

### 監管局董事局歡迎五位新任董事局成員上任 THE BOARD OF THE EAA WELCOMED FIVE NEW BOARD MEMBERS

香港特區政府早前宣布委任五位監管局董事局新成員，包括張呂寶兒太平紳士、藍德業資深大律師、司徒惠貞女士、謝小玲女士及黃偉雄先生，MH。五人任期由2016年11月1日至2018年10月31日為止。監管局董事局現時共有正、副主席各一名及18名來自社會上不同界別的一般成員。

監管局董事局亦於2016年11月22日舉行的會議上，委任了五個常設委員會的主席。各委員會的主席名單及其工作範疇如下：

The HKSAR Government has announced the appointment of five new EAA Board members; Mrs Peggy CHEUNG Po-yee, JP, Mr Douglas LAM Tak-yip, SC, Ms Anna SETO Wai-ching, Ms Phoebe TSE Siu-ling and Mr Addy WONG Wai-hung, MH, with a term of office from 1 November 2016 to 31 October 2018. The EAA Board now consists of a Chairman, a Vice-chairman and 18 ordinary members from various sectors of the community.

The EAA Board at its meeting on 22 November 2016 also endorsed the composition of five standing committees. The chairpersons and the terms of reference of these committees are as follows:

#### 常設委員會名稱 NAMES OF THE STANDING COMMITTEES

#### 工作範疇 TERMS OF REFERENCE

#### 主席姓名 NAMES OF THE CHAIRPERSON

財務及策略發展委員會 Finance and Strategic Development Committee	專責籌劃監管局的發展方向，研究具有長遠性影響的政策和工作策略 Responsible for mapping the strategic development of the EAA, examines strategic issues of long-term significance	梁永祥太平紳士，SBS Mr William LEUNG Wing-cheung, SBS, JP
紀律委員會 Disciplinary Committee	負責接受及查究涉及持牌地產代理的投訴，並向違規地產代理施行紀律處分 Receives and inquires into complaints lodged against licensed estate agents, metes out disciplinary sanctions to non-compliant licensees	廖玉玲太平紳士 Ms Elaine LIU Yuk-ling, JP
牌照委員會 Licensing Committee	處理有關牌照事宜，研究發牌規定，批准或拒絕發出牌照 Oversees licensing matters, considers and recommends licensing requirements for estate agents, and approves or refuses applications for licences brought before it	羅孔君太平紳士 Miss Jane Curzon LO, JP
執業及考試委員會 Practice and Examination Committee	處理有關執業及考試事宜，並制訂關於地產代理工作的執業通告及指引 Oversees practice and examination matters, formulates practice circulars and guidelines on various aspects of estate agency work	張國鈞議員，JP The Hon Horace CHEUNG Kwok- kwan, JP
專業發展委員會 Professional Development Committee	制訂及監督持續專業進修計劃的執行，以提升持牌人的專業水平 Formulates and oversees the implementation of the Continuing Professional Development (CPD) Scheme with a view to raising the competence of licensees	余惠偉太平紳士 Mr YU Wai-wai, JP



## 有關核實賣方身分的 新執業通告 NEW PRACTICE CIRCULAR ON VERIFICATION OF VENDORS' IDENTITY

因應有關騙徒假冒業主身分以騙取訂金的新聞，監管局發出一份題為「核實賣方身分」的新執業通告（編號16-03(CR)），並已於2016年12月1日生效。

新執業通告取代舊有的相關通告（編號09-08(CR)），詳列指引供持牌人遵循。例如，當與賣方訂立地產代理協議時，持牌人應要求賣方出示其香港身分證，並在地產代理協議中記錄賣方的姓名及身分證號碼。

此外，持牌人在安排買賣雙方訂立物業的臨時買賣協議前，須以書面形式建議其客戶安排在律師行託管所有訂金，以及告知客戶不託管訂金的風險。倘若雙方決定不託管訂金而繼續進行交易，持牌人則須取得買方的書面確認，說明買方已知悉有關建議。

假如在核實賣方身分時覺得有可疑的情況，持牌人應建議客戶尋求法律意見。新執業通告及相關的持續專業進修計劃網上學習活動已上載至監管局網頁 ([www.eaa.org.hk](http://www.eaa.org.hk))。

In response to news about fraudsters impersonating flat owners and swindling the deposit, the EAA issued a new Practice Circular (No. 16-03 (CR)) titled "Verifying the Identity of Vendors" and it has become effective on 1 December 2016.

The new circular replaces the relevant old circular (No. 09-08 (CR)) and sets out detailed guidelines for licensees to follow. For example, when entering into an estate agency agreement with the vendor, licensees should ask the vendor to produce his Hong Kong identity card and record the name of the vendor and the number of his identity card in the estate agency agreement.

In addition, licensees are required to advise their clients in writing to arrange for the stakeholding of all deposits by a firm of solicitors, before arranging for the parties to enter into the provisional agreement for sale and purchase and the risk of not doing so. If the parties decide to proceed with the transaction without arranging for the stakeholding of all deposits, licensees should obtain a written acknowledgement from the purchaser that the advice has been given.

Licensees should advise their clients to seek legal advice if there are any suspicious circumstances on verifying the vendor's identity. The new practice circular and related CPD e-Learning programme are available on the EAA's website ([www.eaa.org.hk](http://www.eaa.org.hk)).

## 持續專業進修計劃優越嘉許獎章 CPD PREMIUM ATTAINMENT SYMBOLS

為表揚持牌人積極參與持續專業進修計劃以提升其專業水平，連續五年或三年達到持續專業進修計劃學分要求的持牌人，可獲監管局頒發「金章」及「銀章」的優越嘉許獎章。首批獲嘉許的持牌人名單經已誕生，逾四百名從業員已獲頒發「銀章」。

To recognise licensees' efforts in enhancing their professional knowledge through continuous participation in the Continuing Professional Development ("CPD") Scheme, the "Gold" and "Silver" Premium Attainment Symbols will be awarded by the EAA to eligible licensees, upon their achievement of the CPD attainment target for five or three consecutive years respectively. The first batch of awardees has been announced. Over 400 practitioners have been awarded the "Silver" Premium Symbol.



自2013年10月1日至2014年9月30日的進修時段開始計算，若持牌人連續在三個進修時段達到修畢12個學分的要求，可獲頒發「銀章」。首批「銀章」得主共有427人，他們除獲頒發證書及「銀章」襟針以表揚其卓越表現外，也可在其地產代理證及個人名片印上優越嘉許獎章。

在首批「銀章」得主中，更有14名持牌人於連續11個進修時段內均達到學分要求，即自計劃於2005年開始以來，每年均達到12個學分之要求。監管局期望有更多持牌人繼續自我增值，實踐終身學習的長遠目標，積極參與持續專業進修計劃以提升其專業水平。

The "Silver" Premium Symbol will be awarded to the licensees upon their achievement of the CPD attainment target (i.e. obtaining 12 CPD points) for three consecutive CPD periods, with effect from the CPD period commencing 1 October 2013 and ended 30 September 2014. A total of 427 licensees have been awarded the first batch of the "Silver" Symbol. As well as receiving a certificate and a silver badge, the awardees can also print the Premium Symbol on their estate agent card and business card to signify their efforts and outstanding performance in continuous learning.

Amongst the first batch of awardees, 14 of them have even achieved the CPD target for 11 consecutive CPD periods, i.e. having obtained 12 CPD points every year since the Scheme commenced in 2005. The EAA hopes that more licensees will continue to enhance their knowledge through life-long learning and participation in the CPD Scheme.



## 監管局員工獲頒發「2016申訴專員嘉許獎」 EAA'S STAFF RECEIVED “THE OMBUDSMAN'S AWARD” 2016

監管局兩名員工獲頒發「2016申訴專員嘉許獎—公職人員獎」，表揚他們處理查詢時的專業表現和積極態度。

申訴專員嘉許獎頒獎典禮已於2016年10月27日舉行。監管局牌照部陸國豪先生及財務及行政部梁玉貞女士，憑藉處理查詢時的出色表現，分別獲頒發「公職人員獎」。

兩位得獎者對是次獲獎感到非常欣喜。陸國豪先生表示：「在處理查詢時，我們應耐心聆聽查詢者的訴求，並細心解釋相關政策。」

梁玉貞女士則表示：「我已在監管局服務多年。是次獲獎令我感受到前線員工的重要性和價值，並推動自己每天做得更好。」

兩位得獎者就是以積極正面的態度服務大眾的好例子。是次共有37名來自不同公營機構和政府部門的公職人員獲得「公職人員獎」。監管局去年也有兩名員工獲得此殊榮，是局方連續兩年有員工獲獎。

Two employees of the EAA received “The Ombudsman’s Award” 2016 for “Officers of Public Organisations” in recognition of their professionalism and positive attitude in enquiries handling.

The Ombudsman’s Awards Presentation Ceremony was held on 27 October 2016. Mr Howard Luk from the Licensing Section and Ms Pinky Leung from the Finance and Administration Section, received individual awards for their outstanding performance in handling enquiries.

Both awardees were very pleased to receive the award. “We should listen to the request of the enquirer patiently and explain the relevant policies in handling enquiries.” Mr Howard Luk shared.

“I have been working in the EAA for many years, this award reminds me the importance and value of frontline staff and I am eager to do my best everyday”, Ms Pinky Leung said.

The two awardees had set good examples by adopting a positive attitude to serve the public. There were 37 awardees from various public organisations and Government departments. It is the second consecutive year that EAA staff have received the Ombudsman’s Awards. Two other EAA staff also received the Awards last year.



申訴專員劉燕卿女士(左)頒贈獎座予梁玉貞女士。  
Ms Connie Lau (left), The Ombudsman, presented the trophy to Ms Pinky Leung.



陸國豪先生從申訴專員劉燕卿女士手中接過獎座。  
Mr Howard Luk received the award from The Ombudsman, Ms Connie Lau.



## 不應對少數族裔作出歧視行為 NO DISCRIMINATION AGAINST ETHNIC MINORITIES SHOULD BE COMMITTED

監管局一直致力提升持牌人的專業水平，並提倡持牌人在執業時須遵守平等機會的原則。因此，局方希望提醒持牌人在處理物業交易時不應作出歧視行為。

根據平等機會委員會（「平機會」）早前公布的調查報告，發現有少數族裔人士透過地產代理物色租住單位時受到歧視，有地產代理向他們表明，業主拒絕將物業租給他們。

持牌人應注意，他們不但有可能因個人違反反歧視條例而負上責任，他們同時也可能因為協助業主執行涉及歧視的指示而違法。因此，持牌人不應基於客戶的種族而拒絕提供服務。

監管局建議持牌人閱覽監管局發出的相關執業通告及平機會網頁（[www.eoc.org.hk](http://www.eoc.org.hk)）內發布的資訊。監管局也會定期為業界舉辦相關的持續專業進修計劃講座。

The EAA attaches great importance to enhancing the professional standard of licensees and upholding the principle of equal opportunities in their practice. The EAA would, therefore, like to remind licensees not to commit discriminatory acts when handling property transactions.

According to a report issued earlier by the Equal Opportunities Commission (“EOC”), ethnic minorities were discriminated against when looking for flats to rent through estate agents. Some of them were told by estate agents that the landlord refused to lease the property to them.

Licensees should note that they may be personally liable for their own acts if they violate the anti-discrimination ordinances; and may also be liable for aiding a landlord’s discriminatory act even if they act on the landlord’s instructions. Thus, licensees should not refuse to provide service on the ground of race.

Licensees are advised to read the related practice circulars issued by the EAA and the information issued by the EOC at their website ([www.eoc.org.hk](http://www.eoc.org.hk)). Related CPD seminars are organised regularly for the trade as well.

## 恐怖分子或與恐怖分子有聯繫者的更新資料 UPDATING OF SPECIFICATION OF TERRORISTS AND TERRORIST ASSOCIATES

監管局不時接獲保安局通知，有關聯合國安全理事會委員會發出的恐怖分子或與恐怖分子有聯繫者的更新名單。持牌人應採取措施協助打擊洗黑錢活動，及留意更新名單。

請留意，聯合國已於2016年11月4日發出恐怖分子或與恐怖分子有聯繫者的更新名單，相關公告已刊於政府憲報內。持牌人可參閱政府的憲報資料（[www.gld.gov.hk/egazette/pdf/20162044/cgn201620446223.pdf](http://www.gld.gov.hk/egazette/pdf/20162044/cgn201620446223.pdf)），以了解有關詳情。

監管局提醒所有持牌人，如發現任何懷疑洗黑錢個案，應向聯合財富情報組（[www.jfiu.gov.hk](http://www.jfiu.gov.hk)）舉報。

The EAA is notified by the Security Bureau regularly on the updates of the list of terrorists and terrorist associates from the United Nations Security Council Committees. Licensees should adopt measures to help combat money laundering activities and pay attention to the updated list.

Please note that the United Nations has issued an updated list of terrorists and terrorist associates and a notice was published in the Gazette on 4 November 2016. Licensees may read the notice at the Government’s Gazette for more details ([www.gld.gov.hk/egazette/pdf/20162044/egn201620446223.pdf](http://www.gld.gov.hk/egazette/pdf/20162044/egn201620446223.pdf)).

The EAA reminds all licensees that any suspicious cases of money laundering should be reported to the Joint Financial Intelligence Unit ([www.jfiu.gov.hk](http://www.jfiu.gov.hk)).