

## **Land Registry Circular Memorandum No.5/02**

### **Land Registration (Amendment) Ordinance 2002**

The Land Registration (Amendment) Ordinance 2002 was enacted by the Legislative Council in July 2002.

The principal object of the Amendment Ordinance is to amend the Land Registration Ordinance (Cap.128) and its subsidiary legislation to –

- (a) allow the separate New Territories and urban registries to be merged into a single registration service for the whole territory. Under the Central Registration System, all registration of property transactions will be carried out in the Land Registry's Queensway offices;
- (b) introduce a new service of colour imaging of plans; and
- (c) improve the performance of the registration and search functions of the Land Registry, and regulate certain existing practices of the Land Registry.

The provisions concerning the Central Registration System will not be implemented until the Land Registry's new information management system, the Integrated Registration Information System (IRIS) comes into operation. This is expected to be by January 2004. A circular advising on the associated arrangements will be issued at that time.

To bring the colour imaging of plans and the improvements in registration and search functions into operation, the following new procedures will be implemented as from **12 December 2002** –

**1. Size and form of instruments**

Amended Regulation 9 of the Land Registration Regulations provides that a copy of an instrument, as specified in the Annex attached, and certified by the person stated will be acceptable for registration.

In respect of an instrument delivered for registration, it shall contain, where practicable, the identity card number or particulars of a travel document of a person signing the instrument or the registration number or particulars of incorporation of a company signing the instrument.

**2. Temporary withdrawal of instrument from registration and search of copies of instruments withheld from registration**

A lodging party may temporarily withdraw an instrument before completion of registration for correction. An instrument which is temporarily withdrawn is included as an instrument withheld from registration (stopped deed). All procedures applicable to stopped deeds, including the disincentive fee, will also apply to such temporarily withdrawn instruments.

The Land Registry will also provide to the public the latest copies of stopped deeds (including instruments temporarily withdrawn) for search at the fee of \$120 for each memorial and instrument. Certified copies of the stopped deeds will not be provided.

**3. Colour imaging of old copy plan**

The copy of every coloured plan attached to or endorsed on an instrument registered in the Land Registry will be recorded by the colour imaging method. There will be no additional charge for this. After colour imaging, the colour imaged plan will be available for search at existing fee levels.

**4. Deletion of names of parties or other relevant persons from Memorial Day Book**

For purposes of personal data privacy protection, the names of the parties or other relevant persons on instruments delivered for registration will no longer be shown in the Memorial Day Book.

**5. Verification of memorial**

Amended Regulation 7(c) makes clear that the Land Registry will prepare and verify a memorial only for Government departments.

**6. Correction of memorials**

The obsolete practice of correction of memorials in red ink stated in Regulation 20(1)(b) is now repealed.

For enquiries, please contact our Customer Service Manager, Mrs. Cindy Lam at 2867 2882 or e-mail to us at [csa@landreg.gov.hk](mailto:csa@landreg.gov.hk)

(Kim Salkeld)  
Land Registrar

To: All Solicitors  
All Government Departments  
All DAS Subscribers

c.c. SHPL

**CLASSES OF INSTRUMENTS FOR WHICH CERTIFIED COPIES MAY BE  
SUBMITTED FOR REGISTRATION**

<b><u>Class of instrument</u></b>	<b><u>Person who may certify copy of instrument</u></b>
Certificate of Incorporation on Change of Name issued by the Companies Registry	Registrar of Companies of Hong Kong, a person authorized in writing by him or a solicitor
Death Certificate issued by the Births and Deaths Registry	Registrar of Births and Deaths of Hong Kong or a person authorized in writing by him
Certificate of Exemption from Estate Duty issued by the Estate Duty Office	Commissioner of Estate Duty of Hong Kong or a person authorized in writing by him
Certificate of Receipt of Estate Duty issued by the Estate Duty Office	Commissioner of Estate Duty of Hong Kong or a person authorized in writing by him
Probate granted by the High Court	Registrar of the High Court or a person authorized in writing by him
Letters of Administration granted by the High Court	Registrar of the High Court or a person authorized in writing by him
Occupation Permit issued by the Building Authority	Director of Buildings of Hong Kong or a person authorized in writing by him
Power of Attorney	Solicitor
Letter of determination or rescission of an agreement for sale and purchase	Solicitor
Notice of discontinuance of court action	Solicitor
Notice of severance of joint tenancy	Solicitor
Memorandum or Letter of Compliance of conditions precedent in Government Grant issued by the Lands Department	No certification required (Photocopy acceptable)
Notice or Letter of Compliance issued by the Building Authority confirming building works have been completed or building orders have been complied with	No certification required (Photocopy acceptable)