

25 March 1996

LSA Circular 3/96

Land Survey Ordinance 1995

Submission of SRPs and LBPs under section 30(4)

Section 30(4) of the Land Survey Ordinance provides that,

"An authorised land surveyor who certified a land boundary plan referred to in subsection (1) or (2) shall deposit with the Authority a duplicate of the land boundary plan and the survey record plan of the relevant land boundary survey both signed and certified in the specified form, not later than 7 days after the deed, conveyance or other instrument in writing by which the land boundary plan is accompanied in accordance with subsection (1) or (2) has been delivered into the Land Registry for registration under the Land Survey Registration Ordinance(Cap. 128)."

2 It is unequivocally clear that authorised land surveyor shall submit a duplicate LBP and the corresponding SRP **only after the relevant instrument has been delivered into the Land Registry for registration.**

3 Any LBP or SRP for division not delivered or not yet delivered into the Land Registry(LR) for registration do not come under the spirit of section 30(4) or the jurisdiction of the Ordinance. As a corollary, the Government is under no statutory obligation or authority to accept any SRP or LBP that has not been registered let alone collecting fees for the deposition. To avoid any further misunderstanding all ALSs are reminded that the Legislation Section will not accept any SRP or LBP that has not been registered. In addition all LBPs and SRPs for subdivision will be accepted for deposition under section 30(4) of the Ordinance only if they are accompanied by the corresponding LR Memorial number and date of the Memorial number.