



與牌照委員會主席劉詩韻女士，JP 訪談

本期《專業天地》專訪了監管局牌照委員會主席劉詩韻女士，JP，以了解有關牌照委員會的工作；劉女士分享了她參與監管局工作的經驗。



牌照委員會主席
劉詩韻女士
Ms Serena Lau,
Chairman of
the Licensing Committee

問：編者

答：劉詩韻女士

問：在地產代理的監管制度中，嚴謹的把關機制是十分重要的。你會如何評價監管局牌照委員會的把關工作呢？

答：監管局十分明白把關的重要性，因為這是有效的地產代理監管制度的基礎。牌照委員會的其中一個主要職能，便是審閱並批准或拒絕牌照申請。我們致力確保只有被監管局認為是「適當人選」、並符合所有法定發牌條件的人士，才能加入這個行業。這不僅為了保障消費者，也對整體業界有利。牌照委員會及行政部門一直都嚴格執行嚴謹的把關措施。

問：數字顯示，牌照申請者使用虛假／偽造學歷證明文件的個案大幅上升。你會如何領導牌照委員會應付這個問題？

答：牌照委員會的工作保持不變。然而，涉及使用虛假／偽造學歷證明文件的個案數字的確有所增加。牌照委員會會竭盡全力，仔細審閱每一宗由行政部門提交給委員會的可疑個案。使用虛假／偽造學歷證明文件是絕對不能容忍的罪行，我們絕不容許那些使用虛假／偽造學歷證明文件的人士加入地產代理行業。

另一方面，我們也關注牌照申請人取得的學歷的質素。舉例說，牌照申請人可能僅僅在多年前完成中學一年級教育，但聲稱修畢一個短期課程後，便完成了中學五年級的教育程度。這些情況會令人對其學歷產生懷疑，我們可能會花多些時間審視其個案。

問：有持牌人被監管局撤銷牌照，部份個案是由牌照委員會決定的。有些人認為這未免有點苛刻，你對此有何看法？

答：任何人士必須被監管局認為是「適當人選」才可獲批給、持有或繼續持有牌照。如果牌照委員會認為該持牌人不再是「適當人選」的話，我們別無選擇，只可撤銷其牌照。牌照委員會所採用的準則一直沒有改變。然而，沒有一個直接快速的答案可說明在甚麼情況下，牌照會被撤銷或牌照申請會被拒絕。在一些情況下，假如持牌人／牌照申請者曾被刑事定罪，牌照委員會會在決定批給／拒絕該牌照申請或撤銷其牌照之前，查核該人士的個案，以考慮該人士是否屬「適當人選」。我們必須認真考慮到有關人士的誠信和操守，因為這是地產代理應具備的條件之一。在制衡機制方面，凡牌照申請被拒絕或牌照被撤銷，有關人士可就該決定以書面形式向運輸及房屋局局長提出上訴。

問：業界正面對經營困難，持牌人數目亦下降，你對此情況有何意見？這又會否影響牌照委員會的工作？

答：我明白業界正處於艱苦經營時期，但我相信他們過往曾經歷過類似的風浪，有足夠的經驗去應對房地產市場的起伏。在現時的市場情況下，持牌人數目或新入行人數下降是無可避免的，但監管局和牌照委員會的工作不會因此而受到影響。無論市況如何，我們的把關工作都一如既往，秉持同一標準和原則。

問：作為牌照委員會的主席，你認為新入行的地產代理應具備怎樣的條件？

答：發牌條件始終如一，有關人士符合有關的發牌條件的話，便可獲批給牌照。然而，我同意地產代理應在符合此基本要求之上，具備一些額外的素質，以滿足日益提高的公眾期望，並有能力在行內競爭。因此，我非常推介持牌人多加參與監管局的持續專業進修計劃，以提升專業水平。



問：你由2008年起加入監管局董事局，可否與我們分享你對監管局工作及從業員水平的看法？

答：一分耕耘，一分收穫。經過董事局及行政部門不懈的努力，監管局已在穩固的基礎上成長不少，業界也普遍比以前進步，雖然仍有害群之馬。這正好解釋了監管局於1997年成立的原因，就是要引領地產代理業向正確的方向發展。我很榮幸能夠參與其中，以自己的專業協助監管局成長。

問：作為一位經驗豐富的专业測量師，你在忙碌的工作之外，還非常積極參與公共事務，可否分享一下你如何分配時間，在工作與生活上取得平衡？

答：在貢獻社會的同時又能獲得新知識，這實在是無與倫比的經驗。我的公職大多涉及我的專業知識，而我也十分樂此不疲參與其中。我花在公職上的時間，佔去我部分處理公司業務的時間及一些私人時間。在通信科技日益先進的情況下，加上我的公司業務又漸上軌道，我可以更好地分配在工作及私人的時間。經過辛勞的一天，我會與家人留在家中，陪伴女兒溫習功課，和她一起溫故知新。



An Interview with Ms Serena Lau Sze-wan, JP, Chairman of the Licensing Committee

In this issue of *Horizons*, we interview Ms Serena Lau Sze-wan, JP, Chairman of the EAA Licensing Committee, with a view to understanding more about the work of the Licensing Committee. She also shares with us her experiences of participating in the EAA's work.

Q: Editor A: Ms Serena Lau Sze-wan

Q: A rigorous gatekeeping mechanism plays an important role in the regulatory regime of estate agents. How would you appraise the gatekeeping work of the EAA Licensing Committee?

A: The EAA understands well the importance of gatekeeping as it is the essence of an effective regulatory regime of estate agents. One of the key functions of the Licensing Committee is to consider and to approve or refuse applications for licences. We strive to ensure that only those who are “fit and proper” and otherwise meeting all the licensing requirements are allowed to practise in the trade. It is not only for the protection of the consumers but also for the benefit of the trade as a whole. Stringent gatekeeping measures have been rigorously executed by the Licensing Committee and the Administration.

Q: Figures showed that there is a drastic increase in the number of cases concerning the use of false/forged documents for educational attainment in licence applications. How would you lead the Licensing Committee to tackle the situation?

A: The work of the Licensing Committee remains the same. However, the figures of such cases concerning the use of false/forged documents for educational attainment are indeed rising and the Licensing Committee spares no effort in reviewing in detail the suspicious cases brought to the Committee by the Administration. Using false/forged documents for educational attainment is an intolerable offence and we

would not allow applicants who use false/forged documents to enter into the trade.

On the other hand, we are also concerned about the quality of the educational qualification that licence applicants claim to have completed. For example, an applicant might claim he/she has completed a Form-five education after taking a short course but prior to enrolling into such a short course, he/she has only completed a Form-one education many years ago. Such cases cast doubts on the quality of the educational qualification and we might spend more time in determining such cases.

Q: There are a number of licences revoked by the EAA, and some of the decisions were made by the Licensing Committee. Some may think that it is a little too harsh. What do you think?

A: In order to be granted, hold or continue to hold a licence, an individual must be considered a “fit and proper” person by the EAA. If the Licensing Committee considers that a licensee is no longer a “fit and proper” person, then we have no other options but to revoke his/her licence. The yardstick that the Committee adopts is all along the same. That said, there is no quick answer to under what circumstances a licence will be revoked or a licence application will be refused. In some cases, for example, if a licensee/licence applicant has been convicted of a criminal offence, the Licensing Committee may look into his/her case to decide whether he/she is “fit and proper”, before deciding to grant or refuse his/her application or revoke his/her licence. We have to carefully consider the



integrity and conduct of the individual as it is one of the many qualities that an estate agent should possess. Checks and balances are also in place. For refusal of licence application or revocation of licence, the individual may appeal against the EAA's decision by filing a notice with the Secretary for Transport and Housing.

Q: The trade has been facing quite a difficult time and the number of licensees has dropped. What do you think of the situation? Will it affect the work of the Licensing Committee?

A: I understand that the trade is now experiencing a rough time in doing their business. However, I believe they are experienced in dealing with the ups and downs of the property market, as they have also fought similar waves in the past. It is inevitable that in such market conditions the number of licensees or new entrants could drop, but the work of the EAA, including the Licensing Committee, should not be affected. Our gatekeeping work is consistent and irrespective of any market conditions. The standard and benchmarking is always the same.

Q: As the Chairman of the Licensing Committee, what are your views about the qualities that the newcomers of the estate agency trade should possess?

A: The licensing requirements have been the same. An individual will be granted a licence if he/she meets the requirements. However, I agree that an estate agent should possess qualities on top of the basic requirements in order to meet the rising public expectations and compete in the trade. Therefore, I strongly recommend licensees to participate in the EAA's Continuing Professional Development Scheme to advance their professional level.

Q: You have been an EAA board member since 2008. Could you share your views about the EAA's work and the standard of the practitioners?

A: As you sow, so shall you reap. With the unremitting efforts contributed by the EAA Board and Administration, the EAA has grown a lot on a solid foundation and the trade has progressed to be generally better than they were years ago. However, there are still black sheep. That is the reason why the EAA was set up in 1997 – to lead the trade on the right track for betterment. I am honored to participate in the process and contribute my knowledge to the EAA's growth.

Q: You are an experienced professional surveyor intensively involved in the public services, how do you allocate your time and achieve a work-life balance?

A: Nothing is better than contributing to the community and acquiring some new knowledge at the same time. The public services I participate in usually involve my professional knowledge and I very much enjoy it. The time spent on such public services took away some of my time I originally spent on my company business and some of my personal time. With the advancing communication technology and my company business getting on the right track, I can better balance my time for the participation in the public services and my own company business and personal life. After a long day, I will stay with my family at home and refresh my knowledge while accompanying my daughter to study.