

Key changes	LRO (i.e. existing regime)	LTO	Amendment Bill
Mode of passing title	Title to property passes upon execution of instrument (e.g. an assignment).	Title to property passes upon registration of the transfer with the Land Registry.	
Effect of registration with the Land Registry	Registration determines priority of registered instruments but does not guarantee title to the property or give effect to the instruments.	Registration determines priority of registered instruments and also gives effect to dispositions.	
Certainty of title	Land register is not conclusive. Title may be subject to unregistered interests and title defects.	Title is subject to certain registered matters or overriding interests affecting the land (e.g. easements or rights implied by law).	
Means to check title of a property	Checking of land register and title deeds is required.	Title Register is conclusive evidence of title. ¹	
Treatment of title lost due to fraud	Innocent owner who lost his title as a result of fraud of a third party will recover his or her property through court proceedings.	Introduced a " <i>mandatory rectification</i> " ("MR") rule: the court may order rectification of Title Register if satisfied that former innocent owner lost his title due to fraud. In other words, a <i>bona fide</i> purchaser may not have indefeasible title.	The MR rule is abolished. A <i>bona fide</i> and innocent purchaser of New Land for valuable consideration and in possession of the property will enjoy indefeasible title, even if the property transfer was affected through the fraud of a third party. Please also refer to item 2 of Part 2 below.
Indemnity against loss of title due to fraud	Purchaser who lost ownership could only claim against the fraudster through court proceedings.	Depending on the court's decision as to whether to rectify the Title Register, the former innocent owner or the <i>bona fide</i> purchaser could claim indemnity under the Land Titles Indemnity Fund ("Indemnity Fund"), subject to a cap of HK\$30 million . ² The Indemnity Fund will be built up by levy (at the rate of 0.017%) on property transfers registered under the LTO and will be operating on a self-financing basis.	Proposing a higher indemnity cap of HK\$50 million and a (reduced) flat levy rate of 0.014% on the consideration amount of each property being transferred (with a cap of HK\$7,000) for contribution towards the Indemnity Fund. Please also refer to item 3 of Part 2 below.
Disapplication of adverse possession on New Land	Land may be subject to adverse possession in Hong Kong.		Claims for adverse possession will not arise for New Land registered in the Title Register.

Read the full legal update: [New land, new rule: Registration of Titles and Land \(Miscellaneous Amendments\) Bill 2025](#)