

地產代理監管局  
ESTATE AGENTS AUTHORITY

專業地 HORIZONS

[www.eaa.org.hk](http://www.eaa.org.hk)

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# 大灣區發展新機遇

New Opportunities at the Greater Bay Area



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韓婉萍  
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行政總裁  
Chief Executive Officer

“ 業界必須繼續遵守《打擊洗錢條例》，監管局將不遺餘力地繼續教育和提升業界對法例的遵循。事實上，不論對監管局和業界來說，打擊洗錢及恐怖份子資金籌集都是一個需要持續執行的任務。 ”

“ The trade has to continue to comply with the AMLO and the EAA will spare no effort in educating and enhancing the trade's compliance. As a matter of fact, AML and CTF are continuing missions that both the EAA and the trade have to fulfil. ”

# 監管局與業界合力打擊洗錢

## The EAA's and the trade's efforts in anti-money laundering

年末之際，回顧過去，2018 年是監管局比過去任何時候都更繁忙的一年。除了繼續致力提高地產代理行業的執業水平外，監管局和業界都需要應付今年的另一項挑戰——就是有關反洗錢及反恐怖份子資金籌集的新指引。我很高興得到同事全情投入和業界支持以完成這重要任務。

2018 年初，《打擊洗錢及恐怖份子資金籌集條例》（下稱《打擊洗錢條例》）將法定客戶盡職審查、備存記錄及風險評估的規定擴展至地產代理。由於監管局被政府指定為監督地產代理遵守《打擊洗錢條例》的機構，我們採取了一系列措施，包括在 2 月時就反洗錢及反恐怖份子資金籌集發出詳盡的執業通告（編號 18-01(CR)），以建立持牌人對這方面的認知及監察業界的遵循情況。

為了讓持牌人認識《打擊洗錢條例》及執業通告的指引，我們定期舉辦新設計有關反洗錢的持續專業進修活動，並推出了一系列加強相關認知的工作。例如，監管局網站上設立了反洗錢資訊專區，提供有用和最新資訊；所有地產代理商舖均獲派發執業通告的印刷本、單張及海報。此外，我們還向所有持牌人發送了一份電子單張，讓他們更易於向客戶解釋需要取得客戶身份證件文件的副本，以符合客戶盡職審查及備存記錄的規定。

監管局今年投放了大量時間和資源，為局方及業界做好準備，應付剛於 2018 年 11 月由財務行動特別組織進行的相互評估。在此之前，我們舉行了無數聯絡和籌備會議，我特別感謝業界代表的積極參與和支持。

我們都希望香港這次相互評估得到圓滿的結果。然而，這並非代表告一段落，而是一個開始。業界必須繼續遵守《打擊洗錢條例》，監管局將不遺餘力地繼續教育和提升業界對法例的遵循。事實上，不論對監管局和業界來說，打擊洗錢及恐怖份子資金籌集都是一個需要持續執行的任務。

It is time for year-end reflection and 2018 was a busier year for the EAA than ever. As well as the continuous efforts in improving the trade's standard in estate agency practice, the EAA and the trade both have had to deal with another challenge in the year – the new guidelines on anti-money laundering ( "AML" ) and counter-terrorist financing ( "CTF" ). I am grateful to have my colleagues' contribution and the trade's strenuous support on this important mission.

In the beginning of 2018, the Anti-Money Laundering and Counter-Terrorist Financing Ordinance ( "AMLO" ) has extended the statutory customer due diligence ( "CDD" ), record-keeping and risk assessment requirements to cover estate agents. As the EAA is designated by the government as the authority for monitoring and supervising estate agents' compliance with the AMLO, we have taken a series of measures to build licensees' awareness and monitor the trade's compliance, including issuing a detailed Practice Circular (No.18-01(CR)) on AML and CTF in February.

To equip licensees with knowledge of AMLO and the guidelines in the Practice Circular, newly designed CPD activities on AML and CTF have been conducted regularly and a number of awareness building measures were also rolled out. For example, an AML Corner has been set up in the EAA website to provide useful and updated information; a printed copy of the Practice Circular, a leaflet and a poster were also distributed to all estate agency shops. Furthermore, an e-leaflet was sent to all licensees to help them explain to their clients easily the need to obtain a copy of customers' identity documents for fulfilling the CDD and record-keeping requirements.

This year, the EAA has input plenty of time and resources to prepare itself and the trade for the Mutual Evaluation by the Financial Action Task Force, which had just taken place in November 2018. I appreciate the efforts and support of the participating trade representatives spent in the countless liaison and preparatory meetings held before the Mutual Evaluation.

We all hope the results of this round of Mutual Evaluation for Hong Kong will be promising. Yet it is not an end but a beginning. The trade has to continue to comply with the AMLO and the EAA will spare no effort in educating and enhancing the trade's compliance. As a matter of fact, AML and CTF are continuing missions that both the EAA and the trade have to fulfil.

### 監管局董事局歡迎三名新成員上任

#### The Board of the EAA welcomed three new members aboard

香港特區政府早前宣布委任三名監管局董事局新成員，包括戴敏娜女士、許智文教授 MH 及黃永光太平紳士。三人任期由 2018 年 11 月 1 日至 2020 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 17 名來自社會上不同界別的普通成員，包括地產代理業界。有關監管局董事局成員的名單詳列於監管局網頁。

為歡迎董事局新成員及向卸任成員致謝，監管局於 2018 年 12 月 5 日舉行午宴，並由監管局主席梁永祥教授 SBS 太平紳士頒贈紀念水晶予四名卸任成員，包括鄧廣榮教授、張國鈞議員太平紳士、司徒惠貞女士及余惠偉太平紳士，以答謝他們對監管局董事局的貢獻。

The HKSAR Government has announced the appointment of three new EAA Board members: Ms Meena Datwani, Professor Eddie Hui Chi-man, MH and Mr Daryl Ng Win-kong, JP, with a term of office from 1 November 2018 to 31 October 2020. The EAA Board now consists of a Chairman, a Vice-chairman and 17 ordinary members from various sectors of the community, including the estate agency trade. The full list of the EAA Board members is published on the EAA's website.

A lunch was held on 5 December 2018 to welcome the new Board members and to say farewell to the retiring members. At the lunch, Professor William Leung Wing-cheung, SBS, JP, Chairman of the EAA, presented crystal trophies to the four retiring members, Professor Chau Kwong-wing, the Honorable Horace Cheung Kwok-kwan, JP, Ms Anna Seto Wai-ching and Mr Yu Wai-wai, JP, as a token of appreciation for their contributions to the EAA Board.



監管局董事局成員與監管局行政部門管理層合照。

A group photo of the EAA Board members with the management of the EAA Administration.



## 有關物業廣告的新執業通告 New practice circular on property advertisements

鑑於公眾日益關注地產代理發出的物業廣告中之物業是否實存，以及廣告所載資料的準確性，監管局發出一份相關的新執業通告（編號 18-02 (CR)），就業界發出物業廣告提供進一步指引，該執業通告已於 2018 年 12 月 1 日生效。

根據新通告，除了在發出物業廣告前須先取得該物業的賣方／業主的書面同意，以及採取一切合理步驟核實該廣告所載資料的準確性之外，地產代理須就每一個發出廣告的物業編配一個獨有的識別編號（「物業編號」），並在廣告上清楚及可閱地述明物業編號及廣告日期。此外，地產代理公司須確保廣告所載的資料在廣告日期是準確及有效的。

另外，在有關的物業不再可供出售或租賃後或有關的地產代理協議終止後（兩者之中以較早者為準），地產代理公司須在切實可行的範圍內盡快將所有由其發出或安排發出的廣告移去。地產代理公司不可容許已過時的放盤資料在網絡空間、店舖櫥窗或其他宣傳渠道殘留多月或多年，而不將其移去。

監管局行政總裁韓婉萍女士表示：「所有廣告均為地產代理公司的資產。地產代理公司須為其發出的任何具誤導性或不準確的物業廣告負上主要的責任。他們不得從事或容許其僱員從事可能會誤導消費者的廣告宣傳手法，例如使用假盤或虛假的放盤價餌誘消費者。」

有關執業通告及「問與答」已上載於監管局網頁。監管局建議持牌人仔細閱讀，以了解更多詳情。

In regard to increasing public concern on the availability of properties and the accuracy of the particulars contained in the advertisements issued by estate agents, the EAA issued a relevant new Practice Circular (No. 18-02 (CR)) which sets out further guidelines to the trade on the issuance of property advertisements. This new Circular has taken effect from 1 December 2018.

According to the new Circular, in addition to obtaining the prior written consent of the vendors / landlords and taking all reasonable steps to verify the accuracy of the information contained in the advertisements before issuance, estate agency companies must assign a unique identification number ( "Property Number" ) to each property to be advertised and state clearly and legibly the Property Number as well as the Advertisement Date on the advertisement. Moreover, estate agency companies must ensure that all information contained in the advertisements is accurate and valid as at the Advertisement Date.

Furthermore, advertisements should be removed as soon as is practicable after the property concerned is no longer available for sale or leasing, or the termination of the estate agency agreement concerned (whichever is the earlier). Estate agency companies must not allow obsolete listing information to float around cyberspace or remain on shop windows or other advertising channels for months or years without removing them.

The EAA Chief Executive Officer Ms Ruby Hon Yuen-ping said, "All advertisements are the assets of the estate agency companies. Estate agency companies are primarily liable for the property advertisements issued by them. They must not engage in, or allow their employees to engage in, advertising tactics which may mislead consumers, such as using sham listings or fake listing price to lure consumers."

The Practice Circular and a set of "Questions and Answers" have already been posted on the EAA's website. Licensees are advised to read them for more information.

### 一手住宅物業銷售點秩序的新指引

#### New guidelines on order at first-sale sites

地產代理於一手樓盤銷售點保持良好的秩序是非常重要的，這樣才可向消費者提供良好的銷售環境及提升地產代理的專業形象。為進一步改善地產代理於一手樓盤銷售點的秩序，監管局於 2018 年 10 月發出了一份新的執業通告（編號 18-03(CR)），並已於 2018 年 12 月 1 日生效。

監管局行政總裁韓婉萍女士表示：「自一手住宅物業銷售約章訂立後，一手樓盤銷售點的秩序已有明顯的改善。雖然如此，我們仍然見到一些不理想的個別事件，故此仍有進一步改善的空間。」新通告的指引將加強對地產代理公司及其管理層就有效監督和管理其調派往一手樓盤銷售點的員工的問責。

根據該執業通告，地產代理公司不得調派非持牌員工到一手樓盤銷售點進行任何形式的推廣活動。地產代理公司亦須委任一名總樓盤監督以監督和監察所有被調派往一手樓盤銷售點工作員工的秩序及行為。該總樓盤監督必須持有地產代理（個人）牌照最少十年，並已擔任管理職位最少五年；或為地產代理公司的獨資經營者／合夥人／董事。此外，總樓盤監督不可在獲委任為總樓盤監督前的最後三年內曾被紀律處分。

有關執業通告、相關「問與答」及表格範本已上載於監管局網站，持牌人應詳細閱讀。局方會教育業界，讓他們能夠遵從相關指引。

It is important for estate agents to maintain good order in conducting promotional activities at first-sale sites for the sake of providing a good sales environment for consumers and enhancing the professional image of estate agents. To further improve the estate agents' order at the first-sale sites of residential properties, the EAA issued a new Practice Circular (No. 18-03(CR)) in October 2018 and it has taken effect from 1 December 2018.

"We have seen improvement in the order at first-sale sites since the launch of the Charter, however there is room for betterment as there are still individual undesirable incidents," said Ms Ruby Hon Yuen-ping, Chief Executive Officer of the EAA. The guidelines of the new Circular will strengthen the accountability of estate agency companies and their management regarding the effective supervision and management of their employees deployed to the first-sale sites.

According to the new Circular, estate agency companies must not deploy non-licensed staff to the first-sale sites for any form of promotional activities. Estate agency companies are also required to appoint a Commander-in-Chief ("CIC") to monitor and oversee the order and conduct of all staff deployed to the first-sale sites, who must be a holder of an estate agent's licence (individual) for a period of at least 10 years and has been working in a managerial role for at least five years; OR is a sole-proprietor/partner/director of the estate agency company. Furthermore, the CIC must not have been subject to any disciplinary action by the EAA within the last three years prior to his/her appointment as CIC.

The Practice Circular, related Q&As and sample forms are available on the EAA website and licensees are advised to read them in detail. The EAA will educate the trade on the new Circular so that they can fully comply with the new guidelines.

## 《香港家書》 地產代理監管局主席梁永祥教授 SBS 太平紳士一 更新執業指引 規管地產代理質素

地產代理監管局主席梁永祥教授早前獲香港電台節目《香港家書》邀請，分享他對香港地產代理執業的看法。

《香港家書》每集邀請學者、議員、官員及社會人士透過書信形式，分析社會現象，細訴個人感受。

節目重溫：[www.rthk.hk/radio/radio1/programme/hkletter/episode/534510](http://www.rthk.hk/radio/radio1/programme/hkletter/episode/534510)（只有中文版）

親愛的 Lydia:

收到你的電郵，知道你準備明年回流香港，用多些時間照顧你香港的父母。你在溫哥華經營地產代理生意都有相當日子，希望回港後做回老本行，我作為香港地產代理監管局主席，當然是非常歡迎。

除了要考取香港的牌照之外，有很多地方你是要留意的。你問我地產代理是否斯文人做的工作，為何會有代理在新樓盤銷售處打架，又問我這些消息是否真的，我很遺憾告訴你，真的確有其事。

不過，你不用擔心，監管局一直有採取多種措施、包括巡查及發出指引，去監察代理推銷一手樓的銷售秩序和操守。不久之前，監管局更加與 32 間發展商訂立一手住宅物業銷售約章，禁止地產代理公司的無牌員工參與推銷，同時會懲罰不守規矩的地產代理及僱用他們的公司。約章推出之後，銷售處的秩序明顯有所改善，亦有發展商對不守規矩的代理罰款或停止他們在新樓盤的業務。只是仍有個別不理想事件發生，被傳媒所報道，所以你在網上亦會看到。

對這些不文明不名譽的問題，監管局當然失望，你問我監管局會否處罰違規員工的僱主及公司，答案是有機會的，因為地監局真是相信有地產代理公司管理銷售人員唔夠嚴格。為了針對這個問題，局方在數日前發出左一份新的指引，規定地產代理公司絕對不可以調派無牌員工去一手樓盤銷售點做推廣活動，亦規定公司須委任一名總樓盤監督，以監察被派往一手樓盤銷售點的員工的秩序及行為。

前線員工違規，監管局會追究總樓盤監督及公司管理層的責任。所以，如果你日後在香港開地產代理公司，打算加入銷售一手樓，就要好好管理員工了。監管局的方針一向本着給予地產代理業界一定的營商空間，希望他們能自律及培訓員工。但面對教而不善的，我們逼不得已加重懲罰，才有警惕作用及對守法循規的代理公平。

最近，就有一些涉及一些嚴重違規個案的地產代理，被監管局暫時吊銷牌照超過三個月，又或者被罰款十多二十萬元。作為監管機構，監管局從來不喜歡處罰代理，所以監管局一向勇於發出指引，一方面教育業界，一方面預防代理不知不覺地犯規，監管局最希望永遠不用召開聆訊，既可減輕工作量又節省開支。但實際情況與理想仍差很遠，對於一些嚴重的違規，紀律委員會有需要判一個與置業人士遭受的損失對稱的罰則，這樣才對得住被代理的失職造成損失的置業人士。假如代理或其公司不服，可以提出上訴，但我認為更有建設性的，是公司應檢討一下如何管教好旗下代理，保障公司聲譽，亦避免自身因監管不力而受罰。

監管局雖然嚴肅執法，但你可以絕對放心，監管局不會亂開檔案找地產代理麻煩。每次審案完畢都會刊登理據方便代理知悉，引以為鑑並從中學習，避免重蹈別人覆轍。

對於你擔心的競爭問題，我認為香港地產代理業和其他專業一樣，競爭都是激烈的，但我仍然相信只要有誠信有策略，本着「君子愛財，取之有道」的原則，你將開立的小型地產代理行亦大有可為，事實上，小型地產代理行的成功例子亦有很多。

我絕對相信顧客的眼光是雪亮的，用心用誠信服務的地產代理行，最後一定會是贏家，那些用旁門左道，用暴力做生意的代理一定會被淘汰。

最後祝你大展鴻圖，駿業宏開。

Uncle William  
2018 年 10 月 27 日

## 新聞速遞 News Flash

### 監管局職員獲頒發「2018 申訴專員嘉許獎」 EAA's staff received "The Ombudsman's Awards 2018"

監管局兩名職員獲頒發「2018 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。

Two EAA staff received "The Ombudsman's Awards 2018" for "Officers of Public Organisations" in recognition of their professionalism and positive attitude in enquiries handling.

申訴專員嘉許獎頒獎典禮已於 2018 年 11 月 2 日舉行。監管局牌照部張雅芝女士與投訴及行動部林沛琪女士，憑藉着處理查詢時的出色表現，分別獲頒發「公職人員獎」，成為以積極正面的態度服務大眾的好榜樣。

The Ombudsman's Awards Presentation Ceremony was held on 2 November 2018. With the outstanding performance in handling public enquiries, Ms Annie Cheung from the Licensing Section and Ms Pinky Lam from the Complaints and Enforcement Section, received individual awards from The Ombudsman and set good examples by adopting a positive attitude to serve the public.



張雅芝女士（右）從申訴專員劉燕卿女士手中接過獎座。  
Ms Annie Cheung (right) received the award from The Ombudsman, Ms Connie Lau.



申訴專員劉燕卿女士（左）頒贈獎座予林沛琪女士。  
Ms Connie Lau (left), The Ombudsman, presented the trophy to Ms Pinky Lam.





# 大灣區發展新機遇 New Opportunities at the Greater Bay Area

隨着港珠澳大橋及廣深港高速鐵路香港段等大型跨境基建相繼開通，往來香港與內地不同城市的時間大大縮短，拉近了香港與內地城市的距離，促進經濟發展與人才交流。

香港作為國際大都會，享有「一國兩制」的雙重優勢，上述兩項跨境基建的開通，除了改善香港與鄰近城市的互聯互通，也形成了大灣區一小時生活圈。在大灣區打造成為國際科技的創新中心的同時，也為各行各業帶來了新機遇，當中包括地產行業。

## 地產代理業的機遇

### Opportunities for Estate Agency Trade

以高鐵及港珠澳大橋等交通基建為賣點的大灣區，吸引不少港人，以至內地其他重點城市人口考慮投資當地。不少港人因大灣區及部份城市的樓價仍然比香港吸引，考慮投資當地的房產。同一時間，大灣區的發展及來往香港的交通便利亦帶動了內地人士及投資者對香港物業的需求上升，讓地產行業得以持續增長。

With the large-scale cross-border infrastructures including the Hong Kong-Zhuhai-Macau Bridge and the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link successively come on stream, the traveling time between Hong Kong and other cities in the Mainland has been reduced, bringing them closer than ever. All cities will benefit from the economic development and talent exchange.

As an international metropolis, Hong Kong is well-placed to enjoy the dual advantage offered by “One Country, Two Systems”. The opening of the two cross-border infrastructures afore-mentioned not only improves mobility among Hong Kong and nearby cities in the region, but also creating a one-hour living circle within the Greater Bay Area. Meanwhile, the Greater Bay Area will be forged into a breeding ground for innovation and technology, which will bring opportunities to numerous industries, including the real estate business.

Serviced by transport infrastructure such as the Express Rail Link and the Hong Kong-Zhuhai-Macau Bridge, the Greater Bay Area has attracted a fair amount of investment from people in Hong Kong and citizens living in key cities in Mainland China. The attractive prices make properties in the area and surrounding cities an option for many in Hong Kong who would like to invest in real estates. At the same time, transportation development of the Greater Bay Area and convenient connections to Hong Kong is driving the demand up for Hong Kong property among Mainland China residents and investors, sustaining the growth in the real estate industry.

# 焦點話題

## In Focus

### 持牌人注意事項

#### Points-to-note for licensees

大灣區建設帶來的協同效應，雖然讓更多港人有興趣於當地置業投資，但香港買家以至參與銷售的持牌人，均需要留意有關物業交易的相關法例及按揭規限。

首先，持牌地產代理在參與境外（包括內地）未建成物業的銷售時，必須留意並遵守由監管局發出的有關香港境外未建成物業的執業通告（編號 17-03(CR)）。通告內的一系列指引包括：持牌地產代理在參與境外未建成物業的銷售或推廣活動之前，必須就賣方及有關物業進行盡職審查，取得物業所在地的專業人士、金融機構或政府當局發出的報告以確認賣方是否確實存在，其資金來源或財務安排，以至有關項目的關鍵資料等。

此外，持牌代理要就着一些重要資料取得由物業所在地的執業律師所發出的法律意見。當中包括：根據該境外未建成物業所在地的法律，境外買家購買、轉售、出租或按揭該未建成物業是否有任何形式的限制；以及如有的話，該等限制的性質的法律意見。

廣告及宣傳方面，地產代理在發出廣告及宣傳物品之前，需要取得賣方就廣告及宣傳物品所載資料的準確性及完整性的明確書面批署，亦不可使用一些令人認為購買境外未建成物業是「安全」、「低風險」或「無風險」，或者能夠在極少或零風險的情況下獲得「高」收益或回報等印象的字眼等等。

The synergy effects generated from the development of the Greater Bay Area increases Hong Kong people's interest in investing in properties in the Greater Bay Area. However, purchasers in Hong Kong and licensees who participate in the sales must pay attention to the relevant regulations in relation to property transaction and also the restrictions on mortgages.

Firstly, licensees must comply with the practice circular (No.17-03(CR)) issued by the EAA on uncompleted properties situated outside Hong Kong ("UPOH") when participating in the sale of UPOH (including those in the Mainland). The guidelines in the circular include: licensees are required to obtain a due diligence report on the vendor and the related UPOH issued by a professional person, financial institution and/or government authority in the place where the concerned properties are situated confirming the vendor is in existence, its source of funds/ financial arrangement and key information of the development etc.

In addition, licensees must obtain a legal opinion issued by a lawyer practicing in the place where the UPOHs are situated on material information including whether there is any form of restriction(s) for foreign purchasers to purchase, resell, lease or mortgage the UPOH according to the laws of the place where the UPOH are situated, and if so, the nature of such restriction(s).

As for advertisements and promotion, estate agents must obtain the vendor's express endorsement in writing of the accuracy and completeness of the information contained therein. Also, they must not use words which give the impression that purchasing UPOH is "safe", "low-risk" or "risk-free", or able to obtain "high" yields or returns with little or no risk.



### 內地置業的限制

#### Property Purchase Restrictions in Mainland China

另外，持牌人也應留意國內的房產政策，例如一些限制非戶籍居民「限購」、「限售」、「限貸」等措施。由2018年9月1日起，香港居民在國內居住可以申領「居住證」，惟居於香港的投資者要申請居住證，也有一定要求。在擁有居住證後，亦未必可以同時獲得購房的資格。

另外，也要留意有關買家並非當地居民申請按揭時的限制。持牌人在向準買家介紹付款安排時，必須格外小心及避免提供含糊及誤導的資訊予買家。

近期有傳媒報道，一些城市如珠海及中山等地有發展商推出「商用公寓」，聲稱可作寫字樓或住宅之用，不限購，定價相對便宜，暗示港人亦可購買。不過，要留意的是，這些物業涉及的相關限制或其他成本可能與住宅的有所不同，持牌人向準買家介紹該等物業時要非常小心，避免作出任何誤導及失實陳述。如有關物業屬未建成物業，則持牌人應同時緊記跟循上述提及監管局發出有關香港境外未建成物業的指引，提醒準買家諮詢當地律師的意見後，才作出購買的決定。

Licensees should also take note of Mainland China's real estate policies, which restrictions may be imposed on non-residents in the purchase, disposal and mortgage of real estate. From 1 September 2018 onwards, Hong Kong residents living in the Mainland can apply for a residence permit. However, there are certain requirements for Hong Kong investors to meet when applying for one; and a residence permit does not necessarily make one eligible to purchase property.

Another area of concern that should be noted particularly is the restrictions on mortgage financing for non-local property purchasers. Licensees must be especially careful when introducing payment arrangements to prospective purchasers and avoid providing unclear and misleading information to the purchasers.

In recent years, developers in cities such as Zhuhai and Zhongshan have been reported by the media to be offering "business apartments" at a competitive price which are claimed to be suitable for office or residential use with no purchasing restrictions, hinting that Hong Kong residents are also eligible to purchase them. However, it should be noted that the related restrictions and other costs of such properties might be different from that of residential properties. Licensees should be very careful and avoid making any misleading statements or misrepresentations when explaining these matters to prospective purchasers. If the related property is uncompleted, agents should also adhere to the aforementioned EAA guidelines on UPOH and advise prospective purchasers to consult a local lawyer before making a purchase decision.

### 把握機遇 謹慎行事

#### Make the Most of Opportunities with Discretion

大灣區的發展的確為香港地產代理帶來新機遇，讓其能夠在香港以外的地方發展。然而，在把握時機之餘，持牌人也要留意，內地物業市場及法規與香港有甚多不同之處，因此在參與銷售之前，必須多做功課，熟讀相關法規，謹慎地向準買家作出準確的介紹，才算是取財有道。

The development of the Greater Bay Area would offer new opportunities for Hong Kong estate agents to even working outside Hong Kong. Nonetheless, agents should be aware of the differences in market conditions and laws between Hong Kong and the Mainland when leveraging such opportunities and familiarise themselves with the relevant laws and regulations in order to offer measured and accurate advice to prospective purchasers.





吳啟民先生  
Mr NG Kai-man

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## 監管局成員吳啟民先生 Mr NG Kai-man Member of the EAA

本期《專業天地》專訪了監管局的地產代理業界成員吳啟民先生，了解一下他對監管局工作及業界表現的看法。

In this issue of *Horizons* we interview Mr NG Kai-man, member of the EAA from the estate agency trade sector, about his views on the work of the EAA and the trade's performance.

問：你自 2015 年起出任監管局成員並加入多個委員會，對比起以前，你對監管局的觀感有否轉變？

Q: You have been a member of the EAA Board since 2015 and have joined several committees. Compared with the past, have you changed your perception of the EAA?

答：在加入地產代理監管局（「監管局」）之前，我和監管局已有不少合作，所以對監管局已經有一定程度的認識，對監管局的工作及成績予以肯定，並十分欣賞監管局人員的勤奮及實事求是的工作態度。自從於三年前成為監管局成員後，讓我能夠廣泛接觸社會不同階層，聆聽公眾對業界不同的期望，更了解到在法律監管、資源運用及行業和政府部門的協調，對監管局的運作所帶來的直接和間接影響。監管局無論在制定任何政策或指引時，監管局都先經過詳細討論，加上透過不同界別代表提

A: Before joining the Estate Agents Authority ("EAA"), I already had a lot of cooperation with the EAA and hence had a certain degree of understanding of the EAA's work. I acknowledge the work and achievements of the EAA and appreciate the diligence and pragmatic attitude of the EAA staff. Since becoming a member of the EAA three years ago, I have been able to reach out to different levels of the society, listen to the public's different expectations on the trade, and understand the direct and indirect impact of regulation, utilisation of resources and coordination between the trade and government on the EAA's work. In formulating any policies or guidelines, the EAA will undergo detailed deliberations of the tissues, and take into account suggestions and amendments made by representatives of different sectors before their implementation. I now have a



出的意見和修正，政策或指引才能得以推行，我現在對監管局的工作有更深入的了解，並更積極執行各項監管指引。

better understanding of the EAA's work and will more proactively implement every regulatory guideline.

問：作為資深的地產代理公司管理層，你覺得近年業界（包括代理及公司）的表現如何？

Q: As a seasoned estate agency management, how do you feel about the performance of the trade (including agents and companies) in recent years?

答：我覺得業界近幾年的表現都有顯著改進。在法律的認知方面，透過監管局的積極培訓和監管下，業界的專業知識水平有所提升。業界面對日益增加的公眾要求，其服務水平亦有顯著進步。在未來發展上，個別地方當然會有改善空間；例如有關一手樓盤銷售的秩序安排，更重要如佣金回贈問題，因為涉及地產代理的誠信，對地產代理行業專業的形象有一定的影響！

A: I have seen significant improvement in the performance of the trade in recent years. In terms of legal knowledge and professional knowledge of the trade, that has been enhanced through the active training and supervision of the EAA. As the trade is facing increasing public expectations, its service standard has also improved significantly. For future development, there will of course be room for improvement in individual areas; for example, the arrangement of the order at first-sale sites, and the more important issue of commission rebates which involves the integrity of estate agents and could certainly tarnish the professional image of the trade.

問：地產代理持牌人數屢創新高，你認為業界應如何應對挑戰？

Q: As the number of estate agents has reached a record high, what do you think the trade should respond to the challenge?

答：地產代理人數增加無疑是一個好現象，這反映公眾認同地產代理的工作，並願意從事地產代理行業。與此同時，有更多新人希望加入行業，地產代理公司在招聘時可選擇更專業的地產代理員，長遠有助提升行業水平。

A: The increase in the number of estate agents is undoubtedly a very good phenomenon, as it reflects the public's recognition of the work of estate agents and a willingness to join the estate agency trade. At the same time, as more newcomers came to join the industry, estate agency companies are in a better position to select and hire the most professional candidates which will help improve the trade's standards in the long run.

業界應善用這入職潮，嚴加選擇質素更好的應聘者，提供充分基本知識培訓，更要灌輸誠信觀念，培育他們成優良代理人員。我一向支持監管局所推行的培訓措施，例如積極舉辦培訓活動，優化地產代理／營業員資格考試制度，提升地產代理持牌人員專業水平，在未來牌照考試上有更完善更快速的安排及監管，有助行業長遠發展。

The trade should make good use of this entry tide and carefully select candidates with better qualities; provide them with adequate training and instill in them a sense of integrity, so as to nurture them into good agents. I have always supported the professional development measures of the EAA, such as actively organising training activities, optimising the qualifying examinations for estate agents/salespersons, enhancing the professional standards of licensees, and providing better and faster arrangements and supervision for future qualifying examinations. All these help the trade to develop further in the long run.

# 誠信與你

## Integrity in Focus

### 紀律研訊個案 Disciplinary hearing case

## 未有通知買方物業附有未解除建築命令及購買該物業的風險 Failing to inform purchaser about undischarged building orders of the property and the risk of purchasing it

#### 引言

持牌人應通知買方有關物業附有的建築命令、購買該物業的風險，以及提醒買方在簽署臨時買賣合約（「臨約」）前先諮詢法律意見，否則有可能被監管局紀律處分。

#### Introduction

Licensees should inform the purchaser about undischarged building orders of the property, the risk of purchasing such property and to remind the purchaser to seek legal advice prior to signing the Provisional Agreement for Sale and Purchase ( "PASP" ). Otherwise, they may be subject to disciplinary action by the EAA.

#### 事件經過

一名地產代理在安排一名準買家視察物業期間，即使她已知悉該物業的土地查冊中附有四項建築命令，但並沒有告知準買家。準買家在簽署臨約前，查閱該物業的土地查冊發現該四項建築命令，遂向地產代理查詢。該代理回應稱，有關命令只涉及普通的樓宇維修命令。然而，事實上，其中的一項命令指出，有關物業已被列為「危險建築物」。同時，該代理並沒有告知準買家購買該物業的風險，或提醒他在購買該物業前應先諮詢法律意見。其後，買家從律師中獲悉真相，遂向監管局作出投訴。

#### Incident

During the viewing of a property with a prospective purchaser, the estate agent did not inform the client that the property had four undischarged building orders registered in the Land Register even though she knew about it. Prior to signing the PASP, the prospective purchaser read the land search record and found the four undischarged building orders. He asked the agent about them and in response, the agent told him that they were about general building maintenance. However, one of the orders was actually about the property being classified as a "Dangerous Building". Moreover, the agent also neither informed the prospective purchaser about the risk of purchasing this property with these building orders nor advised him to seek legal advice before signing the PASP. Later on, the purchaser found out the truth from his lawyer and then lodged a complaint with the EAA.

#### 研訊結果

監管局紀律委員會認為該地產代理違反了監管局制定的《操守守則》第 3.4.1 段：「作為代理或受委託為代理的地產代理和營業員，應保障和促進客戶的利益、按照地產代理協議執行客戶的指示，並對交易各方公平公正。」

#### Result

The EAA Disciplinary Committee found that the estate agent failed to comply with paragraph 3.4.1 of the *Code of Ethics* issued by the EAA, which stipulates: "Estate agents and salespersons, in engaging and accepting an appointment as an agent, should protect and promote the interests of their clients, carry out the instructions of their clients in accordance with the estate agency agreement and act in an impartial and just manner to all parties involved in the transaction."

考慮到個案的性質及該營業員的違規紀錄，委員會決定譴責該名地產代理、向她罰款 10,000 元，並在其牌照上附加條件，要求她在 12 個月內取得持續專業進修計劃下的 12 個學分，當中至少 3 個學分須透過參加土地查冊科目的講座或研討會而獲取。

Having considered the nature and gravity of the case, and the disciplinary record of the estate agent, the Committee decided to reprimand the estate agent and impose a fine of \$10,000 on her. A condition was also attached to her licence requiring her to obtain 12 points of the CPD in 12 months, at least 3 CPD points shall be acquired from seminars or lectures on the land search subject.



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## 業界意見 Comment from trade

地產代理如知悉物業附有產權負擔，如押記令、建築令等，他們有責任如實告知客戶，並提醒準買家購買該物業的相關風險。

地產代理應充分掌握查閱土地查冊的技巧，從業員也可參與監管局開辦的相關課程，以溫故知新。

If estate agents know about the encumbrances of the property, such as charging order and building order etc, they are responsible to inform their clients accordingly and should also remind prospective purchasers of the risks of purchasing such a property.

Estate agents should be skilled at checking and reading a land search. Practitioners should participate in related seminars offered by the EAA to keep their knowledge up-to-date.

## 紀律研訊個案 Disciplinary hearing case

### 有關按揭資料的失實陳述

### Misrepresentation on mortgage information

#### 引言

持牌人不得向準買家就按揭條款作出任何失實陳述或承諾，否則有可能被監管局紀律處分。

#### Introduction

Licensees should not make any misrepresentation or promises to prospective purchasers on mortgage terms. Otherwise, they may be subject to disciplinary action by the EAA.

#### 事件經過

一名營業員向一名準買家介紹一個一手住宅物業，並以該項目其中一個售價逾 6,000,000 元的單位作為例子，向準買家解釋按揭計劃的計算方法。該營業員向準買家表示，可透過香港按揭證券有限公司推出的按揭保險計劃，向銀行取得樓價八成的按揭貸款。

#### Incident

A salesperson introduced a first-hand residential property to a prospective purchaser and used one of the units of that development with a listing price of over \$6,000,000 as an example to explain to her the calculation of a mortgage plan. The salesperson told her that she could obtain a mortgage loan of 80% of the purchase price from a bank under the Mortgage Insurance Programme ("MIP") launched by The Hong Kong Mortgage Corporation Limited.

# 誠信與你

## Integrity in Focus

基於以上資訊，該買家決定以 6,851,000 元購買其中一個單位，並簽訂臨時買賣協議。其後，她向多間銀行查詢，卻被告知因該物業的樓價超過 6,000,000 元，所以不獲批出八成的按揭貸款。

結果，她只能取得樓價六成的按揭貸款，需向家人借款才能夠完成交易。該買家深感不滿，遂向監管局投訴。

Based on the above information, the purchaser decided to purchase one of the units at a price of \$6,851,000 and entered into the provisional agreement of sale and purchase. However, she was then informed by different banks that she was unable to obtain an 80% mortgage loan as the property price was over \$6,000,000.

As a result, the purchaser could only obtain a mortgage of 60% of the property price and had to borrow money from her family in order to complete the transaction. Feeling aggrieved, she lodged a complaint with the EAA.

### 研訊結果

監管局紀律委員會認為該營業員就按揭資料向客戶作出失實陳述。根據按揭保險計劃，八成按揭成數上限只適用於樓價 6,000,000 元或以下的物業。

因此，他違反了監管局發出的《操守守則》第 3.2.2 段：「地產代理和營業員應掌握有關的一切法律、政府規例，及地產市場的重要事實和發展」。考慮到個案的性質及該營業員的違規紀錄，委員會決定譴責該名營業員、罰款 8,000 元，並在其牌照上附加條件，要求他在 12 個月內取得持續專業進修計劃下的 12 個學分，當中至少 2 個學分須透過參加一手住宅物業科目的講座或研討會而獲取。

### Result

The EAA Disciplinary Committee found that the salesperson had made a misrepresentation to his client on mortgage information. According to the MIP, a mortgage loan of up to 80% loan-to-value ratio is applicable to property values up to \$6,000,000 only.

Therefore, he was in breach of paragraph 3.2.2 of the *Code of Ethics* which stipulates: “Estate agents and salespersons should keep themselves informed of any laws, government regulations, essential facts and developments in the real estate market”. Having considered the nature and gravity of the case and the disciplinary record of the salesperson, the Committee decided to reprimand him, impose a fine of \$8,000 and attach a condition to his licence requiring him to obtain 12 points under the EAA’s Continuing Professional Development Scheme in 12 months, at least 2 CPD points shall be acquired from seminars or lectures on the first-sale residential property subject.



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Vice President of Hong Kong Chamber of Professional Property Consultants Ltd.

### 業界意見 Comment from trade

地產代理應緊記，失實言詞有違專業操守。消費者也應留意寫在臨時買賣合約上的物業成交價及成交日期，並先到銀行查詢樓宇按揭預先批核及物業估值才簽署合約，以策安全。

Estate agents should bear in mind that misrepresentation is against professional conduct. At the same time, consumers should pay attention to the price and the date of transaction stated in the preliminary agreement for sale and purchase ( “PASP” ), check with banks on the valuation of the property and seek prior approval on mortgage before signing the PASP to play safe.



# 持續專業進修講座 CPD Seminar

## 「反洗錢及反恐怖分子資金籌集的規定」

### Requirements on Anti-Money Laundering ( “AML” ) and Counter-Terrorist Financing ( “CTF” )

為加強持牌人對反洗錢及反恐怖分子資金籌集有關法規的認識，監管局於2018年9月至11月期間舉辦下列以講座或放映預錄影片形式進行的持續專業進修活動：



With an aim to improving licensees' understanding of the legal and regulatory requirements in relation to anti-money laundering ( “AML” ) and counter-terrorist financing ( “CTF” ), the EAA organised the following face-to-face CPD seminars and video recording sessions between September and November 2018:

- 填寫身分核實表格 – 執業通告 18-01(CR) 有關地產代理業遵守反洗錢及反恐怖分子資金籌集規定的指引
- 填寫身分核實表格 (適用於客戶為法團的情況) – 執業通告 18-01(CR) 有關地產代理業遵守反洗錢及反恐怖分子資金籌集規定的指引
- 管理層及主管行政須知 – 執業通告 18-01(CR) 有關地產代理業遵守反洗錢及反恐怖分子資金籌集規定的指引
- 有問有答 – 執業通告 18-01(CR) 有關地產代理業遵守反洗錢及反恐怖分子資金籌集規定的指引
- How to Complete the Identity Verification Form – Practice Circular No.18-01 (CR) - Guidelines on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements for the Estate Agency Sector
- Seminar on “How to Complete the Identity Verification Form (for use where the customer is a corporation) - Practice Circular No. 18-01 (CR) - Guidelines on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements for the Estate Agency Sector”
- Points-to-Note for Management - Practice Circular No. 18-01 (CR) - Guidelines on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements for the Estate Agency Sector
- All You Can Ask - Practice Circular No. 18-01 (CR) - Guidelines on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements for the Estate Agency Sector

席間，監管局代表向持牌人詳細講解在執業通告 18-01(CR) 有關地產代理業遵守反洗錢及反恐怖分子資金籌集規定的指引內地產代理就符合客戶盡職審查、備存紀錄和舉報可疑交易的責任。此外，監管局代表亦為持牌人解釋填寫執業通告附件中的身分核實表格所須注意的要點。

During these seminars, representative of the EAA explained in detail estate agents' responsibilities for customer due diligence, record-keeping and report suspicious transactions described in the EAA's practice circular “Guidelines on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements for the Estate Agency Sector (Circular No. 18-01 (CR))”. Also, the points to note in completing the Identity Verification Form annexed to the practice circular were covered.

有關持續專業進修講座錄得 380 人次參加。監管局未來會繼續舉辦反洗錢及反恐怖分子資金籌集相關的持續專業進修活動，務求確保持牌人獲得反洗錢及反恐怖分子資金籌集相關的知識和最新資訊。

These CPD seminars on AML/CTF attracted a total of 380 enrolments. As ensuring estate agents' compliance with the regulatory requirements of AML/CTF is one of the EAA's work priorities, CPD activities will continue to be conducted to equip licensees with necessary knowledge and update on AML/CTF.

## 執業問與答

### Practice Q&A

在《專業天地》內，我們會解答與持牌人執業息息相關的一些常見提問。  
In *Horizons*, we will answer selected enquiries commonly raised by licensees concerning estate agency practice.

問：地產代理可否處理被「釘契」的物業的銷售或租賃？有甚麼需要向客戶交代？

答：部份物業可能被註上某些產權負擔，例如建築令、法庭命令、押記令及欠交管理費備忘錄等。倘若在土地登記冊上發現任何已註冊的產權負擔的紀錄，持牌人必須如實告知其客戶。

在處理這些被「釘契」的物業的交易時，持牌人應該格外小心。在進行交易前，持牌人應向其客戶解釋清楚物業被「釘契」的詳情及有關風險，包括買家有可能因物業的業權欠妥而無法取得任何或足夠的按揭貸款以完成購買該物業，或客戶日後需要承擔該等產權負擔的責任。另外，持牌人亦應建議客戶先尋求法律意見，才繼續進行交易。



**Q:** Could estate agents handle the sale and purchase or tenancy of properties with subsisting encumbrances? What kind of information do we need to provide to clients?

**A:** Some properties may have encumbrances registered against them, such as a Building Order, Court Order, Charging Order and Memorandum of outstanding management fees, etc. If any registered encumbrances were found from the land search record, licensees should inform their clients honestly and accordingly.

When handling the transaction of this kind of properties, licensees must be very careful. They should inform their clients of the details of encumbrances and the related risks before proceeding with the transaction. Common risks include that the purchaser may be unable to obtain sufficient amount of mortgage due to defective title, or the purchaser may be held responsible for the undischarged encumbrances. In addition, licensees should advise their clients to seek legal advice before proceeding with the deal.

## 何謂「分契」物業？ “P” for “Partitioned properties”



分契物業一般指把一個物業分拆為兩個或以上較小的單位，部份可能涉及近年常見的「劏房」。

根據監管局發出的《操守守則》及指引，地產代理在處理物業交易時，須就有關物業進行土地查冊，以確認該物業的業權；倘若該物業涉及把單位分拆，他們應如實告知客戶。

此外，持牌人應提醒客戶購買或租賃此類物業的風險。倘若分拆該物業的文件尚未載於土地登記冊，而土地查冊紀錄顯示物業註有未解除的產權負擔，則有關物業的分拆有可能並不合法，又或涉及違例建築工程，有可能違反《建築物條例》、政府租契條文、大廈公契條文等。

由於分契物業的買賣涉及複雜的法律程序，持牌人應提醒賣方/買方客戶的權利及義務，並建議他們在訂立任何分契物業的買賣協議前先行徵詢法律意見。

“Partitioned properties” generally involve the division of a property into smaller units, some of which might involve “subdivided flats” that have become common nowadays.

According to the *Code of Ethics* and the guidelines issued by the EAA, estate agents should conduct a land search to verify the ownership of the relevant property when handling property transactions. If the property involves the partitioning of a unit, they should inform the client accordingly.

Moreover, licensees should remind their client of the possible risks of purchasing or renting such kind of property. If the documents for partitioning the property has not been registered with the Land Registry or the land search record shows there are subsisting encumbrances, the partitioning might not be lawful and involve unauthorised building works, which might be in breach of the Building Ordinance, the conditions of government lease and the Deed of Mutual Covenant etc.

As the sale and purchase of a partitioned property involves complicated legal procedures, licensees should remind their vendor/ purchaser clients of their respective rights and obligations, and suggest to them to seek legal advice before entering into any agreement for sale and purchase regarding the partitioned property.

## 活動紀要

### Events and Activities

## 2018-09-22

監管局於 2018 年 9 月 22 日舉辦一場題為「如何做個精明一手樓買家（進階版）」的公開講座，四位講者包括明報投資及地產版資深主編陸振球先生、監管局牌照委員會委任成員蕭亮鴻測量師、一手住宅物業銷售監管局總巡查主任潘永健先生，以及監管局投訴及行動部主管陳汝儆律師。

他們向近 300 名觀眾分享對一手市場的見解、發展商提供的重要文件及售樓說明書中需留意的要點，以及消費者在委託地產代理購買一手物業時要注意的事項。

公開講座的精華錄影片段已上載至監管局網頁及 YouTube 頻道。未來，監管局會繼續圍繞不同的物業交易主題舉辦公開講座。



The EAA held a public seminar titled “Be a Smart Purchaser of First-Hand Property (Advanced)” on 22 September 2018. Speakers include Mr Jacky Luk, Senior Managing Editor (Investment and Property) of Ming Pao, Sr Keith Siu, Board-appointed member of the EAA Licensing Committee, Mr Ricky Poon, Chief Inspection Officer of the Sales of First-hand Residential Properties Authority and Mr U-keng Chan, Head of Complaints and Enforcement Section of the EAA.



They shared with an audience of around 300 their insights on the first-hand property market, the points-to-note on certain important documents and sales brochures provided by the developers, and the “dos and don’ts” when appointing estate agents to purchase first-hand residential properties.

Video highlights of the seminar had been posted on the EAA’s website and its YouTube channel. In future, the EAA will continue to hold public seminars on other topics concerning different property transactions.



### 2018-10-11

監管局主席梁永祥教授 (前排右七) 及行政總裁韓婉萍女士 (前排左五) 出席香港新界地產代理商聯會第四屆執行委員會就職典禮。

The EAA Chairman Prof. William Leung Wing-cheung (seventh from the right, front row) and Chief Executive Officer Ms Ruby Hon Yuen-ping (fifth from the left, front row) attended the 4<sup>th</sup> Executive Committee Inauguration of the H.K.N.T. Estate Agents & Merchants Association.



### 2018-10-16

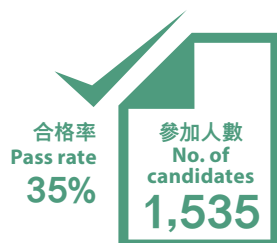
監管局主席梁永祥教授 (前排右八) 及行政總裁韓婉萍女士 (前排右五) 出席由香港房地產代理業聯會主辦的慶祝中華人民共和國成立 69 周年晚宴。

The EAA Chairman Prof. William Leung Wing-cheung (eighth from the right, front row) and Chief Executive Officer Ms Ruby Hon Yuen-ping (fifth from the right, front row) attended the Celebration Dinner for the 69<sup>th</sup> Anniversary for the Establishment of the People's Republic of China held by the Hong Kong Property Agencies Association.

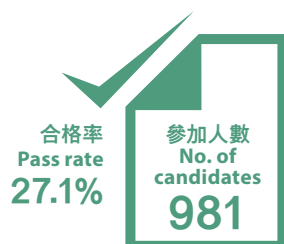


# 統計數字 Statistics

## 考試 EXAMINATIONS



地產代理資格考試  
ESTATE AGENTS  
QUALIFYING  
EXAMINATION  
考試日期  
Examination date  
29/8/2018



營業員資格考試  
SALESPERSONS  
QUALIFYING  
EXAMINATION  
考試日期  
Examination date  
3/10/2018

## 牌照數目 (截至2018年11月30日) (AS AT 30/11/2018) NUMBER OF LICENCES



營業員牌照  
Salesperson's Licence  
21,796



地產代理(個人)牌照  
Estate Agent's Licence (Individual)  
18,346



個人牌照總和  
Total no. of individual licences  
40,142



地產代理(公司)牌照  
Estate Agent's Licence (Company)  
3,768

## 營業詳情說明書 (截至2018年11月30日) NUMBER OF STATEMENTS OF PARTICULARS OF BUSINESS (AS AT 30/11/2018)

合夥經營  
Partnerships

195



獨資經營  
Sole proprietorships

1,643



總數 Total  
7,091

有限公司  
Limited companies

5,253



## 開立的投訴 (2018年1月至11月) NUMBER OF COMPLAINT CASES OPENED (January to November 2018)

276

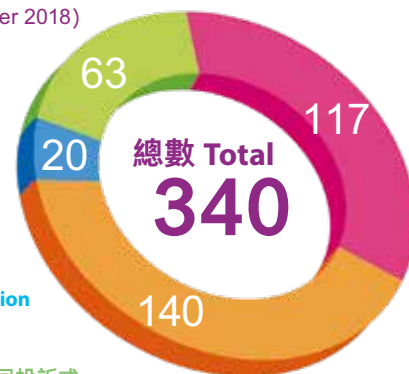
## 已處理的投訴個案結果\* (2018年1月至11月) RESULTS OF COMPLETED COMPLAINT CASES\* (January to November 2018)

指稱成立  
Substantiated

指稱不成立  
Unsubstantiated

資料不足  
Insufficient information  
to pursue

其他 (例如投訴人撤回投訴或  
因其他原因而終止調查)  
Others (include cases withdrawn or closed because of other  
reasons)



\* 部分是往年接獲的個案  
some cases were carried over from previous years

## 巡查次數 (2018年1月至11月)

NUMBER OF COMPLIANCE INSPECTIONS  
(January to November 2018)



## 向持牌人或前持牌人採取的行動\* (2018年1月至11月) ACTIONS TAKEN AGAINST LICENSEES OR EX-LICENSEES\* (January to November 2018)

有關的持牌人或前持牌人人數  
No of licensees or ex-licensees



## 巡查發現主動調查的個案 (2018年1月至11月) NUMBER OF CASES ARISING FROM SELF-INITIATED INVESTIGATIONS DURING INSPECTIONS (January to November 2018)

149

主動調查的個案  
Cases arising  
from self-initiated  
investigations

98

主動調查而指稱成立的個案\*  
Cases completed from  
self-initiated investigations  
and were substantiated\*

\* 部分是往年展開調查的個案  
some cases were carried over from previous years

## 行動 Actions Taken

訓誡 / 譴責  
Admonishment/ reprimand

165

罰款  
Fine

115

於牌照附加 / 更改條件  
Attachment/ alteration of conditions to licence

148

暫時吊銷牌照  
Suspension

23

撤銷牌照  
Revocation


41#


\* 向持牌人或前持牌人作出的行動是根據《地產代理條例》而作出的判決，當中有部份可能屬於紀律性質，包括在發牌時或在其他情況下於牌照上附加條件。  
\* These actions were taken pursuant to powers under the Estate Agents Ordinance. Some actions may be disciplinary in nature and others not, and they include the attachment of conditions to licences whether upon issuance or otherwise.

# 這些個案由牌照委員會裁定。理由是持牌人不再符合相關發牌條件。  
# These cases were decided by the Licensing Committee on the ground that the licensees concerned no longer meet the relevant licensing requirements.



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