



## 有關核實賣方身分的 新執業通告 NEW PRACTICE CIRCULAR ON VERIFICATION OF VENDORS' IDENTITY

因應有關騙徒假冒業主身分以騙取訂金的新聞，監管局發出一份題為「核實賣方身分」的新執業通告（編號16-03(CR)），並已於2016年12月1日生效。

新執業通告取代舊有的相關通告（編號09-08(CR)），詳列指引供持牌人遵循。例如，當與賣方訂立地產代理協議時，持牌人應要求賣方出示其香港身分證，並在地產代理協議中記錄賣方的姓名及身分證號碼。

此外，持牌人在安排買賣雙方訂立物業的臨時買賣協議前，須以書面形式建議其客戶安排在律師行託管所有訂金，以及告知客戶不託管訂金的風險。倘若雙方決定不託管訂金而繼續進行交易，持牌人則須取得買方的書面確認，說明買方已知悉有關建議。

假如在核實賣方身分時覺得有可疑的情況，持牌人應建議客戶尋求法律意見。新執業通告及相關的持續專業進修計劃網上學習活動已上載至監管局網頁 ([www.eaa.org.hk](http://www.eaa.org.hk))。

In response to news about fraudsters impersonating flat owners and swindling the deposit, the EAA issued a new Practice Circular (No. 16-03 (CR)) titled “Verifying the Identity of Vendors” and it has become effective on 1 December 2016.

The new circular replaces the relevant old circular (No. 09-08 (CR)) and sets out detailed guidelines for licensees to follow. For example, when entering into an estate agency agreement with the vendor, licensees should ask the vendor to produce his Hong Kong identity card and record the name of the vendor and the number of his identity card in the estate agency agreement.

In addition, licensees are required to advise their clients in writing to arrange for the stakeholding of all deposits by a firm of solicitors, before arranging for the parties to enter into the provisional agreement for sale and purchase and the risk of not doing so. If the parties decide to proceed with the transaction without arranging for the stakeholding of all deposits, licensees should obtain a written acknowledgement from the purchaser that the advice has been given.

Licensees should advise their clients to seek legal advice if there are any suspicious circumstances on verifying the vendor's identity. The new practice circular and related CPD e-Learning programme are available on the EAA's website ([www.eaa.org.hk](http://www.eaa.org.hk)).