

### **有關一手樓盤銷售地點的秩序的執業通告於9月1日生效 NEW PRACTICE CIRCULAR ON THE ORDER AT FIRST-SALE SITES CAME INTO EFFECT ON 1 SEPTEMBER**

監管局十分關注地產代理於一手住宅物業銷售處的秩序，尤其重視有否非持牌人士參與推廣活動。因此，監管局發出一份題為「一手住宅樓盤銷售 – 一手樓盤銷售地點的秩序事宜」的新執業通告(編號16-02(CR))，並已於2016年9月1日生效。

該新通告涵蓋的其中一個新範疇與地產代理公司調派非持牌員工於新盤銷售處參與推廣活動有關。地產代理公司應就非持牌員工可從事及不能從事的工作定立明確的指引。此外，非持牌員工應戴上由地產代理公司僱主備製的名牌，名牌上需清晰顯示其姓名、照片及其僱主名稱。地產代理公司也須同時委派最少一名持牌員工擔任「導師」，以監督及監察非持牌員工在一手樓盤銷售點的工作。

此外，通告也再次提醒地產代理，在進行銷售活動時不可有過分推銷的行為，例如阻礙行人，即使途人表明沒興趣購買該物業，仍然不斷游說及向其招攬生意等。

為加強地產代理公司對新通告的了解，監管局已上載一套相關的「問與答」及範本至監管局網頁([www.eaa.org.hk](http://www.eaa.org.hk))供業界參考。

The EAA is very concerned about the order of estate agents at the sale sites of first-hand residential properties, especially the participation of non-licensed persons in the promotional activities. Hence, the EAA issued a new Practice Circular (No. 16-02 (CR)) titled “First Sale of Residential Properties – Order at First-sale Sites” and it has become effective on 1 September 2016.

One of the new areas covered in the new Circular is about the activities of non-licensed staff deployed by estate agency companies in first-sale sites. Estate agency companies should set out clear guidelines for non-licensed staff on the type of work that they can and cannot undertake. Moreover, non-licensed staff should wear a name tag prepared by their estate agency employer, which shows his/her name, photograph and the employer he/she worked for. Estate agency companies are also required to assign at least one licensed staff as “mentors” to supervise and monitor the non-licensed staff at first-sale sites.

In addition, the Circular also reminds estate agents again that they must not be over-aggressive when conducting promotional activities, such as standing in the way of passers-by, stalking and persistent solicitation despite indication by the passers-by that they are not interested in making any purchase.

In order to enhance estate agency companies understanding of the new Circular, the EAA has uploaded a set of relevant “Questions and Answers” and samples of the required documents on the EAA’s website ([www.eaa.org.hk](http://www.eaa.org.hk)) for the trade’s reference.

## 監管局舉行新聞發布會回顧上半年工作 THE EAA HOLDS A PRESS CONFERENCE FOR ITS HALF-YEAR REVIEW

監管局於2016年7月20日舉行新聞發布會，由主席梁永祥先生，SBS，JP及行政總裁韓婉萍女士，回顧監管局在2016年上半年的工作，並簡介下半年的工作重點。

梁主席指出，監管局在2016年上半年共接獲248宗投訴個案，比去年同期增加約84%。其中兩項最常見的投訴性質是「發出違規廣告」及「提供不準確或具誤導性的物業資料」。投訴個案數字大幅上升，相信與物業市場放緩、行業競爭激烈及與個別從業員面對巨大壓力有關。

監管局也在2016年上半年共對182位持牌人採取行動或作出處分，並撤銷了26個牌照及暫時吊銷了18個牌照。另外，資格考試考生人數及個人牌照數字在2016年上半年均錄得跌幅，惟公司牌照數字則微升並錄得新高至3,266個。

踏入2016年下半年，監管局會繼續密切監察地產代理銷售不同類型物業時的操守。至於有關近期發生的假冒業主個案，局方將會儘快更新相關的執業通告。

The EAA held a press conference on 20 July 2016 at which its Chairman, Mr William Leung Wing-cheung, SBS, JP, and Chief Executive Officer, Ms Ruby Hon Yuen-ping, reviewed the EAA's work in the first half of 2016 and introduced its initiatives for the second half.

Mr Leung pointed out that the EAA received a total of 248 complaints in the first half of 2016, which was a year-on-year increase of 84%. "Issuing non-compliant advertisements" and "providing inaccurate or misleading property information" are the two most common categories of complaints. Significant increase in the number of complaints might be due to the economic downturn in the property market, fierce competition among the trade and the enormous pressure faced by some individual practitioners.

The EAA has also taken action or imposed sanctions on a total of 182 licensees in the first half of 2016. A total of 26 licences were revoked and 18 licences were suspended. Separately, the number of qualifying examinations candidates and individual licensees dropped in the first half of 2016 while there was a slight increase in the number of company licences, which has amounted to a record high of 3,266.

In the second half of 2016, the EAA will reinforce its effort on monitoring estate agents' practice in the sale of various types of properties. Besides, regarding the recent cases of fake property vendors, the EAA will update the existing related practice circular in the near future.



## 地產代理監管局實務證書課程 EAA'S CERTIFICATE PROGRAMME IN PRACTICE

為協助持牌人充分掌握地產代理有效執業所需的法律知識及實用技巧，監管局將在2016年10月推出全新的結構性課程 – 地產代理監管局實務證書課程。課程將以講座／研討會形式進行，配以過往違規案例作分析，並加入情景研討、現場活動和課堂練習等，以增加學員與導師的互動性。

課程專為幫助新入職或年資淺的持牌人打好基礎而設計，也有助年資深的持牌人溫故知新。為配合大多數持牌人的學習需要，此課程現階段將以廣東話授課，監管局將在日後根據反應檢討以英語授課的可行性。

Aiming at enabling the licensees to master the necessary legal knowledge and practical skills in effective estate agency practice, the EAA will launch in October 2016 a new structured programme titled EAA's Certificate Programme in Practice. In order to increase interactions between the participants and instructors, this programme will be formatted as seminars, complemented with analyses on non-compliance cases, scenario discussions, class activities and exercises.

This programme is designed to lay a solid foundation for the less experienced licensees. It will also help the more experienced licensees refresh their knowledge and skills. To meet the learning needs of most practitioners, the programme will be conducted in Cantonese at this stage. The EAA will study the feasibility of conducting the programme in English later.



課程分為下列三個單元，共十個課堂，每堂3小時：

The programme is structured into the following three modules formed by ten 3-hour classes:

單元一（3個課堂） Module One (3 classes)	單元二（3個課堂） Module Two (3 classes)	單元三（4個課堂） Module Three (4 classes)
<b>專業操守及誠信</b> <b>PROFESSIONAL ETHICS AND INTEGRITY</b>	<b>地產代理法律與規則</b> <b>ESTATE AGENCY LAW AND REGULATIONS</b>	<b>地產代理實務與實用知識</b> <b>ESTATE AGENCY PRACTICE AND KNOWLEDGE IN PRACTICAL USE</b>
<ul style="list-style-type: none"> <li>• 地產代理的責任 – 恰當及誠信行為</li> <li>• Responsibilities of Estate Agents – Act Properly and Ethically</li> </ul>	<ul style="list-style-type: none"> <li>• 《地產代理條例》及其附屬法例</li> <li>• Estate Agents Ordinance and its Subsidiary Legislations</li> </ul>	<ul style="list-style-type: none"> <li>• 物業轉易須知</li> <li>• Essential Knowledge on Conveyancing Practices</li> </ul>
<ul style="list-style-type: none"> <li>• 優質客戶服務與正向思維</li> <li>• Quality Customer Services and Positive Thinking</li> </ul>	<ul style="list-style-type: none"> <li>• 監管局《操守守則》及執業通告</li> <li>• EAA's Code of Ethics and Practice Circulars</li> </ul>	<ul style="list-style-type: none"> <li>• 物業租賃實務知識</li> <li>• Practical Knowledge on Tenancy Matters</li> </ul>
<ul style="list-style-type: none"> <li>• 違規的可能後果</li> <li>• Possible Consequences of Non-Compliance with Regulations</li> </ul>	<ul style="list-style-type: none"> <li>• 其他與地產代理工作相關的法律及實務</li> <li>• Other Laws Relating to Estate Agency Work</li> </ul>	<ul style="list-style-type: none"> <li>• 掌握土地查冊</li> <li>• Mastering Land Searches</li> <li>• 理解物業產權負擔</li> <li>• Understanding Encumbrances</li> </ul>

參加者可在完成每個單元內之課堂後參加相關的單元測驗。完成課程及於所有單元測驗取得合格或以上成績的參加者均可獲監管局頒發證書。在單元測驗取得卓越成績的參加者的名單亦會經參加者同意下載列於監管局網頁及／或監管局的相關刊物。

At the end of each module there will be a module-end test. Those participants who completed the programme and passed all the tests will be awarded a certificate. A list of the participants who obtained a distinction grade at module-end tests will also be published at the EAA website and/or relevant publications subject to participants' consent.

詳情請瀏覽監管局網頁：[www.eaa.org.hk](http://www.eaa.org.hk) 或致電2111 2777（持續專業進修計劃）查詢。

For details, please refer to the EAA website: [www.eaa.org.hk](http://www.eaa.org.hk) or call 2111 2777 (Continuing Professional Development Scheme).

## 有關「港人港地」措施的簡介會 BRIEFING SESSION ON THE “HONG KONG PROPERTY FOR HONG KONG PEOPLE” MEASURE

由地政總署舉辦的「港人港地」措施簡介會已於2016年8月17日舉行，主要大型地產代理公司及業界商會均派代表出席。

有關於新九龍內地段第6516號和新九龍內地段第6517號的賣地條件中的特別條件第(16)(a)條的同意書細則，以及申請取得地政總署署長的書面同意，以轉讓有關由賣地條件日期起計30年期限屆滿前的住宅單位的運作安排，已於地政總署的網頁上列出。

為讓持牌人更加了解以上措施，相關持續專業進修講座已於2016年9月12日舉行。本局建議持牌人到地政總署網頁([www.landso.gov.hk](http://www.landso.gov.hk))閱讀有關措施的更多詳情。

A briefing session on the “Hong Kong Property for Hong Kong People” measure organised by the Lands Department was held on 17 August 2016. Representatives from the major estate agency companies and the trade associations have been invited to attend the said briefing.

Details of consent under Special Condition No. (16)(a) of the Conditions of Sale of New Kowloon Inland Lot No. 6516 and New Kowloon Inland Lot No. 6517 and the operational arrangements for application to the Director of Lands for prior written consent for alienation of residential units within a period of 30 years from the date of the Conditions of Sale are set out in the website of the Lands Department.

To facilitate licensees to understand more on the subject, a related CPD seminar was held on 12 September 2016. Licensees are also advised to read more information about the measure at the website of the Lands Department ([www.landso.gov.hk](http://www.landso.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 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9月2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/20162035/cgn201620354941.pdf](http://www.gld.gov.hk/egazette/pdf/20162035/cgn201620354941.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 2 September 2016. Licensees may read the notice at the Government's Gazette for more details ([www.gld.gov.hk/egazette/pdf/20162035/egn201620354941.pdf](http://www.gld.gov.hk/egazette/pdf/20162035/egn201620354941.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)).