

有關「送讓契／無償轉讓契」、「物業資料表格」及「土地查冊」新執業指引 實務講座

執業通告編號13-01(CR), 13-02(CR)及13-03(CR)

梁德麗女士
地產代理監管局
11.04.2013

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送讓契／無償轉讓契

執業通告13-01(CR)

透過饋贈轉讓物業

- **送讓契 / 無償轉讓契
(Deed of Gift / Assignment at Nil Consideration)**
 - 由業主（贈與人 **Donor**）以饋贈方式將物業的法定擁有權轉讓予受贈人(**Donee**) 的文書
 - 物業擁有人可藉簽立無償轉讓契(**Assignment at nil consideration**) 將物業的擁有權以饋贈形式 (**by way of gift**) 轉予受贈人
 - 例：
 - 仍受制於《房屋條例》附表所載之條款、契諾及限制的居屋，根據房委會現行政策，業權變更只可藉沒有金錢代價的轉讓契據形式辦理 (破產個案的情況除外)

土地登記冊 - 例(一)

LOT NO.: SHA TIN TOWN LOT NO. 573

批約 HELD UNDER: GOVERNMENT LEASE

年期 LEASE TERM: 50 YEARS COMMENCING ON 18-5-2001

開始日期 COMMENCEMENT OF LEASE TERM: 18/05/2001

每年地稅 RENT PER ANNUM: -

所佔地段份數

SHARE OF THE LOT: 76/361200

ADDRESS: FLAT 8 ON 10/F OF BLOCK B
HAPPY COURT
NO. 7 HAPPY ROAD
SHATIN NEW TERRITORIES

地址: 中文地址不詳

備註

REMARKS: THE RENT IS 3% OF THE RATEABLE VALUE FROM TIME TO TIME OF THE LOT

業主資料 OWNER PARTICULARS

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
|------------------------------------|--|------------------------|-------------------------------|---------------------------------|---------------------|
| THE HONG KONG HOUSING AUTHORITY | | | | | |

ASSIGNMENT 轉讓契

573

| | | | | |
|-----------------------------|------------------------------|------------|------------|----------------|
| PANG KAM SHING PETER 彭金城 | JOINT TENANT | 24/10/2002 | 15/11/2002 | \$1,480,000.00 |
| FUNG MEI KEI 馮美琪 | JOINT TENANT | | | |
| PANG KAM SHING PETER 彭金城 | 08090101960151 ASSIGNMENT | 21/08/2008 | 01/09/2008 | - |

備註 REMARKS: ASSIGNMENT W

Consideration 代價 = NIL

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MEMORIAL of an instrument to be registered in the Land Registry under the Land Registration Ordinance

依據土地註冊條例在土地註冊處註冊的文書之註冊摘要

| | | | | | |
|---|---|------------------------------------|---|---------------------------------|---------------------------------|
| Solicitors Code of Lodging Firm 交付文書律師行的律師代號 | Please tick the appropriate box 请選擇合適方格 | Other (please specify) 其他 (請註明) | | | |
| Registration Fee 註冊費用 | <input type="checkbox"/> \$210 | <input type="checkbox"/> \$230 | <input checked="" type="checkbox"/> \$450 | <input type="checkbox"/> \$1000 | <input type="checkbox"/> \$2000 |
| Nature and object of the Instrument 文書的性質及目的 | | | | | |
| ASSIGNMENT | | | | | |

註冊摘要編號
Memorial No.:

08090101960151

接收日期
(日/月/年)

Received On:

(DD/MM/YYYY)

01/09/2008

(例子)

ASSIGNMENT AT NIL CONSIDERATION

無償轉讓契

註冊摘要08090101960151
的註冊摘要表格

ASSIGNMENT 轉讓契

| | |
|---|---------------|
| Property Reference Number (if any) 物業參考編號 (如有的話) | A9059950 |
| Address (if applicable; including the address in the Chinese language, if known) 地址 (如適用, 包括所知悉的中文地址) | |
| Flat 8 on 10th Floor of Block B of Happy Court, No. 7 Happy Road, Sha Tin, N.T. | |
| (Chinese address not known) | |
| Undivided Share (if any) 所佔的不分割份數(如有的話) | |
| 76/361200 | |
| Lot Number(s) 地段編號 | |
| Sha Tin Town Lot No. 573 | |
| Date of Instrument 文書日期 | 21 / 8 / 2008 |
| Consideration 代價 | Nil |

Consideration 代價
“Nil”

| | | | |
|--|---|---|---|
| Names of parties (including the names in the Chinese language, if known) 各方的姓名或名稱 (包括所知悉的中文姓名或名稱) | Identification Numbers of parties (Identity Card No./Travel Document No./Company No./etc.) 如涉及真確轉讓, 請註明各方的身份證件號碼 (身分證號碼、旅行证件號碼、公司編號等) | Status of parties (Assignor/ Assignee/etc.) 各方的身分 (出讓人、受讓人等) | Respective share in, and capacities in relation to the premises 各方在處所的各別份數和身分 |
| PANG KAM SHING PETER (彭金城) and FUNG MEI KEI (馮美琪) | D123456(7) P234567(8) | Assignor | ASSIGNOR 轉讓人 |
| PANG KAM SHING PETER (彭金城) | D123456(7) | Assignee | ASSIGNEE 受讓人 |
| Memorial number (including district code identifier, if applicable) of transaction 註明的文書之註冊摘要編號 | Nil | Stamp Office Instrument Reference No. 印花稅文書編號 | Stamp Duty 印花稅 |

ASSIGNOR 轉讓人

ASSIGNEE 受讓人

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THIS ASSIGNMENT

is made the 21st day of August
Two Thousand and Eight

BETWEEN

Assignor 轉讓人

NG PETER (彭金城) of Flat 8 on 10th Floor, Block B,
Happy Court, No. 7 Happy Road, Shatin, New Territories, Hong Kong and
FUNG MEI KU (馮美琪) of 3rd Floor, 48 Seventh Street, Sai Ying Pun,
Hong Kong ("the Assignor"); and

(2) PANG KAM SHING PETER (彭金城) of Flat 8 on 10th Floor, Block B,
Happy Court, No. 7 Happy Road, Shatin, New Territories, Hong Kong ("the
Assignee").

WHEREAS:

Assignee 受讓人

**ASSIGNMENT AT NIL
CONSIDERATION**

無償轉讓契
(例子)

1. By an Assignment dated the 24th day of October 2002 and registered in the Land Registry by Memorial No. ST1307609 ("the Assignment") All That the property more particularly described in the Schedule hereto ("the Property") became vested in the Assignor.

2. The Assignor is desirous of assigning the Property to the Assignee at nil monetary consideration.

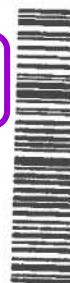
3. By a letter dated the 17th day of September 2007, the Hong Kong Housing Authority ("the Authority") consented to this Assignment subject to the conditions therein mentioned.

NOW THIS DEED WITNESSETH as follows :-

1. IN CONSIDERATION of the premises the Assignor as Beneficial Owner

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**At nil consideration
無償轉讓**



土地登記冊 – 例(二)

**業主資料
OWNER PARTICULARS**

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
|----------------------------------|--|------------------------|-------------------------------|---------------------------------|----------------------|
| WING SHING INVESTMENT LIMITED | | UB955880 | 07/12/1972 | 30/01/1973 | \$2,450,000.00 (PT.) |

備註 REMARKS: ASSIGNMENT OF KIL 4640

POON MAN CHUN UB1574362 01/06/1978 09/09/1978 \$155,400.00

備註 REMARKS: ASSIGNMENT WITH PLAN

KWOK KIN MAN UB3581303 09/12/1987 29/12/1987 \$340,000.00

備註 REMARKS: ASSIGNMENT RE-REGISTERED SEE MEM. NO. UB3658942

KWOK KIN MAN UB3658942 09/12/1987 28/03/1988 \$340,000.00

備註 REMARKS: ASSIGNMENT
PREVIOUSLY REGISTERED BY MEM. NO. UB3581303

LEE WAH BING UB3806696 \$380,000.00

備註 REMARKS: ASSIGNMENT

Consideration = NIL

KWOK KIN MAN UB8670483 24/04/2002 07/05/2002

備註 REMARKS: "ASSIGNEE"

Assignee 受讓人

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| | | | | |
|---|---|---|---|-----------------------------|
| MEMORIAL of an instrument to be registered in the Land Registry/..... New Territories Land Registry under the Land Registration Ordinance. | | | | |
| Solicitors Code 415A | Stamp Office No. N/A | Stamp Duty \$ pending adjudication | | |
| Date of instrument 24th April 2002 | | | | |
| Nature and object of the instrument ASSIGNMENT | Consideration 代價 “Nil” | | | |
| Consideration Nil | Consideration Code | | | |
| Memorial number of transaction concerned [Regs. 6(1)(f) and 6(2)(f)] N/A | | | | |
| Names of parties | Hong Kong Identity Card/Company Registration/Other Identification (please specify) Numbers* (in case of change of ownership) | Status of parties (Assignor/ Assignee/etc.) | Their respective shares in, and capacities in relation to, the premises | Capacity Code |
| LEE WAH BING (李華兵) | H.K.I.D. No. A345678(9) | Assignor | | |
| KWOK KIN MAN (郭健雯) | H.K.I.D. No. A456789(0) | Assignee | | |
| Premises affected by the instrument | Undivided Share (if any): 10/1,541st | | | |
| | Lot No.: Kowloon Inland Lot No. 9041 | | | |
| Address : (if applicable) Block Flat Floor Premises No. Street Name | G | 7th | 18-24 | Haley Road (Haley Building) |

(例子)
ASSIGNMENT AT NIL
CONSIDERATION
無償轉讓契
註冊摘要 UB8670483
的註冊摘要表格

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| | | | |
|--|--|--|---|
| DOC | STAMP OFFICE HONG KONG 26.4.02 | Adjudication Fee Not Payable 印花稅 D P Pending | ASSIGNMENT AT NIL CONSIDERATION 無償轉讓契 (例子) |
| THIS ASSIGNMENT | is made the 24th day of April Two thousand and two | | |
| <u>BETWEEN</u> | | | |
| (1) LEE WAH BING (李華兵) of Flat 3102, 31st Floor, No. 82 Sun Flower Street, Kwun Tong, Kowloon, Hong Kong ("the Assignor"); and | | | |
| (2) KWOK KIN MAN (郭健雯) of Flat G, 7th Floor, Haley Building, Nos. 18-24 Haley Road, Kowloon, Hong Kong ("the Assignee"). | | | |
| W H E R E A S :- | | | |
| (A) The Assignor is the registered and beneficial owner in possession of All The the property described in the Schedule hereto ("the Property") for the residues of the respective terms of years created by the Government Leases referred to in the Schedule hereto ("the Government Leases"). | | | |
| (B) The Assignor is desirous of assigning the Property to the Assignee at nil monetary consideration. | | | |
| NOW THIS ASSIGNMENT WITNESSETH that | | | |
| 1. In consideration of the premises and the due observance and performance by the Assignee of the covenants and conditions hereinafter contained the Assignor as Beneficial Owner HEREBY ASSIGNS unto the Assignee the Property at nil monetary consideration TO HOLD the same unto the Assignee for the residues of the respective terms of years created by the Government Leases SUBJECT to the | | | |

At nil consideration

無償轉讓

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土地登記冊 - 例(三)

ADDRESS: FLAT H ON 4TH FLOOR
TAI FAT MANSION
NO. 33 TAI MING LANE
KOWLOON

地址: 中文地址不詳

備註

REMARKS: CONSENT GIVEN BY LAND OFFICER DATED 27/1/1967 TO ENTER INTO AGREEMENTS FOR SALE AND PURCHASE

業主資料 OWNER PARTICULARS

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
|--|--|------------------------|-------------------------------|---------------------------------|---------------------|
| TAI HANG INVESTMENT COMPANY LIMITED | | - | - | - | - |

備註 REMARKS: CONDITIONS OF EXCHANGE NO. 9274 OF KIL 9587

LEUNG PUN HANG UB722937 02/02/1970 03/03/1970 \$16,830.00

備註 REMARKS: ASSIGNMENT WITH PLAN

LI SHUI LIN 12/12/2007 11/01/2008 \$580,000.00

LO MAN LUNG ALVIN 0804 ASSIG 27/03/2008 03/04/2008 \$0
盧文龍

YEUNG TSZ MAN 08121801220132 21/11/2008 18/12/2008 \$0
楊紫雲

CHAN TAK CHUNG 10061801500282 19/05/2010 18/06/2010 \$780,000.00

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DEED OF GIFT 送讓契

Consideration = NIL

| | | | |
|---|---------------------------------|---|------------------------------------|
| under the Land Registration Ordinance 依據土地註冊條例在土地註冊處註冊的文書之註冊摘要 | | | |
| Solicitors Code of Lodging firm 交付文書的律師的律師代號 | Registration Fee 註冊費用 | Please tick the appropriate box 請選擇合適方格 | Other (please specify) 其他 (請註明) |
| 00098913 | \$210 \$230 \$450 \$1000 \$2000 | <input checked="" type="checkbox"/> | \$ |
| Nature and object of the instrument 文書的性質及目的 | | | |
| DEED OF GIFT | | | |

註冊摘要編號
Memorial No.:

08121801220132

接收日期
(日/月/年)
Received On
(DD/MM/YYYY):
18/12/2008

(例子)

DEED OF GIFT 送讓契
註冊摘要 08121801220132
的註冊摘要表格

| | | | |
|--|--------------------------------|------------------|-----|
| Property Reference Number (if any) 物業參考編號 (如有的話) | | A6619009 | |
| Address (if applicable; including the address in the Chinese language, if known) Flat H on the 4th Floor of Tai Fat Mansion, No. 33 T. (Chinese address not yet known) | | | |
| DEED OF GIFT 送讓契 | | | |
| Undivided Shares (if any) 所佔的不分份數 (如有的話) | | | |
| 1/273 | | | |
| Lot Number(s) 地段編號 Kowloon Inland Lot No. 9587 | | | |
| Date of instrument 文書日期 | 21 / 11 / 2008 Day 月 Year 年 | Consideration 代價 | Nil |

Consideration 代價:
Nil

| | | | |
|---|--|---|---|
| Names of parties (including the names in the Chinese language, if known) 各方的姓名或名稱 (包括所知悉的中文姓名或名稱) | In case of change of ownership, please specify Identification Numbers of parties (Identity Card No./Travel Document No./Company No./etc.) 如涉及業權轉讓, 請列明各方的身分證件號碼 (身分證號碼、旅行證件號碼、公司編號等) | Status of parties (Assignor/ Assignee/etc.) 各方的身分 (出讓人、受讓 人等) | Respective shares in, and capacities in relation to, the premises 各方在地 所的各自份數和身分 |
| Lo Man Lung Alvin (盧文龍) | HKID NO. Z123456(9) | the Donor | 贈予人 |
| and | and | | |
| Yeung Tsz Man (楊紫雲) | HKID NO. E987654(3) | the Donee | 受贈人 |

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THIS DEED OF GIFT is made the 21st day of November
Two thousand and eight

DEED OF GIFT 送讓契
(例子)

BETWEEN

(1) LO MAN LUNG ALVIN (盧文龍) of Flat D on the 12th Floor of Kin Ting House, Nos. 1-3 King Ting Street, Kowloon, Hong Kong ("the Donor"); and

Donor 贈予人

(2) YEUNG TSZ MAN (楊紫雯) of Flat C on the 9th Floor of Nos. 12-16 Beauty Lane, Mei Foo, Kowloon, Hong Kong ("the Donee").

Donee 受贈人

WHEREAS by an Indenture of Assignment dated the 27th day of March 2008 made between Li Shui Lin of the one part and the Donor of the other part and registered in the Land Registry by Memorial No 08040300740184 All That the land described in the Schedule hereto ("the Property") was assigned to the Donor as sole owner.

By way of gift
送贈形式

AND WHEREAS the Donor is desirous of assigning the Property to the Donee by way of gift in manner hereinafter mentioned.

NOW THIS DEED WITNESSES :-

1. IN CONSIDERATION of the premises the Donor as BENEFICIAL OWNER HEREBY ASSIGNS to the Donee the Property TO HOLD the same unto the Donee TO THE INTENT that the entirety of the Property shall henceforth be vested in the Donee free from any estate and interest of the Donor therein and thereto for the residue of the term of years created by the Government Lease referred to in the Schedule SUBJECT

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土地登記冊 – 例(四)

ADDRESS: FLAT A ON 25/F OF BLOCK 3
GOOD VIEW GARDEN NO. 2 GOOD VIEW STREET
TUEN MUN NEW TERRITORIES

地址: 中文地址不詳

備註

REMARKS: -

業主資料
OWNER PARTICULARS

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
|--|--|------------------------|-------------------------------|---------------------------------|---------------------|
| CHEUNG LEE REALTY LIMITED | | - | - | - | - |
| 備註 REMARKS: NEW GRANT NO. 3455 OF TMTL 305 | | | | | |
| MA WAN | JOINT TENANT | TM231822 | 15/08/1983 | 23/09/1983 | \$200,800.00 |
| LAU YUK MUI | JOINT TENANT | | | | |
| 備註 REMARKS: ASSIGNMENT | | | | | |
| LAM KWOK FAI | JOINT TENANT | TM589197 | 01/04/1993 | 03/05/1993 | \$898,000.00 |
| WONG CHING YAN | JOINT TENANT | | | | |
| 備註 REMARKS: ASSIGNMENT | | | | | |
| LAU WAI | | TM715853 | 01/04/1996 | 23/04/1996 | \$973,000.00 |
| LAU WAI 劉慧 | TENANT IN COMMON (1/2) | 09123001170131 | 02/12/2009 | 30/12/2009 | -- |
| LAM LAI MING 林麗明 | TENANT IN COMMON (1/2) | DEED OF GIFT | | | |

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| | | | | |
|---|--|--|---|--|
| Solicitor's Code of Lodging Firm 交付文書律師行的律師代號 00085512 | Registration Fee 註冊費用 \$210 \$230 \$450 \$1000 \$2000 | Please tick the appropriate box 请選擇合適方格 其他 (請註明) <input checked="" type="checkbox"/> \$ | Other (please specify) 其他 (請註明) | 09123001170131 |
| Nature and object of the instrument 文書的性質及目的 DEED OF GIFT | | | | 收件日期 (日/月/年) Received On (DD/MM/YYYY) 30/12/2009 |
| Property Reference Number (if any) 物業參考編號 (如有的話) B1517317 | | | | |
| Address (if applicable: including the address in the Chinese language, if known) 地址 (如適用, 包括所知悉的中文地址) FLAT A ON 25TH FLOOR OF BLOCK 3 GOOD VIEW GARDEN NO. 2 GOOD VIEW STREET TUEM MUN NEW TERRITORIES | | | | |
| Undivided Shares (if any) 所佔的不分割份額 (如有的話) 7/10100 | | | | |
| Lot Number(s) 地段編號 TUEM MUN TOWN LOT NO. 305 | | | | |
| Date of instrument 文書日期 02/ Day 12/ Month 2009 Year | Consideration 代價 NIL | | | |
| Names of parties (including the names in the Chinese language, if known) 各方的姓名或名稱 (包括所知悉的中文姓名或名稱) | In case of change of ownership, please specify identification numbers of parties (Identify, Co-owners/Assignee/Assignor/Assignee/Assignor etc.) 如涉及業權轉變, 請註明各方的身份識別號碼 (分 註號碼、銀行註件號碼、公司註號等) | Details of parties (Assignor/Assignee/etc.) 各方的身分 (出讓人、受讓人等) | Respective shares in, and capacities in relation to, the premises 各方在產 物的各別份額和身分 | |
| LAU WAI (劉慧) | HKID Card No. E765432(1) | The Assignor | --- | |
| LAU WAI (劉慧) LAM LAI MING (林麗明) | HKID Card No. E765432(1) HKID Card No. K334455(6) | The Assignee | Tenants-in-common in equal shares | |
| Memorial number (including district code identifier, if applicable) of transaction 被遺忘的文書之註冊編號 (包括地區編號代碼, 如適用) | | Stamp Office Instrument Reference No. 印在證書文書編號 5-10-186943-0-0-9 | Stamp Duty 印花稅 \$ NIL | |

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(例子)
DEED OF GIFT 送讓契
註冊摘要 09123001170131
的註冊摘要表格

THIS DEED OF GIFT is made the 2nd day of December Two Thousand
and Nine.

**DEED OF GIFT 送讓契
(例子)**

BETWEEN

- (1) LAU WAI (劉慧) of Flat A on 25th Floor of Block 3, Good View Garden, No. 2
Good View Street, Tuen Mun, New Territories, Hong Kong ("the
Assignor"); and
- (2) LAU WAI (劉慧) and LAM LAI MING (林麗明) both of Flat A on 25th Floor
of Block 3, Good View Garden, No. 2 Good View Street, Tuen Mun, New
Territories, Hong Kong ("the Assignee").

NOW THIS DEED WITNESSETH as follows :-

1. **IN CONSIDERATION** of the natural love and affection which the
Assignor has for the Assignee and in pursuance of such agreement the Assignor
as Beneficial Owner **ASSIGNS** to the Assignee the property described in the
Schedule hereto ("the Property") **TO HOLD** the same unto the Assignee
TENANTS-IN-COMMON IN EQUAL SHARES for the residue of the term of
years created by the Government Lease referred to in the Schedule hereto
SUBJECT to the payment of the Government rent and/or the due proportion of
the yearly Government rent reserved by and the observance and performance of

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土地登記冊 - 例(五)

所佔地段份數

SHARE OF THE LOT: 52/135913

ADDRESS: FLAT F ON 4TH FLOOR OF TOWER 3
NO. 5 KENNY STREET
HONG KONG

地址: 中文地址不詳

備註
REMARKS: CONSENT GIVEN BY LAND OFFICER DATED 25/1/85 TO ENTER INTO AGREEMENTS FOR SALE & PURCHASE
THE ABOVE CONSENT RE RESIDENTIAL UNITS

業主資料 OWNER PARTICULARS

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
|-----------------------|--|------------------------|-------------------------------|---------------------------------|---------------------|
|-----------------------|--|------------------------|-------------------------------|---------------------------------|---------------------|

MILLION TWON
INVESTMENT LIMITED

備註 REMARKS: CONDITIONS OF SALE NO. 11645 OF CWIL 229

CHENG KAM KEE JOINT TENANT UB2931071 18/10/1985 29/11/1985 \$262,500.00

MAK SO SO JOINT TENANT

備註 REMARKS: ASSIGNMENT WITH PLAN
CHENG KAM KEE DIED SEE MEM. NO. 08092600510130

CHENG LIM YAN CHERRY 08092600510169 08/09/2008 26/09/2008
鄭念欣 DEED OF ASSIGNMENT

TO KWOK KEUNG JOINT TENANT 10033002190197 09/03/2010 30/03/2010 \$1,890,000.00
杜國強
KONG KA YEE JOINT TENANT
江嘉兒

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under the Land Registration Ordinance
依據土地註冊條例在土地註冊處註冊的文書之註冊摘要

| | | | |
|---|---|---|------------------------------------|
| Solicitors Code of Lodging Firm 交付律師辦事處的律師代號 | Registration Fee 註冊費用 | Please tick the appropriate box 頂選擇合適方格 | Other (please specify) 其他 (請註明) |
| 00099912 | <input type="checkbox"/> \$210 <input type="checkbox"/> \$230 <input checked="" type="checkbox"/> \$450 <input type="checkbox"/> \$1000 <input type="checkbox"/> \$2000 | | \$ |
| Nature and object of the instrument 又即的性質及目的 | | | |
| Deed of Assignment | | | |



(例子)
DEED OF ASSIGNMENT
註冊摘要 08092600510169
的註冊摘要表格

| | | | |
|--|---|--|--|
| Premises affected by the instrument 受文書影響的處所 | Property Reference Number (if any) 物業參考編號 (如有的話) A2589807 | | |
| | Address (if applicable; including the address in the Chinese language, if known) 地址 (如適用, 包括所知悉的中文地址) | | |
| FLAT F ON 4TH FLOOR OF TOWER 3 NO. 5 KENNY STREET HONG KONG "Chinese address not known" | | | |
| Undivided Shares (if any) 所佔的不分割份數 (如有的話) 52/135913 | | | |
| Lot Number(s) 地段編號 CHAI WAN INLAND LOT NO. 229 | | | |

| | | |
|----------------------------|--------------------------------|-------------------------|
| Date of instrument 文書日期 | 08 / 09 / 2008 Day 月 Year 年 | Consideration 代價 NIL |
|----------------------------|--------------------------------|-------------------------|

| | | | |
|---|---|---|--|
| Names of parties (including the names in the Chinese language, if known) 各方的姓名或名稱 (包括所知悉的中文姓名或名稱) | In case of change of ownership, please specify Identification Numbers of parties (Identity Card No./Travel Document No./Company No./etc.) 如涉及物業轉讓, 請分別列明各份證件號碼 (身分證號碼、旅行證件號碼、公司編號等) | Status of parties (Assignor/Assignee/etc.) 各方的身分 (出讓人、受讓人等) | Respective shares in, and capacities in relation to, the premises 各方的份數和身分 |
|---|---|---|--|

| | | |
|--------------------|-------------------------|--------------|
| MAK SO SO (麥素素) | H.K.I.C. No. A998877(1) | The Assignor |
|--------------------|-------------------------|--------------|

| | | |
|-------------------------------|-------------------------|--------------|
| CHENG LIM YAN CHERRY (鄭念欣) | H.K.I.C. No. K665544(3) | The Assignee |
|-------------------------------|-------------------------|--------------|

Memorial number (including district code
/identifier, if applicable) of transaction
NII

Stamp Office Instrument Reference No.

Stamp Duty HK\$

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THIS DEED OF ASSIGNMENT is made the 8th day of September
Two Thousand and Eight

BETWEEN

- (1) MAK SO SO (麥素素) (HKIC No. A998877(1)) of Flat F, 4/F,
Tower 3, No. 5 Kenny Street, Hong Kong ("the Assignor") and
(2) CHENG LIM YAN CHERRY (鄭念欣) (HKIC No. K665544(3)) of Flat
F, 4/F, Tower 3, No. 5 Kenny Street, Hong Kong ("the Assignee")

WHEREAS :-

- (1) By an Assignment dated the 18th day of October 1985 and registered in the Land Registry by Memorial No. UB2931071 ("the Assignment") ALL THOSE the premises more particularly described in the Schedule hereto ("the Property") were vested unto Cheng Kam Kee ("the Deceased") and the Assignor as Joint Tenants.
(2) The Deceased died on the 19th day of December 2003 leaving the Assignor the surviving joint tenant of the Property.
(3) The Assignor is desirous of assigning the Property to the Assignee at nil monetary consideration.
(4) In a letter dated the 11th day of April 2008, the Hong Kong Housing Authority consented to this Assignment subject to the conditions therein contained.

At nil consideration

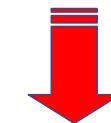
無償轉讓

ESSETH as follows :-

1. in consideration of the premises the Assignor as BENEFICIAL OWNER HEREBY ASSIGNS to the Assignee the Property at nil monetary consideration TO HOLD the same unto the Assignee as SOLE OWNER

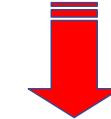
DEED OF
ASSIGNMENT
(例子)

CHENG KAM KEE (JOINT
TENANT)
MAK SO SO (JOINT TENANT)



CHENG KAM
KEE DIED

MAK SO SO (SOLE OWNER)



DEED OF
ASSIGNMENT

CHENG LIM YAN CHERRY
(SOLE OWNER)

《破產條例》對饋贈的影響

• 《破產條例》

– 倘若贈與人 / 轉讓人被判定破產，而有關的破產呈請的提出當日起計之前的五年內作出饋贈或訂立一項沒有代價的交易，破產受託人可將有關的送讓契 / 無償轉讓契作廢，除非該人士（不論是否與贈與人 / 轉讓人訂立交易的人士）真誠地並付出價值取得該物業。

► 因此，若賣方 / 賣方之前的業權人曾藉送讓契 / 無償轉讓契形式接受物業的轉讓，而破產受託人基於上述的情況將該送讓契 / 無償轉讓契作廢，則該物業的業權或會受到不良影響。

《破產條例》對饋贈的影響

- 購買此類物業的風險包括：

(1) 物業業權

- 在轉售該物業時無法證明其良好業權

(2) 按揭貸款

- 買方可能無法取得任何或足夠的按揭貸款以完成購買該物業

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土地查冊

- 若現任註冊業主是憑送讓契／無償轉讓契的形式取得物業，該已註冊的送讓契／無償轉讓契或會在該物業的現時土地查冊中顯示。
- 然而，涉及賣方之前的業權人所簽訂的送讓契／無償轉讓契的註冊記錄則只可能會在該物業的過往及現時的土地查冊中顯示。

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「現時」及「過往及現時」土地查冊比較
例一：現任註冊業主憑無償轉讓契形式取得物業

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 業主資料 OWNER PARTICULARS | | 過往及現時的 土地查冊 |
|---|--|---------------------------|-------------------------------|----------------|
| | | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | |
| WING SHING INVESTMENT LIMITED | | UB955880 | 07/12/1972 | 30/01/1973 |
| 備註 REMARKS: ASSIGNMENT OF KIL 4640 | | | | |
| POON MAN CHUN | | UB1574362 | 01/06/1978 | 09/09/1978 |
| 備註 REMARKS: ASSIGNMENT WITH PLAN | | | | |
| KWOK KIN MAN | | UB3581303 | 09/12/1987 | 29/12/1987 |
| 備註 REMARKS: ASSIGNMENT RE-REGISTERED SEE MEM. NO. UB3658942 | | | | |
| KWOK KIN MAN | | UB3658942 | 09/12/1987 | 28/03/1988 |
| 備註 REMARKS: ASSIGNMENT PREVIOUSLY REGISTERED BY MEM. NO. UB3581303 | | | | |
| LEE WAH BING | | UB3806696 | 20/07/1988 | 22/08/1988 |
| 備註 REMARKS: ASSIGNMENT | | | | |
| KWOK KIN MAN | | UB8670483 | 24/04/2002 | 07/05/2002 |
| 備註 REMARKS: "ASSIGNEE" | | | | |

「現時」及「過往及現時」土地查冊比較
例一：現任註冊業主憑無償轉讓契形式取得物業

| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 業主資料 OWNER PARTICULARS | | 現時的 土地查冊 |
|-------------------------|--|---------------------------------|---|--|
| | | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | |
| KWOK KIN MAN | | UB8670483 | 24/04/2002 | 07/05/2002 |
| 備註 REMARKS: "ASSIGNEE" | | | | |
| 物業涉及的轉讓 INCUMBRANCES | | | | |
| 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 文書性質 NATURE | 受惠各方 IN FAVOUR OF |
| UB1200048 | 02/08/1975 | 07/10/1975 | AGREEMENT WITH PLAN | - - |
| UB1218563 | 30/10/1975 | 19/12/1975 | AGREEMENT FOR SALE AND PURCHASE OF 1/4 SHARE | MARSHALL INVESTMENT & PROPERTIES LIMITED - |
| UB1394845 | 10/06/1977 | 04/07/1977 | APPOINTMENT BY WINNING SECURITIES LIMITED | NEW CENTURY INVESTMENT CO. LTD. "APPOINTEE" - |
| UB1394846 | 10/06/1977 | 04/07/1977 | AGREEMENT | NEW CENTURY INVESTMENT CO. LTD - WINNING SECURITIES LIMITED - |
| UB1495653 | 20/01/1978 | 14/03/1978 | DEED OF MUTUAL COVENANT WITH PLANS | - - |

「現時」及「過往及現時」土地查冊比較

例二：現任註冊業主之前的業權人從無償轉讓契形式取得物業

TAI FAT MANSION
NO. 33 TAI MING LANE
KOWLOON

備註

REMARKS: CONSENT GIVEN BY LAND OFFICER DATED 27/1/1967 TO ENTER INTO AGREEMENTS FOR SALE AND PURCHASE

過往及現時的 土地查冊

| 業主資料 <u>OWNER PARTICULARS</u> | | | | | |
|---|--|--------------------------------|-------------------------------|---------------------------------|---------------------|
| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
| TAI HANG INVESTMENT COMPANY LIMITED | | - | - | - | - |
| 備註 REMARKS: CONDITIONS OF EXCHANGE NO. 9274 OF KIL 9587 | | | | | |
| LEUNG PUN HANG - | | UB722937 | 02/02/1970 | 03/03/1970 | \$16,830.00 |
| 備註 REMARKS: ASSIGNMENT WITH PLAN | | | | | |
| LI SHUI LIN | | 08011102840210 ASSIGNMENT | 12/12/2007 | 11/01/2008 | \$580,000.00 |
| LO MAN LUNG ALVIN 盧文龍 | | 08040300740184 ASSIGNMENT | 27/03/2008 | 03/04/2008 | \$660,000.00 |
| YEUNG TSZ MAN 楊紫雯 | | 08121801220132 DEED OF GIFT | 21/11/2008 | 18/12/2008 | -- |
| CHAN TAK CHUNG 陳德聰 | | 10061801500282 | 19/05/2010 | 18/06/2010 | \$780,000.00 |

「現時」及「過往及現時」土地查冊比較

例二：現任註冊業主之前的業權人從無償轉讓契形式取得物業

ADDRESS : FLAT H ON 4TH FLOOR
TAI FAT MANSION
NO. 33 TAI MING LANE
KOWLOON

地址：中文地址不詳

現時的 土地查冊

備註
REMARKS: CONSENT GIVEN BY LAND OFFICER DATED 27/1/1967 TO ENTER INTO AGREEMENTS FOR SALE AND PURCHASE

| 業主資料 OWNER PARTICULARS | | | | | |
|---------------------------|--|------------------------------|--|---------------------------------|---------------------|
| 業主姓名 NAME OF OWNER | 身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER) | 註冊摘要編號 MEMORIAL NO. | 文書日期 DATE OF INSTRUMENT | 註冊日期 DATE OF REGISTRATION | 代價 CONSIDERATION |
| CHAN TAK CHUNG 陳德聰 | | 10061801500282 ASSIGNMENT | 19/05/2010 | 18/06/2010 | \$780,000.00 |
| 物業涉及的轉讓 INCUMBRANCES | | | | | |
| 註冊摘要編號 MEMORIAL NO. | | | | 代價 CONSIDERATION | |
| UB652587 | | | | - | |
| UB658186 | | | | - | |
| UB700041 | 14/10/1969 | 25/10/1969 | DEED OF CONFIRMATION (ENDORSED ON DEED OF MUTUAL COVENANT M/N 151552) | - | - |

涉及饋贈物業買賣所須採取的步驟

- 由於購買涉及送讓契 / 無償轉讓契的物業有潛在問題，持牌人安排雙方訂立物業買賣協議前應採取以下步驟以保障其客戶的利益：
 - a) 倘若該物業的現時土地查冊顯示賣方作為該物業現任註冊業主由土地查冊日期起計少於五年，持牌人應進一步就該物業進行過往及現時的土地查冊。
 - b) 持牌人應仔細查閱土地查冊，以確定該物業是否有送讓契 / 無償轉讓契的註冊紀錄。

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涉及饋贈物業買賣所須採取的步驟

- c) 倘若該物業的現時或過往及現時的土地查冊（按情況而定）顯示該物業有送讓契 / 無償轉讓契的註冊紀錄，而該送讓契 / 無償轉讓契乃於土地查冊日期起計之前的五年內訂立，則持牌人應：
 - (i) 告知客戶該送讓契 / 無償轉讓契的存在；
 - (ii) 提醒客戶該送讓契 / 無償轉讓契可能會影響該物業的業權，並可能令買方無法取得足夠的按揭貸款以購買該物業的風險；及
 - (iii) 建議客戶在簽訂任何該物業的買賣協議前，就該送讓契 / 無償轉讓契的影響及買賣該物業的風險尋求法律意見。

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涉及饋贈物業買賣所須採取的步驟

- 假若儘管有送讓契 / 無償轉讓契的註冊紀錄及持牌人已提醒客戶以上所述的風險後，客戶仍決定進行有關買賣及訂立買賣協議（不論是否已取得法律意見），持牌人為保障在發生糾紛時的自身利益，宜向客戶取得書面確認，說明客戶已獲告知前述(i)-(iii)的事項

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例子

印製於 PRINTED AT: INTERNET SEARCH (DOWNLOAD)
查冊日期及時間 SEARCH DATE AND TIME: 03/04/2013 10:42
查詢者姓名 NAME OF SEARCHER: Ivy
查冊種類 SEARCH TYPE: CURRENT

本登記冊列明有關物業截至 03/04/2013 07:30 之資料
THE INFORMATION SET OUT BELOW
INS PARTICULARS OF THE PROPERTY

備存土地紀錄以供市民查閱旨在防止秘密及不誠實成分的物業轉易，以及提供容易追溯和確定土地財產及不動產業權的方法。土地紀錄內載的資料不得用於與土地紀錄的宗旨無關之目的，使用所提供的資料僅限於上述目的。
The land records are kept for the public to prevent secret and fraudulent conveyances, and to provide the public to easily traced and ascertained. The information contained in the land records shall not be used for purposes other than those relating to the purposes of the land records. The use of information provided is subject to the provisions in the Personal Data (Privacy) Ordinance.

物業資料
PROPERTY PARTICULARS

物業參考編號
PROPERTY REFERENCE NUMBER (PRN): A9059950

地段編號
LOT NO.: SHA TIN TOWN LOT NO. 573

所佔地段份數
SHARE OF

ADDRESS: 轉讓契日期: 19/10/2011

備註
REMARKS: THE RENT IS 3% OF THE RATEABLE VALUE TIME TO TIME OF

業主資料
OWNER PARTICULARS

業主姓名
NAME OF OWNER
吳俊傑
NG CHUN KIT TONY

身分
(如非唯一擁有人)
CAPACITY

註冊摘要編號
MEMORIAL NO.
ASSIGNMENT
11102702460167

大旨日期
DATE OF
INSTRUMENT
19/10/2011

註冊日期
DATE OF
REGISTRATION
27/10/2011

代價
CONSIDERATION
\$3,700,000.00

查冊日期:
03/04/2013

現時的查冊

現時註冊業主於查冊日期起計擁有物業少於5年

→ 為有關物業進行「過往及現時」查冊

→ 確定查冊日起計5年內有「送讓契 / 無償轉讓契」的註冊紀錄

→ 若有，按指引要求提醒客戶有關風險

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總結

- 此執業通告已於 2013 年 4 月 1 日生效。
 - 持牌人應留意物業的土地查冊顯示有送讓契／轉讓契的註冊紀錄可能會導致的問題，並採取適當的措施保障其客戶的利益。
 - 《操守守則》第3.4.1段—
作為代理或受委託為代理的地產代理和營業員，應保障和促進客戶的利益、按照地產代理協議執行客戶的指示，並對交易各方公平公正。
- 未能遵守本通告所載的指引的持牌人或會遭受監管局的紀律處分。

物業資料及填妥物業資料表格 ／出租資料表格

執業通告13-02(CR)

管有物業資料

- 《地產代理常規(一般責任及香港住宅物業)規例》(“常規規例”) 第6(1)條
 - 為賣方行事的持牌地產代理須與該賣方訂立地產代理協議 (表格3)
 - 為租賃的業主一方行事的持牌地產代理則須與該業主訂立地產代理協議 (表格5)

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管有物業資料

- 《地產代理條例》第36(1)(a)(i)條
 - 為賣方 (或業主) 行事的持牌地產代理，在他代賣方 (或業主) 行事的期間，須就其已訂立的地產代理協議所涉及的每項物業管有或控制某些訂明資料。
 - 所須管有或控制的訂明資料為：
 - a) 香港住宅物業的買賣：
「物業資料表格」 (表格1) 第1部分B部的物業的訂明資料
 - b) 香港住宅物業的租賃：
「出租資料表格」 (表格2) B部的物業的訂明資料

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管有物業資料

- 《地產代理條例》第36(1)(a)(ii)條
 - 持牌地產代理須在合理範圍內確保自己能信納物業的訂明資料的準確性
- 為符合上述規定，為賣方（或業主）行事的持牌地產代理，在他代賣方（或業主）行事的整段期間（自地產代理協議的有效期的開始日起計），須管有或控制訂明資料。
- 除非持牌地產代理已管有訂明資料而該資料仍屬準確，否則他須於地產代理協議的有效期的開始當日，就物業進行土地查冊，及（如有需要）：
 - a) 使用差餉物業估價署的網上服務進行查冊；或
 - b) 從其他的訂明來源獲取有關的訂明資料。

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管有物業資料

- 持牌地產代理在以下情況可能違反上述規定：
 - a) 如持牌地產代理須管有的物業的訂明資料於地產代理協議的有效期的開始日之前已取得，而該等物業資料已不準確；或
 - b) 不論持牌地產代理何時取得有關物業的訂明資料，他未有在合理範圍內確保自己能信納該等資料的準確性。

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物業資料表格／出租資料表格

- 取得物業的訂明資料及填妥所需的表格乃受《常規規例》第3(2)及(3)條所規限。根據該等條文，持牌地產代理須：
 - 從訂明的來源取得訂明資料；
 - 按照表格列明的指示及指引填妥表格
 - 買賣物業：「物業資料表格」（表格1）
 - 出租物業：「出租資料表格」（表格2）
 - 隨「表格1」附上物業的土地查冊的副本

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物業資料表格／出租資料表格

- d) 按賣方(或業主)的選擇，於以下其中一種情況向賣方/業主提供已填妥的「表格1」(或「表格2」)的正本或副本：
 - 訂立地產代理協議「表格3」(或「表格5」)之前；或
 - 訂立買賣協議(或租約)之前；及
- e) 向買方(或租客)提供已填妥的「表格1」(或「表格2」)的正本或副本，除非買方(或租客)明確表示放棄其收取有關正本或副本的權利。

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填妥「表格1」／「表格2」

- 《常規規例》第3(2)(a)條規定，持牌地產代理須按照表格列明的指示及指引，填妥「表格1」／「表格2」。
- 為符合該項規定，持牌地產代理應小心填妥「表格1」／「表格2」，尤其應注意以下各項：
 - a) 回答所有問題並填寫「表格1」第1部分B部及「表格2」B部的所有空格；
 - b) 於「表格1」第1部分B部及「表格2」B部的「取得資料的日期」一欄的相應空白處述明取得相關物業資料的日期；

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填妥「表格1」／「表格2」

- c) 於「表格1」第1部分B部及「表格2」B部的相應方格內劃上“✓”號；
- d) 如「表格1」第1部分B部及「表格2」B部的「訂明來源」一欄出現“*”號，刪去不適用的選項；
- e) 如任何問題並不適用，填上“不適用”。如欠缺任何訂明資料，填上“資料欠缺”；及
- f) 僅於表格的相應空白處／欄內填寫相關資料。

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(a) 回答所有問題並填寫「表格1」第1部分B部及「表格2」B部的所有空格；

註：本表格

A 部：物業地址

B 部：物業的訂明資料

| 資料的類別 | | 訂明來源 (參閱註 11) | 取得資料 的日期 |
|---|--|--|-------------|
| 1. 註冊於土地註冊處的當時的擁有權及有效的產權負擔的詳情： 擁有人的姓名或名稱： 有效的產權負擔： ： ，請說明詳情： | | <input type="checkbox"/> 有 <input type="checkbox"/> 沒有 | |
| (c) 利坡修葺令： 如“有”，請說明詳情： | | <input type="checkbox"/> 有 <input type="checkbox"/> 沒有 | |
| (d) 租契： 如“有”，請說明詳情： | | <input type="checkbox"/> 有 <input type="checkbox"/> 沒有 | |
| (e) 按揭或押記： 如“有”，請說明詳情： | | <input type="checkbox"/> 有 <input type="checkbox"/> 沒有 | |
| (f) 其他登記為產權負擔的項目： 註：須附上土地註冊處查冊副本。 | | | |
| 2. 物業的樓面面積： <input type="checkbox"/> (a) 經餉物業估價署所提供的實用面積： <input type="checkbox"/> (b) 在首次轉讓的買賣協議中說明的實用面積： <input type="checkbox"/> (c) 不能從(a)及(b)段途徑取得有關資料。 | | | |
| 3. 落成年份： 在佔用許可證或(如沒有佔用許可證)有關的「合格證明書」或「不反對入住書」上說明的物業(或物業所屬建築物)的落成年份： | | | A/B/C* |

(b) 「取得資料的日期」一欄說明取得相關資料的日期；

(c) 於方格內劃上“√”號

(e) 如任何問題並不適用，填上“不適用”。如欠缺任何訂明資料，填上“資料欠缺”

(f) 僅於表格的相應空白處/欄內填寫相關資料。

(d) 「訂明來源」一欄出現“*”號，刪去不適用的選項

「表格1」的賣方的陳述

- 根據「表格1」第2部分的賣方的陳述，賣方可提供有關物業的額外資料，例如對物業進行的結構上的加建、改動、修葺或改善。
- 持牌人應盡力促請賣方提供「表格1」第2部分的相關資料。

總結

- 此執業通告已於 2013 年 4 月 1 日生效，並同日取代執業通告11-01(CR)。
- 向客戶提供準確及最新的物業資料是持牌人的重要責任。為保障及促進客戶的利益，持牌人必須全面遵從《條例》、《常規規例》中述明的相關法定責任，以及地產代理協議的相關條文。
- 倘持牌人未能遵守有關物業資料及填妥物業資料表格／出租資料表格的相關條文，則或會違反《地產代理條例》及／或《常規規例》及／或《操守守則》，並可能會遭受紀律處分。

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土地查冊

執業通告13-03(CR)

《常規規例》第13(4)條

- 《常規規例》第13(4)條
 - 為住宅物業的賣方（或業主）行事的持牌人，在緊接買賣協議（或租約）訂立之前：
 - 須就物業進行土地查冊；
 - 並向買方（或租客）提供該土地查冊結果的文本。
 - 持牌人宜要求買方（或租客）簽署確認收迄土地查冊結果的文本

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《常規規例》第13(4)條

| 對第13(4)條的誤解 | 正確的理解 |
|--|--|
| 於深夜訂立臨時買賣/租賃協議，可延至翌日進行查冊及向買方/租客提供該查冊結果文本 | 於翌日方進行查冊及提供該查冊結果文本並不符合規定。以買賣/租賃協議於「綜合註冊資訊系統」服務時間以外時間訂立而未能進行查冊為理由不會獲監管局接納 |
| 若買方/租客另有代理，賣方/業主代理無須進行查冊及向買方/租客提供該查冊結果文本 | 持牌人無論只為賣方/業主行事，或同時為賣方/業主及買方/租客行事，該責任同樣適用 |
| 若只屬出租房間的情況，無須進行查冊及向租客提供該查冊結果文本 | 業主代理進行查冊及向租客提供該查冊結果文本的責任適用於所有出租住宅物業，包括出租物業僅為住宅單位內的房間。持牌人須就該房間所在的單位進行土地查冊 |

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只為買方/租客行事的持牌人

- 為保障其客戶的利益，只為買方/租客行事的持牌人亦應：
 - 於緊接買賣/租賃協議訂立之前進行土地查冊（除非賣方/業主的代理已提供查冊，而該查冊乃於緊接買賣/租賃協議訂立之前進行）
 - 向客戶解釋有關土地查冊的內容
 - 不論有關物業是否為住宅物業及為賣方/業主的代理是否於訂立買賣/租賃協議當日之前已提供有關物業的查冊結果文本，該責任同樣適用。

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土地查冊的使用及處理

- 土地註冊處的「土地登記冊」已列明土地紀錄內載的資料的用途：

「備存土地紀錄以供市民查閱旨在防止秘密及有欺詐成分的物業轉易，以及提供容易追溯和確定土地財產及不動產業權的方法。土地紀錄內載的資料不得用於與土地紀錄的宗旨無關之目的，使用所提供的資料須符合《個人資料（私隱）條例》的規定」
- 持牌人不得將土地查冊文本內載的資料用於與土地紀錄的宗旨無關之目的。使用土地紀錄內載的個人資料（例如：業主的個人資料）作訂明的目的以外的用途或會違反《個人資料（私隱）條例》。

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「土地登記冊」已列明土地紀錄內載的資料的用途

印製於 PRINTED AT: INTERNET SEARCH (DOWNLOAD)

查冊日期及時間 SEARCH DATE AND TIME: 03/04/2013 10:42

查冊者姓名 NAME OF SEARCHER: Ivy

查冊種類 SEARCH TYPE: CURRENT

本登記冊列明有關物業截至 03/04/2013 07:30 之資料

THE INFORMATION SET OUT BELOW CONTAINS PARTICULARS OF THE PROPERTY UP TO 07:30 ON 03/04/2013.

備存土地紀錄以供市民查閱旨在防止秘密及有欺詐成分的物業轉易，以及提供容易追溯和確定土地財產及不動產業權的方法。土地紀錄內載的資料不得用於與土地紀錄的宗旨無關之目的，使用所提供的資料須符合《個人資料（私隱）條例》的規定。

The land records are kept and made available to members of the public to prevent secret and fraudulent conveyances, and to provide means whereby the titles to real and immovable property may be easily traced and ascertained. The information contained in the land records shall not be used for purposes that are not related to the purposes of the land records. The use of information provided is subject to the provisions in the Personal Data (Privacy) Ordinance.

物業資料

PROPERTY PARTICULARS

物業參考編號

PROPERTY REFERENCE NUMBER (PRN): A9059950

地段編號

LOT NO.: SHA TIN TOWN LOT NO. 573

批約 HELD UNDER: GOVERNMENT LEASE

年期 LEASE TERM: 50 YEARS COMMENCING ON 18-5-2001

開始日期 COMMENCEMENT OF LEASE TERM: 18/05/2001

每年地稅 RENT PER ANNUM: -

所佔地段份數

SHARE OF THE LOT: 76/361200

ADDRESS: FLAT 8 ON 10/F OF BLOCK B

地址: 中文地址不詳

HAPPY COURT

NO. 7 HAPPY ROAD

SHATIN NEW TERRITORIES

備註

REMARKS: THE RENT IS 3% OF THE RATEABLE VALUE FROM TIME TO TIME OF THE LOT

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土地查冊的使用及處理

- 持牌人應在使用土地查冊的文本後將之妥善處置。例如：從土地註冊處取得的查冊文本在使用後不應遺留在公眾地方
- 當向有關人士提供土地查冊的文本時，持牌人亦應提醒該等人士由於土地查冊紀錄可能載有個人資料，故須妥為處理及在使用後將之妥善處置。

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總結

- 此執業通告已於 2013 年 4 月 1 日生效，並同日取代執業通告 11-01(CR)。
- 監管局提醒持牌人，進行土地查冊不僅在某些情況下是法定要求，亦是保障客戶利益的一個必要步驟。
- **未能遵守有關規定的持牌人或會違反《常規規例》及／或《操守守則》及／或本通告內所載的指引，並可能會遭受紀律處分。**