

研究《土地業權條例》
修訂建議聯合小組委員會
**JOINT SUBCOMMITTEE ON AMENDMENTS TO
THE LAND TITLES ORDINANCE**

釐定土地界線簡介會
**Determination of Land Boundaries
Briefing Session**

2009-10-07



《土地業權條例》下釐定土地界線

Determination of Land Boundaries under LTO

- 適用於納入《土地業權條例》規管的土地
Applicable to land to be brought under LTO
- 《土地業權條例》生效後有12年過度期
12-year transition period after LTO commencement
- 考慮在《土地測量條例》引入釐定土地界線
Introducing Determination of Land Boundaries under Land Survey Ordinance (LSO)



《土地測量條例》引入釐定土地界線 Determination of Land Boundaries under LSO

- 適用於受《土地註冊條例》規管的"現有"土地
Applicable to "existing" land governed by Land Registration Ordinance (LRO)
- 及納入《土地業權條例》規管的"新"土地
and "new" land brought under LTO
- 改善釐定土地界線
Improvement to Determination of Land Boundaries



《土地測量條例》 Land Survey Ordinance

旨在規定：

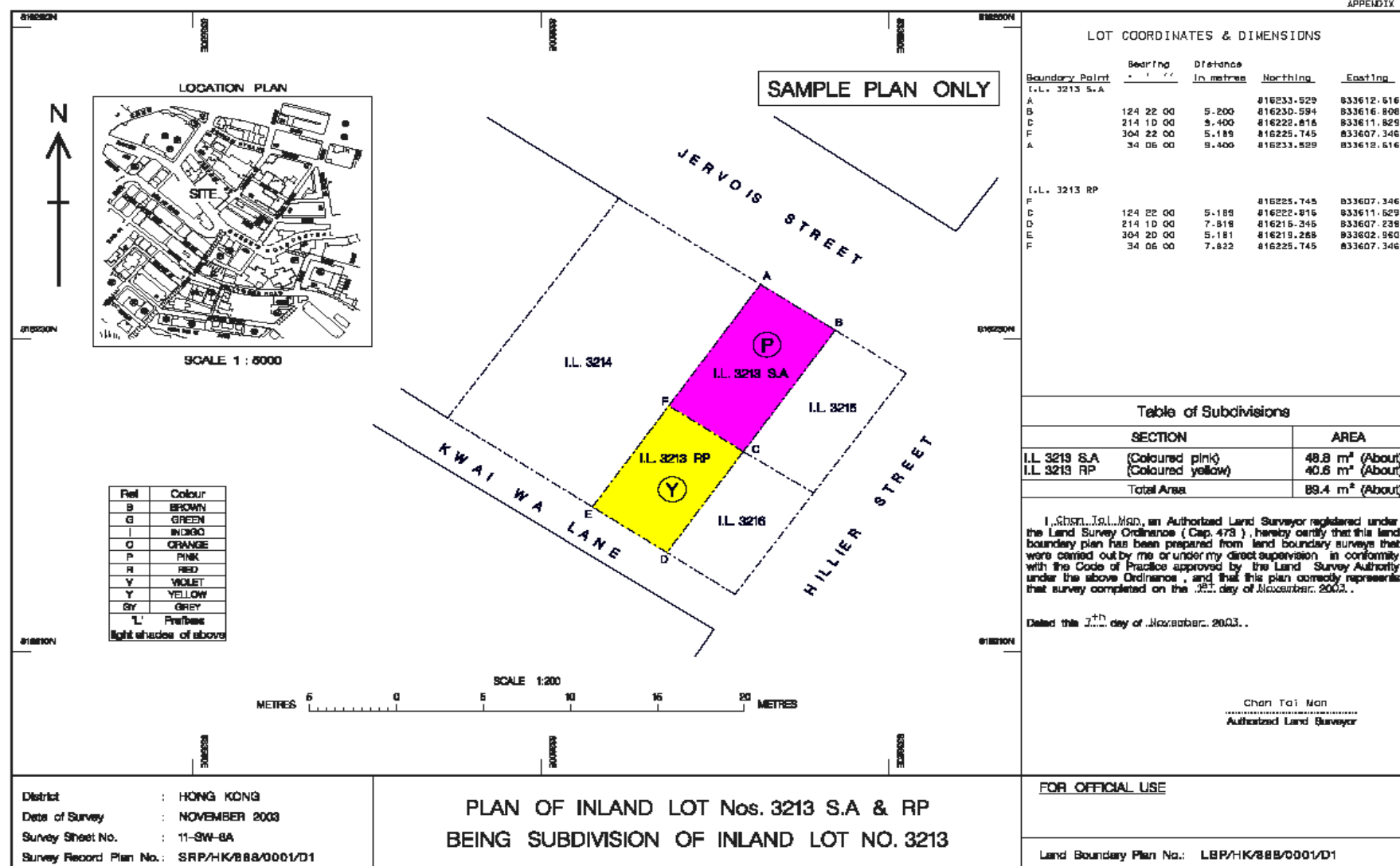
To provide for:

- 認可土地測量師的註冊及紀律事宜
Registration and discipline of Authorized Land Surveyors (ALS)
- 土地界線測量的水準
Control of standards of land boundary surveys
- 查核為土地分割而製備的土地界線圖及測量記錄圖
Checking of Land Boundary Plans (LBP) and Survey Record Plans (SRP) for subdivision of land



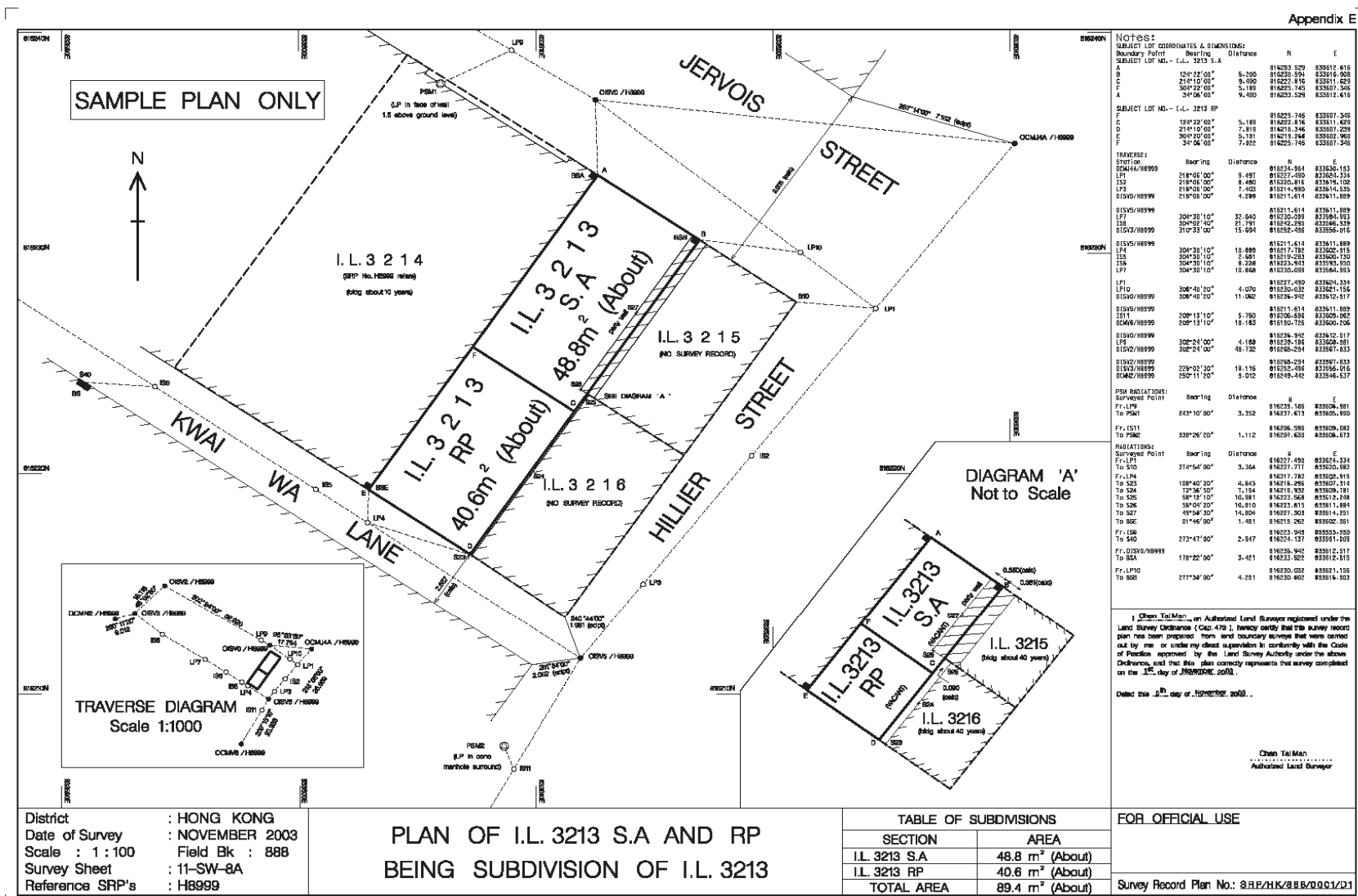
為土地分割而製備的土地界線圖

Land Boundary Plan for Subdivision of Land



為土地分割而製備的測量記錄圖

Survey Record Plan for Subdivision of Land



《土地測量條例》下釐定土地界線 Determination of Land Boundaries under LSO

- 在《土地業權條例》第94條基礎上制訂
on the basis of Section 94 of LTO
- 適用於"現有"土地及"新"土地
Applicable to "existing" land and "new" land
- 加入新的改善
Incorporate new improvements



改善釐定土地界線 Improvement to Determination of Land Boundaries

- 容許對土地界線圖作出細微修改
Allowed to make minor changes to land boundary plan
- 因資料不足而無須作出土地界線釐定
Exempted from making a land boundary determination due to lack of information



細微修改土地界線

Minor Changes to Land Boundaries

- 測量技術、設備有所改良
Improved survey technology and equipment
- 關乎一個地段的確實界線
Concerned with ascertaining the exact boundaries of a lot



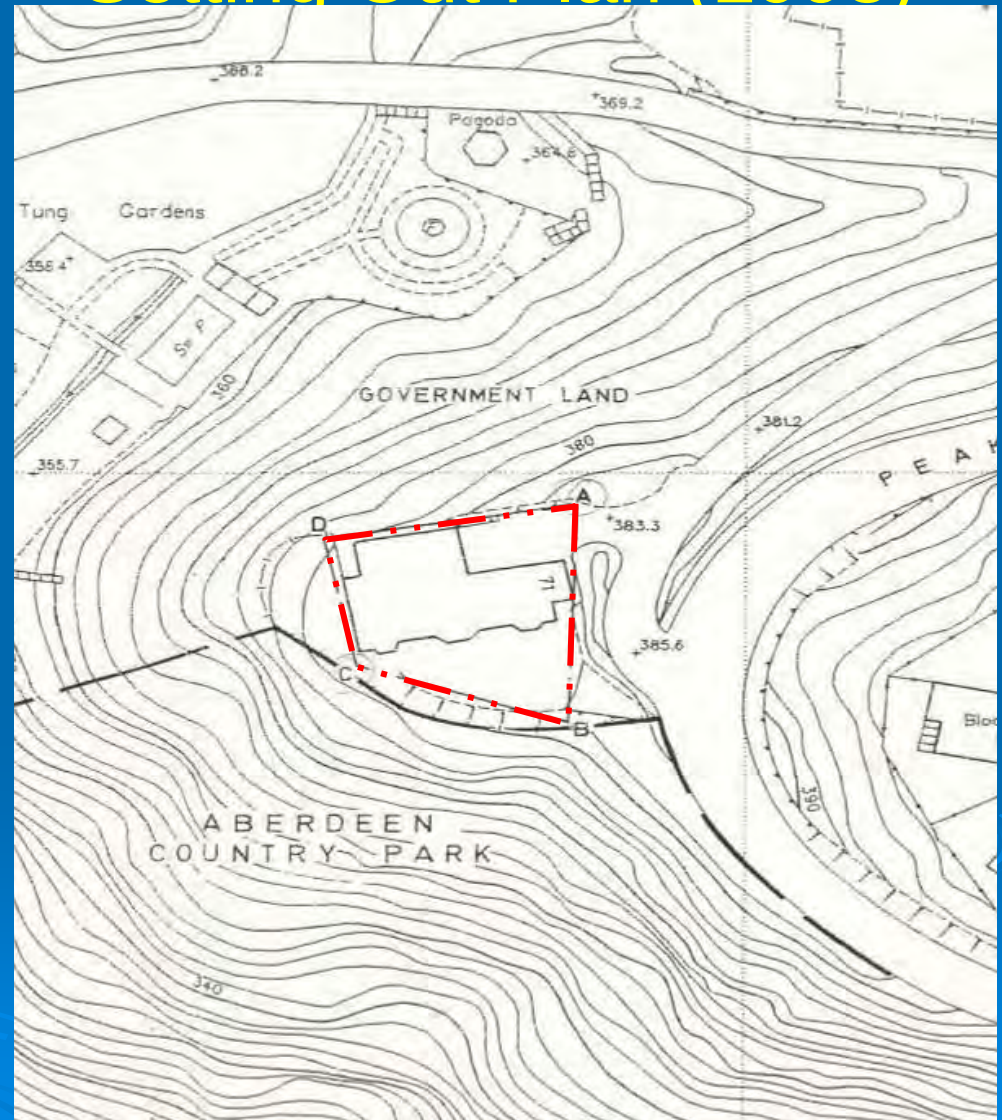
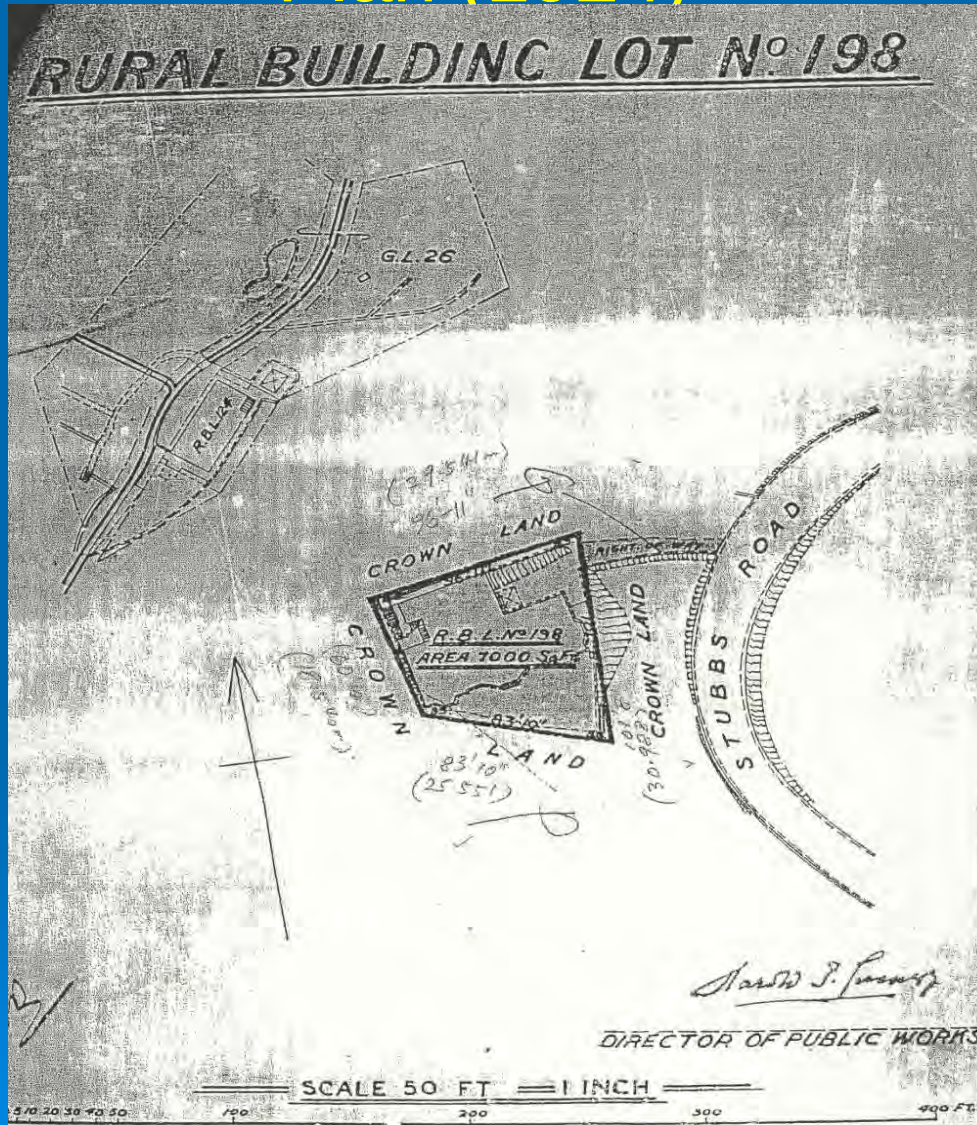
批地圖

Plan (1924)

Grant

定位圖

Setting Out Plan (1993)



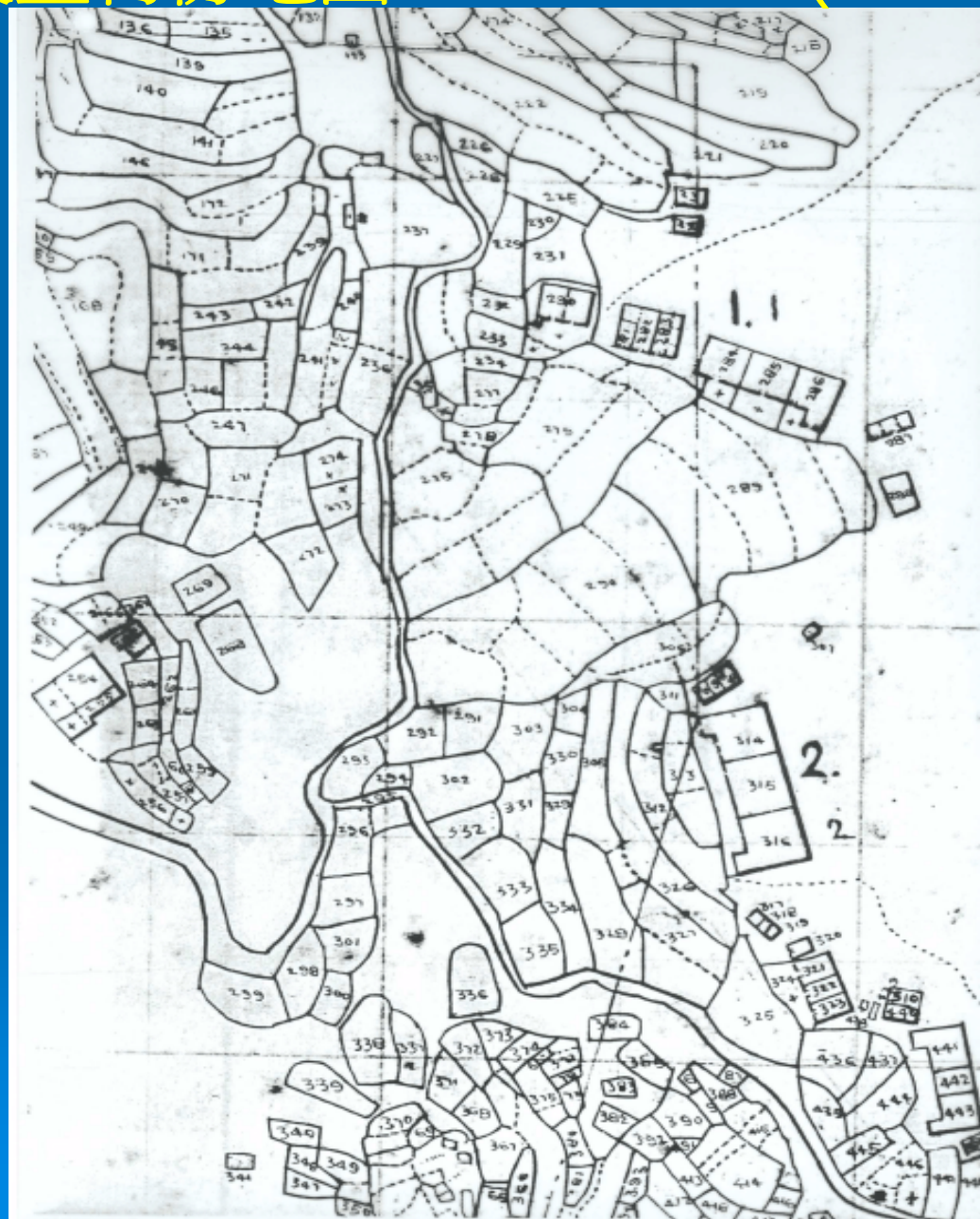
細微修改的接受準則

Acceptance Criteria for Minor Changes

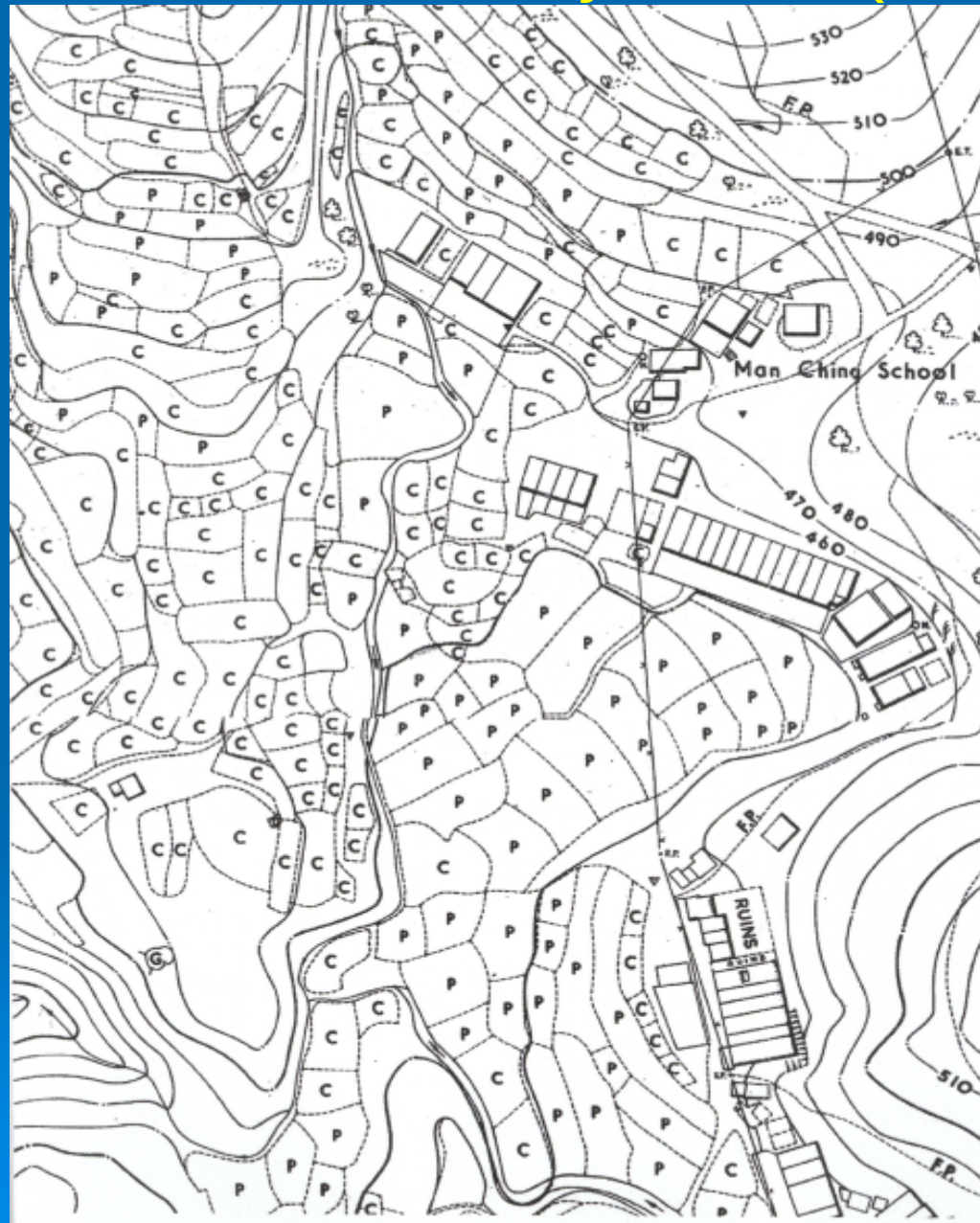
- 將會載列在《土地測量條例》的實務守則
To be set out in the Code of Practice issued under LSO
- 與香港測量學會磋商制定
To be worked out in consultation with Hong Kong Institute of Surveyors



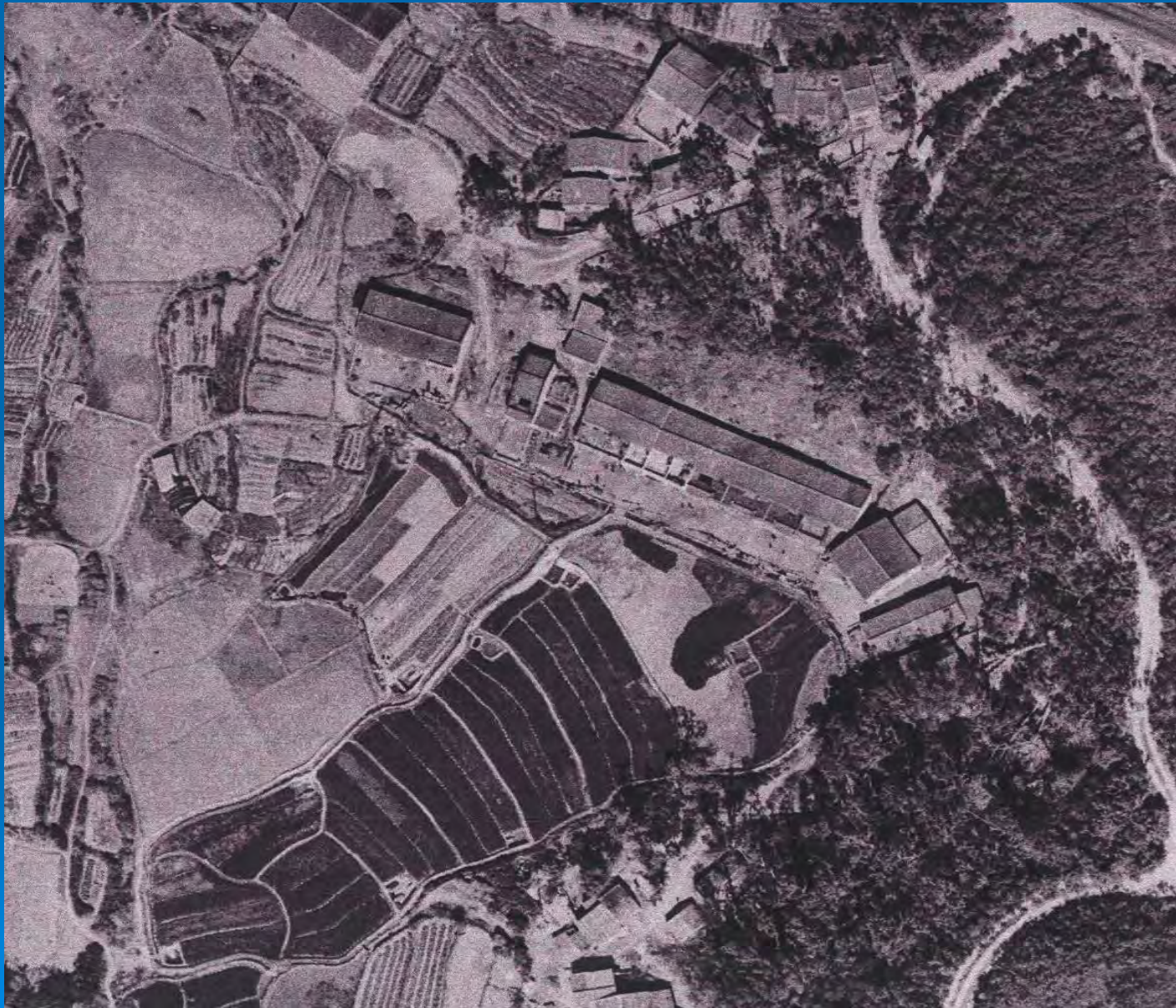
丈量約份地圖 DD Sheet (1905)



舊測量圖 Old Survey Sheet (1960)



航空照片 Aerial Photo (1963)





資料不足的情況

Cases of Insufficient Information

- 沒有註冊圖的舊批屋宇地段
Old Schedule House Lots without Registered Plans
- 失圖據地段
Missing Lot
- 批租文件遺失、損壞或難以辨認
Missing, damaged or illegible lease document



舊批屋宇地段

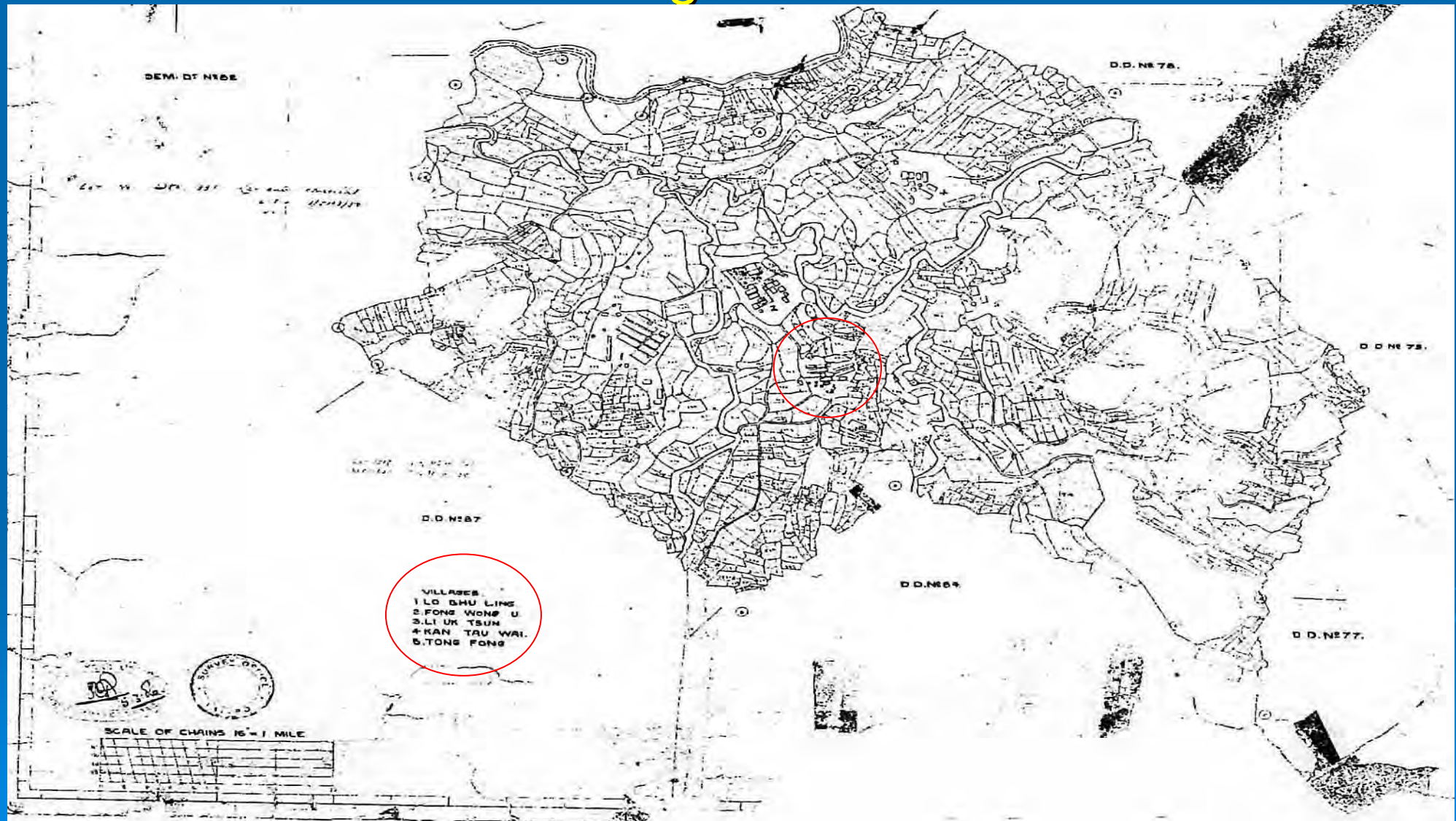
Old Schedule House Lots

- 屬於集體官契下批出的屋地(1:3960 丈量約份地圖)
Building lots granted under Block Government Lease
(1:3960 DD Sheets)
- 沒有附圖顯示每一地段的位置
No plan attached to the BGL to show the location of
each lot



集體官契的丈量約份地圖

DD Sheet registered with BGL



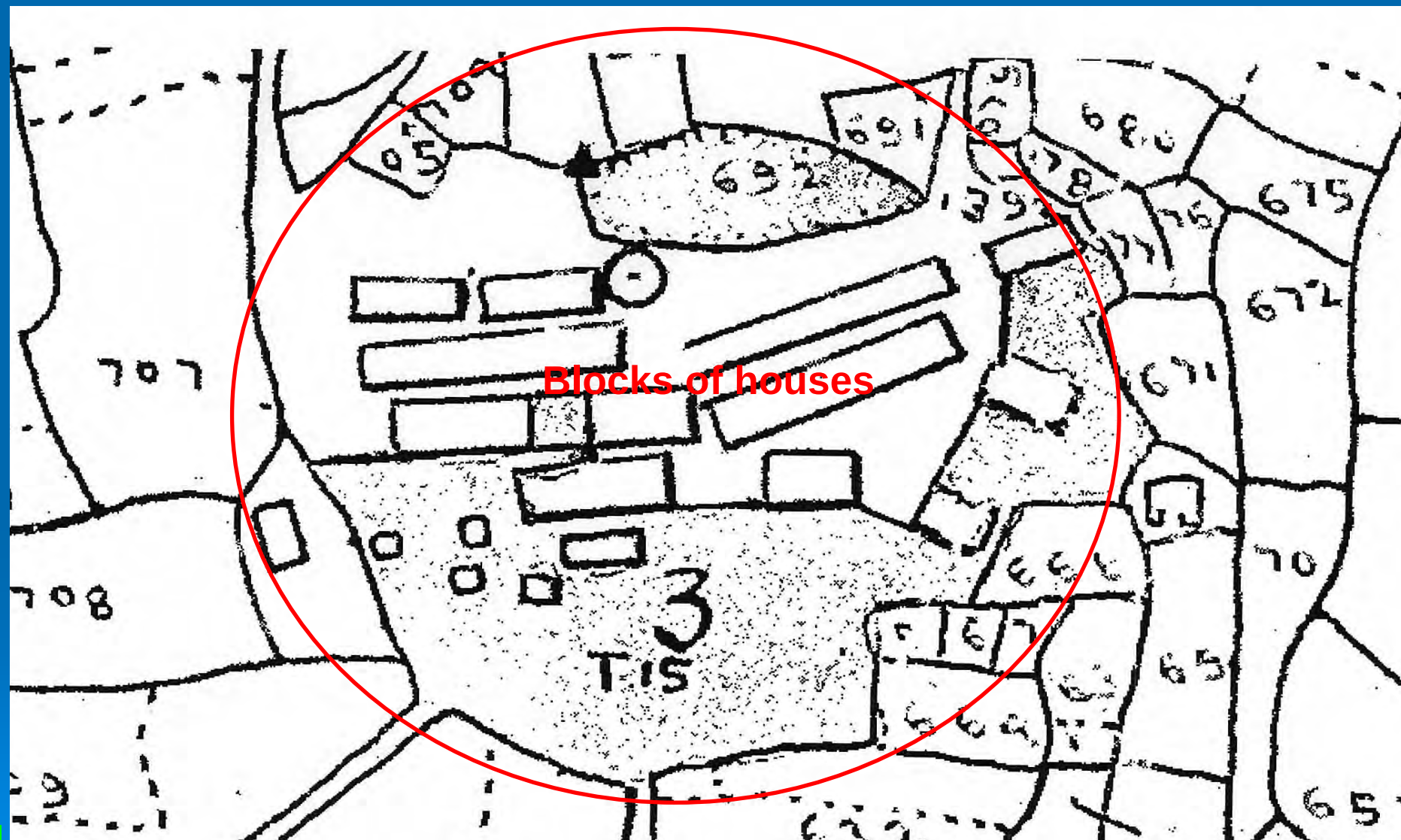
丈量約份地圖顯示的鄉村 Villages shown on DD Sheet

VILLAGES.

1. LO SHU LING.
2. FONG WONG U.
3. LI UK TSUN.
4. KAN TAU WA.
5. TONG FONG



李屋村屋群 Blocks of houses in Li Uk Tsun



失圖據地段 Missing Lot

- 持續繳交地租
Paying Government rent continuously
- 政府找不到地段的位置和地界的記錄
A search of Government records fails to establish its position and boundaries
- 地政處指引提供處理失圖據地段程序
Lands Administration Office (LAO) Instruction on Procedures for Establishing Missing Lots



批租文件遺失、損壞或難以辨認 Missing, damaged or illegible lease document

- 根據地政處指引處理
To be handled according to LAO Instruction



改善土地界線圖註冊

Improvement to Registration of LBP

- 地界細微修改過的土地界線圖可以註冊
LBP with minor changes to boundaries can be registered
- 新註冊的土地界線圖可以取代舊圖
New LBP supersedes any previously registered plans
- 未能註冊的新土地界線圖可以存放在土地測量監督處以備公眾查閱
Unregistered new LBP can be deposited in Land Survey Authority for public inspection
- 先完成核實土地界線圖，後註冊有關的土地分割文書
Completion of checking LBP before relevant instrument effecting a division of land is registered



改善土地界線記錄存放 Improvement to Deposit of Land Boundary Record

- 土地界線記錄包括「就界定土地界線所作的報告」
"Report in relation to a land boundary definition" be included as Land Boundary Record
- 任何人士可查閱土地界線記錄
Any person can inspect Land Boundary Record



澄清土地界線測量權責

Clarification on Power and Liability in Land Boundary Survey

- 批准公職人員進入毗連地段測量
Authorize public officers to enter adjoining lots to conduct surveys
- 政府/公職人員無須承擔法律責任
No liability shall rest upon Government or any public officer



地籍測量諮詢委員會

Cadastral Survey Consultative Committee

➤ Members of CSCC include representatives from:

- HKIE
- HYK
- DEVB
- HKIS
- PolyU
- LR
- HKIA
- ACEHK
- LAO
- Law Society
- HKICM
- PlanD
- HKIP
- REDA
- BD



諮詢過程及結果

Process and Result of Consultation

- 發出諮詢文件
Information paper issued (Sept 2007)
- 成立工作小組討論
Formation of Working Group for detailed discussions (Oct – Nov 2007)
- 對建議沒有反對
No objection against the proposal received
- 沒有爭議性意見
No controversial view raised
- 總結提議及回應
Summary of Feedback and Response (Feb 2008)



謝謝
Thank you

