

## 境外樓花買唔買？ 計過風險先好買！

To buy or not to buy off-plan properties outside Hong Kong,  
Assess the risks before you buy!



# 目錄

## Contents

01

總裁寄語  
CEO's Message

02

專題報道  
Cover Story

05

新聞速遞  
News Express

10

持續進修  
CPD

11

三「言」兩「與」  
5“A” agent

12

誠信與你  
Integrity in Focus

15

反洗錢專區  
AML Corner

16

常見問答  
Frequently-Asked-Questions

17

好•活動  
Mark Your Diary

18

照片回顧  
Photos recollection

20

統計數字  
Statistics



韓婉萍  
行政總裁

**Ruby Hon Yuen-ping**  
*Chief Executive Officer*



過去25年為我們建立了一個良好的基石，好讓我們在局方與業界的共同努力下，繼續維持地產代理業界的正面發展。

The past 25 years have given us a good foundation to sustain the positive development of the estate agency trade, through the concerted effort of the EAA and the industry.



# 監管局25周年紀念

## 25<sup>th</sup> Anniversary of the EAA



2022年是《地產代理條例》頒布及地產代理監管局（「監管局」）成立的25周年紀念。

經過25年來與地產代理業界的共同努力，監管局提升了從業員的水平和專業，業界的整體服務水平亦進步了不少。這從監管局於2020年聘請獨立專家進行的公眾民意調查所得的正面結果得以證實。

在該民調中，有47%的受訪者對地產代理有良好印象，高於我們在2010年進行的舊調查（35%）。此外，使用過地產代理服務的受訪者中，有69%總體上對他們的服務感到滿意，高於2010年調查的結果（60%）。

過去25年為我們建立了一個良好的基石，好讓我們在局方與業界的共同努力下，繼續維持地產代理業界的正面發展。

正因如此，監管局的25周年紀念主題就是「成就專業 服務香港」（“Together we Establish, Advocate and Achieve”）。為慶祝周年紀念，監管局會舉辦一連串活動，本人誠邀大家參與其中一些活動。尤其是，我們會舉辦另一個企業社會責任活動，希望業界積極參與。事實上，監管局在過去數年，一直鼓勵業界為企業社會責任多出分力，而監管局今次25周年紀念的標誌正是由香港展能藝術會旗下社企「藝全人」的一位展能藝術家所設計。

藉此機會，讓我們攜手服務和貢獻香港。要了解更多資訊，請瀏覽監管局網頁。

The year 2022 marks the 25<sup>th</sup> anniversary of the enactment of the Estate Agents Ordinance and the establishment of the Estate Agents Authority (“EAA”).

After 25 years of hard work in hand with the estate agency trade, the EAA has raised the standards and professionalism of practitioners and the overall service level of the trade has also enhanced over the years. This is proven by the positive findings from the public survey conducted in 2020 by an independent expert engaged by the EAA.

In that survey, some 47% of all respondents had a good impression of estate agents, which is higher than the 35% in the previous survey we conducted in 2010. In addition, 69% of the respondents who had ever used estate agents' services were overall satisfied with their services, a proportion higher than the findings of the 2010 Survey (60%).

The past 25 years have given us a good foundation to sustain the positive development of the estate agency trade, through the concerted effort of the EAA and the industry.

Therefore, the theme of the EAA's 25<sup>th</sup> Anniversary is “Together we Establish, Advocate and Achieve”.

To celebrate the anniversary, the EAA will organise a series of events and I sincerely invite you all to participate in some of them. Particularly, we will arrange another Corporate Social Responsibility (“CSR”) programme that will solicit the trade's proactive participation. In fact, the EAA has encouraged the trade to engage in more CSR events in the past few years and the logo of the EAA's 25<sup>th</sup> Anniversary was also designed by a disabled artist from ADAM, a social enterprise established by The Arts with the Disabled Association Hong Kong.

Hence, let us join hands this year again to contribute more to our Hong Kong society. For more information, please visit the EAA website.



# 境外樓花買唔買？計過風險先好買！ To buy or not to buy off-plan properties outside Hong Kong, Assess the risks before you buy!

**多**年來，地產代理監管局（「監管局」）一直不遺餘力地教育和提醒公眾在購買香港境外物業時要小心謹慎。

監管局在不同的媒體專欄上發表了大量文章，亦舉辦了多次公開講座，並在電視、互聯網、公共交通和報章上刊登過不少廣告。

## 持續教育

隨着越來越多香港人有興趣購買非本地物業，公眾對這個議題越加關注。與此同時，亦有更多地產代理從業員從事相關業務。因此，相關的教育工作毫無疑問必須持續、甚至提升，因

**O**ver the years, the Estate Agents Authority (“EAA”) has not stopped sparing its greatest efforts in educating and reminding the public to be careful when making decisions on purchasing properties situated outside Hong Kong.

Numerous articles have been contributed to different media columns, while a number of public seminars were held and there were countless advertisements on TV, Internet, public transport and newspapers.

## Continuous education

Having said that, public concern on the subject is ever-rising as more and more people in Hong Kong are interested in purchasing non-local properties. At the same time, more and more estate agency practitioners are involved in the related businesses in Hong Kong. Hence, it is

為我們需要不斷提醒市民購買香港境外物業（尤其是未建成物業）所涉及的風險。

### 新推廣和標語

消費者在作出購買境外樓花的決定前，應保持警惕並自行研究所有相關資料，以保障自身利益。就此，監管局最近製作了一系列動畫短片，提醒消費者在購買香港以外物業時要「究」SMART。

今期《專業天地》我們會介紹一下這個新的教育推廣計劃，當中包括以下這句清晰易記的標語：

## 「境外樓花買唔買？計過風險先好買！」

**“To buy or not to buy off-plan properties outside Hong Kong, Assess the risks before you buy!”**

監管局於2021年製作的教育小冊子《境外置業要「究」SMART》大受歡迎，而新製作的這一系列動畫短片，內容就是參照這本小冊子的故事，希望向互聯網上的觀眾進一步推廣上述新標語。

### 四個熟悉的故事

四段動畫短片皆設有中英版本，每段短片長90秒，各有不同的情境/故事，局方希望能引起境外樓花準買家的注意。

四段動畫短片，分別名為「租金保證篇」、「按揭成數篇」、「訂金處理篇」及「預購物業篇」，內容並不是一些公眾聞所未聞的新故事，反之，它們反映了過去監管局接獲的投訴案件中經常出現的一些共通問題。

unquestionable that the educational efforts must be continued and even escalated as members of the public are needed to be constantly reminded of the risks in purchasing properties situated outside Hong Kong, particularly the off-plan ones.

### New campaign and slogan

Consumers should be reminded to stay vigilant and study all related information themselves before making a purchase decision of uncompleted non-local properties so that their own interests can be protected. In this connection, the EAA has recently produced a series of animation videos to remind consumers to be SMART in purchasing properties situated outside Hong Kong.

In this issue of *Horizons*, we will introduce this new educational campaign which includes the following bright and catchy slogan:

Based on the stories included in the popular educational booklet titled “Purchasing Non-local Properties – Be Smart” that the EAA produced in 2021 on this topic, we have produced a new series of animation videos to also instill the slogan to the audience on the Internet.

### Four familiar stories

There are altogether four bilingual animation videos, each of 90 seconds long and each with a different scenario/story that the EAA would like to bring to the attention of the potential purchasers of off-plan properties outside Hong Kong.

The four animation videos, respectively titled “Guaranteed return – Really guaranteed?”, “Loan-to-value ratio?”, “Where is the deposit?” and “Completed or uncompleted?” are not some groundbreaking new stories that the public have never heard of. Instead, they reflect some very common issues that often come up in the complaint cases lodged with the EAA.



例如，在「租金保證篇」中，主角人物因為購買了未能兌現保證租金回報的境外樓花而蒙受金錢損失，而該樓花亦沒有完工。

四個動畫短片已全部上載於監管局的YouTube頻道([www.youtube.com/c/EstateAgentsAuthority](http://www.youtube.com/c/EstateAgentsAuthority))及監管局的消費者教育網站指定網頁(<http://outsideHK.eaa.org.hk>)。局方亦透過在YouTube和Google網絡宣傳這些短片，至今已錄得逾60萬次觀看次數。



◀ 掃描觀看  
Scan to watch

此外，監管局還與不同的受歡迎媒體Facebook專頁合作，廣泛地向不同受眾推廣上述短片和標語。

### 善忘的大眾

透過簡單有趣的講故事方式和生動的動畫人物，監管局相信所有市民都能輕鬆理解短片內的訊息。

然而，訊息有時很容易被遺忘。因此，我們在這系列動畫短片內置了這句易記的標語以提醒消費者在購買境外樓花前計算自己的風險。監管局透過不同渠道進一步向公眾宣傳這句標語，並希望它能深入民心。

監管局亦鼓勵地產代理公司在他們的宣傳資料/短片中採用這句標語，和我們一同教育消費者。地產代理一定會明白，與客戶進行更良好的溝通及向他們提供更多資訊以協助他們作出更佳決定，能有助減少日後出現糾紛的機會。同時，在宣傳資料中加入監管局的這句標語，亦顯示有關地產代理公司致力保障/促進其客戶利益，並有助其贏得客戶的信任。



For example, in the story of “Guaranteed return – Really guaranteed?”, the key character suffered a monetary loss as the guaranteed rental return of the non-local project was not honoured after the purchase and the construction was not completed.

All the four animation videos have been uploaded to the EAA's YouTube Channel ([www.youtube.com/c/EstateAgentsAuthority](http://www.youtube.com/c/EstateAgentsAuthority)) and the designated webpage (<http://outsideHK.eaa.org.hk>) of the EAA's consumer education website. The videos are also advertised through the YouTube and Google Display Network, and a total of over 600,000 views of the videos were recorded so far.

In addition, the EAA has cooperated with different popular media's Facebook pages to promote the videos and the slogan to a wider audience.

### People are forgetful

Through the simple and interesting story-telling method and the vivid animation characters, the EAA believes that all members of the public can easily understand the messages in the videos.

However, messages can sometimes be easily forgotten. This catchy slogan which appeared in the animation series will help remind consumers to calculate their own risks before purchasing non-local off-plan properties. The EAA will further promote this slogan to the public via different channels and hope that the slogan will be deeply instilled in the minds of the public.

The EAA also encourages estate agency companies to join hands in educating their clients on the subject by adopting this slogan in their promotional materials / videos. Agents will surely understand that better communication with their clients and more informative decisions made by their clients will help avoid a lot of disputes in the future. By including this slogan created by the EAA in its promotional materials, it will be a good demonstration that the concerned estate agency company is committed to protecting / promoting the interest of its clients and will help it gain customers' confidence.

# 387 間地產代理商舖於 「節能有『理』嘉許計劃」中獲獎

## 387 shops awarded in the Estate Agents Energy Saving Award Scheme



監管局主席廖玉玲太平紳士於網上頒獎典禮上揭曉結果及恭賀所有得獎者。

*The EAA Chairman Ms Elaine LIU, JP announced and congratulated the winners at an online award presentation ceremony.*

監管局於2021年4月推出「節能有『理』嘉許計劃」，鼓勵地產代理通過減少碳排放，攜手對抗全球暖化，為環境作出貢獻。該計劃得到業界踴躍支持，有900多間地產代理商舖報名參與。

計劃結果令人鼓舞，參與商舖於短短數月合共節省超過25萬度電。有見計劃成績斐然，監管局於2022年3月22日舉行網上頒獎典禮，以表揚地產代理業界為保護環境所作的努力。頒獎典禮反應正面，典禮片段錄得超過45,000次觀看次數。

監管局主席廖玉玲太平紳士於頒獎典禮上公布得獎名單及恭賀所有得獎者。她在致辭時表示：「縱然面對疫情帶來的衝擊，但地產代理業界仍積極參與今次計劃，致力推動環保，本人衷心希望，業界會繼續履行企業社會責任及回饋社會。」

在比較2021年6月至10月及2020年同期的用電量後，合共有387間地產代理商舖分別榮獲「節能一星」、「節能二星」及「節能三星」之嘉許評級。至於慳電量成績最好的三間地產代理商舖，則分別獲得「理」最慳電

With a view to encouraging estate agents to contribute to the planet by joining hands in fighting against global warming through reducing carbon emissions, the EAA launched an "Estate Agents Energy Saving Award Scheme" in April 2021. The Scheme received a very positive response from the trade with over 900 estate agency shops enrolled.

The result has been very promising – over 250,000 units of electricity consumption were saved by the participating shops in only a few months. Given the positive results of the Scheme, the EAA held a live-streaming online award presentation ceremony on 22 March 2022 to commend the contribution of the trade to environmental protection. The response of the ceremony was also positive, over 45,000 views of the ceremony video were recorded.

At the ceremony, the EAA Chairman Ms Elaine LIU, JP announced and congratulated the winners. She commented that "It is encouraging to see the active participation of the estate agency trade in the Scheme, demonstrating their contribution to sustainable development notwithstanding the impact of the pandemic. I sincerely hope that the estate agency trade will continue to fulfil their social responsibility and contribution to society."

By comparing the monthly electricity consumption from June to October 2021 with the same months in 2020, a total of 387 participating estate agency shops were awarded as "One-star", "Two-star" and "Three-star"

大獎銅獎、銀獎及金獎之殊榮。在各參與商舖中，成績最好的商舖之慳電量高達百分之四十。

嘉許證書及嘉許標誌櫥窗貼紙均已送遞予獲嘉許的地產代理商舖，以供其張貼於店內讓公眾知悉。

是次計劃是監管局第三個企業社會責任項目，旨在向公眾展示地產代理業界積極參與企業社會責任活動，從而提升業界正面形象。監管局未來將會繼續為業界舉辦各項企業社會責任活動。

有關得獎商舖的完整名單及計劃詳情，請參閱該計劃網站<http://csr2021.eaa.org.hk>

Energy Saving Shop respectively. The three outstanding estate agency shops which saved the most electricity usage were conferred respectively the "Bronze Award", "Silver Award" and "Gold Award". Amongst all the awardees, the estate agency shop with the best performance saved 40% of electricity usage.

Award certificates and window stickers with the Award logo have been delivered to all the awarded estate agency shops so that they can display them in their shops for public recognition.

This is the third Corporate Social Responsibility ("CSR") project launched by the EAA to show to the public the estate agency trade's active participation in CSR activities to enhance their positive image. The EAA will continue to organise different CSR activities for the trade to join.

For the full list of awardees and the details of the Scheme, please visit the website of the Award Scheme at <http://csr2021.eaa.org.hk>

| 獎項名單：                               | List of Awards:  |
|-------------------------------------|--|
| 「節能三星」商舖數目：205 間                    | Number of "Three-star Energy Saving Shop": 205                         |
| 「節能二星」商舖數目：112 間                    | Number of "Two-star Energy Saving Shop": 112                           |
| 「節能一星」商舖數目：70 間                     | Number of "One-star Energy Saving Shop": 70                            |
| 大獎：                                 | Grand Awards:  |
| 「理」最慳電大獎金獎：<br>美聯物業 — 南區屋苑 — 海怡     | Gold Award:<br>Island South-South Horizons Branch, Midland Realty      |
| 「理」最慳電大獎銀獎：<br>祥益地產代理有限公司 — 海翠分行    | Silver Award:<br>Many Wells Property Agent Limited – Ocean Walk Branch |
| 「理」最慳電大獎銅獎：<br>美聯物業 — 南區屋苑 — 薄扶林支援站 | Bronze Award:<br>Island South-Pok Fu Lam Branch, Midland Realty        |



美聯物業 — 南區屋苑 — 海怡獲得「理」最慳電大獎金獎。

Island South-South Horizons Branch, Midland Realty received the Gold Grand Award.



祥益地產代理有限公司 — 海翠分行獲得「理」最慳電大獎銀獎。

Many Wells Property Agent Limited – Ocean Walk Branch received the Silver Grand Award.



美聯物業 — 南區屋苑 — 薄扶林支援站獲得「理」最慳電大獎銅獎。

Island South-Pok Fu Lam Branch, Midland Realty received the Bronze Grand Award.

# 有關「規管租賃」 的提醒

## Reminder about “regulated tenancies”

**實** 施分間單位租務管制的《業主與租客（綜合）條例》第IVA部已於2022年1月22日生效。就此，差餉物業估價署（「估價署」）希望透過監管局通知持牌人，提醒其「規管租賃」的業主客戶須在「規管租賃」租期開始後的60日內，向估價署署長（「署長」）遞交租賃通知書（表格AR2）的法定責任。

倘若有關業主沒有合理辯解而拒絕或忽略遵從此項規定，該業主即屬犯罪，一經定罪，可處罰款港幣10,000元。如有關罪行是持續罪行，則可就該罪行持續期間的每一日，另處罰款港幣200元。另外，除非署長已在租賃通知書上批署，否則「規管租賃」的業主不得採取法律行動，追收有關租賃下的租金。

持牌人或其「規管租賃」的業主客戶如就有關條例的要求有任何查詢，可瀏覽估價署網頁或致電估價署電話查詢熱線2150 8303。



◀◀ 掃描前往估價署網頁

The implementation of tenancy control on subdivided units under Part IVA of the Landlord and Tenant (Consolidation) Ordinance came into effect on 22 January 2022. The Rating and Valuation Department (“RVD”) would like to advise estate agents to remind their clients who are landlords of “regulated tenancies” of the statutory requirement to submit the Notice of Tenancy (Form AR2) to the Commissioner of the Rating and Valuation (“Commissioner”) within 60 days after the term of a “regulated tenancy” commences.

If the relevant landlord, without reasonable excuse, refuses or neglects to comply with this requirement, the landlord commits an offence and will be liable on conviction to a fine of HK\$10,000; and in the case of a continuing offence, to a further fine of HK\$200 for each day during which the offence continues. In addition, the landlord of a “regulated tenancy” may not maintain an action to recover any rent under the tenancy unless the Notice of Tenancy is endorsed by the Commissioner.

Should licensees or their clients of “regulated tenancies” have any queries about the requirements under the Ordinance, please visit the RVD’s website or call the RVD’s hotline at 2150 8303.



◀◀ Scan to visit RVD’s website

**《業主與租客（綜合）條例》（第7章）第IVA部**  
Part IVA of the Landlord and Tenant (Consolidation) Ordinance (Cap. 7)

**由2022年1月22日起生效**  
Effective from 22 January 2022

**主要規定**  
Key requirements

1. 分間單位租賃的規管週期，須由該分間單位的連續2項規管租賃所組成，每項規管租賃的租期為2年。  
A regulated cycle of tenancies for a subdivided unit (SDU) is to comprise 2 consecutive regulated tenancies for the SDU, each for a term of 2 years.

2. 分間單位首期租賃的租客，就該分間單位有權獲授予有規管週期中的次期租賃，從而享有4年的租住權保障。  
A tenant of a first term tenancy for an SDU is entitled to be granted a second term tenancy of the regulated cycle for the SDU, thus enjoying security of tenure of 4 years.

3. 在規管租賃的租期內，租金不得上調。  
Rent increase during the term of a regulated tenancy is not allowed.

4. 規管週期中次期租賃的租金加幅，不得高於差餉物業估價署就所有類別私人住宅物業編製和公布的全港性租金指數在相關期間的百分率變動，上限為百分之十。  
The rate of rent increase for the second term tenancy of a regulated cycle must not exceed the percentage change of the territory-wide rental index for all classes of private tenancy properties compiled and published by the Rating and Valuation Department during the relevant period, and is capped at 10%.

5. 規管租賃的業主，向租客索取雜費或指明公用設施及服務（包括水、電）收費的付還，即屬犯罪。  
A landlord of a regulated tenancy commits an offence if the landlord requires the tenant to pay any non-permitted money or reimbursement of charges for specified utilities and services (including water and electricity).

6. 業主須在規管租賃的租期開始後60日內，向差餉物業估價署遞交租賃通知書，如沒有合理辯解而未有遵從有關規定，即屬犯罪。  
A landlord of a regulated tenancy must, within 60 days after the term of the tenancy commences, submit a notice of tenancy to the Rating and Valuation Department. If the landlord, without reasonable excuse, fails to comply with the requirement, the landlord commits an offence.

enquiries@rvd.gov.hk  
2150 8303  
www.rvd.gov.hk/our\_services/tenancy\_matters.html

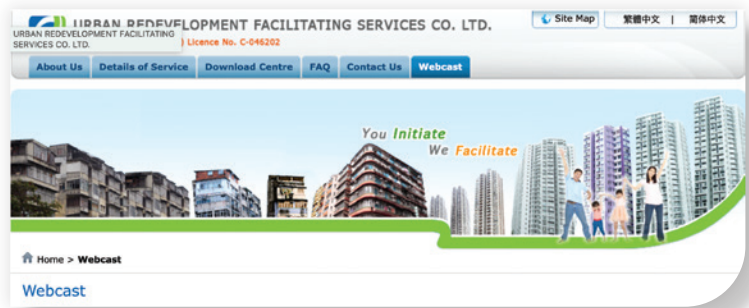
**差餉物業估價署**  
Rating and Valuation Department

## 市建局邀請地產代理參加簡介會

### The URA invites estate agents to attend a briefing

市區重建局（「市建局」）希望邀請地產代理參加有關山東街/地士道街發展計劃（「該項目」），為受該項目影響的商舖營運者尋找合適店舖搬遷。

監管局於2022年6月6日向持牌人發出提醒，通知有興趣的持牌人可聯絡市建局參加網上簡介會。如欲重溫網上簡報會片段，可瀏覽：[www.ura-facilitator.com.hk/tc/webcast/index.html](http://www.ura-facilitator.com.hk/tc/webcast/index.html)



In order to assist the affected shop operators of the Project in searching for suitable replacement shops to relocate to, the Urban Renewal Authority (“URA”) invited estate agents to attend a briefing about the Shantung Street / Thistle Street Development Scheme (“the Project”).

The EAA issued a reminder on 6 June 2022 to inform interested licensees to contact the URA to join the online briefing. A video of the online briefing could also be viewed on: <http://www.ura-facilitator.com.hk/en/webcast/index.html>



掃描觀看



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## 差餉物業估價署發出的提醒

### Reminders from the Rating and Valuation Department

差餉物業估價署（「估價署」）發文建議持牌人要提醒客戶有關繳納差餉及/或地租的責任，以及更新物業繳納人的資料，以保障買方的利益。

另外，估價署介紹既方便又環保的「電子差餉地租單服務」，登記用戶可透過此服務查閱電子差餉地租單並安排付款。

持牌人可瀏覽該署或監管局網頁以閱覽該篇文章，或致電估價署查詢熱線2152 0111查詢。

The Rating and Valuation Department (“RVD”) has issued an article to advise EAA’s licensees to advise their clients of the liabilities in rates and/or Government rent and change the payer’s particulars of the properties so as to protect the purchasers’ interest.

In addition, the RVD also introduced the eRVD Bill service for registered users to retrieve the electronic demand which is convenient and environmentally friendly.

Licensees can refer to the article of the RVD at the RVD’s or EAA’s website or contact the RVD at 2152 0111 for any enquiries.



掃描閱讀



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# 「紀律研訊案例選輯 - 第六輯」經已出版

## New booklet "Inquiry Hearing Cases – A Selection VI" published

全新「紀律研訊案例選輯-第六輯」已於2022年3月出版，旨在透過真實的研訊個案，加強持牌人對處理物業買賣的相關法律及監管要求的認知，以提升地產代理業的服務質素及保障消費者的權益。監管局由2022年4月起向前往監管局辦事處領取牌照的新持牌人派發此小冊子，持牌人也可透過監管局網頁（[www.eaa.org.hk](http://www.eaa.org.hk)）閱讀網上版。

A new booklet titled "Inquiry Hearing Cases – A Selection VI" was published in March 2022 with the aim to enhancing licensees' understanding of the relevant legal and regulatory requirements in handling property transactions through sharing certain real inquiry hearing cases, in a bid to promote quality service of the estate agency trade and to better protect the interests of consumers. The booklet would be distributed to new licensees upon their collection of licences at the EAA counter from April 2022 onwards. Licensees can also read the online version of the booklet at the EAA's website ([www.eaa.org.hk](http://www.eaa.org.hk)).



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# 持續專業進修活動

## CPD Activities

### 網絡研討會及講座回顧

為加強持牌人的專業知識及掌握最新市場資訊，監管局於三月至六月舉辦了多個網絡研討會，當中包括：「理解物業產權負擔」、「處理非住宅物業買賣須知」、「地產代理業防貪講座(前線代理)」、「防止洗錢及反恐怖分子集資 (2019年精華版)」、「英國房地產市場、買賣流程及注意事項」、「僱建物的責任問題及小型工程監管制度」以及「地產代理的責任 — 恰當及誠信行為」，共吸引了1,437名持牌人參加。

此外，監管局與英國皇家特許測量師學會於2022年5月19日協辦了一個名為「認識買賣農地」的持續專業進修講座，參加者均對講座給予正面的評價和支持。

### 履行牌照上的進修條件需注意事項

若持牌人的牌照被附加條件，要求在指定限期內取得持續專業進修計劃下的若干學分，持牌人則有責任自行在指定限期內取得所需學分，並須預先計劃能達至學分要求的上課日程。監管局不會為個別持牌人在其指定限期屆滿前額外舉辦持續專業進修活動，以滿足其學分的要求。持牌人亦可瀏覽監管局網站上刊登有關即將舉行的持續專業進修活動詳情。

### 持續專業進修嘉許獎章紀錄

由2022年4月1日起，監管局「牌照目錄」將顯示持牌人及地產代理商舖於過往三年所獲得的持續專業進修嘉許獎章紀錄，以鼓勵地產代理從業員更積極參與持續專業進修計劃下的活動，從而提升其專業知識。

### Webinars & Seminars Recap

To strengthen licensees' professional knowledge and to facilitate licensees to keep abreast of the latest market information, the EAA launched a number of webinars from March to June, including "Understanding Encumbrances", "Points-to-Note in Handling Sale and Purchase of Non-residential Properties", "Corruption Prevention Measures for Estate Agency Industry(Frontline Practitioners)", "Anti-Money Laundering and Counter-Terrorist Financing (2019 version)", "UK property market", "Webinar on Responsibilities of owners on UBWs" as well as "Responsibilities of Estate Agents – Act Properly and Ethically", which recorded an attendance of 1,437 participants.

Besides, the EAA co-organised with the Royal Institution of Chartered Surveyors to hold a CPD seminar titled "Learn about Sale and Purchase of Agricultural Land" on 19 May 2022 with positive feedbacks from attendees.

### Complying with CPD Conditions - Points to Note

For licensee whose licence is attached with a condition requiring the attainment of specified number of CPD points under the Continuing Professional Development Scheme, the licensee is responsible for fulfilling the required CPD points within the specified period and has to well plan ahead to achieve the goal. The EAA would not tailor-make for individual licensee with additional CPD activities to meet their personal needs if they fail to obtain sufficient CPD points close to the end of the specified period. Licensees can refer to the EAA website for further information about upcoming CPD activities.

### CPD Award Record

Starting from 1 April 2022, the EAA's Licence List will display the records of the CPD Award received by the licensees and SPOB in the past three

years so as to encourage estate agents practitioners to participate in more activities under the CPD Scheme for enhancing their professional knowledge.

| 屆滿日期   | 相關牌照 | 持續專業進修嘉許獎章紀錄* | 仍然有效的附加條件(截至今日為止) | 監管局曾對持牌人作出之紀律制裁# |
|--|------|---------------|-------------------|------------------|
| 全營: 2018-2019<br>持續專業進修計劃嘉許獎章: 2018-2019, 2019-2020, 2020-2021 |      |               |                   |                  |
| *此處會顯示過往3年所獲得的持續專業進修嘉許   |      |               |                   |                  |
| 屆滿日期   | 相關牌照 | 持續專業進修嘉許獎章紀錄* | 仍然有效的附加條件(截至今日為止) | 監管局曾對持牌人作出之紀律制裁# |
| 地產代理商舖專業進修嘉許獎章: 2020-2021                                      |      |               |                   |                  |
| *此處會顯示過往3年所獲得的持續專業進修嘉許   |      |               |                   |                  |

# 緊記「三言兩與」 Always be a “5A” agent

監管局於2019年推出「5A」代理宣傳計劃，推廣專業地產代理應具備的「三言兩與」特質，提醒消費者委託具備該等特質的地產代理。自計劃推出以來，具代表性的「5A」代理廣受業界歡迎。

監管局會於《專業天地》中，提醒持牌人如何成為消費者尋求的「5A」代理。

首先，大家一起來溫故知新 — 宣傳計劃中的「三言兩與」特質，其實是代表了五句以「言」或「與」字為首的成語（而英文版本則同樣是以A字為首），當中包括「言出必行」(Adherence)、「言之有物」(Ability)、「言而有信」(Accountability)、「與時並進」(Advancement)及「與客同行」(Affinity)。這些重要的特質都是地產代理為顧客提供優質服務時應具備的。

過去數年，監管局推出多個宣傳活動向公眾展示業界的正面形象。然而，單靠宣傳而沒有持牌人的實際行動，要改變公眾對地產代理的既定印象並不容易。因此，一方面局方會繼續向公眾灌輸「5A」代理的概念，而另一方面，持牌人應緊記這不僅是宣傳口號，更是專業地產代理的核心價值。行動勝於空談，讓我們攜手努力，保持業界的專業水平，向公眾展示正面形象。

監管局會在未來的《專業天地》分享更多關於「A級」特質。



The EAA launched the publicity campaign of the “5A Agent” in 2019 to promote the important “5A” qualities that a professional licensed estate agent should possess, and which consumers should focus on when choosing an estate agent to appoint. The iconic 5A Agent has gained popularity among the trade since then.

Here in *Horizons*, we will remind licensees how to become this “5A agent” whom every consumer will look for.

First of all, let us refresh our memory – the “5A” qualities introduced in the campaign are literally five qualities which start with the letter “A”, namely “Adherence”, “Ability”, “Accountability”, “Advancement” and “Affinity”. These are the essential qualities that all estate agents should possess in order to deliver a professional service to their clients.

Publicity campaigns on the subject were carried out in the past few years by the EAA. However, it is not easy to change the public’s perception of estate agents through those campaigns alone without the commitments from the licensees. While the EAA will continue to instill this “5A agent” concept to the public, licensees should remember that it is not only a promotional slogan but it is a core value of being a professional estate agent. Actions speak louder than words. Let us work together to keep up the professional standard of the trade and demonstrate the positive image to the public.

In the coming issues of *Horizons*, we will write more about each of these “Grade A” qualities.



## 刑事個案 Criminal case

# 無牌從事地產代理工作 Practising unlicensed estate agency work

### 引言

持牌地產代理公司不可安排其非持牌員工參與任何地產代理工作。否則，有關人士、該公司及其管理層均可能觸犯刑事罪行而被警方檢控，並會因此而留下案底。

### Introduction

A licensed estate agency company must not arrange for its unlicensed staff to engage in estate agency work. Otherwise, the person concerned, the company and its management may commit a criminal offence and be prosecuted by the police, which will result in a criminal record.

### 事件經過

監管局接獲一宗有關銷售一手住宅物業的投訴。監管局職員在調查事件期間發現，被投訴的營業員在向準買家推介一手樓盤的時候，並未取得地產代理或營業員牌照。因此，該營業員涉嫌在沒有牌照下從事地產代理工作，而僱用他的地產代理公司則涉嫌僱用非牌照持有人作為營業員，兩者均涉嫌觸犯刑事罪行，局方於是將個案交由警方接手跟進。

### Incident

The EAA received a complaint about the sale of a property in a first-hand residential development. During the investigation, the EAA staff discovered that the salesperson concerned did not hold an estate agent's licence or a salesperson's licence when he introduced the property to the prospective purchaser. Hence, the salesperson was suspected of conducting estate agency work without a licence, while the estate agency company which employed him was suspected of employing an unlicensed person as a salesperson. As both were suspected of committing a criminal offence, the EAA referred the case to the police.

## 研訊結果

經警方調查後，案件交由法庭審理。結果，法庭裁定該名營業員因無牌從事地產代理工作，干犯《地產代理條例》第16條而被定罪，被判處罰款港幣3,000元及留下案底。雖然在個案審訊前，該名營業員已取得營業員牌照，但由於他干犯了《地產代理條例》第16條的刑事罪行，故其營業員牌照隨後亦被監管局牌照委員會所撤銷，三年內將不會再次獲發牌照。

至於僱用該營業員的地產代理公司，則由於證據不足而未被警方起訴。

## Result

After police investigation, the case was taken to court. The court ruled that the salesperson carried out estate agency work without a licence, contravening section 16 of the Estate Agents Ordinance ("EAO"). He was convicted and sentenced to a fine of \$3,000, with a criminal record maintained by the police. Although the concerned salesperson was granted a salesperson's licence before the trial, his licence was subsequently revoked by the EAA's Licensing Committee due to his criminal conviction under section 16 of the EAO and he would not be granted a licence by the EAA for the next three years.

The estate agency company, which employed the salesperson, was not prosecuted due to insufficient evidence.



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## ● 業界意見 Comment from trade

地產代理實施牌照制度之目的是保障消費者的權益及讓行業專業化。無牌代理除了妄顧客戶的利益，一間公司若以無牌營業員去作市場競爭亦是不公平的競爭手段。

The licensing regime for estate agents is to protect consumers' interests and enhance the professionalism of the trade. Unlicensed estate agents neglect the interests of clients and it also gives any company hiring unlicensed salespersons an unfair advantage to compete in the market.

## 紀律研訊個案 Disciplinary hearing case

## 向準買家發出具侮辱性的訊息令業界名聲受損 Sending abusive messages to a prospective client and brought disrepute to the trade

## 引言

持牌人應時刻謹記保持專業態度，絕不可向客戶/準客戶發出騷擾或具侮辱性的訊息，否則有機會被監管局紀律處分。

## Introduction

Licensees should always behave in a professional manner and must not send any harassing or abusive messages to clients or potential clients. Otherwise, they may be subject to disciplinary action by the EAA.

### 事件經過

一名準買家透過某地產代理公司的流動應用程式查詢一個載於該程式內的住宅物業。該地產代理公司指派一名持牌地產代理處理該查詢，該代理便即以手機通訊軟件發送數則訊息聯絡該準買家。然而，該代理因為該準買家在翌日仍未回覆他，便向該準買家發出具侮辱性的訊息。該準買家收到這些訊息後，遂向監管局作出投訴。

### Incident

A prospective purchaser made an enquiry via the mobile App of an estate agency company about one of the residential properties listed in the App. The company appointed one of its licensed employees to deal with the enquiry, the designated estate agent sent messages to contact the prospective purchaser through a mobile communication App accordingly. However, after the prospective purchaser did not respond to his messages on the next day, the estate agent sent messages containing abusive content to the prospective purchaser. After receiving these messages, the prospective purchaser lodged a complaint with the EAA.

### 研訊結果

監管局紀律委員會認為，該地產代理不應向準買家發出具侮辱性的訊息，違反了《操守守則》第3.7.2段，即「地產代理和營業員應避免做出可能令地產代理行業信譽及/或名聲受損的行為。」

考慮到個案的性質及該地產代理的違規紀錄，紀律委員會決定譴責該名地產代理，並暫時吊銷其牌照一星期。

### Result

The EAA Disciplinary Committee pointed out that the estate agent should not send messages with abusive content to the prospective purchaser. Hence, the estate agent failed to comply with paragraph 3.7.2 of the *Code of Ethics*, which states that “Estate agents and salespersons should avoid any practice which may bring discredit and/or disrepute to the estate agency trade”.

Having considered the nature and gravity of the case and the disciplinary record of that estate agent, the Disciplinary Committee decided to reprimand him and suspended his licence for one week.



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**Mr Anthony Kwok**  
President of Society of Hong Kong  
Real Estate Agents

### ● 業界意見 Comment from trade

持牌人應時刻保持專業及誠懇的服務態度，待人以禮及耐心聆聽。向查詢人發出具侮辱性的語音訊息等行為，會令公眾誤以為地產代理欠缺基本禮貌，損害地產行業名聲及形象，及違反監管局發出的《操守守則》。

Licencees should always act professionally and serve their clients with sincerity. Sending abusive messages to enquirers will make the public feel that estate agents are impolite, which will tarnish the reputation and image of the trade and violates the *Code of Ethics* issued by the EAA.

## 反洗錢

為加深持牌人對反洗錢及反恐怖分子資金籌集（「反洗錢」）議題的認知，我們會在《專業天地》這個「反洗錢專區」為大家提供有關反洗錢的不同資訊及最新消息。

To enhance licensees' knowledge on the subject of anti-money laundering ("AML") and counter-terrorist financing ("CTF"), we will provide various information and updates about AML in the "AML Corner".



監管局最近出版了一本新小冊子名為《紀律研訊案例選輯 — 第六輯》，旨在透過真實的研訊個案，加強持牌人對處理物業買賣的相關法律及規管要求的認知，以提升地產代理業的服務質素及保障消費者的權益。全新一輯小冊子加入了新題材，包括：「未能遵守反洗錢及反恐怖分子資金籌集規定」及「有關銷售香港境外物業」等等。

局方建議持牌人閱讀相關文章，以了解更多關於反洗錢個案的違規事項，例如：未有對賣方進行客戶盡職審查、未有設立妥善程序或制度以確保遵守反洗錢及反恐怖分子資金籌集指引等。此小冊子已上載於監管局網站（資訊中心 > 監管局刊物 > 紀律研訊案例輯錄）供持牌人閱覽，亦可於監管局辦事處索取實體版本（先到先得）。



<< 掃描閱讀

The EAA recently published a new booklet titled "Inquiry Hearing Cases – A Selection VI" with the aim to enhancing licensees' understanding of the relevant legal and regulatory requirements in handling property transactions through sharing certain real inquiry hearing cases. In this Selection VI, new topics like "Failing to comply with AML/CTF requirements" and "The sale of properties situated outside Hong Kong" were included.

Licensees are advised to read the articles so as to know more about the non-compliant AML cases such as, failing to conduct customer due diligence of the vendor and failing to establish proper procedures or systems to ensure compliance of the AML/CTF guidelines. The booklet has been uploaded to the EAA website (Information Centre > Publications > Collections of inquiry hearing cases) for licensees' reading and printed copies can be obtained at the EAA's office (while stock lasts).



<< Scan to read

在《專業天地》內，我們會解答持牌人的一些常見提問。

In *Horizons*, we will answer questions commonly asked by licensees.

**問** 差餉物業估價署（「估價署」）的「物業資訊網」有提供住宅物業許可用途的資料（不包括鄉村式屋宇），但估價署並不是「物業資料表格」（表格1）內有關物業用途限制的訂明來源。請問地產代理可否根據估價署的「物業資訊網」所提供的資料來填寫表格1中的用途限制？

**答** 估價署的「物業資訊網」發放的住宅物業許可用途資料，摘錄自屋宇署發出的有關「估用許可證」。

因此，就符合《地產代理常規（一般責任及香港住宅物業）規例》下提供指定物業資料的目的而言，地產代理若從「物業資訊網」取得的住宅物業的許可用途資料，地產代理監管局會視之為來自訂明來源。

查找物業的用途限制及提醒客戶有關限制，是地產代理的責任，尤其是涉及一些舊式的大廈（例如綜合用途建築物），因為該類大廈內各單位的用途限制有可能是不同的。

**Q** The Property Information Online ("PIO") service of the Rating and Valuation Department ("RVD") provides information on permitted occupation purposes of domestic properties (excluding village type houses). However, the RVD is not a "prescribed source" of "user restrictions" as specified in the Property Information Form (Form 1). Can an estate agent fill in the user restrictions in Form 1 based on the information provided by the PIO of the RVD?

**A** The information on permitted occupation purposes in respect of domestic properties provided by the PIO of the RVD is extracted from the relevant Occupation Permits issued by the Buildings Department.

Hence, for the purpose of complying with the requirements on the provision of prescribed property information under the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation, the information on permitted occupation purposes in respect of domestic properties obtained from the PIO will be regarded by the Estate Agents Authority as obtained from a prescribed source.

It is the responsibility of an estate agent to find out the user restrictions of the property for which he/she is the agent, and to remind his/her client(s) the relevant restrictions especially when old buildings are involved (e.g. composite buildings), as the user restrictions of the units within such type of buildings could be different.



## 監管局即將推出的持續專業進修計劃活動

### Upcoming CPD activities offered by the EAA

| 日期<br>Date    | 講者<br>Speaker                    | 課程名稱<br>Course title             | 語言<br>Language | 類別<br>Category |
|---------------|----------------------------------|----------------------------------|----------------|----------------|
| <b>實務證書課程</b> |                                  |                                  |                |                |
| 27/7/2022     | 監管局法律事務及考試部經理<br>李文慧女士           | 《地產代理條例》及其附屬法例                   | 廣東話            | 合規及有效管理        |
| 23/8/2022     | 監管局法律顧問<br>容慧敏女士                 | 其他與地產代理工作相關的法律及實務                |                |                |
| 20/9/2022     | 監管局投訴及行動部主管<br>馬喜得律師             | 物業轉易須知                           |                |                |
| <b>面授講座</b>   |                                  |                                  |                |                |
| 18/8/2022     | 劉永達博士工程師<br>香港綠色建築議會<br>綠建標籤部門主管 | 認識香港綠建趨勢和<br>如何理解新樓盤售樓書的<br>綠建資訊 | 廣東話            | 合規及有效管理        |
| <b>網絡研討會</b>  |                                  |                                  |                |                |
| 29/7/2022     | 蘇海英先生<br>屋宇署<br>結構工程師            | 強制檢驗計劃                           | 廣東話            | 全面提升發展         |

詳情請瀏覽《持續專業進修計劃》的網頁。  
For details, please visit the webpage of the CPD Scheme.

## 其他活動

### 香港個人資料私隱專員公署主辦活動

#### 條例簡介講座 (\*以視像形式進行)

| 日期        | 時間          | 語言 | 課程費用 |
|-----------|-------------|----|------|
| 26/7/2022 | 15:00-16:30 | 粵語 | 免費   |
| 24/8/2022 |             |    |      |

查詢電郵：training@pcpd.org.hk  
查詢電話：2877 7130



2022-06-02



監管局舉辦了《技能提升配對資助計劃》課程—「以智能電話製作樓盤影片」的面授講座。

The EAA holds a face-to-face seminar of "Government Matching Grant Scheme" Skills Upgrading Courses – "Video Production for Estate Agency Trade Using Smartphone".

2022-06-09

監管局以視像會議形式與業界主要代表舉行聯絡會議。除了提醒業界有關處理分間單位租賃的執業通告外，監管局也和業界分享近期常見的違規事項及介紹局方最近就購買境外物業的議題所作出的消費者教育。

The EAA holds a liaison meeting with major trade representatives through video conferencing. In addition to reminding the trade of the Practice Circular on handling the tenancy of subdivided units, the EAA also shares with the trade the recent malpractice of estate agents and introduce the latest consumer education efforts on the purchasing properties situated outside Hong Kong.





8/2011

監管局管理層出席於澳門舉行的「2011年京港澳房地產法律論壇」。

The EAA management attends the "Beijing, Hong Kong and Macau Real Estate Law Forum 2011" held in Macau.

11/2012

監管局成立十五周年慶祝酒會。

The EAA's 15th Anniversary Cocktail Reception.



7/2014



監管局接待由法律基金有限公司組織的內地與香港法律學生交流團，向學生介紹監管局的規管工作。

The EAA receives a delegation of the Mainland and Hong Kong law student exchange organised by the Legal Education Fund Limited and introduces to them the EAA's regulatory work.

## 考試 Examination

| 營業員資格考試 (電腦應考模式)<br>Salespersons Qualifying Examination<br>(Computer-based) |               |
|---|---------------|
| 參加人數 No. of candidates  | 合格率 Pass rate |
| 考試日期 Examination date 2022-05-19  |               |
| <b>386</b>  | <b>47.7%</b>  |

## 牌照數目 (截至2022年5月31日)

### Number of licences (As at 31/05/2022)



## 營業詳情說明書 (截至2022年5月31日)

### Number of statements of particulars of business (As at 31/05/2022)



## 開立的投訴個案宗數 (2022年1月至5月)

### Number of complaint cases opened

(January to May 2022)



## 已處理的投訴個案結果\* (2022年1月至5月)

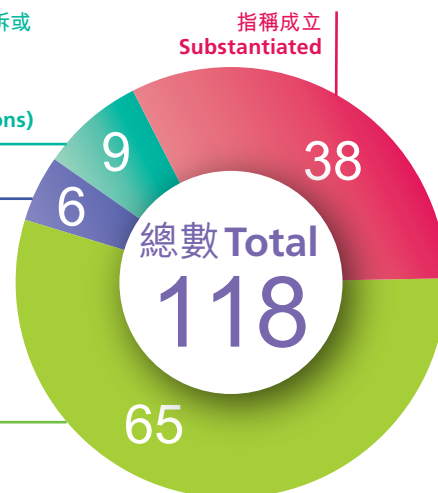
### Results of completed complaint cases\*

(January to May 2022)

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)

資料不足  
Insufficient information to pursue

指稱不成立  
Unsubstantiated



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

巡查次數 (2022年1月至5月)

Number of compliance inspections

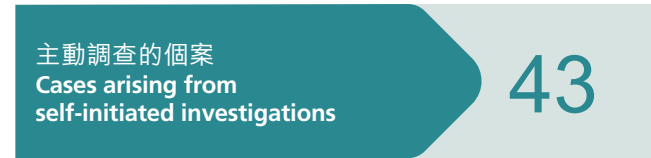
(January to May 2022)



巡查發現主動調查的個案 (2022年1月至5月)

Number of cases arising from self-initiated investigations during inspections

(January to May 2022)

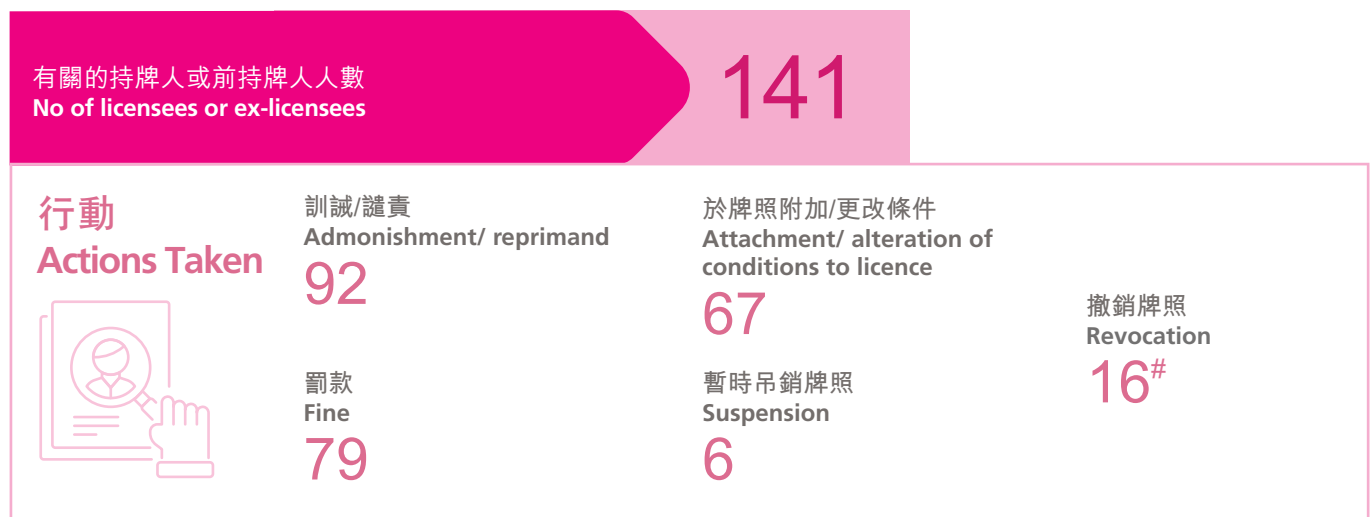


\* 部分是往年展開調查的個案  
Some cases were carried over from previous years



向持牌人或前持牌人採取的行動\* (2022年1月至5月)

Actions taken against licensees or ex-licensees\* (January to May 2022)



\* 以上行動是根據《地產代理條例》所賦予的權力而採取的。當中部分行動屬紀律性質，其他則是由牌照委員會裁定的，包括在批出牌照時在牌照上附加條件。部分是往年接獲的個案。

\* These actions were taken pursuant to powers under the Estate Agents Ordinance. Some actions were disciplinary in nature whereas others were decided by the Licensing Committee which actions included the attachment of conditions to licences upon issuance. Some cases were carried over from previous years.


# 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 met the relevant licensing requirements.



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