

切勿發出違規物業廣告

Do not issue non-compliant property advertisements

物業廣告是地產代理推廣樓盤的重要工具之一，根據監管局於7月發布的2025年上半年的工作概況，有關「發出違規廣告」的投訴數字比2024年同期錄得3.9倍的增幅。持牌人應明白，違規廣告的投訴上升將會嚴重損害整個行業的形象。

Property advertising is one of the important tools for estate agents to promote listing properties. According to the EAA's work review for the first half of 2025 in July, the number of complaints about non-compliant advertisements increased by 3.9 times compared to the same period of 2024. Licensees should understand that the rise in complaints about non-compliant property advertisements will seriously damage the image of the whole industry.



監管局發現不少違規廣告涉及提供不準確資訊，尤其是以不實的樓盤照片和售價來招徠顧客。因此，本期《專業天地》特以此為題，指出常見的違規行為，並提醒從業員嚴格遵守相關規例和指引。

地產代理不論是以任何形式或在任何平台發出物業廣告時，必須遵守《地產代理條例》及其附屬法例內的相關條文，以及由監管局發出的《操守守則》和載於執業通告所有適用的指引。

地產代理公司須負責任

首先，監管局強調所有樓盤以及其相關的廣告均為地產代理公司的資產，地產代理公司須為其僱員發出的任何違規廣告負責。即使持牌人並非在其僱主公司設立的平台，而是在第三方平台發布了違規廣告，其所屬的地產代理公司仍須負上責任。因此，地產代理公司須採取有效的監管制度，確保公司及其員工在刊登廣告時遵守相關法例和指引的規定。

營業名稱及牌照號碼

《地產代理(發牌)規例》規定持牌地產代理須在廣告上清楚而顯眼地述明(i)其營業詳情說明書內的營業名稱；和(ii)其地產代理牌照號碼或營業詳情說明書的號碼。若有關的廣告以單張或小冊子形式發出，除了上述兩項資料外，還要述明有關的營業詳情說明書內的營業地點。

物業編號及廣告日期

根據執業通告(編號18-02(CR))，地產代理必須就每個為賣方／業主客戶發出廣告的物業編配一個獨有的**物業編號**，並在為該物業發出的廣告中，清楚及可閱地述明(i)其物業編號；及(ii)該廣告發出或更新的**廣告日期**，以增加透明度保障消費者的利益。



The EAA found that numerous non-compliant advertisements involved provision of inaccurate information, particularly using false property photos and listing prices to attract customers. Therefore, in this issue of *Horizons*, we will highlight some common malpractices and remind practitioners to strictly comply with the relevant legislation and guidelines.

When issuing property advertisements in any form or on any platform, estate agents must observe and comply with the relevant provisions of the Estate Agents Ordinance and its subsidiary legislation, and the *Code of Ethics* and all the applicable guidelines contained in the Practice Circulars issued by the EAA.

Estate agency companies held responsible

First of all, the EAA emphasises that all the listing properties and their related advertisements are the assets of the estate agency companies, which are liable for any non-compliant property advertisement issued by their employees. Even if a licensee issues a non-compliant property advertisement on a third-party platform rather than on his/her employer's platform, the estate agency company to which he/she belongs is still held liable. Therefore, estate agency companies must implement effective supervisory systems to ensure that both the company and its employees comply with the relevant laws and guidelines when issuing advertisements.

Business name and licence number

The Estate Agents (Licensing) Regulation requires a licensed estate agent to state clearly and conspicuously in all advertisements, (i) the business name as stated in the statement of particulars of business; and (ii) the number of the licence or the relevant statement of particulars of business. If the advertisements are issued in the form of a pamphlet or brochure, in addition to the above two pieces of information, the advertisement must also state the place of business as specified in the relevant statement of particulars of business.

Property number and advertisement date

According to the Practice Circular (Circular No. 18-02(CR)), estate agents must assign a unique identification number ("Property Number") to each advertised property for their vendor/landlord clients and must state clearly and legibly (i) the **Property Number**; and (ii) the date on which the advertisement is issued or updated ("Advertisement Date") in the property advertisements to enhance transparency so as to better safeguard the interests of consumers.

賣方／業主的書面同意

在發出物業廣告前，地產代理必須遵守《地產代理常規(一般責任及香港住宅物業)規例》的規定和執業通告(編號18-02(CR))的指引，先取得有關物業賣方／業主的書面同意。

準確的放盤資訊

當發布物業廣告時，地產代理必須確保相關的物業資訊準確。例如在發布物業照片和視頻方面，地產代理須事先獲得物業賣方／業主的同意方能在廣告內發布該物業照片及／或視頻，同時地產代理不得把另一相似的單位照片及／或視頻用於該物業的廣告上。此外，地產代理亦不應使用設計圖片或由人工智能創造的相片及／或視頻，避免潛在買家或租客誤以為該些圖片、相片或視頻是單位的真實狀況。

Vendor/Landlord's written consent

Before issuing any advertisement, estate agents must comply with the provisions in the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation and the guidelines in the Practice Circular (Circular No. 18-02(CR)) and obtain the written consent of the vendor/landlord of the relevant property.

Accurate property information

When publishing property advertisements, estate agents must ensure the accuracy of the relevant property information. For example, regarding the publication of property photos and/or videos, estate agents must obtain the vendor's/landlord's prior consent before including such photos and/or videos in the advertisement, and must not use photos and/or videos of another similar unit in the advertisement. Furthermore, estate agents should not use design images or photos/videos created by artificial intelligence, so as to avoid misleading potential purchasers or tenants that those images, photos or videos represent the actual conditions of the unit.



至於放盤價方面，執業通告(編號18-02(CR))的指引說明，地產代理不得以有別於客戶所指示的價格或租金或條款宣傳有關物業。若有關物業屬住宅物業，地產代理須按照客戶於「地產代理協議」指示的放盤價發出廣告，而執業通告(編號03-05(CR))更清楚說明，即使刊登了賣方／業主指示的價格，但在同一廣告內列出其他未經業主指示或同意的價格，不論是以「可試價」、「建議還價」，或以任何名目計算的金額，亦屬違規。

除此之外，地產代理亦須小心謹慎，確保物業廣告上發放的所有相關資料，包括樓面積、許可用途、坐向等準確。

放盤已經到期

當放盤物業已售出或租出，又或委託期已完結時(兩者之中以較早者為準)，地產代理須在切實可行的範圍內盡快將所有由其發出或安排發出的廣告移去，否則會違反《地產代理常規(一般責任及香港住宅物業)規例》的規定或執業通告(編號18-02(CR))的指引。

總結

現時越來越多持牌人透過網上物業平台，甚至社交媒体宣傳樓盤。監管局再次強調，所有樓盤以及其相關的廣告均為地產代理公司的資產，地產代理公司有責任設立妥善程序或制度，有效地監督和管理其轄下的人員，以確保他們發放合規廣告。

監管局會持續進行巡查和執法工作，監察不同形式及不同平台上的物業廣告。



Regarding the listing prices, the Practice Circular (Circular No. 18-02(CR)) states that estate agents shall not advertise a property at a price or rental or on such terms different from that instructed by the client concerned. If the property is residential, the estate agent must only advertise the property at the listing price/rental as instructed by the client in the relevant estate agency agreement, and the Practice Circular (Circular No. 03-05(CR)) further states clearly that even if the agent has advertised the price instructed by the vendor but, in the same advertisement, the agent lists an uninstructed price, whether as "try price", "recommended price", or any amount derived from calculation under any pretence, such a practice is also a violation.

In addition, estate agents must also ensure all the relevant information stated in property advertisements, including floor area, permitted use, orientation, etc., is accurate.

Expiry of the listing

When a property has been sold or rented, or the agency period has ended (whichever is the earlier), estate agents shall remove all advertisements issued or caused to be issued by them as soon as is practicable, failing which is a breach of the requirement under the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation or the relevant guideline under the Practice Circular (Circular No. 18-02(CR)).

Conclusion

An increasing number of licensees promote properties through online property platforms and social media. The EAA reiterates that all listing properties and their related advertisements are the assets of the estate agency companies, which have the responsibility to establish proper procedures and systems to effectively supervise and manage the persons under their control to ensure that they issue compliant advertisements.

The EAA will continue to conduct inspections and enforcement work to monitor all different forms of property advertisements appearing on different platforms.