

紀律處分 Disciplinary actions (1/9/2010 – 30/9/2010)

監管局紀律委員會根據《地產代理條例》第 30(1)條對下述持牌人行使了紀律制裁權：
The Disciplinary Committee of EAA has exercised its disciplinary powers under section 30(1) of the Estate Agents Ordinance against the following licensees:

持牌人 (牌照號碼) Licensee (Licence no.)	有關事項 Matters concerned	所判處分 Disciplinary actions
中原地產代理有限公司 Centaline Property Agency Limited C-000227	違反《常規規例》第 6(1)(a)條 – 沒有在接受出售有關物業的指示後 7 個工作日內與賣方訂立地產代理協議 Breach of section 6(1)(a) of the Practice Regulation – failure to enter into estate agency agreements with the vendors within 7 working days after accepting instructions to sell the properties concerned	譴責及罰款 Reprimand and fine
陳錦平 Chan Kam Ping S-253324	不符合《條例》第 21(2)(c)條有關適當人選的規定。 Failure to comply with the “fit and proper person” requirement under section 21(2)(c) of the EAO.	暫時吊銷牌照 (20/10/2010 – 19/12/2010)及在牌照上附加條件 Suspension of licence (20/10/2010 – 19/12/2010) and attachment of conditions to the licence
陳立志 Chan Lap Chi S-281938	1. 沒有遵守《操守守則》第 3.2.1 段 – 安排買方客戶簽署一份漏空了重要條款的臨時買賣合約 Failure to comply with paragraph 3.2.1 of the Code of Ethics – arranging for the purchaser client to sign a provisional agreement for sale and purchase with essential terms of the agreement left blank 2. 沒有遵守《操守守則》第 3.2.1 段 – 沒有確保物業的其中一名買方代表另一名缺席買方簽署臨時買賣合約前已獲得其妥當授權 Failure to comply with paragraph 3.2.1 of the Code of Ethics – failure to ensure the joint-purchaser signing the provisional agreement for sale and purchase on behalf of the absent joint-purchaser of the property had proper authorization from the latter	1. 譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence 2. 譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence

持牌人 (牌照號碼) Licensee (Licence no.)	有關事項 Matters concerned	所判處分 Disciplinary actions
陳銳忠以忠興地產貿易公司 名稱經營 Chan Yui Chung trading as Chun Hing Land Investment Trading Co. E-100901	<ol style="list-style-type: none"> 1. 違反《常規規例》第 12(2)(a)條 – 沒有就所收取的款項，立即向客戶發出書面收據 Breach of section 12(2)(a) of the Practice Regulation – failure to issue a written receipt to a client immediately for moneys received 2. 違反《常規規例》第 13(4)條 – 沒有在緊接租約訂立前，就該物業安排在土地註冊處進行查冊，並向租客提供一份該物業的土地查冊結果的文本 Breach of section 13(4) of the Practice Regulation – failure to carry out a land search in the Land Registry in respect of the property and supply a copy of the land search to the sub-tenant of the property immediately before a tenancy agreement of the property was entered into 3. 違反《常規規例》第 14(3)(a)條 – 沒有就客戶所支付的佣金，立即向客戶發出書面收據 Breach of section 14(3)(a) of the Practice Regulation – failure to issue a written receipt to a client immediately for commission paid by the client 	<ol style="list-style-type: none"> 1. 訓誡 Admonishment 2. 譴責、罰款及在牌照上附加條件 Reprimand, fine and attachment of a condition to the licence 3. 訓誡 Admonishment
詹廣生 Chim Kwong Sang S-070058	沒有遵守《操守守則》第 3.2.1 段 – 沒有確保代物業買方簽署臨時買賣合約的人士已獲得買方的妥當授權 Failure to comply with paragraph 3.2.1 of the Code of Ethics – failure to ensure the person signing the provisional agreement for sale and purchase on behalf of the purchaser of the property had proper authorization from the purchaser	譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence
何錫樑 Ho Sek Leung S-143097	違反《常規規例》第 3(2)(a)條 – 沒有按照物業資料表格 (表格 1) 內所指明的指引及指示填寫 Breach of section 3(2)(a) of the Practice Regulation – failure to complete the Property Information Form (Form 1) in accordance with the directions and instructions as specified in the form	訓誡及在牌照上附加條件 Admonishment and attachment of a condition to the licence

持牌人 (牌照號碼) Licensee (Licence no.)	有關事項 Matters concerned	所判處分 Disciplinary actions
天福置業代理有限公司 Kingsford Property Agency Limited C-026902	違反《條例》第 36(1)(a)(i)條 – 沒有在代賣方行事的期間，管有或控制該物業的訂明資料 Breach of section 36(1)(a)(i) of the EAO – failure to have in its possession or under its control information prescribed in relation to the property when acting for the vendor	譴責及罰款 Reprimand and fine
高鳳珠以百利物業代理名稱經營 Ko Fung Chu trading as Golconda Property Agency E-082955	<ol style="list-style-type: none"> <li data-bbox="499 568 1023 1088">1. 違反《常規規例》第 13(4)條 – 沒有在緊接臨時買賣合約訂立前，就該物業安排在土地註冊處進行查冊，並向買方提供一份該物業的土地查冊結果的文本 Breach of section 13(4) of the Practice Regulation – failure to carry out a land search in the Land Registry in respect of the property and supply a copy of the land search to the purchaser of the property immediately before a provisional agreement for sale and purchase of the property was entered into <li data-bbox="499 1128 1023 1458">2. 違反《常規規例》第 6(2)(a)條 – 沒有在安排買方視察物業前，與買方訂立地產代理協議 Breach of section 6(2)(a) of the Practice Regulation – failure to enter into an estate agency agreement with the purchaser prior to arranging an inspection of the property by the purchaser 	<ol style="list-style-type: none"> <li data-bbox="1043 568 1484 752">1. 譴責、罰款及在牌照上附加條件 Reprimand, fine and attachment of a condition to the licence <li data-bbox="1043 792 1484 864">2. 訓誡 Admonishment

持牌人 (牌照號碼) Licensee (Licence no.)	有關事項 Matters concerned	所判處分 Disciplinary actions
郭婉芬以新意域地產公司名稱經營 Kwok Yuen Fun Winnie trading as Landworld Property Agency E-079429	<p>1. 違反《條例》第 36(1)(a)(i)條 – 沒有在代業主行事的期間，管有或控制該物業的訂明資料 Breach of section 36(1)(a)(i) of the EAO – failure to have in her possession or under her control information prescribed in relation to the property when acting for the owner</p> <p>2. 違反《常規規例》第 3(2)(a)條 – 沒有按照地產代理協議 (表格 5) 內所指定的指引及指示填寫 Breach of section 3(2)(a) of the Practice Regulation – failure to complete the Estate Agency Agreement (Form 5) in accordance with the directions and instructions as specified in the form</p>	<p>1. 譴責及罰款 Reprimand and fine</p> <p>2. 訓誡及在牌照上附加條件 Admonishment and attachment of a condition to the licence</p>
利達行物業代理有限公司以利達行物業代理名稱經營 L & D Property Agency Limited trading as L & D Property Agency C-031712	<p>違反《常規規例》第 6(1)(c)條 – 沒有在臨時買賣合約簽署之前，與賣方訂立地產代理協議 Breach of section 6(1)(c) of the Practice Regulation – failure to enter into an estate agency agreement with the vendors prior to signing a provisional agreement for sale and purchase of the property</p>	<p>訓誡 Admonishment</p>
梁振元 Leung Chun Yuen S-065258	<p>違反《常規規例》第 11(e)條 – 沒有在切實可行的範圍內盡快將要約向客戶提交，以供客戶接受 Breach of section 11(e) of the Practice Regulation – failure to present an offer to a client for acceptance as soon as was practicable after receiving it</p>	<p>暫時吊銷牌照 (20/10/2010 – 26/10/2010)及在牌照上附加條件 Suspension of licence (20/10/2010 – 26/10/2010) and attachment of a condition to the licence</p>
呂嘉信 Lui Ka Shun S-168937	<p>不符合《條例》第 21(2)(c)條有關適當人選的規定。 Failure to comply with the “fit and proper person” requirement under section 21(2)(c) of the EAO.</p>	<p>在牌照上附加條件 Attachment of conditions to the licence</p>

持牌人 (牌照號碼) Licensee (Licence no.)	有關事項 Matters concerned	所判處分 Disciplinary actions
麥國英 Mak Kwok Ying S-268718	沒有遵守《操守守則》第 3.2.1 段 – 在處理聯權共有物業的交易時，安排其中一位業主在未得到妥當授權的情況下代另一位不在場業主簽署臨時買賣合約 Failure to comply with paragraph 3.2.1 of the Code of Ethics – in handling a transaction of a jointly owned property, arranging a co-owner of the property to sign the provisional agreement for sale and purchase for another absent co-owner without proper authorization	譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence
吳孔威 Ng Hung Wai E-243378	沒有遵守《操守守則》第 3.5.1 段 – 沒有確保代表租客簽署租約的人士已獲得租客的妥當授權 Failure to comply with paragraph 3.5.1 of the Code of Ethics – failure to ensure that the person signing the tenancy agreement on behalf of the tenant had proper authorization from the tenant	譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence
吳梓杰 Ng Tze Kit S-110129	沒有遵守《操守守則》第 3.7.2 段 – 在一手樓盤銷售處附近的行車道上攔截車輛和招攬生意 Failure to comply with paragraph 3.7.2 of the Code of Ethics – intercepting vehicles and soliciting business on a carriageway near a first-sale site	暫時吊銷牌照 (20/10/2010 – 2/11/2010)、罰款及在牌照上附加條件 Suspension of licence (20/10/2010 – 2/11/2010), fine and attachment of a condition to the licence
東方置業(控股)有限公司以東方置業名稱經營 Oriental Property (Holdings) Limited trading as Oriental Property Agency C-026266	違反《常規規例》第 9(1)條 – 發出在要項上屬虛假或具誤導性陳述或詳情的廣告 Breach of section 9(1) of the Practice Regulation – issuing an advertisement which included statement or particulars that was false or misleading in a material particular	譴責及罰款 Reprimand and fine
彭錦芬 Pang Kam Fun E-023866	沒有遵守《操守守則》第 3.2.1 段 – 在處理聯權共有物業的交易時，安排其中一位業主在未得到妥當授權的情況下代另一位不在場業主簽署臨時買賣合約 Failure to comply with paragraph 3.2.1 of the Code of Ethics – in handling a transaction of a jointly owned property, arranging a co-owner of the property to sign the provisional agreement for sale and purchase for another absent co-owner without proper authorization	譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence

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名成(店舖)代理有限公司 Reputation (Shop) Agency Limited C-023542	沒有遵守《操守守則》第 3.2.1 段 – 沒取得物業的擁有人／佔用人的書面同意前在該物業的外牆張貼海報 Failure to comply with paragraph 3.2.1 of the Code of Ethics – displaying advertising posters on private property without written authorization of the owner / occupier	譴責及罰款 Reprimand and fine
沈才健 Sham Choy Kin S-123897	沒有遵守《操守守則》第 3.5.1 段 – 安排買方客戶簽署兩份漏空了重要資料及合約條款的臨時買賣合約 Failure to comply with paragraph 3.5.1 of the Code of Ethics – arranging for the purchaser client to sign two provisional agreements for sale and purchase with the essential information and terms of the agreements left blank	譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence
鄧文德 Tang Man Tak Dicky E-201820	1. 沒有遵守《操守守則》第 3.2.1 段 – 安排買方客戶簽署一份漏空了重要條款的臨時買賣合約 Failure to comply with paragraph 3.2.1 of the Code of Ethics – arranging for the purchaser client to sign a provisional agreement for sale and purchase with essential terms of the agreement left blank 2. 沒有遵守《操守守則》第 3.2.1 段 – 沒有確保物業的其中一名買方代表另一名缺席買方簽署臨時買賣合約前已獲得其妥當授權 Failure to comply with paragraph 3.2.1 of the Code of Ethics – failure to ensure the joint-purchaser signing the provisional agreement for sale and purchase on behalf of the absent joint-purchaser of the property had proper authorization from the latter	1. 譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence 2. 譴責及在牌照上附加條件 Reprimand and attachment of a condition to the licence
董富 Tung Fu E-246325	沒有遵守《操守守則》第 3.5.1 段 – 向賣方發出一則具誤導性的短訊 Failure to comply with paragraph 3.5.1 of the Code of Ethics – sending a misleading SMS to the vendor	譴責 Reprimand

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王燕容以金暉地產公司名稱經營 Wong Yin Yung trading as Ever Shine Co E-136429	違反《條例》第 36(1)(a)(i)條 – 沒有在代賣方行事的期間，管有或控制該物業的訂明資料 Breach of section 36(1)(a)(i) of the EAO – failure to have in her possession or under her control information prescribed in relation to the property when acting for the vendors	譴責及罰款 Reprimand and fine
胡佑明 Wu Yau Ming E-118227	沒有遵守《操守守則》第 3.4.1 段 – 沒有在處理一宗有關分拆物業的樓契時，建議其客戶尋求獨立的法律意見。 Failure to comply with paragraph 3.4.1 of the Code of Ethics – failure to advise the clients to seek independent legal advice on the question of deed partitioning	訓誡及在牌照上附加條件 Admonishment and attachment of a condition to the licence

凡例 Legend

《條例》 – 《地產代理條例》

EAO – Estate Agents Ordinance

《常規規例》 – 《地產代理常規（一般責任及香港住宅物業）規例》

Practice Regulation – Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation

《發牌規例》 – 《地產代理（發牌）規例》

Licensing Regulation – Estate Agents (Licensing) Regulation