

21 May, 2004

Ms. Margaret Ng
Chairperson, Land Titles Bill
Legislative Council

Dear Margaret,

Land Titles Bill

I refer to the 32nd meeting of the Bills Committee to be held on 25 May and wish to apologize for being unable to attend as I will be out of Hong Kong.

I note however that The Hong Kong Institute of Surveyors HKIS has submitted further views to the Bills Committee on 13 May, and this has been included in the agenda for the meeting on 25 May. I write to support HKIS's view on the following topics, the details of which are already contained in their letter:

1) The Administration's Misconception

- a. the need of land boundary survey;
- b. the adequacy of the Director of Lands' services;
- c. the warrant for correcting the old boundary plans; and the burden of guaranteeing boundaries;

2) Responsibility that Government must bear

- a. the pre-requisite for providing good titles; and
- b. the equal treatment to similar items of the Bill.

I would be obliged if the Bills Committee could kindly take heed of the HKIS's views which are summarized in its conclusion which I recap as follows:

- a. the Bill should cover the boundary aspect and not just the ownership aspect as it now reads.
- b. the boundary survey should cover all types of lots including the DD lot.
- c. the Administration must ensure that "a good title" is truly good in every aspect including the boundary description.
- d. in respect of land boundary matters, the Administration should seek advice of expert surveyors and not to draft the Bill based on unsolicited opinion.

I understand that HKIS may wish to present their views in person to the Bills Committee and they may contact the Clerk separately.

Yours faithfully,



P.C. Lau

c.c : HKIS
Land Registrar, Mr. Kim Salkeld