



香港新界地產代理商聯會主席邱慶新先生的意見

Views from Chairman of the H.K.N.T. Estate Agents and Merchants Association **Mr Yau Hing-sun**

「分拆樓契」牽涉複雜的程序，需要由專業律師處理，而且不屬於地產代理的專業知識範圍之內，因此地產代理應建議客戶諮詢律師的意見，不應輕率向客戶提出建議。



至於另一宗個案中的地產代理未得客戶的授權使用他的信用卡扣賬，反映他的專業水平非常不足，也令人懷疑他沒有誠信。作為專業的地產代理，處理客戶的信用卡要十分小心，也必先要取得客戶的授權，才可用客戶的信用卡繳付訂金。

“Deed partitioning” involves complicated procedures and should be handled by a professional solicitor. Such procedures are not part of the professional knowledge expected of estate agents. When estate agents come across issues relating to “deed partitioning”, they should advise their clients to seek legal advice and must not make any suggestion rashly.

Regarding the estate agent who failed to properly safeguard his client’s credit card, his professional standard was far from satisfactory and his integrity questionable. A professional estate agent should exercise due care in handling his client’s credit card and seek his client’s authorisation before arranging for payment by credit card.

地產代理（從業員）總公會主席吳元興先生的意見

Views from Estate Agent Association Chairman **Mr Evan Ng**

如果準買家有意就物業進行分契，地產代理應建議客戶交由律師處理，並且提醒客戶，分契有可能會令物業交易延遲完成，讓客戶考慮是否進行該程序。



信用卡是客戶重要的財物，個案中的地產代理向客戶取得信用卡後，沒有採取適當步驟去保管，欠缺了認真和專業的態度。監管局已經發出指引，要求地產代理從業員在替客戶以信用卡交付訂金或其他任何款項前，須特別取得客戶的書面同意，建議加強教育業界，確保從業員遵行該指引。

If a client intends to enter into a sale and purchase arrangement which involves deed partitioning, the estate agent should advise his client that the partitioning be handled by a solicitor. He should also remind his client that the property transaction may be delayed due to difficulties which may be encountered in the process of deed partitioning, so that his client may consider whether to proceed or not.

In another case, an estate agent did not follow proper procedures to safeguard his client’s credit card, which is an important document. He failed to demonstrate the professional attitude expected of an estate agent. The EAA has recently issued a practice circular, which, amongst others, requires practitioners to specifically obtain the written approval of the prospective purchaser before any arrangement could be made to use the purchaser’s credit card for the payment of deposits or other purposes. The training of practitioners should be stepped up to ensure compliance.