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韓婉萍  
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“積極推銷實屬無可厚非，但不應盲目爭取生意以致忽略專業操守，甚至違反條例或指引。從業員應謹慎行事，時刻維持良好的專業形象，始能贏得大眾尊重。”

“Active promotion of business is understandable, but it is certainly not worth neglecting professional conduct or even breaching the law or the guidelines to blindly fight for sealing a deal. To win public respect, licensees should act with caution and maintain a good professional image at all times.”

## 遵從專業操守 贏得大眾尊重

# COMPLY WITH PROFESSIONAL CONDUCT WINS PUBLIC RESPECT

近期樓市氣氛熾熱，不少新盤銷情暢旺。地產代理在一手樓盤銷售處的秩序及操守，同樣備受社會關注。消費者委員會近日就一手住宅物業的銷售情況發表報告，筆者希望再次提醒業界，在促成交易的同時，必須遵守有關一手住宅物業銷售的條例及指引。

監管局向來重視從業員在一手樓盤銷售處的銷售秩序及操守，絕不容忍任何違規行為。據消費者委員會的報告指出有部分地產代理自製「消耗表」，或將印有「只供內部培訓用途」的價單或其他相關資料提供予客戶。根據監管局的相關指引，倘若地產代理提供發展項目的成交資料、銷售數據或銷售業績，必須根據發展商的成交紀錄冊上的資料，並須指明該等資料的時間性。而地產代理在編制宣傳物品以協助推廣發展項目時，地產代理公司須採取一切合理的步驟，核實該等宣傳物品所載資料的準確性，並在發出前取得賣方就所載資料的準確性及完整性的明確書面批署，及確保已符合《一手住宅物業銷售條例》的有關規定。

就該報告指出的「代客墊支」的問題，局方重申根據有關執業通告，地產代理不得向準買家提供或提出提供貸款。監管局會繼續嚴懲違規的持牌地產代理，加強教育消費者及鼓勵市民積極舉報，繼續打擊代客墊支的問題。

此外，監管局請從業員注意，所有由地產代理公司調派往一手樓盤銷售點的持牌員工，必須佩戴地產代理證。而非持牌員工亦須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、地產代理僱主的名稱，以及印有顯著的「非持牌員工」字眼，讓公眾人士可合理辨識「持牌員工」及「非持牌員工」。筆者明白到有關執業通告推出未夠一年，業界仍在努力適應中。但為了改善銷售秩序，局方將繼續密切監察，改善情況。

With the recent boom in the property market, many new developments achieved record high sales. The order and conduct of estate agents at first-sale sites of residential properties have similarly aroused social attention. The Consumer Council has recently released a report on the sales situation of first-hand residential properties and I hope to remind the trade here again that they are required to comply with the relevant regulations and guidelines on the sales of first-hand residential properties while facilitating transactions.

The EAA is always concerned about the order and conduct of estate agents at the first-sale sites, and will not tolerate any malpractices. The Consumer Council's report revealed that some estate agents had provided self-made "consumption tables", sales materials which are intended "for internal training purpose only" or other related documents to clients. According to the relevant guidelines issued by the EAA, if licensees provide transaction information, sales figures or sales performance of a development, they must provide the same based on the information from the register maintained by the vendor of the development containing information of the transactions for a development only, and specify the time frame of the information. Estate agency companies must take all reasonable steps to verify the accuracy of the information contained in such materials when preparing them to assist vendors to promote a development. In addition, the vendor's express endorsement in writing of the accuracy and completeness of the particulars contained in such materials must be obtained before their issuance, and estate agents should also ensure that the relevant requirements in the Residential Properties (First-hand Sales) Ordinance are complied with.

On the issue of "offering loans to prospective purchasers" as mentioned in the report, the EAA reiterates that according to the related practice circular, estate agents must not offer or make loans to a prospective purchaser. Estate agents who fail to comply with the guidelines may be disciplined by the EAA. The EAA will continue to sanction the non-compliant estate agents seriously, strengthen consumer education, and encourage members of the public to actively report malpractices to the EAA.

Furthermore, the EAA reminds the practitioners that all licensed staff of estate agency companies deployed to the first-sale sites must wear an estate agent card, and the non-licensed staff should wear a name tag prepared by the estate agency employer showing the staff's name, photograph, name of the estate agency employer and also the words "non-licensed staff", so that the public can differentiate between "licensed staff" and "non-licensed staff". As the relevant practice circular has only been effective for under a year, I appreciate that the trade is trying hard to adapt to it. Nevertheless, to improve the order at first sales sites, the EAA will continue to monitor the situation closely.