

有關「持牌地產代理有效地控制其地產代理業務的責任」的新執業通告

NEW PRACTICE CIRCULAR ON “DUTIES OF LICENSED ESTATE AGENTS IN ENSURING EFFECTIVE CONTROL OF ESTATE AGENCY BUSINESS”

監管局於2015年3月26日發出名為「持牌地產代理有效地控制其地產代理業務的責任」的新執業通告(編號15-01 (CR))，就如何遵守《地產代理常規(一般責任及香港住宅物業)規例》第15條的規定，提供更詳細及具體的指引讓業界依循。

根據該通告，所有持牌地產代理，包括地產代理公司的僱主、董事、經理或高層管理人員，應設立妥善的程序和清晰的指引讓員工遵循，提供妥善和足夠的培訓，持續及有效地監察其員工的行為，並制定制裁措施以懲處違規的員工，以預防及制止違規或不當行為的發生。

新通告將於2015年9月1日生效。所有地產代理公司應在這數月內檢視、更新或建立相關業務系統，以符合新通告內的要求。監管局已把相關的「問與答」及「持牌地產代理的清單」上載於監管局網頁 www.eaa.org.hk，供業界參考。

在新執業通告生效前，監管局已舉辦及將會再舉辦相關的持續專業進修講座，歡迎業界密切留意及踴躍參加。

The EAA issued a new Practice Circular (No.15-01 (CR)) on “Duties of Licensed Estate Agents in Ensuring Effective Control of Estate Agency Business” on 26 March 2015 to provide more detailed and substantial guidelines for the trade to follow in compliance with section 15 of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation.

According to the Circular, all licensed estate agents, including owners, directors, managers or supervisors of an estate agency company, should establish proper procedures and clear guidelines for staff to follow, provide sufficient and proper training to staff, monitor staff conduct continuously and effectively and set up sanctioning measures to sanction non-compliant staff to prevent and deter non-compliance or misconduct.

The new Circular will come into effect on 1 September 2015. All estate agency companies should review, update or set up their system of business in the next few months in order to comply with the requirements. The EAA has uploaded a set of relevant “Questions and Answers” and “Checklist for Licensed Estate Agents” on the EAA’s website: www.eaa.org.hk for the trade’s reference.

The EAA has held a series of related CPD seminars and will hold a few more related seminars before the new Circular comes into effect. Practitioners are encouraged to stay tuned and attend the seminars.

