

Circular

Circular No. 08-06 (CR)

- **Every office of a licensed estate agent should be under the effective and separate control of a manager.**
- **Notice of appointment or termination of appointment of a manager is to be given to the Authority.**

Appointment of Manager

Under Section 38(1)(a) of the Estate Agents Ordinance, a licensed estate agent is required to ensure that his business at every estate agency office is under the effective and separate control of a manager who shall be a holder of an estate agent's licence (individual). In other words, a manager can manage only one estate agency office.

Moreover, under Section 15 of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation (Practice Regulation), a licensed estate agent is required to establish proper procedures or systems to supervise and manage his business of doing estate agency work to ensure that his employees or persons under his control comply with the provisions of the Estate Agents Ordinance.

According to Section 40(3) of the Estate Agents Ordinance, a licensed estate agent is required to notify the Authority within 31 days of the appointment or termination of appointment of the above-mentioned manager.

The "Notice of Appointment/Termination of Appointment of a Person as a Manager of a Licensed Estate Agent" (see **appendix**) which is found in the Schedule of the Practice Regulation, should be used when such a notice is given to the Authority.

Estate agency practitioners are reminded that they must comply with the above legal requirements. Non-compliance may result in disciplinary action by the Authority.

June 2008

FORM 10

ESTATE AGENTS ORDINANCE
(Chapter 511)
(Section 40(3))

NOTICE OF APPOINTMENT/TERMINATION OF APPOINTMENT* OF A
PERSON AS A MANAGER OF A LICENSED ESTATE AGENT

To: Estate Agents Authority
(address)

*I/We** ⁽¹⁾
of ⁽²⁾
holder of estate agent's licence number: ⁽³⁾
hereby give you notice that *I/we* appointed/terminated the appointment** of ⁽⁴⁾
.....
holder of estate agent's licence number: ⁽⁵⁾
as a manager with *me/us** at ⁽⁶⁾
.....
on ⁽⁷⁾ (D/M/Y)

.....
Date

.....
*Signed by/on behalf of**
the licensed estate agent

- Note: (1) Name of the licensed estate agent.
(2) Registered address of the licensed estate agent.
(3) Licence number of the licensed estate agent.
(4) Name of the manager.
(5) Licence number of the manager.
(6) The place of business where the manager is in effective control of the estate agency business.
(7) Date of the appointment/termination of appointment.
* Delete if inappropriate.

< Please file this Notice with the Estate Agents Authority before the expiration of the period of 31 days beginning on the date of the appointment or termination of appointment, as the case may be.