



// 過去一年，工作能夠順利完成，實在有賴許多有心人士認同監管局的使命，支持我們。

Many of our past achievements have been accomplished, thanks to the work and dedication of people who have committed themselves to the mission of EAA. //

行政總裁 Sandy CHAN Pui-shan
陳佩珊 Chief Executive Officer

本人謹以至誠，呈交第四份行政總裁工作匯報。近年的經歷和變遷，實在值得深思。2003年7月，本人上任初期，香港正面臨許多挑戰，包括「非典」對經濟、對房地產所造成的直接打擊。在這段艱難的歲月裡，地產代理業界採取了不少措施以度過難關。此後，經濟復甦，物業市場逐漸回穩和蓬勃。地產代理監管局亦致力提升行業的專業水平，保障市民利益。

本人很榮幸獲得監管局續聘，以監管局行政總裁的身份繼續服務社會。現在總結監管局過去一年的工作。

資格考試

我們關注新入職從業員的素質。繼地產代理資格考試於2005年7月增加深度後，監管局在2006年7月於營業員資格考試亦引入了新模式。新的營業員資格考試加強了個案分析部分，以測試考生的實務知識。

與去年度相比，參與營業員資格考試的人數下降六成，原因可能是考試深度提升及電腦試自2006年3月起取消。參與地產代理資格考試的人數，亦較去年度下跌了14%。

自2007年9月起，營業員資格考試的費用由\$500下調至\$400，減幅為兩成。另外，營業員資格考試的次數，亦將自2008年起，由每年四次增加至六次。

I feel greatly privileged to be able to present to you my fourth statement as Chief Executive Officer and to reflect on times of enormous change that we have been through in recent years. When I first assumed my position in July 2003, Hong Kong was facing numerous challenges – no least the aftermath of SARS and its direct and severe impact on the economy including the real estate sector. During these difficult times, members of the estate agency trade launched many initiatives to stay afloat. Since then, the property market has been experiencing steady growth in a flourishing economy, and EAA has continued to dedicate itself to enhancing professionalism of the estate agency trade as well as protection of the public interest.

Having been given the chance through my reappointment to continue to serve the community, I would like to take this opportunity to look back on EAA's work over the course of the past year.

Qualifying examinations

We are concerned about the quality of fresh entrants. In July 2006, EAA brought in a new format to raise the standard of the Salespersons Qualifying Examination (SQE) following an enhancement of the standard of the Estate Agents Qualifying Examination (EAQE) in July 2005. The new SQE increases its emphasis on case studies of real-life situations, which aim to test the practical knowledge of the candidates.

The number of candidates sitting the SQE decreased by 60 per cent compared to the previous year, which may be attributable to the increase in the standard of the examination and the abolition of the computer-based qualifying examination in March 2006. The number of candidates sitting the EAQE also decreased by about 14 per cent compared to the previous year.

From September 2007, the fee for the SQE will drop by 20 per cent from \$500 to \$400. Separately, the frequency of the SQE will increase from four to six times a year, starting in 2008.

發牌

由於通過兩個資格考試的人數在考試深度提升後有所減少，地產代理業的新入職人數亦顯著下降。本年度共有2,151名新入行人士，較去年度下跌55%。

2007年3月底共有21,041個個人牌照，較去年下跌3.4%；營業詳情說明書的數目則為3,896，較去年增加4.7%。

約兩成持牌人士具備大專或以上學歷。

法律事務

監管局重視地產代理的專業操守。為此，監管局在有需要時會向從業員發出執業指引。本年度共發出三份指引，其中涉及範疇包括一手物業的銷售安排和地產代理管理階層的管理責任。

此外，監管局亦印製了六本全新的《專題論集》，內容涵蓋代理法、土地查冊、物業產權負擔、樓宇按揭、物業轉易和住宅物業租務，有助提升從業員的執業法規知識。

執法、投訴處理及紀律制裁

為保障消費者利益，監管局經常進行巡查，並處理有關地產代理的投訴。本年度，監管局共巡查一手樓盤及地產商舖1,154次；就626宗投訴展開調查，並完成調查653宗投訴，其中183宗投訴成立。

監管局紀律委員會就從業員的違規個案進行研訊。本年度，委員會共進行了172次紀律研訊，42人被暫時吊銷牌照，兩人被撤銷牌照。

Licensing

There was a significant decrease in the number of new entrants to the estate agency trade as fewer people passed the two qualifying examinations following the upgrading of the level of the examinations. A total of 2,151 fresh entrants joined the trade during the year, a decrease of 55 per cent compared to the previous year.

At the end of March 2007, there were 21,041 individual licences, a decrease of 3.4 per cent compared to the figure for the previous year. There were altogether 3,896 statements of particulars of business (SPOBs), an increase of 4.7 per cent compared to the figure for the previous year.

About 20 per cent of licensees had an education level of tertiary or above.

Legal affairs

EAA attaches importance to the professional conduct of estate agents. To this end, practice circulars were issued from time to time to provide guidelines on estate agency practice. Three circulars, covering first sales arrangements and effective management control of estate agency business etc., were issued in the year.

In addition, EAA published six updated monographs on agency law, land search, encumbrances, mortgages, conveyancing and domestic tenancy to enhance practitioners' knowledge of the law and practice of estate agency.

Law enforcement, complaint handling and disciplinary sanctions

To safeguard consumers' interest, EAA conducts compliance inspections and deals with complaints against licensees. A total of 1,154 inspections were conducted at first-sale sites and agency premises during the year under review. EAA also began investigations into 626 complaints in the year and completed investigations into 653 complaints of which 183 were found to be substantiated.

The Disciplinary Committee of EAA conducts inquiry hearings into cases of non-compliance by licensees. The committee conducted hearings into 172 cases in the year. Forty-two licences were suspended and two were revoked.

不少違規個案涉及欠缺專業能力或違反專業操守；沒有提供物業的訂明資料；失實或誤導性廣告；沒有申報利益；沒有採用指定表格與客戶訂立地產代理協議；沒有進行土地查冊等。

專業發展

監管局提倡「持續進修、敬業樂業」，鼓勵地產代理和營業員每年在持續專業進修計劃（計劃）下修讀十個學分（約十個學習小時）。學習模式包括研討會、講座、工作坊、網上學習、多次性培訓活動等。

計劃在2005年5月以自願參與形式推出，業界至今已逐漸熟習培訓模式。活動的數量、質素和種類都不斷增加，參與人數亦有上升趨勢。本年度的參與人次達27,856，比上年度上升了182%。在533個持續專業進修活動當中，超過四成屬免費或由政府資助。同時，愈來愈多機構，包括業界商會，開始為從業員提供進修活動。

業界聯繫

監管局繼續與業界保持緊密聯繫，在重要的執業規則方面交換意見。監管局與商會代表恆常舉行會議，讓業界能夠掌握監管局最新的措施和指引；這些活動有助監管局落實政策。

與此同時，為了加強地產代理的專業操守，並提高從業員的防貪意識，監管局與廉政公署為業界舉辦了為期兩年的教育課程。

公眾教育與專業交流

監管局致力提升地產代理的責任感，同時亦重視消費者本身的教育。公眾教育活動包括展覽、宣傳刊物及教育短片等。監管局亦於有需要時舉行新聞發布會。

Many of the cases concerned breaches including professional incompetence or misconduct, failure to supply prescribed information, false or misleading advertisements, failure to declare interest, failure to enter into estate agency agreements in the prescribed form, and failure to conduct land searches.

Professional development

With the objective of "Professional Excellence Through Learning", both estate agents and salespersons are encouraged to earn 10 points (about 10 learning hours) under the Continuing Professional Development (CPD) Scheme every year. Modes of learning range from seminars, lectures, workshops, web-based learning to multi-session training activities.

The trade has gradually familiarised itself with the training regime, which was introduced on a voluntary basis in May 2005. The quantity, quality and variety of available activities have risen and there has been an upward trend in participation. The number of enrolments hit 27,856 in the year under review, an increase of 182 per cent compared to the previous year. Of the 533 CPD activities held, over 40 per cent were either non-fee paying or Government-subsidised. Also, more providers, including the trade associations, have started to offer CPD activities for licensees.

Liaison with the trade

EAA continued to liaise closely with the trade in the year to exchange views on key practice issues. Meetings between EAA and trade representatives were arranged from time to time to keep the trade informed of EAA's new initiatives and directions. These activities were vital to the effective implementation of EAA's policies.

Also, to enhance the professional ethical standards and promote corruption prevention among estate agents, EAA, together with the Independent Commission Against Corruption, launched a two-year joint educational programme for the trade.

Community education and professional exchange

EAA strives to promote awareness of the responsibilities of estate agents and enhance consumer education on property transactions. Community education were achieved through exhibitions, publications and community education video, etc. Press briefings were also held to disseminate EAA's messages from time to time.

監管局與內地和海外的相關機構保持聯繫，並曾派出代表參與全國性的論壇和會議；亦曾多次接待來自內地和海外城市的訪問團。

財務與行政管理

監管局財政狀況依然穩健，儘管過去一年展開了許多新的工作，以規管及提升地產代理行業的專業水平。

2006/07年度，監管局在扣除資本項目開支後，錄得264萬元盈餘。因此，扣除訴訟均衡儲備的撥備額975萬元和資本項目基金2,563萬元後，監管局的累積盈餘為5,386萬元，增加3.63%。

截至2007年3月31日，監管局的職員編制共有79名員工。

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和寶貴意見：運輸及房屋局、發展局、保安局、教育局、商務及經濟發展局、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、入境事務處、政府新聞處、民政事務總署、香港特別行政區駐北京辦事處、香港特別行政區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、香港學術及職業資歷評審局、消費者委員會、個人資料私隱專員公署、平等機會委員會、職業訓練局、大專院校及職業教育學院、地產代理業界商會、專業團體和傳媒工作者。

EAA maintained close contact with its mainland and overseas counterparts. Nationwide forums and meetings were attended and delegations from a variety of mainland and overseas cities were received.

Finance and administration

The financial position of the Authority remains healthy, notwithstanding that many new initiatives have been launched to regulate and to promote professionalism of the estate agency trade.

In 2006/07, EAA recorded a surplus of \$2.64 million after capital project expenses. As a result, the Authority's cumulative surplus increased by 3.63 per cent to \$53.86 million as at 31 March 2007 after appropriation to the litigation equalisation reserve and the capital project fund, which stood at \$9.75 million and \$25.63 million respectively.

As at 31 March 2007, the staff establishment of EAA was 79.

Acknowledgements

I would like to express the Authority's deep appreciation to the following for their continuing support and useful advice: The Transport and Housing Bureau; the Development Bureau; the Security Bureau; the Education Bureau; the Commerce and Economic Development Bureau; the Home Affairs Bureau; the Department of Justice; the Land Registry; the Rating and Valuation Department; the Trade and Industry Department; the Hong Kong Police Force; the Immigration Department; the Information Services Department; the Home Affairs Department; the Office of the Government of the HKSAR in Beijing; the Hong Kong Economic and Trade Office in Guangdong; the Independent Commission Against Corruption; the Hong Kong Housing Authority; the Hong Kong Housing Society; the Hong Kong Examinations and Assessment Authority; the Hong Kong Council for Accreditation of Academic and Vocational Qualifications; the Consumer Council; the Office of the Privacy Commissioner for Personal Data; the Equal Opportunities Commission; the Vocational Training Council; 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

過去一年，工作能夠順利完成，實在有賴許多有心人士認同監管局的使命，支持我們。未來一年，仍然充滿挑戰和難度；我們將繼續盡心盡力，不負眾望。

行政總裁
陳佩珊

A continuing commitment

Many of our past achievements have been accomplished, thanks to the work and dedication of people who have committed themselves to the mission of EAA. As another busy and challenging year lies ahead of us, we will continue to do our best to perform our role wholeheartedly and to maintain the standards our supporters have come to expect of us.

Sandy CHAN Pui-shan
Chief Executive Officer



行政總裁陳佩珊女士與其管理團隊 Chief Executive Officer Ms Sandy Chan and her management team