

HPLB/LTB Paper 04/04

**The Land Title Bill
Position Paper on Committee Stage Amendments**

Purpose

As requested by the Chairman of the Bills Committee in the 24th Bills Committee meeting on 13.2.2004, this paper sets out the proposed arrangements for the clause by clause scrutiny of the Bill and its committee stage amendments (CSAs).

Background

2. A joint meeting was held on 20th February 2004 between the Assistant Legal Adviser, the Senior Assistant Law Draftsman of DOJ and the legal team of the Land Registry. The proposals below arise from that meeting.

Handling of 'Daylight Conversion' Mechanism

3. It is proposed that those CSAs that are applicable to land under the title register will be made to the main body of the present Bill. A new Schedule 3 will be added, containing all detailed provisions governing the law and procedure relating to all transactions and registration of caveats and cautions against conversion for land remaining under the deeds registration system during the 12 year interim period. Consequential amendments will also be made to the Land Registration Ordinance (Cap.128) to implement the registration of caveats and cautions against conversion.

Timetable

4. It is proposed that the clause by clause scrutiny of the Bill will begin in early April 2004 and may be expected to continue to the end of May 2004. It is recommended to proceed on a *part by part basis*.

5. It is suggested that the Bills Committee first scrutinize those parts which are to be retained without substantial amendments despite the 'Daylight Conversion' mechanism, e.g. Parts 3, 4, 5, 6, 7, 8, 10 and 11. Scrutiny of the proposed CSAs raised in the previous Bills Committee meetings will then follow. That will be followed by the scrutiny of the detailed provisions contained in a new Schedule 3 pertaining to the 'Daylight Conversion'.

6. By mid-May 2004, a complete version of the Bill with all CSAs (including provisions relating to 'Daylight Conversion') will be available. This version of the Bill (with all CSA) will be sent to the Law Society and the Bar Association for any final comment they may have.

7. The Bills Committee meetings to be held in May and June 2004 for the scrutiny of the CSAs may be scheduled as 4-hour meetings as required.

Housing Planning and Lands Bureau
February 2004