

電話 Tel: 2231 3570
圖文傳真 Fax: 2810 0963
電郵地址 Email: plevisd@landsd.gov.hk
本署檔號 Our Ref.: (7) in L/M No. 2564 in LD 29/4070/82
來函檔號 Your Ref.:
來函請註明本署檔號
Please quote our reference in your reply



地政總署
LANDS DEPARTMENT

我們矢志努力不懈，提供盡善盡美的土地行政服務。
We strive to achieve excellence in land administration.

香港北角渣華道三三三號北角政府合署二十樓
20/F., NORTH POINT GOVERNMENT OFFICES
333 JAVA ROAD, NORTH POINT, HONG KONG

網址 Web Site: www.info.gov.hk/landsd

The Law Society of Hong Kong
3/F, Wing On House,
71 Des Voeux Road Central,
Hong Kong

27 June 2024

Dear Sirs,

Section 15 of the New Territories Ordinance (Cap.97) ("NTO")

I write to bring up a land administration issue relating to the NTO for the reference of your members.

Section 15 of the NTO is concerned with land held from the Government under lease or other grant, agreement or licence in the name of a clan, family or *t'ong* ("Tso/Tong"). The section provides, among other things, for the requirement on the appointment of a manager by a Tso/Tong and if the Secretary for Home and Youth Affairs ("SHYA") approves the appointment, he shall register the name of the manager so appointed. A registered manager shall have full power to dispose of or in any way deal with the land of the Tso/Tong as if he were the sole owner thereof, subject to the consent of the SHYA ("the Consent").

Recently it has come to our attention that in a case concerning land in the New Territories, a Tso/Tong as the Vendor had executed an Assignment of the land for selling and assigning the same to a Purchaser but the Consent to the Assignment from the relevant District Officer on behalf of the SHYA had not been obtained. I am sure that you will understand the potential adverse impact arising from the absence of the Consent that may have on the effect of the Assignment and on the effectiveness of the Assignment in passing a good title to the property concerned.

We expect that solicitors dealing with matters concerning land owned by Tso/Tong should be familiar with the NTO and should duly and professionally advise their clients on the NTO. I would therefore invite you to remind your members of the key provisions of the NTO and the importance of complying with relevant requirements when handling land transactions involving Tso/Tong land and properties.

Yours sincerely,

(Tony LAM)
for Director of Lands

c.c. DLO/SK

本信息以及任何附件只供收件人使用，而其中可能載有機密及/或屬法律特權的資料，未經許可，不得擅自披露或使用本信息，倘本信息誤傳給你，請立即通知本人並刪除或銷毀本信息，本署絕不承擔因使用此信息而引致的任何法律責任。

This message and any attachment are intended for the use of the addressee only. It may contain information which is confidential and/or legally privileged. You are hereby notified that no unauthorized disclosure or use of this message is permitted. If you have received this message by mistake, please notify us immediately and delete or destroy this message, as appropriate. Any liability arising from the use of this information is excluded.