

Our ref : (36) in LR/HQ/101/20 Part XVI

The Hon. Margaret NG
c/o Secretary of the Bills Committee
on the Land Registration (Amendment) Bill
Legislative Council Building
8 Jackson Road
HONG KONG

15 February 2001

Dear

Land Registration (Amendment) Bill

At the first meeting of the Bills Committee on 13 February 2001 to discuss the above Bill, you asked me what line you should take in explaining to the few conveyancing solicitors based in the New Territories how they would be affected by the Land Registry's proposals to centralize registration at our Headquarters in Queensway Government Offices (Centralization).

I think it was clear to all members, as indeed, it was clear to the Law Society when we briefed them, that the vast majority of solicitors will benefit from Centralization - a key feature of Phase I of our Strategic Change Plan (Phase II being the conversion from a deeds to a title system). Nevertheless, initially we too were concerned about how a few solicitors in the New Territories might be affected and therefore examined this issue. Our latest research indicates that there are only about 22 conveyancing solicitors firms operating solely in the New Territories, and of these, 9 are based in New Towns on the KCR or MTR lines and therefore as accessible to the urban area as, say, a solicitor in Kwun Tong or Chai Wan. The remaining 13, moreover, will still be able to access QGO expeditiously by way of document courier, a way of securely transferring documents on a regular basis and used widely in Hong Kong, indeed, used widely by the Land Registry. It works perfectly well.

I think it is also worth mentioning that even NT based conveyancing solicitors will benefit from Centralization. Take, for example, a solicitor based in Tai Po. Such solicitor may well act for parties exchanging properties in Fanling, Yuen Long or Shatin districts, in which case he would not need to arrange for registration in all these separate offices but merely despatch them to QGO.

We believe that an overwhelming majority of solicitors will welcome these proposals for the obvious convenience and benefit that they will bring to both them and the conveyancing public. However, if a solicitor approaches you who is, for whatever reason, concerned about the effect of Centralization on their practice, then I would be happy to speak to such solicitor personally.

Yours sincerely,

(A.G. Cooper)
Land Registrar

Attachment (b)

(I) Departments :

Approval has been granted by the Land Registrar to the following government departments to conduct name searches :

- (a) Agricultural, Fisheries and Conservation Department
- (b) Customs and Excise Department
- (c) Home Affairs Department
- (d) Housing Department
- (e) Immigration Department
- (f) ICAC
- (g) Inland Revenue Department
- (h) Lands Department
- (i) Legal Aid Department
- (j) Official Receiver's Office
- (k) Hong Kong Police Force
- (l) Social Welfare Department

(II) Conditions :

Government departments must fulfil the following criteria before approval is granted to conduct a name search :

- (a) the department must state the particular section or division of the department requiring/using the information, and the purpose for which the information is required or for which it is to be used;
- (b) the department must confirm that the information provided shall be used by duly authorized officers solely for the purposes stated in the request and subject to stringent internal control by the department;
- (c) the department must confirm that the usage of the information does not contravene the Personal Data (Privacy) Ordinance;
- (d) the application for such service must be signed by a directorate officer responsible for the subject; and
- (e) the department must undertake to inform the Land Registrar of any changes in these circumstances.

The Land Registrar may withdraw such service at any time if there is doubt that the provisions of the Personal Data (Privacy) Ordinance may have been breached.

In the past 6 months, the total number of name searches conducted by the authorized departments is 9395. A departmental breakdown is not available without a lengthy manual check.