

# Residential Properties (First-hand Sales) Ordinance 《一手住宅物業銷售條例》

Chapter 621  
第621章

Workshop  
工作坊

# Background of the Ordinance

## 條例背景

- A Steering Committee was set up in October 2010 under the Transport and Housing Bureau (THB) to discuss specific issues on regulating the sale of first-hand residential properties by legislation.

運輸及房屋局於 2010年10月成立督導委員會研究立法規管一手住宅物業銷售的事宜。

# Background of the Ordinance

## 條例背景

- On the basis of the recommendations made by the Steering Committee, a two-month public consultation exercise on the proposed legislation was conducted from November 2011 to January 2012.

運輸及房屋局經考慮督導委員會的建議後，在2011年11月至2012年1月期間，諮詢公眾對立法建議的意見。

# Background of the Ordinance

## 條例背景

- The Residential Properties (First-hand Sales) Bill was introduced into the Legislative Council (LegCo) in March 2012. The Bill was passed by the LegCo on 29 June 2012.

《一手住宅物業銷售條例草案》於2012年3月提交立法會，於2012年6月29日獲立法會通過。

# Commencement of the Ordinance

## 條例的實施

- The commencement of the Ordinance is in two stages –  
條例將會分兩階段實施—

# Commencement of the Ordinance

## 條例的實施

- Phase 1 - sections 1 to 9 of the Ordinance (short title and commencement, and interpretation clauses), Division 1 of Part 6 of the Ordinance (the appointment and functions of the Authority and relating provisions), and Schedule 2 to the Ordinance (interpretation clauses) has come into operation on 2 April 2013.

第一階段 – 條例第1至9條（簡稱及生效日期，以及釋義條文）；第6部第1分部（監督的委任及職能及其相關條文）；以及附表2（釋義條文），已於2013年4月2日起實施。

# Commencement of the Ordinance

## 條例的實施

- **Phase 2** - the remaining provisions of the Ordinance will come into operation on 29 April 2013.

第二階段 - 條例的其餘條文由2013年4月29日起實施。

# The Sales of First-hand Residential Properties Authority - Functions and Power

## 一手住宅物業銷售監管局的職能及權力

- The Sales of First-hand Residential Properties Authority (SRPA) established under THB will start enforcing the Ordinance on 29 April 2013.

於運輸及房屋局轄下成立的一手住宅物業銷售監管局(「銷售監管局」)將會在4月29日開始執行條例。



# The Sales of First-hand Residential Properties Authority - Functions and Power

## 一手住宅物業銷售監管局的職能及權力

- The functions and power of SRPA –  
銷售監管局的職能及權力 –
  - Administer the provisions of the Ordinance  
執行條例的條文
  - Conduct inspections  
進行巡查
  - Educate the public on matters relating to the Ordinance  
教育公眾關乎銷售一手住宅物業的事宜

# The Sales of First-hand Residential Properties Authority - Functions and Power

## 一手住宅物業銷售監管局的職能及權力

- Issue guidelines on the operation of the Ordinance  
為條例的執行提供指引
- Maintain related data and statistics  
備存相關資料及數據
- Handle enquiries and complaints  
處理查詢和投訴

# Sales of First-hand Residential Properties Electronic Platform

## 一手住宅物業銷售資訊網

- An electronic database, the Sales of First-hand Residential Properties Electronic Platform (SRPE), will be established so that the public can have access to the following information:

設立一手住宅物業銷售資訊網(銷售資訊網)，讓公眾人士可於網上獲得以下資訊 -

# Sales of First-hand Residential Properties Electronic Platform

## 一手住宅物業銷售資訊網

- information on sales of specified residential properties provided by vendors (i.e. the sales brochures, price lists and register of transactions); and

由賣方提供的一手住宅物業的資料（即售樓說明書、價單及成交紀錄冊）；及

# Sales of First-hand Residential Properties Electronic Platform

## 一手住宅物業銷售資訊網

- ▣ general information and statistics on the residential property market provided by other government bureaux/departments.

由其他政策局及部門提供的有關物業市場的一般資料及數據。

- It will be available for public viewing from 29 April 2013.

銷售資訊網將於2013年4月29日開始供公眾瀏覽。

# Implementation

## 實施

- In preparing for the implementation of the Ordinance, we have issued the following –

為預備條例的實施，我們發出了以下文件：

- **Guidelines issued under section 88 of the Ordinance** (*not subsidiary legislation, may be admissible in evidence in court proceedings*)

按條例第 88 條發出的指引（非附屬法例，但可於法律程序中接納為證據）

# Implementation

## 實施

- **Practice Notes** (*recommended best practices, non-statutory and advisory*)

作業備考 (最佳實務建議，非法定性，屬建議性質)

- **Frequently Asked Questions & Answers (FAQs)** (*facilitate the trade to understand how the SRPA looks at specific provisions of the Ordinance*)

常見問答 (為業界提供參考，以了解銷售監管局對條例個別條文的觀點)

# Implementation

## 實施

- The Guidelines, Practice Notes and FAQs primarily cover the following aspects –

指引、作業備考和常見問答主要涵蓋下列範疇：

- Sales Brochure  
售樓說明書
- Price List  
價單



# Implementation

## 實施

- Sales Arrangements and Other Information  
銷售安排和其他資料
- Register of Transactions  
成交紀錄冊
- Submission of Documents to SRPA  
向銷售監管局遞交文件
- Submission of Documents to SRPE  
向銷售資訊網遞交文件

# Implementation

## 實施

- The presentation to follow has included relevant points mentioned in the guidelines, practice notes and FAQs.

以下的介紹將會包括指引、作業備考和常見問答的相關內容。

# Major Terms Used in Cap. 621

## 第621章中主要用語

- **Development** means a collection of 2 or more buildings where the construction of those buildings can be regarded as one single real estate development project by reason of the engineering, structural or architectural connection between the buildings or in any other case, a building. In determining whether 2 or more buildings is a single development, the following should be taken into account [Section 3(1) & (2)] –

**發展項目** 指一個由2幢或多於2幢建築物組成的建築物群組，而由於該等建築物之間在工程、結構或建築上的關連，可視該等建築物的建造為單一地產發展計劃；或(如屬任何其他情況)一幢建築物。在斷定是否可將2幢或多於2幢建築物的建造視為單一地產發展計劃時，可考慮以下各項 [第3(1)及3(2)條]–

# Major Terms Used in Cap. 621

## 第621章中主要用語

- the approved building plans;  
經批准的建築圖則；
- master layout plan submitted to the Director of Lands for compliance with the land grant; and  
遵照批地文件而向地政總署署長呈交的總綱發展藍圖；及
- the master layout plan approved by the Town Planning Board for the purposes of section 4A of the Town Planning Ordinance.  
城市規劃委員會為施行《城市規劃條例》(第131章)第4A條而批准的總綱發展藍圖。

# Major Terms Used in Cap. 621

## 第621章中主要用語

- A development is regarded as divided into 2 or more phases if plans are approved by the Building Authority for the purposes of section 14(1) of the Buildings Ordinance (Cap. 123) in respect of the building works for those phases of the development. [Section 3(3)]

發展項目在以下情況下即屬被分為2期或多於2期：建築事務監督為施行《建築物條例》(第123章)第14(1)條，就該項目的該等期數的建築工程批准圖則。[第3(3)條]

# Major Terms Used in Cap. 621

## 第621章中主要用語

- Residential Property (RP), in relation to a development or a phase of a development [Sections 2 & 6] –

住宅物業，就某發展項目或發展項目的某一期而言 [第2及6條] –

- means any real property in the development or the phase constituting a separate unit used or intended to be used solely or principally for human habitation; and

指在該項目或該期中的符合以下說明的土地財產：完全或主要用作（或擬完全或主要用作）供人居住用途，並構成一個獨立單位；及

# Major Terms Used in Cap. 621

## 第621章中主要用語

- exclude any premises used or intended to be used solely or principally as a hotel or guesthouse as defined in section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349)

不包括完全或主要用作(或擬完全或主要用作)  
《旅館業條例》(第349章)第2(1)條所界定的旅  
館的用途的處所。

# Major Terms Used in Cap. 621

## 第621章中主要用語

- Specified Residential Property (SRP) means any RP to which this Ordinance applies by virtue of section 10. [Sections 2 & 10]

指明住宅物業，指本條例憑藉第10條而適用的住宅物業。[第2及10條]



# Major Terms Used in Cap. 621

## 第621章中主要用語

- Many of the requirements in the Ordinance are imposed on the vendor. A vendor means the owner; and the person engaged by the owner to coordinate and supervise the process of designing, planning, constructing, fitting out, completing and marketing the development or phase.

[Section 2]

法例的要求主要施加於賣方。賣方指擁有人；並由擁有人聘用負責統籌和監管有關發展項目或期數的設計、規劃、建造、裝置、完成及銷售的過程的人。 [第2條]

# Major Terms Used in Cap. 621

## 第621章中主要用語

- “Owner”, instead of “vendor”, is used in the provisions under Division 7 of Part 2 of the Ordinance which relates to the agreement for sale and purchase since residential property must be sold by the “owner”.

至於條例第2部第7分部與買賣合約有關的條文採用“擁有人”而非“賣方”，這是由於住宅物業必須由“擁有人”出售。**[第2條]**

# Major Terms Used in Cap. 621

## 第621章中主要用語

- There is a sale by the owner of a RP if [Section 13] –  
如有以下情況，即屬擁有人出售住宅物業  
[第13條] –
  - The RP is sold by the owner to any other person; or  
擁有人將該物業出售予任何其他人；或
  - The RP is offered by the owner to be sold to any other person.  
擁有人將該物業要約出售予任何其他人。

# Major Terms Used in Cap. 621

## 第621章中主要用語

### ■ Saleable Area of a RP [Section 8] –

實用面積 就任何住宅物業而言[第8條] –

- means the floor area of the RP;  
指該物業的樓面面積；
- includes the floor area of balcony (if any), utility platform (if any) or verandah (if any) to the extent that it forms part of the RP; and  
包括露台、工作平台、陽台的樓面面積(但只在它構成該物業的一部分的範圍內才包括)；及

# Major Terms Used in Cap. 621

## 第621章中主要用語

- excludes the area of the items specified in Schedule 2 to the extent that it forms part of the RP.

不包括附表2所指明的每一項目的面積（它構成該物業的一部分的範圍）。

- The 10 Items in Part 1 of Schedule 2 – air-conditioning plant room, bay window, cockloft, flat roof, garden, parking space, roof, stairhood, terrace and yard.

附表2第1部的10個項目 – 空調機房、窗台、閣樓、平台、花園、停車位、天台、梯屋、前庭及庭院。

# Application of Cap. 621

## 第621章的應用

Cap. 621 applies to any RP in Hong Kong of which neither a preliminary agreement for sale and purchase (PASP) nor an agreement for sale and purchase (ASP) has been entered into and no assignment has ever been made, but does not apply to the following two situations [Section 10] –

條例適用於不曾訂立臨時買賣合約或買賣合約；及  
不曾作出轉讓的香港境內的發展項目中的住宅物業，  
但不適用於以下兩種情況 [第10條] –

# Application of Cap. 621

## 第621章的應用

- a completed development/phase of which at least 95% of the RP are held under a tenancy for 36 months continuously or an aggregate period of 36 months; or

於已落成發展項目／期數中，最少有95%的住宅物業曾連續根據租約持有最少36 個月或合計不少於36個月；或

# Application of Cap. 621

## 第621章的應用

- a building with a certificate of exemption issued under section 5(a) of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap.121) in respect of building works for the building comprised in the development.

屬單一幢的建築物，其建築工程已根據《建築物條例(新界適用)條例》(第121章)第5(a)條獲發豁免證明書。



# Application of Cap. 621

## 第621章的應用

Disregarded PASP, ASP and assignment [Section 11] –  
不予理會的臨時買賣合約、買賣合約及轉讓[第11條] –

- sale of all units/houses under a single agreement to the same person (read together with section 63 on exemption arrangements)

以單一份合約把所有物業出售予同一人(需同時參閱第63條所列明的例外情況)

# Application of Cap. 621

## 第621章的應用

- the PASP or ASP or assignment is entered into between a corporation and its associate corporation or holding company or between an individual and his/her immediate family member (read together with section 64 on exemption arrangements)

有關合約，是由法團與其有聯繫的法團或控權公司所訂立；或由任何個人向其家人所訂立（需同時參閱第64條所列明的例外情況）

- the PASP or ASP is terminated or declared void by the court.  
有關合約已遭終止或被法院宣布為無效。

# Matters Regulated under Cap. 621

## 第621章所規管的事項

- Sales Brochure  
售樓說明書
- Price List  
價單
- Show Flat, Viewing of Completed Flats  
示範單位，參觀已落成的物業
- Sales Arrangements  
銷售安排

# Matters Regulated under Cap. 621

## 第621章所規管的事項

- PASP and ASP  
臨時買賣合約及買賣合約
- Register of Transactions  
成交紀錄冊
- Advertisement, Misrepresentation etc.  
廣告，失實陳述等

# Application and Exceptions of Part 2 of the Ordinance

## 條例第2部的應用及例外情況

- Divisions 2, 3, 6, 7 and 8 (sales brochure, price list, sales arrangement, PASP and ASP and register of transactions) apply if there is a sale of a SRP. [Section 14(1)]

如出售指明住宅物業，第2、3、6、7及8 分部適用(售樓說明書、價單、銷售安排、臨時買賣合約及買賣合約、成交紀錄冊)。 [第14(1)條]

# Application and Exceptions of Part 2 of the Ordinance

## 條例第2部的應用及例外情況

- Division 4 (show flat) applies if there is a sale of SRP in an uncompleted development or phase. [Section 14(2)]

第4分部(示範單位)適用於出售未落成發展項目／期數中的指明住宅物業。[第14(2)條]

# Application and Exceptions of Part 2 of the Ordinance

## 條例第2部的應用及例外情況

- Division 5 (viewing of SRP in completed development) applies if there is a sale of SRP in a completed development or phase. [Section 14(3)]

第5分部(參觀已落成的物業)適用於出售已落成發展項目／期數中的指明住宅物業。[第14(3)條]

# Application and Exceptions of Part 2 of the Ordinance

## 條例第2部的應用及例外情況

### ■ Exceptions – 例外情況 –

- Sale to sitting tenant – Divisions 3, 4, 5 & 6 (price list, show flats, viewing of completed property & sales arrangement) do not apply [Section 66]

出售予正租用該住宅物業的人 – 第3、4、5及6分部(價單、示範單位、參觀已落成物業及銷售安排)不適用 [第66條]



# Application and Exceptions of Part 2 of the Ordinance

## 條例第2部的應用及例外情況

- Sale by auction or tender – Division 3 (price list) does not apply [Section 67]

以拍賣或招標方式出售該住宅物業 – 第3分部  
(價單)不適用

[第67條]

# Preparation and Making Available Sales Brochure

## 擬備及提供售樓說明書

- The sales brochure must be prepared by the vendor. [Sections 15 & 16]  
售樓說明書須由賣方擬備。[第15及16條]
- At least a period of 7 days immediately before the date of sale and on a date of sale, the vendor must make available [Section 25] –  
在緊接出售日期前的最少7日期間內及出售的日期當日，賣方須提供 [第25條] -

# Preparation and Making Available Sales Brochure

## 擬備及提供售樓說明書

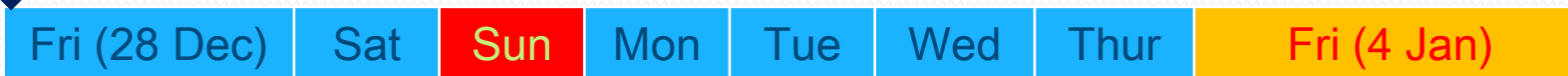
- hard copies of sales brochure for the development for collection by the general public free of charge; and  
發展項目的售樓說明書的印本，供公眾免費領取；及
- an electronic copy of the sales brochure on the website designated by the vendor.

於指定的互聯網網站，提供該項目的售樓說明書的文本以供閱覽。

00:00

7 days (7日)

Date of sale  
(出售當日)



# Provision of Sales Brochure to SRPA/SRPE

## 提交售樓說明書予銷售監管局／銷售資訊網

- On the first day on which the sales brochure (including an examined, or an examined and revised version) is made available to the general public, the vendor should provide two hard copies to the SRPA and an electronic copy to the SPRE, i.e. by 23:59 on that day. [Section 25(4)]

賣方須於提供發展項目的售樓說明書的印本的首日，即當日23時59分前，向銷售監管局提供該項目的售樓說明書（包括已檢視版本；或已檢視的修改版本）的印本兩份及向銷售資訊網提供該說明書的電子版本。 [第25(4)條]

# Information in the Sales Brochure

## 售樓說明書的資料

	Example 例子	Relevant Provisions in the Ordinance 條例相關條文	Where should it be placed in the sales brochure? 應置於售樓說明 書的位置	In specified Order? 是否須 按次序 提供?
Mandatory Information 必須提供 的資料	<ul style="list-style-type: none"> <li>- Location Plan 位置圖</li> <li>- Floor Plans 樓面平面圖</li> </ul>	Section 19(1) 第19(1)條 Section 19(2) 第19(2)條 (i.e. Part 1 of Schedule 1) (即附表1第1部)	---	Yes 是

# Information in the Sales Brochure

## 售樓說明書的資料

	Example 例子	Relevant Provisions in the Ordinance 條例相關條文	Where should it be placed in the sales brochure? 應置於售樓說明 書的位置	In specified Order? 是否須 按次序 提供?
Mandatory Information (Cont'd) 必須提供 的資料 (續)	<ul style="list-style-type: none"> <li>- Cross-section plan 橫截面圖</li> <li>- Fittings, finishes and appliances 裝置、裝修物料及設備</li> </ul>	Section 19(3) 第19(3)條 (i.e. Part 2 of Schedule 1) (即附表1第2部)	After the information required under section 19(2) 於第19(2)條所要求 的資料之後	No 不是

# Information in the Sales Brochure

## 售樓說明書的資料

	Example 例子	Relevant Provisions in the Ordinance 條例相關條文	Where should it be placed in the sales brochure? 應置於售樓說明 書的位置	In specified Order? 是否須 按次序 提供?
Mandatory Information (Cont'd) 必須提供 的資料 (續)	- Relevant Information 有關資料	Section 20 第20條	After the information required under section 19 於第19條所要求 的資料之後	No 不是

# Information in the Sales Brochure

## 售樓說明書的資料

	Example 例子	Relevant Provisions in the Ordinance 條例相關條文	Where should it be placed in the sales brochure? 應置於售樓說明 書的位置	In specified Order? 是否須 按次序 提供?
Mandatory Information (Cont'd) 必須提供 的資料 (續)	<ul style="list-style-type: none"> <li>- Date of printing 印製日期</li> <li>- Examination record 檢視紀錄</li> </ul>	Section 22 第22條	---	No 不是



# Information in the Sales Brochure

## 售樓說明書的資料

	Example 例子	Relevant Provisions in the Ordinance 條例相關條文	Where should it be placed in the sales brochure? 應置於售樓說明書的位置	In specified Order? 是否須按次序提供?
Mandatory information (if applicable) 必須提供的資料 (如適用)	- breakdown of GFA concessions 總樓面面積寬免的分項	Section 21(1) 第21(1)條 (i.e. Part 3 of Schedule 1) (即附表1第3部)	After the information required under section 19 於第19條所要求的資料之後	No 不是

# Information in the Sales Brochure

## 售樓說明書的資料

	Example 例子	Relevant Provisions in the Ordinance 條例相關條文	Where should it be placed in the sales brochure? 應置於售樓說明 書的位置	In specified Order? 是否須 按次序 提供?
Optional Information 非必須提供 的資料	- other common facilities 其他公用設施	Section 21(3) 第21(3)條 (i.e. Part 4 of Schedule 1) (即附表1第4部)	---	No 不是

# Major Information in Sales Brochure

## 售樓說明書的主要資料

- The following information has been included in the Guidelines and Practice Notes on Sales Brochure to facilitate compliance of the Ordinance –

售樓說明書指引及作業備考包括以下資料以協助賣方遵守條例的要求–

- Notes to Purchasers of First-hand Residential Properties  
[Section 19(1)]

一手住宅物業買家須知[第19(1)條]

# Major Information in Sales Brochure

## 售樓說明書的主要資料

- Template of Area Schedule [Section 11(2), Schedule 1]  
住宅物業面積範本[附表1第11(2)條]
- Samples of Cross-section Plan [Section 8, Schedule 1]  
橫截面圖樣本[附表1第8條]
- Template on Provision of Information on Application for  
Concession on Gross Floor Area of Building [Section 29,  
Schedule 1]  
提供申請建築物總樓面面積寬免的資料範本[附表1第29條]

# Major Information in Sales Brochure

## 售樓說明書的主要資料

- Guidelines on Provision of Information on Environmental Assessment of the Building (issued by Hong Kong Green Building Council) [Section 29, Schedule 1]

提交建築物環境評估資料指引(由香港綠色建築議會發出) [附表1第29條]

- Practice Note on purchase of aerial photographs (issued by the Survey and Mapping Office of the Lands Department)

地政總署測繪處已發出購買鳥瞰照片執業通告(由地政總署測繪處發出)

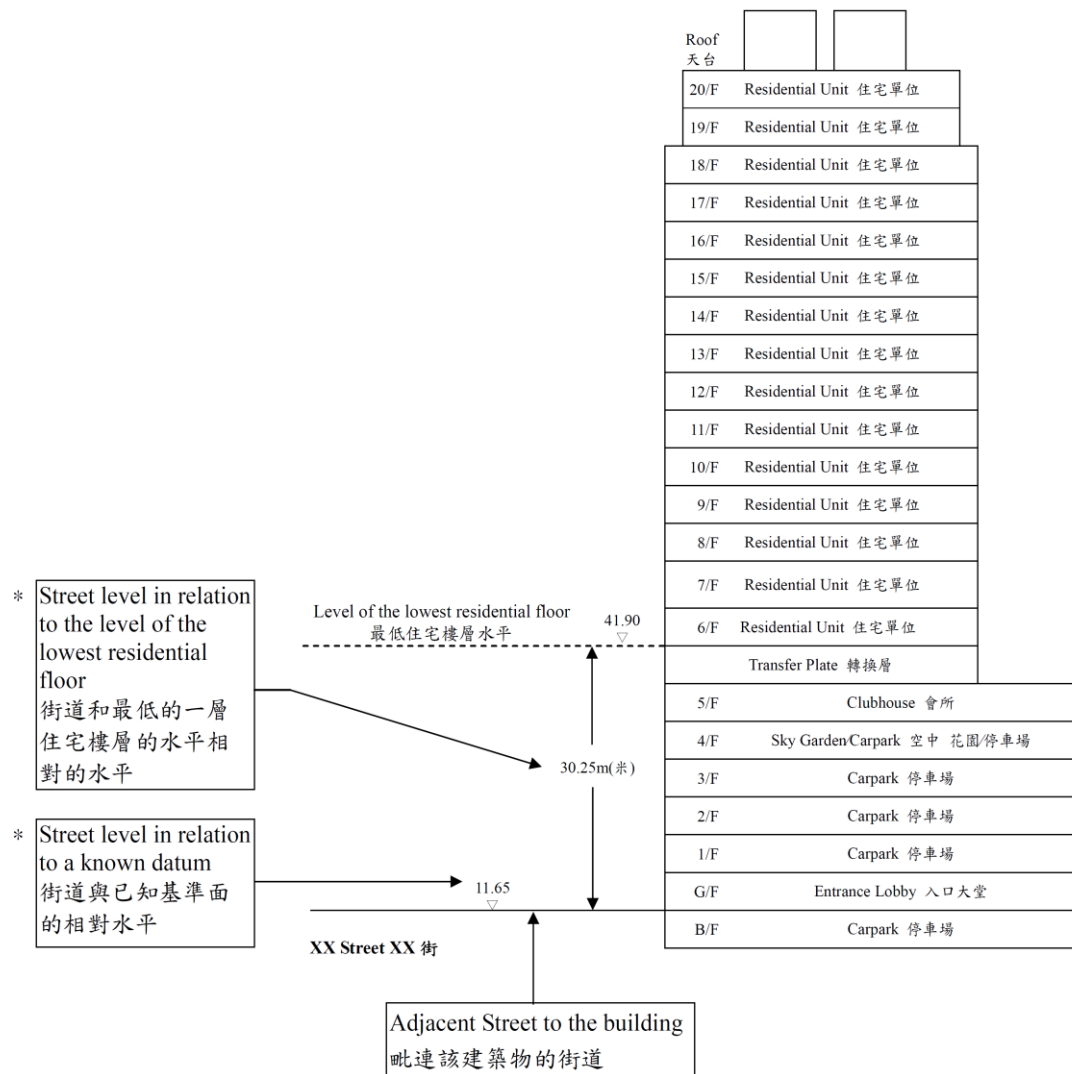
# Area Schedule in Sales Brochure

## 售樓說明書的面積表

物業的描述 *			實用面積 (包括露台，工作平台及陽台 (如有) 平方米(平方呎) Saleable Area (including balcony, utility platform and verandah, if any) sq. metre (sq. ft.)	其他指明項目的面積 (不計算入實用面積) Area of other specified items (Not included in the Saleable Area) 平方米 (平方呎) sq. metre (sq. ft.)									
大廈名稱 Block Name	樓層 Floor	單位Unit		空調機房 Air-conditioning plant room	窗台 Bay window	閣樓 Cock-loft	平台 Flat roof	花園 Garden	停車位 Parking space	天台 Roof	梯屋 Stair-hood	前庭 Terrace	庭院 Yard
5	30	A	53.8(579) 露台Balcony: 2.0 (22); 工作平台Utility Platform: 1.5 (16)	1.1 (12)	1.1 (12)	--	--	--	--	--	--	--	--
		B											
		C											
	29	A	53.8(579) 露台 Balcony: 2.0 (22); 工作平台Utility Platform: 1.5 (16)	1.1 (12)	1.1 (12)	--	--	--	--	--	--	--	--
		B											
		C											

# Cross-section Plan in Sales Brochure

## 售樓說明書的橫截面圖



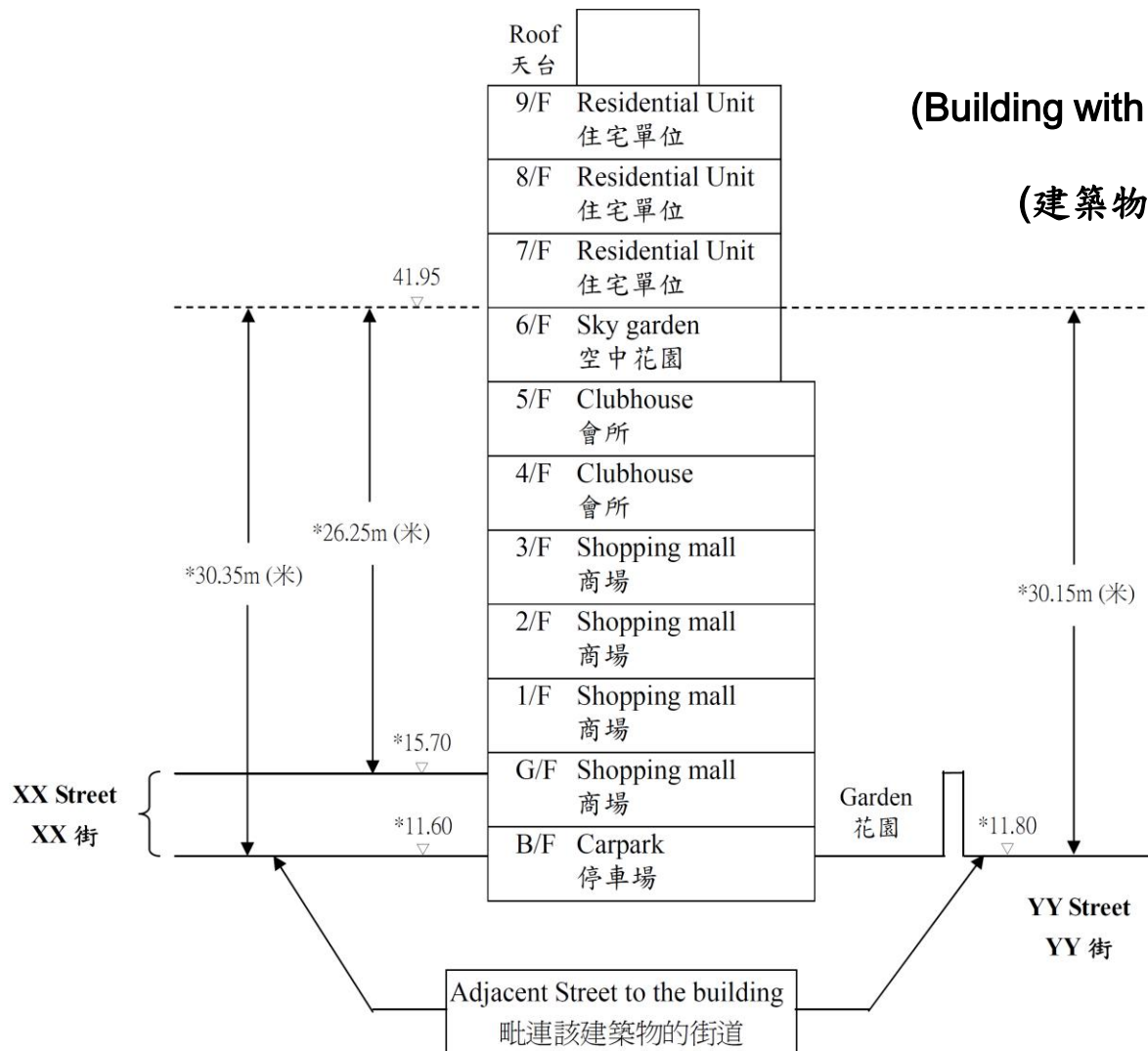
**Cross-section Plan**  
(Building with one adjacent street)  
**橫截面圖**  
(建築物毗連一條街道)

- \* Mandatory Information to be provided in sales brochure according to Section 18 of Schedule 1 to the Residential Properties (First-hand Sales) Ordinance (Cap. 621). 根據《一手住宅物業銷售條例》(第621章)附表一第18條為必須於售樓說明書內提供的資料。



# Cross-section Plan in Sales Brochure

## 售樓說明書的橫截面圖



**Cross-section Plan**  
(Building with two adjacent streets, one sloping)  
**橫截面圖**  
(建築物毗連兩條街道，其一為斜街)

- The part of XX Street adjacent to the building is 11.60 to 15.70 metres above the Hong Kong Principal Datum.  
毗連建築物的一段XX Street為香港主水平基準以上11.60至15.70米。
- Dotted line denotes the lowest residential floor.  
虛線為最低住宅樓層水平。
- \* Mandatory Information to be provided in sales brochure according to Section 18 of Schedule 1 to the Residential Properties (First-hand Sales) Ordinance (Cap. 621).  
根據《一手住宅物業銷售條例》(第621章)附表一第18條為必須於售樓說明書內提供的資料。



# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- The vendor may examine the sales brochure to ascertain if the information therein is accurate and any inaccuracy identified must be corrected by a revision to the sales brochure. [Section 17]

賣方可檢視發展項目的售樓說明書，以確定該說明書所列出的資料是否準確反映檢視日期的情況。[第17條]

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- The sales brochure made available to the public must be printed, examined, or examined and revised, by the vendor within the previous 3 months. [Section 25]

提供予公眾的售樓說明書必須是在之前的3個月內印製，作出檢視，或作出檢視及修改。[第25條]

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- Typical examples on counting the “the previous 3 months” – 計算「之前3個月」的典型例子 –

The date on which a sales brochure is to be made available 提供售樓說明書的日期	The earliest date of the “3-month period” on which a sales brochure is printed/examined/revised 售樓說明書於之前3個月內最早印刷／檢視／修改的日期
15 April 4月15日	15 January 1月15日
1 August 8月1日	1 May 5月1日

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- Examples where the calculation of the “previous 3-month period” is affected by months with only 28, 29 or 30 days

當個別月份只有28，29或30天時，影響計算「之前3個月」的例子

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

The date on which a sales brochure is to be made available 提供售樓說明書的日期	The earliest date of the “3-month period” on which a sales brochure is printed/examined/revise 售樓說明書於之前3個月內 最早印刷／檢視／修改的日期
1 May (5月1日)	31 January (1月31日)
1 July (7月1日)	31 March (3月31日)
1 December (12月1日)	31 August (8月31日)
28 February (2月28日)	28 November (11月28日)
29 February (2月29日)	29 November (11月29日)
1 March (3月1日)	29 November (11月29日) (if there is <b>No</b> 29 February in-between) (若當中並無2月29日)
1 March (3月1日)	30 November (11月30日) (if there is 29 Feb in-between) (若當中有2月29日)

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- Revisions can be made by way of issuing corrigendum, replacement sheets or any other means. Supplementary sheets should be properly attached to the sales brochure.  
修改可採用發出更正通知、替代頁或其他形式。補充頁須妥為夾附在售樓說明書內。
- Should state the date of examination and any parts that have been revised in the sales brochure (“examination record”).  
須於售樓說明書內述明檢視日期及相關的修改(檢視紀錄)。
- The examination record should be kept on a rolling basis.  
檢視記錄應以滾存方式備存。

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

Examination/Revision Date 檢視／修改日期	Revision Made 修改內容	
	Page Number 頁碼	Revision Made 修改內容
1 January 2014 (2014年1月1日)	17	The location plan is replaced by a more updated version 更新位置圖
1 April 2014 (2014年4月1日)	No revision made 無修改	

# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- After an examination of the sales brochure is carried out, whether or not a revision to the sales brochure has been made, on the first day on which the vendor makes a copy of the examined, or an examined and revised, sales brochure available to the public, two hard copies of the examined, or an examined and revised, sales brochure should be sent to the SRPA and an electronic copy should be provided to the SRPE.

對售樓說明書進行檢視後，不論是否有作出修改，賣方須向公眾提供已檢視版本；或已檢視並作修改版本的售樓說明書的印本。賣方亦須在有關印本提供予公眾的首日，向銷售監管局提供該已作檢視的售樓說明書；或已檢視並作修改的售樓說明書的印本兩份，及向銷售資訊網提供該說明書的電子版本。



# Examination & Revision of Sales Brochure

## 檢視及修改售樓說明書

- The vendor should within 3 working days after the date of revision, notify the SRPA in writing about the revision.

賣方對售樓說明書進行修改後，須於3個工作天內以書面形式通知銷售監管局有關的修改。

# Suspension & Termination of Sale

## 暫停及停止出售

- If, after the commencement of sale of a development, the vendor decides to suspend the sale of all unsold units the sales of which have been announced in the documents containing the sales arrangements, or all the units that have been included in the sales arrangements have been sold, he is advised to, as soon as practicable, inform the SRPA in writing about the said situation.

若賣方於發展項目開售後，決定暫停出售項目中所有曾於載有銷售安排的文件中公布出售的指明住宅物業，或已售出所有曾載於銷售安排的物業，我們建議賣方盡快以書面形式通知銷售監管局有關的事宜。

# Suspension & Termination of Sale

## 暫停及停止出售

- With this information, the SRPA will know that the vendor may not have contravened the Ordinance when, upon the expiry of the “3-month period” under section 25(9) of the Ordinance, the vendor has not made available an examined, or examined and revised, sales brochure.

這個做法讓銷售監管局知悉賣方並沒有違反條例第25(9)條有關提供「之前3個月內」的經檢視，或經檢視並作修改的售樓說明書的要求。

- Such information will be made known on the SRPE.  
有關消息會上載至銷售資訊網。

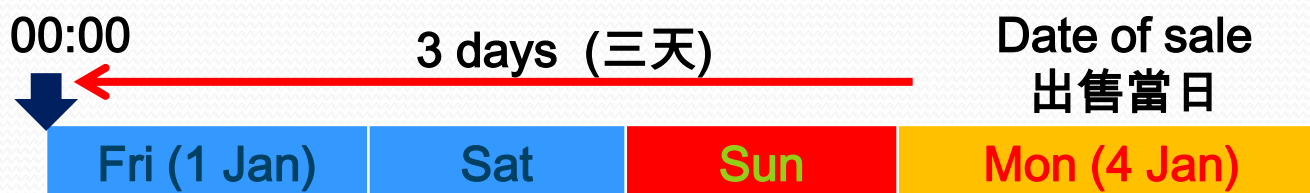
# Preparation and Making Available Price List

## 擬備及提供價單

- Vendors should prepare price list. [Section 29]  
賣方須擬備價單。[第29條]

# Preparation and Making Available Price List

## 擬備及提供價單



- At least a period of 3 days immediately before the date of sale and on a date of sale, the vendors must make available **[Section 32]** –

於緊接出售日期前的最少3日期間內及出售的日期當日，賣方須 **[第32條]**

# Preparation and Making Available Price List

## 擬備及提供價單

- hard copies of relevant price list for the development for collection by the general public free of charge; and  
提供有關價單的印本，供公眾免費領取；及
- an electronic copy of the sales brochure on the website designated by the vendor.

在該發展項目指定的互聯網網站，提供有關價單的電子版本以供閱覽。

# Provision of Price List to SRPA/SRPE

## 提供價單予銷售監管局／銷售資訊網

- On the first day the price list (including price list revised under section 29(4)) is made available to the public, the vendor must provide two hard copies to the SRPA and an electronic copy to the SPRE i.e. by 23:59 on that day.

賣方須於提供價單的印本的首日，即當日23時59分前，向銷售監管局提供價單(包括根據第29(4)條作出修改的價單)的印本兩份及向銷售資訊網提供該價單的電子版本。

# Provision of Price List to SRPA/SRPE

## 提供價單予銷售監管局／銷售資訊網

- Vendors are also advised to send other revised price lists to the SRPA and SRPE on the first day (i.e. by 23:59) on which such price lists are made available to the public.

至於修改其他事項的價單，我們亦建議賣方在提供有關價單予公眾的首日，即當日23時59分前，向銷售監管局及銷售資訊網提供該價單。



# Number of SRP in a Price List

## 價單須涵蓋指明住宅物業的數目

Size of Development 發展項目的規模 (i.e. total number of RP in the development ) (即發展項目的物業總數)	SRP covered in 1st price list 首張價單須涵蓋的指明住宅物業數目	SRP covered in each subsequent price list 其後發出的每張價單須涵蓋的指明 住宅物業數目
30 RP or fewer 30個物業或以下	All 所有指明住宅物業	N/A 不適用
31 to 99 RP 31至99個物業	At least 30 SRP 最少30個指明住宅物業	At least 30 SRP 最少30個指明住宅物業
100 RP or more 100個物業或以上	50 SRP or 20% of the total RP of the development, whichever is higher 50個指明住宅物業，或整個項目單位 總數的20%，以數目較高者為準	At least 10% of the total RP of the development 最少為整個項目物業總數的10%

# Number of SRP in a Price List

## 價單須涵蓋指明住宅物業的數目

- Example – a development with 200 RPs

例子：包括200個住宅物業的發展項目

Price List 價單	Number of SRP in the price list 價單須涵蓋的指明住宅物業數目	Remarks 備註
1 <sup>st</sup> Price list 第一張價單	50	20 % of total RPs of the development, or 50 SRPs (whichever is greater) 住宅物業總數的20%或50個指明住宅 物業 (以較大者為準)
2 <sup>nd</sup> Price List 第二張價單	20	10% out of 200 RPs 200個住宅物業的10%
3 <sup>rd</sup> Price List 第三張價單	20	
4 <sup>th</sup> Price List 第四張價單	20	
...	...	

# Numbering of Price List

## 價單的編號

- Section 31(1)(d) of the Ordinance stipulates that a price list must state its order among all the price lists for the development in terms of the date on which it is printed. Each price list should be assigned a number according to the date of its first printing. For example, there are three price lists for a development and the price lists are printed on 1, 2 and 3 January, they should be named Price List No.1, Price List No. 2, and Price List No.3 respectively.

條例第31(1)(d)條訂明，價單須述明其在發展項目所有價單中按印製日期排列的次序。因此，每份價單須按其首次印製的日期編配號碼。舉例來說，假如發展項目有3份價單，分別在1月1日、1月2日和1月3日印製，1月1日印製的價單應稱為價單第1號，1月2日印製的為價單第2號，1月3日印製的為價單第3號。

# Information in Price List [Section 31]

## 價單的內容 [第31條]

- Name and location of the development  
項目的名稱及位置
- Total number of RP  
項目中的住宅物業的總數
- Date of printing and revisions (if any)  
印製日期及修改的日期(如有)

# Information in Price List [Section 31]

## 價單的內容 [第31條]

- Order among all the price lists

該價單在該項目中的所有價單中按印製日期排列的次序

- Price of the PR and price per sq.ft and per sq. metre on the basis of saleable area

以實用面積表達的住宅物業售價及每平方呎售價及每平方米售價

# Information in Price List [Section 31]

## 價單的內容 [第31條]

- Information on the RP: description (i.e. block/floor/unit number), saleable area, area of the items in Part 1 of Schedule 2 to the Ordinance

住宅物業的資料：描述(即座/層/單位)、實用面積、條例附表2第1部所述項目的面積

- State that the area of the RP is calculated in accordance with the requirements of the Ordinance

述明住宅物業面積是按條例的要求計算

# Information in Price List [Section 31]

## 價單的內容 [第31條]

- Terms of payment, any discount, gift, advantage or benefit  
支付條款、售價獲得折扣的基礎、及連帶獲得的任何贈品、財務優惠或利益
- Party liable for solicitors' fees, stamp duty and charge payable by purchasers for execution of the sale  
誰人負責支付買賣的有關律師費及印花稅、及買方須為買賣該項目中的指明住宅物業簽立任何文件而支付的費用

# Information in Price List [Section 31]

## 價單的內容 [第31條]

- Address of the designated website  
賣方就發展項目指定的互聯網網站的網址
- Advise prospective purchasers to refer to the sales brochure  
建議準買家參照售樓說明書
- Any agent appointed by the vendor  
賣方委任的地產代理



# Information in Price List [Section 31]

## 價單的內容 [第31條]

- Must not set out any information of a SRP other than that required under section 31

除第31條規定的資料外，價單不得列出其他有關該指明住宅物業的資料

# Price List Template

## 價單範本

- A price list template has been included in the Guidelines and Practice Notes on Price List to facilitate compliance with the Ordinance.

價單指引及作業備考均有提供價單範本以協助賣方遵守條例

# Price List Template

## 價單範本

### 第一部份：基本資料 Part 1: Basic Information

發展項目名稱 Name of Development	ABC 花園 ABC Garden	期數(如有) Phase No. (if any)	--
發展項目位置 Location of Development	XX 街 YY 號 No. YY, XX Street		
發展項目（或期數）中的住宅物業的總數 The total number of residential properties in the development (or phase of the development)	200		

印製日期 Date of Printing	價單編號 Number of Price List
1 August 2013	1

### 修改價單(如有) Revision to Price List (if any)

修改日期 Date of Revision	經修改的價單編號 Numbering of Revised Price List	如物業價錢經修改，請以「✓」標示 Please use “✓” to indicate changes to prices of residential properties
		價錢 Price
14 August 2013	1A	✓

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

Price List No. x

# Price List Template

## 價單範本

### 第二部份：面積及售價資料 Part 2: Information on Area and Price

物業的描述 *			實用面積 (包括露台、工作平台及陽台 (如有) 平方米(平方呎) Saleable Area (including balcony, utility platform and verandah, if any) sq. metre (sq. ft.)	售價 (元) Price (\$)	實用面積 每平方米/呎售價 元，每平方米 (元，每平方呎) Unit Rate of Saleable Area \$ per sq. metre (\$ per sq. ft.) #	其他指明項目的面積 (不計算入實用面積) Area of other specified items (Not included in the Saleable Area) 平方米 (平方呎) sq. metre (sq. ft.)									
大廈名稱 Block Name	樓層 Floor	單位 Unit				空調機房 Air-conditioning plant room	窗台 Bay window	閣樓 Cock- loft	平台 Flat roof	花園 Garden	停車位 Parking space	天台 Roof	梯屋 Stair- hood	前庭 Terrace	庭院 Yard
[屋號(House number) / 屋名(Name of the house)]															
5	30	A	53.8(579) 露台 Balcony: 2.0 (22); 工作平台 Utility Platform: 1.5 (16)	6,400,000	118,959 (11,054)	1.1 (12)	1.1 (12)	--	--	--	--	--	--	--	--
		B													
		C													
	29	A	53.8(579) 露台 Balcony: 2.0 (22); 工作平台 Utility Platform: 1.5 (16)	6,200,000	115,242 (10,708)	1.1 (12)	1.1 (12)	--	--	--	--	--	--	--	--
		B													
		C													

\* 以上住宅物業的描述下的項目為同時包括「多單位建築物」及「獨立屋」而訂。就只包括「多單位建築物」的發展項目，該項目只須提供「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，該些項目只須提供「屋號」或「屋名」，視乎何者適用。  
Items under “description” of residential property above are for development with both “multi-unit building(s)” and “house”. 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.

Price List No. x

# Price List Template

## 價單範本

### 第三部份：其他資料 Part 3: Other Information

- (1) 準買家應參閱發展項目的售樓說明書，以了解該項目的資料。  
Prospective purchasers are advised to refer to the sales brochure for the development for any information on the development.
- (2) 根據《一手住宅物業銷售條例》第 52(1)條及第 53(2)及(3)條， -  
According to section 52(1) and 53(2) and (3) of the Residential Properties (First-hand Sales) Ordinance, -

#### 第 52(1)條 / Section 52(1)

在某人就指明住宅物業與擁有人訂立臨時買賣合約時，該人須向擁有人支付售價的 5%的臨時訂金。

A preliminary deposit of 5% of the purchase price is payable by a person to the owner on entering into a preliminary agreement for sale and purchase in respect of the specified residential property with the owner.

#### 第 53(2)條 / Section 53(2)

如某人於某日期訂立臨時買賣合約，並於該日期後的 5 個工作日內，就有關住宅物業簽立買賣合約，則擁有人必須在該日期後的 8 個工作日內，簽立該買賣合約。

If a person executes an agreement for sale and purchase in respect of the residential property within 5 working days after the date on which the person enters into the preliminary agreement for sale and purchase, the owner must execute the agreement for sale and purchase within 8 working days after that date.

#### 第 53(3)條 / Section 53(3)

如某人於某日期訂立臨時買賣合約時，但沒有於該日期後的 5 個工作日內，就有關住宅物業簽立買賣合約，則 - (i) 該臨時合約即告終止；(ii) 有關的臨時訂金即予沒收；及 (iii) 擁有人不得就該人沒有簽立買賣合約而針對該人提出進一步申索。

If a person does not execute an agreement for sale and purchase in respect of the residential property within 5 working days after the date on which the person enters into the preliminary agreement for sale and purchase- (i) the preliminary agreement is terminated;(ii) the preliminary deposit is forfeited; and (iii) the owner does not have any further claim against the person for the failure.



# Price List Template

## 價單範本

- (3) 實用面積及屬該單位其他指明項目的面積是按《一手住宅物業銷售條例》第 8 條及附表二第 2 部的計算得出的。

The saleable area and area of other specified items of the unit are calculated in accordance with section 8 and Part 2 of Schedule 2 of the Residential Properties (First-hand Sales) Ordinance.

[列載下列資料時，請按發展項目的實際情況提供下述(4)、(5)及(6)項方括號內的資料。]

[When stating the following information, please fill in information required under square brackets of items (4), (5) and (6) below according to the actual circumstances of the development.]

- (4) [請於以下位置或夾附此價單的另一張紙提供下述資料：(i) 支付條款；(ii) 售價獲得折扣的基礎；(iii) 可就購買該項目中的指明住宅物業而連帶獲得的任何贈品、財務優惠或利益；(iv) 誰人負責支付買賣該項目中的指明住宅物業的有關律師費及印花稅；及(v) 買方須為就買賣該項目中的指明住宅物業簽立任何文件而支付的費用。]

[如夾附額外的紙張提供此項目所須的資料，請在此說明]

[The following information should be provided in the space below or on a separate sheet annexed to this price list: (i) the terms of payment; (ii) the basis on which any discount on the price is available; (iii) any gift, or any financial advantage or benefit, to be made available in connection with the purchase of a specified residential property in the development; (iv) who is liable to pay the solicitors' fees and stamp duty in connection with the sale and purchase of a specified residential property in the development; and (v) any charges that are payable by a purchaser for execution of any document in relation to the sale and purchase of a specified residential property in the development.]

[Please indicate if an additional sheet is annexed to provide information required under this item]

- (5) 賣方已委任地產代理在發展項目中的指明住宅物業的出售過程中行事：[該地產代理的名稱或姓名 / 無]。請注意：任何人可委任任何地產代理在購買該項目中的指明住宅物業的過程中行事，但亦可以不委任任何地產代理。

Estate agent appointed by the vendor to act in the sale of any specified residential property in the development: [name of the estate agent / NIL]. Please note that a person may appoint any estate agent to act in the purchase of any specified residential property in the development. Also, that person does not necessarily have to appoint any estate agent

- (6) 賣方就發展項目指定的互聯網網站的網址為：[ ]。(註：該網址須以對閱讀該價單的人屬合理可見的方式列出。)

The address of the website designated by the vendor for the development is: [ ]. (Note: That address must be set out in such a manner that it is reasonably visible to any person reading the price list.)

# Revision of Price List

## 修改價單

- The price of a RP may only be set out in one price list. Any change to the price must be reflected in the price list by a revision to the price list. [Section 29(4)]

住宅物業的售價只可於該項目的其中一份價單中列出，如該售價有任何變動，該價單須予修改，以在該價單中反映該項變動。[第29(4)條]

# Revision of Price List

## 修改價單

- If Price List No. 1 is to be changed, the revised price list should be named as Price List No. 1A

若價單1號須修改，經修改的價單應稱為價單1A號

- Price list revised under section 29(4) should be made available to the public in accordance with section 32 (wait for 3 days before sale)

根據第29(4)條修改的價單，須依照第32條規定提供予公眾(須待3天才能出售)



# Revision of Price List

## 修改價單

- Examples of how revisions can be made –  
價單可參照以下例子作出修改

Price 售價 (\$)	Unit Rate of Saleable Area 實用面積呎價 \$ per sq. metre 每平方米售價 (\$ per sq.ft.) (每平方呎售價)
5,000,000	67,275 (6250)
5,200,000	69,966 (6,500)

# Expression of Intent

## 表達意向

- Vendors (including their authorized representatives) should not seek and must reject any specific or general expression of intent of purchasing any residential property before the relevant price lists for such properties are made available to the public.

賣方(包括其授權代表)在提供發展項目中的指明住宅物業的價單的首日之前，不得向任何其他人探求對該等物業的明確或不明確選擇購樓意向，並須拒絕上述意向。

# Expression of Intent

## 表達意向

- Vendors (including their authorized representatives) should not seek and must reject any specific expression of intent of purchasing a particular residential property before the sale of the property has commenced.

賣方(包括其授權代表)在要約出售發展項目中的某指明住宅物業的首日之前，不得向任何其他人探求對該物業的有明確選擇購樓意向，並須拒絕上述意向。

# Show Flat

## 示範單位

- Show flat, in relation to a residential property, means a property unit or structure resembling a property unit, that depicts the RP for viewing by prospective purchaser or by the general public [Section 12]

示範單位 就住宅物業而言，指展示該物業的狀況以供準買方或公眾參觀的物業單位，或搭建成物業單位模樣的構築物 [第12條]

# Show Flat

## 示範單位

- Unmodified show flat depicts the RP as completed property without any modification [Section 36]

無改動示範單位 展示住宅物業在其落成後未經改動的情況 [第36條]

- Modified show flat is the “furnished version” of the RP with its dimensions and other basic elements such as balconies and verandahs remain unchanged [Section 37]

經改動示範單位 展示經粉飾的住宅物業，惟其尺寸及基本元素(例如：露台或陽台)的尺寸維持不變。 [第37條]

# Show Flat

## 示範單位

- Requirements on construction of show flat, including details like display of various plans or notices in show flat are stipulated in sections 39 to 41. In general, notices are required to indicate any differences between the RP and the show flat.

第39條至41條列出關於設置示範單位，包括展示各種圖則或告示的要求。一般而言，賣方須在示範單位內展示告示，列出該示範單位與該住宅物業不同的地方。

# Viewing of Show Flat

## 參觀示範單位

- Vendor is not required to provide show flat. If he/she is to make available show flat of any RP, he/she must first make available an unmodified show flat of the RP. [Section 38]

賣方無須開放示範單位供準買方或公眾參觀。如賣方開放示範單位，須先行提供該物業的無改動示範單位供公眾參觀。[第38條]

# Viewing of Show Flat

## 參觀示範單位

- Vendor must not restrict any person who views an unmodified show flat from taking measurements, taking photographs or making video recordings of the show flat.

[Sections 42(1)]

賣方不得限制參觀無改動示範單位的人士對該示範單位進行量度、拍照或拍影片。

[第42(1)條]



# Viewing of Show Flat

## 參觀示範單位

- Vendor must not restrict any person who views a modified show flat from taking measurements of the show flat.

[Section 42(2)]

賣方不得限制參觀經改動示範單位的人士對該示範單位進行量度。

[第42(2)條]

# Viewing of Show Flat

## 參觀示範單位

- Sections 42(1) and 42(2) do not apply to any restriction that is reasonable in the circumstances for ensuring the safety of the persons viewing the show flat.

如某項限制在有關情況下就確保參觀示範單位的個人安全而言屬合理限制，則第42(1)及42(2)條不適用於該項限制。

# Viewing of Show Flat

## 參觀示範單位

- If the vendor has made available one unmodified show flat of a residential property, he may make available one or more modified show flat of that residential property.

若賣方就某住宅物業提供了無改動示範單位，賣方可就該住宅物業提供一個或多個經改動示範單位。

- There is no requirement on the sequence of viewing those two types of show flats.

條例沒有規定參觀該兩類型示範單位的先後次序。

# Viewing of SRP in Completed Developments

## 參觀已落成指明住宅物業

- Before selling a SRP to a person, the vendor must make available the SRP for viewing by that person. [Section 44(1)]

在指明住宅物業售予某人之前，賣方須開放該物業予該人士以供參觀。

[第44(1)條]

# Viewing of SRP in Completed Developments

## 參觀已落成指明住宅物業

- Vendor is not required to comply with section 44(1) if it is not reasonably practicable for the SRP to be viewed and the vendor has made a comparable RP available for viewing; or if it is not reasonably practicable for any comparable RP to be viewed and the person agrees in writing that the vendor is not required to make available comparable RP for viewing. [Section 44(2)]

如開放有關物業供參觀，並非合理地切實可行；及賣方已開放與有關物業相若的住宅物業以供參觀；或開放有關物業相若的住宅物業以供參觀並非合理地切實可行，而買方以書面同意賣方無須在有關物業售予他人之前，開放與有關物業相若的住宅物業以供參觀，賣方無須遵循第44(1)條規定。[第44(2)條]

# Viewing of SRP in Completed Developments

## 參觀已落成指明住宅物業

- Vendor must not restrict any person who views SRP under section 44(1) from taking measurements, taking photographs or making video recordings of the SRP. [Section 46(1)]

賣方不得限制為施行第44(1)條而參觀住宅物業的人士對該物業進行量度、拍照或拍影片。[第46(1)條]

# Viewing of SRP in Completed Developments

## 參觀已落成指明住宅物業

- Section 46(1) does not apply [Section 46(2) or (3)] –  
第46(1)條不適用於 [第46(2)及(3)條] –
  - to any restriction that is reasonable in the circumstances for ensuring the safety of the persons viewing the RP; or  
如某項限制在有關情況下就確保參觀住宅物業的人安全而言屬合理限制；或
  - if the RP is held under a tenancy.  
住宅物業根據租約持有。

# Preparation of and Making Available Document on Sales Arrangements

## 擬備及提供銷售安排文件



At least 3 days immediately before the date of sale and on a date of sale, vendor must make available hard copies of a document for collection by the public free of charge and an electronic copy of the document at the designated website, which contains the following information relating to sales arrangements [Section 47] –

在緊接出售的日期前的最少3日期間內及在該日期當日，賣方須提供以下關於銷售安排資料的文件的印本，供公眾免費領取；及在其指定的互聯網網站，提供以下關於銷售安排的資料供閱覽[第47條] –



# Preparation of and Making Available Document on Sales Arrangements

## 擬備及提供銷售安排文件

- Date, time and place of RP offered for sale;  
有關指明住宅物業提供出售的日期、時間及地點
- Number and description of RP offered for sale; and  
提供出售的發展項目中的指明住宅物業的數目；  
及

# Preparation of and Making Available Document on Sales Arrangements

## 擬備及提供銷售安排文件

- The method to be used to determine the order of priority.  
決定優先次序的方法。

# Revisions of Sales Arrangements

## 修改銷售安排

- If any part of the sales arrangements has to be revised subsequent to its first issue, vendors should make available the revised sales arrangements on its website for inspection and hard copies for collection by the public.

若銷售安排公布後須作出修改，賣方須提供已修改的銷售安排在其指定的互聯網網站上予公眾查閱，並提供已修改文件的印本，供公眾免費領取。

# Revisions of Sales Arrangements

## 修改銷售安排

- If changes are made to the sales arrangements, the RP affected by the changes should only be sold or offered to be sold after the revised sales arrangements have been made available to the public for at least 3 days. Examples are –

若銷售安排須作出修改，受有關修改影響的住宅物業只可於該已修改的銷售安排向公眾公布後最少3天，才能出售或提供出售。例如 –

# Revisions of Sales Arrangements

## 修改銷售安排

- If the original document stated that the sales office is at location A and subsequently another sales office is arranged at location B, the sale can continue at location A but can only start at location B after the revised sales arrangements have been made available to the public for at least 3 days under section 47(1) of the Ordinance.

如在載有銷售安排的原有文件中，指明售樓處位於地點A，若其後安排新設地點B為售樓處，地點A可繼續售樓，惟地點B只可於有關已修改的銷售安排根據條例第47(1)條公布之後最少3天才能開始售樓。

# Revisions of Sales Arrangements

## 修改銷售安排

- If the vendor wishes to offer additional RP for sale, it may issue another document of sales arrangements to cover the arrangements for the sale of the additional RP and follow the requirements under section 47(1) of the Ordinance. Alternatively, the vendor may amend the previous document on sales arrangements to announce the sale of the additional RP.

若賣方加推住宅物業銷售，賣方可選擇根據條例第47(1)條，發出新的銷售安排文件以涵蓋加推的住宅物業；或修改原本的銷售安排文件，以涵蓋加推的住宅物業。

# Provision of Documents at Sales Office under Section 48

## 第48條要求在售樓處提供的文件

- On the date of sale, vendor should make available the following for viewing by the general public in relation to the development at the sales office [Section 48] –

在出售的日期當日，賣方須在售樓處提供以下項目，供公眾免費閱覽 [第48條] –

- outline zoning plan;  
分區計劃大綱圖;

# Provision of Documents at Sales Office under Section 48

## 第48條要求在售樓處提供的文件

- approved building plans;  
經批准的建築圖則;
- deed of mutual covenant (DMC);  
公契;
- land grant; and  
批地文件; 及
- aerial photograph.  
鳥瞰照片。



# Provision of Documents at Designated Website under Section 49

## 第49條要求在指定的互聯網網站提供的文件

- On the date of sale, vendor must make available the DMC and aerial photograph of the development on the designated website. [Section 49]

在出售的日期當日，賣方須在指定的互聯網網站，提供公契及該項目的鳥瞰照片供閱覽。 [第49條]

# Conveyancing Procedures

## 業權轉易程序

Signing of PASP (preliminary deposit:  
5 % of the flat price) [section 52(1)]  
簽署臨時買賣合約  
(臨時訂金：樓價5%)



Signing of the ASP by the purchaser  
within 5 working days after signing  
PASP [section 53(2)]

買方於簽署臨時買賣合約5個工作天內  
簽署買賣合約



Signing of ASP by the vendor within 8  
working days after signing PASP  
unless the buyer does not proceed  
[section 53(2)]

除非買方放棄，賣方須於簽署臨時買賣  
合約8個工作天內簽署買賣合約。



If the purchaser does not want  
to proceed with the purchase,  
the preliminary deposit will be  
forfeited. [section 53(2)(b)]

如買方放棄進行買賣，臨時訂金  
將被沒收。

# PASP and ASP

## 臨時買賣合約及買賣合約

- Owner must not enter into PASP/ASP unless the PASP/ASP contains the mandatory provisions in the Schedules. [Sections 54 & 55]

擁有人不得就指明住宅物業與任何人訂立臨時買賣合約／買賣合約，除非該臨時買賣合約／買賣合約載有條例附表的強制條文。[第54及55條]

# PASP and ASP

## 臨時買賣合約及買賣合約

- The wording of the mandatory provisions cannot be varied except insertions/deletions made in accordance with the instructions specified therein.

強制條文的用語並不可變更，根據指示插入/刪除資料則除外。

- There is no requirement on the sequence of the mandatory provisions.

條例並沒有規定強制條文的次序。

# PASP and ASP

## 臨時買賣合約及買賣合約

- Vendors may add clause(s) to the PASP and ASP on his own but such clauses should not be inconsistent with the mandatory provisions to be contained in the agreement.

賣方可於臨時買賣合約及買賣合約附加條款，但條款不可與強制條文不一致。

# Preparation of and Making Available Register of Transactions

## 擬備及提供成交紀錄冊

- On the first day of sale, vendor must make available the Register of Transactions (the Register) for inspection by the public free of charge at the sales office.

在出售的日期當日，賣方須在售樓處提供發展項目的成交紀錄冊，供公眾免費閱覽。

# Preparation of and Making Available Register

## 擬備及提供成交紀錄冊

- From the date on which the Register is first made available to the public until the first date on which the first assignment of all SRP in the development has been registered in the Land Registry, the vendor must provide an electronic copy of the Register for inspection on the designated website.

從成交紀錄冊首度供公眾閱覽的日期開始，至每一住宅物業的首份轉讓契均已於土地註冊處註冊的首日完結期間，賣方須在指定的互聯網網站，提供有關成交紀錄冊的電子版本供閱覽。

# Preparation of and Making Available Register

## 擬備及提供成交紀錄冊

- As soon as practicable after the vendor has made an entry in the Register, the vendor must provide an electronic copy of the Register to the SRPE. Such requirement is considered complied with if the vendor submits the electronic copy to the SRPE within the timeframe under section 59.

賣方在發展項目的成交紀錄冊記入記項後，須在切實可行範圍內，盡快向銷售資訊網提供該成交紀錄冊的電子版本。若賣方根據第59條所列時限，向銷售資訊網提交有關的成交紀錄冊的電子版本，將被視作符合有關要求。



# Preparation of and Making Available Register

## 擬備及提供成交紀錄冊

- Vendors are advised to take steps to remind the readers of the Register the purpose of the Register and that personal data in the Register should not be used for any purpose not related to the purpose.

我們建議賣方提醒讀者成交紀錄冊備存的目的，以及該紀錄冊所載的個人資料不應用於其他用途。

# Timing of Entries in the Register

## 向成交紀錄冊提供資料的時間

- Vendors must enter transaction information concerning PASP in the register within 24 hours after the owner has entered into the PASP. [Section 59(2)(a)]

賣方須在擁有人訂立臨時買賣合約之後的24小時之內，將詳情記入成交紀錄冊。 [第59(2)(a)條]

# Timing of Entries in the Register

## 向成交紀錄冊提供資料的時間

- Vendor must enter transaction information concerning ASP in the register within 1 working day after the owner has entered into the ASP. [Section 59(2)(b)]

賣方須在擁有人就住宅物業與該另一人訂立買賣合約的日期之後的1個工作日之內，將該合約的日期記入成交紀錄冊。 [第59(2)(b)條]

# Timing of Entries in the Register

## 向成交紀錄冊提供資料的時間

- If the purchaser has not entered into an ASP within 5 working days after the date on which the PASP is entered into, vendor must indicate in the register on the 6th working day after the date of the PASP that the PASP has not proceeded further.  
[Section 59(2)(c)]

如買方沒有在簽訂臨時買賣合約的日期之後的5個工作日之內，簽訂買賣合約，則賣方須在該日期之後的第6個工作日，將該事實記入成交紀錄冊。  
[第59(2)(c)條]

# Timing of Entries in the Register

## 向成交紀錄冊提供資料的時間

- If an ASP is terminated, vendor must enter that date in the register within 1 working day after an ASP is terminated.  
[Section 59(5)]

如買賣合約於某日期遭終止，賣方須在該日期之後的1個工作日之內，將該日期記入成交紀錄冊。  
[第59(5)條]

# Timing of Entries in the Register

## 向成交紀錄冊提供資料的時間

- Within 1 working day after the date on which the price of the RP is revised according to section 35(2), vendor must enter the details and that date in the register. [Section 59(4)]

在住宅物業的售價根據第35(2)條修改的日期之後的1個工作日之內，賣方須將有關細節及該日期記入成交紀錄冊。 [第59(4)條]

# Major Information in the Register [Section 59]

## 成交紀錄冊的內容 [第59條]

- Description of the SRP (and parking space sold in the same agreement, if any)  
該物業的描述(與該物業一併出售的停車位，如有)
- Date of PASP & ASP  
臨時買賣合約及買賣合約的日期
- Transaction price  
成交價

# Major Information in the Register [Section 59]

## 成交紀錄冊的內容 [第59條]

- Terms of payment (include any discount, gift, financial advantage or benefit)

支付條款(包括任何折扣、贈品、財務優惠或利益)

- Whether the purchaser is or is not a related party to the vendor

買方是否賣方的有關連人士



# Major Information in the Register [Section 59]

## 成交紀錄冊的內容 [第59條]

- A Register template has been included in the Guidelines and Practice Notes on Register to facilitate compliance of the Ordinance.

成交紀錄冊指引及作業備考提供了成交紀錄冊範本以協助賣方遵循條例。

# Register Template

## 成交紀錄冊範本

(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			

# Revision to an Entry in the Register

## 修改成交紀錄冊的記項

	<p>The purchaser is a related party to the vendor 買方是賣方的有關連人士</p>
<p><b>Scenario 1 處境1</b> From a related party to an unrelated party 由屬有關連的人士修改為沒有 有關連的人士</p>	<p>√ (revised on DD/MM/YYYY) (修改於 某年某月某日)</p>
<p><b>Scenario 2 處境2</b> From an unrelated party to a related party 由沒有有關連的人士修改為有關 連的人士</p>	<p>√ (revised on DD/MM/YYYY) (修改於 某年某月某日)</p>

# General Requirements on Advertisements

## 廣告的一般規定

- An advertisement must state –  
廣告須述明 –
  - if the advertisement is published by the vendor or a person with vendor's consent, such fact. [Section 71(1)]  
如廣告由賣方發布，或在賣方的同意下由另一人發布，該廣告須述明該事。 [第71(1)條]

# General Requirements on Advertisements

## 廣告的一般規定

- for uncompleted development/or uncompleted development pending compliance, the estimated material date for the development.

就未落成發展項目或尚待符合條件的已落成發展項目而言，該廣告須述明該項目的預計關鍵日期。

# General Requirements on Advertisements

## 廣告的一般規定

- If the sales brochure for the development has been made available at the time when the advertisement is published, a notice reminding the prospective purchasers to refer to the sales brochure should be included in the advertisement.

假如發展項目的售樓說明書在廣告發布之前已向公眾提供，有關廣告須載有告示提醒準買家參閱售樓說明書。

# General Requirements on Advertisements

## 廣告的一般規定

- An advertisement must not give information on the size and unit price of any SRP other than by reference to saleable area. [Section 71(4)]

除以指明住宅物業的實用面積計算的單位售價外，廣告不得提供該物業的面積或單位售價的資料。 [第71(4)條]

# Additional Requirements on Printed Advertisements

## 印製廣告的附加規定

Printed Advertisements must state –  
印製廣告須述明 –

- the district as stated in the OZP, the name of the street the development is situated and the street number allocated by Rating and Valuation Department. [Section 73(2)]

根據分區計劃大綱圖所示的區域、街道的名稱及  
由差餉物業估價署署長編配的門牌號數 [第73(2)  
條]



# Additional Requirements on Printed Advertisements

## 印製廣告的附加規定

- names of the following [Section 73(3)] –  
下列名稱 [第73(3)條] –
  - the vendor and every holding company  
賣方的名稱及其每間控權公司的名稱
  - the authorized person and his/her firm  
認可人士的名稱以及其商號或法團名稱

# Additional Requirements on Printed Advertisements

## 印製廣告的附加規定

- the building contractor  
承建商的名稱
- the authorized institution (e.g. bank) and any other person who has made a loan for the construction for the development

認可機構(例如：銀行)及其他為該項建造提供貸款人士的名稱

# Additional Requirements on Printed Advertisements

## 印製廣告的附加規定

- address of the designated website by the vendor [Section 73(5)]

賣方的指定互聯網網站的網址 [第73(5)條]

- printing date [Section 73(6)]

印製日期 [第73(6)條]

# Offence relating to Advertisements

## 與廣告有關的罪行

A person commits an offence if he/she publishes, or causes to be published, an advertisement containing information that is false or misleading in a material particular and he/she knows, or is reckless as to whether, the information is false or misleading. [Section 70]

如任何人發布載有在要項上屬虛假或具誤導性的資料的廣告，或安排發布該廣告；而該人知道該資料在該要項上屬虛假或具誤導性，或罔顧該資料在該要項上是否屬虛假或具誤導性，該人即屬犯罪。

[第70條]

# Misrepresentation

## 失實陳述

A person makes a fraudulent misrepresentation if he/she makes  
[Section 75(1)] –

任何人在下述情況下，即屬作出具欺詐性的失實陳述  
[第75(1)條] –

# Misrepresentation

## 失實陳述

- a statement that is false, misleading or deceptive; or  
陳述是虛假、具誤導性或具欺騙性的；或
- a promise that he knows is incapable of being fulfilled or he/she has no intention to fulfilling.

作出某承諾時，該人知道該承諾是無法履行的或該人無意履行該承諾。

# Misrepresentation

## 失實陳述

A person makes a reckless misrepresentation if he/she recklessly

[Section 75(2)] –

在下述情況下，即屬作出罔顧實情的失實陳述

[第75(2)條] –

- makes a statement that is false, misleading or deceptive;  
陳述是虛假、具誤導性或具欺騙性的；

# Misrepresentation

## 失實陳述

- makes a promise that is incapable of being fulfilled; or  
作出某承諾時，該承諾是無法履行的；或
- omits a material fact from a statement which renders the statement false, misleading or deceptive.

在陳述中遺漏某項事關重要的事實，以致該陳述變得虛假、具誤導性或具欺騙性。



# Dissemination of False or Misleading Information

## 傳布虛假或具誤導性資料

A person commits an offence if he/she knows, or is reckless as to whether, a piece of information is false or misleading and he/she disseminates or authorizes or is concerned in the dissemination of such false or misleading information to induce another person to purchase any SRP.

[Section 78]

如某人傳布任何資料，或授權傳布任何資料，或關涉於任何資料的傳布中，而該資料相當可能會誘使另一人購買任何指明住宅物業；而該資料在某事關重要的事實方面，是虛假或具誤導性的，而該人知道此事或罔顧該資料是否如此，該人即屬犯罪。

[第78條]

# Defence Provisions [Part 5 (Sections 79 to 85)]

## 免責辯護條文 [第5部 (第79至85條)]

- If a person is charged with an offence under Part 2 or 3 (other than section 70), it is a defence to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence. [Section 79]

被控犯第2 或3 部( 第70 條除外) 所訂罪行的人，如證明自己已採取所有合理預防措施，並已作出所有應有努力，以避免犯該罪行，即可以此作為免責辯護。 [第79條]

# Defence Provisions [Part 5 (Sections 79 to 85)]

## 免責辯護條文 [第5部 (第79至85條)]

- Defence provisions for contravention in relation to issue, reproduction, re-transmission or live broadcast of information or advertisement, are provided for in sections 81 to 83.

第81至83條列出了關於發出、複製、再次傳送或直播資料或廣告的免責辯護條文。

# Penalties

## 罰則

- The maximum penalty for minor offences that are regulatory in nature is a fine at level 6 (i.e. \$100,000) (e.g. a failure to provide building plans for free public inspection).

罪行屬性質輕微的規章性過失最高會處第6級罰款（即10萬元）（例如未有提供建築圖則供公眾免費查閱）。

# Penalties

## 罰則

- For offences that may directly affect and potentially bring financial loss to prospective purchasers, the maximum penalty is a fine of \$500,000 to \$1,000,000 (e.g. failure to disclose transaction information).

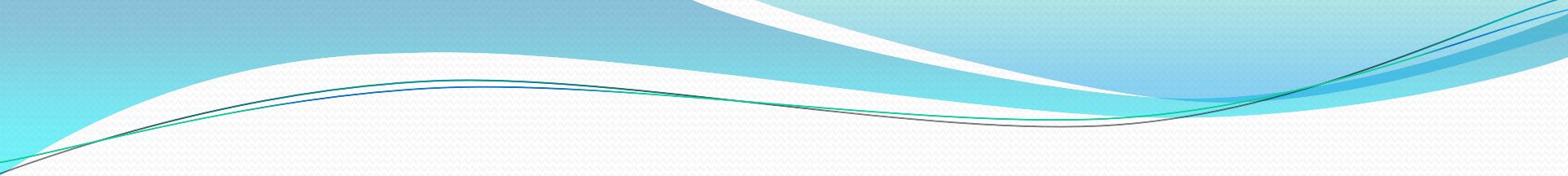
對準買家可能造成直接影響和為其帶來潛在財務損失的罪行，最高罰款50萬至100萬元（例如未有披露成交資料）。

# Penalties

## 罰則

- For serious offences, maximum penalties range from a fine of \$500,000 to \$5,000,000 plus imprisonment up to a maximum of 6 months to 7 years (e.g. misrepresentation and dissemination of false or misleading information ).

至於性質嚴重的罪行，最高罰款由50萬至500萬元不等，另最高可判處監禁六個月至七年（例如作出失實陳述及傳布虛假或具誤導性的資料）。



The above slides have summarised the major requirements in the Ordinance and therefore the wording is not exactly the same as in the Ordinance. Vendors are advised to make reference to the exact wording used in the Ordinance.

上述的投映片撮要了條例的主要要求，因此所採用的用字跟條例並不完全相同。我們建議賣方應參考條例的用語。



- THE END -

完