



## **Examination on Legal Framework and Land Boundary Survey System in Hong Kong**

Syllabus here refers to Hong Kong context only.

### **A. Legal System**

Sources of law

Court system

Contract law

Recommended reference:

The Basic Law of the HK SAR of the PRC, 1990

Penlington, (1993). Law in Hong Kong, An Introduction, 3<sup>rd</sup> Ed., Federal. [KNR6.3.P46 1993]

Ho, B. (1989) Hong Kong Contract Law, Butterworths.

### **B. Land Law**

Land and property

Tenure and estates

Instrument of conveyance

Types of land grants

Adverse possession; Limitation Ordinance [Cap. 347]

Chinese customary trusts; Tong & Cho land

Lease and tenancy

Easement, Covenants, Mortgages, Co-ownership

Recommended reference:

Nield, S (1992). Hong Kong Land Law, Longman.

Barker, D & Padfield, C (1992). Law, Chap.10 Property, Oxford : Made Simple.

Bacon, N. (1996). Conveyancing, 2<sup>nd</sup> Ed., Law and Text Asia Pacific.

Cap 347, Limitation Ordinance

Cap 40, Government Leases Ordinance

Cap 125, Government Rent & Premium Ordinance

Cap 124, Land Resumption Ordinance

Cap 28, Land (Miscellaneous Provisions) Ordinance

Cap 97, New Territories Ordinance

Web site: <http://www.justice.gov.hk/Home.htm>

### **C. Land Registration**

Titles and Deeds registration

Registration of land boundary

Land Registration Ordinance [Cap. 128]



Recommended reference:

Simpson, S. (1976). Land law and registration.

Larson, G. (1991). Land Registration and Cadastral Systems, Harlow.

Willoughby, P. & Wilkinson, M. (1995). Registration of Titles in Hong Kong, Butterworths.

Land Registry information package, 1997

Cap 128, Land Registration Ordinance

Cap 219, Conveyancing and Property Ordinance

Web site: <http://www.justice.gov.hk/Home.htm>

#### **D. Land survey related ordinances**

Surveyors Registration Ordinance [Cap. 417]

Land Survey Ordinance [Cap. 473]

The Hong Kong Institute of Surveyors Ordinance [Cap.1148]

Recommended reference:

Web site: <http://www.justice.gov.hk/Home.htm>

#### **E. Land administration**

Land disposal & acquisition

Land resumption

Land use planning

Small House Policy

Recommended reference:

Lands Department, (1994). Land Administration in Hong Kong, Government Printer, March 1994.

Lands Department (1996). 'Lands Department', Government Printer, Oct 1996.

Planning Department, (1997). Town Planning in Hong Kong – A Quick Reference.

Planning Department, (1996). Hong Kong – City of Vision, Hinge Marketing Ltd.

Web page : [www.info.gov.hk/landsd/](http://www.info.gov.hk/landsd/)

Web page : [http://www.info.gov.hk/planning/index\\_e.htm](http://www.info.gov.hk/planning/index_e.htm)

#### **F. Land boundary survey system**

Demarcation District Survey

Survey control systems

Basic mapping

Land boundary records

Recommended reference:

Survey and Mapping Office, (1999), Hong Kong: The Facts, Mapping, published by the Information Services Department.

Survey and Mapping Office, (1997), Identification of old lot boundaries in the New Territories, SMO, Lands Department.



Survey and Mapping Office, 1:1000 Basic Mapping Specification, SMO, Lands Department.

Survey and Mapping Office, Explanatory Notes on Geodetic Datum of Hong Kong.

### **G. Land boundary survey practice**

Principles of land boundary definition

Lot history, Root of title

Land boundary evidence: documentary and ground evidence, local enquires

Correlation of lot boundary and map features

Evaluation of boundary evidence

Code of Practice

Recommended reference:

Dale, P.F (1976). Cadastral Surveys within the Commonwealth.

SMO. Code of Practice, Land Survey Ordinance [Cap. 473], 2nd Ed. May 1999.

Brown, C.M. (1994). Evidence and procedures for boundary location, 3rd ed., New York : Wiley.

Land Survey Authority Circulars, SMO, Lands Department.

Web page : [www.info.gov.hk/landsd/smo/](http://www.info.gov.hk/landsd/smo/)

### **H. Professional Practice**

Ethics and liabilities

Recommended reference:

Robert Wickins (1989), Professional Liability, HKU Press.

Mitcham, C. (2000), Engineering ethics, Prentice Hall, USA.

Constitution and Bye-Laws, The Hong Kong Institute of Surveyors

Rules of Conduct, The Hong Kong Institute of Surveyors