

Estate Agents Authority

CR

Room 4801, 48/F, Hopewell Centre, 183 Queen's Road East, Wanchai, Hong Kong (Hotline 2111 2777)

Supplementary Form for the Renewal of Estate Agent's Licence (Company)

Please complete this form and submit it together with a completed Form 12, a copy of a valid business registration certificate and a copy of the relevant document(s) specified below. Application may be submitted by hand or by mail to the address stated above.

Please answer the following questions:**No****Yes****If the answer is "Yes", please submit:**(a) Has your registered address been changed? No Yes

Notification of situation of registered office (R1)

(b) Has your registered name been changed? No Yes

Certificate of incorporation showing the new name

(c) Has your board of directors been changed? No YesLatest Annual Return (AR) showing the new board or

Notification of changes of secretary and directors (D2A)

1. Name of company:**2. Number of certificate of incorporation:****3. Payment details:** \$2,800 (12 months) \$5,460 (24 months) CHEQUE No. _____ (Cheque should be crossed and made payable to the "Estate Agents Authority".) CASH (Cash should be paid at the office of the Estate Agents Authority; please do not send cash through the mail.)

For payment by cheque, the applicant will be responsible for any bank charge arising from the cheque being unable to be cashed (e.g. non-sufficient fund).

4. Please send licence to me by: (If a choice is not indicated, licence will be sent by ordinary mail.) Ordinary mail I will collect the licence by an authorized representative.**5. Preferred language of correspondence:** Chinese English (If a choice is not indicated, correspondence will be in English.)

To protect the environment and to facilitate communication, the Authority will communicate with licensees via e-mail, SMS, faxes or other electronic means where appropriate. In particular, certain information on matters concerning estate agency practice may be brought to licensees' attention ONLY through electronic means. If you do not wish to receive notices electronically, please let us know, and visit our website www.eaa.org.hk regularly to familiarize yourself with any new requirement. Licence applicants who have provided an email address will be notified of the approval in advance.

6. Notification of appointment or termination of appointment of manager (If you have appointed or terminated the appointment of a manager for the place of business specified in this application, please fill out this section.) :

On behalf of the applicant company, I hereby give the Estate Agents Authority notice that—

The applicant company appointed _____ (name of manager appointed) holder of estate agent's licence number E-_____ as a manager at the place of business specified in this application on _____ (dd/mm/yyyy); and / or

The applicant company terminated the appointment of _____ (name of manager appointed) holder of estate agent's licence number E-_____ as a manager at the place of business specified in this application on _____ (dd/mm/yyyy).

Note

- (1) Section 38(1)(a) of the Estate Agents Ordinance stipulates that: a licensed estate agent shall ensure that his business at every one of his offices (whether such offices are referred to as branch offices, sub-offices or otherwise) is under the effective and separate control of a manager appointed by him; a person so appointed must be an individual and the estate agent concerned must also ensure that such a person is the holder of an estate agent's licence. The licensed estate agent may appoint his director who holds a valid estate agent licence to manage one of his offices.
- (2) Section 40(3) of the Ordinance requires a licensed estate agent to notify, in the prescribed form, the Authority of the appointment of a manager or the termination of such appointment within 31 days of either of these events. The prescribed form may be downloaded from www.eaa.org.hk/practice/documents/form10.pdf. If you have already filled out section 6 of this form for the appointment of a manager, then you do not need to fill out the said prescribed form. Otherwise, you must notify the Authority of the appointment within the specified period using the said prescribed form.
- (3) Any person not complying with the said requirements may be disciplined.

On behalf of the applicant company:

- ✧ I hereby declare that the foregoing information is provided to the best of my knowledge and belief;
- ✧ I authorize the Estate Agents Authority to verify the information the applicant company provides in Form 12 from other sources such as government departments;
- ✧ I hereby give my express consent to the Hong Kong Police Force to release the applicant company's criminal conviction record (if any) to the Estate Agents Authority.

Date (dd / mm / yyyy)

Name of Representative

Licence No. of Representative

Authorized Signature and
Company Chop

Personal Information Collection Statement

Personal data collected in this and subsequent licence applications are to be used for the purpose of processing the applications and may be subject to verification by the Estate Agents Authority from other sources. The personal data will also be used for the purpose of enforcing or complying with the provisions of the Estate Agents Ordinance (Cap.511), providing appropriate training to licensees and provision of information on matters concerning estate agency practice. The personal data may be transferred to relevant government departments and authorities (including the Hong Kong Police and the Independent Commission Against Corruption) in connection with the above purposes. You are reminded that your personal data to be provided to the Estate Agents Authority will be made available for public inspection, including (where applicable) in the provision of the reasons for decisions of inquiry hearings (whether publicised or not) in accordance with the policies prevailing from time to time. The personal data collected are necessary for the processing of licence applications and not providing them may result in the Authority being unable to process the applications. Applicants can access and correct their personal data by writing to the Data Protection Officer of the Estate Agents Authority.

Refund and/or cancellation of licence application

- (1) Once an application has been approved, no cancellation request will be accepted. Refund will only be made to those: (a) whose applications have been refused; (b) who have overpaid the required fees; (c) who cancel their applications before they are approved.
- (2) Where a refund is made, the refund will only be in the form of a crossed cheque payable to the applicant. In other words, a refund cheque will not be issued to a third party.
- (3) Pursuant to section 5(2) of the Estate Agents (Licensing) Regulation, if for any reason a licence ceases to be valid, no part of any fee paid for the licence will be refunded.

Performance pledge

- (1) If you have fully completed all application forms, submitted all required documents and paid the required fee, it will normally take 20 working days to have an application processed.
- (2) In any event, if the application is made in the prescribed manner (i.e. correct form duly completed and signed, fee fully paid, application made no more than 3 months and no less than 1 month prior to expiry of your licence), validity of your licence will not be interrupted.
- (3) If you do not hear from us after 20 working days, you may find out the status of your application by: calling our hotline at 2111 2777 (press 2, 2 after selecting language) or viewing our licence list at www.eaa.org.hk/search/index.html.

Notes

The fact that your application and payment are accepted (including your cheque being encashed) does not mean that a licence or a statement of particulars of business will necessarily be granted to you or your licence or statement will necessarily be renewed. A licence or a statement will only be granted or renewed if you meet all the licensing requirements under the Estate Agents Ordinance.

FORM 12	ESTATE AGENTS AUTHORITY APPLICATION FOR RENEWAL OF ESTATE AGENT'S LICENCE (COMPANY) /STATEMENT OF PARTICULARS OF BUSINESS	FORM 12		
Section 55(1)(c) of the Estate Agents Ordinance (Cap. 511) makes it an offence punishable by a fine at level 6 and/or imprisonment for 1 year on conviction upon indictment or by a fine at level 5 and/or imprisonment for 6 months on summary conviction if a person makes any false or misleading statement or furnishes any false or misleading information in connection with an application for the grant or renewal of a licence. Note: 1) Please '√' in the appropriate box. 2) * Delete as appropriate.				
Section A	Section A of this form has to be completed by a representative of the applicant company. The representative must be in effective control of the applicant company's estate agency business and he has to be a licensed estate agent.			
Validity Period of Licence applied for <input type="checkbox"/> 12 months <input type="checkbox"/> 24 months				
A-1	Particulars of Applicant Company			
Name of Applicant Company in English (As registered with Companies Registry)		Name of Applicant Company in Chinese (As registered with Companies Registry)		
Licence No.		Expiry Date (DD/MM/YYYY)		
Certificate of Incorporation No.	Business Registration No.	Expiry Date (DD/MM/YYYY)		
For the following particulars in sections A-1 and A-2, applicants only need to provide the information that is <u>DIFFERENT</u> from application last filed.				
Address of Registered Office				
Flat/Room	Floor	Block		
Name of Building/Estate				
HK / KLN / NT*				
Number and Name of Street		District		
Telephone No.	Fax No.	Email Address		
A-2	Particulars of Business (if DIFFERENT from above)			
Business Name in English (as shown in Business Registration Certificate)				
Business Name in Chinese (as shown in Business Registration Certificate)				
Place of Business				
Flat/Room	Floor	Block		
Name of Building/Estate				
HK / KLN / NT*				
Number and Name of Street		District		
Telephone No.	Fax No.	Email Address		
A-3	List of Directors	Note: 1) As registered with Companies Registry. Please use additional sheet if necessary. 2) Directors without a valid Estate Agent's Licence (Individual) / (Company) must complete Section B / Section C of this form.		
List of Directors (Individual)	Name in English (Surname first)	Name in Chinese	Licence Number	Expiry Date (DD/MM/YYYY)
List of Directors (Company)				
A-4	Declaration	Note: The questions below refer to factors which will be considered in the determination for the renewal of licence/Statement of Particulars of Business. They form an integral part of this form and must be answered. "You" in the questions means the company applying for the renewal of the Estate Agent's Licence (Company)/Statement of Particulars of Business.		
			Yes No	
1. Are you in liquidation or the subject of a winding-up order, or is there a receiver appointed in relation to you, or have you, within the 5 years immediately prior to the date of this application, entered into a composition or scheme of arrangement with your creditors?			<input type="checkbox"/> <input type="checkbox"/>	
2. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511)?			<input type="checkbox"/> <input type="checkbox"/>	
If you have answered 'Yes' to any of the above questions, please give details using additional sheets.				
On behalf of the applicant company, I hereby declare that for each place at which and each business name under which the applicant company is to carry on an estate agency business, the applicant company has filed as part of this application an application for the grant or renewal of statement of particulars of business (Form 8 or 14), and that all the foregoing information is FULL, COMPLETE AND TRUE to the best of my knowledge and belief and I authorize the Estate Agents Authority to verify the foregoing information in any manner as it deems fit.				
Name of Representative (in BLOCK LETTERS)		Estate Agent's (Individual) Licence number		
Position (in BLOCK LETTERS)		Date (DD/MM/YYYY)		
Authorized Signature and Company Chop				

Section C		Particulars of Director (Directorship held by a company without a valid estate agent's company licence)		Form 12 (Page 3)	
<p>Section 55(1)(c) of the Estate Agents Ordinance (Cap. 511) makes it an offence punishable by a fine at level 6 and/or imprisonment for 1 year on conviction upon indictment or by a fine at level 5 and/or imprisonment for 6 months on summary conviction if a person makes any false or misleading statement or furnishes any false or misleading information in connection with an application for the grant or renewal of a licence.</p> <p>Please obtain or make sufficient copies of Section C of this form as necessary for completion by EACH director who is a company without a valid estate agent's company licence.</p>					
C-1 Particulars of Applicant Company					
Certificate of Incorporation No.			Name of Applicant Company in English		
C-2 Particulars of Director					
Business Registration No.				Expiry Date (DD/MM/YYYY)	
Business Name in English				Business Name in Chinese	
C-3 Declaration					
Note: Questions 1 to 4 below refer to factors which will be considered in the determination for the renewal of licence/Statement of Particulars of Business. They form an integral part of this form and must be answered. "You" in questions 1 to 4 means the director of the company applying for the renewal of the Estate Agent's Licence (Company)/ Statement of Particulars of Business (directorship is held by a company).					
				Yes	No
1. Are you in liquidation or the subject of a winding-up order, or is there a receiver appointed in relation to you, or have you, within the 5 years immediately prior to the date of this application, entered into a composition or scheme of arrangement with your creditors?				<input type="checkbox"/>	<input type="checkbox"/>
2. Are you a director or officer of a company which is now disqualified under the Estate Agents Ordinance (Cap. 511) for holding a licence, or were you a director or officer of that company at the date when the company was so disqualified?				<input type="checkbox"/>	<input type="checkbox"/>
3. Have you ever been convicted, whether in Hong Kong or elsewhere, on the basis of any fraudulent, corrupt or dishonest acts?				<input type="checkbox"/>	<input type="checkbox"/>
4. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511)?				<input type="checkbox"/>	<input type="checkbox"/>
If you have answered 'Yes' to any of the above questions, please give details using additional sheets.					
I, on behalf of the director company, hereby declare that all the foregoing information is FULL, COMPLETE AND TRUE to the best of my knowledge and belief and I authorize the Estate Agents Authority to verify the foregoing information in any manner as it deems fit.					
_____			_____		
Name of Representative (in BLOCK LETTERS)			Authorized Signature and Company Chop		
_____			_____		
Position (in BLOCK LETTERS)			Date (DD/MM/YYYY)		
C-2 Particulars of Director					
Business Registration No.				Expiry Date (DD/MM/YYYY)	
Business Name in English				Business Name in Chinese	
C-3 Declaration					
Note: Questions 1 to 4 below refer to factors which will be considered in the determination for the renewal of licence/Statement of Particulars of Business. They form an integral part of this form and must be answered. "You" in questions 1 to 4 means the director of the company applying for the renewal of the Estate Agent's Licence (Company)/ Statement of Particulars of Business (directorship is held by a company).					
				Yes	No
1. Are you in liquidation or the subject of a winding-up order, or is there a receiver appointed in relation to you, or have you, within the 5 years immediately prior to the date of this application, entered into a composition or scheme of arrangement with your creditors?				<input type="checkbox"/>	<input type="checkbox"/>
2. Are you a director or officer of a company which is now disqualified under the Estate Agents Ordinance (Cap. 511) for holding a licence, or were you a director or officer of that company at the date when the company was so disqualified?				<input type="checkbox"/>	<input type="checkbox"/>
3. Have you ever been convicted, whether in Hong Kong or elsewhere, on the basis of any fraudulent, corrupt or dishonest acts?				<input type="checkbox"/>	<input type="checkbox"/>
4. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511)?				<input type="checkbox"/>	<input type="checkbox"/>
If you have answered 'Yes' to any of the above questions, please give details using additional sheets.					
I, on behalf of the director company, hereby declare that all the foregoing information is FULL, COMPLETE AND TRUE to the best of my knowledge and belief and I authorize the Estate Agents Authority to verify the foregoing information in any manner as it deems fit.					
_____			_____		
Name of Representative (in BLOCK LETTERS)			Authorized Signature and Company Chop		
_____			_____		
Position (in BLOCK LETTERS)			Date (DD/MM/YYYY)		