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S.G.H.Z.Y.G.Z. [2019] No.1

**Notice of Guangzhou Municipal Planning and Natural Resources Bureau  
on Issuance of the *Measures of Guangzhou for Immovable Property  
Registration Information Inquiry***

To: All relevant departments,

The *Measures of Guangzhou for Immovable Property Registration Information Inquiry* is hereby issued to you for enforcement. In case of any questions in the implementation, please inform directly to the Municipal Planning and Natural Resources Bureau.

Guangzhou Municipal Planning and Natural Resources Bureau

February 2, 2019

## **Measures of Guangzhou for Immovable Property Registration Information Inquiry**

**Article 1** These measures have been formulated in accordance with the *Property Law of the People's Republic of China*, the *Provisional Regulation on Immovable Property Registration*, the *Implementing Rules for the Provisional Regulation on Immovable Property Registration*, and the *Provisional Measures for Immovable Property Registration Information Inquiry* and in light of the realities of Guangzhou in a bid to standardize the activity of inquiring about the immovable property registration information, enhance the management and application of the immovable property registration information, maintain the security of immovable property transaction, and protect the legitimate rights and interests of immovable property rights holders.

**Article 2** The immovable property registration information referred to in these measures include:

(I) The results of immovable property registration such as the registry: the matters recorded in the registry consist of the natural conditions of immovable property, e.g. location, boundary, spatial boundary, area and use, the ownership conditions of the immovable property, e.g. holders, types, content, source, duration and changes of the immovable property rights, and the restrictions and caveats on the immovable property rights as well as other matters.

(II) The original materials used for immovable property registration, including the application materials, e.g. the application forms, the identity certificate of the applicant, the materials relating to the source of the ownership, the documents stating the reasons for registration, and the property right investigation forms; the approval documents generated by the immovable property registration authority in verification, inquiry, on-site visit or investigation, and announcement, etc.; the replies and opinions issued by other government agencies as well as

other materials produced in the process of immovable property registration and to be kept according to law.

The immovable property registration information shall be kept and managed by the Municipal Real Estate Archives and the immovable property registration archives management authorities of all districts.

**Article 3** The competent department of the municipal government in charge of immovable property registration is the authority administering the inquiry about immovable property registration information. The department is responsible for implementing these measures and managing the inquiries into the immovable property registration information of the city.

The Municipal Real Estate Archives, and the immovable property registration authorities and immovable property registration archives management authorities of all districts are responsible for providing concrete inquiry services relating to immovable property registration information. The Municipal Real Estate Archives is responsible for supervising and guiding the inquiry business concerning immovable property registration information of the city.

**Article 4** Immovable property rights holders, interested parties and the state organs concerned can inquire about and duplicate the immovable property registration information according to law.

Immovable property rights holders and interested parties can entrust lawyers or other agents to inquire about or duplicate the immovable property registration information.

In the case that arbitral or notary organizations inquire about or dispose of immovable property registration information for arbitration or notarization purpose according to law, the relevant provisions of these measures shall prevail.

**Article 5** The inquiry agency shall enhance the development of information technologies in an effort to facilitate the inquiry by using a combination of tools such as Internet technologies, new personal identification technologies, and online application and delivery of the inquiry results via express mail.

When inquiring about the original information for immovable property registration, priority should be given to obtaining the digital results. Paper-borne information may be retrieved if it is in real need and necessary.

**Article 6** The inquiry agency shall provide necessary venues for inquiry, and arrange dedicated personnel to take charge of the inquiry and duplication of immovable property registration information and issue certificates for the results of inquiry.

The inquiry agency may, as occasion requires, set up self-service inquiry terminals at the municipal, district government affairs agencies, the people's courts or the sub-district offices to facilitate citizens' inquiry at the nearest establishment. The addresses of the self-service inquiry terminals shall be announced to the general public.

**Article 7** In the case that immovable property rights holders or interested parties apply for inquiry about the immovable property registration information, they shall make an application for such inquiry.

The application shall include the following items:

- (I) The subject of the inquiry;
- (II) The purpose of the inquiry;
- (III) The content of the inquiry;
- (IV) The requirements for the results of the inquiry;
- (V) The list of application materials submitted.

**Article 8** In the case that immovable property rights holders or interested parties apply for inquiry about the immovable property registration information, the application shall be indeed necessary, and the purpose of the inquiry shall be legitimate, definitive and compliant with legal and regulatory provisions.

The immovable property rights holders or interested parties may apply for inquiry for reason of ownership certification, inheritance, trading, swap, bestowal, rental, mortgage, litigation or arbitration, etc.

The inquiry agency shall provide pertinent immovable property registration information

according to the purpose of inquiry stated by the inquirer.

**Article 9** In the case that immovable property rights holders or interested parties apply for inquiry about immovable property registration information, they shall submit originals of the following identity certificates:

(I) In the case of natural persons who are citizens of the People's Republic of China, the resident ID card or the identity certificate for military officers or non-commissioned officers.

In the case that the foregoing identity certificates are missing, temporary identity certificates shall be produced; and in the case of minors, the resident ID card or the household registration book can be submitted instead;

(II) In the case of natural persons from Hong Kong SAR or Macao SAR, the resident ID card, the passport, the mainland travel permit or the residence permit for Hong Kong or Macao residents;

(III) In the case of natural persons from Taiwan, the mainland travel permit or the residence permit for Taiwan residents;

(IV) In the case of overseas Chinese, the PRC passport and the certificate of long-term residence abroad;

(V) In the case of natural persons with foreign citizenship, the residence certificate issued by the competent authority of the Chinese government or the passport issued by their domicile country;

(VI) In the case of domestic legal persons or other organizations, the business license, the legal person certificate for public institutions or other identity registration certificates;

(VII) In the case of legal persons or other organizations based in Hong Kong SAR, Macao SAR or the Taiwan Region, the incorporation approval document and registration certificate for the branches or representative offices they set up in China;

(VIII) In the case of legal persons or other organizations based in foreign countries, the incorporation approval document and registration certificate for the branches or representative offices they set up in China.

With respect to immovable property already registered, in the case that the rights holders have undergone changes in their names, identity certificate types or identity certificate numbers, etc., they shall provide materials evidencing such changes when applying for inquiry about the immovable property aforesaid.

In the case that an organization applies for inquiry, the original ID card of the handler and the letter of authorization issued by the organization shall be submitted concurrently.

**Article 10** In the case that immovable property rights holders or interested parties entrust an agent to inquire about immovable property registration information, the original ID cards of both the rights holders or interested parties and the agent and the letter of authorization shall be provided concurrently.

The letter of authorization shall note the names/titles and ID card numbers/uniform social credit codes of both sides of the authorization, the matters authorized, the duration of authorization, the legal obligations and the date of authorization, etc. and be duly signed or sealed by both sides of the authorization.

In the case that an agent inquires about or duplicate immovable property registration information upon authorization, the scope of inquiry and duplication shall be subject to the stipulation of the letter of authorization.

**Article 11** The identity certificates, letters of authorization, marriage certificates, death certificates, or relative relationship certificates and other application materials generated overseas shall be notarized or certified according to state provisions. In the case that the application materials are in foreign languages, their notarized equivalents in the Chinese language shall be submitted.

**Article 12** The municipal immovable property registration authority shall enhance the information sharing with the housing and urban-rural development, public security, civil affairs, taxation, education and urban management authorities so as to enable mutual, real-time acquisition of information relating to immovable property registration that falls into their respective purview.

With respect to application materials which the inquiry agency can obtain via information sharing, the inquirer shall not be required to submit them, unless otherwise provided for by laws or regulations.

**Article 13** In the case that an inquirer meets the conditions for inquiry and requests inquiry agency to issue a certificate for the inquiry results or to duplicate the original immovable property registration information, the request shall be satisfied on the spot.

In the case that the request cannot be satisfied on the spot for reason that the original immovable property registration information is not yet digitalized, it shall be satisfied in one working day. In the case that it cannot be satisfied on the spot for reason that the inquiry is made in batches or it takes time to recover the registration information, it shall be satisfied in five working days.

If the request cannot be satisfied on the spot as stated in the preceding paragraph, the inquiry agency shall inform the inquirer of the fact and the reasons concerned.

The certificate of inquiry results shall be noted with the purpose and date of inquiry and affixed with the seal dedicated to the inquiry of immovable property registration information.

**Article 14** In any of the following circumstances, the inquiry agency shall not permit the inquiry and issue a notice on the rejection of the inquiry accordingly:

(I) Where the application materials submitted by the inquirer are not in compliance with the provisions of these measures;

(II) Where the subject of the inquiry or the matters to be inquired about are not in compliance with the provisions of these measures;

(III) Where the purpose of the inquiry is not in compliance with legal or regulatory provisions;

(IV) Where there exist other circumstances stipulated by laws or administrative regulations.

In the case of disagreement with the rejection, the inquirer can apply for an administrative review or institute an administrative lawsuit according to law.

**Article 15** The rights holders recorded in the immovable property registry can inquire into

the following immovable property registration information on producing an application for inquiry and the original of their identity certificates:

- (I) The registration results of the immovable property concerned;
- (II) The original registration information of the immovable property concerned.

**Article 16** The immovable property rights holders can apply for inquiring about immovable property registration information through any of the following indexes, unless otherwise stipulated in laws or regulations:

- (I) The identity information of particular subjects, e.g. the names/titles or the ID card numbers/uniform social credit codes, of the rights holders;
- (II) The location information of the immovable property;
- (III) The number of the immovable property ownership certificate;
- (IV) The unit number of the immovable property;
- (V) The number of the immovable property registration certificate.

**Article 17** The provisions governing immovable property rights holders' inquiry of immovable property registration information under these measures are applicable to an inquirer who satisfies one of the following conditions:

- (I) Where the inquirer acquires the immovable property rights as an inheritor or a legatee via inheritance or bequest;
- (II) Where the inquirer acquires the immovable property rights as a party to a litigation or arbitration according to the valid legal instrument issued by the people's court or arbitration committee.

**Article 18** In the case that an inheritor or legatee who has obtained a notarial certificate applies for inquiry into immovable property registration information, he/she shall submit the following materials:

- (I) An application for inquiry;
- (II) The original of his/her ID card;
- (III) The notarial certificate for inheritance or bequest.



**Article 19** In the case that an inheritor or legatee who has not obtained a notarial certificate applies for inquiry into immovable property registration information, he/she shall submit the following materials:

- (I) An application for inquiry;
- (II) The original of his/her ID card;
- (III) The death certificate for the inheritee or legator.

In addition, an inheritor in compliance with the provisions of this article shall provide a certificate of relative relationship with the inheritee; in the case that he/she inherits under a will, he/she shall produce the will, too.

A legatee in compliance with the provisions of this article shall produce materials, e.g. the bequest-support agreement, that evidence the occurrence of the bequest behavior.

The “certificate of relative relationship” referred to in the second paragraph of this article includes the household registration book, the marriage certificate, the adoption certificate and the medical certificate of birth, etc. In the case that none of the foregoing materials is available or the relative relationship cannot be evidenced, the inquirer can instead submit evidentiary materials issued by the public security authority, the villagers’ committee, the residents’ committee, or the employer of the inheritor or inheritee, or other materials that can evidence the relative relationship.

**Article 20** In the case that a person who is a party to a litigation or arbitration and acquires the rights to immovable property through valid legal instruments applies for inquiry into the registration information of the immovable property, the person shall provide the following materials:

- (I) An application for inquiry;
- (II) The original ID card in the case of a natural person, or the certificate of qualifications, the identity certificate of the handler and the original letter of authorization in the case of a legal person;
- (III) The original of the valid legal instrument.

**Article 21** Liquidation groups, bankruptcy administrators, property custodians, guardians and other actors who have the right to administer and dispose of immovable property rights according to law may inquire into the immovable property registration information of the immovable property rights holders concerned according to provisions of Articles 15 and 16 of these measures.

A person who inquires about immovable property registration information according to the provisions of this article, shall provide the following materials:

- (I) An application for inquiry;
- (II) The original ID card in the case of a natural person, or the certificate of qualifications, the identity certificate of the handler and the original letter of authorization in the case of a legal person;
- (III) The original of the certificate evidencing that the person has the right to dispose of the immovable property concerned according to law.

**Article 22** An interested party that meets one of the following conditions can apply for inquiry about the registration results of the immovable property of interest, including about the natural conditions, ownership conditions, rights restrictions and caveats of the immovable property:

- (I) Where the party becomes interested for reason of trading, swap, bestowal, rental or mortgage of the immovable property;
- (II) Where the party becomes interested because the immovable property is encumbered in civil dispute and a legal or arbitral action has been instituted against it;
- (III) Where there exist other circumstances prescribed in laws or regulations.

In the case that the spouse of an immovable property rights holder applies for inquiry, the provisions of this article may *mutatis mutandis* be applicable to him/her.

**Article 23** In the case that an interested party to an immovable property applies for inquiry about the registration results of the immovable property of interest, the party shall submit the following materials that evidence the interest in addition to the application for inquiry and the

original identity certificate of the party:

(I) In the case that the party becomes interested for reason of trading, swap, bestowal, rental or mortgage of the immovable property, the trading contract, the swap contract, the bestowal contract, the rental contract or the mortgage contract;

(II) In the case that the party becomes interested because the immovable property is encumbered in civil dispute and a legal or arbitral action has been instituted against it, the notice of court acceptance or the notice of arbitration acceptance;

(III) In the case that the spouse of an immovable property rights holder applies for inquiry, the valid certificate capable of evidencing the marital relationship with the rights holder, e.g. the marriage certificate and the household registration book.

**Article 24** In the case that a person intends to trade, rent or mortgage an immovable property, or plans to prosecute a legal or arbitral action against the immovable property, but is not able to provide the evidentiary materials stated in Article 23 of these measures, the person can instead submit an application for inquiry and the original of identity certificate to inquire about part of the registration information of the immovable property of interest:

(I) The natural conditions of the immovable property;

(II) Part of the ownership conditions: whether the immovable property is jointly owned; whether the immovable property is encumbered with mortgage registrations, advance notice registrations or dissenting registrations;

(III) Part of the information on rights restrictions: whether the immovable property is encumbered with sequestration registrations or other circumstances where the disposal of the immovable property is restricted.

**Article 25** A lawyer who is entrusted by a party stated in Article 24 of these measures to inquire about an immovable property can also apply for inquiry about the following information evidenced by the immovable property registry:

(I) Whether the name of the claimed rights holder of the inquired immovable property is consistent with the rights holder recorded in the registry;

(II) The form of joint ownership of the immovable property;

(III) The name of the organ that demands the sequestration registration or restriction on the disposal of the immovable property.

**Article 26** In the case that a lawyer is entrusted by a party to apply for inquiry about immovable property registration information, the lawyer shall submit an application for inquiry, his/her legal practice permit, the letter of authorization issued by his/her client, and a certificate issued by the legal firm he/she serves or an official letter on legal aid. In the case of a civil or arbitral action, the lawyer shall additionally provide a notice of court acceptance or a notice of arbitration acceptance.

In the case that a lawyer applies for inquiry about immovable property registration information on an investigation order issued by the people's court, the lawyer shall provide an application for inquiry, his/her legal practice permit, a certificate issued by the legal firm he/she serves or an official letter on legal aid, and the investigation order of the people's court.

**Article 27** The interested party to an immovable property can apply for inquiry about immovable property registration information through any of the following indexes:

(I) The location information of the immovable property;

(II) The number of the immovable property ownership certificate;

(III) The unit number of the immovable property;

(IV) The number of the immovable property registration certificate.

Each application can only inquire about the information of a single immovable property registration unit.

**Article 28** State organs, e.g. the people's courts, the people's procuratorates, the public security authorities, the state security organs, and the disciplinary inspection and supervision organs, can inquire about, duplicate or investigate into the immovable property registration information of interest to the matters they handle according to law. In the case that the state organs inquire about the information on the site, the handlers they send out shall provide the

inquiry agency with a letter of introduction issued by the state organs they serve with respect to the matters to be clarified, their own work certificates and the original of the documents requesting the assistance of the inquiry agency. In the case that the state organs inquire by way of issuing official letters, they shall note the purpose of inquiry, the matters to be inquired about and the documents serving as the basis of their request in the letter, and offer clear-cut index information.

In the case that other state organs inquire about or duplicate immovable property registration information for the purpose of executing public affairs according to law, the provisions of this article will *mutatis mutandis* be applied.

**Article 29** The immovable property registration information acquired by related state organs according to the provisions of these measures shall explicitly be used by the state organs only to meet their own needs in performing their duties in strict accordance with legal or regulatory provisions. It shall not be leaked or used for other purposes than stipulated in these measures; nor shall it be provided for third parties for use.

**Article 30** These measures shall take effect as of the date of the issuance for a duration of 5 years.

The *Measures of Guangzhou for Real Estate Registration Information Inquiry* (S.G.F.Z. [2014] No. 209) shall be rescinded as of the date of enactment of these measures.

**Method of disclosure:** proactive disclosure

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Office of Guangzhou Municipal Planning  
and Natural Resources Bureau

Issued on February 13, 2019

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