

常見問答 Frequently-Asked-Questions

在《專業天地》內，我們會解答持牌人的一些常見提問。
In *Horizons*, we will answer questions commonly asked by licensees.

問：根據《地產代理條例》及《地產代理常規（一般責任及香港住宅物業）規例》，地產代理與出售住宅物業的賣方（或出租住宅物業的業主）訂立地產代理協議後，必須管有哪些關於該物業的資料？地產代理須採取哪些其他適當步驟？

答：為賣方（或業主）行事的持牌地產代理，在其為賣方（或業主）行事的整段期間（自地產代理協議的有效期的開始日起計），必須管有或控制訂明資料，包括有關該物業的政府租契年期尚餘期間、落成年份及物業用途。



除非持牌地產代理已管有上述訂明資料而該資料仍屬準確，否則他須於地產代理協議的有效期開始，就物業進行土地查冊。此外，持牌地產代理須按照表格列明的指示及指引，填妥「表格 1」/「表格 2」，包括：物業當時的擁有權、有效的產權負擔、樓面面積、擬批給政府租契的年期（如適用）等資料。

Q: According to the Estate Agents Ordinance and the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation, what kind of information relating to the sale (or leasing) of a residential property must an estate agent obtain when entering into an estate agency agreement with the vendor (or landlord) of the property? What other proper steps the estate agent should take?

A: A licensed estate agent who acts for the vendor (or landlord) must have in his possession or under his control the prescribed information; including the unexpired term of the relevant government lease; the year of completion and the user of the property, during the full period when he so acts, starting from the commencement date of the validity period of the estate agency agreement.

Unless he has already possessed the above prescribed information and such information is still accurate, he is required to, on the commencement date of the validity period of the estate agency agreement, carry out a land search on the property. In addition, licensed estate agents are required to complete Form 1/Form 2 in accordance with the directions and instructions specified therein, including information on the current ownership, subsisting encumbrances, floor area of the property, the term of proposed government lease if to be granted, etc.