

# 行政總裁報告

## REPORT OF THE CHIEF EXECUTIVE OFFICER

過去一年是地產代理監管局和業界發展非常重要的一年。發牌制度的三年過渡期已在2001年底結束，象徵地產代理的專業已踏入另一新里程。才不過數年前，地產代理仍處於一個放任和缺乏管制的狀態，那時候，任誰都可自稱是地產代理，也不管他是否具備甚麼專業知識，代理的執業手法也不受到規管。自從《地產代理條例》推行以來，地產代理行業已逐步建立起新的形象。現今的代理已符合專業資格；執業既有規可循，亦有一套投訴機制；要作持續專業發展亦有不少渠道。以上一切都是在短短三年間實現，地產代理專業化的發展是如此迅速。與此同時，在監管局努力的宣傳和推動下，市民作為物業交易消費者對自身的權益亦日漸提高。這些成果無疑都令我們十分鼓舞。本年報摘要交代監管局2001/02年度的工作。



地產代理監管局行政總裁

周陳文琬

Mrs Grace M Y Chow

Chief Executive Officer, Estate Agents Authority

### 發牌

發牌制度的三年過渡期在去年年底屆滿，為協助數以千計仍未符合發牌資格的牌照持有人在過渡期結束前完成考試或進修的要求，監管局在去年初特設一專責小組，為他們提供各種有關培訓和考試的資訊，以助他們順利過渡。我們亦進行了

The past year was a very significant one in the development of both the Estate Agents Authority and the estate agency industry. The three-year transition period of the licensing system came to an end in December 2001, an important landmark in the industry's progress towards professionalisation. Just a few years ago the industry was still in an unregulated state and whoever had a mind to it could claim to be an estate agent. There was no requirement for professional knowledge, and agents' practice was not subject to any rules. However, the professional image has gradually built up since the implementation of the Estate Agents Ordinance. Nowadays our agents are all properly qualified and their practice is governed by rules and regulations. There is also a redress system for consumers and provision for the practitioners' further education. All these were accomplished within a short span of three years and, at the same time, with tenacious efforts on the part of the EAA to promote and publicise the new order, consumers' awareness of their rights in property transactions was greatly enhanced. These are encouraging results, and here I would like to present an overview of the work of the EAA during the year 2001/02.

### LICENSING

The three-year transition period in the licensing regime ended in December 2001. In order to give assistance to the thousands of licensees who were yet unable to fulfil the training or examination requirements before the close of transition, a special task force was formed in early 2001 to provide a full range of information and services pertaining to qualifying examinations and training courses. Large-scale

大規模的宣傳工作，提醒該等持牌人須在過渡期完結前符合有關規定。經過一番努力，在2001年底時，祇有1,530持牌人放棄續牌或未符合要求不能續牌。

為配合過渡期的完結，監管局更對《發牌規例》進行了檢討，並作出一系列的修訂建議，已獲立法會通過。修訂內容主要是容許已符合領取正式牌照資格的持牌人在牌照屆滿後24個月內再申領牌照時，可獲豁免遵守規例有關學歷和考試的規定；容許申請轉換牌照的持牌人可保留原有持牌資格，毋須重新符合對新入行人士實施的規定。其他修訂包括牌照有效期可按持牌人的選擇為12個月或24個月；以及簡化在營業文件及廣告內提供的資料等。上述各項修訂，均在2002年1月開始生效。

鑑於地產市道持續不景，復考慮到監管局有財政盈餘，為紓緩從業員的經濟負擔，監管局經立法會批准，由2002年1月開始，全面將所有牌費下調30%。

此外，牌照組已將中央牌照資料系統提升及更新，將持牌人的個人資料、培訓及紀律紀錄等資料作一綜合紀錄，讓局內各不同組別可互通互覽，方便連繫及提高各組的工作效率。

## 培訓及考試

是年度，培訓及考試組動用了不少人力物力，協助仍未符合領取正式牌照條件的持牌人，在過渡期結束前完成有關規定。監管局聯繫各主辦課程的培訓機構，在開辦課程方面作出協

publicity activities were also launched to remind licensees that they had to fulfil the requirements before the end of transition. After all these efforts, there were only 1,530 individuals who either chose not to renew their licences or were unable to do so by the end of 2001.

Taking occasion of the conclusion of the transition period, the EAA also reviewed the Licensing Regulation and put forward a number of amendments to the Regulation which were duly passed by the Legislative Council. These amendments included in the main an exemption from academic and examination requirements for fully qualified licensees to renew their licences within 24 months from the lapse of their last held licences, and allowing licensees who wished to switch from one category of licence to another to retain their qualifications without being subject to the conditions required of new entrants. Other amendments included an option for either a 12-month or a 24-month licence, and simplifying the information that licensees are required to show on business documents and advertisements. These amendments have taken effect from January 2002.

In consideration of the continued sluggishness in the property market and the Authority's cumulative surplus, the EAA, with approval by the Legislative Council, lowered all licence fees by 30% from January 2002 as a means to help provide relief to the licensees.

In addition, the Licensing Section undertook the enhancement of the central licensee database during the year under review to incorporate information on training and disciplinary matters. This has greatly facilitated access to licensee data and has generally enhanced efficiency in all the Sections.

## TRAINING AND EXAMINATIONS

During the year under review, considerable resources of the Training and Examinations Section were expended on efforts to assist unsubstantiated licensees to fulfil their training/examination requirements before the close of transition. The EAA took the initiative in liaising with the tertiary and vocational training institutions providing training courses and coordinated efforts which resulted in substantial reduction in course fees and much greater flexibility in course scheduling. Furthermore, the Authority also

調，為持牌人提供靈活性較大的課程及增加學額，以期可將學費大幅降低。此外，監管局亦為持牌人提供一站式的課程登記服務，及其他有關的輔導。在考試安排方面，除額外在2001年12月增辦一場資格筆試外，更由2001年3月底開始推出每周舉行多場的電腦化營業員資格考試，為持牌人及有意投身地產代理行業人士提供更頻密的考試機會。

在2001/02年度，監管局共舉辦了29次專題講座及研討會，內容除基本的地產代理實務及法例常識外，亦將講座內容涵蓋專業操守、業務管理等範疇，以至其他有助行業拓展業務的機會，例如遷徙服務、中國內地房產中介工作等。此外，為配合電腦化營業員考試的推出，培訓及考試組亦舉辦多次工作坊，讓擬參加電腦化考試的人士認識和熟習此項考試的新模式。

是年度監管局亦出版了一系列的手冊、個案編輯及其他刊物，協助從業員執業及解決工作上遇到的疑難。監管局已決定出版一系列專題論集，分輯就地產代理事務不同範疇提供基本法律知識和工作程序。首二輯專題論集《香港物業轉易》和《香港住宅物業租務》已於年內先後出版。

在考試方面，是年度共舉行了四次地產代理及營業員資格筆試，另電腦化營業員考試則每周舉行多場。全年考試人數共8,143人，參加地產代理試者有3,593人，及格率為62.7%；參加營業員考試者有4,550人，及格率則為64.6%。為讓考試不及格的考生可盡快重考，監管局已將重考限制的限期由一個月縮短至兩星期。

provided a one-stop service which offered assistance in course registration as well as advice on related matters. With regard to the qualifying examinations, an additional round of paper-based examinations was held in December 2001 and computer-based examinations for salespersons have been conducted since March 2001 to make for more frequent examination opportunities for those who wished to join the estate agency industry.

During the year 2001/02, the EAA organised 29 talks and seminars to cover not only the basic legal and practical aspects of professional estate agency but also topics related to professional ethics and business management, as well as topics conducive to practitioners' professional development such as relocation services and estate agency work in the Mainland. To complement the introduction of the computer-based qualifying examination for salespersons a number of workshops were held to familiarise prospective candidates with this new mode of testing.

A number of publications including handbooks and collection of case studies were brought out by the Authority during the year under review to assist licensees in their practice and in resolving problems encountered in their daily operation. The Authority also launched the *EAA Monographs* series of which two titles appeared during the year under review, on conveyancing and tenancy of residential properties respectively.

A total of four rounds of paper-based qualifying examinations took place during the year under review, while computer-based examinations for salespersons were held many times each week. During the year a total of 8,143 candidates took the examinations, of whom 3,593 attempted the examinations for estate agents and achieved a pass rate of 62.7%. There were 4,550 who attempted the examinations for salespersons and the pass rate was 64.6%. In order that failed candidates might make a further attempt without delay, the EAA had shortened the moratorium on the next attempt from one month to 14 days.



## 條例執行及投訴處理

在 2001/02 年度，執行組共進行了 1,154 次例行巡查，視察代理有否依照規例執業，及檢舉違規行為。執行組在是年度共處理了 647 宗違規個案，涉及指稱 978 項。近期一手物業銷售仍然活躍，執行組到新樓盤展銷點巡查共 250 次，視察代理的秩序。執行組職員在巡查時，除檢舉代理的違規行為外，亦向從業員灌輸正確的執業方法及提供適當的輔導。

為向行業提供一個更便捷和經濟的物業資料檢索系統，監管局去年與差餉物業估價處合作，將「物業資訊服務」系統提升，除原有的面積及樓齡外，更加入載於「佔用許可證」內的物業許可用途。從業員可全日 24 小時透過這項服務取得有關樓宇的面積、樓齡和物業許可用途，更便捷地履行《執業規例》的規定，亦大幅節省查冊費用。

投訴組在是年度共處理了 792 宗投訴，涉及指稱 1,292 項。投訴主要針對地產代理的操守及執業手法、違反執業規例、服務質素欠佳及專業水平不足等。投訴組職員在處理投訴時，若發覺指稱並無涉及嚴重違例行為或代理誠信問題，會嘗試進行調解斡旋。年內經監管局調解成功或其他因素導至投訴人撤銷投訴的共 155 宗。

## 宣傳及公眾教育

監管局在過去一年繼續積極向公眾推廣地產代理條例，並透過不同的宣傳媒介和各種外展教育活動向市民闡述在發牌及規管制度下，消費者在物業交易中可得到的保障。在 2001/02 年度，監管局外展隊共舉辦了 19 次巡迴展覽和 8 場社區講

## ENFORCEMENT AND COMPLAINTS HANDLING

During the year 2001/02, the Enforcement Section conducted a total of 1,154 regular inspections with a view to ascertaining whether the licensees inspected had been practising in compliance with regulatory legislation. Out of the 1,154 inspections, 250 inspections were made to first-sale sites in view of the active first-sale market. The Section handled 647 cases of non-compliance during the year, involving 978 allegations. During all the inspections, staff members of the Section made it a point not only to identify cases of non-compliance but also offered appropriate advice on proper practice to the licensees.

In order to provide the industry with an efficient and economical means for the retrieval of prescribed property information, the EAA and the Rating and Valuation Department collaborated during the year under review to undertake an enhancement of the Info-Hotline System. The enhanced system would now feature previously available information on the area and age of properties as well as data on user restriction recorded in the Occupation Permit. With this system practitioners could access information on area, age and user restrictions of properties 24 hours a day. This provides a more convenient means for licensees to comply with the Practice Regulation, and greatly reduces the expenses involved.

During the year the Complaints Section handled a total of 792 cases, involving 1,292 allegations. Most of these complaints were against unethical modes of practice and violations of practice regulations. Staff members of the Section would seek to mediate where no serious breach of the regulations or professional integrity was involved. During the year, cases withdrawn by the complainants through the Authority's mediation efforts or for other reasons numbered 155.

## PUBLICITY AND COMMUNITY EDUCATION

The EAA continued to take proactive steps to publicise the Estate Agents Ordinance to the general public and to explain to the community, through various media channels, the protection that consumers in property transactions could enjoy under the estate agents licensing and regulatory systems now in place. To these ends, 19 roadshows and eight community talks were held during the year under review. A

座。監管局亦在各大報章刊登精簡易明的標語橫幅廣告，宣揚地產代理在條例下應有的作業模式。該等標語廣告亦在全線輕鐵車廂及個別繁忙地區的巴士站展示。

監管局在是年度與消費者委員會合作，出版了一份「置業須知」小冊子，講解有關在香港置業須知的事項。又鑑於近年香港市民在內地置業日增，監管局亦編製了一份「在中國大陸購置房地產應注意事項」小冊子，供市民參考。此外，監管局亦以故事形式製作了一系列電台廣告，提醒市民置業須注意的地方。



監管局在本年度參加了勞工處和香港貿易發展局合辦的「教育及職業博覽2002」，為推廣行業作宣傳。監管局亦繼續參予各大專院校舉辦的就業展覽或講座，向行將畢業的學生推介行業。

## 法律事務

過去一年法律事務組的主要工作是檢討現行的法例及研究制訂新例。發牌規例的修訂已獲立法會通過，並在2002年1月開始生效。執業規例的檢討及諮詢工作，亦已在2001年9月開展。此外，法律事務組亦擔任紀律委員會研訊的書記，並為局內其他組別提供法律意見及在工作上作支援。

number of concise and easy to comprehend banner advertisements were placed in major newspapers to familiarise the community with estate agents' new mode of practice, and similar advertisements were also placed on vehicles of public transport and at the major stations.

During the year the Authority joined forces with the Consumer Council to publish a guide to property purchase, in the form of a booklet, which provides succinct information to the potential home-buyers in Hong Kong. As there has been an apparent increase in the number of citizens purchasing homes in the Mainland in recent years, the EAA also published a pamphlet outlining the essential information for those intending to buy properties there. A series of messages in narrative form were produced and broadcast on the radio to bring the basics of home purchase to the greater awareness of the community.

The EAA took part in the Education and Careers Expo 2002 jointly organised by the Labour Department and the Hong Kong Trade Development Council. Efforts also continued to be made to introduce career opportunities in the estate agency industry to graduating students through the Authority's participation in career talks and exhibitions organised by various institutions of tertiary education.

## LEGAL AFFAIRS

The Legal Affairs Section was chiefly occupied in the review of existing legislation as well as research related to the formulation of new legislation. Amendments to the Licensing Regulation were passed by the Legislative Council and had been operational since January 2002. The review of the Practice Regulation commenced in September 2001. In addition, officers of the Legal Affairs Section administering the Inquiry Hearings of the Disciplinary Committee, and provided legal opinion and support to the other Sections.

During 2001/02 the EAA issued 16 practice circulars, encompassing a diversity of subjects including estate agency agreement, confirmor sales, tenancy matters, negative equity, handling of client monies, authorization for the disposal of jointly owned properties, list of estates under various housing schemes, unauthorised bills and posters, the enhanced Info-Hotline Service System, amendments to the Licensing Regulation,



在2001/02年度，監管局共發出了16份「執業通告」，內容包括地產代理協議、確認人轉售物業、住宅物業的租賃、負資產物業、客戶款項的處置、處置共有物業的授權、屋苑名單、街招海報、「資訊聆」新增服務、發牌規例的修訂、樓花銷售說明書指引、「自置居所貸款計劃」、使用盜版軟件的刑事責任、《個人資料(私隱)條例》、申請居屋或公屋入息限額等。

監管局在是年度亦曾應規劃地政局、工商局、禁毒處、教育統籌局、民事司法制度改革小組、房屋局、律政司、稅務局及《2001 業主與租客(綜合)(修訂)條例》草案委員會之請，就檢討、製訂或修改法例提供意見。

## 與業界的聯繫

監管局一直都與業界保持緊密的溝通。除定期與商會代表會面，諮詢及聽取業內意見外，監管局亦透過不同形式與其他業內組織、專業團體或個別商戶接觸，或出席商界的活動，廣拓交流的渠道。局內五位業界成員，更是業界與監管局溝通的主要橋梁。

在進行例行巡查時，監管局職員亦會收集業界的意見。監管局亦不時進行問卷調查，就不同事項諮詢從業員的意見。

監管局培訓委員會已在去年增加了一個增選席位，由商會推舉一名業界代表出任。其他常設委員會亦將按實際需要考慮設立此類增選席位，已計劃邀請業界代表加入的有執業委員會。此外，去年底成立的「檢討《執業規例》專責小組」，成員中有多名來自業界，以求充份反映業界意見。

guidelines for sales description of uncompleted residential properties, the Home Purchase Loan Scheme, criminal liabilities related to the use of pirated software, the Personal Data (Privacy) Ordinance, and the income and asset limits for applicants of Home Ownership Scheme properties and for Public Rental Housing.

During the year the EAA also provided opinions on the review, formulation and revision of legislation at the request of the Planning and Lands Bureau, the Commerce and Industry Bureau, the Narcotics Division, the Education and Manpower Bureau, the Chief Justice's Working Party on Civil Justice Reform, the Housing Bureau, the Department of Justice, the Inland Revenue Department and the Bills Committee on the Landlord and Tenant (Consolidation) (Amendment) Bill 2001.

## LIAISON WITH THE TRADE

The Authority has always maintained close liaison with the trade. Apart from regular meetings with representatives of the trade associations for consultation and access to trade opinions, the EAA also keeps in touch with the practitioners through a variety of channels and with different organisations within the trade, with professional bodies, as well as individual companies. Exchange of opinions is also facilitated by the Authority's participation at activities organised by the trade. The five trade members of the Authority continued to be the major channels of communication between the trade and the EAA.

Officers of the EAA also collected trade opinions during their regular inspections, and questionnaire surveys were conducted from time to time to seek practitioners' views on various professional matters.

Another co-opted member had been invited to join the Training Committee since the previous year, this being a representative named by the trade associations. Other standing committees would also consider, on the basis of practical needs, the appointment of co-opted members along similar lines, and the Practice Committee would do so soon. Furthermore, the membership of the Working Group on the Review of the Practice Regulation instituted in late 2001 consisted of a good number of representatives from the trade so as to enable trade opinions to be reflected as comprehensively as possible.

## 監管局的財政狀況

監管局2001/02年度的經常性開支為4,410萬元，比上年度的4,660萬元減少了5.4%，亦比年初所作的預算4,770萬減少了7.6%。開支減少主要原因是因嚴格控制人手而減省了薪酬開支，另監管局資源中心在租約期滿後遷往較廉宜的地方，亦減少了租金的開支。此外，監管局實行嚴格監控財政，定期每季檢視各項賬目，更準確掌握收支狀況。其實，監管局早在年前，在不影響執行其法定職能的原則下，已主動減省各項行政開支，監管局的人事編制，兩年來已削減了16%。

監管局本年度的牌費收入為4,790萬元，比上年度減少了13.7%，原因是立法會通過由2002年1月1日起進一步將各類牌照牌費調低30%，影響了本年度最後三個月的牌費收入。惟監管局在本年度仍有營運盈餘。

持牌人數在過渡期後，已有穩定下來的跡象。按照目前的牌費水平和開支水平，並假設持牌人數和牌照比例無重大改變，監管局下年度的財政預算將會出現赤字。不過，監管局將努力尋求各種方法以控制及減省開支，力求令收支平衡。

節流方案其中之一是考慮在現有辦公室租約屆滿後自置物業。根據現時物業市值和租值，若在較偏僻中心地帶但交通方便的地區購置面積約一萬平方呎的辦公室，樓價連同相關費用估計約為2,200萬元。購置物業的款項可從監管局的累積儲備中支撥，為此監管局每年可節省租金開支340萬元，在扣除利息收入減少的40萬元後，經常開支每年淨減省300萬元。雖然監管局已在資本項目基金中作出相應的撥備，惟在作出任何決定前，將充份諮詢業界和房屋及規劃地政局的意見。

## EAA FINANCE

The recurrent expenses of the EAA in 2001/02 amounted to \$44.1 million, being 5.4% less than the \$46.6 million expended in the year before and 7.6% less than the \$47.7 million as budgeted at the beginning of the financial year in April 2001. The major factor for this reduction was the decrease in salary cost as a result of stringent control on manpower resources. The cut in rental expenditure that resulted from the removal of the EAA Resource Centre, upon expiry of the previous lease, to cheaper premises also contributed to the savings. Strict financial control was exercised at the EAA and the management accounts were reviewed on a quarterly basis to enable the management to keep all income and expenditure under tight scrutiny. In point of fact the EAA had, since the year before, taken proactive steps to scale down its expenses on condition that such steps would not compromise the proper discharge of its statutory functions, and staff headcount had been reduced by 16% over a period of two years.

As far as income is concerned, licence fees collected during the year under review amounted to \$47.9 million, being 13.7% less than that of the year before. This was chiefly attributed to a further decrease in licence fees by 30% which was passed by the Legislative Council for implementation from 1st January 2002 and which affected income in the last quarter of the year under review. However, despite this shortfall, the Authority still maintained an operational surplus at the end of the year.

There have been signs of stabilisation in the number of licensees since the close of transition. Assuming that licence fee income and expenditure are both maintained at the present level and that there is no substantial change in the size and mix of the licensee population, an operational deficit will occur in the next financial year. The Authority will explore various means to facilitate greater efficiency in cost control and reduction in expenditure.

Among the options being considered to facilitate cost reduction is the acquisition of the Authority's own offices upon expiry of the leases of current premises. Based on current property prices and rental levels, the estimated cost of acquiring office premises in a convenient but less central location is approximately \$22 million for a floor area of about 10,000 square feet, inclusive of related expenses. The purchase price could be financed from the EAA's cumulated surplus and the net effect on operating results will be an improvement of \$3 million per annum, representing a saving of \$3.4 million on rental and a reduction

監管局將繼續奉行節約開支和審慎理財的政策，加上過去數年累積下來的盈餘，監管局的財政，在未來數年內相信可維持穩健。

## 來年的工作重點

為提高發牌工作的效率，以及方便從業員履行各項規定，監管局將分階段進行發牌電子化。首階段將使申請牌照、續牌、申報轉職任免等事宜可在互聯網上進行。另將安裝一套牌照資料電話連線系統，讓查詢人可利用電話查核持牌人的牌照資料。亦將向持牌人發出身份證，作為持牌人的統一識別。此外，牌照資料庫亦將進行提升工程，加入牌照屆滿預示功能，方便續牌工作。

在監管局去年的一項問卷調查中，近六成回應者支持在行內推行持續發展計劃。培訓委員會將就推行時間、參與形式、培訓內容等方面進行討論及諮詢，再製訂具體的政策。



監管局將積極尋求與其他團體合作，為行業開拓培訓機會。初步已得到教育統籌委員會原則上同意，從技能提升計劃中撥款開辦地產代理技能提升課程。香港生產力促進局亦應監管局要求，在短期內將開辦「地產代理店鋪管理」行政人員進修證書課程。另外，鑑於在本年三月舉辦的一次

of \$0.4 million in interest income. Although the EAA has set aside the proposed capital expenditure for the acquisition of office premises in the Capital Project Fund, decision on this matter will be taken by the EAA only after full consultation with the trade and the Housing, Planning and Lands Bureau.

The EAA will continue to follow a policy of economy and exercise strenuous budgetary control. With the surplus accumulated over the past few years, there is good reason to believe that the Authority's finance will remain healthy in the near future.

## HIGHLIGHTS OF WORK IN THE COMING YEAR

In order to enhance efficiency in licence issuance and provide greater convenience to licensees in various compliance matters, the EAA will introduce electronic licensing in stages. The first stage of the project will comprise the use of the internet in the application and renewal of licences and the statutory notification of changes in employment and the appointment and termination of licensed personnel. In addition, a dedicated interactive voice response system using dedicated telephone lines will be established for enquirers to verify the data of licensees. An identity card will also be issued as a standard and centralised means of identification for individual licensees. The licensing database will be further upgraded to incorporate an effective bring-up system for all licences of irregular validity period so as to provide for more efficient licence renewal work.

In a questionnaire survey administered to licensees in 2001, about 60% of the respondents indicated support for continuing professional development programmes. The Training Committee will further deliberate on the timing, mode of participation and contents of the training programmes and consult the parties involved before more concrete policies are formulated.

The EAA will continue to take initiatives to work with other organisations in its efforts to explore and expand training opportunities for the trade. The initial consent of the Education Commission has been obtained for the estate agency industry to be included for funding under the Skills Upgrading Scheme, and the Hong Kong Productivity Council has responded positively to EAA request and will soon launch a series of certificate



「田土廳查冊工作坊」反應非常熱烈，亦得到土地註冊署的大力支持，監管局決定繼續舉辦是項工作坊，讓新入行的從業員有機會實地練習土地查冊。

至於培訓教材，我們將繼續出版專題論集，下年度已計劃推出的有《產權負擔》、《臨時買賣合約》、《代理人》及《土地查冊》。另外，監管局將編製一本英漢對照的地產代理行業用語的詞彙集，方便從業員執業。

隨著電腦及互聯網的使用日漸普及，監管局將加強互聯網的內容，將監管局出版的培訓教材和參考資料內容上載於網頁內，方便從業員可隨時瀏覽。鑑於仍有相當部份從業員未擁有或未習慣使用電腦，監管局將同時使用印刷及電子形式出版培訓教材。此外，為協助自修人士備試，以及新入行的從業員熟習執業知識，監管局資源中心將進一步擴充自學教材及其他相關的參考資料。

考試事務專責小組在未來一年將全面檢討資格考試的內容綱要，以配合業內環境的轉變及法例的新增或修訂；亦會將考試水平，特別是地產代理資格試及格要求提高，冀藉此提升行業的專業水平。考試事務專責小組亦將擬定及補充更多新試題，以擴充和更新試題庫。

在公眾教育及宣傳方面，監管局除繼續透過巡迴展覽、社區講座及媒介廣告，加強市民的消費者權益意識外，亦將與消費者委員會作更緊密的合作，提高對消費者的保障。此外，監管局今後亦會與中國內地的房產管理單位進行更多交流，以便在人才培訓及消費者教育等方面加強合作。

courses on business management for operators and executives of estate agency companies. Furthermore, in view of practitioners' enthusiastic interest in the Land Search Workshop in March 2002, the EAA will, with the staunch support of the Land Registry, continue to organise similar workshops throughout the next year to give new entrants a chance to gain first-hand knowledge of performing a land search.

The *EAA Monographs* will continue to feature prominently among our training materials and titles planned for the coming year include *Encumbrances*, *Land Search*, *Law of Agency* and the *Provisional Agreement for Sale and Purchase*. The EAA will also publish a glossary of commonly used terms in the estate agency industry in both Chinese and English as a helpful reference tool for practitioners.

With the daily increasing popularity in the use of the computer and the internet, the EAA will enhance its website and gradually upload its training materials as well as other relevant information for practitioners' reference. However, the Authority is also aware of the fact that a substantial number of practitioners have not yet acquired or are not yet in the habit of using computers, and training materials will therefore continue to be published in both print and electronic formats. Furthermore, as an aid to those preparing for the qualifying examinations through self-study and to help new entrants acquire a practical knowledge of the trade, the EAA Resource Centre will develop new materials on self-study and strengthen its collection of reference materials.

In the coming year, the Examination Panel will undertake an overall review of the syllabuses for the qualifying examinations to accommodate circumstantial changes in agency practice, legislative amendments and the introduction of new legislation. The pass requirement of the examinations, and especially that of the estate agent qualifying examination, will be raised to facilitate a general upgrade in the standard of the profession. The Panel will also expand and renew the corpus of examination questions by supplementing it with newly devised questions.

In the area of community education and publicity, the EAA will continue to heighten consumers' awareness and understanding of their rights through roadshows, community talks and media placements. In addition, it will also seek closer cooperation with the Consumer Council to strengthen the protection for consumers in property transactions. The Authority will also pursue more occasions for exchange and interflow with regulatory bodies in the Mainland to facilitate bilateral efforts in personnel training and consumer education.

在不影響公平裁決的前提下，監管局將研究簡化調查投訴和召開研訊的程序，以求進一步提高成本效益。另投訴組將編印一份小冊子，系統地闡述投訴的審定和調查程序，以及裁定準則等，讓物業消費者和業內人士對監管局如何處理投訴有基本的認識。

監管局將繼續巡查地產代理商舖、新樓盤銷售點，除檢舉代理違規行為，向從業員灌輸正確的執業知識外，亦擔當監管局與業界溝通的橋梁，廣泛收集從業員的意見。



監管局和商會間的合作，其實仍有很多發展空間，我們計劃和商會合作，共同舉辦招聘講座或展覽，吸引更多新人加入地產代理行業，也希望各商會在培訓方面扮演更積極的角色。

## 鳴謝

本人代表監管局向各有關政府部門及公共機構、專上學院及培訓機構、業內各商會團體，以及傳播媒介等致意，感謝他們一直對監管局支持，並在各方面提供協助和給予寶貴意見。

感謝房屋局，在政策的制定及推行給予監管局全力的支持。感謝律政署在法律上給予寶貴意見。

On the premise of not prejudicing the fair disposal of complaint cases, the EAA will research on the simplification of procedure in regard of investigation and the conduct of Inquiry Hearings so as to improve on the cost effectiveness of its complaint handling activities. The Complaints Section also has in the pipeline a pamphlet which systematically outlines the investigation procedure and the criteria on which judgement is to be arrived at. This is expected to be of much assistance to both consumers and practitioners in their understanding of how complaint cases are being dealt with at the EAA.

Inspections of trade establishments and first sale sites will continue to be conducted to identify cases of non-compliance, to convey messages on proper practice, to build up an effective channel of communication between the Authority and the trade, and to enable the EAA to extensively tap the views of practitioners.

There is yet much room for cooperation between the EAA and the trade associations. There are plans to work with the associations in the conduct of recruitment talks and exhibitions as a way to attract new blood to the trade, and it is also very much to be hoped that the trade associations will take a more prominent role in the provision of training to the practitioners.

## ACKNOWLEDGEMENTS

I would like to take the opportunity here to express the Authority's deep appreciation to all government departments, public bodies, institutions of tertiary and vocational education, trade associations in the estate agency industry, and the media, for their continuing support over the years, and for their valuable assistance and advice from time to time.

Our thanks are due to the Housing Bureau for the full support given to the EAA in the formulation and implementation of its policies, and to the Department of Justice for its valuable opinions on points of law. We thank the Hong Kong Police Force for its assistance in prosecuting those who practise estate agency without valid licences and in disseminating the message of licensed practice, and the Information Services Department for its support in publicizing and promoting the relevant legislation. We thank the Hong Kong Examinations Authority for administering the qualifying examinations,

感謝香港警務處，協助檢控無牌執業人士，以及宣傳執業須領牌的訊息。感謝政府新聞署，協助法例宣傳及推廣工作。感謝香港考試局，協助本局舉辦執業資格考試，特別在推行電腦化營業員考試給予大力的支援。感謝各專上學院、培訓機構，為地產代理從業員及有志加入行業人士提供培訓課程。

感謝消費者委員會，一直在保障消費者工作方面與監管局攜手合作。感謝廉政公署、私隱專員公署、職業訓練局、地產行政學會、香港測量師學會、律師公會等，年來為本局提供不少專業意見。感謝各商會、社團，以及各位以個人或團體名義的業界代表，就法例及政策推行給予寶貴的意見，以及對監管局工作的支持。我們更要感謝傳播媒介一直以來的幫助，悉力向社會大眾宣揚監管局的任務和有關法例，令監管局的工作推行得更順利。

## 結語

地產代理是一個流動性相當高的行業，根據監管局的統計，地產代理過去三年的流動率高達五成，另單在去年考取了資格試，隨時可領牌入行的，亦超過三千人，要維持行業的水平，各方面的工作均不能稍懈。發牌制度過渡期的結束，意味地產代理行業的專業化基本已完成。不過，若要地產代理在專業發展上能更上層樓，監管局與業界共同面對的，會是更嚴竣的挑戰。

行政總裁 周陳文琬

and especially for its great support in the introduction of the computer-based examination for salespersons. We are grateful to the universities and other training institutions for the many courses they offered to both licensees and those aspiring to careers in the trade.

We would like to thank the Consumer Council for its partnership in our work to protect consumer interest. We would also like to thank the Independent Commission Against Corruption, the Office of the Privacy Commissioner for Personal Data, the Vocational Training Council, the Hong Kong Institute of Real Estate Administration, the Hong Kong Institute of Surveyors and the Law Society of Hong Kong for the benefit of their professional opinions over these years. We are grateful to the trade associations and other public organisations, as well as representatives of the trade whether in an individual or corporate capacity, for their views and opinions on the legislative and practical aspects of the regulatory regime, and for the support they have rendered to the work of the EAA. The media have always provided much appreciated support to the Authority, and their efforts in promoting the mission of the EAA to the community at large have greatly facilitated our work.

## CONCLUDING REMARKS

Estate agency is an industry in which a high level of mobility exists among practitioners. According to EAA statistics, only about half of the individuals and shops licensed over the past three years still remain in the trade. On the other hand, those who passed the qualifying examinations last year and were therefore eligible for the licence also numbered over 3,000. It is thus imperative that the EAA should continue its efforts on all fronts in order that professional standards may be maintained within the trade. While the end of the transition period signifies the completion of the professionalisation of the trade at a basic level, severe challenges yet abound for both the Estate Agents Authority and the trade if higher standards of professionalism are to be achieved.

Grace M Y Chow  
Chief Executive Officer