

LC Paper No. CB(1)2182/03-04(03)

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17 June 2004

Mr Edward Chan
Chairman
Hong Kong Bar Association

Dear Chairman,

Land Titles Bill

Thank you very much for your letter of 14th June enclosing the Bar Associations' observations on Clause 24(1) of the Land Titles Bill.

I note your view that 24(1)(d) does not pose any real problem for the protection of quasi easements. With respect to your suggestion that 'or rights' be added after 'easements' we have accepted this and will make the necessary adjustment to the CSA.

On the proposal in paragraph 3 of your observations, that the Administration should consider making specific provisions to address how the doctrine of prescription is to operate in relation to registered land, this is a matter of legal policy to which the Administration will give further thought. For the moment I am advised that I should ensure that the Bill contains nothing that either provides for it explicitly or would constrain the courts from considering whether it is possible in Hong Kong.

Yours sincerely

(Kim Salkeld)
Land Registrar

c.c. Secretary for Housing, Planning and Lands (Attn: Ms Olivia Nip)