



ORDEM
DOS
ENGENHEIROS



FIG COMMISSION 7 ANNUAL MEETING

GEOCONFERENCE ON CADASTRE 4.0

TRANSPARENCY, PARTICIPATION, COLLABORATION

24-28 OCTOBER 2016 | COIMBRA, PORTUGAL

2016 Hong Kong SAR, P.R.C. region report

Dr. Conrad TANG

Chairman, Land Surveying Division
The Hong Kong Institute of Surveyors



FIG COMMISSION 7
Cadastre & Land Management




THE HONG KONG INSTITUTE OF
SURVEYORS
香港測量師學會




THE HONG KONG
POLYTECHNIC UNIVERSITY
香港理工大學

Hong Kong Special Administrative Region



Boundary before 1997



Boundary after 1997

Area :
1104 km²

Population
7.347 M

Ref: Census & Statistics Dept 2016

CT / 2016

Backgrounds

1884 – Deeds Registration

2004 – Titles Registration Ordinance (not applied)

1995 – Land Survey Ordinance

deal with land subdivision only

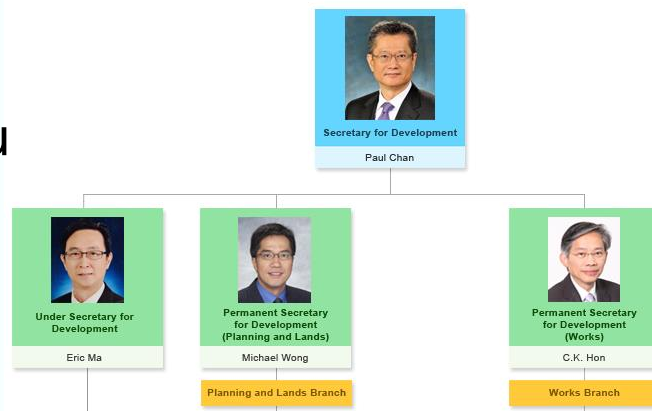
no legal sanction of boundary

uncertain lot boundary affects land development



Land Use Policy Bureau Development Bureau 2016

Policy Bureau



Land controls in Hong Kong

department	function
Planning Department	Town Planning control
Buildings Department	Building control
Lands Department	Lease control
Environmental Protection Department (under Environment Bureau)	Environment control

CT / 2016

5

Planning Control

- Town Planning Ordinance
 - Outline Zoning Plan (OZP)
 - Planning Department prepares the OZP
 - Town Planning Board (TPB) approves the OZP

- Town Planning (Amendment) Ordinance 2004
 - Power to enter land for investigation
 - Notice to require provision of information
 - Issue an Enforcement Notice
 - Issue a Reinstatement Notice

CT / 2016

6

Land Control

- Land related ordinances
 - Govt Leases Ordinance, Land Survey Ordinance,...
 - Land sale – 4 ways of land disposal - conditions
 - Land Authority Consent Scheme – sale of uncompleted private residential developments
 - Approval of Deed of Mutual Covenant
 - Certificate of Compliance
 - Salable Area in Gross Floor Area

CT / 2016

7

Building control

- Buildings Ordinance
 - Approve Building Plans
 - Within Zoning (legal use)
 - Within GFA (development potential on lease)
 - Construction safety (construction works, means of escape,...)
 - Issue Occupation Permit

CT / 2016

8

Environment Protection & Development control

- Environmental Impact Assessment Ordinance [Cap 499] (1998)
- Environmental Protection Department
 - Air quality, asbestos...
 - Conservation of country parks, rare species...
 - Noise control
 - Waste management
 - Water (beach, river) quality [Cap 358]
 - Landscape & Visual impact (w/ Planning Dept)

CT / 2016

9

Survey & Mapping Office of Lands Dept Land boundary records

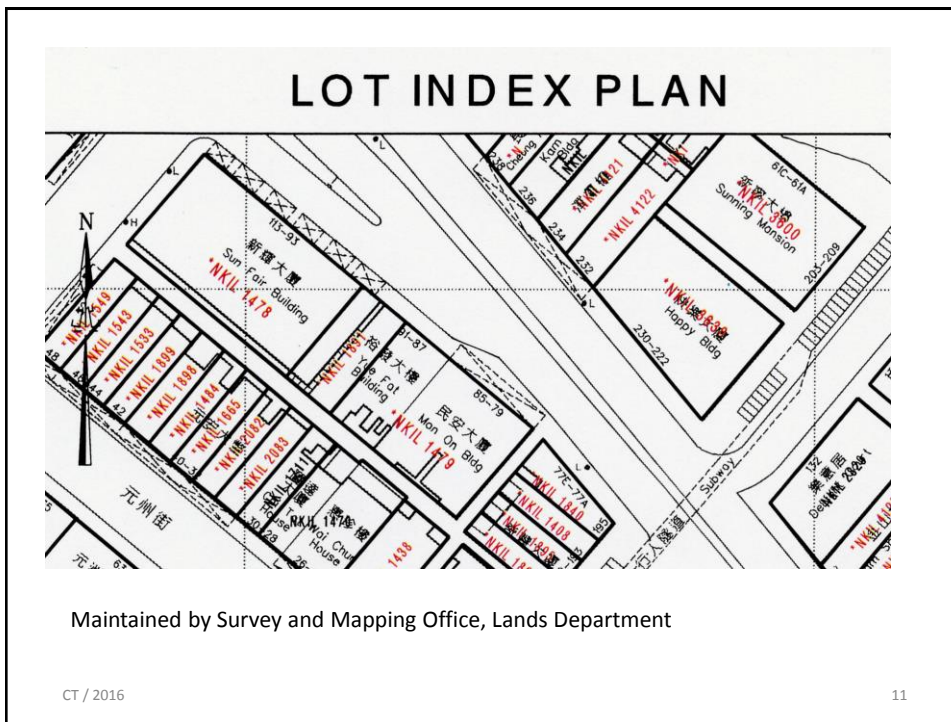
Cadastral Information System (CIS)
the digital land boundary layer

Basic Mapping System (BMS)
1:1000 Survey Sheet

Open to public : Lot Index Plan

CT / 2016

10



Land Survey Ordinance

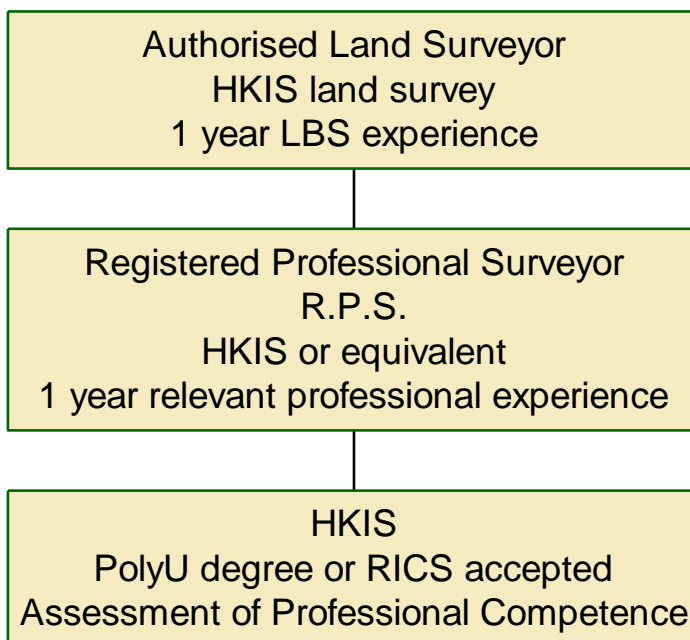
- Cap. 473 (1995)
 - registration & discipline of ALS
 - control of the standards of LBP
 - establish land boundary records
- Subdivision – Deed Poll
- No legal sanction of boundary except the division line

Land Titles Ordinance

- **Cap. 585 (2004)**
 - 2 year preparation for implementation
 - 15 years gradual conversion
 - (now – proposed qualified title)
 - (Nemo det quod non habet - tangling on possible compensations)
 - **S.94 Determination of lot boundaries :**
 - Previously only urban new grant lot may apply for the title plan
 - Move S.94 to Land Survey Ordinance

CT / 2016

13



CT / 2016

14

No. of surveyors in HK (2016)

- Hong Kong Institute of Surveyors
Land Surveying Division

45 Fellow
225 Member
48 Tech Asso

- Registered Professional
Surveyors (Land Surveying)

127 (2015)

- Authorized Land Surveyors

27 Practising

2016

- Land Boundary Committee of the Hong Kong Institute of Surveyors
- Provide advice to government on the practice and the operation of the land boundary system
- Promote amendment of Land Survey Ordinance
- Result in 2016: Buildings Department prescribes in its working guideline that a Site Area Plan is endorsed by an Authorized Land Surveyor

Raise questions to the Secretary of Development and Director of Lands, Director of Planning & Director of Buildings



16 June
2016

Meeting
Room of
The
Legislative
Council

CT / 2016

17

Path to seek a new law

Secretary of Development later replied that the order of making a new law is from the Executive Council

Membership of Executive Council

President



The Honourable
C Y LEUNG
GBM, GBS, JP
Chief Executive

Members

16 Secretaries
14 Non-Official
Members

CT / 2016

18

Land Boundary Committee

- The Survey and Mapping Office is keeping a Land Boundary Record System
- HKIS negotiates with the Lands Department on the steps of the acceptance of surveyed land boundary lines



THANK YOU

Contacts: conrad.tang@polyu.edu.hk