

Regulatory Framework for Opening, Operating and Closing a Business

Disclaimer: Any information rendered in this document is for general references only and should not be considered as legal advice. Users are strongly advised to seek independent legal advice if they are in doubt of their legal position.

Business Location - Property Transfer

No.	Regulatory Framework	Link
<i>Property Transaction Standards</i>		
1.	Existence of legal obligation to verifying the compliance of documents necessary for a property transaction with the law	➤ Section 13, Cap. 219 Conveyancing and Property Ordinance
2.	Requiring verification of the identity of each party engaged in a property transaction	➤ Sections 2(1)(ab) and 3(1) of Schedule 2, Cap. 615 Anti-Money Laundering and Counter-Terrorist Financing Ordinance
3.	Requiring that all property sale transactions be registered at the land registry to make them opposable to third parties	➤ Section 3(2), Cap. 128 Land Registration Ordinance
4.	Tax certificate, if obtained online, would have the same legal value as a paper-based one: <ul style="list-style-type: none"> • Tax certificate 	➤ e-Stamping of Document ➤ e-Stamping Circular No. 1/2011
<i>Land Administration System</i>		
5.	Specifying who can obtain information on land ownership at the immovable property registration agency	➤ Regulation 21, Cap. 128A Land Registration Regulations

No.	Regulatory Framework	Link
6.	The vision of Lands Department is to develop a smart city through survey and mapping, by providing trusted and accessible spatial data services, and creating high-quality geo-referenced spatial and land cadastral data for Digital Hong Kong	➤ Lands Department website
7.	In Hong Kong general public can access the Lot Index Plan (LIP) and different types of Digital Land Boundary Map in Lands Department through Hong Kong Map Service and the registered Land Boundary Plan (LBP) registered in the Land Registry with charges	➤ Lot Index Plan

Public Services that Facilitate Trade

[Including services provided by government bureaux and departments, and other public organisations]

Disclaimer: There are other digital public services that aim to facilitate business and compliance in Hong Kong. Please refer to the webpages of individual bureaux / departments / public organisations for details.

Business Location - Property Transfer

No.	Public Services	Link
<i>Property Transaction – Digital Public Services</i>		
1.	Existence of an online platform where complaints about services and/or suggestions for improvements at the immovable property registry can be filed	<ul style="list-style-type: none">➤ Online form➤ Comment card
Reliability of Infrastructure		
2.	A comprehensive and fully functional electronic database for checking encumbrances <ul style="list-style-type: none">• Liens• Mortgages• Easements• Restrictions	<ul style="list-style-type: none">➤ Integrated Registration Information System (IRIS) Online Services

No.	Public Services	Link
3.	Land title certificates are kept in digitized format at the immovable property registry	➤ Integrated Registration Information System (IRIS) Online Services
Coverage		
4.	All privately held land plots formally registered at the immovable property registry	➤ Integrated Registration Information System (IRIS) Online Services
Interconnectivity		
5.	Immovable property registration agency is also linked to tax agency	➤ Integrated Registration Information System (IRIS) Online Services ➤ e-Stamping of Document by Inland Revenue Department
6.	Geographic Information System is used by the land administration agency	➤ Geospatial Information Services
7.	Lands Department (LandsD) is the mapping agency in Hong Kong and it has been sharing its information among different bureaux / departments (B/Ds) via the Data Alignment Measure (DAM) initiative. Through DAM, LandsD and other B/Ds can share and exchange their information in specific format i.e. Common Spatial Units (CSU). For instance, LandsD and Land Registry (the immovable property registration agency in Hong Kong) can identify and exchange the land plot information with unique identifier	➤ Hong Kong Map Service - Metadata Catalogue System

No.	Public Services	Link
Transparency of Information		
8.	List of documents required to complete all types of property transactions available online and up to date	<ul style="list-style-type: none"> ➤ Integrated Registration Information System (IRIS) Online Services ➤ Third Schedule, Cap. 219 Conveyancing and Property Ordinance
9.	Applicable fee schedule for all types of property transactions at the immovable property registration agency available online and up to date	<ul style="list-style-type: none"> ➤ For registration of instruments involving property transactions ➤ For conducting land searches and ordering land documents involving property transactions ➤ Cap 128B Land Registration Fees Regulations
10.	The Land Registry publishes online the time it will take to deliver a legally binding document proving property ownership	<ul style="list-style-type: none"> ➤ Performance Pledges 2023/2024
11.	A certified true copy of Lot Index Plan could be ordered and collected at the map publications centre of LandsD on the same day	<ul style="list-style-type: none"> ➤ Lot Index Plan
12.	5 or more years of official, updated and publicly available online statistics tracking the number and type of transactions at the immovable property registry	<ul style="list-style-type: none"> ➤ Past Statistics ➤ Monthly statistics on instruments received for registration (April 1993-December 2000)
13.	5 or more years of official, updated and publicly available online statistics tracking the number and types of land disputes	<ul style="list-style-type: none"> ➤ Judiciary Annual Report 2022 – Caseload