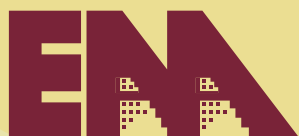


# **A Study Guide to Estate Agency Law and Practice**



**地 產 代 理 監 管 局**  
**ESTATE AGENTS AUTHORITY**

Estate Agents Authority

**A Study Guide to  
Estate Agency Law and Practice**

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## Foreword

The Estate Agents Authority (the Authority) is a statutory body responsible for licensing and regulating the estate agency trade in Hong Kong. To promote the development of the trade, the Authority also publishes reference materials on topics related to the practice of estate agents.

This guide contains basic concepts for a wide range of topics pertaining to estate agency practice, and is, therefore, a reference for licensees who wish to refresh their knowledge and grasp the essentials quickly and easily.

The guide may also be a useful revision book for individuals preparing for the Estate Agents Qualifying Examination and the Salespersons Qualifying Examination.

Since the qualifying examinations may require more in-depth understanding of certain topics and the guide presents only a summary of the basic concepts, candidates are reminded to refer to the relevant syllabi (as outlined in the Estate Agents and Salespersons Qualifying Examinations Handbook, [www.eaa.org.hk/Portals/0/Sections/Exam/examhb.pdf](http://www.eaa.org.hk/Portals/0/Sections/Exam/examhb.pdf)) for further details of requirements. Candidates are also advised to consult other reference materials such as the Estate Agents Ordinance and its subsidiary legislation, the Code of Ethics, Practice Circulars, Monographs and Letters to Licensees issued by the Authority, so as to obtain in-depth knowledge of the relevant laws and trade practices.

## Disclaimer

This guide is intended to serve as a reference for licensees who wish to refresh or enhance their professional knowledge, and for individuals preparing for the Estate Agents and Salespersons Qualifying Examinations who may have difficulty obtaining a general grasp of the relevant laws and trade practices. It should not be construed as a source of legal advice or a comprehensive textbook for the examinations. The Authority does not warrant that this guide may lead to a particular level of examination attainment.

While every effort has been made to ensure that the contents of this guide are accurate and relevant, it is only intended to be a book for licensees' quick reference, or a revision aid for examination candidates. Readers are strongly advised to seek legal advice or make their own enquiries on matters encountered in specific situations and do their own in-depth research in case of doubt. The Authority shall not be held liable for any loss or damage incurred or suffered in connection with, arising from, or in reliance on, any error, omission, statement or misstatement contained in the whole or any part of this guide. Unless otherwise specified in the guide, the text is intended to describe the state of law and practice as at 1 August 2013.

The male pronoun is used to cover references to both the male and female. No gender preference is intended.

## Copyright

The copyright of this guide vests in the Authority. No part of this guide may be copied, reprinted, excerpted in any way or in any place for any commercial purpose.

# List of abbreviations

<b>Abbreviation</b>	<b>Full Version</b>
Appeal Regulation the Authority	Estate Agents (Registration of Determination and Appeal) Regulation the Estate Agents Authority
BA	Building Authority
BC	building covenant
BMO	Building Management Ordinance
BO	Buildings Ordinance
CC	certificate of compliance
CE	certificate of exemption
CECO	Control of Exemption Clauses Ordinance
CO	Companies Ordinance
the Code	the Code of Ethics
Commission Regulation	Estate Agents (Determination of Commission Disputes) Regulation
CPO	Conveyancing and Property Ordinance
DCF	discounted cash flow
DDO	Disability Discrimination Ordinance
DMC	deed of mutual covenant
DPA	development permission area
EAO	Estate Agents Ordinance
EO	Employment Ordinance
Exemption Order	Estate Agents (Exemption from Licensing) Order
FSDO	Family Status Discrimination Ordinance
GDV	gross development value
GFA	gross floor area
HA	Hong Kong Housing Authority
HKC	Hong Kong Cases
HKID	Hong Kong Identity Card
HKSAR	Hong Kong Special Administrative Region
HO	Housing Ordinance
HOS	Home Ownership Scheme
HS	Hong Kong Housing Society
IRIS	Integrated Registration Information System
Licensing Regulation	Estate Agents (Licensing) Regulation



# List of abbreviations

<b>Abbreviation</b>	<b>Full Version</b>
LRO	Land Registration Ordinance
LT(C)O	Landlord and Tenant (Consolidation) Ordinance
Management Code	Management Code of Practice on Building Management and Maintenance
MO	Misrepresentation Ordinance
OC	Owners' Corporation
OI	Owners Incorporation
OZP	outline zoning plan
PASP	provisional or preliminary agreement for sale and purchase
PBO	Prevention of Bribery Ordinance
PDPO	Personal Data (Privacy) Ordinance
Planning Regulations	Building (Planning) Regulations
PO	Partnership Ordinance
Practice Regulation	Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation
PRH	Public Rental Housing
PSPS	Private Sector Participation Scheme
PV	present value
RDO	Race Discrimination Ordinance
REDA	Real Estate Developers Association of Hong Kong
RO	Rating Ordinance
RPFSO	Residential Properties(First-hand Sales) Ordinance
SDO	Stamp Duty Ordinance
the Secretary	the Secretary for Transport and Housing
SPA	sale and purchase agreement
SPOB	Statement of Particulars of Business
SRPA	Sales of First-hand Residential Properties Authority
Supplies Code	Management Code of Practice on Procurement of Supplies, Goods and Services
TP board	Town Planning Board
TPO	Town Planning Ordinance
TPS	Tenants Purchase Scheme
TTN	Transitional Termination Notice
UCO	Unconscionable Contracts Ordinance