

LAND REGISTRATION (AMENDMENT) ORDINANCE 2002

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HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 20 OF 2002

L.S.

TUNG Chee-hwa
Chief Executive
11 July 2002

An Ordinance 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 2002.

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

2. Copies of documents etc. admissible in evidence

Section 26A of the Land Registration Ordinance (Cap. 128) is amended by adding—

“(3) For the avoidance of doubt, it is hereby declared that nothing in this section or any other provision of this Ordinance shall require the Land Registrar or a person mentioned in subsection (1) to provide a certificate mentioned in that subsection in relation to any copy, print or extract of or from any instrument, including any copies, prints or extracts of or from the memorial and plans (if any) relating thereto, withheld from registration pursuant to the Land Registration Regulations (Cap. 128 sub. leg.).”

3. Saving in respect of New Territories Land Registries, etc.

Section 30 is repealed.

4. Schedules repealed

The First and Second Schedules are repealed.

5. Consequential and other amendments

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

SCHEDULE

[s. 5]

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 monument

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 Historical Buildings)
(No. 2) Notice 2000**

45. Declaration of historical buildings

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”.

**Antiquities and Monuments (Declaration
of Historical Buildings) Notice 2001**

46. Declaration of historical buildings

Paragraph 1(*a*), (*b*) and (*c*) of the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2001 (L.N. 272 of 2001) is amended by repealing “Yuen Long New Territories”.

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

47. 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”.

48. 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”;
- (r) in subparagraph (as), by repealing “Tsuen Wan New Territories”;
- (s) in subparagraphs (at), (au) and (av), by repealing “Yuen Long New Territories”.

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

49. 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**

50. 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**

51. 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**

52. 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”.

53. Tuen Mun public cargo working area

Paragraph 10 is amended by repealing “Tuen Mun New Territories”.

54. Stonecutters Island public cargo working area

Paragraph 12 is amended by repealing “Tsuen Wan New Territories”.

New Territories Ordinance

55. Sections repealed

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

56. Registration of manager of “t’ong”, etc.

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

57. Power to appoint trustees for minors

Section 18 is amended by repealing “appropriate New Territories”.

New Territories (Land Registries Approval) Order

58. Repeal

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

Waterworks Ordinance

59. 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

60. 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;”.

61. Delivery and form of memorial

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

62. 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);”.

63. Verification of memorial

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

64. 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.”.

65. Size and form of instruments

Regulation 9 is amended—

- (a) in paragraph (1)—
 - (i) by repealing “An instrument” and substituting “Subject to paragraph (1A), an instrument (including a copy thereof)”;
 - (ii) by repealing subparagraph (*b*) and substituting—
 - “(b) contain, where practicable—
 - (i) in the case of an individual signing the instrument—
 - (A) his identity card number if he is the holder of an identity card;
 - (B) in any other case, particulars of a travel document of which he is the holder;
 - (ii) in the case of a company executing the instrument—
 - (A) the number by which it is registered under the Companies Ordinance (Cap. 32);

- (B) if that Ordinance does not apply, particulars of its incorporation or establishment sufficient to identify the company;”;
- (b) 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 Schedule 3 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 published in the Gazette, amend Schedule 3.”;
- (c) in paragraph (2), by adding “(or a copy thereof)” after “instrument”;
- (d) in paragraph (3), by adding—
 ““travel document” (旅行證件) means a travel document within the meaning of the Immigration Ordinance (Cap. 115).”.

66. 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”.

67. Keeping of temporary index

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

68. 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);”.

69. 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).

70. **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 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;
 - (b) keep a copy of the instrument, together with copies of the memorial and plans (if any) relating thereto, in such form and by such method as the Land Registrar thinks fit; and
 - (c) 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, withhold the instrument from registration.
- (5) The Land Registrar may destroy or otherwise dispose of any copy of an instrument kept under paragraph (2)(b), together with copies of the memorial and plans (if any) relating thereto so kept—
 - (a) if the instrument—
 - (i) is redelivered for registration; or
 - (ii) is registered; and
 - (b) in such manner as the Land Registrar thinks fit.
- (6) Paragraphs (2), (3), (4) and (5) shall apply in respect of any instrument withheld under paragraph (4)(b).”.

71. Notice of instruments available for collection

Regulation 17 is repealed.

72. 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 60(a) of the Schedule to the Land Registration (Amendment) Ordinance 2002 (20 of 2002).”.

73. 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.”.

74. Correction of memorials

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

75. Supply of copies and inspection of Land Registry records

Regulation 21(1) is amended—

(a) by repealing subparagraph (a)(i) and substituting—

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

(b) by adding—

“(aa) in the case of an instrument, together with the memorial and plans (if any) relating thereto, to which regulation 15(2)(b) applies and the registration of which has not been completed, by supplying the latest copy of the instrument, together with the latest copies of the memorial and plans (if any), kept under that regulation in such form and by such method as the Land Registrar thinks fit;”;

(c) in subparagraph (d)(i), by repealing “and” and substituting “or”;

(d) in subparagraph (e), by repealing “kept under regulation 14”;

(e) 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);

(f) in subparagraph (i)(ii), by repealing “a diazo copy or”.

76. **New Territories Land Registries**

The First Schedule is repealed.

77. **Schedule 3 added**

The following is added—

“SCHEDULE 3

[reg. 9]

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

| Column 1 | Column 2 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Class of instrument | Person who may certify copy of instrument and/or manner of certification |
| Certificate of Incorporation on Change of Name issued by the Companies Registry | Registrar of Companies of Hong Kong, a person authorized in writing by him or a solicitor |
| Death Certificate issued by the Births and Deaths Registry | Registrar of Births and Deaths of Hong Kong or a person authorized in writing by him |
| Certificate of Exemption from Estate Duty issued by the Estate Duty Office | Commissioner of Estate Duty of Hong Kong or a person authorized in writing by him |
| Certificate of Receipt of Estate Duty issued by the Estate Duty Office | Commissioner of Estate Duty of Hong Kong or a person authorized in writing by him |
| Probate granted by the High Court | Registrar of the High Court or a person authorized in writing by him |
| Letters of Administration granted by the High Court | Registrar of the High Court or a person authorized in writing by him |
| Occupation Permit issued by the Building Authority | Director of Buildings of Hong Kong or a person authorized in writing by him |
| Power of Attorney | 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 of Compliance of conditions precedent in Government Grant issued by the Lands Department | Nil |
| Notice or Letter of Compliance issued by the Building Authority confirming building works have been completed or building orders have been complied with | Nil”. |

78. “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

79. **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”.

80. **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).

81. **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
- (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

82. **Provision for stadia**

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

83. **Provision for civil centres**

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

84. **Provision of public pleasure grounds**

Section 106(5) is amended by repealing “appropriate”.

85. Plans and demarcations of cemeteries

Section 114(3) is amended by repealing “appropriate”.

**New Territories (Renewable Government
Leases) Ordinance**

86. 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”.

**87. 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

**88. 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

89. 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

**90. 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

**91. 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.”.

92. Replacement or amendment of approved maps

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

Housing Ordinance

93. 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**

94. 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 items 2, 3 and 4, by repealing “Tsuen Wan New Territories”.

**Demolished Buildings (Re-development
of Sites) Ordinance**

95. 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

96. 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

97. 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

98. 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

99. 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

100. 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

101. 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,”.

102. 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

103. 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

104. Schedule amended

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

Marine Reserve (Designation) Order

105. Schedule amended

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

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

106. 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**

107. 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**

108. 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”.

Caritas—Hong Kong Incorporation Ordinance

109. 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 Ordinance

110. Property to vest in the Corporation

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”.