

有關缺席的訂約方作出妥當的授權的新執業通告 NEW PRACTICE CIRCULAR ON “PROPER AUTHORISATION BY ABSENT CONTRACTING PARTY”

監管局於2015年6月22日發出有關「缺席的訂約方作出妥當的授權」的新執業通告(編號15-02(CR))，規定地產代理在處理物業買賣或租賃交易時，須要求聲稱是缺席的訂約方的獲授權代表出示妥當的授權書，方可讓其進行有關的交易。

持牌人須注意授權書應妥為簽立及核簽。為保障客戶利益，持牌人應確保缺席的訂約方的姓名/名稱以及(如適用)授權書所述的物業及地址與有關物業的土地查冊紀錄所顯示的相符。

此外，倘若只要求該代表簽署一份聲明書，聲稱他已獲得或將會獲得缺席的訂約方的妥當授權，並承諾他個人負責所有後果，這是並不足夠及具高風險的。

持牌人如違反通告內的指引，可能遭受監管局的紀律處分。此通告現已生效，並已上載至監管局網頁供業界參考。

The EAA issued a new Practice Circular (No.15-02(CR)) on “Proper Authorisation by Absent Contracting Party” on 22 June 2015 stipulating that estate agents should require a person claiming to be the authorised representative of an absent contracting party to produce a proper power of attorney when handling any sale and purchase or leasing transactions of properties and allowing the representative to enter into the transaction concerned.

Licensees should note that the power of attorney should be properly executed and attested. In order to protect clients’ interests, licensees should ensure that the name of the absent contracting party and (where applicable) the property described in the power of attorney and its address correspond with those as shown in the land search record of the property concerned.

In addition, it is not sufficient and is highly risky simply to request the representative to sign a declaration to the effect that he has or will have proper authorisation from the absent contracting party and that he will be personally responsible for all consequences.

Licensees who fail to comply with the guidelines may be subject to disciplinary action by the EAA. This Practice Circular has been effective already and available on the EAA’s website for the trade’s reference.

監管局舉辦公開講座 PUBLIC SEMINAR HELD BY THE EAA

為加深公眾對物業交易的認識，監管局將舉辦一系列公開講座。首場講座於2015年9月5日舉行，題為「精明置業系列：如何做個精明一手樓買家」，吸引約250位觀眾參與。

In order to enhance the public’s knowledge on property transactions, the EAA will organise a series of public seminars. The first seminar titled “Tips to become a smart purchaser of first-hand residential properties” was held on 5 September 2015 with an audience of about 250.

