

作為把關者
As a Gatekeeper





作為把關者：資格考試及發牌

在整套地產代理監管制度中，嚴謹的把關機制十分重要。透過舉辦資格考試及審批牌照申請，監管局致力確保只有達到一定水平的人士，才能加入這個行業。

資格考試

資格考試旨在評估有志加入地產代理業的人士是否具備提供地產代理服務所需的知識。目前共有兩類資格考試：(i) 地產代理資格考試及 (ii) 營業員資格考試。

資格考試由香港考試及評核局代表監管局舉辦。



資格考試旨在評估新入行人士是否具備執業所需的專業知識。
The qualifying examinations aim to assess whether new entrants possess the requisite knowledge to provide estate agency services.

地產代理資格考試與營業員資格考試的比較如下：

	地產代理資格考試	營業員資格考試
次數	每年 4 次	每年 6 次
考試時間	3 小時	2 小時 30 分鐘
試題數目	第一部分：30 條獨立試題 第二部分：20 條試題（依據一至兩個個案分析）	第一部分：40 條獨立試題 第二部分：10 條試題（依據一至兩個個案分析）
形式	多項選擇題	
合格分數	每部分最少需答對 60%	



As a Gatekeeper: Qualifying Examination and Licensing

A rigorous gate-keeping mechanism plays an important role in the regulatory regime of estate agents. Through organising qualifying examinations and scrutinising licence applications, the EAA strives to ensure that only those who meet the required standards be allowed to practise in the trade.

Qualifying Examinations

The qualifying examinations serve to assess whether persons who wish to practise in the estate agency trade possess the requisite knowledge to provide estate agency services. Currently, there are two types of qualifying examinations: (i) the Estate Agents Qualifying Examination ("EAQE") and (ii) the Salespersons Qualifying Examination ("SQE").

The qualifying examinations are administered by the Hong Kong Examinations and Assessment Authority on behalf of the EAA.

A comparison of the EAQE and SQE is as follows:

	EAQE	SQE
Frequency	4 times a year	6 times a year
Examination Time	3 hours	2 hours 30 minutes
Number of Questions	Part 1: 30 stand-alone questions Part 2: 20 questions based on one or two case studies	Part 1: 40 stand-alone questions Part 2: 10 questions based on one or two case studies
Format	Multiple-choice questions	
Pass Mark	At least 60% of correct answers in each part	

Part 1 of the examination paper is intended to test candidates' knowledge of various parts of the syllabi of the EAQE and SQE, including the EAO and its subsidiary legislation, the *Code of Ethics*, practice circulars, and other relevant laws and practices applicable to the estate agency practice.

Part 2 of the examination paper, which contains one or two case studies, is intended to test in an integrated way the practical knowledge expected of estate agents or salespersons, including interpretation of land search, use of prescribed forms, the requirements under the regulatory regime, other practical issues such as conveyancing and tenancy, and the ethical standards and professional integrity required of estate agents or salespersons in the performance of estate agency work.

Since licensed estate agents could undertake an estate agency business in addition to being an estate agent, the questions in the examination paper of the EAQE also test the knowledge expected of estate agents in property valuation, effective management of agency and supervision of salespersons in the compliance of the requirements under the regulatory regime. These areas are not included in the syllabus of the SQE.



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試題的第一部分測試考生對地產代理資格考試及營業員資格考試內容綱要中各個範疇的認識，其中包括《地產代理條例》及其附屬法例、《操守守則》、執業通告，以及其他適用於地產代理實務的相關法例及執業手法。

試題的第二部分通過一個或兩個個案研究，綜合測試考生就地產代理或營業員應具備的執業知識，包括對土地查冊的理解、訂明表格的使用、監管制度的規定、有關物業買賣和租務等其他實務事宜，以及地產代理或營業員在從事地產代理工作時必備的道德標準及專業操守。

由於持牌地產代理不僅可擔任地產代理，還可經營地產代理業務，因此地產代理資格考試的試題亦會測試考生就地產代理在物業估值、有效管理代理業務及監督營業員以符合規管制度等方面應具備的知識。營業員資格考試的考試內容綱要並不包括這些範疇。

報考人數

在2013/14年度，報考地產代理資格考試及營業員資格考試的人數分別為4,885人及5,412人，較去年分別下降約35.7%及46.3%。

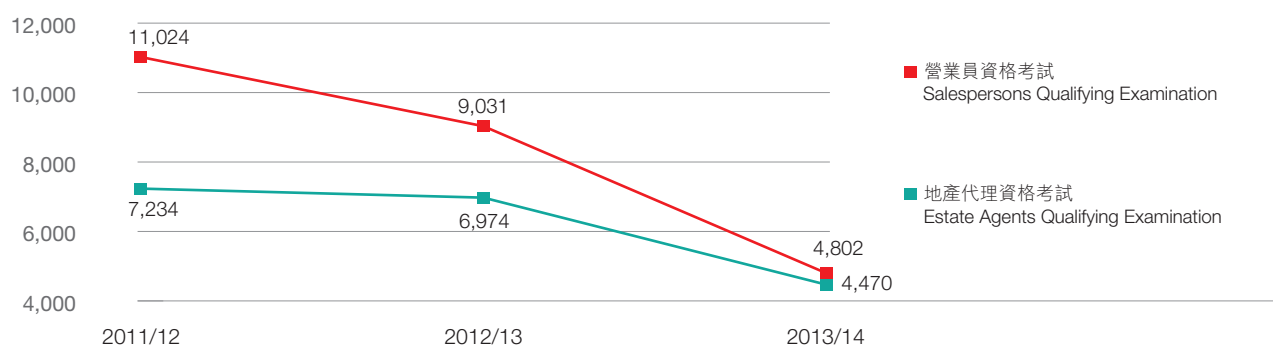
與2012/13年度相比，實際應考地產代理資格考試及營業員資格考試的人數，分別下降約35.9%及46.8%至4,470人及4,802人。

在2013/14年度，地產代理資格考試及營業員資格考試的平均合格率為39.6%及40.9%，而2012/13年度兩個考試的合格率則同為46.1%。

參加資格考試的高學歷考生人數越來越多。數據顯示，高學歷考生的合格率高於較低學歷的考生，這點亦很合乎情理。在2013/14年度報考營業員資格考試的考生中，具備大專或以上學歷的比率約有27%，至於地產代理資格考試，具備大專或以上學歷的考生比率則約為41%，而2012/13年度的比率則分別為26%及39%。

考生當中不乏學生及來自各行各業的人士，包括物業管理、建築與測量、銀行、會計、零售及批發。首次參加資格考試的人士約有49%。

資格考試考生人數
Number of Candidates of Qualifying Examinations





As a Gatekeeper: Qualifying Examination and Licensing

Number of Candidates

A total of 4,885 candidates registered for the EAQE and 5,412 candidates registered for the SQE in 2013/14, which was a decrease of about 35.7% and 46.3%, as compared to those of the previous year.

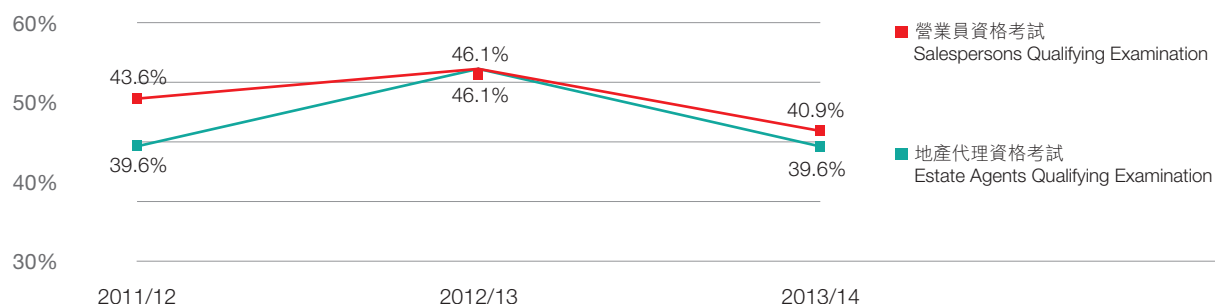
Compared to that in 2012/13, the number of candidates actually sitting the EAQE and SQE decreased by about 35.9% and 46.8% to 4,470 and 4,802 respectively.

In 2013/14, the average pass rate for the EAQE and SQE were 39.6% and 40.9%, as against 46.1% for both examinations in 2012/13.

Increasingly more candidates with higher educational levels sat for the qualifying examinations. Statistics indicated that the pass rates of candidates with higher educational qualifications were higher than those of candidates with lower educational qualifications, which was quite logical. In 2013/14, the percentage of candidates taking the SQE who were of tertiary or above educational level was about 27%, and that for the EAQE was about 41%, as compared to 26% and 39% in 2012/13.

Candidates included students and people from a wide range of occupational backgrounds, including property management, construction and surveying, banking, accounting, retail and wholesale business. About 49% of the candidates sat the examination for the first time.

資格考試合格率 Pass Rates of Qualifying Examinations

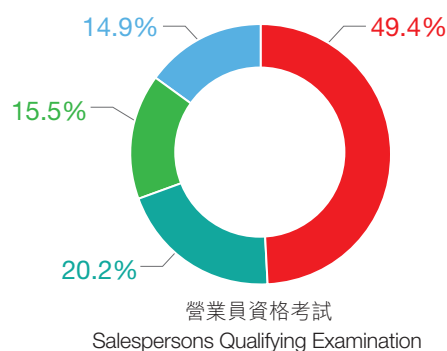
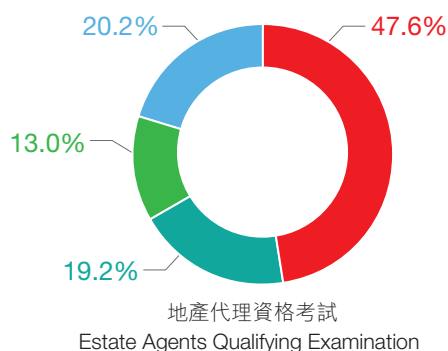




作為把關者：資格考試及發牌

考生參加2013/14年度舉辦的考試的次數
Number of Attempts at Examinations held in 2013/14

■ 第一次應考 First attempt ■ 第二次應考 Second attempt ■ 第三次或以上應考 Third attempt or above ■ 沒有提供資料 Unknown



考生學歷及合格率

Candidates' Educational Background and Pass Rate

		2011/12		2012/13		2013/14	
學歷 Education Level		考生比率 Percentage of candidates	合格率 Pass rate	考生比率 Percentage of candidates	合格率 Pass rate	考生比率 Percentage of candidates	合格率 Pass rate
地產代理資格考試 Estate Agents Qualifying Examination	中五 F.5	39.8%	31.4%	34.6%	36.1%	31.6%	22.7%
	中六或中七 F.6 or F.7	5.9%	41%	7.5%	42.8%	6.6%	33.4%
	大專或以上 Tertiary or above	37.7%	42.8%	39.3%	47.2%	41.4%	41.4%
	資料不詳 Unknown	16.6%	36.3%	18.6%	43.1%	20.4%	39.9%
營業員資格考試 Salespersons Qualifying Examination	中五 F.5	56.6%	34.3%	47.7%	36.2%	43.4%	31.6%
	中六或中七 F.6 or F.7	7.5%	46.4%	13.4%	41.6%	14.7%	32.8%
	大專或以上 Tertiary or above	22.1%	52.2%	25.7%	49.3%	26.6%	46.0%
	資料不詳 Unknown	13.8%	39.3%	13.2%	43.7%	15.3%	36.3%



As a Gatekeeper: Qualifying Examination and Licensing



報考2013/14年度舉辦的資格考試的考生的職業背景

Occupational Background of Candidates Registered for the Qualifying Examinations held in 2013/14



地產代理業 Estate agency trade	19.9%	酒店／餐飲 Hotel/catering	1.6%
零售／批發 Retail/wholesale business	8.2%	文書工作 Clerical	1.3%
銀行／會計／投資 Banking/accounting/investment	10.7%	法律 Legal	1.2%
物業管理 Property management	4.6%	旅遊 Tourism	1.0%
建築／測量 Construction/surveying	4.0%	銷售及推廣 Sales & marketing	0.5%
學生 Students	5.1%	資訊科技 Information technology	0.7%
教育／社會服務 Education/social service	2.5%	無業 Unemployed	1.7%
保險 Insurance	3.5%	資料不詳 Unknown	22.3%
		其他 Others	11.2%



物業管理 Property management	12.6%	文書工作 Clerical	1.8%
零售／批發 Retail/wholesale business	13.1%	旅遊 Tourism	1.2%
學生 Students	11.9%	銷售及推廣 Sales & marketing	0.5%
酒店／餐飲 Hotel/catering	5.1%	無業 Unemployed	1.7%
銀行／會計／投資 Banking/accounting/investment	7.7%	資訊科技 Information technology	0.3%
建築／測量 Construction/surveying	2.3%	法律 Legal	0.4%
保險 Insurance	3.5%	見習營業員 Salesperson-trainee	2.3%
教育／社會服務 Education/social service	2.1%	資料不詳 Unknown	21.3%
		其他 Others	12.2%



作為把關者：資格考試及發牌

發牌

獲發牌照的人士必須年滿18歲、完成中五或同等程度教育，並在相關的資格考試中考獲合格成績¹，而且被監管局認為是「適當人選」。

個人申請者可申請營業員牌照或地產代理（個人）牌照，而公司則只可申請地產代理（公司）牌照。持有營業員牌照的人士只能以持牌地產代理的營業員身分從事地產代理工作，而持有地產代理牌照的人士則不受此限。所有地產代理在任何地點以任何營業名稱開展地產代理業務前，一律須就該地點及名稱向監管局申請批給營業詳情說明書。

於2014年3月31日當日計算，個人牌照總數較去年同期下降4.2%，達35,450個。公司牌照及營業詳情說明書的總數，分別達3,036個及6,248個，較上年度分別增加1.1%及下降1.3%。

在35,450名持有個人牌照的人士當中，18,923人持有營業員牌照，16,527人持有地產代理（個人）牌照。

本年度，監管局共批出3,370個新申領的個人牌照，較上年度減少33.5%。

監管局審閱每一份牌照申請，以確保申請人符合法定條件。年內，監管局拒絕了222宗牌照申請，原因包括申請人未能符合學歷要求，或並非獲發、持有或繼續持有牌照的「適當人選」。

如果持牌人不再有資格繼續持有牌照，他的牌照可被撤銷。本年度，監管局牌照委員會共撤銷了27個牌照，原因是有關持牌人不被認為是繼續持有牌照的「適當人選」。

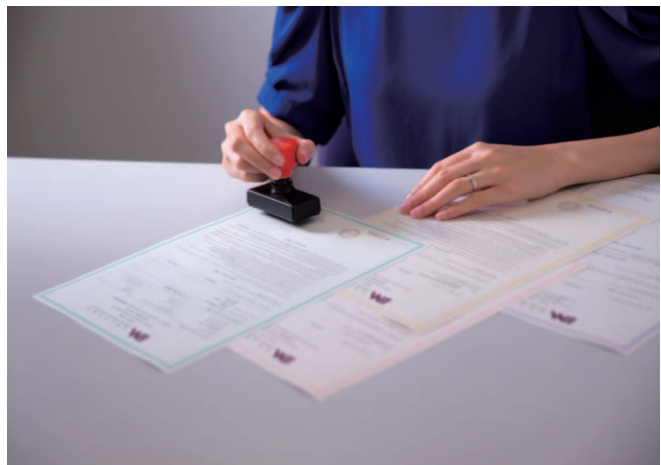
教育水平與年齡分佈

截至2014年3月31日，31.2%的持牌人具備大專或以上學歷，3.2%的持牌人教育程度低於中五²。

以2014年3月31日計算，持牌人的平均年齡為35.7歲，與上年度同日的一樣。

代理業務的規模

大多數地產代理業務仍然以小規模經營。截至2014年3月31日，93%的地產代理業務只有一間店舖，而同時經營五間店舖或以上的業務只佔少於1%。



年內，監管局批出的新申領個人牌照，較上年度減少33.5%。
During the year, the number of newly granted individual licences decreased by 33.5%.

¹ 申請人必須於提交牌照申請當日起計的前12個月內在資格考試中考獲合格成績。

² 該等人士均是由於1999至2001年的三年過渡期內所實施的豁免措施而繼續獲發牌照。



As a Gatekeeper: Qualifying Examination and Licensing

Licensing

To be granted a licence, an individual must have attained 18 years of age, completed an educational level of Form Five of secondary education or its equivalent, passed the relevant qualifying examination¹ and be considered “fit and proper”.

An individual may apply for a salesperson’s licence or an estate agent’s licence (individual). Companies may only apply for an estate agent’s licence (company). Holders of a salesperson’s licence may only work for licensed estate agents where there is no such restriction for holders of an estate agent’s licence. Each estate agent is required to, before carrying out any estate agency business at any place under a particular business name, apply for a statement of particulars of business (“SPOB”) for that place and name.

The number of individual licences as at 31 March 2014 dropped by 4.2% over that of 31 March 2013 to 35,450. The number of company licences and SPOBs were respectively at 3,036 and 6,248, representing an increase of 1.1% and a decrease of 1.3% respectively over those of last year.

Among the 35,450 individual licences, 18,923 were salesperson’s licences and 16,527 were estate agent’s licences (individual).

During the year, the EAA granted 3,370 new individual licences, a decrease of 33.5% compared to that of the previous year.

The EAA vets each licence application to ensure compliance with the relevant laws. In the year under review, 222 applications were refused for different reasons, such as applicants not having the required educational qualifications or not being considered “fit and proper” persons to be granted, or hold or continue to hold a licence.

A licence may be revoked if the licensee is no longer eligible to continue to hold a licence. During the year, a total of 27 licences were revoked by the Licensing Committee because the relevant licensees were not considered “fit and proper” to continue to hold a licence.

Educational Attainment and Age Distribution

As at 31 March 2014, 31.2% of licensees had a tertiary educational level or above, and 3.2% had an educational level below Form Five².

As at 31 March 2014, the average age of licensees was 35.7 years, which was the same as that of the previous year.

Size of Operations

The bulk of estate agency operations remained small in scale. As at 31 March 2014, 93% of agencies operated as single-shop businesses and less than 1% had five or more shops.

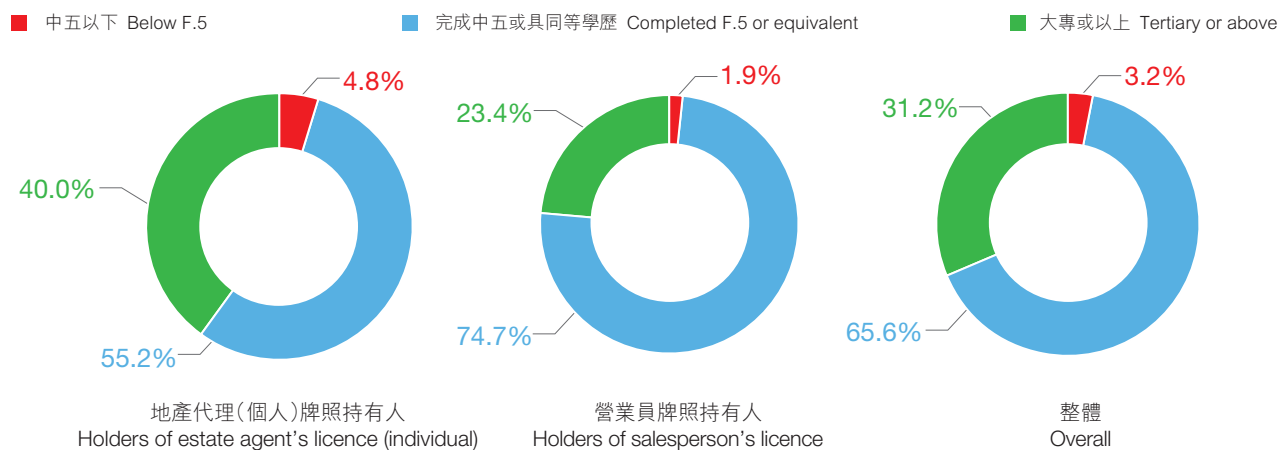
¹ The qualifying examination must have been passed within 12 months immediately before the date of an application for the grant of a licence.

² These individuals continued to be qualified for licences because of the exemption measures introduced during the three-year transition period from 1999 to 2001.



作為把關者：資格考試及發牌

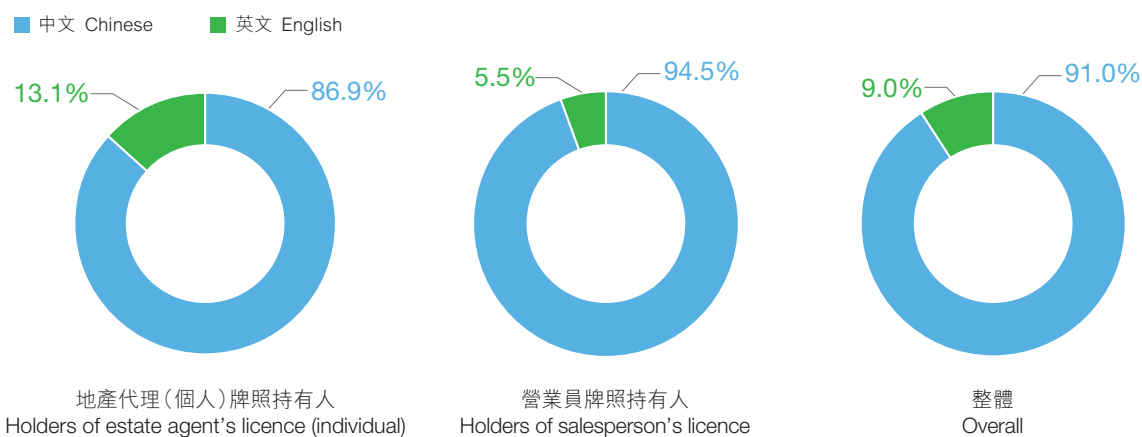
持牌人的學歷水平 (於2014年3月31日計算) Educational Level of Licensees (as at 31/3/2014)



持牌人的年齡 (於2014年3月31日計算) Age of Licensees (as at 31/3/2014)

年齡 Age	<21	21-30	31-40	41-50	51-60	>60
地產代理(個人)牌照持有人 Holders of estate agent's licence (individual)	3.7%	18.5%	31.2%	33.7%	11.2%	1.7%
營業員牌照持有人 Holders of salesperson's licence	14.8%	30.3%	28.0%	22.1%	4.5%	0.3%
整體 Overall	9.6%	24.8%	29.5%	27.5%	7.6%	1.0%

持牌人所選擇的通訊語言 (於2014年3月31日計算) Licensees' Choice of Language in Communication (as at 31/3/2014)

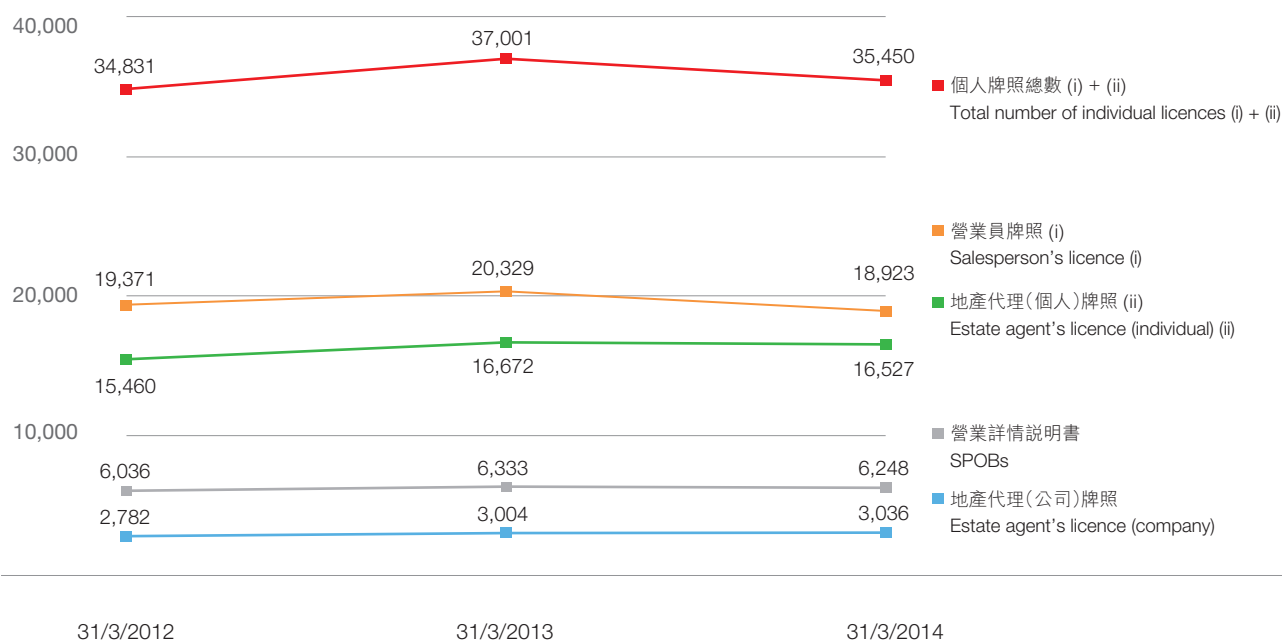




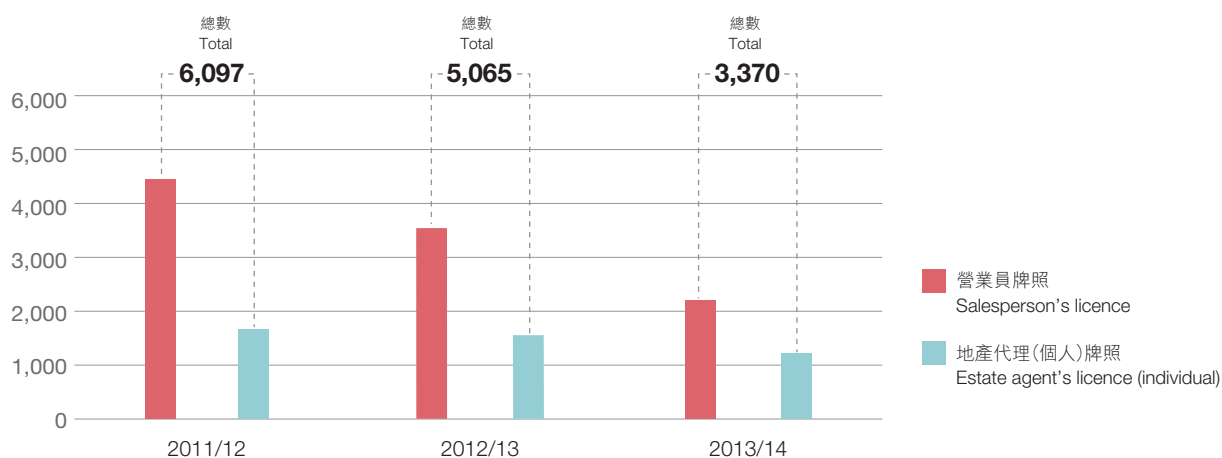
As a Gatekeeper: Qualifying Examination and Licensing



過往三年牌照及營業詳情說明書數目
Number of Licences and SPOBs in the Past Three Years



過往三年新批出的個人牌照數目
New Licences (Individual) in the Past Three Years





作為把關者：資格考試及發牌

代理業務的經營模式 (於2014年3月31日計算)
Mode of Operation of Estate Agency Businesses (as at 31/3/2014)



* 由3,036個公司持牌人經營

* Operated by 3,036 company licenses

內地與香港地產代理專業資格互認計劃

監管局與中國房地產估價師與房地產經紀人學會(「中房學」)於2010年11月3日簽訂協議，落實內地與香港地產代理專業資格互認計劃的基本安排。此安排旨在推動中港兩地的地產代理業界專業人才交流與合作，同時促進兩地行業的長遠發展。

根據協議，在接着的五年，監管局和中房學分別推薦特定數額的合資格地產代理，參加由對方專門開設的培訓課程及考試。在完成課程並通過考試後，參加者可申請相關的註冊證書或牌照。雙方亦就如何處理針對參與計劃的持牌人的投訴，及對違規持牌人進行紀律處分等方面達成共識。雙方亦已建立通報機制，互相通報受處分的持牌人的資料，以確保監管機制的效力。

在協議安排下，截至2014年3月31日，共有188名香港地產代理持有由中房學頒發的註冊證書，另有30名內地地產代理持有由監管局批出的牌照。



As a Gatekeeper: Qualifying Examination and Licensing



代理業務的規模 (於2014年3月31日計算) Size of Operation of Estate Agency Businesses (as at 31/3/2014)

商舖數目*	1	2	3	4	5-10	11-20	21-30	>30
Number of shops*								
有限公司經營 Limited companies	2,799	155	38	12	19	8	1	4
合夥經營 Partnerships	220	6	3	2	0	0	0	0
獨資經營 Sole proprietorships	1,423	57	7	3	1	0	0	0

* 即營業詳情說明書

* i.e. SPOBs

Scheme on Mutual Recognition of Professional Qualifications of Estate Agents in the Mainland and Hong Kong

The EAA and the China Institute of Real Estate Appraisers and Agents ("CIREA") entered into an agreement on 3 November 2010 to lay down the foundation for the mutual recognition of professional qualifications of estate agents in the Mainland and Hong Kong. The arrangement was intended to promote professional exchanges and cooperation between practitioners of the estate agency trade in the Mainland and Hong Kong, and to facilitate the long-term development of the industry of both sides.

According to the agreement, the EAA and the CIREA will each nominate a certain number of qualified estate agents to participate in tailor-made training courses and examinations organised by the other party in the following five years. Upon completing a training course and passing an examination, the participants may then apply for the relevant registration certificate or licence. The signing parties also reached agreement regarding the handling of complaints against licensees under the scheme and the imposition of disciplinary sanctions against non-compliant licensees. A notification mechanism under which each side would report information about licensees who had been disciplined was also established to ensure the effectiveness of the regulatory regime.

As at 31 March 2014, 188 Hong Kong estate agents held a registration certificate issued by the CIREA and 30 Mainland estate agents held an estate agent's licence issued by the EAA, both pursuant to the arrangement.