

Estate Agents Authority**SPOB-NP**

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

Supplementary Form for the Grant of Statement of Particulars of Business Held by a Partnership

Estate agents should note that whether they have applied for a business registration with the Inland Revenue Department or not, they must apply for a statement of particulars of business **BEFORE** they carry on an estate agency business. Your application may be submitted by mail or by hand to the address stated above. The following documents are required:

1. A completed and duly signed supplementary form (i.e. this form);
2. A completed and duly signed Form 8;
3. A copy of a valid business registration certificate* (if a certificate has not been issued, please submit it as soon as it is issued);
4. A copy of a certified extract of information of the Business Register*.

* Applications for these documents should be made with the Inland Revenue Department. For details, please call its hotline at 2594 3149 or visit www.ird.gov.hk/eng/tax/bre.htm.

1. Name of business:**2. SPOB number (if applicable):****3. Payment details:**

Although you may choose to apply for either a 12-month (for \$2,120) or a 24-month (for \$4,140) statement, any statement granted shall expire no later than the expiry of your estate agent's licence. To avoid overpayment, you are advised to call our hotline at 2111 2777 (press 2, 2 after selecting language) to find out the exact amount to be paid.

The amount we now pay is \$_____ which is for a _____-month statement.

- 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 the statement of particulars of business to us by: (If a choice is not indicated, the statement will be sent by ordinary mail.)

- Ordinary mail We will collect the statement in person or 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 or log in your e-Services account www.eaa.org.hk/eServicesEng.htm and manage your subscription preferences, 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 of manager (if you have already appointed a manager for the place of business specified in this application, please fill out this section):

I hereby give the Estate Agents Authority notice that I appointed _____ (name of manager appointed) holder of estate agent's licence number E-_____ as a manager with me 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 himself 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.

Date (dd / mm / yyyy)_____
**Name of Partner holding an
estate agent's licence
(individual)**_____
Licence No. of the Partner_____
Signature

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 (except where the applicant is a bankrupt, then the cheque will be issued either to the applicant or to the trustee, depending on the instructions of the trustee).
- (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 10 working days to have an application processed.
- (2) If you do not hear from us after 10 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 8	ESTATE AGENTS AUTHORITY APPLICATION FOR THE GRANT OF STATEMENT OF PARTICULARS OF BUSINESS	FORM 8
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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) This application forms part of the application for the grant of estate agent's licence or the latest application for renewal thereof, as the case may be.
 - 2) For a company that applies for the grant of a Statement of Particulars of Business, this form has to be completed by a representative of the company. The representative must be in effective control of the company's estate agency business and he has to be a licensed estate agent.
 - 3) For a sole proprietorship that applies for the grant of a Statement of Particulars of Business, this form has to be completed by the sole proprietor and he must be a licensed estate agent.
 - 4) For a partnership that applies for the grant of a Statement of Particulars of Business, this form has to be completed by a partner and he has to be a licensed estate agent. In addition, each partner of the partnership has to complete and submit a Section B of this form.
 - 5) Please '√' in the appropriate box.
 - 6) * Delete as appropriate.

Validity Period of Licence applied for 12 months 24 months

Section A **Particulars of Business**

Nature of Business	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Partnership	<input type="checkbox"/> Company Branch
Statement of Particulars of Business No. (if applicable)			
Expiry Date (DD/MM/YYYY)			
Applicant's Individual / Company Licence No.			
Expiry Date (DD/MM/YYYY)			
H.K.I.D. Card / Travel Document / Certificate of Incorporation* No.			
Number of Partners in the Partnership			

Nature of the Place of Business Principal Office Branch Office

Business Name in English (as shown in Business Registration Certificate)

Business Name in Chinese (as shown in Business Registration Certificate)

Business Registration No. Expiry Date (DD/MM/YYYY)

Address of 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
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On behalf of my sole proprietorship, partnership or company (as the case may be), I 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.

Date (DD/MM/YYYY)	Name of Representative / Sole Proprietor / Partner* (in BLOCK LETTERS)	Estate Agent's Licence (Individual) No. of Representative / Sole Proprietor / Partner*	Authorized Signature and Company Chop
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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. Partnerships with more than 2 partners are requested to obtain or make sufficient copies of Section B of this form for completion by EACH of the partners.

B-1	Particulars of Partnership
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Business Registration No.	Expiry Date (DD/MM/YYYY)
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Business Name of Partnership	
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B-2	Particulars of Partner
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Name in English (Surname first)	Name in Chinese	H.K.I.D Card/Travel Document* No	Estate Agent's Licence No. (if applicable)
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B-3	Declaration	Note: Questions 1 to 5 below refer to factors which will be considered in the determination for the grant of Statement of Particulars of Business. They form an integral part of this form and must be answered.		
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- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Are you an undischarged bankrupt or have you within the 5 years immediately prior to the date of this application made 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. Are you a mentally disordered person or a patient within the meaning of section 2 of the Mental Health Ordinance (Cap.136)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. 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"/> |
| 5. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511) in respect of which you have been sentenced to imprisonment, whether the sentence is suspended or not? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered 'Yes' to any of the above questions, please give details using additional sheets.
I 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.

_____	_____	_____
Date (DD/MM/YYYY)	Name of Partner (in BLOCK LETTERS)	Signature

B-2	Particulars of Partner
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Name in English (Surname first)	Name in Chinese	H.K.I.D Card/Travel Document* No	Estate Agent's Licence No. (if applicable)
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B-3	Declaration	Note: Questions 1 to 5 below refer to factors which will be considered in the determination for the grant of Statement of Particulars of Business. They form an integral part of this form and must be answered.		
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- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Are you an undischarged bankrupt or have you within the 5 years immediately prior to the date of this application made 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. Are you a mentally disordered person or a patient within the meaning of section 2 of the Mental Health Ordinance (Cap.136)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. 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"/> |
| 5. Have you ever been convicted under the Estate Agents Ordinance (Cap. 511) in respect of which you have been sentenced to imprisonment, whether the sentence is suspended or not? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered 'Yes' to any of the above questions, please give details using additional sheets.
I 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.

_____	_____	_____
Date (DD/MM/YYYY)	Name of Partner (in BLOCK LETTERS)	Signature