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ESTATE AGENTS AUTHORITY

## **Registration of Titles and Land (Miscellaneous Amendments) Bill 2025**

### **Estate Agents Authority's Submission**

#### **Background**

1. To provide for greater certainty of title and simplify conveyancing procedures, the Land Titles Ordinance (Cap. 585) (“**LTO**”) was enacted in 2004 to introduce the title registration system under which the register kept by the Land Registry will be conclusive evidence of the titles to properties.
2. In view of the complexities concerning conversion of existing land to title registration and other core issues, the LTO has not yet come into operation. After extensive discussions over the years, the Government has decided to adopt a phased approach to implement the title registration system on newly granted land first by way of the Registration of Titles and Land (Miscellaneous Amendments) Bill 2025 (“**Bill**”) to amend the LTO and the Land Registration Ordinance (Cap. 128) and to make related amendments in other Ordinances.
3. On 21 March 2025, the House Committee of the Legislative Council (“**LegCo**”) agreed to form a Bills Committee to study the Bill, and the Bills Committee subsequently decided to hold a meeting on 2 May 2025 to receive public views on the Bill.

#### **EAA's views**

4. Accordingly, the Estate Agents Authority (“**EAA**”) provides this submission for the Bills Committee's consideration.
5. The EAA supports the implementation of the title registration system on newly granted land first, with a view to securing an early start of title registration in Hong

Kong, which would in turn enable industry stakeholders and the public to enjoy the benefits of the new system earlier.

6. It is understood that if the Bill is passed by the LegCo, the Government will formulate and introduce six pieces of subsidiary legislation into the LegCo for negative vetting in 2026 with a view to implementing the enacted legislation in the first half of 2027.
7. As the Bill is complex and the subsidiary legislation will likely touch upon operational issues under the new system, such as requirements on instruments to be lodged for registration, supporting documents for applications and registration procedures etc., the EAA suggests that sufficient time be provided after the passage of the Bill and the subsidiary legislation but before their actual implementation, for the Government to educate the public to understand how the new laws may affect their land interests, and relevant bodies (e.g., the EAA) to consider the practical issues and implications of the new system on the practice and operation of their licensees/regulatees and whether appropriate guidance (e.g., practice circular and guidelines) for their respective trade should be issued.
8. We understand that the Land Registry intends to prepare practice guides and provide professional training programmes tailored for different sectors of industry practitioners to prepare them for the changes to be brought by the title registration system. The EAA welcomes such efforts, and would like to emphasize that the guides and training for estate agents should address the trade's needs and should be couched in easily understood formats so that the estate agents can explain the new requirements to their clients in simple terms and give appropriate advice if needed.
9. The EAA will continue to monitor the legislative process of the Bill and its subsidiary legislation and liaise with the Land Registry on the implementation details of the new title registration system, with the aim of helping the estate agency sector to better prepare for the new system.

**Estate Agents Authority**

**23 April 2025**