



陳佩珊 行政總裁
Sandy CHAN Pui-shan CEO

“ 監管局踏入第二個十年，將繼續提升行業的服務水平、加強對消費者的保障，致力作為一個有所承擔和專業的規管機構，不負社會各界期望。

As the EAA enters its second decade, we pledge to continue to enhance the service standards of the trade, strengthen consumer protection, and live up to public expectations of being a responsible and professional regulator. ”

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2007/08年度，持牌地產代理人數續創新高。監管局一方面留意從業員執業手法，懲治違規違法行為；另一方面，監管局致力通過培訓，提升行業的專業水平。

適逢監管局慶祝成立十周年紀念，我亦有幸第五次以行政總裁身分呈交工作報告。回顧過去，監管局「發展」與「規管」並重；有許許多多的里程碑，令我感到欣慰。香港地產代理行業的規管制度和水平，與世界其他大城市相比，絕不遜色。

考試與發牌

在2007/08年度，樓市興旺，參加地產代理資格考試和營業員資格考試的考生人數，比上年度分別上升11%和40%。這亦可能是因為監管局調低了營業員資格考試的費用，並增加了考試次數。

在2007/08年度，監管局舉辦地產代理資格考試和營業員資格考試各四次。平均合格率分別是40%和43%。

年度的蓬勃的地產市道也促使更多人士(2,453人)加入地產代理行列，令2008年3月31日的持牌人總數(包括公司持牌人)達23,626，創出新高，比去年同期上升5%。

營業詳情說明書的數目，以2008年3月31日計，較去年同期增加5%至4,086份。

The number of licensees scaled new heights during the year 2007/08. The EAA remained vigilant in averting malpractice in the estate agency trade and continued to mete out sanctions to those who had breached the law. At the same time, the EAA strove to raise the professional standards of the regulated community through training.

As the EAA celebrated its 10th anniversary in 2007, I was also honoured to present my fifth report as the Chief Executive Officer. Over the years, the EAA has placed equal importance on both development and regulation of the estate agency trade. I look back with satisfaction at the numerous milestones and feel that we have indeed established a regulatory regime comparable with those in other big cities.

Examination and licensing

As the property market boomed in 2007/08, the number of candidates sitting the Estate Agents Qualifying Examination (EAQE) and the Salespersons Qualifying Examination (SQE) went up by about 11% and 40% respectively, as compared to 2006/07. The increase might also be attributable to the reduction of the SQE examination fee and the increase in the examination's frequency.

The average pass rates for the EAQE and SQE, each of which was held four times in 2007/08, were 40% and 43% respectively.

The flourishing property market in the year also led to more individuals joining the industry, with 2,453 new entrants, and pushed the licensee population (including company licensees) as of 31 March 2008 to a record high of 23,626, an increase of 5% over 31 March 2007.

The number of statements of particulars of business (SPOBs) rose 5% to 4,086.

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規管與執法

為有效處理複雜和嚴重的個案，監管局委任了一名總調查經理，執行《地產代理條例》第28條賦予的權力。當監管局認為違規事項嚴重及對市場有顯著的負面影響，便會運用第28條的權力進行調查。

本年度監管局共接獲622宗投訴，與去年相若。個案涉及不同的違規事項，主要包括發出虛假或誤導性廣告、在處理涉及違例建築工程或須要進行修葺的物業時沒有保障客戶的利益、沒有跟客戶簽訂地產代理協議、沒有在緊接訂立買賣合約前進行土地查冊，以及安排未獲適當授權人士代替缺席的合約方簽署合約。

在完成的714宗投訴中，204宗(29%)的指稱成立，256宗(36%)的指稱不成立。其餘個案則由於投訴人撤回投訴或雙方獲得調解等而終結。

本年度，監管局紀律委員會就173宗案件舉行紀律研訊，結果暫時吊銷30個牌照，並撤銷一個牌照。

另外，監管局共進行1,681次巡查，視察從業員有否遵守《地產代理條例》。巡查的其中一個重點，是要求地產代理公司執行打擊清洗黑錢的措施。

2007/08年度，監管局發出了九份執業通告，就多項業界和公眾關注的執業事宜提供指引。指引涵蓋的範疇包括防止貪污、非法轉移客戶資料、一手物業銷售處的秩序，以及地產代理披露利益的問題。

Regulatory affairs and law enforcement

To effectively deal with more complex and serious cases, a Chief Investigation Manager was appointed to carry out investigations with the power given under section 28 of the EAO. Investigations were launched when the EAA felt misconduct was significant and particularly harmful to the market.

The number of complaint cases received, 622, was similar to that of the previous year. The allegations against licensees varied. The main ones were issuing advertisements with false or misleading information, failing to protect the client's interest when dealing with properties with unauthorised building works or subject to building maintenance works, failing to enter into an estate agency agreement with a client, failing to conduct a land search before an agreement for sale and purchase was entered into, and allowing a person without proper authorisation to sign an agreement on behalf of an absent contracting party.

Of the 714 completed complaint cases, 29%, or 204, were substantiated, and 36%, or 256, were unsubstantiated. The rest were withdrawn, resolved through mediation or curtailed for various reasons.

During the year, the EAA Disciplinary Committee conducted inquiry hearings into 173 cases. As a result, 30 licences were suspended and one was revoked.

The EAA conducted 1,681 inspections to check practitioners' compliance with the EAO. One main focus of the inspections during the year was agencies' compliance with anti-money laundering measures.

In 2007/08, the EAA issued nine practice circulars, providing guidelines and directives on various aspects of estate agency practice of great concern to the public and the trade, such as corruption prevention, unlawful transfer of clientele, order at sales sites of first-hand properties, and disclosure of interests by estate agents.

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另外，監管局亦與政府、消費者委員會和香港地產建設商會緊密合作，商討如何提高一手住宅物業市場的資訊透明度，特別是單位「實用面積」資料的透明度。

專業發展

監管局深信，持續進修非常重要。監管局致力提供不同類型的持續專業進修活動，又推出多項新措施，鼓勵從業員進修。

年度內，監管局與培訓機構等舉辦合共363場進修活動，吸引19,284人次參加。

另外，監管局投入了不少資源，籌劃以新入職從業員為對象的「新入職地產代理課程」。該密集式課程在2008年3月首次舉行，為期四天，目的是加強學員對《地產代理條例》和附屬法例、土地查冊、物業轉易、租務和代理法的認識。

監管局亦正全力籌備一個類似的、專門為管理人員而設的密集式課程，並計劃在2008/09年度推出。

與相關團體的聯繫

監管局繼續與地產代理業界保持溝通，就執業規則方面進行深入討論，交換意見。本年度，監管局與業界商會共舉行六次聯絡會議。

同時，為加強持牌地產代理和消費者教育，監管局推出了一系列的刊物，部分刊物與消費者委員會或廉政公署合作出版。另外，監管局亦在本年度推出廣告，鼓勵消費者簽訂地產代理協議。

The EAA also worked closely with the government, the Consumer Council and The Real Estate Developers Association of Hong Kong on ways to enhance transparency of information, in particular the "saleable area" of a unit, in the primary residential property market.

Professional development

A firm believer in continuous learning, the EAA provides different types of CPD activities and offers various incentives to encourage participation.

Overall, the EAA and training providers organised a total of 363 sessions of CPD activities in the year, attracting 19,284 enrolments.

A great deal of the EAA's effort was devoted to the planning and development of an intensive four-day course, "Introduction to Estate Agency Practice", which was first launched in March 2008. Targeted at new practitioners, the course sought to reinforce their knowledge on key topics such as the EAO and its subsidiary legislation, the interpretation of land searches, and laws related to conveyancing, tenancy and agency matters.

Preparation is also underway for a similar intensive course for managers, planned to be launched in 2008/09.

Liaison with stakeholders

The EAA maintains frequent and in-depth communication with the trade to exchange views on practice issues. In the year under review, the EAA held six liaison meetings with trade associations.

To educate both licensees and the public on estate agency matters, a number of publications were released, some jointly with the Consumer Council or the ICAC. An advertising campaign was also launched during the year to encourage consumers to sign estate agency agreements.

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監管局與內地和海外的相關機構保持聯繫，並在2008年3月聯同業界代表訪問北京，拜訪內地政府機關，探討內地與香港地產代理業資格互認的可行性。

The EAA also keeps in close contact with its mainland and overseas counterparts. The EAA and representatives of the trade visited Beijing in March 2008 and met with a number of mainland government departments. The feasibility of mutual recognition of qualifications between the estate agency trade in the mainland and Hong Kong was explored during the visit.

財務與行政

本年度，監管局的收入達53.1百萬元，較去年增加2%，主要是由於牌照數量的增長。另一方面，支出較去年下降1%至48.9百萬元。盈餘為4.2百萬元。

Finance and administration

The EAA's income reached \$53.1 million, an increase of 2% over the previous year, on the back of growth in the number of licences. Meanwhile, expenditure edged down 1% to \$48.9 million, leaving a surplus of \$4.2 million.

以2008年3月31日計，監管局的職員編制共有80名員工。

As at 31 March 2008, the EAA had a staff establishment of 80.

鳴謝

借此機會，多謝下列機構一直以來對監管局工作的支持：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、香港消防處、入境事務處、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、各大專院校及職業教育學院、各地產代理業界商會、各專業團體和傳媒工作者等。

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續守承諾 努力不懈

最後，我感謝監管局董事局和常設委員會成員在過去一直給予的支持和提點，也感謝同事堅守崗位、克盡己職。監管局踏入第二個十年，將繼續提升行業的服務水平、加強對消費者的保障，致力作為一個有所承擔和專業的規管機構，不負社會各界期望。

行政總裁
陳佩珊

Our pledge continues

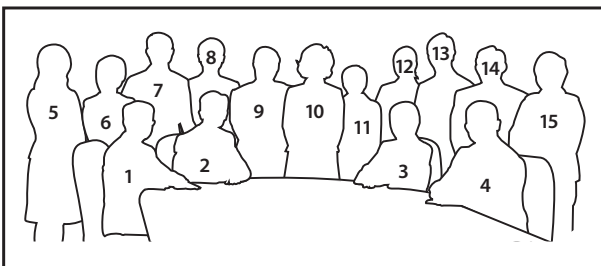
In closing, I would like to extend my appreciation to Members of the EAA and Standing Committees for their valuable advice and support, and to my colleagues for their dedication in discharging their duties. As the EAA enters its second decade, we pledge to continue to enhance the service standards of the trade, strengthen consumer protection, and live up to public expectations of being a responsible and professional regulator.

Sandy Chan Pui-shan
Chief Executive Officer



監管局行政總裁陳佩珊女士(中)與管理團隊。

EAA Chief Executive Officer Ms Sandy Chan (middle) and the management team.



1. 法律顧問張偉浩先生
Legal Counsel Mr Earnest Cheung
2. 投訴部高級經理郭榮豐先生
Senior Manager (Complaints) Mr Brian Kwok
3. 署理規管及法律總監劉淑榮女士
Acting Director of Regulatory Affairs & General Counsel Ms Eva Lau
4. 總調查經理黃麟昌先生
Chief Investigation Manager Mr Eric Wong
5. 機構傳訊部經理羅佩珊女士
Manager (Corporate Communications) Ms Connie Law
6. 專業發展部經理黃慧敏女士
Manager (Professional Development) Ms Sue Wong
7. 執行部經理陳汝傲先生
Manager (Enforcement) Mr Chan U Keng
8. 牌照部經理張嘉賢先生
Manager (Licensing) Mr Kevin Cheung
9. 執行總監黃維豐先生
Director of Operations Mr Anthony Wong
10. 行政總裁陳佩珊女士
Chief Executive Officer Ms Sandy Chan
11. 服務總監韓婉萍女士
Director of Services Ms Ruby Hon
12. 紀律研訊部經理高善君女士
Manager (Disciplinary Proceedings) Ms Susanna Ko
13. 財務部經理陳杰崙先生
Manager (Finance) Mr George Chan
14. 投訴部經理鄧榮安先生
Manager (Complaints) Mr Tang Wing On
15. 助理法律顧問伍秀麗女士
Assistant Legal Counsel Ms Ingrid Ng