

有關「遵守《競爭條例》」的新執業通告 NEW PRACTICE CIRCULAR TITLED “COMPLIANCE WITH THE COMPETITION ORDINANCE”

為協助地產代理公司在經營其地產代理業務時，遵守《競爭條例》(「《條例》」)，監管局於2016年4月1日發出一份題為「遵守《競爭條例》」的新執業通告(編號16-01(CR))，新通告已於同日生效。

根據該通告，地產代理公司不得與競爭對手訂立或執行以妨礙、限制或扭曲競爭為目的或效果的協議，例如就佣金、折扣或回贈作出協議。

他們應就業務作出獨立的商業決定，以及不得參與有可能會達成或討論反競爭協議的會議。因此，地產代理商會應避免就佣金率向其會員作出任何指示或建議，而其會員亦不應執行商會發出的可能會損害競爭的指引或建議。

另外，具有相當程度的市場權勢的地產代理公司，不得藉從事以妨礙、限制或扭曲競爭為目的或效果的行為而濫用該權勢。

為加強地產代理公司對新執業通告的了解，監管局已把相關的「問與答」上載至監管局網頁(www.eaa.org.hk)供業界參考，並於6月份舉辦相關的持續專業進修講座。

The EAA issued a new Practice Circular (No.16-01 (CR)) titled “Compliance with the Competition Ordinance” on 1 April 2016 to assist estate agency companies to comply with the Competition Ordinance (“the Ordinance”) when carrying out their estate agency business. The new Circular became effective on the same date.

According to the Practice Circular, estate agency companies must not enter into or give effect to agreements which have the object or effect of preventing, restricting or distorting competition with their competitors, such as agreeing on commission, discounts or rebates.

They should make commercial decisions for their business independently and should not participate in meetings where anti-competitive agreements are likely to be reached or discussed. In this regard, estate agency associations should refrain from setting guidelines or making recommendations to members on rates of commission, and their members should not give effect to the guidelines or recommendations of estate agency associations which may harm competition.

Furthermore, estate agency companies with a substantial degree of market power must not abuse their market power by engaging in conduct which has the object or effect of preventing, restricting or distorting competition.

In order to enhance estate agency companies understanding of the new Circular, the EAA has uploaded a set of relevant “Questions and Answers” on the EAA’s website (www.eaa.org.hk) for the trade’s reference. Related CPD seminars have also been held in June already.

監管局持續專業進修計劃的優越嘉許獎章設計比賽頒獎典禮 PRIZE PRESENTATION CEREMONY OF THE EAA'S PREMIUM CPD ATTAINMENT SYMBOL DESIGN COMPETITION

為表揚持牌人持續參與持續專業進修計劃以提升其專業知識，監管局早前舉辦「金章」及「銀章」的優越嘉許獎章設計比賽。

評審以參賽作品的原創性、啟發性及實用性為準則，選出冠、亞、季軍得獎作品。冠軍作品的設計概念源自成功之鑰匙，喻意持牌人透過持續參與持續專業進修計劃及達到學分要求後，可豐富他們在物業交易方面的知識。

自2013年10月1日至2014年9月30日的進修時段開始，若持牌人連續在三個或五個進修時段達到學分要求（即12個學分），將可分別獲頒發優越嘉許獎章的「銀章」或「金章」。因此，首批「銀章」預期將於今年稍後時間頒發給合資格的持牌人。

To recognise licensees' continuous effort in enhancing their knowledge through participation in the Continuing Professional Development ("CPD") Scheme, the EAA organised a design competition for the "Gold" and "Silver" Premium CPD Attainment Symbols.

By evaluating the level of creativity, originality, sophistication and practicality of the submission entries, three winning designs have been selected for a champion, a first runner-up and a second runner-up. The concept behind the champion design is about the key to success. Through continuous participation in the CPD scheme and achieving the CPD attainment target, licensees can enrich their knowledge of the property business.

The Premium "Silver" Symbols and "Gold" Symbols will be awarded to the licensees by the EAA upon their achievement of the CPD attainment target (i.e. obtaining 12 CPD points) for three and five consecutive CPD periods respectively, with effect from the CPD period commencing 1 October 2013 and ended 30 September 2014. Hence, the first batch of "Silver" Symbols will be awarded to the eligible licensees later this year.



（左起）監管局行政總裁韓婉萍女士、監管局專業發展委員會主席余惠偉先生，JP及監管局主席梁永祥先生，BBS，JP與三位得獎者合照。

(From left) EAA Chief Executive Officer Ms Ruby Hon, Chairman of the EAA Professional Development Committee Mr Yu Wai-wai, JP, and EAA Chairman Mr William Leung Wing-cheung, BBS, JP, have a group photo with the three winners.

監管局獲頒發「同心展關懷」標誌及獲嘉許為「人才企業」 THE EAA AWARDED THE “CARING ORGANISATION” LOGO AND ACKNOWLEDGED AS A “MANPOWER DEVELOPER”

監管局非常榮幸獲香港社會服務聯會頒發2015/16年度「同心展關懷」標誌，以表揚局方實踐關懷精神。

此外，監管局亦獲僱員再培訓局嘉許為「人才企業」，表揚局方在人才培訓及發展方面的卓越表現。

The EAA is honoured to be awarded the “Caring Organisation” logo by the Hong Kong Council of Social Service for 2015/16 in recognition of demonstrating a caring spirit.

In addition, the EAA was also acknowledged as a “Manpower Developer” by the Employees Retraining Board for its outstanding achievements in manpower training and development.



監管局服務總監張秀成先生代表監管局接受「人才企業」獎座。

Mr Cavan Cheung, Director of Services of the EAA, receives the “Manpower Developer” Award on behalf of the EAA.

監管局電子服務接受網上個人牌照續牌申請 THE EAA'S E-SERVICES NOW ACCEPT ONLINE APPLICATIONS FOR INDIVIDUAL LICENCE RENEWAL

隨着監管局的電子服務系統提升，由2016年5月4日起，個人牌照持有人可透過監管局網站遞交其續牌申請。

已註冊電子服務賬戶的地產代理(個人)牌照或營業員牌照持有人，均可使用此項網上申請服務。同時，他們須持有信用卡(Visa或萬事達卡)或繳費靈賬戶及其網上密碼，以完成網上付款程序。

有興趣的持牌人可瀏覽監管局網頁了解更多詳情及觀看示範短片，或致電監管局熱線2111 2777查詢。

With the newly enhanced electronic services provided by the EAA, individual licensees can submit their licence renewal applications through the EAA's website starting from 4 May 2016.

Holders of an estate agent's licence or salesperson's licence who have registered an e-service account at the EAA's website are eligible to use this new online application service. They must have a credit card (Visa or MasterCard) or a PPS account and its Internet password in order to complete the online payment process.

Interested licensees may visit the EAA's website for more details and a demonstration, or contact the EAA's hotline at 2111 2777 for any enquiry or assistance.

新小冊子－《住宅物業開門7件事》 NEW LEAFLET ON “KEY INFORMATION OF RESIDENTIAL PROPERTIES”

為宣傳地產代理向客戶提供正確及法例訂明的物業資料的重要性，監管局出版了一本名為《住宅物業開門7件事》的新小冊子，提醒地產代理及大眾在進行物業交易時，須向客戶提供／應從地產代理取得哪些重要的物業資料。

新小冊子設計為可放於口袋呎吋，並附有磁石封面及封底。公眾可於監管局網頁上瀏覽該小冊子，或親臨監管局辦事處索取。

In order to promote the importance of estate agents' providing accurate and prescribed property information to clients, the EAA has published a leaflet of “Key Information of Residential Properties” to remind both licensees and the public of the certain key property information they should provide to clients/ obtain from estate agents during residential property transactions.

The leaflet is pocket-size with magnetic front and end covers and is available at the website and the EAA office.



郵費不足致延誤送遞 INSUFFICIENT POSTAGE DELAYS DELIVERY

根據香港郵政的政策，若郵件郵資不足，有關郵件須繳付欠資及相關費用，而有關郵件的處理及派遞亦會受到阻延。郵資不足的郵件也可能會被退回予寄件者。

因此，監管局強烈建議持牌人及公眾人士在投寄郵件予監管局前，先檢查並確保該郵件已支付足夠郵資。如因郵件郵資不足而導致延誤派遞，可能導致監管局的服務延誤，以致本局未能於服務承諾的時限內完成有關處理。另外，由於監管局並沒有責任承擔郵資差額，我們有可能要求寄件人先補付相關費用後始處理其事項。

為免不必要的延誤，監管局鼓勵持牌人及公眾人士採用其他方式如電郵或傳真，以聯絡或傳遞資料予本局。

According to the policy of Hongkong Post, mail items bearing insufficient postage are subject to surcharge and delay in delivery to the addressees. Insufficient postage could also result in the mail items being returned to the sender.

Licensees and the public are thus strongly advised to check and ensure that mail items to the EAA bear sufficient postage before posting. Should there be a delay in the delivery of mail items bearing insufficient postage, the EAA's services could be delayed and we may not be able to achieve the time target of the related performance pledge. Furthermore, the EAA is not obliged to absorb the insufficient postage and we may request the sender to repay the surcharge to the EAA before processing his/her request.

To avoid unnecessary delay in the processing of requests, licensees and the public are encouraged to use other ways of communication to contact or send any information to the EAA, such as email or fax.

關於業主繳納差餉及／或地租的建議 ADVICE TO PROPERTY OWNERS ON RATES AND/ OR GOVERNMENT RENT LIABILITY

差餉物業估價署(「估價署」)提醒各持牌人，在物業交易之前，須提醒客戶有關繳納差餉及／或地租的責任，以及查閱並繳清所累欠的差餉及／或地租。任何逾期未繳納的差餉及／或地租均會被徵收附加費，政府也可採取法律行動追收欠款。

此外，持牌人也應提醒客戶於完成交易後，儘快通知估價署有關更改任何登記繳納人的資料。

如欲了解更多資訊，請致電2152 0111與估價署聯絡，或瀏覽該署網頁(www.rvd.gov.hk)。

The Rating and Valuation Department ("RVD") reminds licensees to remind their clients of the liability of rates and/or Government rent and to check and clear any outstanding balance of rates and/or Government rent prior to the transaction of the property. Any outstanding balance of rates and/or Government rent will be imposed as a surcharge for late payment and the Government may take legal action to recover the outstanding amount.

In addition, licensees should also remind clients to inform the RVD of any changes in the registered payer's particulars as soon as possible after the transaction has been completed.

For any further information, please contact the RVD at 2152 0111 or visit its website at (www.rvd.gov.hk).

恐怖分子或與恐怖分子有聯繫者的更新資料 UPDATING OF SPECIFICATION OF TERRORIST 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4月29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。有關詳情，持牌人可參閱政府的憲報資料(www.gld.gov.hk/egazette/pdf/20162017/cgn201620172358.pdf)。

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)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 29 April 2016. Licensees may read the notice at the Government's Gazette for more details (www.gld.gov.hk/egazette/pdf/20162017/egn201620172358.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).