

6 工作概覽 — 行政總裁匯報 Statement of the Chief Executive Officer



監管局致力規管地產代理行業及提升從業員的服務水平，推進行業的專業發展，藉此保障消費者和市民的利益。

We at EAA are mindful of our obligation to regulate the trade and maintain standards not only to enhance the level of professionalism in the industry but also to protect the interests of consumers and the community at large.

陳佩珊
行政總裁

Sandy CHAN Pui-shan
Chief Executive Officer

本年度，香港經濟持續增長，同時影響物業市場的發展。對監管局而言，由於社會大眾和從業員的期望亦有所提升，這一年既有意義，亦富挑戰。

以下報告概述監管局於本年度的工作重點。

發牌事宜

新入職人士顯著增加。截至2006年3月31日，持個人牌照者總數有21,789人，較上年同期增加15%；持公司牌照者有1,208間，增幅是14%；營業詳情說明書共3,722份，上升14%。

此外，約20%的個人牌照持有人擁有大專或以上學歷。

專業發展

為推動行業的專業化，監管局主要的一項工作是於2005年5月推出自願參與性質的持續專業進修計劃。

該計劃旨在透過終身學習提升專業和服務水準。監管局鼓勵地產代理和營業員每年修讀10個持續專業進修學分（約10小時學習）。學習模式包括講座、課堂、工作坊、遙距函授課程及網上學習；以及認可證書/文憑/學位課程等。

The Hong Kong economy continued its upward trend during the period under review, which in turn had an impact on the local property market. With rising expectations of the community and estate agency practitioners, it was a challenging as well as rewarding year for EAA.

The following pages outline the major events and achievements of EAA in the year.

Licensing

There was a significant increase in the number of new entrants to the industry. As at 31 March 2006, the total number of individual licensees was 21,789, an increase of 15% when compared with that of the previous year. The total number of company licensees was 1,208, an increase of 14%. The total number of Statements of Particulars of Business (SPOB) was 3,722, an increase of 14%.

About 20% of individual licensees had attained a tertiary education level or above.

Professional development

Our major initiative for enhancing professionalism of the trade was the launch of the Continuing Professional Development (CPD) Scheme on a voluntary basis in May 2005.

The aim of the Scheme is to raise professional and business standards through life-long learning. Both estate agents and salespersons are encouraged to fulfil a target of 10 CPD points (about 10 learning hours) every year. The modes of learning comprise seminars, lectures, workshops, distance learning by correspondence and web-based learning, as well as approved certificate/diploma/degree courses leading to a qualification.

該計劃在本年度順利展開。大約一半的參與人次是參加監管局舉辦的免費持續專業進修活動。而許多培訓機構、行業商會及地產代理公司亦相繼加入計劃，提供進修活動。最受歡迎的活動包括專業領袖講座系列、法律及執業實務專題講座以及內地房地產中介服務業實務專題講座。整體而言，業界對計劃反應良好，個別活動亦受到從業員的好評。

資格考試

提升專業標準的另一改革，是於2005年7月為地產代理資格考試引入新的模式。新的考試注重與現實情況配合的個案分析，旨在測試地產代理所需掌握的實務知識。修訂後，考試時間亦從兩小時延長至三小時。

本年度共有3,286人參加地產代理資格考試，8,265人參加營業員資格考試。應考營業員資格考試的人數上升34%，相信是由於年內物業市道持續暢旺，令市場對前線從業員的需求增加。

在2006年下半年，監管局將提高營業員資格考試的水平。

法律事務

監管局重視地產代理的專業操守，並在有需要時向從業員發出通告，提供與地產代理工作有關的執業指引。本年度監管局共發出了9份執業通告。

A good start was made during the year with the Scheme. About half of the CPD activity enrolments were for free activities organised by EAA. Many training institutions, trade associations and estate agency firms also joined the Scheme as CPD activity providers. The most popular activities included the Distinguished Speaker Series, the Law and Practice-Related Knowledge Series and the Estate Agency Practice in the Mainland Series. Overall, the Scheme has been well accepted by the trade, and individual activities have been favourably received by practitioners.

Qualifying examinations

Another critical step in the drive to raise professional standards was the introduction of a new format for the Estate Agents Qualifying Examination in July 2005. The enhanced examination increases the emphasis on case studies of real-life client situations, which are designed to test the practical knowledge expected of an estate agent. The duration of the revised examination has also been increased to three hours from two hours.

A total of 3,286 candidates sat the Estate Agents Qualifying Examination, and 8,265 candidates sat the Salespersons Qualifying Examination. The number of candidates sitting the Salespersons Qualifying Examination increased by 34%, due likely to the continued booming of the property market in the year and hence an increase in demand for front-line salespersons.

EAA will increase the level of the Salespersons Qualifying Examination in the second half of 2006.

Legal affairs

EAA attaches great importance to the professional conduct of estate agents. To this end, it provides directives on estate agency practice by issuing circulars to practitioners from time to time. Nine circulars were issued during the year.

執法、投訴處理及 違規處分

監管局經常巡查地產代理商舖和新樓盤，留意持牌人的執業情況。本年度，監管局進行了884次新樓盤巡查，以及538次商舖巡查。

監管局亦處理關於持牌人涉嫌違反《地產代理條例》及有關規定的投訴，並在有需要時進行調查。監管局亦會基於未解除破產或被判涉及不誠實或欺詐的罪行等理由，調查個別持牌者是否適當的持牌人選。本年度，監管局收到800宗投訴，並處理了125宗破產個案。

涉嫌違規的個案經調查後，或有需要進行研訊。本年度，監管局紀律委員會共撤銷5個牌照及暫時吊銷43個牌照。

業界聯繫

監管局重視與從業員的意見交流。本年度，監管局參與業界商會和代理公司等多次的會議及活動，讓各界掌握監管局的最新政策、指引和措施等。

業界曾向監管局要求，協助推動類似中央物業資料庫的構思，以提供一站式物業資訊服務。監管局喜見政府積極回應，現正考慮建立「物業資訊通」。

Law enforcement, complaint handling and disciplinary sanctions

EAA monitors the business practices of licensees by conducting regular compliance checks at estate agency shops and first-sale sites of residential properties. During the year, EAA conducted 884 inspections at first-sale sites and 538 inspections at agency shops.

EAA is also empowered to deal with and, where necessary, investigate complaints against licensees for alleged breaches of the Estate Agents Ordinance and related provisions. It also investigates individual licensees' eligibility to hold licences on grounds of undischarged bankruptcy or criminal convictions involving dishonesty or fraud. During the year, EAA received 800 complaints and handled 125 bankruptcy cases.

Suspected non-compliance cases are put to a hearing, where appropriate, following an investigation. Five licences were revoked and 43 were suspended by the EAA Disciplinary Committee during the year.

Liaison with the trade

EAA values the exchange of views with practitioners. A number of meetings and functions with organisations such as trade associations and agency firms were held in the year to keep them informed of the policies, new guidelines and initiatives of the Authority.

The trade has requested EAA to assist in the setting up of a centralised property database for providing one-stop property information services. We are pleased to note that the Government has responded positively and is now considering the establishment of an online Property Information Hub database.

公眾教育與專業交流

監管局繼續致力提高公眾人士對《地產代理條例》的認識，並提升消費者有關物業買賣的常識。公眾教育活動包括路演、社區講座、就業講座和展覽等。監管局亦按需要舉行新聞簡報會，發布監管局的訊息。

本年度，監管局亦與內地及海外同業交流地產代理行業的規管和發展經驗。

財務及行政管理

在2005/06年度，監管局扣除資本項目開支後的盈餘為509萬元，而2004/05年度則為510萬元。扣除訴訟均衡儲備的撥備額後，累積盈餘為5,197萬元。於2006年3月31日，監管局員工人數為70人。

鳴謝

本人藉此機會，衷心感謝下列機構一直以來對監管局工作的支持、協助及提供寶貴意見：房屋及規劃地政局、環境運輸及工務局、保安局、教育統籌局、工商及科技局、民政事務局、律政司、土地註冊處、差餉物業估價署、工業貿易署、香港警務處、政府新聞處、民政事務總署、香港特別行政區政府駐北京辦事處、香港特別行政區政府駐粵經濟貿易辦事處、廉政公署、香港房屋委員會、香港房屋協會、香港考試及評核局、香港學術評審局、消費者委員會、個人資料私隱專員公署、職業訓練局、其他政府部門及公營機構、大專院校及職業教育學院、地產代理業界商會、專業團體以及傳媒工作者。

Community education and professional exchange

EAA continued to promote public understanding of the Estate Agents Ordinance and to educate consumers on property transactions. Public education activities comprised roadshows, community talks, career talks and exhibitions, etc. Press briefings were also held from time to time to disseminate EAA's messages.

In the year, liaison activities with our Mainland and overseas counterparts continued. The purpose of these activities was to share experiences in the regulation and development of the estate agency trade.

Finance and administration

The surplus of the Authority for 2005/06 after capital project expenses was \$5.09 million, as compared to \$5.10 million in 2004/05. The cumulative surplus of the Authority stood at \$51.97 million after appropriation to the Litigation Equalisation Reserve. As at 31 March 2006, the staff establishment of EAA was 70.

Acknowledgements

I would like to take this opportunity to express the Authority's deep appreciation to the following, all of whom have been so generous with their continuing support, indispensable assistance and useful advice: Housing, Planning and Lands Bureau; Environment, Transport, and Works Bureau; Security Bureau; Education and Manpower Bureau; Commerce, Industry and Technology Bureau; Home Affairs Bureau; Department of Justice; Land Registry; Rating and Valuation Department; Trade and Industry Department; Hong Kong Police Force; Information Services Department; Home Affairs Department; Office of the HKSAR Government in Beijing; Hong Kong Economic and Trade Office of the HKSAR Government in Guangdong; Independent Commission Against Corruption; Hong Kong Housing Authority; Hong Kong Housing Society; Hong Kong Examinations and Assessment Authority; Hong Kong Council for Academic Accreditation; Consumer Council; Office of the Privacy Commissioner for Personal Data; Vocational Training Council; all other government and public bodies; institutions of tertiary and vocational education; trade associations in the estate agency industry; professional bodies; and the media.

堅守承諾 服務社會

監管局全人致力規管及提升地產代理從業員的服務水平，並且推進行業的專業發展，藉此保障消費者和市民的利益。任重道遠，我們將繼續努力。

A continuing commitment

We at EAA are mindful of our obligation to regulate the trade and maintain standards not only to enhance the level of professionalism in the industry but also to protect the interests of consumers and the community at large. The challenge ahead may be formidable, but the rewards will certainly be worth it.

行政總裁
陳佩珊

Sandy CHAN Pui-shan
Chief Executive Officer



地產代理監管局管理團隊：（前排左起）服務總監韓婉萍律師、行政總裁陳佩珊女士、執行總監蔡小玲律師；（後排）規管及法律總監鄭啟華律師

The EAA senior management team: (front row, from left) Ms Ruby HON, Director of Services; Ms Sandy CHAN, Chief Executive Officer; Ms Shirley CHUA, Director of Operations; (back row) Mr Pius CHENG, Director of Regulatory Affairs & General Counsel