



Circular

Circular No. 02-06 (CR)

Posting Unauthorised Bills and Posters (2)

The Public Health and Municipal Services Ordinance (Cap. 132) stipulates that any person who posts bills and posters in public places without the permission of the Secretary for Environment and Food commits an offence. The person who posts such publicity materials as well as the beneficiary thereof will be prosecuted. If convicted, the offender is liable to a fine.

The Fixed Penalty (Public Cleanliness Offences) Ordinance (Cap. 570) passed by the Legislative Council came into effect on 27 May 2002. Where a public officer has reason to believe that a person is posting unauthorised bills and posters in public places, he may give the person a notice for the payment of a fixed penalty of \$600 for the offence. According to statistics supplied by the Department of Food and Environmental Hygiene, the number of estate agents prosecuted for the offence this year remains high. Practitioners are reminded that they should not post bills and posters in public places without permission.

Practitioners are also reminded that the consent of the owner and/or occupier must be obtained if the publicity materials are to be posted on private properties including vacant shop premises. Otherwise, in addition to contravening the Practice Regulation and/or the Code of Ethics, they may find themselves liable for trespass.

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This Circular should be made available for the
information of all staff engaged in estate agency work