

GFOX:DMA#38885v6
1st draft: 5.2.2001
2nd draft: 13.3.2001
3rd draft: 14.3.2001
4th draft: 26.3.2001
5th draft: 26.4.2001
6th draft: 26.4.2001

LAND REGISTRATION (AMENDMENT) BILL 2000

COMMITTEE STAGE

Amendments to be moved by the Secretary for Planning and Lands

Clause

Amendment Proposed

Schedule (a) By adding -

**"Antiquities and Monuments (Declaration
of Historical Buildings) (No. 2)
Notice 2000**

**44A. Declaration of historical
building**

Paragraph 1(b) of the Antiquities
and Monuments (Declaration of Historical
Buildings) (No. 2) Notice 2000 (L.N. 368
of 2000) is amended by repealing "Tsuen
Wan New Territories".

(b) In section 46 -

(i) in paragraph (q), by repealing the
full stop and substituting a semi-

colon;

(ii) by adding -

"(r) in subparagraph (as), by
repealing "Tsuen Wan New
Territories"."

(c) In section 63 -

(i) by repealing paragraph (a)(i) and
substituting -

"(i) by repealing "An
instrument" and
substituting "Subject to
paragraph (1A), an
instrument (including a
copy thereof)";";

(ii) by adding -

"(aa) by adding -

"(1A) A copy of an
instrument may only be
delivered for registration
instead of the instrument
if -

(a) the instrument
belongs to a
class of
instruments
specified in
column 1 of

the Third
Schedule and
the copy is
certified, by
the person or
in the manner,
if any,
specified
opposite
thereto in
column 2 of
that Schedule,
to be such a
copy; or

(b) the Land
Registrar so
permits in
writing and
the copy is
certified, by
a person or in
a manner
satisfactory
to the Land
Registrar, to
be such a copy.

(1B) The Land Registrar

may, by notice in the Gazette,
amend the Third Schedule.”;

- (ab) in paragraph (2), by adding
“(or a copy thereof)” after
“instrument”;

- (d) By adding -

**“64A. Keeping of temporary
index**

Regulation 11 is amended by
repealing “or register card”.

- (e) In section 67 -

- (i) in the proposed regulation 15 -

- (A) in paragraph (6), by repealing
“12 months commencing on the
date it is delivered for
registration” and substituting
“6 months commencing on the
date it is delivered for
registration (or such longer
period as the Land Registrar
thinks fit in all the
circumstances of the case)”;
- (B) in paragraph (7) (a), by adding
“the person who appears from
the records of the Land
Registry to be the last owner
of the land and premises to

which the instrument relates,"

after "concerned,";

- (ii) in the proposed section 15A(5) (a),
by deleting "good faith" and
substituting "favour of a bona fide
purchaser or mortgagee".

(f) By repealing section 72(a) and substituting -

"(a) by repealing paragraph (a) (i) and
substituting -

"(i) recorded on microfilm, by
supplying a copy thereof
in the form generally
known as a reader-printer
hard copy;"."

(g) By adding -

"73A. Schedule added

The following is added -

"THIRD SCHEDULE [reg. 9]"

CLASSES OF INSTRUMENTS FOR WHICH
CERTIFIED COPIES MAY BE
SUBMITTED FOR
REGISTRATION

<u>Column 1</u>	<u>Column 2</u>
Class of instrument	Person who may certify copy of instrument and/or manner of certification
Certificate of Incorporation on	Companies Registry of

Change of Name issued by the Companies Registry	Hong Kong
Death Certificate issued by the Births and Deaths Registry	Births and Deaths Registry of Hong Kong
Certificate of Exemption from Estate Duty issued by the Estate Duty Office	Estate Duty Office of Hong Kong
Certificate of Receipt of Estate Duty issued by the Estate Duty Office	Estate Duty Office of Hong Kong
Probate granted by the High Court	High Court
Letters of Administration granted by the High Court	High Court
Occupation Permit issued by the Building Authority	Building Authority within the meaning of the Buildings Ordinance (Cap. 123)
Power of Attorney	Solicitor
Certificate of Incorporation on Change of Name issued by the Companies Registry	Solicitor
Letter of determination or rescission of an agreement for sale and purchase	Solicitor
Notice of discontinuance of court action	Solicitor
Notice of severance of joint tenancy	Solicitor

Memorandum or Letter Nil
of Compliance of
conditions precedent
in Government Grant
issued by the Lands
Department

Notice or Letter of Nil
Compliance issued by
the Building Authority
confirming building
works have been
completed or building
orders have been
complied with

".".

(h) By deleting section 89.

(i) By adding -

"Caritas - Hong Kong Incorporation

106. First Schedule amended

The First Schedule to the Caritas -
Hong Kong Incorporation Ordinance (Cap.
1092) is amended -

(a) in item 8, by repealing
"Tuen Mun District Land
Registry by Memorial No.
197963" and substituting
"Land Registry";

(b) in item 9, by repealing
"Tsuen Wan District Land
Registry by Memorial No.
82418" and substituting
"Land Registry".

**Kadoorie Farm and Botanic
Garden Corporation**

107. Schedule amended

The Schedule to the Kadoorie Farm and Botanic Garden Corporation Ordinance (Cap. 1156) is amended, in paragraphs 1 and 2, by repealing "Tai Po District".