

非住宅物業執業指引10月1日起生效 NEW PRACTICE CIRCULAR ON NON-RESIDENTIAL PROPERTIES TAKES EFFECT ON 1 OCTOBER

為向持牌人就處理非住宅物業的買賣或租賃的若干重要事項提供進一步指引，監管局於2017年7月發出題為「非住宅物業的買賣或租賃」的新執業通告(編號17-02(CR))。該執業通告將於2017年10月1日生效。

新通告涵蓋樓面面積資料、許可用途、提供物業資料、閣仔及閣樓，以及未建成樓宇內的非住宅物業或樓宇內未完成分間的非住宅物業等範疇。

新通告的理念旨在讓業界向客戶提供準確的資料。倘若該等資料未能核實，持牌人則須如實告知客戶，及有責任向客戶解釋買賣或租賃相關物業可能涉及的風險，並建議他們尋求法律及/或專業意見。

局方亦準備了相關的「問與答」及「持牌人的清單」供業界參考。持牌人應仔細參閱該通告及有關詳情，以進一步了解及遵守相關規定。

執業通告(編號13-04(CR)) 相關的「問與答」已更新

此外，監管局已於2017年7月6日更新了「一手住宅物業銷售進行推廣活動及提供物業資料的操守」執業通告(編號13-04(CR))的「問與答」。其中增設了新的問與答(第19至21題)，局方亦鼓勵持牌人參閱有關內容。

In order to provide further guideline for licensees on certain important issues pertaining to the proper practices and measures to adopt in handling the sale and purchase or leasing of non-residential properties, the EAA issued a new Practice Circular (No. 17-02 (CR)) titled "Sales and Purchase or Leasing of Non-residential Properties" in July 2017. The practice circular will take effect on 1 October 2017.

The new circular covers such areas like floor area information, permitted use, provision of property information, cocklofts and mezzanine floors, and uncompleted building or uncompleted subdivision of any part of a building.

The principle of the circular is to facilitate licensees to provide accurate information to their clients. If such information could not be verified, licensees should advise the clients accordingly, the risks of purchasing or renting the relevant properties, and the need to seek legal and / or professional advice.

A set of relevant "Questions and Answers" and "Checklist for Licensees" were also prepared for the trade's reference. Licensees should read the practice circular and related details carefully for a better understanding of and compliance with the requirements.

UPDATE OF Q&A RELATED TO PRACTICE CIRCULAR (NO. 13-04 (CR))

In addition, the EAA updated the set of Questions and Answers related to Practice Circular (No. 13-04 (CR)) titled "First Sale of Residential Properties - Conduct in Promotional Activities and Provision of Property Information" on 6 July 2017, by incorporating new questions and answers (Q19 to Q21). Licensees are encouraged to read the details.

