

商舖外的廣告須遵守法例規定 Advertisements for shops must comply with the law

所有地產代理從業員發出的廣告包括貼在空置商舖外的出售或出租廣告，須遵守《地產代理（發牌）規例》（《發牌規例》）和監管局的《操守守則》。

監管局近日接獲投訴，指出很多空置商舖外的捲閘，貼滿由從業員發出的「出售」或「出租」廣告，惟該些廣告載有具誤導性的內容。監管局提醒從業員，倘若他們已獲業主委託出售或出租物業，而商舖門外廣告上的電話號碼乃他們自己的電話號碼，有關廣告不應寫上「直到業主」的字句，以免誤導他人，以為有關廣告是業主本身發出的。

根據《發牌規例》第14(1)(c)條，地產代理從業員應在所有發出的廣告內「清楚而顯眼地」述明他的牌照或營業詳情說明書的號碼，以及在有關營業詳情說明書內述明的營業名稱。

根據《公眾衛生及市政條例》，從業員未經准許在街上和公眾地方張貼單張或海報，乃屬違法。另外，他們在商舖門外張貼廣告之前，應取得商舖業主的同意。而從業員在未獲業主授權的情況下，把自己的廣告覆蓋別人的廣告，亦屬不當。

監管局將密切留意有關情況，並在有需要時加強執法。監管局會將違規廣告的個案轉交紀律委員會作紀律研訊。

All advertisements by estate agency practitioners, including those posted outside vacant shops for sale or lease, must comply with the Estate Agents (Licensing) Regulation (LR) and the EAA's Code of Ethics.

Recently, the EAA has received complaints that the roller shutters of many vacant shops are plastered with “for rent” or “for sale” advertisements by estate agency practitioners which contain misleading statements. Practitioners who are acting for the vendors are advised not to use misleading phrases such as “direct to vendor” on the advertisements giving the impression that the advertisements were put up by the vendors when in fact the phone numbers are the practitioners’.

Under section 14(1)(c) of the LR, an estate agent must state “clearly and conspicuously” in all advertisements the number of his licence or the statement of particulars of business (SPOB) and the business name as stated in the SPOB.

Practitioners are also reminded that it is an offence under the Public Health and Municipal Services Ordinance to post unauthorised bills and posters in the streets and other public places. They should obtain the owners’ consent before putting up advertisements on shop fronts. It is unethical for a practitioner to cover other practitioners’

advertisements with his own, unless specifically authorised to do so by the owner.

The EAA will step up enforcement efforts if needed and refer cases of non-compliant advertisements to the Disciplinary Committee for inquiry hearings.



■ 捲閘上的違規樓盤廣告
Non-compliant property advertisements on a roller shutter