and true account of the several particulars therein set forth and shall be verified-

(a) by the oath of some competent person taken before any commissioner for oaths; or (Amended 47 of 1997 s. 10)

(b) by the certificate of a person admitted and enrolled as a solicitor in Hong Kong; or (Amended 61 of 1999 s. 3)

(c) where the memorial has been prepared in the Land Registry, by the certificate of the Land Registrar. (Amended 8 of 1993 ss. 2 & 3)

8. Particulars to be contained in memorial

(1) The memorial of any deed, conveyance, or other instrument in writing, shall contain the date of

such deed, conveyance, or other instrument, and the particular nature and object thereof, the names and additions of all the parties to such deed, conveyance, or other instrument, and the names and additions of all the witnesses thereto and shall especially particularize and express the parcels of ground, tenements and premises affected or intended to be affected by such deed, conveyance, or other instrument, and the proper and ordinary or accustomed names of the places where the same are situate, and the pecuniary or other consideration for the same, in the form or to the effect of the form in the Schedule. (Amended 56 of 1992 Schedule)

(2) The memorial of any judgment shall contain the names and additions of the plaintiff and defendant, the sum thereby recovered or secured, if any, the time of entering up or recording the same, and the sum of money bona fide due thereon, if any.

(3) Provided always that when there are more writings than one for perfecting the same conveyance or security affecting the same parcels of ground, tenements, and premises, all such writings shall be stated in one and the same memorial, in which it shall be sufficient to particularize such parcels, tenements and premises only once.

(Amended 56 of 1992 s. 15)

9. Numbering, receipt for, and endorsement of certificate on memorial

(1) On the delivery of any such memorial as aforesaid, the Land Registrar shall number the memorial according to the order of time in which it has been so delivered, and shall give a receipt for it, in which receipt shall be specified the certain day and time of day when the memorial was so delivered, and the proper number thereof in the register of the Land Registry.

(2) The Land Registrar shall also in like manner immediately endorse on the back of the memorial a certificate containing the day and the time of day when the memorial was so delivered, and the name and place of abode of the person verifying it, and shall sign the certificate when so endorsed.

(3) Such certificate shall be taken and allowed as evidence of the registration, and of the time of registration, of the deed, conveyance, or other instrument, or of the judgment, of which the memorial has been so made. (Amended 56 of 1992 s. 15)

(Amended 8 of 1993 ss. 2 & 3)

10. Registration and custody of memorial

Every such memorial shall, as soon after the receipt thereof as practicable, be carefully registered by the Land Registrar, in regular succession as received, according to its proper number, in a particular book to be kept by him for that purpose, and shall afterwards be deposited by him in some secure place in his office, and there kept for future reference when required.

(Amended 8 of 1993 s. 3)

11. Indices of land registered and of parties to instruments

The Land Registrar shall also keep an index of the parcels of ground, tenements, and premises mentioned in every such memorial and also a like index or indices of the names of the several parties to deeds, conveyances, and other instruments in writing, and of the plaintiffs and defendants in the case of judgments, with accurate references in all such indices respectively to the number and page of registry of the memorial to which any entry in such indices relates.

(Amended 56 of 1992 s. 15; 8 of 1993 s. 3)

12. Entry of satisfaction of mortgage or judgment and registration of certificate of satisfaction

In the case of any mortgage or judgment registered, if at any time afterwards such verified certificate

as is hereinafter next mentioned is brought to the Land Registrar, signed by the mortgagor and mortgagee or plaintiff and defendant or their agents as the case may be, and attested by 2 credible witnesses, whereby it appears that the whole of the moneys due on such mortgage or judgment have been fully paid, or that such mortgage or judgment is otherwise satisfied, then the Land Registrar shall make a short entry or memorandum thereof on the memorial and on the margin of the registry of such mortgage or judgment, and shall afterwards carefully register the certificate in one of the registry books of his office, and the Land Registrar shall make an entry thereof in his indices referring accurately to the page of registry of the certificate.

(Amended 8 of 1993 s. 3)

13. Contents, verification, and custody of certificate of satisfaction of mortgage or judgment

(1) Every such certificate shall contain the following particulars, that is to say, in the case of a mortgage the names and additions of the original parties, the date of the instrument, the sum thereby secured, and the time of payment or other satisfaction thereof; and in the case of a judgment the names and additions of the plaintiff and defendant, the time of entering up or recording the same, the sum thereby recovered, if any, and the date of payment or other satisfaction of the amount bona fide due thereon, if any.

(2) Every such certificate shall contain a just and true account of the several particulars therein set forth and shall be verified-

(a) by the oath of some competent person taken before any commissioner for oaths, or (Amended 47 of 1997 s. 10)

(b) by the certificate of a person admitted and enrolled as a solicitor in Hong Kong. (Amended 61 of 1999 s. 3)

(3) On the back of such verified certificate the Land Registrar shall immediately endorse the date when the same was received by him, and the name and place of abode of the person verifying the same, and the certificate shall, after being so endorsed and entered as aforesaid, be safely kept in his office for future reference when required. (Amended 8 of 1993 s. 3)

25. Verification of correction in memorial of registry

Any correction by erasure, interlineation, or otherwise in any memorial of the registry of any document shall be noted and set forth at length in red ink in the margin of the memorial wherein it is made, together with the reasons for making the same, and shall be attested and verified by the signature of the Land Registrar.

(Amended 8 of 1993 s. 3)

SCHEDULE

[section 8]

PARTICULARS TO BE CONTAINED IN MEMORIAL

1. Date of instrument.
3. Names and additions of the parties.
4. Names and additions of the witnesses thereto.
5. Description of the land or premises conveyed in or affected by the instrument.
6. Name and description of the place where situate.
7. Consideration and to whom and how paid.
8. Any other particulars which the case may require.

(Replaced 56 of 1980 s. 11. Amended 56 of 1992 s. 15)

Chapter:	128	Title:	LAND REGISTRATION ORDINANCE	Gazette Number:	
Schedule:	2	Heading:	OFFICES SPECIFIED FOR THE PURPOSES OF SECTION 30	Version Date:	30/06/1997

[section 30]

None.

(Added 56 of 1980 s. 11. Amended 8 of 1993 s. 2; L.N. 415 of 1994)

Chapter:	6A	Title:	BANKRUPTCY RULES	Gazette Number:	L.N. 159 of 1998
Rule:	53	Heading:	Registration of petition in Land Registry or District Land Registry	Version Date:	01/04/1998

When a petition is filed, the Official Receiver may register a memorial of the petition in the Land Registry or in any District Land Registry against any property registered therein in the name of the debtor or in any alias of his or in his t'ong name, or in the name of any t'ong in which he has any share or interest, or in the name of any spouse of the debtor. This provision shall so far as the nature of the case will admit apply in the case of any person carrying on business in a name or style other than his own.

(8 of 1993 s. 30; L.N. 77 of 1998)

Chapter:	6A	Title:	BANKRUPTCY RULES	Gazette Number:	L.N. 159 of 1998
Rule:	54	Heading:	Registration of petition in Land Registry or District Land Registry against partner	Version Date:	01/04/1998

The Official Receiver may in either of the cases mentioned in rule 133 or 135 register a memorial of the petition in the Land Registry or in any District Land Registry against any property registered in the name or names of any partner or partners in the debtor firm or in any alias of his or theirs or in any t'ong name of his or theirs, or in the name of any t'ong in which he or they has or have any share or interest, or in the name of the spouse of any of them.

(8 of 1993 s. 30; L.N. 77 of 1998)

Chapter:	6A	Title:	BANKRUPTCY RULES	Gazette Number:	L.N. 159 of 1998
Rule:	73	Heading:	Registration of bankruptcy order in Land Registry or District Land Registry	Version Date:	01/04/1998

Where a bankruptcy order is made, the Official Receiver may register a memorial of such bankruptcy order in the Land Registry or in any District Land Registry against any property registered therein in the name of the debtor or in any alias of his or in his t'ong name, or in the name of any t'ong in which he has any share or interest, or in the name of the spouse of the debtor.

(8 of 1993 s. 30; L.N. 77 of 1998)

Chapter:	6A	Title:	BANKRUPTCY RULES	Gazette Number:	L.N. 159 of 1998
Rule:	74	Heading:	Registration of bankruptcy order in Land Registry, or District Land Registry, against partner	Version Date:	01/04/1998

Where a bankruptcy order is made against a firm, the Official Receiver may register a memorial thereof in the Land Registry or in any District Land Registry against any property registered in the name of any partner or partners in the debtor firm or in any alias of his or theirs or in any t'ong name of his or theirs, or in the name of any t'ong in which he or they has or have any share or interest, or in the name of the spouse of any partner.

(8 of 1993 s. 30; L.N. 77 of 1998)

Chapter:	6A	Title:	BANKRUPTCY RULES	Gazette Number:	L.N. 159 of 1998
Rule:	130	Heading:	Disclaimer of lease	Version Date:	01/04/1998

Disclaimer of lease

(1) A lease may be disclaimed without the leave of the court in any of the following cases-

- (a) where the bankrupt has not sublet the demised premises or any part thereof or created a mortgage or charge upon the lease, and-
 - (i) the rent reserved or the value of the property leased, as ascertained by the assessment, is less than \$360000 per annum; or (L.N. 77 of 1998)
 - (ii) the trustee serves the lessor with notice of his intention to disclaim, and the lessor does not within 7 days after the receipt of such notice give notice to the trustee requiring the matter to be brought before the court;
- (b) where the bankrupt has sublet the demised premises or created a mortgage or charge upon the lease, and the trustee serves the lessor and the sub-lessee or the persons entitled to the mortgage or charge with notice of his intention to disclaim, and neither the lessor nor the sub-lessee or the persons entitled to the mortgage or charge or any of them, within 14 days after the receipt of such notice, require or requires the matter to be brought before the court.

(2) Except as provided by this rule, the disclaimer of a lease without the leave of the court shall be void.

(3) Where a trustee disclaims a lease, he shall forthwith file the disclaimer with the proceedings in the court and shall also, if the lease is registered in the Land Registry or in any District Land Registry, register a memorial of such disclaimer in the Land Registry or in any District Land Registry, and the disclaimer shall contain particulars of the interest disclaimed and a statement of the persons to whom notice of the disclaimer has been given. Until the disclaimer is so filed, or, as the case may be, filed and registered, by the trustee, the disclaimer shall be inoperative. (8 of 1993 s. 30)

(4) Where, in pursuance of notice by the trustee of his intention to disclaim a lease, the lessor, sub-lessee, or person entitled to a mortgage or charge requires the trustee to apply to the court for leave

Chapter: 6B	Title: BANKRUPTCY (FORMS) RULES	Gazette Number: L.N. 161 of 1998
Schedule:	Heading: SCHEDULE	Version Date: 01/04/1998

Remarks:

Amendments retroactively made - see 23 of 1998 s. 2 & 25 of 1998 s. 2

FORM 128

[section 59; rule 130]

NOTICE OF DISCLAIMER WITHOUT LEAVE OF COURT

(Title.)

Take notice that, by writing under my hand, bearing date the _____ day of _____, 19____, I, _____, the trustee of the property of the above-named bankrupt, disclaimed (a) _____ of the premises dated _____ the known as (b) _____ which were let to (a) the lease above-named bankrupt, disclaimed (a) _____ of the premises dated _____ the known as (b) _____ which were let to case may be. (c) _____ at a rent of \$ _____ per (d) _____ (b) Insert description of property disclaimed. The above-mentioned disclaimer has been filed in court with the proceedings in (c) on a tenancy or for a term of _____ years or as the case may be. the bankruptcy [and has been registered in the Land Registry or in the District Land Registry]. (d) Add where necessary pursuant to notice dated the day of _____, 19____. Your attention is directed to the provisions of the Bankruptcy Ordinance (Chapter 6) on the back hereof.

Dated this _____ day of _____, 19____.

Trustee.

To

(Address)

NOTE.-On the back of this notice the provisions of subsections (2) and (6) of section 59 of the Bankruptcy Ordinance should appear.

(G.N.A. 124 of 1955; 8 of 1993 s. 30)

FORM 129

[section 59; rule 130]

NOTICE OF DISCLAIMER OF LEASE WITH LEAVE OF COURT

(Title.)

Take notice that pursuant to an order of court dated the _____ day of _____, 19____, I, _____, the trustee of the property of the above-named bankrupt, by writing under my hand bearing date the _____ day of _____, 19____, disclaimed all interest in the lease dated the _____ day of _____, 19____, whereby the premises _____ were demised to _____ at a rent of \$ _____ per annum, for a term of _____.

The above-mentioned disclaimer has been filed in court with the proceedings in bankruptcy [and has been registered in the Land Registry or in the District Land Registry].

Dated this _____ day of _____, 19____.

Trustee.

To

(Address)

(G.N.A. 124 of 1955; 8 of 1993 s. 30)

Chapter:	53	Title:	ANTIQUITIES AND MONUMENTS ORDINANCE	Gazette Number:	L.N. 192 of 1998; L.N. 206 of 1998
Section:	2	Heading:	Interpretation	Version Date:	09/04/1998

Remarks:

Amendments retroactively made - see 29 of 1998 s. 105

In this Ordinance, unless the context otherwise requires-

"antiquity" (古物) means-

- (a) a relic; and
- (b) a place, building, site or structure erected, formed or built by human agency before the year 1800 and the ruins or remains of any such place, building, site or structure, whether or not the same has been modified, added to or restored after the year 1799;

"Authority" (主管當局) means the Secretary for Home Affairs; (Replaced 38 of 1982 s. 2. Amended L.N. 67 of 1985; L.N. 242 of 1989; L.N. 372 of 1996; L.N. 362 of 1997; L.N. 192 of 1998; L.N. 206 of 1998)

"Board" (委員會) means the Antiquities Advisory Board established by section 17;

"Government land" (政府土地) means land other than private land; (Amended 29 of 1998 s. 105)

"designated person" (指定人士) means-

- (a) the officer in charge of a police station;
- (b) a police officer of or above the rank of inspector; and
- (c) any person specified by the Authority by notice in the Gazette;

"discovery" (發現) means the finding in Hong Kong-

- (a) in, on or under land or sea;
- (b) in or on anything growing on land; or
- (c) attached to or within the fabric or foundations of a structure in, on or under land or sea, of an antiquity or supposed antiquity the presence of which was previously unknown to the owner of such land or structure;

"Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128) and any District Land Registry established under the New Territories Ordinance (Cap 97); (Amended 8 of 1993 s. 2)

"licence" (牌照) means a licence granted under section 13;

"metal detector" (金屬探測器) means any device designed or adapted for detecting or locating any metal or mineral in the ground; (Added 38 of 1982 s. 2)

"monument" (古蹟) means a place, building, site or structure which is declared to be a monument, historical building or archaeological or palaeontological site or structure under section 3; (Replaced 38 of 1982 s. 2)

"movable object" (可移動物體) means an object which does not form part of land;

"owner" (擁有人), in relation to land, means a person entitled to possession of the land under a Government lease or agreement for lease, or other form of valid title from the Government; (Amended 29 of 1998 s. 105)

"permit" (許可證) means a permit granted under section 6;

"private land" (私人土地) means-

- (a) land held under lease, agreement for lease, tenancy agreement, licence, permit, deed or memorandum of appropriation, or other valid title from the Government; and (Amended 29 of 1998 s. 105)
- (b) land occupied by Her Majesty's forces, or for other purposes of the Crown in right of Her Majesty's Government in the United Kingdom, under lease, licence, permit, deed or memorandum of appropriation, requisition or other permanent or temporary title;

"proposed monument" (暫定古蹟) means a place, building, site or structure which is declared to be a proposed monument, proposed historical building, or proposed archaeological or palaeontological site or structure under section 2A; (Added 38 of 1982 s. 2)

"relic" (古代遺物) means-

- (a) a movable object made, shaped, painted, carved, inscribed or otherwise created, manufactured, produced or modified by human agency before the year 1800, whether or not it has been modified, added to or restored after the year 1799; and
- (b) fossil remains or impressions;

"supposed antiquity" (假定古物) means an object or site which may reasonably be supposed to be or to contain an antiquity.

Chapter:	53	Title:	ANTIQUITIES AND MONUMENTS ORDINANCE	Gazette Number:	
Section:	2A	Heading:	Declaration of proposed monuments etc. and plans thereof	Version Date:	30/06/1997

MONUMENTS

(1) For the purpose of considering whether or not any place, building, site or structure should be declared to be a monument the Authority may, after consultation with the Board, by notice in the Gazette declare it to be a proposed monument, proposed historical building, or proposed archaeological or palaeontological site or structure.

(2) A declaration under subsection (1) may include as part of a proposed monument any land adjoining the place, building, site or structure required for fencing, covering or protecting the proposed monument or for providing or facilitating access thereto.

(3) A notice under subsection (1) shall include a reference to the appropriate plan deposited under

subsection (4).

- (4) The Authority shall, upon publication of a declaration under subsection (1)-
 - (a) sign and deposit in the appropriate Land Registry a plan clearly showing the situation of the proposed monument; and (Amended 8 of 1993 s. 2)
 - (b) if the declaration relates to a proposed monument within private land-
 - (i) register the declaration in the Land Registry; (Amended 8 of 1993 s. 2)
 - (ii) serve on the owner and any lawful occupier of the private land a copy of the notice of declaration, together with a copy of the plan; and
 - (iii) fix to the private land a copy of the notice of declaration and a copy of the plan.
- (5) The Authority shall-
 - (a) keep available at his office, for public inspection at all reasonable times, a copy of every plan deposited under subsection (4); and
 - (b) at the request of the owner or a lawful occupier of a proposed monument which is shown on a plan so deposited, deliver a copy of the plan free of charge to the owner or occupier.

(Added 38 of 1982 s. 3)

Chapter:	53	Title:	ANTIQUITIES AND MONUMENTS ORDINANCE	Gazette Number:	59 of 2000
Section:	3	Heading:	Declaration of monuments and plans thereof	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 59 of 2000 s. 3

(1) Subject to section 4, the Authority may, after consultation with the Board and with the approval of the Chief Executive, by notice in the Gazette, declare any place, building, site or structure, which the Authority considers to be of public interest by reason of its historical, archaeological or palaeontological significance, to be a monument, historical building or archaeological or palaeontological site or structure. (Amended 38 of 1982 s. 4. 59 of 2000 s. 3)

(2) A declaration under subsection (1) may include as part of a monument any land adjoining the place, building, site or structure required for fencing, covering or protecting the monument or for providing or facilitating access thereto.

(3) A notice under subsection (1) shall include a reference to the appropriate plan deposited under subsection (4).

(4) The Authority shall, before publication of a declaration under subsection (1)-

(a) sign and deposit in the appropriate Land Registry a plan clearly showing the situation of the place, building, site or structure intended by the Authority to be declared to be a monument; and (Amended 38 of 1982 s. 4)

(b) if the declaration relates to a monument within private land, register the declaration in the Land Registry. (Amended 8 of 1993 s. 2)

(5) The Authority shall-

(a) keep available at his office, for public inspection at all reasonable times, a copy of every plan deposited under subsection (4); and

(b) at the request of the owner or a lawful occupier of a monument which is shown on a plan so deposited, deliver a copy of the plan free of charge to the owner or occupier.

L.N. 34 of 1979

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) DECLARATION 1979

In exercise of the powers conferred by section 3(1) of the Antiquities and Monuments Ordinance, the Secretary for the New Territories after consultation with the Antiquities Advisory Board and with the approval of the Governor has made the following declaration—

1. This declaration may be cited as the Antiquities and Monuments (Designation of Monuments) Declaration 1979. Citation.
2. The following places are declared to be monuments— Declaration of monuments.
 - (a) the rock carving and adjoining land at Tei Tong Tsui to the north-east of Tin Hau Kwo Miu temple delineated and shown edged red on the plan marked NTM 1 signed and deposited by the Secretary for the New Territories in the District Land Office Sai Kung in accordance with the provisions of section 3(4) of the Ordinance;
 - (b) the rock carving and adjoining land on the north-west coast of Tung Lung island delineated and shown edged red on the plan marked NTM 2 signed and deposited by the Secretary for the New Territories in the District Land Office Sai Kung in accordance with the provisions of section 3(4) of the Ordinance;
 - (c) the rock carving and adjoining land on the western coast of Kau Sai Chau delineated and shown edged red on the plan marked NTM 3 signed and deposited by the Secretary for the New Territories in the District Land Office Sai Kung in accordance with the provisions of section 3(4) of the Ordinance.

D. AKERS-JONES,
Secretary for the New Territories.

26th January 1979.

Explanatory Note

This declaration designates the rock carvings and adjoining land at Tei Tong Tsui, on Tung Lung island, and on Kau Sai Chau, to be monuments for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九七九年古物古蹟（指定古蹟）公告

註釋

本公告將地塘咀、東龍洲及滘西洲之石刻及其鄰近地區，列為古物古蹟條例所指之古蹟。

L.N. 111 of 1979

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) (NO. 2) DECLARATION 1979

Made under section 3(1), after consultation with the Antiquities
Advisory Board and with the approval of the Governor

1. This declaration may be cited as the Antiquities and Monuments (Designation of Citation. Monuments) (No. 2) Declaration 1979.

2. The following places are declared to be monuments—

Declaration of
monuments.

(a) the rock carving and adjoining land at Shek Pik on Lantau Island delineated and shown edged red on the plan marked NTM 4 signed and deposited by the Secretary for the New Territories in the District Land Office Islands in accordance with section 3(4) of the Ordinance; and

(b) the rock carvings and adjoining land on the south-west coast of Po Toi Island delineated and shown edged red on the plan marked NTM 5 signed and deposited by the Secretary for the New Territories in the District Land Office Islands in accordance with section 3(4) of the Ordinance.

D. AKERS-JONES,
Secretary for the New Territories.

27 April 1979.

Explanatory Note

This declaration designates the rock carvings and adjoining land at Shek Pik on Lantau Island, and on Po Toi Island, to be monuments for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九七九年古物古蹟（指定古蹟）（第二號）公告

註釋

本公告將大嶼山石壁及蒲台島之石刻及其鄰近地區列為古物古蹟條例所指之古蹟。

L.N. 201 of 1979

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) (NO. 3) DECLARATION 1979

Made under section 3(1), after consultation with the Antiquities
Advisory Board and with the approval of the Governor

1. This declaration may be cited as the Antiquities and Monuments (Designation of Citation. Monuments) (No. 3) Declaration 1979.

2. The area of Crown land on the north coast of Lantau Island comprising Tung Declaration of Chung Fort, including the buildings and structures therein or thereon, delineated and shown monument. edged red on the plan marked NTM 8 signed and deposited by the Secretary for the New Territories in the District Land Office Islands in accordance with section 3(4) of the Ordinance, is declared to be a monument.

D. AKERS-JONES,
Secretary for the New Territories.

24 August 1979.

Explanatory Note

This declaration designates the whole area of the Tung Chung Fort, on the north coast of Lantau Island, to be a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九七九年古物古蹟（指定古蹟）（第三號）公告

註釋

本公告將大嶼山北面海岸之整個東涌堡區列為古物古蹟條例所指之古蹟。

B468

L.N. 197/80

L. S. NO. 2 TO GAZETTE NO. 30/1980

L.N. 197 of 1980

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) DECLARATION 1980**

Made under section 3(1), after consultation with the Antiquities
Advisory Board and with the approval of the Governor

Citation. **1.** This declaration may be cited as the Antiquities and Monuments (Designation of
Monuments) Declaration 1980.

Declaration of monument. **2.** The ruins and remains situated on the north-eastern promontory of Tung Lung
Island and known as Tung Lung Fort and the adjacent land, delineated and shown edged red
on the plan marked NTM 11 signed and deposited by the Secretary for the New Territories in
the District Land Office, Sai Kung, in accordance with section 3(4) of the Ordinance, are
declared to be a monument.

D. AKERS-JONES,
Secretary for the New Territories.

13 June 1980.

Explanatory Note

This declaration designates Tung Lung Fort on Tung Lung Island to be a monument for
the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八〇年古物古蹟（指定古蹟）公告

註釋

本公告將東龍洲上之東龍堡列為古物古蹟條例所指之古蹟。

B234

L.N. 73/81

L. S. NO. 2 TO GAZETTE NO. 11/1981

L.N. 73 of 1981

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) DECLARATION 1981

Made under section 3(1) after consultation with the Antiquities Advisory
Board and with the approval of the Governor

Citation. **1.** This declaration may be cited as the Antiquities and Monuments. (Designation of
Monuments) Declaration 1981.

Declaration of monument. **2.** The walled village of Sam Tung Uk located to the North of the Castle Peak Road
in Tsuen Wan District of the New Territories and the surrounding open space, delineated and
shown edged red on the plan marked NTM 12 signed and deposited by the Secretary for the
New Territories in the Tsuen Wan District Land Office in accordance with section 3(4) of the
Ordinance, is declared to be a monument.

A. CHUI KAM,
Secretary for the New Territories (Acting).

3 March 1981.

Explanatory Note

This declaration designates the walled village of Sam Tung Uk to be a monument for the
purpose of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八一年古物古蹟（指定古蹟）公告

註釋

本公告將三棟屋村列為古物古蹟條例所指之古蹟。

L.N. 356 of 1981

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) (NO. 2) DECLARATION 1981

Made under section 3(1) after consultation with the
Antiquities Advisory Board and with the
approval of the Governor

1. This declaration may be cited as the Antiquities and Monuments (Designation of Citation. Monuments) (No. 2) Declaration 1981.

2. The District Office (North) located in Tai Po District of the New Territories and Declaration of the adjacent land, delineated and shown edged red on the plan marked NTM 14 signed and monument. deposited by the Secretary for the New Territories in the District Land Office, Tai Po, in accordance with section 3(4) of the Ordinance, is declared to be a monument.

D. AKERS-JONES,
Secretary for the New Territories.

1 November 1981.

Explanatory Note

This declaration designates the District Office (North) in Tai Po and the adjacent land to be a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八一年古物古蹟（指定古蹟）（第二號）公告

註釋

本公告將位於大埔之北區理民府及其鄰接地方列為古物古蹟條例所指之古蹟。

B1048

L.N.357/81

L. S. NO. 2 TO GAZETTE NO. 46/1981

L.N. 357 of 1981

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) (NO. 3) DECLARATION 1981**

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

Citation. **1.** This declaration may be cited as the Antiquities and Monuments (Designation of
Monuments) (No. 3) Declaration 1981.

Declaration of monument. **2.** The village of Sheung Yiu located on the eastern shore of Pak Tam Chung estuary
near the western boundary of the Sai Kung East Country Park together with a stone kiln 50
metres north of the village, delineated and shown edged red on the plan marked NTM 17
signed and deposited by the Secretary for the New Territories in the Sai Kung District Land
Office in accordance with section 3(4) of the Ordinance, is declared to be a monument.

A. CHUI KAM,
Secretary for the New Territories (Acting).

16 October 1981.

Explanatory Note

This declaration designates the village of Sheung Yiu together with the nearby kiln to be
a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八一年古物古蹟（指定古蹟）（第三號）公告

註釋

本公告將上窰村及其附近之窰列為古物古蹟條例所指之古蹟。

L.N. 358 of 1981

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) (NO. 4) DECLARATION 1981

Made under section 3(1) after consultation with the
Antiquities Advisory Board and with the
approval of the Governor

1. This declaration may be cited as the Antiquities and Monuments (Designation of
Monuments) (No. 4) Declaration 1981. Citation.

2. The Fan Lau Fort located on high ground about 60 metres above sea level on the
south-west tip of Lantau and overlooking Lantau Channel, delineated and shown edged red on
the plan marked NTM 15 signed and deposited by the Secretary for the New Territories in the
District Land Office, Islands, in accordance with section 3(4) of the Ordinance, is declared to
be a monument. Declaration of monument.

D. AKERS-JONES,
Secretary for the New Territories.

1 November 1981.

Explanatory Note

This declaration designates the Fan Lau Fort on the south-west tip of Lantau to be a
monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八一年古物古蹟（指定古蹟）（第四號）公告

註釋

本公告將位於大嶼山西南端之分流炮臺列為古物古蹟條例所指之古蹟。

L.N. 25 of 1982

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DESIGNATION OF
MONUMENTS) DECLARATION 1982**

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

Citation. **1.** This declaration may be cited as the Antiquities and Monuments (Designation of
Monuments) Declaration 1982.

Declaration of monument. **2.** The rock carvings and adjoining land overlooking Tung Wan on Cheung Chau delineated and shown edged red on the plan marked NTM6 signed and deposited by the Secretary for City and New Territories Administration in the District Land Office, Islands, in accordance with the provisions of section 3(4) of the Ordinance are declared to be a monument.

D. AKERS-JONES,
*Secretary for City and
New Territories Administration.*

1 January 1982.

Explanatory Note

This declaration designates the rock carvings and adjoining land overlooking Tung Wan on Cheung Chau to be monuments for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八二年古物古蹟（指定古蹟）公告

註釋

本公告將俯瞰長洲東灣之石刻及其毗鄰土地列為古物古蹟條例所指之古蹟。

B194

L.N.75/83

L. S. NO. 2 TO GAZETTE NO. 9/1983

L.N. 75 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) NOTICE 1983**

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

Citation. **1.** This notice may be cited as the Antiquities and Monuments (Declaration of
Monument) Notice 1983.

Declaration of **2.** The Rock Carving located at Lung Ha Wan in Sai Kung District of the New
monument. Territories and the adjacent land, delineated and shown edged red on the plan marked NTM 16
signed and deposited by the Director of Urban Services in the District Lands Office, Sai Kung,
in accordance with section 3(4) of the Ordinance, is declared to be a monument.

B. D. WILSON,
Director of Urban Services.

10 February 1983.

Explanatory Note

This notice declares the Rock Carving at Lung Ha Wan in Sai Kung to be a monument
for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八三年古物古蹟（指定古蹟）公告

註釋

本公告宣佈：西貢龍蝦灣之石刻現予列為古物古蹟條例所指之古蹟。

L.N. 76 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) (NO. 2) NOTICE 1983

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Citation. Monument) (No. 2) Notice 1983.

2. The site of the Chinese Customs Station located on Fat Tau Chau (Junk Island) in Sai Kung District of the New Territories, delineated and shown edged red on the plan marked NTM 22 signed and deposited by the Director of Urban Services in the District Lands Office, Sai Kung, in accordance with section 3(4) of the Ordinance, is declared to be a monument.

B. D. WILSON,
Director of Urban Services.

10 February 1983.

Explanatory Note

This notice declares the site of the Chinese Customs Station on Fat Tau Chau (Junk Island) in Sai Kung to be a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八三年古物古蹟（指定古蹟）（第二號）公告

註釋

本公告宣佈：西貢佛頭洲之中國（古代）關卡現予列為古物古蹟條例所指之古蹟。

B196

L.N. 77/83

L. S. NO. 2 TO GAZETTE NO. 9/1983

L.N. 77 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) (NO. 3) NOTICE 1983

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

Citation. 1. This notice may be cited as the Antiquities and Monuments (Declaration of
Monument) (No. 3) Notice 1983.

Declaration of 2. Island House located in Tai Po District of the New Territories and the adjacent
historical land, delineated and shown edged red on the plan marked NTM 19 signed and deposited by
building. the Director of Urban Services in the District Lands Office, Tai Po, in accordance with section
3(4) of the Ordinance, is declared to be a historical building.

B. D. WILSON,
Director of Urban Services.

10 February 1983.

Explanatory Note

This notice declares Island House in Tai Po District to be a historical building for the
purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）
一九八三年古物古蹟（指定古蹟）（第三號）公告

註釋

本公告宣佈：位於大埔區之政務司官邸（元洲仔），現予列為古物古蹟條例所指之
具歷史價值建築物。

L.N. 78 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) (NO. 4) NOTICE 1983

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Citation. Monument) (No. 4) Notice 1983.

2. The Man Lun Fung Ancestral Hall located in Fan Tin Tsuen, San Tin, in Yuen Long District of the New Territories and the adjacent forecourt, delineated and shown edged red on the plan market NTM 13 signed and deposited by the Director of Urban Services in the District Lands Office, Yuen Long, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

B. D. WILSON,
Director of Urban Services.

10 February 1983.

Explanatory Note

This notice declares the Man Lun Fung Ancestral Hall in Yuen Long District to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八三年古物古蹟（指定古蹟）（第四號）公告

註釋

本公告宣佈：位於元朗區之文麟峰祠，現予列為古物古蹟條例所指之具歷史價值建築物。

B354

L.N. 138/83

L. S. NO. 2 TO GAZETTE NO. 15/1983

L.N. 138 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENT)
(NO. 5) NOTICE 1983**

Made under section 3(1) after consultation with the Antiquities Advisory Board and
with the approval of the Governor

Citation. **1.** This notice may be cited as the Antiquities and Monuments (Declaration of Monument) (No. 5) Notice 1983.

Declaration of monument. **2.** The Pottery Kilns at Wun Yiu Village, in Tai Po District of the New Territories, delineated and shown edged red on the plan marked NTM 21 signed and deposited by the Director of Urban Services in the District Lands Office, Tai Po, in accordance with Section 3(4) of the Ordinance, is declared to be a monument.

B. D. WILSON,
Director of Urban Services.

24 March 1983.

Explanatory Note

This notice declares the Pottery Kilns at Wun Yiu Village in Tai Po to be a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八三年古物古蹟（指定古蹟）（第五號）公告

註釋

本公告宣佈大埔碗窰村之碗窰為古物古蹟條例所指之古蹟。

L.N. 139 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENT)
(NO. 6) NOTICE 1983**

Made under section 3(1) after consultation with the Antiquities Advisory Board and
with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Citation. Monument) (No. 6) Notice 1983.

2. The Stone Circle at Fan Lau on Lantau Island of the New Territories, delineated and shown edged red on the plan marked NTM 23 signed and deposited by the Director of Urban Services in the District Lands Office, Islands, in accordance with section 3(4) of the Ordinance, is declared to be a monument.

B. D. WILSON,
Director of Urban Services.

24 March 1983.

Explanatory Note

This notice declares the Stone Circle at Fan Lau on Lantau Island to be a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八三年古物古蹟（指定古蹟）（第六號）公告

註釋

本公告宣佈大嶼山分流之石圓環為古物古蹟條例所指之古蹟。

L.N. 362 of 1983

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENT)
(NO. 9) NOTICE 1983**

Made under section 3(1) after consultation with the Antiquities Advisory Board
and with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Citation. Monument) (No. 9) Notice 1983.

2. The Tung Chung Battery located in Tung Chung on Lantau Island, delineated and shown edged red on the plan marked NTM18 signed and deposited by the Director of Urban Services in the District Lands Office, Islands, in accordance with section 3(4) of the Ordinance, is declared to be a monument.

CHUI Kam,
Director of Urban Services.

28 October 1983.

Explanatory Note

This notice declares the Tung Chung Battery on Lantau Island to be a monument for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八三年古物古蹟（指定古蹟）（第九號）公告

註釋

本公告宣佈：位於大嶼山之東涌礮臺現予列為古物古蹟條例所指之古蹟。

L.N. 125 of 1984

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENT)
(NO. 2) NOTICE 1984**

Made under section 3(1) after consultation with the Antiquities Advisory Board and
with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Citation. Monument) (No. 2) Notice 1984.

2. The Man Mo Temple located at Fu Shin Street, Tai Po Market in Tai Po District of Declaration of the New Territories delineated and shown edged red on the plan marked NTM 29 signed and deposited by the Director of Urban Services in the District Land Office, Tai Po, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

G. BARNES,
Director of Urban Services.

25 April 1984.

Explanatory Note

This notice declares the Man Mo Temple in Tai Po Market, Tai Po District to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八四年古物古蹟（指定古蹟）（第二號）公告

註釋

本公告宣佈：位於大埔區大埔墟之文武廟，現予列為古物古蹟條例所指之具歷史價值建築物。

B1076

L.N. 385/84

L. S. NO. 2 TO GAZETTE NO. 47/1984

L.N. 385 of 1984

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION
OF MONUMENT) (NO. 5) NOTICE 1984**

Made under section 3(1) after consultation
with the Antiquities Advisory Board and
with the approval of the Governor

- Citation. **1.** This notice may be cited as the Antiquities and Monuments (Declaration of Monument) (No. 5) Notice 1984.
- Declaration of historical building. **2.** The Old Tai Po Market Railway Station, Tai Po, New Territories, delineated and shown edged red on the plan marked NTM 30 signed and deposited by the Director of Urban Services in the District Land Office, Tai Po, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

G. BARNES,
Director of Urban Services.

7 November 1984.

Explanatory Note

This notice declares the Old Tai Po Market Railway Station at Tai Po District to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八四年古物古蹟（指定古蹟）（第五號）公告

註釋

本公告宣佈：大埔區之大埔墟舊火車站，現予列為古物古蹟條例所指之具歷史價值建築物。

L.N. 10 of 1985

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) NOTICE 1985

Made under section 3(1) after consultation with
the Antiquities Advisory Board and with
the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Monument) Notice 1985. Citation.

2. The Man Shek Tong (Ancestral Hall) located at Mun Hau Tsuen, Sheung Shui in Declaration of North District of the New Territories, delineated and shown edged red on the plan marked historical NTM32 signed and deposited by the Director of Urban Services in the District Land Office, building. North, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

G. BARNES,
Director of Urban Services.

2 January 1985.

Explanatory Note

This notice declares the Man Shek Tong in Sheung Shui, North District to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八五年古物古蹟（指定古蹟）公告

註釋

本公告宣佈：位於新界北區上水的萬石堂，現予列為古物古蹟條例所指有歷史意義建築物。

B480

L.N. 170/86

L. S. NO. 2 TO GAZETTE NO. 30/1986

L.N. 170 of 1986

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) NOTICE 1986**

Made under section 3(1) after consultation with the Antiquities Advisory Board
and with the approval of the Governor

Citation.

1. This notice may be cited as the Antiquities and Monuments (Declaration of Monument) Notice 1986.

Declaration of
historical
building.

2. The old house on a lot formerly known as Lot 917 at Hoi Pa Village, Tsuen Wan, New Territories, delineated and shown coloured pink on the plan marked NTM 35 signed and deposited by the Secretary for Municipal Services in the District Land Office, Tsuen Wan, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

G. BARNES,
Secretary for Municipal Services.

15 July 1986.

Explanatory Note

This notice declares the old house on a lot formerly known as Lot 917 at Hoi Pa Village at Tsuen Wan District to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第五十三章）

一九八六年古物古蹟（指定古蹟）公告

註釋

本公告宣佈：座落荃灣區海霸村原先稱為第 917 號地段的一間舊屋，現予列為古物古蹟條例所指具歷史價值建築物。

L.N. 215 of 1987

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION
OF MONUMENT) NOTICE 1987

Made under section 3(1) after consultation
with the Antiquities Advisory Board and
with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Monument) Notice 1987. Citation.

2. The building known as the Tai Fu Tai (大夫第) at Wing Ping Tsuen, San Tin, Yuen Long, New Territories, delineated and shown edged red on the plan marked NTM 20 signed and deposited by the Secretary for Municipal Services in the District Land Office, Yuen Long, in accordance with section 3(4) of the Ordinance, is declared to be a historical building. Declaration of historical building.

A. K. CHUI,
Secretary for Municipal Services.

1 July 1987.

Explanatory Note

This notice declares the building known as the Tai Fu Tai (大夫第) at Wing Ping Tsuen, San Tin, Yuen Long to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古蹟條例（香港法例第 53 章）

1987 年古物古蹟（古蹟公布）公告

註釋

本公告宣布：座落元朗新田永平村名為「大夫第」的建築物，現予列為古物古蹟條例所指歷史性建築物。

L.N. 61 of 1988

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) NOTICE 1988

Made under section 3(1) after consultation
with the Antiquities Advisory Board and
with the approval of the Governor

1. This notice may be cited as the Antiquities and Monuments (Declaration of Monument) Notice 1988. Citation.

2. The Kun Lung Gate Tower at San Wai, Fanling, New Territories, delineated and shown edged red on the plan marked NTM 38 signed and deposited by the Secretary for historical Municipal Services in the District Land Office, North, in accordance with section 3(4) of the Ordinance, is declared to be a historical building. Declaration of

A. K. CHUI,
Secretary for Municipal Services.

8 March 1988.

Explanatory Note

This notice declares the Kun Lung Gate Tower at San Wai, Fanling, to be a historical building for the purposes of the antiquities and Monuments Ordinance.

古物古跡條例（香港法例第 53 章）

1988 年古物古跡（古跡公布）公告

註釋

本公告宣佈：粉嶺新圍觀龍圍門樓，現予列為古物古跡條例所指歷史性建築物。

L.N. 307 of 1988

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) (NO. 2) NOTICE 1988

Made under section 3(1) after consultation with the Antiquities
Advisory Board and with the approval of the Governor

Citation

1. This notice may be cited as the Antiquities and Monuments (Declaration of Monument) (No. 2) Notice 1988.

Declaration of historical building

2. The Yeung Hau Kung Temple at Tung Tau Tsuen, Ha Tsuen, Yuen Long, New Territories, delineated and shown edged red on the plan marked NTM 40 signed and deposited by the Secretary for Municipal Services in the District Land Office, Yuen Long, in accordance with section 3(4) of the Ordinance, is declared to be an historical building.

A. K. CHUI,
Secretary for Municipal Services.

9 November 1988.

Explanatory Note

This notice declares the Yeung Hau Kung Temple at Tung Tau Tsuen, Ha Tsuen, Yuen Long, to be an historical building for the purposes of the Antiquities and Monuments Ordinance.

古物古跡條例（香港法例第 53 章）

1988 年古物古跡（古跡公布）（第 2 號）公告

註釋

本公告宣佈：位於元朗廈村東頭村的楊侯宮，現予列為古物古跡條例所指的歷史性建築物。

B1234

L.N. 410/89

L. S. NO. 2 TO GAZETTE NO. 51/1989

L.N. 410 of 1989

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENT)
(NO. 3) NOTICE 1989

Made under section 3(1) after consultation with
the Antiquities Advisory Board and with the
approval of the Governor

Citation

1. This notice may be cited as the Antiquities and Monuments (Declaration of Monument) (No. 3) Notice 1989.

Declaration of historical building

2. The old house at Wong Uk Village, Yuen Chau Kok, Sha Tin, delineated and shown edged red on the plan marked NTM 36 signed and deposited by the Secretary for Recreation and Culture in the District Land Office, Sha Tin, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

A. K. CHUI,
Secretary for Recreation and Culture.

14 December 1989.

Explanatory Note

This notice declares an old house at Wong Uk Village, Yuen Chau Kok, Sha Tin, to be a historical building for the purpose of the Antiquities and Monuments Ordinance.

古物古跡條例（第 53 章）
1989 年古物古跡（古跡公布）（第 3 號）公告

註釋

本公告宣布：一所位於沙田圓洲角王屋村的古屋，現予列為《古物古跡條例》所指的歷史性建築物。

L.N. 175 of 1991

ANTIQUITIES AND MONUMENTS ORDINANCE
(Chapter 53)

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) NOTICE 1991**

Made under section 3(1) after consultation with
the Antiquities Advisory Board and with
the approval of the Governor

1. Citation

This notice may be cited as the Antiquities and Monuments (Declaration of Historical Building) Notice 1991.

2. Declaration of historical building

The building known as Kang Yung Shu Uk at Sheung Wo Hang Village, Sha Tau Kok in the North District of the New Territories, delineated and shown edged red on the plan marked NTM 41 signed and deposited by the Secretary for Recreation and Culture in the District Land Office, North, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

A. K. CHUI,
*Secretary for Recreation
and Culture.*

12 April 1991.

Explanatory Note

This notice declares the Kang Yung Shu Uk building at Sheung Wo Hang Village, Sha Tau Kok, North District, New Territories to be a historical building for the purposes of the Antiquities and Monuments Ordinance.

古物及古跡條例（第 53 章）

1991 年古物及古跡（歷史建築物公布）公告

註釋

本公告宣佈：新界北區沙頭角上禾坑村鏡蓉書屋現列為《古物及古跡條例》所指的歷史建築物。

L.N. 206 of 1992

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) (NO. 2) NOTICE 1992**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Governor)

1. Declaration of historical building

The building known as the Yi Tai Shu Yuen at Shui Tau Village, Kam Tin, New Territories delineated and shown edged red on the plan marked NTM 42 signed and deposited by the Secretary for Recreation and Culture in the District Land office, Yuen Long, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

James Y. C. SO,
*Secretary for Recreation
and Culture.*

17 June 1992.

Explanatory Note

This Notice declares the building known as the Yi Tai Shu Yuen at Shui Tau Village, Kam Tin, New Territories to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

1992 年古物及古跡（歷史建築物宣布）（第 2 號）公告

註釋

本公告宣布：位於新界錦田水頭村的二帝書院現列為《古物及古跡條例》（第 53 章）範疇內的歷史建築物。

L.N. 105 of 1993

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
MONUMENT) NOTICE 1993**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the

approval of the Governor)

1. Declaration of monument

The walls (including all the corner towers) of Kun Lung Wai (San Wai) in Lung Yeuk Tau, Fanling, New Territories delineated and shown in red, with the corner towers delineated and shown edged red, on the plan marked NTM 43 signed and deposited by the Secretary for Recreation and Culture in the District Land Office, North, in accordance with section 3(4) of the Ordinance, are declared to be a monument.

James Y. C. SO,
*Secretary for Recreation
and Culture.*

26 March 1993.

Explanatory Note

This Notice declares the walls (including all the corner towers) of Kun Lung Wai (San Wai) in Lung Yeuk Tau, Fanling, New Territories to be a monument for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

1993 年古物及古跡（古跡公布）公告

註釋

本公告宣布：新界粉嶺龍躍頭觀龍圍（新圍）的圍牆（包括所有更樓），現列為《古物及古跡條例》（第 53 章）所指的古跡。

L.N. 633 of 1994

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) NOTICE 1994**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Governor)

1. Declaration of historical building

The building known as the Entrance Tower of Ma Wat Wai located at Lung Yeuk Tau, Fanling, New Territories, delineated and shown edged red on the plan marked NTM 44 signed and deposited by the Secretary for Recreation and Culture in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

James Y. C. SO,
Secretary for Recreation and Culture.

14 November 1994.

Explanatory Note

This Notice declares the building known as the Entrance Tower of Ma Wat Wai located at Lung Yeuk Tau, Fanling, New Territories to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

1994 年古物及古跡（歷史建築物宣布）公告

註釋

本公告宣布位於新界粉嶺龍躍頭的麻笏圍門樓現列為《古物及古跡條例》（第 53 章）範疇內的歷史建築物。

L.N. 265 of 1996

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) (NO. 2) NOTICE 1996**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Governor)

1. Declaration of historical building

The temple known as I Shing Kung at Wang Chau, Yuen Long, New Territories, delineated and shown edged red on the plan marked NTM 45 signed and deposited by the Secretary for Recreation and Culture in the Yuen Long New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

T. H. CHAU,
Secretary for Recreation and Culture.

5 June 1996.

Explanatory Note

This Notice declares the temple known as I Shing Kung at Wang Chau, Yuen Long, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

L.N. 52 of 1997

**ANTIQUITIES AND MONUMENTS (DECLARATION
OF MONUMENT) NOTICE 1997**

(Made under section 3(1) of the Antiquities and Monuments Ordinance
(Cap. 53) after consultation with the Antiquities Advisory Board
and with the approval of the Governor)

1. Declaration of monument

The entrance tower and the enclosing walls of Lo Wai in Lung Yeuk Tau, Fanling, New Territories delineated and shown edged red on the plan marked NTM 46 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance, are declared to be a monument.

CHAU Tak-hay,
*Secretary for Broadcasting,
Culture and Sport.*

10 January 1997.

Explanatory Note

This Notice declares the entrance tower and the enclosing walls of Lo Wai in Lung Yeuk Tau, Fanling, New Territories to be a monument for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

L.N. 530 of 1997

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) NOTICE 1997**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with
the Antiquities Advisory Board and with
the approval of the Chief Executive)

1. Declaration of historical building

The building known as the Tang Chung Ling Ancestral Hall, at Lung Yeuk Tau, Fanling, New Territories, delineated and shown edged red on the plan marked Plan No. DND 1 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

CHAU Tak-hay
Secretary for Broadcasting,
Culture and Sport

22 October 1997

Explanatory Note

This Notice declares the building known as the Tang Chung Ling Ancestral Hall, at Lung Yeuk Tau, Fanling, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

L.N. 39 of 1998

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) (NO. 2) NOTICE 1997**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Chief Executive)

1. Declaration of historical building

The temple known as Cheung Shang Tsz, also commonly known as Cheung Shan Kwu Tsz at Wo Keng Shan, Ping Che, Fanling, New Territories, delineated and shown edged red on the plan marked NTM 47 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

CHAU Tak-hay
Secretary for Broadcasting,
Culture and Sport

31 December 1997

Explanatory Note

This Notice declares Cheung Shang Tsz, commonly known as Cheung Shan Kwu Tsz at Wo Keng Shan, Ping Che, Fanling, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

L.N. 301 of 1998

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) NOTICE 1998**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Chief Executive)

1. Declaration of historical building

The building known as King Law Ka Shuk at Tai Po Tau Tsuen, Tai Po, New Territories, delineated and shown edged red on the plan marked Plan No. TPM 3268b signed and deposited by the Secretary for Home Affairs in the Tai Po New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

David H. T. LAN
Secretary for Home Affairs

21 July 1998

Explanatory Note

This Notice declares King Law Ka Shuk at Tai Po Tau Tsuen, Tai Po, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

L.N. 328 of 1999

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) NOTICE 1999**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Chief Executive)

1. Declaration of historical building

The building known as Cheung Ancestral Hall at Shan Ha Tsuen, Ping Shan, Yuen Long, New Territories, delineated and shown edged red on the plan marked Plan No. YLM 3252b signed and deposited by the Secretary for Home Affairs in the Yuen Long New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

David H. T. LAN
Secretary for Home Affairs

23 December 1999

Explanatory Note

This Notice declares Cheung Ancestral Hall at Shan Ha Tsuen, Ping Shan, Yuen Long, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

L.N. 329 of 1999

**ANTIQUITIES AND MONUMENTS (DECLARATION OF
HISTORICAL BUILDING) (NO. 2) NOTICE 1999**

(Made under section 3(1) of the Antiquities and Monuments
Ordinance (Cap. 53) after consultation with the
Antiquities Advisory Board and with the
approval of the Chief Executive)

1. Declaration of historical building

The building known as Fan Sin Temple, also known as Fan Sin Kung or Fan Sin Miu, at Sheung Wun Yiu, Tai Po, New Territories, delineated and shown edged red on the plan marked Plan No. TPM 3513a signed and deposited by the Secretary for Home Affairs in the Tai Po New Territories Land Registry, in accordance with section 3(4) of the Ordinance, is declared to be a historical building.

David H. T. LAN
Secretary for Home Affairs

23 December 1999

Explanatory Note

This Notice declares Fan Sin Temple, also known as Fan Sin Kung or Fan Sin Miu, at Sheung Wun Yiu, Tai Po, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

Chapter:	53B	Title:	ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENTS AND HISTORICAL BUILDINGS) (CONSOLIDATION) NOTICE	Gazette Number:	29 of 1998 s. 105
Paragraph:	2	Heading:	Declaration of monuments	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 29 of 1998 s. 105

The following places are declared to be monuments-

- (a) the rock carving at Big Wave Bay, Hong Kong Island, and the adjoining land, which are more particularly delineated and edged red in plan No. HKM 1, signed by the Secretary for Home Affairs and deposited in the Land Registry, Victoria; (L.N. 247 of 1978)
- (b) the rock carving and adjoining land at Tei Tong Tsui to the north-east of Tin Hau Kwo Miu temple delineated and shown edged red on the plan marked NTM 1 signed and deposited by the Secretary for the New Territories in the District Land Registry, Sai Kung, in accordance with section 3(4) of the Ordinance; (L.N. 34 of 1979)
- (c) the rock carving and adjoining land on the north-west coast of Tung Lung Island delineated and shown edged red on the plan marked NTM 2 signed and deposited by the Secretary for the New Territories in the District Land Registry, Sai Kung, in accordance with section 3(4) of the Ordinance; (L.N. 34 of 1979)
- (d) the rock carving and adjoining land on the western coast of Kau Sai Chau delineated and shown edged red on the plan marked NTM 3 signed and deposited by the Secretary for the New Territories in the District Land Registry, Sai Kung, in accordance with section 3(4) of the Ordinance; (L.N. 34 of 1979)
- (e) the rock carving and adjoining land at Shek Pik on Lantau Island delineated and shown edged red on the plan marked NTM 4 signed and deposited by the Secretary for the New Territories in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 111 of 1979)
- (f) the rock carvings and adjoining land on the south-west coast of Po Toi Island delineated and shown edged red on the plan marked NTM 5 signed and deposited by the Secretary for the New Territories in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 111 of 1979)
- (g) the area of Government land on the north coast of Lantau Island comprising Tung Chung Fort, including the buildings and structures therein or thereon, delineated and shown edged red on the plan marked NTM 8 signed and deposited by the Secretary for the New Territories in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 201 of 1979; 29 of 1998 s. 105)
- (h) the flight of stone steps at the southern end of Duddell Street, Hong Kong Island, and the 4 gas lamps standing on the balustrades on either side of the steps, delineated and shown edged red on the plan marked HKM 10 signed and deposited by the Secretary for Home Affairs in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 208 of 1979)
- (i) the ruins and remains situated on the north-eastern promontory of Tung Lung Island and known as Tung Lung Fort and the adjacent land, delineated and shown edged red on the plan marked NTM 11 signed and deposited by the Secretary for the New Territories in the

District Land Registry, Sai Kung, in accordance with section 3(4) of the Ordinance; (L.N. 197 of 1980)

- (j) the walled village of Sam Tung Uk located to the North of the Castle Peak Road in Tsuen Wan District of the New Territories and the surrounding open space, delineated and shown edged red on the plan marked NTM 12 signed and deposited by the Secretary for the New Territories in the Tsuen Wan District Land Registry in accordance with section 3(4) of the Ordinance; (L.N. 73 of 1981)
- (k) the District Office (North) located in Tai Po District of the New Territories and the adjacent land, delineated and shown edged red on the plan marked NTM 14 signed and deposited by the Secretary for the New Territories in the District Land Registry, Tai Po, in accordance with section 3(4) of the Ordinance; (L.N. 356 of 1981)
- (l) the village of Sheung Yiu located on the eastern shore of Pak Tam Chung estuary near the western boundary of the Sai Kung East Country Park together with a stone kiln 50 metres north of the village, delineated and shown edged red on the plan marked NTM 17 signed and deposited by the Secretary for the New Territories in the Sai Kung District Land Registry in accordance with section 3(4) of the Ordinance; (L.N. 357 of 1981)
- (m) the Fan Lau Fort located on high ground about 60 metres above sea level on the south-west tip of Lantau and overlooking Lantau Channel, delineated and shown edged red on the plan marked NTM 15 signed and deposited by the Secretary for the New Territories in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 358 of 1981)
- (n) the rock carvings and adjoining land overlooking Tung Wan on Cheung Chau, delineated and shown edged red on the plan marked NTM 6 signed and deposited by the Secretary for City and New Territories Administration in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 25 of 1982)
- (o) the Tin Hau Temple situated at No. 10 Tin Hau Temple Road, Causeway Bay, delineated and shown edged red on the plan serial No. HKM 11 signed and deposited by the Secretary for Home Affairs in the Land Registry in accordance with section 3(4) of the Ordinance; (L.N. 102 of 1982; L.N. 170 of 1982)
- (p) the rock carving located at Lung Ha Wan in Sai Kung District of the New Territories and the adjacent land, delineated and shown edged red on the plan marked NTM 16 signed and deposited by the Director of Urban Services in the District Land Registry, Sai Kung, in accordance with section 3(4) of the Ordinance; (L.N. 75 of 1983)
- (q) the site of the Chinese Customs Station located on Fat Tau Chau (Junk Island) in Sai Kung District of the New Territories, delineated and shown edged red on the plan marked NTM 22 signed and deposited by the Director of Urban Services in the District Land Registry, Sai Kung, in accordance with section 3(4) of the Ordinance; (L.N. 76 of 1983)
- (r) the Pottery Kilns at Wun Yiu Village, in Tai Po District of the New Territories, delineated and shown edged red on the plan marked NTM 21 signed and deposited by the Director of Urban Services in the District Land Registry, Tai Po, in accordance with section 3(4) of the Ordinance; (L.N. 138 of 1983)
- (s) the Stone Circle at Fan Lau on Lantau Island of the New Territories, delineated and shown edged red on the plan marked NTM 23 signed and deposited by the Director of Urban Services in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 139 of 1983)
- (t) the Tung Chung Battery located in Tung Chung on Lantau Island, delineated and shown edged red on the plan marked NTM 18 signed and deposited by the Director of Urban Services in the District Land Registry, Islands, in accordance with section 3(4) of the Ordinance; (L.N. 362 of 1983)
- (u) the Royal Observatory, located in Kowloon, and the adjacent land, delineated and shown edged red on the plan marked KM 1 signed and deposited by the Director of Urban Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance;

- (L.N. 161 of 1984)
- (v) the Old Stanley Police Station located on Hong Kong Island, delineated and shown edged red on the plan marked HKM 8 signed and deposited by the Director of Urban Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 161 of 1984)
 - (w) the exterior of the Supreme Court Building located at Statue Square, Central District on Hong Kong Island, delineated and shown edged red on the plan marked HKM 2 signed and deposited by the Director of Urban Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 161 of 1984; L.N. 446 of 1994)
 - (x) the rock carvings located at Wong Chuk Hang, Aberdeen on Hong Kong Island, delineated and shown edged red on the plan marked HKM 14 signed and deposited by the Director of Urban Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 161 of 1984)
 - (y) the Han Tomb at Lei Cheng Uk, Sham Shui Po, Kowloon, delineated and shown edged red on the plan marked KM 2a signed and deposited by the Secretary for Municipal Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 335 of 1988)
 - (z) the former Kowloon-Canton Railway Clock Tower at Tsim Sha Tsui, delineated and shown edged red on the plan marked KM 3 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 233 of 1990)
 - (aa) the walls (including all the corner towers) of Kun Lung Wai (San Wai) in Lung Yeuk Tau, Fanling, New Territories delineated and shown in red, with the corner towers delineated and shown edged red, on the plan marked NTM 43 signed and deposited by the Secretary for Recreation and Culture in the District Land Registry, North, in accordance with section 3(4) of the Ordinance; (L.N. 105 of 1993)
 - (ab) the entrance tower and the enclosing walls of Lo Wai in Lung Yeuk Tau, Fanling, New Territories delineated and shown edged red on the plan marked NTM 46 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance. (L.N. 52 of 1997)

(8 of 1993 s. 30)

Chapter:	53B	Title:	ANTIQUITIES AND MONUMENTS (DECLARATION OF MONUMENTS AND HISTORICAL BUILDINGS) (CONSOLIDATION) NOTICE	Gazette Number:	L.N. 255 of 2000
Paragraph:	3	Heading:	Declaration of historical buildings	Version Date:	18/08/2000

The following places are declared to be historical buildings-

- (a) Island House located in Tai Po District of the New Territories and the adjacent land, delineated and shown edged red on the plan marked NTM 39 signed and deposited by the Director of Urban Services in the District Land Registry, Tai Po, in accordance with section 3(4) of the Ordinance; (L.N. 77 of 1983; L.N. 266 of 1988)

- (b) the Man Lun Fung Ancestral Hall located in Fan Tin Tsuen, San Tin, in Yuen Long District of the New Territories and the adjacent forecourt, delineated and shown edged red on the plan marked NTM 13 signed and deposited by the Director of Urban Services in the District Land Registry, Yuen Long, in accordance with section 3(4) of the Ordinance; (L.N. 78 of 1983)
- (c)-(d) (Repealed L.N. 161 of 1984)
- (e) the Man Mo Temple located at Fu Shin Street, Tai Po Market in Tai Po District of the New Territories, delineated and shown edged red on the plan marked NTM 29 signed and deposited by the Director of Urban Services in the District Land Registry, Tai Po, in accordance with section 3(4) of the Ordinance; (L.N. 125 of 1984)
- (f) the facade, roof, main ceremonial grand staircase, external corridors and courtyards of the Main Building of the University of Hong Kong located on Hong Kong Island, delineated and shown edged red on the plan marked HKM 7 signed and deposited by the Director of Urban Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance, the said parts being coloured pink, green and hatched yellow shown and described on the drawings numbered 1 to 4 and attached to the said plan; (L.N. 162 of 1984)
- (g) the Old Tai Po Market Railway Station, Tai Po, New Territories, delineated and shown edged red on the plan marked NTM 30 signed and deposited by the Director of Urban Services in the District Land Registry, Tai Po, in accordance with section 3(4) of the Ordinance; (L.N. 385 of 1984)
- (h) the Man Shek Tong (Ancestral Hall) located at Mun Hau Tsuen, Sheung Shui in North District of the New Territories, delineated and shown edged red on the plan marked NTM 32 signed and deposited by the Director of Urban Services in the District Land Registry, North, in accordance with section 3(4) of the Ordinance; (L.N. 10 of 1985)
- (i) the old house on a lot formerly known as Lot 917 at Hoi Pa Village, Tsuen Wan, New Territories, delineated and shown coloured pink on the plan marked NTM 35 signed and deposited by the Secretary for Municipal Services in the District Land Registry, Tsuen Wan, in accordance with section 3(4) of the Ordinance; (L.N. 170 of 1986)
- (j) the building known as the Tai Fu Tai (大夫第) at Wing Ping Tsuen, San Tin, Yuen Long, New Territories, delineated and shown edged red on the plan marked NTM 20 signed and deposited by the Secretary for Municipal Services in the District Land Registry, Yuen Long, in accordance with section 3(4) of the Ordinance; (L.N. 215 of 1987)
- (k) the Kun Lung Gate Tower at San Wai, Fanling, New Territories, delineated and shown edged red on the plan marked NTM 38 signed and deposited by the Secretary for Municipal Services in the District Land Registry, North, in accordance with section 3(4) of the Ordinance; (L.N. 61 of 1988)
- (l) the Yeung Hau Kung Temple at Tung Tau Tsuen, Ha Tsuen, Yuen Long, New Territories, delineated and shown edged red on the plan marked NTM 40 signed and deposited by the Secretary for Municipal Services in the District Land Registry, Yuen Long, in accordance with section 3(4) of the Ordinance; (L.N. 307 of 1988)
- (m) the former French Mission building on Battery Path, Hong Kong Island, delineated and shown edged red on the plan marked HKM 15 signed and deposited by the Secretary for Municipal Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 319 of 1989)
- (n) Flagstaff House on Cotton Tree Drive, Hong Kong Island, delineated and shown edged red on the plan marked HKM 5 signed and deposited by the Secretary for Municipal Services in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 319 of 1989)
- (o) the old house known as Law Uk or Chai Wan House at Chai Wan on Hong Kong Island, delineated and shown edged red on the plan marked HKM 6 signed and deposited by the

- Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 368 of 1989)
- (p) the old house at Wong Uk Village, Yuen Chau Kok, Sha Tin, delineated and shown edged red on the plan marked NTM 36 signed and deposited by the Secretary for Recreation and Culture in the District Land Registry, Sha Tin, in accordance with section 3(4) of the Ordinance; (L.N. 410 of 1989)
 - (q) the Wan Chai Post Office on Hong Kong Island, delineated and shown edged red on the plan marked HKM 17 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 160 of 1990)
 - (r) the Western Market, Des Voeux Road Central, Hong Kong Island, delineated and shown edged red on the plan marked HKM 20 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria in accordance with section 3(4) of the Ordinance; (L.N. 209 of 1990)
 - (s) the old Pathological Institute in Caine Lane, Hong Kong Island, delineated and shown edged red on the plan marked HKM 19 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria in accordance with section 3(4) of the Ordinance; (L.N. 209 of 1990)
 - (t) the building known as Kang Yung Shu Uk at Sheung Wo Hang Village, Sha Tau Kok in the North District of the New Territories, delineated and shown edged red on the plan marked NTM 41 signed and deposited by the Secretary for Recreation and Culture in the District Land Registry, North, in accordance with section 3(4) of the Ordinance; (L.N. 175 of 1991)
 - (u) the former Kowloon British School at Nathan Road, Tsim Sha Tsui, Kowloon, delineated and shown edged red on the plan marked KM 4 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 280 of 1991)
 - (v) the Main Building of St. Stephen's Girls' College at No. 2 Lyttelton Road, Hong Kong Island delineated and shown edged red on the plan marked HKM 16 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 40 of 1992)
 - (w) the building known as the Yi Tai Shu Yuen at Shui Tau Village, Kam Tin, New Territories delineated and shown edged red on the plan marked NTM 42 signed and deposited by the Secretary for Recreation and Culture in the District Land Registry, Yuen Long, in accordance with section 3(4) of the Ordinance; (L.N. 206 of 1992)
 - (x) the facade, roof, chimney stacks, parapets, balustrades, verandahs, balcony, external columns, staircases, entrance porch, main entrance doorway, courtyards and steps of the Main Building of The Helena May located at No. 35 Garden Road, Hong Kong Island, delineated and shown edged red on the plan marked HKM 13 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance, the said parts being coloured red, green and hatched orange and blue shown and described on the drawings numbered 1 to 7 and attached to the said plan; (L.N. 388 of 1993)
 - (y) the building known as the Entrance Tower of Ma Wat Wai located at Lung Yeuk Tau, Fanling, New Territories, delineated and shown edged red on the plan marked NTM 44 signed and deposited by the Secretary for Recreation and Culture in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 633 of 1994)
 - (z) the Marine Police Headquarters building and compound located at Tsim Sha Tsui, Kowloon, delineated and shown edged red on the plan marked KM 5 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria in accordance with section 3(4) of the Ordinance, other than the structures (but not the land

on which those structures are standing) located within that compound and hatched black on that plan; (L.N. 680 of 1994)

- (aa) the building known as the Former Gate Lodge on Mount Austin Road, the Peak, Hong Kong, which is delineated and shown edged red on the plan marked HKM 21 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 128 of 1995)
- (ab) the buildings and compound at the Central Police Station Compound at No. 10 Hollywood Road, Hong Kong, delineated and shown edged red on the plan marked HKM 25 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 416 of 1995)
- (ac) the former Central Magistracy at No. 1 Arbuthnot Road, Hong Kong, delineated and shown edged red on the plan marked HKM 26 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 416 of 1995)
- (ad) the buildings and compound at the Victoria Prison Compound at Old Bailey Street, Hong Kong, delineated and shown edged red on the plan marked HKM 27 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 416 of 1995)
- (ae) the exterior structure including the facade, roofs, chimney stacks, corner towers, parapets, balustrades, verandahs, balconies, external columns, staircases, main entrance doorway, courtyards and steps of University Hall, University of Hong Kong located at Pokfulam, Hong Kong Island, delineated and shown edged red on the plan marked HKM 28 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance, the said parts being coloured brown and hatched blue, purple and green shown and described on the drawings numbered 1 to 5 and attached to the said plan; (L.N. 421 of 1995)
- (af) the exterior structure including the facade, roof, chimney stacks, parapets, balustrades, verandahs, balconies, external columns, entrance porch, main entrance doorway, courtyards and steps and internal elements including the floor, balustrades and ceiling of the open well and structural columns and walls of Hung Hing Ying Building, University of Hong Kong located at Pokfulam, Hong Kong Island, delineated and shown edged red on the plan marked HKM 24 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance, the said parts being coloured brown, green, orange, yellow and hatched blue, purple and green shown and described on the drawings numbered 1 to 4 and attached to the said plan; (L.N. 422 of 1995)
- (ag) the exterior structure including the facade, roof, cornice, balustrades, balconies, main entrance doorway, courtyards and steps of Tang Chi Ngong Building, University of Hong Kong located at Pokfulam, Hong Kong Island, delineated and shown edged red on the plan marked HKM 23 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance, the said parts being coloured brown and hatched blue and green shown and described on the drawings numbered 1 to 3 and attached to the said plan; (L.N. 423 of 1995)
- (ah) the building known as Government House at Upper Albert Road, Hong Kong, which is delineated and shown edged red on the plan marked HKM 22 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 442 of 1995)
- (ai) St. John's Cathedral on Garden Road, Central, Hong Kong, together with the land and buildings adjacent thereto, including St. John's Hall but excluding the Lodge, as delineated and shown edged red on the plan marked HKM 29 signed and deposited by the Secretary for Recreation and Culture in the Land Registry, Victoria, in accordance with section 3(4) of the Ordinance; (L.N. 20 of 1996)

- (aj) the temple known as I Shing Kung at Wang Chau, Yuen Long, New Territories, delineated and shown edged red on the plan marked NTM 45 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the Yuen Long New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 265 of 1996)
- (ak) the building known as the former Yamen Building at Kowloon Walled City Park, Kowloon, delineated and shown edged red on the plan marked KM 6 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 406 of 1996)
- (al) the building known as the Tang Chung Ling Ancestral Hall, at Lung Yeuk Tau, Fanling New Territories, delineated and shown edged red on the plan marked Plan No. DND 1 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 530 of 1997)
- (am) the temple known as Cheung Shang Tsz, also commonly known as Cheung Shan Kwu Tsz at Wo Keng Shan, Ping Che, Fanling, New Territories, delineated and shown edged red on the plan marked NTM 47 signed and deposited by the Secretary for Broadcasting, Culture and Sport in the North New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 39 of 1998)
- (an) the building known as King Law Ka Shuk at Tai Po Tau Tsuen, Tai Po, New Territories, delineated and shown edged red on the plan marked Plan No. TPM 3268b signed and deposited by the Secretary for Home Affairs in the Tai Po New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 301 of 1998)
- (ao) the building known as Cheung Ancestral Hall at Shan Ha Tsuen, Ping Shan, Yuen Long, New Territories, delineated and shown edged red on the plan marked Plan No. YLM 3252b signed and deposited by the Secretary for Home Affairs in the Yuen Long New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 328 of 1999)
- (ap) the building known as Fan Sin Temple, also known as Fan Sin Kung or Fan Sin Miu, at Sheung Wun Yiu, Tai Po, New Territories, delineated and shown edged red on the plan marked Plan No. TPM 3513a signed and deposited by the Secretary for Home Affairs in the Tai Po New Territories Land Registry, in accordance with section 3(4) of the Ordinance; (L.N. 329 of 1999)
- (aq) the two buildings respectively known as the North Block and the West Block of St. Joseph's College at No. 7 Kennedy Road, Hong Kong, delineated and shown edged red on the plan marked Plan No. HKM 5746c signed and deposited by the Secretary for Home Affairs in the Land Registry in accordance with section 3(4) of the Ordinance. (L.N. 255 of 2000)

L.N. 59 of 1998

**PORT CONTROL (PUBLIC CARGO WORKING
AREA) (NO. 6) ORDER 1998**

(Made under section 3(1) of the Port Control (Cargo
Working Areas) Ordinance (Cap. 81))

1. Commencement

This Order shall come into operation on 1 February 1998.

2. Public cargo working area

The area of unleased Government land situated at the Rambler Channel Typhoon Shelter at Tsuen Wan (having an area of approximately 41 100 square metres), delineated and coloured pink on the plan numbered KTM 321a signed by the Principal Government Land Surveyor on behalf of the Director of Lands on 8 January 1998 and deposited in the Tsuen Wan New Territories Land Registry, is declared to be a public cargo working area.

3. Repeal

The Port Control (Public Cargo Working Area) Order 1995 (L.N. 83 of 1995) is repealed.

4. Paragraph substituted

The Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg.) is amended by repealing paragraph 8 and substituting—

"8. Rambler Channel public cargo working area

The area of unleased Government land situated at the Rambler Channel Typhoon Shelter at Tsuen Wan (having an area of approximately 41 100 square metres), delineated and coloured pink on the plan numbered KTM 321a signed by the Principal Government Land Surveyor on behalf of the Director of Lands on 8 January 1998 and deposited in the Tsuen Wan New Territories Land Registry, is declared to be a public cargo working area."

L.N. 61 of 1998

**PORT CONTROL (PUBLIC CARGO WORKING
AREA) (NO. 8) ORDER 1998**

(Made under section 3(1) of the Port Control (Cargo
Working Areas) Ordinance (Cap. 81))

1. Commencement

This Order shall come into operation on 1 February 1998.

2. Public cargo working area

The area of unleased Government land situated at the Tuen Mun Typhoon Shelter (having an area of approximately 33 000 square metres), delineated and edged black on the plan numbered TMM 1448 signed by the Principal Government Land Surveyor on behalf of the Director of Lands on 24 April 1997 and deposited in the Tuen Mun New Territories Land Registry, is declared to be a public cargo working area.

3. Repeal

The Port Control (Public Cargo Working Area) (No. 2) Order 1996 (L.N. 368 of 1996) is repealed.

4. Paragraph substituted

The Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg.) is amended by repealing paragraph 10 and substituting—

"10. Tuen Mun public cargo working area

The area of unleased Government land situated at the Tuen Mun Typhoon Shelter (having an area of approximately 33 000 square metres), delineated and edged black on the plan numbered TMM 1448 signed by the Principal Government Land Surveyor on behalf of the Director of Lands on 24 April 1997 and deposited in the Tuen Mun New Territories Land Registry, is declared to be a public cargo working area."

L.N. 268 of 1999

**PORT CONTROL (PUBLIC CARGO WORKING AREA)
(NO. 2) ORDER 1999**

(Made under section 3(1) of the Port Control (Cargo Working Areas) Ordinance (Cap. 81))

1. Commencement

This Order shall come into operation on 5 November 1999.

2. Public cargo working area

The area of unleased Government land situated at Stonecutters Island (having an area of approximately 35 559 square metres), delineated and coloured pink on the plan numbered DM51 signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 21 October 1999, and deposited in the Tsuen Wan New Territories Land Registry, is declared to be a public cargo working area.

3. Repeal

The Port Control (Public Cargo Working Area) Order 1999 (L.N. 8 of 1999) is repealed.

4. Paragraph substituted

The Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg.) is amended by repealing paragraph 12 and substituting—

"12. Stonecutters Island public cargo working area

The area of unleased Government land situated at Stonecutters Island (having an area of approximately 35 559 square metres), delineated and coloured pink on the plan numbered DM51 signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 21 October 1999, and deposited in the Tsuen Wan New Territories Land Registry, is declared to be a public cargo working area."

Chapter:	81B	Title:	PORT CONTROL (PUBLIC CARGO WORKING AREA) (CONSOLIDATION) ORDER	Gazette Number:	L.N. 59 of 1998
Paragraph:	8	Heading:	Rambler Channel public cargo working area	Version Date:	01/02/1998

The area of unleased Government land situated at the Rambler Channel Typhoon Shelter at Tsuen Wan (having an area of approximately 41100 square metres), delineated and coloured pink on the plan

numbered KTM 321a signed by the Principal Government Land Surveyor on behalf of the Director of Lands on 8 January 1998 and deposited in the Tsuen Wan New Territories Land Registry, is declared to be a public cargo working area.

(L.N. 59 of 1998)

Chapter:	81B	Title:	PORT CONTROL (PUBLIC CARGO WORKING AREA) (CONSOLIDATION) ORDER	Gazette Number:	L.N. 61 of 1998
Paragraph:	10	Heading:	Tuen Mun public cargo working area	Version Date:	01/02/1998

The area of unleased Government land situated at the Tuen Mun Typhoon Shelter (having an area of approximately 33000 square metres), delineated and edged black on the plan numbered TMM 1448 signed by the Principal Government Land Surveyor on behalf of the Director of Lands on 24 April 1997 and deposited in the Tuen Mun New Territories Land Registry, is declared to be a public cargo working area.

(L.N. 61 of 1998)

Chapter:	81B	Title:	PORT CONTROL (PUBLIC CARGO WORKING AREA) (CONSOLIDATION) ORDER	Gazette Number:	L.N. 268 of 1999
Paragraph:	12	Heading:	Stonecutters Island public cargo working area	Version Date:	05/11/1999

The area of unleased Government land situated at Stonecutters Island (having an area of approximately 35559 square metres), delineated and coloured pink on the plan numbered DM51 signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 21 October 1999, and deposited in the Tsuen Wan New Territories Land Registry, is declared to be a public cargo working area.

(L.N. 268 of 1999)

Chapter:	97	Title:	NEW TERRITORIES ORDINANCE	Gazette Number:	34 of 1999
Section:	10	Heading:	Interpretation of "Land Registry", etc.	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 34 of 1999 s. 3

(1) Where in any Ordinance the expression "Land Registry" (土地註冊處) or "District Land Registry" (分區土地註冊處) is used it shall include such places as the Chief Executive in Council may by order from time to time approve as a New Territories Land Registry. Save in so far as any such order shall otherwise provide each of the following shall, as from the commencement of this Ordinance, be deemed to have been approved as a New Territories Land Office by order duly made under this subsection, namely, the respective offices now known and used as the District Land Office, Kowloon, the District Land Office, Tai Po, and the District Land Office, Ping Shan. (Amended 8 of 1993 s. 11; 34 of 1999 s. 3)

(2) In this Ordinance "appropriate New Territories Land Registry" (適當的新界區土地註冊處) means in relation to any particular land such place approved under subsection (1) in which the register of deeds containing the last entry in respect of such land shall for the time being be kept, or, if there is no register of deeds, the place where the last memorial affecting such land is for the time being kept. (Amended 8 of 1993 s. 2)

(Replaced 62 of 1948 s. 2)

Chapter:	97	Title:	NEW TERRITORIES ORDINANCE G	Gazette Number:	
Section:	11	Heading:	Preparation, receipt and registration of memorials	Version Date:	30/06/1997

(1) A memorial of any deed, will or other instrument, or any judgment, order or lis pendens, in respect of or affecting land, may be prepared and shall be received at such places in addition to a New Territories Land Registry as the Land Registrar shall approve:

Provided that the registration of any such memorial shall be deemed to have been effected on the date and at the time that an acknowledgement of the receipt thereof shall be endorsed thereon at the appropriate New Territories Land Registry.

(2) Notwithstanding anything in this or any other enactment, the registration of any deed, will, or other instrument, or any judgment, order or lis pendens, in respect of or affecting land, shall be deemed to have been validly effected if effected at any place approved for such purpose by the Land Registrar.

(Replaced 62 of 1948 s. 2. Amended 20 of 1948 s. 4; L.N. 94 of 1974; L.N. 370 of 1981; L.N. 76 of 1982; 8 of 1993 ss. 2 & 3)

Chapter:	97	Title:	NEW TERRITORIES ORDINANCE	Gazette Number:	32 of 2000
Section:	15	Heading:	Registration of manager of "t'ong", etc.	Version Date:	09/06/2000

Whenever any land is held from the Government under lease or other grant, agreement or licence in

the name of a clan, family or t'ong, such clan, family or t'ong shall appoint a manager to represent it. Every such appointment shall be reported at the appropriate New Territories District Office of the Home Affairs Department, and the Secretary for Home Affairs on receiving such proof as he may require of such appointment shall, if he approves thereof, register the name of the said manager who shall, after giving such notices as may be prescribed, have full power to dispose of or in any way deal with the said land as if he were sole owner thereof, subject to the consent of the Secretary for Home Affairs, and shall be personally liable for the payment of all rents and charges and for the observance of all covenants and conditions in respect of the said land. Every instrument relating to land held by a clan, family or t'ong, which is executed or signed by the registered manager thereof in the presence of the Secretary for Home Affairs and is attested by him, shall be as effectual for all purposes as if it had been executed or signed by all the members of the said clan, family or t'ong. The Secretary for Home Affairs may on good cause shown cancel the appointment of any manager and select and register a new manager in his place. If the members of any clan, family or t'ong holding land do not within 3 months after the acquisition of the land make and prove the appointment of a manager, or within 3 months after any change of manager prove the appointment of a new manager, it shall be lawful for the Government to re-enter upon the land held by such clan, family or t'ong, which shall thereupon become forfeited. Such re-entry shall be effected by the registration of a memorial thereof in the appropriate New Territories Land Registry.

(Amended 50 of 1911 s. 4; 51 of 1911; 12 of 1912 Schedule; 13 of 1912 Schedule; 33 of 1939 Schedule; 20 of 1948 s. 4; 8 of 1993 ss. 2, 3 & 12; 29 of 1998 s. 105; 32 of 2000 s. 48)

Chapter:	97	Title:	NEW TERRITORIES ORDINANCE	Gazette Number:	
Section:	18	Heading:	Power to appoint trustees for minors	Version Date:	30/06/1997

Whenever any land is vested in a minor, it shall be lawful for the Secretary for Home Affairs to appoint some fit person to be a trustee thereof for such minor during his minority and to remove any such trustee and to appoint any new trustee. Every such appointment shall be registered by the Secretary for Home Affairs in the appropriate New Territories Land Registry, and upon registration the land the subject of the trust shall vest in the registered trustee for all the estate and interest of the minor therein, and upon registration of the removal of any trustee the land shall divest from the trustee so removed and vest in the continuing trustee or any newly registered trustee as the case may be. The Secretary for Home Affairs before registering a trustee may require him to give security in such manner and to such amount as he may think fit for the due execution of the trust. With the consent of the Secretary for Home Affairs a trustee may buy, sell, mortgage, lease or otherwise deal with or dispose of any property to the like extent as if he were the beneficial owner thereof, anything in the Trustee Ordinance (Cap 29), to the contrary notwithstanding.

(Amended 50 of 1911 s. 4; 51 of 1911; 13 of 1912 Schedule; 5 of 1924 Schedule; 20 of 1948 s. 4; 8 of 1993 ss. 2 & 3)

Chapter:	97B	Title:	NEW TERRITORIES (LAND REGISTRIES APPROVAL) ORDER	Gazette Number:	
		Heading:	Empowering section	Version Date:	30/06/1997

(8 of 1993 s. 30)

(Cap, 97 section 10(1))

[23 November 1973]

(L.N. 216 of 1973)

Chapter:	97B	Title:	NEW TERRITORIES (LAND REGISTRIES APPROVAL) ORDER	Gazette Number:	
Paragraph:	1	Heading:	(Repealed)	Version Date:	30/06/1997

(Repealed 8 of 1993 s. 30)

(8 of 1993 s. 30)

Chapter:	97B	Title:	NEW TERRITORIES (LAND REGISTRIES APPROVAL) ORDER	Gazette Number:	
Paragraph:	2	Heading:	Approval of Land Registries	Version Date:	30/06/1997

The places specified in Part I of the First Schedule are approved as New Territories Land Registries, and the place specified in Part II of the First Schedule shall continue to be approved as a New Territories Land Registry.

(8 of 1993 s. 30)

Chapter:	97B	Title:	NEW TERRITORIES (LAND REGISTRIES APPROVAL) ORDER	Gazette Number:	
Paragraph:	3	Heading:	Discontinuance of Land Offices	Version Date:	30/06/1997

The places specified in the Second Schedule shall cease to be approved as New Territories Land Offices.

(8 of 1993 s. 30)

Chapter:	97B	Title:	NEW TERRITORIES (LAND REGISTRIES APPROVAL) ORDER	Gazette Number:	
Schedule:	1	Heading:	NEW TERRITORIES LAND REGISTRIES	Version Date:	30/06/1997

[paragraph 2]

PART I

1. The District Land Registry, Yuen Long.
2. The District Land Registry, Tsuen Wan.
3. The District Land Registry, Sai Kung.
4. The District Land Registry, Islands.
5. The District Land Registry, Sha Tin. (L.N. 51 of 1975)
6. The District Land Registry, Tuen Mun. (L.N. 51 of 1975)
7. The District Land Registry, North. (L.N. 394 of 1984)

PART II

The District Land Registry, Tai Po.

(8 of 1993 s. 30)

Chapter:	97B	Title:	NEW TERRITORIES (LAND REGISTRIES APPROVAL) ORDER	Gazette Number:	
Schedule:	2	Heading:	DISCONTINUANCE OF NEW TERRITORIES LAND OFFICES	Version Date:	30/06/1997

[paragraph 3]

1. The District Land Office, Kowloon.
2. The District Land Office, Ping Shan.

(8 of 1993 s. 30)

Chapter:	102	Title:	WATERWORKS ORDINANCE	Gazette Number:	
Section:	23	Heading:	Mapping of gathering grounds	Version Date:	30/06/1997

PART V

GATHERING GROUNDS

(1) The Water Authority shall prepare maps showing all gathering grounds existing at the commencement of this Ordinance.

(2) Where a new gathering ground, or an extension of a gathering ground mapped under this section, is required for the purpose of extending or augmenting a supply, the Water Authority shall, after giving consideration to the preservation of traditional rights of any person to take water for agricultural and domestic purposes-

- (a) mark the limits or area of the new gathering ground on any map prepared under this section;
- (b) prepare a new map for the new gathering ground; or
- (c) alter the limits or area of the gathering ground on any map prepared under this section.

(3) Where there has been a reduction in the area of any gathering ground, the Water Authority shall accordingly alter the limits or area of that gathering ground on any map prepared under this section.

(4) Any map prepared, or any additions or alterations made thereto, under this section shall be signed and dated by the Water Authority.

(5) A map of a gathering ground prepared under this section shall be deposited-

- (a) if the map is in respect of a gathering ground in Hong Kong (other than the New Territories), in the Land Registry established under the Land Registration Ordinance (Cap 128);
- (b) if the map is in respect of a gathering ground in the New Territories, in the appropriate New Territories Land Registry within the meaning of section 10(2) of the New Territories Ordinance (Cap 97). (Amended 8 of 1993 s. 2)

(6) A notice of a map prepared under this section and of any additions or alterations made thereto shall be published in the Gazette together with the address of the Land Registry in which the map is deposited under subsection (5). (Amended 8 of 1993 s. 2)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	L.N. 96 of 1999
Regulation:	2	Heading:	Interpretation	Version Date:	01/06/1999

In these regulations, unless the context otherwise requires-

"A4 size" (A4 尺寸) means a size measuring 210 mm by 297 mm;

"computer" (電腦) has the meaning assigned by section 22A of the Evidence Ordinance (Cap 8); (L.N. 211 of 1986; 2 of 1999 s. 6)

"computer printout" (電腦印製本) means any document produced by a register computer; (L.N. 211 of 1986)

"instrument" (文書) includes any deed, conveyance, lis pendens, judgment or other instrument in writing; (56 of 1992 s. 17)

"Land Registry" (土地註冊處) means the land registry in Victoria or any New Territories Land Registry; (L.N. 353 of 1994)

"lot" (地段) includes a section and subsection of a lot;

"lot number" (地段編號) means-

- (a) in the case of a lot, the designation and number by which the lot is described in the Government lease under which it is held from the Government; or (29 of 1998 s. 105)
- (b) in the case of a section or subsection of a lot, the designation and number by which the section or subsection is described in the instrument by which it came into existence as such;

"memorial" (註冊摘要) means a memorial required to be delivered under regulation 5(1);

"memorial number" (註冊摘要編號) means the number assigned to a memorial under regulation 10; (L.N. 211 of 1986)

"New Territories Land Registry" (新界區土地註冊處) means any land registry specified in the First Schedule; (L.N. 353 of 1994)

"register card" (註冊資料卡) means a register card referred to in regulation 14(1);

"register computer" (註冊電腦) means a computer forming part of a system of recording the particulars referred to in regulations 10(d)(i), 14(1) and 18(2)(b). (L.N. 211 of 1986; L.N. 353 of 1994; L.N. 584 of 1995)

(L.N. 445 of 1996)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	4	Heading:	Opening of Land Registry to the public	Version Date:	30/06/1997

(1) Subject to paragraph (2), such part of the Land Registry as may be set aside for the purpose by the Land Registrar shall be open to the public-

- (a) between 9.30 a.m and 1 p.m. on a weekday and between 9.30 a.m. and 11.30 a.m. on a Saturday (not being a public holiday in either case) for the purpose of delivering instruments for registration; and
- (b) between 9 a.m. and 12.30 p.m. and between 2 p.m. and 4.15 p.m. on a weekday and between 9 a.m. and 11.45 a.m. on a Saturday (not being a public holiday in either case) for other purposes. (L.N. 353 of 1994)

(2) The Land Registrar may in his discretion vary the hours of opening under paragraph (1).

(3) Except as provided by and in accordance with this regulation no part of the Land Registry shall be open to the public.

(4) The Land Registrar shall place and maintain a notice at or near the entrance to the Land Registry indicating the part or parts of the Land Registry open to the public and the hours during which such part or parts are open.

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	5	Heading:	Delivery and form of memorial	Version Date:	30/06/1997

(1) Registration of an instrument under the Ordinance shall be effected by delivering into the Land Registry such instrument together with a memorial thereof in the form specified by the Land Registrar and by compliance with the Ordinance and these regulations. (L.N. 353 of 1994)

(2) A memorial shall, unless the Land Registrar otherwise permits, be on paper of A4 size. (L.N. 211 of 1986; L.N. 445 of 1996)

(3) Delivery of an instrument and memorial into the Land Registry may be effected by-

- (a) personal delivery; or
- (b) sending the instrument and memorial by post. (L.N. 353 of 1994)

(4) Subject to paragraph (5), the delivery of an instrument or memorial into the Land Registry by post shall be regarded as having been effected when the instrument or memorial is received by the Land Registrar. (L.N. 353 of 1994)

(5) For the purposes of these regulations, the date of receipt of an instrument or memorial sent to

the Land Registrar by post shall-

- (a) where the instrument or memorial is received by the Land Registrar before 1 p.m. on a weekday and before 11.30 a.m. on a Saturday, be that day;
- (b) where the instrument or memorial is received by the Land Registrar after 1 p.m. on a weekday and after 11.30 a.m. on a Saturday, be deemed to be the day next following such day on which the Land Registry is open to the public. (L.N. 353 of 1994)

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	6	Heading:	Particulars to be contained in memorial	Version Date:	30/06/1997

- (1) Subject to paragraph (2), a memorial shall contain the following particulars-
 - (a) the date of the instrument;
 - (b) the nature and object thereof;
 - (c) the names of the parties or other relevant persons and their respective shares in, and capacities in relation to, the land and premises affected or intended to be affected;
 - (d) a description of the land and premises affected or intended to be affected, including the lot number and address;
 - (e) the consideration (if any);
 - (f) the memorial number of-
 - (i) any mortgage or charge being reassigned or discharged;
 - (ii) any agreement being cancelled or the rights under which are being assigned;
 - (iii) any lease, sublease or tenancy agreement being cancelled, surrendered or assigned;
 - (iv) any agreement pursuant to which the assignment the subject of the memorial has been effected; and
 - (v) any other instrument being discharged, cancelled or otherwise satisfied by the instrument the subject of the memorial; and (L.N. 211 of 1986)
 - (g) the solicitors code. (L.N. 211 of 1986)
- (2) A memorial of an instrument being a lis pendens, judgment or order shall contain the following particulars- (56 of 1992 s. 17)
 - (a) the date of the instrument;
 - (b) the nature and action number thereof;
 - (c) the names of the parties and their respective shares in, and capacities in relation to, the land and premises affected or intended to be affected;
 - (d) the sum (if any) thereby claimed, recovered or secured; (56 of 1992 s. 17)
 - (e) a description of the land and premises affected or intended to be affected, including the lot number and address;
 - (f) the memorial number of the lis pendens, judgment or charging order being satisfied or discharged by the instrument the subject of the memorial; and (L.N. 211 of 1986; 56 of 1992 s. 17)
 - (g) the solicitors code. (L.N. 211 of 1986)
- (3) Where there are more instruments than one for perfecting a conveyance or security affecting the same land and premises, all such instruments shall be stated in one and the same memorial, in which it shall be sufficient to describe such land and premises only once.
- (4) In this regulation-

"address" (地址) includes the name of the street and the number of the premises;
"solicitors code" (律師代號) means the code assigned by the Land Registrar to a solicitor or firm of solicitors for the purpose of this regulation. (L.N. 211 of 1986; 8 of 1993 s. 30)
(L.N. 211 of 1986)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	7	Heading:	Verification of memorial	Version Date:	30/06/1997

Every memorial shall be verified-

- (a) by the oath of some competent person taken before a commissioner for oaths; (47 of 1997 s. 10)
- (b) by the certificate of a solicitor; (L.N. 353 of 1994)
- (c) where the memorial has been prepared in the Land Registry, by the certificate of the Land Registrar;
- (d) where the memorial has been prepared by a Government department and relates to an instrument which arises from or is related to the performance of the functions of that department, by the certificate of a public officer authorized by the head of the department for this purpose; or (L.N. 353 of 1994)
- (e) by the certificate of a person authorized for this purpose by the Chief Justice, (L.N. 353 of 1994)

is such form, respectively, as the Land Registrar may specify or approve.

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	8	Heading:	Plans	Version Date:	30/06/1997

(1) Any plan mentioned in and attached to or endorsed on an instrument delivered for registration shall be so coloured, hatched or cross-hatched that such colouring, hatching or cross-hatching may be identified, in the manner provided by this regulation, on 16 mm black and white microfilm or by the imaging method. (L.N. 584 of 1995)

(2) A copy of any such plan shall be attached to the memorial of the instrument to which it relates.

(3) Any colour, other than black and white, on any such plan and copy thereof shall be identified by the marking specified in respect of such colour in the Second Schedule.

(4) Unless the Land Registrar otherwise permits, any such plan and copy thereof shall be of A4 size. (L.N. 445 of 1996)

(5) Every copy plan referred to in paragraph (2) shall be deposited and kept by the Land Registrar in a secure place in the Land Registry for future reference when required.

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	9	Heading:	Size and form of instruments	Version Date:	30/06/1997

- (1) An instrument delivered for registration shall-
- (a) unless the Land Registrar otherwise permits, be on paper of A4 size; (L.N. 445 of 1996)
 - (b) contain, where practicable, the identity card number or numbers of the person or persons signing the instrument;
 - (c) be bound, to the satisfaction of the Land Registrar, in such a manner as to enable the instrument to be satisfactorily recorded on microfilm or by the imaging method in accordance with regulation 14(2); and (8 of 1993 s. 30)
 - (d) unless the Land Registrar otherwise permits, be printed or written in black ink on one side only of white paper or azure ledger paper. (L.N. 445 of 1996)
- (2) The type or other writing in an instrument delivered for registration shall be of such quality as to enable the contents thereof to be satisfactorily recorded on microfilm or by the imaging method in accordance with regulation 14(2).
- (3) In this regulation-
- "identity card" (身分證) means an identity card issued under the Registration of Persons Ordinance (Cap 177); and
- "identity card number" (身分證號碼) means the reference number appearing on an identity card.
- (L.N. 584 of 1995)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	10	Heading:	Procedure upon receipt of instrument and memorial	Version Date:	30/06/1997

- Upon receiving an instrument and memorial delivered under and in accordance with regulation 5 the Land Registrar shall-
- (a) number the memorial according to the order of time in which it is received;
 - (b) give a receipt to the person by whom the instrument and memorial were delivered for the instrument and memorial specifying the date of the receipt of the instrument and memorial and the memorial number;
 - (c) either-
 - (i) record on the instrument and memorial-
 - (A) the date of the receipt of the instrument and memorial; and
 - (B) the memorial number; or
 - (ii) record on a gum label the particulars mentioned in subparagraph (i) and affix such gum label to the instrument and memorial; and (L.N. 445 of 1996)
 - (d) either-
 - (i) enter-
 - (A) the memorial number;

- (B) the date of the instrument to which the memorial relates;
 - (C) the date of delivery;
 - (D) the names of the parties or other relevant persons; and
 - (E) the consideration (if any), on a portion of the record in the register computer kept for the purposes of this regulation for the land or premises to which the instrument relates; or
- (ii) enter the date of the receipt of the instrument and memorial number on an index of land and premises maintained by the Land Registrar for the purposes of this regulation.

(L.N. 353 of 1994)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	11	Heading:	Keeping of temporary index	Version Date:	30/06/1997

Until such time as particulars of an instrument delivered for registration are entered on a register computer or register card, the index referred to in regulation 10(d)(ii) shall be kept by the Land Registrar in a secure place in the Land Registry for future reference when required.

(L.N. 353 of 1994)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	12	Heading:	Memorial Day Book	Version Date:	30/06/1997

(1) The following particulars of every memorial shall as soon as practicable be entered by the Land Registrar, in regular succession according to the memorial number, in a book kept for the purpose to be known as a Memorial Day Book, that is to say-

- (a) the memorial number;
- (b) the date of the instrument to which the memorial relates;
- (c) the date of delivery;
- (d) the nature of the instrument;
- (e) the lot number of the land;
- (f) the share or interest therein affected;
- (g) the names of the parties or other relevant persons;
- (h) the name and description of the place where the land and premises are situate;
- (i) the consideration (if any);
- (j) the stamp duty (if any); and
- (k) any other matters that may seem to the Land Registrar to be relevant.

(2) Until such time as all instruments recorded therein are registered under regulation 14, the Memorial Day Book shall be kept by the Land Registrar in a secure place in the Land Registry for future reference when required.

Chapter:	128A	Title: LAND REGISTRATION REGULATIONS	Gazette Number:
Regulation:	13	Heading: Scrutiny of instrument and memorial	Version Date: 30/06/1997

The Land Registrar shall scrutinize every instrument delivered for registration and the memorial thereof, and shall ensure that the particulars required by regulation 6 are accurately contained in the memorial.

Chapter:	128A	Title: LAND REGISTRATION REGULATIONS	Gazette Number:
Regulation:	14	Heading: Procedure where memorial complies with regulations	Version Date: 30/06/1997

(1) Subject to regulation 15, the Land Registrar shall in respect of every memorial, as soon as practicable enter the following particulars on a portion of the record of a register computer or on a register card kept by him for the purpose of this regulation for the land and premises affected by the instrument to which the memorial relates, that is to say- (L.N. 211 of 1986; L.N. 353 of 1994)

- (a) the memorial number;
- (b) the date of the instrument to which the memorial relates;
- (c) the date of registration;
- (d) the consideration (if any);
- (e) the name or names of the party or parties in whose favour the instrument is made;
- (f) in the case of an instrument particulars of which are entered as an encumbrance, the nature of the instrument; and
- (g) any other matters that may seem to the Land Registrar to be relevant.

(1A) Register cards kept in any New Territories Land Registry may be kept in the form of a ledger or book. (L.N. 353 of 1994)

(2) When the requirements of paragraph (1) have been complied with the Land Registrar shall either sign a certificate of registration on the instrument or sign a certificate of registration printed on a gum label affixed to the instrument, whereupon registration shall be deemed to be completed, and the instrument together with the memorial thereof shall, subject to paragraph (2A), then be recorded by him on 16 mm black and white microfilm or by the imaging method. (L.N. 353 of 1994; L.N. 445 of 1996)

(2A) The requirement of paragraph (2) for the recording of instruments and memorials on microfilm or by the imaging method applies in relation to instruments and memorials registered in a New Territories Land Registry as from a date appointed by the Land Registrar by general notice in the Gazette for the purposes of such application and different days may be appointed for the application of different recording methods. (L.N. 353 of 1994)

(3) When the requirements of paragraph (2) have been complied with, the Land Registrar shall-

- (a) give notice in the manner provided by regulation 17 that registration of the instrument to which the memorial relates has been completed and that such instrument is available for collection by the person by whom it was delivered; or
- (b) send by post-
 - (i) a notice in writing that registration of the instrument to which the memorial relates has been completed; and
 - (ii) such instrument,
 to the person by whom it was delivered. (L.N. 353 of 1994)

(3A) The Land Registrar may at any time record by using the imaging method the microfilm record referred to in paragraph (2). (L.N. 584 of 1995)

(4) A microfilm or image record referred to in paragraphs (2) and (3A) shall be kept by the Land Registrar in a secure place in the Land Registry for future reference when required.

(5) Any person who collects a registered instrument shall sign for the instrument in a book to be kept in the Land Registry by the Land Registrar for the purpose.

(8 of 1993 s. 30; L.N. 584 of 1995)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	15	Heading:	Procedure where instrument is withheld from registration	Version Date:	30/06/1997

(1) Where, in respect of any memorial, plan or instrument delivered for registration, the Land Registrar is not satisfied as to any of the matters specified in section 23 of the Ordinance, he shall withhold the instrument from registration.

(2) Where under paragraph (1) an instrument is withheld from registration, the Land Registrar shall-

- (a) enter on a docket in duplicate, the reasons why such instrument has been withheld, and such entry shall be signed by him; and
- (b) either-
 - (i) give notice in the manner provided by regulation 17 that the instrument has been withheld from registration and is available for collection; or
 - (ii) send by post the instrument together with a notice that the instrument has been withheld from registration to the person by whom it was delivered. (L.N. 353 of 1994)

(3) Any person who collects an instrument withheld from registration shall-

- (a) at the same time collect the memorial and plans (if any) relating thereto;
- (b) acknowledge receipt of such instrument, memorial and plans (if any) by signing and dating, as of the date of collection, one copy of the docket referred to in paragraph (2)(a); and
- (c) collect and retain one copy of the docket.

(4) If an instrument collected by or sent by post to the person by whom it was delivered under paragraph (2) or (3) is redelivered for registration, such instrument, together with the memorial and plans (if any) relating thereto shall be scrutinized by the Land Registrar, and the Land Registrar shall- (L.N. 353 of 1994)

- (a) if he is then satisfied in respect of such instrument, memorial and plans (if any) as to the matters specified in section 23 of the Ordinance, proceed to register the instrument in accordance with regulation 14; or

(b) if he is not so satisfied, again withhold the instrument from registration.

(5) Paragraphs (2), (3) and (4) shall apply in respect of any instrument withheld under paragraph (4)(b).

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	17	Heading:	Notice of instruments available for collection	Version Date:	30/06/1997

Notice under regulation 14(3)(a) or 15(2)(b)(i) that an instrument is available for collection shall be given-

- (a) by placing the name of the person who delivered the instrument on a notice board maintained for the purpose in a conspicuous place in the Land Registry; or
- (b) by sending the notice to the person who delivered the instrument by post or such other means as the Land Registrar thinks fit.

(L.N. 353 of 1994)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	18	Heading:	Recording of old memorials and register cards, etc.	Version Date:	30/06/1997

(1) The Land Registrar shall, as soon as practicable after the commencement of the Land Registration (Amendment) Regulation 1995 (L.N. 584 of 1995), record-

- (a) on 16 mm black and white microfilm; or
- (b) by the imaging method,

the memorial of every instrument registered prior to-

- (i) in the case of a memorial of an instrument registered in the Land Registry, other than the New Territories Land Registry, the commencement of that Regulation; or
- (ii) in the case of a memorial of an instrument registered in the New Territories Land Registry, the date, or the latter of the dates if more than one date, appointed by the Land Registrar under regulation 14(2A).

(2) The Land Registrar shall, as soon as practicable after the commencement of the Land Registration (Amendment) Regulation 1995 (L.N. 584 of 1995)-

- (a) record on 16 mm black and white microfilm every register card kept by him in the Land Registry, other than the New Territories Land Registry; and
- (b) enter the particulars of every register card kept by him in the New Territories Land Registry on a portion of the record in a register computer kept for the purpose of this regulation for the land and the premises to which the register card relates.

(3) The Land Registrar may at any time record by using the imaging method the microfilm record of every memorial referred to in paragraph (1).

(4) The microfilm or image record of every memorial referred to in paragraph (1), the microfilm record of every register card referred to in paragraph (2) and the image record of the microfilm record referred to in paragraph (3) shall be deposited and kept by the Land Registrar in a secure place in the Land Registry for future reference when required.

(L.N. 584 of 1995)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	19	Heading:	Disposal of memorials and register cards after recording	Version Date:	30/06/1997

The Land Registrar may-

- (a) where any memorial has been recorded on microfilm or by the imaging method in accordance with regulation 14(2) or 18(1); or
 - (b) where any register card has been recorded on microfilm or the particulars thereof have been entered on a register computer in accordance with regulation 18(2),
- destroy or otherwise dispose of such memorial or such register card or part thereof in such manner as he thinks fit.

(L.N. 584 of 1995)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	20	Heading:	Correction of memorials	Version Date:	30/06/1997

(1) Any correction by erasure, interlineation or otherwise in any memorial of an instrument registered under the Ordinance shall-

- (a) in the case of any such memorial recorded on microfilm, be noted and set forth at length on a copy thereof in the form generally known as a reader-printer hard copy, together with the reasons for making the same;
 - (aa) in the case of any such memorial or the microfilm record thereof recorded by the imaging method, be noted and set forth at length on a copy thereof produced from the image record, together with the reasons for making the same; (L.N. 584 of 1995)
 - (b) in the case of any other such memorial, be noted and set forth at length in red ink on the margin thereof, together with the reasons for making the same,
- and shall be attested and verified by the signature of the Land Registrar.

(2) The Land Registrar shall-

- (a) record on 16 mm black and white microfilm the duly corrected copy of any memorial referred to in paragraph (1)(a); or (L.N. 584 of 1995)
 - (b) record by the imaging method the duly corrected copy of any memorial referred to in paragraph (1)(aa),
- and substitute the microfilm or image record of the memorial with the microfilm or image record, as the

case may be, of the corrected copy. (L.N. 584 of 1995)

(3) The Land Registrar may thereafter destroy or otherwise dispose of the microfilm or the image record for which he has made substitution in such manner as he thinks fit. (L.N. 584 of 1995)
(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	29 of 1998 s. 105
Regulation:	21	Heading:	Supply of copies and inspection of Land Registry records	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 29 of 1998 s. 105

(1) The Land Registrar shall, upon request by any person and upon payment of the fees prescribed under the Land Registration Fees Regulations (Cap 128 sub. leg.), make available to such person as soon as practicable and during the hours specified for the purpose by the Land Registrar, records of the Land Registry as follows- (L.N. 39 of 1996)

- (a) in the case of a memorial or instrument-
 - (i) recorded on microfilm, by supplying a copy thereof either-
 - (A) in the form generally known as a diazo copy containing the microfilm record of such memorial or instrument; or (L.N. 584 of 1995)
 - (B) in the form generally known as a reader-printer hard copy;
 - (ii) recorded by the imaging method or in any other form, by supplying a copy thereof in such form and by such method as Registrar thinks fit; (L.N. 353 of 1994; L.N. 584 of 1995)
- (b) in the case of a memorial or instrument to which subparagraph (a) does not apply, by producing the same for inspection in the Land Registry or by supplying a photocopy thereof; (L.N. 353 of 1994; L.N. 584 of 1995)
- (c) in the case of the index of land and premises kept under regulation 11, by making it available for inspection in the Land Registry;
- (d) in the case of a Memorial Day Book kept under regulation 12, by-
 - (i) producing the Book for inspection in the Land Registry; and
 - (ii) supplying information relating to an entry in such form and by such method as the Land Registrar thinks fit; (L.N. 39 of 1996)
- (e) in the case of a register card kept under regulation 14, by-
 - (i) supplying a photocopy thereof;
 - (ia) supplying a copy thereof in such form and by such method as the Land Registrar thinks fit; or (L.N. 353 of 1994)
 - (ii) producing the card for inspection in the Land Registry;
- (ea) in the case of records on a register computer, by supplying-
 - (i) historical and current information; or
 - (ii) current information only,
requested in the form of a computer printout or in such other form and by such other method as the Land Registrar thinks fit; (L.N. 353 of 1994)
- (f) in the case of a copy plan attached to a memorial, by-
 - (i) supplying a photocopy thereof;

- (ii) supplying a copy thereof in the form generally known as a diazo copy;
- (iii) supplying a copy thereof in the form generally known as a reader-printer hard copy;
- (iii)a) supplying a copy thereof in such form and by such method as the Land Registrar thinks fit; or (L.N. 353 of 1994)
- (iv) producing the copy plan for inspection in the Land Registry;
- (g) in the case of a plan deposited in the Land Registry under the provisions of any Ordinance, by producing such plan for inspection in the Land Registry;
- (h) in the case of a plan referred to but not contained in a Government lease and deposited in the Land Registry under the provisions of such lease, by- (29 of 1998 s. 105)
 - (i) supplying a photocopy of the plan;
 - (ia) supplying a copy thereof in such form and by such method as the Land Registrar thinks fit; or (L.N. 353 of 1994)
 - (ii) producing the plan for inspection in the Land Registry; and
- (i) in the case of a Government lease, by- (29 of 1998 s. 105)
 - (i) supplying a photocopy thereof;
 - (ii) supplying a copy thereof in the form generally known as a diazo copy or a reader-printer hard copy;
 - (iii) supplying a copy thereof in such other form and by such other method as the Land Registrar thinks fit; or (L.N. 353 of 1994)
 - (iv) producing the Government lease for inspection in the Land Registry. (L.N. 39 of 1996; 29 of 1998 s. 105)

(2) The Land Registrar shall not be obliged to make available any book, register, index or other record referred to in paragraph (1) other than in the way prescribed by that paragraph or, where more than one way is so prescribed, in any one such way as he may, in his discretion, decide.

(3) The Land Registrar shall not be obliged to make available any book, register, index or other record of the Land Registry other than a record referred to in paragraph (1).

(8 of 1993 s. 30; L.N. 353 of 1994)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	22	Heading:	Conduct in the Land Registry	Version Date:	30/06/1997

(1) Except with the permission of the Land Registrar, no person shall enter or remain in any part of the Land Registry not open to the public.

(2) No person shall-

- (a) smoke in any part of the Land Registry open to the public; or
- (b) write upon, mark in any way, or alter or interfere with the sequence of, any Land Registry record.

(3) The Land Registrar, or any member of the Land Registry staff authorized by him in that behalf, may require any person to leave the Land Registry or any part thereof-

- (a) who he has reason to believe has contravened or is about to contravene regulation 22(1) or (2);
- (b) who is behaving in a noisy or disorderly manner;
- (c) who appears to him to be under the influence of drink or drugs; or
- (d) who refuses or fails to comply with any reasonable requirement of the Land Registrar in furtherance of the proper management of the Land Registry.

(4) Any person who refuses or fails to leave the Land Registry or any part thereof when required to do so under paragraph (3) may be forcibly removed from the Land Registry.

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Regulation:	23	Heading:	Power to prohibit entry	Version Date:	30/06/1997

(1) The Land Registrar may prohibit any person who has contravened regulation 22(1) or (2) or who has been required to leave the Land Registry under regulation 22(3) from entering the Land Registry.

(2) Except with the permission of the Land Registrar, no person who has been prohibited from entering the Land Registry under paragraph (1) shall enter the Land Registry.

(8 of 1993 s. 30)

Chapter:	128A	Title:	LAND REGISTRATION REGULATIONS	Gazette Number:	
Schedule:	1	Heading:	NEW TERRITORIES LAND REGISTRIES	Version Date:	30/06/1997

[regulation 2]

1. Yuen Long New Territories Land Registry
2. Tsuen Wan New Territories Land Registry
3. Sai Kung New Territories Land Registry
4. Islands New Territories Land Registry
5. Sha Tin New Territories Land Registry
6. Tuen Mun New Territories Land Registry
7. Tai Po New Territories Land Registry
8. North New Territories Land Registry

(L.N. 353 of 1994)

Chapter:	128B	Title:	LAND REGISTRATION FEES REGULATIONS	Gazette Number:	
Regulation:	1A	Heading:	Interpretation	Version Date:	30/06/1997

In these regulations, unless the context otherwise requires-
"computer printout" (電腦印製本) has the meaning assigned by regulation 2 of the Land Registration Regulations (Cap 128 sub. leg.); (L.N. 248 of 1986)
"instrument" (文書) includes any deed, conveyance, lis pendens, judgment or other instrument in writing; (56 of 1992 s. 18)
"Land Registry" (土地註冊處) has the meaning assigned by regulation 2 of the Land Registration Regulations (Cap 128 sub. leg.); (L.N. 35 of 1996)
"New Territories Land Registry" (新界區土地註冊處) has the meaning assigned by regulation 2 of the Land Registration Regulations (Cap 128 sub. leg). (L.N. 320 of 1994)
(L.N. 139 of 1981)

Chapter:	128B	Title:	LAND REGISTRATION FEES REGULATIONS	Gazette Number:	
Regulation:	4	Heading:	Duty to grant exemption	Version Date:	30/06/1997

(1) Subject to paragraph (2), the Land Registrar shall waive the fee required to be taken under-

- (a) item 10 of the Schedule for supplying a copy of any register card;
- (b) item 11 of the Schedule for supplying information; or
- (c) item 15 of the Schedule for supplying a copy of a folio of a New Territories Land Registry register, (L.N. 35 of 1996)

if he is satisfied that the copy or information, as the case may be, is required in connection with a proposed incorporation of owners under the Building Management Ordinance (Cap 344). (L.N. 35 of 1996)

(2) The fee required to be taken but waived under paragraph (1) shall be paid by the Secretary for Home Affairs out of the general revenue. (L.N. 35 of 1996)

(L.N. 320 of 1994)

Chapter:	128B	Title:	LAND REGISTRATION FEES REGULATIONS	Gazette Number:	29 of 1998
Schedule:		Heading:	SCHEDULE	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 29 of 1998 s. 105

[regulations 2, 3 & 4]

1. Registration of any instrument (except as hereinafter specifically mentioned) whereby the legal or equitable estate in any property, or in any share or interest in any property, is assigned, conveyed, settled, partitioned, mortgaged, charged, reassigned, discharged, released or otherwise transferred including any instrument exempted from stamp duty under section 46 of the Stamp Duty Ordinance (Cap 117)-

Where the amount or value of the consideration or value of the property or share or interest affected-

- | | | |
|-----|---|--------------------|
| (a) | does not exceed \$750000 | \$230 |
| (b) | exceeds \$750000..... | \$450 |
| | | (L.N. 145 of 1996) |
| 2. | Registration of any agreement for sale and purchase or for mortgage | \$210 |
| 3. | Registration of any lease, agreement for a lease, or renewal or surrender of a lease | \$210 |
| 4. | Registration of any deed of mutual covenant, its sub-deed or sub-sub-deed or any supplemental deed thereof- | |
| | Where the number of property units thereunder is- | |
| (a) | 10 or less | \$1000 |
| (b) | more than 10..... | \$2000 |
| | | (L.N. 145 of 1996) |
| 5. | Registration of any probate, letters of administration, deed of appointment of new trustees, lis pendens, writ of foreign attachment, judgment, decree, prohibitory order, or other order of Court, certificate of satisfaction of a judgment or of dissolution of a writ of foreign attachment, or any other instrument whatsoever not otherwise specifically mentioned in this Schedule | \$210 |
| 6. | Registration of any instrument whereby any charge or mortgage, whether legal or equitable, on any property or on any share or interest in any property is assigned or transferred- | |
| | per 100 charges or mortgages or part thereof assigned or transferred ... | \$2000 |
| 7. | Receiving for registration any instrument withheld from registration and subsequently redelivered for registration, whether for the first or any subsequent time, in addition to the fees already paid under item 1, 2, 3, 4, 5 or 6- | |
| | For each period of 28 days or any part thereof during which the instrument is not so redelivered, the first such period commencing on- | |
| (a) | the day upon which the instrument is collected under regulation 15(3) of the Land Registration Regulations (Cap 128 sub. leg.); | |
| (b) | (where the instrument is returned by post under regulation 15 of those regulations) the date impressed on or indicated by the relevant postage stamp; | |
| (c) | (where notice in writing is given by the Land Registrar under regulation 17(a) of those regulations) the day upon which such notice is given; | |
| (d) | (where notice in writing is sent by post under regulation 17(b) of those regulations) the date impressed on or indicated by the relevant postage stamp | \$200 |
| 8. | A search in the Land Registry- | |
| (a) | for each memorial, Government lease, plan, or New Territories Land Registry register | \$10 |
| (b) | for each Memorial Day Book | \$150 |
| 9. | Supplying any information contained in any Memorial Day Book in respect of each memorial in any form by any method | \$10 |

10. Supplying a copy, or a hard copy from a microfilm, of the register card(s) of a property	\$30
11. Supplying information in the form of a computer printout or any other form indicating-	
(a) current particulars of a property	\$15
(b) historical and current particulars of a property	\$30
12. Supplying a diazo copy of the whole document of any instrument, memorial or Government lease.....	\$50
13. Supplying a copy, imaged copy, or a hard copy from a microfilm, or in any form by any method, of the whole document of any instrument, memorial or Government lease-	
(a) for each memorial and any instrument annexed thereto supplied	\$120
(b) for each Government lease supplied.....	\$190
(c) for each sheet or portion there from other instrument supplied	\$10
14. Supplying a copy, imaged copy, or a hard copy from a microfilm, or in any form by any method-	
(a) of a plan or plans attached to a memorial or a Government lease, per memorial or Government lease.....	\$15
(b) of other plans, per plan.....	\$15
(c) of a memorial	\$10
(d) of a letter or letters of compliance attached to a Government lease, per Government lease	\$10
(e) of a page of a Block Government Lease, per page	\$10
15. Supplying a copy of a folio of a New Territories Land Registry register	\$20
16. Additional fee for colouring or indicating colours upon any plan	\$150
17. Certifying as a true copy	\$150

(L.N. 35 of 1996; 29 of 1998 s. 105)

Chapter: 132	Title: PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE	Gazette Number:
Section: 105A	Heading: Provision for stadia	Version Date: 30/06/1997

PART IXA

STADIA

- (1) The Authority may by order published in the Gazette set aside any premises for use as a stadium.
- (2) The premises specified in the Twelfth Schedule shall be deemed to have been set aside under

subsection (1) for use as a stadium.

(3) The Authority shall, as soon as practicable, arrange for the preparation by the Director of Buildings and Lands of a plan of every stadium. (Amended L.N. 76 of 1982; L.N. 94 of 1986)

(4) Every plan prepared in accordance with subsection (3) shall be deposited in the appropriate Land Registry. (Amended 8 of 1993 s. 2)

(5) The Authority may, by order published in the Gazette, amend, add to or delete from, the Twelfth Schedule.

(Amended 9 of 1976 s. 10)

Chapter:	132	Title:	PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE	Gazette Number:	
Section:	105M	Heading:	Provision for civic centres	Version Date:	30/06/1997

Civic Centres

(1) The Authority may, by order published in the Gazette, set aside any premises and the grounds appurtenant thereto for use as a civic centre.

(2) The premises specified in the Thirteenth Schedule shall be deemed to have been set aside under subsection (1) for use as a civic centre.

(3) The Authority shall, as soon as practicable, arrange for the preparation by the Director of Buildings and Lands of a plan of every civic centre and the grounds appurtenant thereto. (Amended L.N. 76 of 1982; L.N. 94 of 1986)

(4) Every plan prepared in accordance with subsection (3) shall be deposited in the appropriate Land Registry. (Amended 8 of 1993 s. 2)

(5) The Authority may, by order published in the Gazette, amend, add to or delete from, the Thirteenth Schedule.

(Amended 9 of 1976 s. 10)

Chapter:	132	Title:	PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE	Gazette Number:	
Section:	106	Heading:	Provision of public pleasure grounds	Version Date:	30/06/1997

PART X

PUBLIC PLEASURE GROUNDS

(1) The Authority may, from time to time, by order set aside places for use as public pleasure grounds, and may by the same or any subsequent order specify the purpose for which such grounds or any part thereof shall be used.

(2) The places specified in the Fourth Schedule shall be deemed to have been set aside under the provisions of subsection (1) for use as public pleasure grounds.

(3) The Authority shall, as soon as practicable, prepare a plan of every public pleasure ground.

(4) Where the boundaries of any public pleasure ground are so varied, or such pleasure ground is otherwise so changed, as to render any plan deposited in accordance with the provisions of subsection (5) no longer accurate, the Authority shall withdraw the plan so deposited and shall, as soon as practicable, prepare an amended plan or a new plan of such pleasure ground.

(5) Every plan prepared in accordance with the provisions of subsection (3) or (4) shall be deposited in the appropriate Land Registry. (Amended 8 of 1993 s. 2)

(6) The Authority may be order amend, or add to or delete from, the Fourth Schedule.
(Amended 9 of 1976 s. 10)

Chapter:	132	Title:	PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE	Gazette Number:	
Section:	114	Heading:	Plans and demarcation of cemeteries	Version Date:	30/06/1997

(1) The Authority shall, as soon as practicable, prepare a plan of every cemetery and mark the boundaries thereof in such manner as it may think fit.

(2) Subject to subsection (2A), where the boundaries of any cemetery are so varied, or any cemetery is otherwise so changed, as to render any plan deposited in accordance with the provisions of subsection (3) no longer accurate, the Authority shall withdraw the plan so deposited and shall, as soon as practicable, prepare an amended plan or a new plan of such cemetery and, where necessary, further mark the boundaries thereof in such manner as it may think fit. (Amended 12 of 1994 s. 4)

(2A) The Authority shall, before exercising any power conferred on it under subsection (2) in relation to a Commonwealth War Graves Commission Cemetery, consult with The Commonwealth War Graves Commission. (Added 12 of 1994 s. 4)

(3) Every plan prepared in accordance with the provisions of subsection (1) or (2) shall be deposited in the appropriate Land Registry. (Amended 8 of 1993 s. 2)

Chapter:	152	Title:	NEW TERRITORIES (RENEWABLE GOVERNMENT LEASES) ORDINANCE	Gazette Number:	29 of 1998 ss. 47 & 48
Section:	2	Heading:	Interpretation	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 29 of 1998 ss. 47 & 48

In this Ordinance, unless the context otherwise requires-
"existing Government lease" (現行政府租契) means such a Government lease as is referred to in

section 3; (Replaced 29 of 1998 s. 48)

"lot" (地段) means any piece or parcel of ground demised under a Government lease; (Amended 29 of 1998 s. 48)

"new Government lease" (新政府租契) means such a Government lease as is deemed to be granted under section 4; (Replaced 29 of 1998 s. 48)

"section" (分段) means any portion of a lot which has been-

(a) assigned or alienated for the whole of the term created by the existing Government lease of the lot; or (Amended 29 of 1998 s. 48)

(b) declared to have been divided or severed from the remainder of the lot, by or under an instrument which is registered in a District Land Registry and also means any portion of a lot retained following such assignment or alienation. (Amended 8 of 1993 s. 2)

Chapter:	152	Title:	NEW TERRITORIES (RENEWABLE GOVERNMENT LEASES) ORDINANCE	Gazette Number:	29 of 1998 ss. 47 & 105
Section:	4	Heading:	New Government leases deemed to be granted on 1st July 1973	Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 29 of 1998 ss. 47 & 105

(1) In the case of an existing Government lease of a lot which has not been divided into sections before the 1st day of July 1973, the right of renewal contained in the lease shall be deemed to have been exercised by the person entitled to that right and on that date there shall be deemed to be granted to such person a new Government lease of the land held by him immediately before that date under the existing Government lease.

(2) In the case of an existing Government lease of a lot which has been divided into sections before the 1st day of July 1973, the right of renewal contained in the lease shall be deemed to have been exercised by the persons entitled to that right and on that date there shall be deemed to be granted to such persons separate new Government leases of the land respectively held by them immediately before that date under the existing Government lease.

(3) Every new Government lease shall be deemed to be for a term of twenty-four years less three days from the 1st day of July 1973, and shall be deemed to contain-

(a) where the new Government lease is deemed to be granted under subsection (1), a reservation of the same annual Government rent as was payable for the year ending on the 30th day of June 1973 in respect of the land to which the new Government lease relates;

(b) where the new Government lease is deemed to be granted under subsection (2), a reservation of the same annual Government rent as may appear from the Government Rent Roll in the appropriate District Office to have been payable for the year ending on the 30th day of June 1973 in respect of the land to which the new Government lease relates;

(c) a covenant by the lessee to pay in the same manner and on the same days as are specified in the existing Government lease whichever of the annual Government rents referred to in paragraphs (a) and (b) is applicable;

(d) the same covenants, exceptions, reservations, stipulations, provisos and declarations

(including the right of re-entry) mutatis mutandis as are contained in the existing Government lease of the land to which the new Government lease relates other than-

- (i) the covenant to pay the Government rent; and
 - (ii) the provision (if any) for fixing a new Government rent at the expiration of the first ten years of the term; and
 - (iii) the right of renewal on the expiration of the term;
- (e) a covenant by the lessee to perform, observe and comply with the covenants, exceptions, reservations, stipulations, provisos and declarations deemed to be contained in the new Government lease by virtue of paragraph (d).

(4) Every new Government lease and the land thereby deemed to be demised shall be deemed to be subject to such of the following encumbrances and interests as the land and the existing Government lease relating thereto were subject to immediately before the 1st day of July 1973-

- (a) any mortgage, whether legal or equitable, and whether registered in a District Land Registry or not; (Amended 8 of 1993 s. 2)
- (b) any public rights; and
- (c) any other rights, easements, tenancies or other burdens or encumbrances of whatsoever kind or nature, except such as were created by an instrument and were not thereby expressed to continue after the 30th day of June 1973.

(Amended 29 of 1998 s. 105)

Chapter:	159	Title:	LEGAL PRACTITIONERS ORDINANCE	Gazette Number:	
Section:	47	Heading:	Unqualified person not to prepare certain instruments, etc.	Version Date:	30/06/1997

(1) Any unqualified person, not being a barrister or a notary public, who, unless he proves that the act was not done for or in expectation of any fee, gain or reward, either directly or indirectly-

- (a) draws or prepares any instrument relating to movable or immovable property or to any legal proceeding; or
- (b) draws or prepares any memorial or other document for the purposes of the Land Registration Ordinance (Cap 128) or the New Territories Ordinance (Cap 97) or makes any application or lodges any testimony for registration under either of those Ordinances at the Land Registry or at any District Land Registry, (Amended 8 of 1993 s. 2)

shall be guilty of an offence and shall be liable on summary conviction to a fine of \$500000. (Amended 46 of 1989 s. 14)

(2) This section shall not extend to-

- (a) any public officer drawing or preparing instruments in the course of his duty;
- (b) any person employed merely to engross or copy any instrument or proceeding; or
- (c) an unqualified person who, while acting in the course of bona fide employment and supervised by a qualified person, draws or prepares any instrument, memorial or other document in the name of the qualified person. (Added 60 of 1994 s. 36)

(3) For the purposes of this section, "instrument" (文書) does not include-

- (a) a will or other testamentary instrument; or
- (b) an agreement under hand only; or
- (c) a letter of power of attorney; or
- (d) a transfer of stock containing no trust or limitation thereof

(Amended 60 of 1994 s. 36)

[cf. 1957 c. 27 s. 20 U.K.]

Chapter:	159G	Title:	SOLICITORS (GENERAL) COSTS RULES	Gazette Number:	25 of 1998 s. 2
Schedule:	2	Heading:		Version Date:	01/07/1997

Remarks:

Amendments retroactively made - see 25 of 1998 s. 2

[rule 3]

1. The costs chargeable in relation to agreements for sale and purchase of leasehold property or any interests therein shall be as follows-

Consideration		Charge	
Exceeding	Not Exceeding		
\$	\$		\$
	100,000	.....	800
100,000	250,000	.....	1,000
250,000	500,000	.....	1,250
500,000	1,000,000	.....	1,500
1,000,000	2,000,000	.....	1,750
2,000,000	5,000,000	.....	2,000
5,000,000	10,000,000	.....	2,500
10,000,000		.....	3,000

(L.N. 356 of 1980; L.N. 343 of 1983)

1A. The costs chargeable in relation to agreements for sale and purchase of residential units comprised in the Private Sector Participation Scheme, the Flat For Sale Scheme or the Sandwich Class Housing Scheme shall be 60% of the costs set out in paragraph 1. (L.N. 376 of 1991; L.N. 147 of 1996)

2. The costs chargeable in relation to reassignments of property and releases, including the release of a bill of sale by way of security, shall be as follows-

Original Consideration		Charge	
Exceeding	Not Exceeding		
\$	\$		\$
	100,000	.....	1,100
100,000	250,000	.....	1,300
250,000	500,000	.....	1,600
500,000		.....	1,800
Unlimited consideration		.....	1,800

The above costs include charges for the registration of the documents in the appropriate Land Registry, the Companies Registry and the High Court Registry. (L.N. 343 of 1983; 8 of 1993 s. 30; 25 of 1998 s. 2)

3. The costs chargeable in relation to all deeds of covenant, deeds of mutual covenant and deeds of mutual covenant and grant as customary in all flatted developments or developments of town houses or developments of a similar nature shall be \$750 in respect of each first assignment of any undivided share or shares in the property:

Provided that-

- (a) where a building consists of more than 50 units the costs chargeable shall be as follows-
 - (i) for the first 50 units \$750 for each unit
 - (ii) for the next 25 units \$650 for each unit
 - (iii) thereafter..... \$500 for each unit.

The average costs chargeable to each unit shall be computed by dividing the total costs chargeable under this paragraph by the number of units in the building;

(b) where there is a development of town houses or a similar development, the costs chargeable shall be as follows-

- (i) for the first 50 houses or self-contained units \$1,500 for each
- (ii) for the next 25 houses or self-contained units..... \$1,300 for each
- (iii) thereafter..... \$1,000 for each.

The average costs chargeable to each house or self-contained unit shall be computed by dividing the total amount of costs chargeable under this paragraph by the number of houses or self-contained units in the development. (L.N. 356 of 1980; L.N. 343 of 1983)

3A. The costs chargeable in relation to such documents as are referred to in paragraph 3 in respect of residential units comprised in the Home Ownership Scheme shall be 50% of the costs set out in that paragraph. (L.N. 376 of 1991; L.N. 147 of 1996)

3B. The costs chargeable in relation to such documents as are referred to in paragraph 3 in respect of residential units comprised in the Private Sector Participation Scheme, the Flat For Sale Scheme or the Sandwich Class Housing Scheme shall be 60% of the costs set out in that paragraph. (L.N. 147 of 1996)

4. For the approval only of documents in any non-contentious business referred to in paragraph 1, 2 or 3 the costs chargeable shall be one half of the charges set out in this Schedule.

Chapter:	159H	Title:	SOLICITORS' PRACTICE RULES	Gazette Number:	L.N. 227 of 1998
Rule:	5C	Heading:	Representation in conveyancing transactions	Version Date:	22/05/1998

(1) Subject to subrules (2), (3), (4) and (5), a solicitor, or 2 or more solicitors practising in partnership or association, shall not act for both the vendor and the purchaser on a sale or other disposition of land for value.

(2) A solicitor, or 2 or more solicitors practising in partnership or association, may act for both the vendor and the purchaser in the sale and purchase of a unit or other interest in an uncompleted development in respect of which the consent of the Director of Lands is required to be given pursuant to the relevant Crown Grant or Government grant and also in the completion of such sale and purchase. (8)

of 1993 s. 30; L.N. 291 of 1993; 29 of 1998 s. 49)

(3) A solicitor, or 2 or more solicitors practising in partnership or association, may act for both the vendor and the purchaser in the sale and purchase of a unit or other interest in an uncompleted development in respect of which the consent of the Director of Lands is not required and also in the completion of such sale and purchase if and only if- (L.N. 291 of 1993)

- (a) he, or one of them, has deposited in the Land Registry or a District Land Registry a statutory declaration- (8 of 1993 s. 30)
 - (i) in such form, and setting forth such facts, as the Council may, subject to the prior approval of the Chief Justice, from time to time specify; and
 - (ii) annexed to which are such documents as the Council may, subject to the prior approval of the Chief Justice, from time to time specify as documents to be so annexed; and
- (b) the agreement for sale and purchase to be entered into by the vendor and the purchaser contains such clauses as the Council may, subject to the prior approval of the Chief Justice, from time to time specify for mandatory inclusion in the agreement. (8 of 1993 s. 30)

(4) A solicitor, or 2 or more solicitors practising in partnership or association, may act for both the vendor and the purchaser in the sale and purchase of a unit or other interest in a completed development by the owner of the whole development where in respect of the unit or interest no assignment has been executed since the date of the occupation permit or the certificate of compliance in respect of the development, whichever is required in respect of such sale and purchase, and if both are required, the earlier, and in the completion of such sale and purchase, if and only if the agreement for sale and purchase to be entered into by the vendor and the purchaser contains such clauses as the Council may, subject to the prior approval of the Chief Justice, from time to time specify for mandatory inclusion in the agreement.

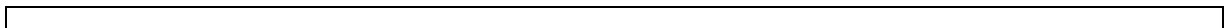
(5) Where pursuant to subrule (2), (3) or (4), a solicitor or 2 or more solicitors practising in partnership or association act for both the vendor and the purchaser in the sale and purchase of a unit or other interest in a development, that solicitor or solicitors may also act for the purchaser and the sub-purchasers in the sub-sale and sub-purchase of the unit or interest and in the completion of the sub-sale and sub-purchase if and only if the agreement or agreements for sub-sale and sub-purchase to be entered into by the parties contain such clauses as the Council may, subject to the prior approval of the Chief Justice, from time to time specify for mandatory inclusion in such agreement or agreements.

(6) This rule shall not apply-

- (a) if the parties are associated parties;
- (b) to a sale or other disposition of land the consideration of which does not exceed \$1000000 or such other amount as the Council may, subject to the prior approval of the Chief Justice, from time to time determine, and in respect of which there is no conflict of interest; (L.N. 227 of 1998)
- (c) to a mortgage of land;
- (d) to a lease of land; or
- (e) to a sale or other disposition of land in respect of which the contract for sale and purchase was entered into before the commencement of the Solicitors' Practice (Amendment) Rules 1989 (L.N. 154 of 1989).

(7) (Repealed L.N. 138 of 1993)

(L.N. 154 of 1989)



Chapter:	208	Title:	COUNTRY PARKS ORDINANCE	Gazette Number:	34 of 2000
Section:	13	Heading:	Power of Chief Executive in Council upon submission of draft map	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 34 of 2000 s. 3

-
- (1) Upon submission of a draft map under section 12, the Chief Executive in Council shall-
 - (a) approve the draft map;
 - (b) refuse to approve it; or
 - (c) refer it to the Authority for further consideration and amendment.
 - (2) Where the Chief Executive in Council refuses to approve a draft map under subsection (1)(b), the Authority shall as soon as possible after such refusal give notice in the Gazette of such refusal.
 - (3) The Chief Executive in Council may by order published in the Gazette correct any omission from or error in any map approved by him.
 - (4) Every map approved by the Chief Executive in Council shall be signed by the Authority and shall be deposited in the Land Registry and if the map relates to the New Territories certified copies of such approved maps shall be deposited in each District Land Registry in the New Territories. (Amended 8 of 1993 s. 2)
 - (5) The deposit of maps under subsection (4) shall be notified in the Gazette.
 - (6) The Authority shall supply a copy of an approved map to any person upon payment of such fee as the Authority may determine.
- (Amended 34 of 2000 s. 3)
-

Chapter:	208	Title:	COUNTRY PARKS ORDINANCE	Gazette Number:	34 of 2000
Section:	15	Heading:	Replacement or amendment of approved maps	Version Date:	01/07/1997

Expanded Cross Reference:

8, 9, 10, 11, 12, 13, 14

Remarks:

Adaptation amendments retroactively made - see 34 of 2000 s. 3

-
- (1) The Chief Executive in Council may refer any map approved by him under section 13 to the Authority for replacement by a new map or for amendment. (Amended 34 of 2000 s. 3)
 - (2) Upon any reference under subsection (1), sections 8 to 14 shall apply in respect of a new map in replacement of the map referred to or any amendment to the map referred in like manner as they applied to the map it replaces or amends; and where the reference is in respect of an amendment the word "map" (地圖) in sections 8 to 14 shall be construed as referring to the map showing the amendment. <* Note - Exp. X-Ref.: Sections 8, 9, 10, 11, 12, 13, 14 *>
 - (3) A map referred to the Authority shall be replaced by the new approved map or read as one with any approved amendment as the case may be.
 - (4) The Land Registrar shall endorse accordingly the map deposited under section 13 which has been replaced or amended and shall cause the copies of the maps deposited in the District Land

Registries to be similarly endorsed. (Amended 8 of 1993 ss. 3 & 23)

Chapter:	209	Title:	HONG KONG INDUSTRIAL ESTATES CORPORATION ORDINANCE	Gazette Number:	
Section:	6	Heading:	Plans of industrial estates	Version Date:	30/06/1997

(1) The Corporation shall prepare a plan of every industrial estate showing all land comprised therein.

(2) An industrial estate may be given such name as the Corporation thinks fit.

(3) Where there is any addition to or other alteration of the area of an industrial estate, such addition or alteration shall be shown by amendment of the plan prepared under subsection (1).

(4) Any plan prepared, or any additions or other alterations made thereto, under this section shall be signed and dated by the Chairman.

(5) A plan prepared under subsection (1) shall be deposited in the appropriate New Territories Land Registry within the meaning of section 10(2) of the New Territories Ordinance (Cap 97) and in the Land Registry in Victoria. (Amended 8 of 1993 s. 2)

(6) A notice of a plan prepared, or any additions or other alterations made thereto, under this section shall be published in the Gazette together with the addresses of the Land Registries in which the plan is deposited under subsection (5). (Amended 8 of 1993 s. 24)

Chapter:	283	Title:	HOUSING ORDINANCE	Gazette Number:	L.N. 212 of 1998
Section:	2	Heading:	Interpretation	Version Date:	24/04/1998

In this Ordinance, unless the context otherwise requires-

"Authority" (委員會) means the Housing Authority established under section 3;

"authorized officer" (獲授權人員) means any person in relation to whom a delegation under section 10 is for the time being in force; (Replaced 24 of 1995 s. 2)

"car park" (停車場) means any land in an estate set aside and designated by signs by the Authority for use as a car park; (Added 19 of 1978 s. 2)

"common parts" (公用部分) means the whole of any land sold or otherwise disposed of under section 17A, except such parts thereof as have been specified or designated in an instrument registered in the Land Registry as being for the exclusive use, occupation or enjoyment of an owner; (Added 33 of 1978 s. 2. Amended 8 of 1993 s. 2)

"estate" (屋邨) means any land vested in the Authority or the control and management of which has been vested in the Authority under section 5 or under a deed of mutual covenant or otherwise; (Amended 33 of 1978 s. 2)

"household" (家庭), in relation to a tenant under a lease of any land in an estate, includes the persons whose names are listed in the lease and who are allowed to occupy the land under the terms of the lease; (Added 24 of 1998 s. 2)

"housing" (房屋) means residential, industrial, commercial and business accommodation, buildings or premises;

"land" (土地) means immovable property; (Replaced 15 of 1982 s. 2)

"Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128) and a District Land Registry established under the New Territories Ordinance (Cap 97); (Added 33 of 1978 s. 2. Amended 8 of 1993 s. 2)

"lease" (租契) includes a licence, a tenancy agreement and an agreement for a lease, licence, or tenancy agreement, granted or made or deemed to have been granted or made under this Ordinance;

"owner" (擁有人) means-

- (a) a person who for the time being appears from the records at the Land Registry to be the owner of an undivided share in land; and (Amended 8 of 1993 s. 2)
- (b) a registered mortgagee in possession of such undivided share in land; (Added 33 of 1978 s. 2)

"parking place" (泊車處) means a place on a restricted road designated by signs or road markings by the Authority as a place where vehicles may be parked; (Added 19 of 1978 s. 2)

"registered mortgagee" (註冊承按人) means-

- (a) a person to whom an owner's interest in land has been mortgaged or charged under a mortgage or charge which has been registered in the Land Registry; and (Amended 8 of 1993 s. 2)
- (b) a person in whose favour a charge upon land has been created by virtue of any Ordinance; (Added 33 of 1978 s. 2)

"registered owner" (登記車主) means the person registered as owner of a vehicle in the register of motor vehicles maintained under the Road Traffic Ordinance (Cap 220); (Added 15 of 1982 s. 2)

"restricted road" (受限制道路) means a road, or any length of a road, designated as a restricted road under section 25A; (Added 19 of 1978 s. 2)

"road" (道路) means a road (as defined in section 2 of the Road Traffic Ordinance (Cap 374)) or private road (as defined in section 2 of the Road Traffic Ordinance (Cap 374)) within an estate; (Added 19 of 1978 s. 2. Amended 80 of 1998 s. 16)

"tenant" (租戶) includes licensee;

"vehicle" (車輛) means any vehicle whether mechanically propelled or otherwise intended or adapted for use on roads but does not include a perambulator. (Added 19 of 1978 s. 2)

Chapter:	301E	Title:	HONG KONG AIRPORT (CONTROL OF OBSTRUCTIONS) (EXEMPTION) ORDER	Gazette Number:	L.N. 112 of 2000
Schedule:		Heading:	SCHEDULE	Version Date:	08/06/2000

[section 2]

EXEMPTION FROM HEIGHT RESTRICTION

Item	Land	Height
------	------	--------

- | | | |
|----|--|------------------------|
| 1. | All those portions of Lot No. 35 in D.D. 228 shown-
stippled black
coloured red stippled black
on Plan No. SKM 4978-AHE signed by the Secretary for
Planning and Lands and deposited at the Sai Kung New
Territories Land Registry. | 605.345 m
605.715 m |
| 2. | All That portion of Land held under Government Land
Licence No. TW 9546 shown coloured pink on Plan No.
TWM 2883-AHEa signed by the Secretary for Planning and
Lands and deposited at the Tsuen Wan New Territories Land
Registry. | 636 m |
-

Chapter:	337	Title: DEMOLISHED BUILDINGS (RE-DEVELOPMENT OF SITES) ORDINANCE	Gazette Number:
Section:	2	Heading: Interpretation	Version Date: 30/06/1997

- (1) In this Ordinance, unless the context otherwise requires-
- "Building Authority" (建築事務監督) includes any person authorized to exercise the powers of the Building Authority under the Buildings Ordinance (Cap 123);
- "Director" (署長) means the Director of Buildings; (Amended L.N. 76 of 1982; L.N. 94 of 1986; L.N. 291 of 1993)
- "final award" (最終判給額) means the amount awarded under section 7 or, if the amount is reduced under section 8, the amount as so reduced; (Replaced 76 of 1981 s. 60)
- "Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128), and any New Territories Land Registry approved under the New Territories Ordinance (Cap 97); (Amended 8 of 1993 s. 2)
- "lease" (租契) includes an agreement for a lease and a tenancy agreement;
- "owner" (擁有人) does not include a mortgagee;
- "protected building" (受保障建築物) means a building to which Part I of the Landlord and Tenant (Consolidation) Ordinance (Cap 7) applies or at the relevant date applied, and it also means a building to any part of which that Part applies or so applied;
- "protected tenant" (受保障租客) means a tenant or sub-tenant at the relevant date of a protected building or part thereof but only where and to the extent Part I of the Landlord and Tenant (Consolidation) Ordinance (Cap 7) applies or at the relevant date applied to the subject matter of his tenancy;
- "re-development notice" (重新發展通知書) means a notice served by the Director under section 3;
- "re-development order" (重新發展令) means an order made by the Director under section 4;
- "the relevant date" (有關日期) in relation to any protected building means-
- (a) where an order has been made under section 26 of the Buildings Ordinance (Cap 123) requiring the demolition of the building, the date of service of the order; or
 - (b) where a fire or other calamity has occurred in consequence whereof the building has been demolished or certified by the Building Authority as being so dangerous as to require demolition, the date of the fire or calamity.

(2) The duties imposed on and the powers granted to the Director under this Ordinance may be carried out and exercised by any officer of the Buildings Department authorized by the Director either generally or particularly and subject to his instructions. (Amended L.N. 76 of 1982; L.N. 94 of 1986; L.N. 291 of 1993)

Chapter:	344	Title:	BUILDING MANAGEMENT ORDINANCE	Gazette Number:	L.N. 242 of 2000
Section:	2	Heading:	Interpretation	Version Date:	01/08/2000

In this Ordinance, unless the context otherwise requires-

"accountant" (會計師) means a certified public accountant within the meaning of the Professional Accountants Ordinance (Cap 50); (Added 27 of 1993 s. 4)

"administrator" (管理人) means a person appointed as an administrator under section 30 or 31;

"Authority" (主管當局) means the Secretary for Home Affairs; (Added 27 of 1993 s. 4)

"authorized officer" (獲授權人員) means any public officer authorized in writing by the Authority in that behalf; (Added 27 of 1993 s. 4)

"building" (建築物) means-

- (a) any building which contains any number of flats comprising 2 or more levels, including basements or underground parking areas;
- (b) any land upon which that building is erected; and
- (c) any other land (if any) which-
 - (i) is in common ownership with that building or land; or
 - (ii) in relation to the appointment of a management committee under Part II or any application in respect thereof, is owned or held by any person for the common use, enjoyment and benefit (whether exclusively or otherwise) of the owners and occupiers of the flats in that building; (Replaced 27 of 1993 s. 4)

"Code of Practice" (工作守則) means any Code of Practice prepared, revised or issued from time to time by the Authority under section 44; (Added 27 of 1993 s. 4. Amended 69 of 2000 s. 2)

"common parts" (公用部分) means-

- (a) the whole of a building, except such parts as have been specified or designated in an instrument registered in the Land Registry as being for the exclusive use, occupation or enjoyment of an owner; and (Amended 8 of 1993 s. 2)
- (b) unless so specified or designated, those parts specified in the First Schedule;

"corporation" (法團) means a corporation registered under section 8;

"deed of mutual covenant" (公契) means a document which-

- (a) defines the rights, interests and obligations of owners among themselves; and
- (b) is registered in the Land Registry; (Amended 8 of 1993 s. 2)

"estate" (屋邨) means the buildings or groups of buildings the subject of an application under section 34E(6); (Added 27 of 1993 s. 4)

"exempt estate" (獲豁免屋邨) means-

- (a) any estate specified in the Ninth Schedule;
- (b) any estate added to that Schedule under section 34E(6); (Added 27 of 1993 s. 4)

"flat" (單位) means any premises in a building which are referred to in a deed of mutual covenant whether described therein as a flat or by any other name and whether used as a dwelling, shop, factory, office or for any other purpose, of which the owner, as between himself and owners or

occupiers of other parts of the same building, is entitled to the exclusive possession;

"Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128) and a District Land Registry established under the New Territories Ordinance (Cap 97);

"Land Registrar" (土地註冊處處長) includes, in relation to buildings on land registered in a District Land Registry, the Authority, save that only the Land Registrar may specify forms; (Amended 8 of 1993 s. 3; 27 of 1993 s. 4)

"management committee" (管理委員會) means a management committee appointed under section 3, 3A or 4; (Amended 27 of 1993 s. 4)

"occupier" (佔用人) means a tenant, sub-tenant or other person in lawful occupation of a flat, but does not include an owner of that flat; (Added 27 of 1993 s. 4)

"owner" (業主) means-

- (a) a person who for the time being appears from the records at the Land Registry to be the owner of an undivided share in land on which there is a building; and (Amended 8 of 1993 s. 2)
- (b) a registered mortgagee in possession of such share;

"registered mortgagee" (已登記承按人) means-

- (a) a person to whom an owner's interest in a building has been mortgaged or charged under a mortgage or charge which has been registered in the Land Registry; and (Amended 8 of 1993 s. 2)
- (b) a person in whose favour a charge upon a flat has been created by virtue of any Ordinance;

"register" (登記冊) means the register of corporations maintained under section 12;

"share" (份數) means the share of an owner in a building determined in accordance with section 39;

"tenants' representative" (租客代表) means the tenants' representative appointed under section 15(1); (Added 27 of 1993 s. 4)

"tribunal" (審裁處) means the Lands Tribunal established under section 3 of the Lands Tribunal Ordinance (Cap 17). (Added 27 of 1993 s. 4)

(Amended 8 of 1993 s. 2; 27 of 1993 s. 4)

Chapter:	372	Title:	KOWLOON-CANTON RAILWAY CORPORATION ORDINANCE	Gazette Number:	32 of 2000
Schedule:	2	Heading:		Version Date:	09/06/2000

[section 7(1)]

PART I

1. There shall be vested in the Corporation for the interest specified in paragraphs 2, 3, 4 and 5 and for a period commencing on the appointed day and ending-
 - (a) in the case of land situated in Kowloon, 75 years thereafter; and
 - (b) in the case of land situated in the New Territories, on 30 June 2047, (Amended L.N. 325 of 1993)

all the Government land (in this Schedule called "the said land") described in the said paragraphs by reference to plans (in this Schedule called "the said plans"), certified under the hand of the Director of Lands as being the plans referred to in this Schedule, one set of which shall be deposited in the offices of the Land Registry, Victoria. (Amended 8 of 1993 s. 2; 29 of 1998 s. 105)

2. All that land bounded by a bold continuous black line on the said plans shall be vested absolutely:

Provided that there shall be excluded from the land so vested the land registered in the District Land Registry, Sha Tin, as Sha Tin Town Lot No. 87. (Amended 8 of 1993 s. 2)

3. In respect of the land bounded by a bold discontinuous black line on the said plans there shall be vested such underground wayleaves or rights of passage as are necessary for the Corporation to operate the railway as existing immediately prior to the appointed day, including the right to maintain or reconstruct all railway tracks, tunnels and other works which were constructed for the purposes of or in connection with the railway and in existence immediately prior to the appointed day and to construct and maintain new works for the better exercise of such wayleave or right of passage.

4. In respect of the land shown hatched black on the said plans there shall be vested-

- (a) such wayleaves or rights of passage as are necessary for the Corporation to operate the railway as existing immediately prior to the appointed day or, as the case may be, as it will be after the execution of the works under the scheme referred to in section 10(1)(c)*;
- (b) the right to maintain or reconstruct all railway tracks, railway bridges and other works on such land and to construct and maintain new works for the better exercise of such wayleave or right of passage.

5. In respect of the top of the concrete platform at Sha Tin Station, including all the under surface thereof, being a platform situated on Government land remaining in the possession of the Government and coloured grey on the said plans, there shall be vested in the Corporation the right to the exclusive use thereof and to permit other persons to use it, together with the right to construct on such platform, so long as the stability thereof is not affected, buildings and other structures. (Amended 29 of 1998 s. 105)

6. In respect of the Government land adjacent to the land vested under paragraphs 2, 3, 4 and 5 there shall be vested in the Corporation such rights as are appurtenant to the land so vested, being rights to continue to use such Government land for a purpose (being a railway purpose) for which the land was used immediately prior to the appointed day and, without derogation from the generality of the foregoing, such rights shall include-

- (a) the right to discharge storm water upon such Government land in the places and manner in which such water was discharged, or capable of being discharged, at such time;
- (b) such rights of way over such Government land as may have been so used; and
- (c) where any power under any repealed Ordinance relating to the railway was exercised for the benefit of the railway over any such Government land, the right to continue to use the Government land for the purposes for which the power was exercised. (Amended 29 of 1998 s. 105)

7. The Government and the Corporation may by agreement adjust the boundaries of the said land so as to transfer-

- (a) to the Government any lands included within the said land which ought not to have been so included, as not having been used for railway purposes immediately prior to the appointed day; (Amended 29 of 1998 s. 105)
- (b) to the Corporation any lands which ought to have been so included as having been used for railway purposes immediately prior to the appointed day.

8. The provisions of paragraphs 1(2) and 2 of the Third Schedule shall apply to an agreement under

paragraph 7 as they do to an agreement under paragraph 1(1) of that Schedule and any certificate under paragraph 2 of the Third Schedule as read with this paragraph shall, as soon as may be, be annexed to the said plans and be deemed to form part thereof:

Provided that in applying the said paragraphs for the purposes of this paragraph references to the Secretary for Transport shall be deemed to be references to the Director of Lands.

9. Nothing in this Schedule shall vest in the Corporation any rights which were not vested in the Government immediately prior to the appointed day and nothing in this Schedule shall affect the exercise by any person, other than the Government, of any rights in respect of the said land which he possessed immediately prior to the appointed day. (Amended 29 of 1998 s. 80)

PART II

10. There shall be reserved to the Government liberty-

- (a) to use and permit the public to use the following together with all roads appurtenant thereto-
 - (i) the bridges designated on the said plans by a number prefixed by the letter "B" and shown cross hatched black;
 - (ii) the subways designated on the said plans by a number prefixed by the letter "S" and shown cross hatched black;
 - (iii) the pedestrian ways along the railway bridges designated on the said plans by a number prefixed by the letter "P" and shown hatched black,and to keep all bridges, roads, tunnels and other works appertaining thereto on the said land;
- (b) to use exclusively, and to permit other persons to use, whether in accordance with a lease, tenancy agreement or otherwise-
 - (i) the top of the concrete platform at Sha Tin situated on land vested in the Corporation and coloured grey on the said plans, including all the under surface thereof;
 - (ii) that portion of the top of the concrete platform at Kowloon Station coloured grey on the said plans, including all the under surface of the said platform;
 - (iii) the top of the concrete platform at Mong Kok constructed under the rights reserved under sub-paragraph (c) hereof, including all the under surface thereof,together with all necessary rights of access and the right to construct on such platforms, so long as the stability thereof is not affected and having regard to the rights of other persons to the use of such platforms, buildings and other structures;
- (c) to construct at Mong Kok at the places coloured grey on the said plans, concrete platforms over the railway in accordance with the scheme therefor as existing immediately prior to the appointed day and as may be subsequently modified by agreement between the Government and the Corporation;
- (d) to construct vehicular and other ways on the said land over or under the railway and intersecting at right angles or diagonally the railway and to use, or permit the public to use, such vehicular or other ways for any purpose whatsoever;
- (e) to lay mains, pipes, wires, cables and drains within or upon the said land and to keep upon the said land any such mains, pipes, wires, cables and drains which existed upon the said land immediately prior to the appointed day and were used wholly or mainly for purposes other than railway purposes;
- (f) to cleanse, repair and maintain any works constructed or kept under the provisions of sub-paragraphs (a), (b), (c), (d) and (e) (including any of the platforms referred to in sub-paragraph (b)) and for its servants or agents to enter upon the said land for such purposes and for the inspection of such works or for the exercise of the rights conferred by this paragraph;

- (g) to exercise on the said land such rights appurtenant to the beneficial enjoyment by the Government or its successors of land retained by the Government, being rights to continue to use land for a purpose for which the land was used immediately prior to the appointed day, and without derogation from the generality of the foregoing, such rights shall include-
 - (i) the right to discharge storm water upon the said land in the places in which such water was discharged, or capable of being discharged, at such time; and
 - (ii) such rights of way as may have been so used.

11. In the exercise of the rights conferred upon it by paragraph 10 the Government shall-

- (a) not, without the consent of the Corporation, (which consent shall not unreasonably be withheld) do anything which might adversely affect the operation or safety of the railway and in the event of any injurious affection make reasonable compensation therefor;
- (b) do as little damage as possible and make reasonable compensation for all damage done;
- (c) reimburse the Corporation for any expenses incurred by it in undertaking works to facilitate, or enable the Government to exercise, such rights.

12. The Corporation shall not interfere with, or do anything which may injuriously affect, any works kept or constructed by the Government in accordance with the rights reserved under paragraph 10, with any of the platforms referred to in that paragraph, or with any road or way constructed for the use of the public without the consent in writing of the Director of Lands, which consent shall not unreasonably be withheld:

Provided that-

- (a) such consent shall not be withheld should the Corporation desire to affix cables, pipes, signalling equipment or other equipment for the operation of the railway to the underside or supports of any bridge or concrete platform or to any retaining wall, but the Director of Lands may, in granting his consent, impose reasonable conditions for safeguarding the structure of the bridge, platform or wall, or the users thereof;
- (b) where a pedestrian way referred to in paragraph 10(a)(ii) is an integral part of the structure of any railway bridge, nothing in this paragraph shall prevent the Corporation from effecting any necessary repairs to such structure or from rebuilding such bridge;
- (c) nothing in this paragraph shall affect any right of the Corporation to use any portion of the top of any concrete platform the use of which is not reserved to the Government, and to permit others to use it, and to construct buildings or other structures thereon so long as the stability of the platform is not affected and the rights reserved to the Government in respect of that platform are not injuriously affected.

13. There shall be reserved to the Government in respect of all land within the said land occupied by the Mass Transit Railway Corporation immediately prior to the appointed day the right to lease such land or any part thereof to the Mass Transit Railway Corporation upon such terms and conditions as the Government may determine, so however that nothing in any such lease shall affect the right of the Corporation established under this Ordinance to use the surface of such land for railway or other purposes and to have reasonable support for such use.

14. The Corporation shall not withdraw or vary the terms of any licence granted prior to the appointed day by the Government to the Mass Transit Railway Corporation or to the Government of the United Kingdom entitling the Mass Transit Railway Corporation or the Government of the United Kingdom to use any part of the said land, or any arrangement made to that effect, without the written approval of the Secretary for Transport.

15. The Corporation may-

- (a) use and permit the use of the portion of the said land described in paragraphs 2 and 5-

- (i) for railway purposes;
 - (ii) for any purpose in the exercise of the powers conferred on it by the Chief Executive under section 4(1)(e), (Amended 62 of 1999 s. 3; 32 of 2000 s. 48) and for purposes ancillary thereto, excluding staff housing and including, within station premises only, the provision of services or articles for the use or enjoyment of passengers on the railway; or
- (b) where any portion of the said land described in paragraphs 2 and 5 was, immediately prior to the appointed day, used for other than railway purposes, or for staff housing, use and permit the use of the said land for such other purposes or such housing but only to the extent that such part of the said land was so used immediately prior to the appointed day,

and may not use the said land, or any portion thereof, for any other purpose without the consent in writing of the Director of Lands who may, in granting such permission, impose such conditions as he thinks fit including the payment by the Corporation of a reasonable premium to the Government for payment into general revenue as consideration for the grant of such consent.

16. The Corporation shall not assign, underlet, part with possession or otherwise dispose of the said land or any part thereof or any interest therein, or enter into any agreement so to do, for a period in excess of 3 years without the consent in writing of the Director of Lands:

Provided that nothing in this paragraph shall relate to the part of the said land referred to in paragraph 15(b).

17. The Corporation shall keep the railway and other works and erections made or erected on the said land in good and substantial repair:

Provided that nothing in this Schedule shall impose on the Corporation any obligation to repair any-

- (a) bridge or subway referred to in paragraph 10(a)(i) and (ii) and shown cross hatched black on the said plans;
- (b) pedestrian ways referred to in paragraph 10(a)(iii) and shown hatched black on the said plans except in the case of structural defects to a bridge on which a pedestrian way is situated and which affect the safety of the way;
- (c) concrete platform referred to in paragraph 10 and coloured grey on the said plans or an access used exclusively in connection therewith save to the extent that the Corporation has any interest in the top of the platform, and then only to the extent of that interest.

18. The Government may at any time enter upon any cutting, embankment or retaining wall on the said land which, by reason of its condition, injuriously affects or is likely to affect any Government land and execute such work thereon as may be reasonably necessary to prevent such injurious affection. The reasonable costs so incurred shall be a debt owing by the Corporation to the Government. (Amended 29 of 1998 s. 105)

19. The Corporation shall maintain in good and substantial repair fences erected on the said land to prevent access to the railway by members of the public or livestock and, in places where such fences are required for the protection of the public or livestock and were not in existence immediately prior to the appointed day, shall construct fences adequate for such purpose and so maintain them.

20. Subject to the proviso to paragraph 17 the Corporation shall be liable to pay a reasonable portion of all expenses incurred by the Government, and the Government a reasonable portion of all expenses incurred by the Corporation, in repairing and rebuilding and cleansing all party walls, fences, sewers, drains, roads, pavements and other things the use of which is common to the said land and to any adjoining land held by the Government. In the absence of agreement on the sum the Government or the Corporation shall pay, this shall be determined in accordance with the Arbitration Ordinance (Cap 341) by reference to 2 arbitrators, one to be appointed by each party. (Amended 29 of 1998 s. 105)

21. The Government shall have the right to such facilities as it may reasonably require for police, immigration or customs purposes on railway premises:

Provided that nothing in this paragraph shall require the Corporation to carry out any building or other works otherwise than at the expense of the Government.

PART III

22. The Chief Executive may by order in the Gazette amend- (Amended 62 of 1999 s. 3)

(a) Part I of this Schedule by extending the term of years for which the said land, or any part thereof, is vested in the Corporation;

(b) Part II of this Schedule:

Provided that the prior consent of the Corporation shall be required to any amendment which has the effect of imposing any new restriction on the Corporation as to the manner in which it may use the said land or any part thereof or which otherwise limits the rights granted in this Schedule.

23. That part of the said land lying below the land registered in the District Land Registry, Sha Tin, as Sha Tin Town Lot No. 87 shall be subject to the mutual rights and obligations reserved in and imposed by, and the agreements and conditions contained in, the Conditions of Sale registered in the said District Land Registry as New Grant No. 11326. (Amended 8 of 1993 s. 2)

24. (1) In this Schedule the expressions "the said land" (所述土地) and "the said plans" (所述圖則) have the meanings assigned to them by paragraph 1.

(2) Any reference to the Government or the Corporation shall where the reference relates to any right to go onto any land or do anything thereon be deemed to refer also to their servants or agents.

(3) In this Schedule references to "the railway" shall be construed as referring to the Kowloon-Canton Railway and references to "railway purposes" shall be construed accordingly. (Added 56 of 1986 s. 19)

* Repealed-see 13 of 1998 s. 6

Chapter:	438	Title:	SEWAGE TUNNELS (STATUTORY EASEMENTS) ORDINANCE	Gazette Number:	L.N. 330 of 1999
Section:	2	Heading:	Interpretation	Version Date:	01/01/2000

In this Ordinance, unless the context otherwise requires-

"land" (土地) means leased land within the meaning of the Land (Miscellaneous Provisions) Ordinance (Cap 28) or unleased land which is occupied in accordance with Part II of that Ordinance and includes land covered by water; (Amended 29 of 1998 s. 85)

"Land Registry" (土地註冊處) means the Lands Registry established under the Land Registration Ordinance (Cap 128) and any District Land Registry established under the New Territories Ordinance (Cap 97);

"Secretary" (局長) means the Secretary for Planning and Lands; (Amended 61 of 1999 s. 3; L.N. 330 of 1999)

"sewage tunnel" and "tunnel" (污水隧道) mean an underground tunnel and associated underground structures for the transfer of sewage;

"tunnel works" (污水隧道工程) means the construction, operation, maintenance, repair or replacement of any sewage tunnel or any part of such tunnel, or the investigation or examination of such tunnel or of any land required for such tunnel.

(Enacted 1993)

Chapter:	446	Title:	LAND DRAINAGE ORDINANCE	Gazette Number:	L.N. 330 of 1999
Section:	2	Heading:	Interpretation	Version Date:	01/01/2000

In this Ordinance, unless the context otherwise requires-

"approved plan" (獲批准圖則) means a finalised draft plan approved by the Chief Executive in Council under section 11(1)(a); (Amended 61 of 1999 s. 3)

"bank" (堤岸) means any bank, wall or embankment, adjoining, confining or constructed for the purpose of, or in connection with, any watercourse, and-

- (a) in the case of a watercourse within which tidal waters flow, includes all land between the bank of the watercourse and low water mark of mean spring tides; and
- (b) in the case of any other watercourse, includes all land between the bank of the watercourse and the water in the watercourse;

"barrister" (大律師) has the meaning assigned to it in section 2 of the Legal Practitioners Ordinance (Cap 159);

"Board" (上訴委員會) means a Drainage Appeal Board constituted under section 30;

"compensatable interest" (可獲補償權益) means the estate or interest of-

- (a) a person having an unexpired term in land (including any further term which could be obtained as of right) of not less than one month or a tenancy or subtenancy terminable (whether by virtue of an Ordinance or otherwise) by either party by not less than one month's notice;
- (b) a mortgagee in possession;
- (c) the holder of a valid and subsisting option to purchase an estate or interest referred to in paragraph (a) or (b);
- (d) a purchaser under an agreement for sale and purchase to whom the benefit of an estate or interest referred to in paragraph (a) or (b) has already passed;

"domestic premises" (住宅) means any premises which are constructed or intended to be used for habitation;

"draft plan" (草圖) or "draft Drainage Authority Area plan" (排水監管區草圖) means a draft plan notified in the Gazette under section 5;

"Drainage Authority" (排水事務監督) means the Director of Drainage Services;

"Drainage Authority Area" (排水監管區) means the Drainage Authority Area shown in a draft Drainage Authority Area plan notified in the Gazette under section 5 or an approved plan notified in the Gazette under section 11;

"drainage works" (排水工程) includes-

- (a) the cleansing, scouring, dredging or desilting of any main watercourse;
- (b) the removal of any natural or artificial obstruction in any main watercourse;

- (c) the repair, strengthening, alteration or removal of any embankment for the purpose of defence against water; and
- (d) any works for the prevention or abatement of injury or damage which might be caused by the carrying out of any of the operations referred to in paragraph (a), (b) or (c);

"emergency" (緊急情況) means the existence of a substantial risk of injury to any person or damage to any property caused by or consequential upon flooding;

"land" (土地) includes-

- (a) land covered by water; and
- (b) the whole or part of any building or other erection or fixture on land;

"Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128) and any District Land Registry established under the New Territories Ordinance (Cap 97);

"main watercourse" (主要水道) means any main watercourse designated in a draft Drainage Authority Area plan notified in the Gazette under section 5 or an approved plan notified in the Gazette under section 11;

"mortgage" (按揭) means a mortgage or charge registrable in the Land Registry;

"obstruction" (障礙物) in Parts III and IV includes earth, stone, timber and material of all kinds artificially placed in any main watercourse;

"occupier" (佔用人) includes a tenant of an owner of land whether or not he pays rent and a person who resides in a building;

"owner" (擁有人), in relation to land, means the person holding that land-

- (a) directly under a Government lease; or
- (b) under another title directly from the Government registered in the Land Registry; (Amended 29 of 1998 s. 105)

"Panel" (上訴委員備選小組) means the panel of persons appointed to be the Drainage Appeal Board Panel under section 29(1);

"registered professional engineer" (註冊專業工程師) has the meaning assigned to it in section 2 of the Engineers Registration Ordinance (Cap 409);

"Secretary" (局長) means the Secretary for Planning and Lands; (Amended 61 of 1999 s. 3; L.N. 330 of 1999)

"solicitor" (律師) has the meaning assigned to it in section 2 of the Legal Practitioners Ordinance (Cap 159);

"structure" (構築物) in Parts III and IV, subject to section 21(3), includes a bridge, fence, barrier, post, culvert or pipe crossing;

"watercourse" (水道) includes-

- (a) any river, stream, ditch, channel, drain, pipe, cut, culvert, tunnel, nullah, dyke, weir, sluice, flood storage pond, flood pumping station, and other passage used wholly or partly for the conveyance or storage of stormwater or surface water but does not include-
 - (i) any pipe or channel intended primarily for sewage or industrial discharges; and
 - (ii) any drain and sewer as defined by section 2 of the Buildings Ordinance (Cap 123); and
- (b) the bank, channel or bed of any watercourse which is wet normally but may be, from time to time, dry.

(Enacted 1994)

Chapter:	473	Title:	LAND SURVEY ORDINANCE	Gazette Number:	L.N. 330 of 1999
Section:	2	Heading:	Interpretation	Version Date:	01/01/2000

Remarks:

Adaptation amendments retroactively made - see 62 of 2000 s. 3

- In this Ordinance, unless the context otherwise requires-
- "Authority" (監督) means the Land Survey Authority;
- "authorized land surveyor" (認可土地測量師) means a person whose name is currently entered in the register and whose registration is in force;
- "code of practice" (實務守則) includes-
- (a) a standard;
 - (b) a specification; and
 - (c) any other practical instructions or guidance in writing;
- "Committee" (委員會) means the Land Surveyors Registration Committee appointed under section 6;
- "Disciplinary Board" (紀律審裁委員會) means a board appointed under section 22;
- "disciplinary offence" (違紀行爲) means an act or omission set out in section 20;
- "field note" (外業紀錄) means the original record of field observations and measurements recorded in the field in the course of a land boundary survey, including a print-out from an electronic data recorder;
- "function" (職權) includes a power and a duty and "performance of function" (行使職權) includes the exercise of a power and the performance of a duty;
- "Institute" (學會) means The Hong Kong Institute of Surveyors incorporated by The Hong Kong Institute of Surveyors Ordinance (Cap 1148);
- "land" (土地) includes-
- (a) land covered by water; and
 - (b) a building or other thing attached to land or a thing permanently fastened to a building or other thing attached to land,
- but does not include-
- (i) any right, interest or easement in or over land; or
 - (ii) the whole or part of an undivided share in land or a building;
- "land boundary" (土地界限) means a line defining the territorial limits of a parcel of land;
- "land boundary plan" (土地界線圖) means a plan showing and delineating the land boundary of a parcel of land;
- "land boundary record" (土地界線紀錄), in relation to a parcel of land, means the record, kept by the Authority, of all measurements, computations and survey data used in connection with defining the land boundary of the parcel of land and includes the survey record plan, the land boundary plan and other documents used in connection with defining such land boundary;
- "land boundary survey" (土地界線測量) means any survey which is required in connection with defining land boundaries and includes the preparation of field notes, survey record plans and land boundary plans;
- "Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128) or any District Land Registry established under the New Territories Ordinance (Cap 97);
- "Panel" (委員會) means the Disciplinary Board Panel appointed under section 19;
- "register" (名冊) means the register of authorized land surveyors established under section 8;
- "Registrar" (註冊主任) means the Registrar of Authorized Land Surveyors appointed under section 10;

"registration" (註冊) means registration as an authorized land surveyor in accordance with this Ordinance;

"Secretary" (局長) means the Secretary for Planning and Lands; (Amended L.N. 330 of 1999; 62 of 2000 s. 3)

"specified form" (指明格式) means a form specified by the Authority under section 36;

"survey mark" (測量標誌) means a mark defining a surveyed position;

"survey record plan" (測量記錄圖) means a plan recording survey data (including land boundaries, survey evidence, survey marks, traverses, alignments and significant ties to occupation and related features) used in a land boundary survey.

(Enacted 1995)

Chapter:	476	Title:	MARINE PARKS ORDINANCE	Gazette Number:	L.N. 331 of 1999
Section:	8	Heading:	Publication of notice and inspection of draft map	Version Date:	01/01/2000

(1) Where the Authority has prepared a draft map under section 7, he shall publish in the Gazette a notice in English and in Chinese-

- (a) containing a general description of the area shown in the draft map;
- (b) giving particulars of the places and times at which a copy of the draft map, and other information (if any) relating to the proposed marine park or proposed marine reserve, as the case may be, may be inspected by the public; and
- (c) specifying the time within which, and the manner in which, objections with regard to the draft map may be made.

(2) Where the Authority publishes a notice under subsection (1), he shall-

- (a) publish a copy of the notice in 3 issues of one English language and 2 Chinese language daily newspapers; and
- (b) where he considers it practicable and appropriate, display copies of such notice in prominent positions within or near the proposed marine park or proposed marine reserve, as the case may be.

(3) A copy of the draft map, together with other information relating to the proposed marine park or proposed marine reserve, as the case may be, as the Authority considers appropriate, shall be made available for inspection free of charge at the Land Registry, the relevant District Land Registry, the headquarters of the Agriculture, Fisheries and Conservation Department and the headquarters of the Marine Department for a period of 60 days from the date of publication of the notice under subsection (1) and during the hours when those offices are normally open to the public. (Amended L.N. 331 of 1999)

(4) Any person may obtain a copy of the draft map, upon payment of such fee as the Authority may determine, at the headquarters of the Agriculture, Fisheries and Conservation Department. (Amended L.N. 331 of 1999)

(5) Any person may in writing request the Authority to provide him with further information relating to the proposed marine park or proposed marine reserve, as the case may be, which has not already been made available for inspection under subsection (3).

(6) Upon receipt of a request under subsection (5), the Authority may-

- (a) provide the required information to the person making the request; or
- (b) on any reasonable ground, refuse to provide such information.

Chapter:	476	Title:	MARINE PARKS ORDINANCE	Gazette Number:	L.N. 331 of 1999
Section:	14	Heading:	Power of Chief Executive in Council upon submission of draft map	Version Date:	01/01/2000

Remarks:

Adaptation amendments retroactively made - see 34 of 2000 s. 3

- (1) Upon submission of a draft map under section 13, the Chief Executive in Council shall-
- approve the draft map;
 - refuse to approve it; or
 - refer it to the Authority for further consideration and amendment.
- (2) Where the Chief Executive in Council refuses to approve a draft map under subsection (1)(b), the Authority shall as soon as possible after such refusal give notice in the Gazette of such refusal.
- (3) The Chief Executive in Council may by order in the Gazette correct any omission from or error in any map approved by him.
- (4) Every map approved by the Chief Executive in Council shall be signed by the Authority.
- (5) Copies of the approved map, certified as true copies of the original by the Authority, shall be deposited in the Land Registry, the relevant District Land Registry, the headquarters of the Agriculture, Fisheries and Conservation Department and the headquarters of the Marine Department and shall be made available for inspection free of charge at those offices during the office hours when those offices are normally open to the public. (Amended L.N. 331 of 1999)
- (6) The deposit of maps under subsection (5) shall be notified in the Gazette.
- (7) Any person may obtain a copy of an approved map, upon payment of such fee as the Authority may determine, at the headquarters of the Agriculture, Fisheries and Conservation Department. (Amended L.N. 331 of 1999)

(Enacted 1995. Amended 34 of 2000 s. 3)

Chapter:	476A	Title:	MARINE PARKS AND MARINE RESERVES REGULATION	Gazette Number:	
Section:	2	Heading:	Interpretation	Version Date:	30/06/1997

- In this Regulation, unless the context otherwise requires-
- "animal" (動物) means any form of animal life, whether alive or dead, or its part;
- "boating" (船艇活動) means operating a vessel for pleasure, competition, recreation or tourism;
- "fish" (釣魚、捕魚、魚類)-
- when used as a verb, means to kill or capture fish; and
 - when used as a noun, means any fish, crustacean, echinoderm or mollusc;

"fish culture" (魚類養殖) means any operation involving the maintenance, propagation or promotion of growth of fish in captivity;

"fishing or hunting device" (釣魚、捕魚或獵捕器具) means any tool, equipment or appliance designed or used for the purpose of fishing or hunting animals and includes any net, line, trap, chemical, electric charge, explosive or spear gun;

"hunt" (獵捕) includes any act immediately directed at the killing or capture of any animal or the taking of any nest, egg or young of any animal;

"Land Registry" (土地註冊處) means the Land Registry established under the Land Registration Ordinance (Cap 128) and any District Land Registry established under the New Territories Ordinance (Cap 97);

"litter" (廢物) means any refuse, rubbish, earth, dirt, filth, dust, sawdust, paper, timber off-cuts, ashes, excreta, and any other matter of a like nature;

"nesting ground" (築窩巢地方) means any place where animals breed, nurse their young and roost;

"permit" (許可證) means a permit granted by the Authority under section 22 of the Ordinance;

"plant" (植物) means a live or dead plant, or its part;

"protected marine and coastal species" (受保護海洋及近岸生物) means an animal or a plant species, or its part, specified in Schedule 2;

"water-skiing" (滑水) includes the skiing on water by aquaplane or other similar object, or the operating of a jet ski or water scooter;

"wild birds" (野生雀鳥) means all birds other than poultry and those kept principally or solely as pets.

(Enacted 1996)

Chapter:	476B	Title:	MARINE PARKS (DESIGNATION) ORDER	Gazette Number:	L.N. 331 of 1999
Schedule:		Heading:	SCHEDULE	Version Date:	01/01/2000

[section 1]

1. Hoi Ha Wan Marine Park

That area delineated and coloured pink on the map (Plan No. MP/HHW) approved on 25 June 1996 by the Governor in Council and deposited in the Land Registry, the Sai Kung New Territories Land Registry, Tai Po New Territories Land Registry and North New Territories Land Registry, the headquarters of the Agriculture, Fisheries and Conservation Department and the headquarters of the Marine Department.

2. Yan Chau Tong Marine Park

Those areas delineated and coloured pink on the map (Plan No. MP/YCT) approved on 25 June 1996 by the Governor in Council and deposited in the Land Registry, the Sai Kung New Territories Land Registry, Tai Po New Territories Land Registry and North New Territories Land Registry, the headquarters of the Agriculture, Fisheries and Conservation Department and the headquarters of the Marine Department.

3. Sha Chau and Lung Kwu Chau Marine Park

That area delineated and coloured pink on the map (Plan No. MP/SHAA) approved on 29 October 1996 by the Governor in Council and deposited in the Land Registry, the Tuen Mun New Territories Land Registry, the Yuen Long New Territories Land Registry, the Tsuen Wan New Territories Land Registry, the Islands New Territories Land Registry, the headquarters of the Agriculture, Fisheries and Conservation Department and the headquarters of the Marine Department. (L.N. 486 of 1996)

(Enacted 1996. Amended L.N. 331 of 1999)

Chapter:	476C	Title:	MARINE RESERVE (DESIGNATION) ORDER	Gazette Number:	L.N. 331 of 1999
Schedule:		Heading:	SCHEDULE	Version Date:	01/01/2000

[section 1]

1. Cape D'Aguilar Marine Reserve

Those areas delineated and coloured pink on the map (Plan No. MR/CDA) approved on 25 June 1996 by the Governor in Council and deposited in the Land Registry, the Sai Kung New Territories Land Registry, Tai Po New Territories Land Registry and North New Territories Land Registry, the headquarters of the Agriculture, Fisheries and Conservation Department and the headquarters of the Marine Department.

(Enacted 1996. Amended L.N. 331 of 1999)

Chapter:	495	Title:	NEW TERRITORIES LAND EXCHANGE ENTITLEMENTS (REDEMPTION) ORDINANCE	Gazette Number:	29 of 1998 s. 98
Section:	2	Heading:	Interpretation	Version Date:	01/07/1997

Remarks:

Amendments retroactively made-see 29 of 1998 s. 98

In this Ordinance, unless the context otherwise requires-

"appropriate New Territories Land Registry" (適當的新界區土地註冊處) means the appropriate New Territories Land Registry within the meaning of section 10(2) of the New Territories Ordinance (Cap 97);

"Capital Works Reserve Fund" (基本工程儲備金) means the Capital Works Reserve Fund established by resolution made and passed by the Legislative Council on 20 January 1982 and deemed under the Public Finance Ordinance (Cap 2) to have been established in accordance with section 29 of that Ordinance;

"claim" (申索) means a claim lodged under section 5(1);

"claimant" (申索人) means a person who has lodged a claim;

"commencement date" (生效日期) means the date on which this Ordinance comes into operation;

"Director" (署長) means the Director of Lands;

"entitlement document" (權利文件), in relation to a land exchange entitlement, means a document issued by the Government, in which the terms and conditions upon and subject to which the land exchange entitlement is granted are set out;

"land" (土地) means a lot or lots, or part or parts thereof;

"land exchange entitlement" (土地交換權利) means an entitlement granted by the Government-

- (a) in consideration of the surrender of any land or interest in land to the Government;
- (b) in consideration of the surrender of any right to compensation payable by reason of the resumption of any land under the Lands Resumption Ordinance (Cap 124); (Amended 29 of 1998 s. 98)
- (c) in substitution for an entitlement granted by the Government in consideration of the surrender of any land or interest in land to the Government; or
- (d) in substitution for an entitlement granted by the Government in consideration of the surrender of any right to compensation payable by reason of the resumption of any land under the Lands Resumption Ordinance (Cap 124), by which any person or persons are entitled to a grant of land or to the payment of a sum of money in lieu of the grant of land, upon and subject to the terms and conditions set out in a document issued by the Government for that purpose; (Amended 29 of 1998 s. 98)

"legal ownership" (法律上的擁有權), in relation to a land exchange entitlement, means legal ownership, as distinct from beneficial ownership, of the land exchange entitlement, and "legal owner" (法律上的擁有人) shall be construed accordingly;

"lot" (地段) means a piece or parcel of ground, whether covered by water or not, which is situated in the New Territories and identified as a lot with a lot number assigned in the appropriate New Territories Land Registry;

"note-issuing bank" (發鈔銀行) means a note-issuing bank as defined in section 2 of the Bank Notes Issue Ordinance (Cap 65);

"owner" (擁有人), in relation to a land exchange entitlement, means a person who is for the time being a legal owner (whether by himself or with any other person or persons) of the land exchange entitlement;

"redemption money" (贖回款項), in relation to a land exchange entitlement, means the redemption money payable to an owner thereof under section 4.

(Enacted 1996)

Chapter:	556E	Title:	MASS TRANSIT RAILWAY (TRANSPORT INTERCHANGE) (DEPOSIT OF PLANS) NOTICE	Gazette Number:	L.N. 136 of 2000; G.N. 3903 of 2000
Section:	1	Heading:	Deposit of plans	Version Date:	30/06/2000

(1) The plans specified in column 2 of Schedule 1, being plans prepared by the Corporation with the agreement of the Commissioner under section 31(2) of the Ordinance delineating the boundaries of the transport interchanges specified opposite thereto in column 1, have been deposited by the

Corporation in the Tsuen Wan New Territories Land Registry under section 31(5).

(2) The plans specified in column 2 of Schedule 2, being plans prepared by the Corporation with the agreement of the Commissioner under section 31(2) of the Ordinance delineating the boundaries of the transport interchanges specified opposite thereto in column 1, have been deposited by the Corporation in the Land Registry under section 31(5).

(13 of 2000 s. 64)

Chapter:	1095	Title:	HONG KONG COUNCIL OF THE CHURCH OF CHRIST IN CHINA INCORPORATION ORDINANCE	Gazette Number:	
Section:	6	Heading:	Vesting of property	Version Date:	30/06/1997

(1) All those pieces or parcels of ground the particulars whereof are contained and more particularly described in the first column of the Schedule together with all rights, easements and appurtenances thereunto belonging or appertaining shall upon registration by the corporation in the appropriate Land Registry of a memorial of this Ordinance be transferred to and be vested in the corporation for the residues now unexpired of the terms created therein by the Crown Leases thereof respectively, subject to the payment of the rents reserved by the said Crown Leases respectively and the performance and observance of the lessees' covenants and the conditions therein contained, and subject also to such mortgages, charges, leases, tenancies and other agreements (if any) and upon such trusts, conditions and stipulations, as may be subsisting in relation to such premises upon the commencement of this Ordinance. (Amended 8 of 1993 s. 2)

(2) On the coming into operation of this Ordinance all other property goods and chattels and rights which immediately before the commencement of this Ordinance were held in trust for The Hong Kong Council of the Church of Christ in China shall be transferred to and become vested in the corporation.

Summary of Views of the Consultees and the Administration's Response

Issues	Raised By	Administration's Response
<p>1. <u>Property Reference Number</u></p> <p>Other than using the Property Reference Number as an alternative retrieval key of the land register, the current search system by which the properties may be searched by address or lot number must be maintained.</p>	<p>The Law Society</p>	<p>The current search system by way of address and lot number will be maintained.</p>
<p>2. <u>Bar-coded Memorial Form</u></p> <p>It will be more time and cost efficient if lawyers are allowed to use their own computer printout memorial form.</p>	<p>The Law Society</p>	<p>Each memorial form has a unique bar code to secure the priority of the instruments lodged. The bar-coded memorial is also an essential means to enhance the security and the imaging quality of the new system.</p>
<p>3. <u>Removal of entry of instruments withheld or temporarily withdrawn from registration</u></p> <p>(i) The Land Registry should consider to provide copies of the withheld or stopped deeds to interested parties.</p>	<p>(i) The Law Society</p>	<p>(i) As the registration of stopped deeds or deeds pending registration have not yet been completed, the stopped deeds are not public documents and the Land Registry does not have the statutory authority to make copies of the instruments or to provide copies of the instruments to the interested parties.</p>

Summary of Views of the Consultees and the Administration's Response

Issues	Raised By	Administration's Response
<p>3.</p> <p>(ii) The Law Society suggested that the proposed period for the stopped deed to be pending for at least one year before the Land Registrar may remove the entry that be shortened. Heung Yee Kuk suggested that the period be reduced to 6 months and that this period may be extended on application with reasons satisfactory to the Land Registrar.</p> <p>(iii) The Land Registrar should have the power to vacate an entry if the deed is maliciously or mistakenly registered.</p> <p>(iv) The Land Registrar should provide notice to the owners and interested parties of the intended removal of the stopped deed before the Land Registrar exercises his power to remove the stopped deed.</p>	<p>(ii) (a) The Law Society (b) Heung Yee Kuk</p> <p>(iii) The Law Society</p> <p>(iv) The representative of the Hong Kong Society of Accountants and the representative of the Hong Kong Institute of Surveyors of the Land Registry Private Sector Customer Liaison Group</p>	<p>(ii) The lodging solicitors may not have sufficient time to deal with the outstanding issues or arrange for the rectification of mistakes by the parties within the shorter period or six months. One year is a reasonable period so that the lodging solicitors will have sufficient time to deal with the outstanding issues stated in the stopped deed note.</p> <p>(iii) The Land Registry is only a registration authority. Its staff do not have the judicial capacity to adjudicate on whether a deed is maliciously registered. If a deed is maliciously registered, the owner may apply to the Court for a Court Order to vacate the entry.</p> <p>(iv) This is acceptable. The Land Registry agrees to provide notice of the proposed removal of the deed to the lodging party and other affected persons.</p>

Summary of Views of the Consultees and the Administration's Response

Issues	Raised By	Administration's Response
<p>4. <u>Registration of Certified Copy Instruments</u></p> <p>(i) The Amendment Bill should contain provisions providing clearly what kind of certified documents are registrable and what manner of certification are satisfactory to the Land Registrar.</p>	<p>(i)(a) The Law Society</p> <p>(b) Heung Yee Kuk</p> <p>(c) The representative of the Hong Kong Institute of Surveyors of the Land Registry Private Sector Customer Liaison Group</p>	<p>(i) The Land Registry will issue a Land Registry Circular Memorandum from time to time notifying the legal practitioners and the interested bodies of the types of registrable certified copy documents and the manner of certification.</p>
<p>(ii) The owner of the property should be informed before registration of copy instruments against their property to prevent registration of fraudulent copy instruments.</p>	<p>(ii) Heung Yee Kuk</p>	<p>(ii) The Land Registry will only accept a limited category of certified copy instruments which have to be certified in a specific manner to its satisfaction. The instruments will have to be certified either by the solicitor or the issuing authority. The certification process should be a sufficient measure to prevent registration of fraudulent copy instruments.</p>

Summary of Views of the Consultees and the Administration's Response

Issues	Raised By	Administration's Response
<p>5. <u>Identification of signing parties in the instruments</u></p> <p>The new requirement to provide the identification of the parties in the instruments may present difficulties to the parties in certain cases.</p>	<p>The Law Society</p>	<p>The Amendment Bill only provides that the identification number be provided in the instruments where practicable. If there is difficulty, the solicitors may elect not to provide the identification. It is not compulsory.</p>
<p>6. <u>Deletion of names particulars in the Memorial Day Book</u></p> <p>(i) The deletion of names of parties from the Memorial Day Book may hinder the owner in searching the name of the new purchaser and instituting speedy court proceedings to protect his title under the proposed title registration system.</p> <p>(ii) The names of parties may provide an idea to the searcher on the nature of the instrument and should not be deleted from the Memorial Day Book</p>	<p>(i) Heung Yee Kuk</p> <p>(ii) The Law Society</p>	<p>(i) The Memorial Day Book is a record mainly for research and statistical purposes showing all the instruments lodged for registration on a particular day. The actual land register will still show the names of the parties.</p> <p>(ii) The Memorial Day Book will still show the nature of the instruments.</p>

Summary of Views of the Consultees and the Administration's Response

Issues	Raised By	Administration's Response
<p>7. <u>New Territories Register Cards</u></p> <p>As there may be errors in the conversion of the register cards to the computerised records, the register cards or their copies should not be destroyed and should be made available for searchers in the New Territories Land Registries.</p>	<p>Heung Yee Kuk</p>	<p>The register cards will not be destroyed and arrangements may be made to search them at the Public Records Office. Further, as all the information in the register cards has been converted and transferred to the computer register, it is unlikely that the public will have to refer to the actual register card. Moreover, the information in the register cards may be retrieved from the registered documents which have been imaged and stored in the Land Registry's computer system.</p>
<p>8. <u>Lodgement of instruments in New Territories Land Registries</u></p> <p>As some of the law firms have offices in the New Territories, it is suggested that the New Territories offices of the Land Registry would also accept lodgement of instruments for registration.</p>	<p>The representative of the Law Society of the Land Registry Private Sector Customer Liaison Group</p>	<p>As the new Central Registration System will have a single queue receiving counter to guarantee priority for the lodgement of instruments, the Queensway Government Office will be the only office to accept lodgement of instruments. The New Territories law firms may still send documents by post or by courier to the Queensway Government Offices.</p>