

從業員應留意有關地產市場的重要消息

根據《操守守則》，地產代理從業員應掌握有關的一切法律、政府規例，及地產市場的重要事實和發展，以便能盡責地向客戶提供意見。就近日不少市場重要消息，監管局特別提醒持牌人多加留意，以免不慎違規。

(一)有關網上流傳虛假新聞公布事件

就早前有傳媒報道，有地產代理涉嫌參與在網上流傳一份虛假新聞公布，警方已就有關事件展開調查，監管局亦會嚴肅跟進。

監管局對事件非常關注，特此再次提醒從業員，無論在向公眾或傳媒以廣告或其他形式發放物業資訊，均不可發出具誤導性虛假的資訊。發放虛假消息會影響行業的專業形象及聲譽，有可能被監管局紀律處分，甚至可能觸犯法例。

(二)有關從業員參與銷售「雍澄軒」

就早前有從業員參與銷售「雍澄軒」，監管局提醒從業員，根據《操守守則》，從業員在經營過程中，必須秉持誠實、忠誠和嚴正的態度向客戶提供服務，並保障客戶在地產交易中不因欺詐、失實陳述或不合專業操守的行為而受損。

因此，從業員應提醒客戶注意風險，並建議客戶在購買之前，諮詢法律意見。同時，從業員在銷售過程中，絕不可向客戶發出任何不準確或具誤導性的資訊，否則有可能被紀律處分。

(三)政府因應樓市過熱推出的最新措施

繼於2012年10月26日宣布調整「額外印花稅」並引入「買家印花稅」後，政府於2013年2月22日再宣布推出一系列應對樓市過熱的措施，當中包括提高物業的「從價印花稅」及收緊按揭貸款等。從業員應充分掌握新措施的內容，以便能盡責地向客戶提供意見，避免作出失實陳述。

有關各項新措施的更多詳情，持牌人可參閱稅務局(www.ird.gov.hk)、香港金融管理局(www.hkma.gov.hk)及香港按揭證券有限公司網頁(www.hkmc.com.hk)。



Licensees should pay attention to important news about the real estate market

According to the Code of Ethics, estate agency practitioners should keep themselves informed of any laws, government regulations, essential facts and developments in the real estate market in order to be in a position to advise their clients in a responsible manner. The EAA would like to remind licensees to pay attention to important real estate market news in order to avoid non-compliance.

(A) About the online dissemination of a fraudulent press release

There has been media reports that estate agents allegedly participated in disseminating a fraudulent press release online. The Police have launched an investigation into the incident and the EAA will also be following up accordingly.

The EAA is concerned about the incident and would like to remind licensees that they must refrain from disseminating false or misleading information when providing information to the public or the media in the form of advertisements or through other channels. The provision of false information may not only create confusion in the market, but also adversely affect the trade's professional image. This may result in disciplinary actions by the EAA and also constitute an infringement of the law.

(B) About licensees' participation in the sale of "Apex Horizon"

Regarding the recent participation of some licensees in the sale of "Apex Horizon", the EAA would like to remind licensees that they shall, according to the Code of Ethics, in the course of business, provide services to clients with honesty, fidelity and integrity. They should protect their clients against fraud, misrepresentation or any unethical practices in connection with real estate transactions.

Therefore, practitioners should draw their clients' attention to the associated risks and recommend their clients to seek legal advice before purchase. Licensees must not convey any inaccurate or misleading information in the course of the property sale, otherwise they could be subject to disciplinary action.

(C) The Government's latest measures to cool the property market

Subsequent to the amendment of the Special Stamp Duty and the introduction of a Buyer's Stamp Duty on 26 October 2012, the Government announced on 22 February 2013 a series of new measures to curb the overheated property market, including adjusting the ad valorem stamp duty rates and tightening of mortgage loans etc. Licensees should be fully conversant with the new measures so as to be in a position to advise their clients in a responsible manner and refrain from making any misrepresentation.

Licensees may refer to the websites of the Inland Revenue Department (www.ird.gov.hk), Hong Kong Monetary Authority (www.hkma.gov.hk), and Hong Kong Mortgage Corporation Limited (www.hkmc.com.hk) for more details of the new measures.