

Residential Properties (First-hand Sales) Ordinance

Practice Note on Submission of Documents to the Sales of First-hand Residential Properties Authority

This Practice Note sets out the best practices recommended by the Sales of First-hand Residential Properties Authority (SRPA) (as shown in *italic* below), and repeats in full the requirements as stipulated in the Guidelines on Submission of Documents to the SRPA issued under section 88 of the Residential Properties (First-hand Sales) Ordinance (the Ordinance).

The best practices are shown in *italic* so as to distinguish them from those parts belonging to the guidelines issued by the SRPA under the said provision of the Ordinance. The best practices are NOT part of the guidelines.

Non-compliance with the best practices per se will not be regarded as a contravention of the Ordinance or a commission of an offence under the Ordinance.

General

1. *This Practice Note covers matters relating to the submission of (i) sales brochures and related information, (ii) price lists and related information, and (iii) documents containing the information on sales arrangements to the SRPA.*
2. *Matters relating to the submission of sales brochures, price lists, register of transactions and documents containing the information on sales arrangements to the Sales of First-hand Residential properties Electronic Platform (SRPE) are NOT covered in this Practice Note. They are covered under Practice Note No. 02/19 on the Submission of Documents to the Sales of First-hand Residential*

Properties Electronic Platform.

Submission of Sales Brochure

3. Insofar as the requirement under section 25(4)(a) of the Ordinance is concerned, two hard copies of the sales brochure should reach the SRPA before the end (i.e. by 23:59) of the first day on which the vendor makes available the sales brochure to the public for the purpose of section 25(1).
4. *Practice Note No. 01/13 on Sales Brochure* advises vendors to inform the SRPA in writing the following at the same time when providing hard copies of the sales brochure or revised sales brochure to the SRPA:
 - (i) *the place/places where the public can obtain a hard copy of the sales brochure (including a revised sales brochure) and the time when the hard copies and soft copies are made available for collection and on the website designated by vendors for the development (the designated website) respectively; and*
 - (ii) *whether the development is a completed development or an uncompleted development as defined under section 4 of the Ordinance.*
5. *To facilitate vendors to inform the SRPA of the information set out under paragraph 4 above and to facilitate the SRPA to obtain approved building plans from the Building Authority for the purpose of compliance check, vendors are advised to also submit a completed form following the template at **Annex A** to the SRPA when submitting hard copies of the sales brochure.*
6. *In accordance with section 17(3) of the Ordinance, if revision is made to the sales brochure after an examination, the vendor must, within 3 working days after the date of revision, notify the SRPA in writing about the revision. To streamline the procedures, where a vendor has submitted the completed Annex A to the SRPA together*

with the revised sales brochure containing the examination record within 3 working days after the date of revision for the purpose of section 25(4)(a) of the Ordinance, such submission may also serve the purpose of notifying the SRPA of the revision as required under section 17(3) of the Ordinance.

Submission of Price List

7. Insofar as the requirement under section 32(4)(a) of the Ordinance is concerned, two hard copies of a price list (or price list revised under section 29(4)) should reach the SRPA before the end (i.e. by 23:59) of the first day on which the vendor makes available the price list to the public for the purpose of section 32(1).
8. *Practice Note No. 02/13 on Price List* advises vendors to make available revised price list which does not involve changes to the prices of the residential properties to the SRPA. In this regard, vendors are advised to make two hard copies of such revised price list to the SRPA before the end (i.e. by 23:59) of the first day on which the vendor makes available such revised price list to the public.
9. *Practice Note No. 02/13 on Price List* advises vendors to inform the SRPA in writing the following at the same time when providing hard copies of price list or revised price list (regardless of whether the revised price list involves changes to the prices of the residential properties) to the SRPA:
 - (i) *the place/places where the public can obtain a hard copy of the price list and the time when the hard copies and soft copies are made available for collection and on the designated website respectively; and*
 - (ii) *the changes to the total number of residential properties in the development/phase (if applicable).*
10. *To facilitate vendors to inform the SRPA of the information set out*

*under paragraph 9 above, vendors are advised to also submit a completed form following the template at **Annex B** to the SRPA when submitting hard copies of the price list.*

Submission of the Document Containing Information on Sales Arrangements

- 11. Practice Note No. 01/19 on sales arrangements advises vendors if the document containing information on sales arrangements (“sales arrangements”) is to be made available before 8 May 2019, to send a copy of the document to the SRPA on the first day on which the document is made available to the public.*
- 12. For convenience sake, vendors may submit the sales arrangements to the SRPA by fax (fax number: 2219 2220) or by email (email address: submission_srpa@hd.gov.hk). If vendors is to submit the sales arrangements in hard copy (including developments under the Lands Department Consent Scheme granted after 29 June 2018), they are advised to submit the documents according to the arrangements as set out in paragraphs 14 to 17 below (which concern the submission of sales brochure and price list).*
- 13. With effect from 8 May 2019, vendors are advised to provide an electronic copy of the sales arrangements to the Sales of First-hand Residential Properties Electronic Platform (www.srpe.gov.hk) on the first day on which the document is made available to the public. There is **no need** to send copies of the sales arrangements to the SRPA by fax or by email again. For developments under the Lands Department Consent Scheme granted after 29 June 2018, vendors are still required to submit the hard copy sales arrangements to the SRPA according to the requirements of the Consent Scheme.*

Submission to SRPA During Office Hours

- 14. Hard copy of sales brochure and price list may be delivered to the office of the SRPA at Unit E, 31/F, E-trade Plaza, 24 Lee Chung Street, Chai Wan, Hong Kong during office hours (Monday to Friday*

(excluding public holidays), 9:00 am to 12:30pm and 2:00pm to 6:00pm) in person or by mail.

15. SRPA's staff will, at the presence of the person delivering hard copy of sales brochure and price list, stamp on the documents upon receipt to record the date and time of receipt. If a document is delivered by mail, the date and time when the document reaches SRPA will be regarded as the date and time of receipt. Vendors are reminded to allow adequate mailing time if mail is used as the means of submission.

Submission to SRPA Outside Office Hours

16. If hard copy of sales brochure and price list are delivered to the office of the SRPA outside office hours, the person who delivers the documents may put the documents into the collection box next to the entrance of the office of the SRPA. Before depositing the sales brochure or price list into the collection box, the person who delivers the documents should make use of the time stamp machine which is attached to the collection box to stamp on the cover of the documents to be submitted. The documents will be regarded as received by the SRPA at the time shown by the time stamp. If on any working day staff of SRPA opening the collection box¹ finds a document without a time stamp, the document will be regarded as received by the SRPA on that day².

17. *To avoid any damage to the sales brochure and price list submitted to the SRPA, vendors are advised to pack the documents properly before putting them into the collection box. Vendors are advised to take into account the size of the opening of the collection box, which is 150mm x 460mm, in packing the documents.*

¹ Staff of SRPA will check the collection box before noon every working day.

² SRPA will take into account all relevant factors in considering whether the sales brochures and price list are submitted to the SRPA according to the timeframe required by the Ordinance.

Submission of Documents to SRPA before 29 April 2013

18. As set out in the Guidelines on Sales Brochure, the Guidelines on Price List and the Guidelines on Sales Arrangements and Other Information, for residential properties in a development which are intended to be offered for sale on or after 29 April 2013 (including residential properties in a development which have commenced sale before 29 April 2013), sale may continue/commence on 29 April 2013 if –
- (i) sales brochures which comply with the relevant requirements under the Ordinance are made available before 22 April 2013 in accordance with section 25 of the Ordinance (i.e. the seven day requirement) (paragraph 32 in the Guidelines on Sales Brochure);
 - (ii) price lists which comply with the relevant requirements under the Ordinance are made available before 26 April 2013 in accordance with section 32 of the Ordinance (i.e. the three day requirement) (paragraph 15 in the Guidelines on Price List); and
 - (iii) sales arrangements which comply with the relevant requirements under the Ordinance are made available before 26 April 2013 in accordance with section 47(1) of the Ordinance (i.e. the three day requirement) (paragraph 12 in the Guidelines on Sales Arrangements and Other Information).
19. The SRPA will start receiving from vendors hard copies of sales brochure and price list, for the purposes of continuing/commencing the sale of residential properties on 29 April 2013, from 15 April 2013. *The SRPA will also start receiving from vendors copies of the documents containing the sales arrangements by e-mail, fax or in hard copy from 15 April 2013.*

20. **During the period from 15 to 28 April 2013**, if hard copies of the documents are to be delivered to SRPA during office hours³, in person or by mail, the address is:

Sales of First-hand Residential Properties Authority
c/o Special Duties Unit, Transport and Housing Bureau
2/F, Block 1, Housing Authority Headquarters,
33 Fat Kwong Street, Ho Man Tin, Kowloon

During the period from 15 to 28 April 2013, if hard copies of the documents are to be delivered to SRPA OUTSIDE office hours, the person who delivers the documents may give the documents to the security guards stationed at the ground floor of Blocks 1&2 of the Housing Authority Headquarters. The security guard will mark down the date and time of receipt on the cover of the documents.

21. Vendors are reminded that the arrangements set out in paragraph 20 above only apply to the period from 15 to 28 April 2013. Documents submitted to the SRPA on or after 29 April 2013 should follow the arrangements as set out in paragraphs 14 to 17 above.

For enquires, please contact us via the following -

Telephone	: 2817 3313
Email	: enquiry_srpa@hd.gov.hk
Fax	: 2219 2220

May 2019

Sales of First-hand Residential Properties Authority
Transport and Housing Bureau

³ Office hours of SRPA: Monday to Friday (excluding public holidays), 9:00 am to 12:30pm and 2:00pm to 6:00pm.

**Covering Note for Vendor to Provide Sales Brochure
and Related Information to the SRPA**

Name of the Development: _____ Phase: _____ (if applicable)

1. The following is enclosed (please “tick” as appropriate) -

	First edition of sales brochure ^(Note 1)
	Revised version of sales brochure (revision may be made by way of issuing a corrigendum, a replacement sheet or any other means, including printing a revised sales brochure) ^(Note 2)
	Supplementary sheet (which sets out the “examination record”, i.e. the date of the examination and/or the part of the sales brochure that has been revised)

Note 1 If this item is submitted, please complete paragraphs 2, 3 and 4 below.

Note 2 If this item is submitted, please complete paragraphs 2 and 3 below.

Vendors are reminded that, if a revised sales brochure is submitted, an examination record should either be set out in the sales brochure or on a supplementary sheet properly attached to the sales brochure.

2. The development is a [*completed/uncompleted**] development/phase[^] as at [the date of printing the sales brochure].
3. The sales brochure is available for collection by the public since [*DD/MM/YYYY*] at [*time*] at [*place(s)*], and is available on the designated website since [*DD/MM/YYYY*].
4. **(For the submission of the first edition of the sales brochure to the SRPA only)**
I/We confirm that the vendor and the Authorized Person of the development [*agree/ do not agree**] that the Authority may obtain from the Building Authority (BA) all approved building plans (including those plans approved by the BA subsequent to the printing of the attached sales brochure) of the [*name of the development*] to conduct compliance check.

* Please delete as appropriate.

[^] Please refer to section 4 of the Residential Properties (First-hand Sales) Ordinance on the definition of completed and uncompleted development/phase.

Name of the vendor : _____

Name of the Authorized Person : _____

Vendor's contact person – name & contact number : _____

Date: : _____

Covering Note for Vendor to Provide Price List to the SRPA

Name of the Development: _____ Phase:_____ (if applicable)

- 1. Price List No._____ is enclosed.
- 2. The price list is available for collection by the public since [DD/MM/YYYY] at [time] at [place(s)], and is available on the designated website since [DD/MM/YYYY].
- 3. **(This item only applies to a development where its total number of units has been changed in the previous 3 months)**

(For developments other than specified NT developments) The total number of units in the development has been changed from ___ units to ___units due to a change in the approved building plans.

(For specified NT developments) The total number of units in the development has been changed from ___ units to ___units due to _____.

Name of the vendor : _____

Vendor’s contact person – name & contact number : _____

Date: : _____