

## **Residential Properties (First-hand Sales) Ordinance**

### **Guidelines on Register of Transactions**

#### **General**

1. The Register of Transactions (the Register) made available for the purpose of section 60 of the Residential Properties (First-hand Sales) Ordinance (the Ordinance) must comply with relevant requirements under the Ordinance.

#### **The Register to be Made Available**

2. Section 60 of the Ordinance stipulates the timing for the vendor to make available the Register to (i) the general public, (ii) the public officer empowered to establish and maintain the database established under section 89(1) of the Ordinance (i.e. Sales of First-hand Residential Properties Electronic Platform (SRPE)), in the absence of such public officer, the Authority i.e. the Sales of First-hand Residential Properties Authority (SRPA), as well as (iii) on the website designated by vendors for the development (the designated website).
3. The following example illustrates the timing of making available of the Register:

On each date of sale	<ul style="list-style-type: none"><li>● Make available the Register for inspection by the general public free of charge at the sales office irrespective of whether there is transaction.</li></ul>
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<p>From the date on which the Register is first made available to the public until the date on which the first assignment of the last property of the development sold is registered in the Land Registry</p>	<ul style="list-style-type: none"> <li>● Make available an electronic copy of the Register available for inspection on the designated website irrespective of whether there is a transaction on a particular day.</li> <li>● Send an electronic copy of the Register to SRPE as soon as practicable after the vendor has made an entry into the Register.</li> </ul>
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4. Vendor should enter transaction information to the Register within the timeframe set out under section 59 of the Ordinance.
5. In accordance with section 60(4) of the Ordinance, after an entry is made into the Register, an electronic copy of the Register should be sent to the SRPE as soon as practicable. In general, the SRPA may consider such requirement being complied with if a vendor provides to the SRPE an electronic copy of the Register within the timeframe under section 59 of the Ordinance. Where an electronic copy of the Register is provided to the SRPE outside such timeframe, the SRPA will take into account the circumstances of the individual case (e.g. serious breakdown of the vendor’s computer system during the timeframe under section 59 of the Ordinance) in considering whether the requirement under section 60(4) has been complied with.
6. The Register placed on the designated website should be the same version as the one sent to the SRPE<sup>1</sup>.

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<sup>1</sup> It is noted that as vendors are required to send a copy of the Register to the SPRE as soon as practicable after the Register has been updated with new entry(ies), at some time point the Register on the vendor’s website and the SPRE may not be the same. That said, such “time lag” should be kept to the minimal.

## Contents of the Register

7. The Register must contain the information required under section 59 of the Ordinance. Also, section 59(1) of the Ordinance stipulates that the information required to be set out in that subsection must be set out in the form specified by the SRPA. The specified form in relation to the information required under section 59(1) of the Ordinance is at the Annex.

## Revision to an Entry in the Register

8. Under section 59(2)(b)(ii) of the Ordinance, the vendor must, within 1 working day after the owner enters into an agreement for sale and purchase, revise the particulars of the transaction mentioned in section 59(2)(a)(vi) of the Ordinance, i.e. whether the purchaser is a related party to the vendor, if there is a change. The example below shows how the requirement may be complied with -

	<b>(Item H of the Annex)</b> 買方是賣方的有關連人士 <b>The purchaser</b> <b>is a related party to the vendor</b>
<b>Scenario 1</b> From a related party to an unrelated party	√  (revised on DD/MM/YYYY)
<b>Scenario 2</b> From an unrelated party to a related party	√  (revised on DD/MM/YYYY)

9. Section 35(2) of the Ordinance stipulates three situations where the price of a residential property could be revised after it has been sold. Section 59(4) of the Ordinance requires that, within 1 working day

after the price is revised, the revision date and details of the revision should be entered in the Register. The following example shows how such revision may be made -

<b>(Item F of the Annex)</b> 售價修改的細節及日期 (日-月-年) <b>Details and date (DD-MM-YYYY) of any revision of price</b>
On 5-10-2013, the price was adjusted to \$4,502,000 due to the reason allowed under section 35(2)(a) of the Ordinance

10. If there is not enough space to make revisions within the Register template, vendors may use supplementary sheet to set out the revisions, provided that the supplementary sheet is made available together with the Register and there is a clear remark on the Register that a supplementary sheet is used to set out the revisions.

### **Purpose of the Register**

11. According to section 61 of the Ordinance, the purpose of the Register is to provide a member of the public with the transaction information relating to the development, as set out in the Register, for understanding the residential property market conditions in Hong Kong.

### **Transitional Arrangements**

12. The Register made available for the purpose of section 60 of the Ordinance is only required to set out transaction information of residential properties of which their Preliminary Agreements for Sale and Purchase (PASP) are signed on or after 29 April 2013<sup>2</sup>.

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<sup>2</sup> In a transaction which the vendor and the purchaser has not entered into a PASP but go straight to entering into an Agreement for Sale and Purchase (ASP), and if the ASP is entered into on or after 29 April 2013, the transaction information as set out in the ASP is required to be entered into the Register.

## **How to Provide Information to the SRPA and the SRPE**

13. Please refer to Guidelines No. G05/13 and No. ~~G06/13~~ G06/15 on how to provide information to the SRPA and the SRPE.

For enquires, please contact us via the following -

Telephone : 2817 3313

Email : [enquiry\\_srpa@hd.gov.hk](mailto:enquiry_srpa@hd.gov.hk)

Fax : 2219 2220

Sales of First-hand Residential Properties Authority

5 April 2013

## 範本/Template

根據《一手住宅物業銷售條例》第 60 條所備存的成交紀錄冊

## Register of Transactions kept for the purpose of section 60 of the Residential Properties (First-hand Sales) Ordinance

(A)	(B)	(C)	(D) *				(E)	(F)	(G)	(H)
臨時買賣合約的日期 (日-月-年) Date of PASP (DD-MM-YYYY)	買賣合約的日期 (日-月-年) Date of ASP (DD-MM-YYYY)	終止買賣合約的日期 (如適用) (日-月-年) Date of termination of ASP (if applicable) (DD-MM-YYYY)	住宅物業的描述 (如包括車位，請一併提供有關車位的資料) Description of Residential Property (if parking space is included, please also provide details of the parking space)				成交金額 Transaction Price	售價修改的細節及日期 (日-月-年) Details and date (DD-MM-YYYY) of any revision of price	支付條款 Terms of Payment	買方是賣方的有關連人士 The purchaser is a related party to the vendor
			大廈名稱 Block Name	樓層 Floor	單位 Unit	車位(如有) Car-parking space (if any)				
			屋號(House number) / 屋名(Name of the house)							
2-10-2013	簽訂臨時買賣合約後交易再未有進展 The PASP has not proceeded further		2	10	A		\$4,000,000			√
3-10-2013	8-10-2013		2	10	B	No.13	\$4,500,000	在 5-10-2013，基於法例第 35(2)(a)條所容許的原因，售價更改為\$4,502,000 On 5-10-2013, the price adjusted to \$4,502,000 due to the reason allowed under section 35(2)(a) of the Ordinance		
3-10-2013	8-10-2013		House No. 5				\$8,500,000			

(範本所顯示的資料僅供說明之用) (Information shown in the template are for illustration only)

\* 就只包括「多單位建築物」的發展項目，只須提供「大廈名稱」、「樓層」及「單位」的資料；至於只包含「獨立屋」的發展項目，只須提供有關「屋號」或「屋名」的資料，視乎何者適用。

For development with “multi-unit buildings only, information on “block name”, “floor” and “unit” should be provided. In the case of a development consisting of houses only, information on “house number” or “name of the house” should be provided as appropriate.