

行政總裁匯報 Report of the Chief Executive Officer



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2008年下半年的金融海嘯突然來襲，為香港樓市帶來相當大的打擊。樓市上半年蓬勃興旺，但下半年情況急轉直下，價量急跌，而地產代理業界的生意也首當其衝。

儘管樓市如此動盪，監管局仍然堅守本份，致力履行其監管地產代理的職責，既為地產代理舉辦培訓活動，也推行對消費者的教育，實行雙管齊下，提升專業水平。

監管局於2008年底建議推出一次過寬免六個月牌費的措施，向處於困難中的業界，表示支持。自從監管局決定推行此措施，行政部門為了措施順利推行而悉心準備。

考試與發牌

在2008/09年度，參加地產代理資格考試和營業員資格考試的考生人數，比上年度分別上升了19%和31%。營業員資格考試的人數上升，原因可能是該考試的次數，由2008年開始，由每年四次增至六次。

地產代理資格考試和營業員資格考試的平均合格率，分別是43%和39%。

出乎市場意料，2009年3月31日的持牌人總數(包括公司持牌人)是24,252，比去年同日上漲3%。營業詳情說明書¹的數目，較去年同日增加2%至4,183。

The financial tsunami in the second half of 2008 dealt a heavy blow to the property market. In marked contrast to the market boom prior to the crisis, market prices and transactions took a deep dive and the business of the estate agency trade was adversely affected.

Despite the volatile market conditions, the EAA remained dedicated to discharging its regulatory duties in a responsive and responsible manner. It also strove to raise the standards of the trade through training for estate agents and education for consumers.

To be supportive of the trade to face the economic downturn, the EAA initiated a one-off, six months' fee concession scheme in late 2008 and has been making preparations for a smooth implementation of the scheme since then.

Examinations and licensing

In 2008/09, the number of candidates sitting the Estate Agents Qualifying Examination (EAQE) and the Salespersons Qualifying Examination (SQE) increased by 19% and 31% year-on-year respectively. The rise in the number of SQE candidates was probably because the number of SQEs held in a year increased from four to six in 2008.

The average pass rates for the EAQE and SQE were 43% and 39% respectively.

Contrary to market expectations, the number of licence holders as at 31 March 2009 was 3% higher than that of 31 March 2008. The licensee population (including company licensees) stood at 24,252. The number of statements of particulars of business (SPOBs)¹ rose by 2% to 4,183.

¹ 地產代理須要為每個營業地點的每個營業名稱，申領營業詳情說明書。

¹ An estate agent must apply for an SPOB for each place of business under each business name.

規管與執法

地產代理在推銷一手樓盤時的執業手法，仍然是監管局關注的焦點。監管局一向注重維持一手樓的銷售秩序。今年度監管局共進行了1,128次巡查，次數比之前一年度大增50%。同時，監管局也與即將開售樓盤的地產發展商緊密聯繫，務求令發展商了解地產代理從業員的責任和監管局的工作。

監管局除了執行巡查工作之外，也處理公眾的投訴。監管局本年度共接獲643宗投訴，較上年度稍多。監管局紀律委員會於同期就208宗個案進行紀律研訊，結果暫時吊銷26個牌照和撤銷一個牌照。

為了配合一手住宅物業統一實用面積定義的新措施，並且提高市場透明度，監管局發出執業通告和舉辦相關講座。監管局希望通過這些措施，提醒從業員要向準買家提供準確而全面的物業資訊。監管局和消費者委員會合作更新資料小冊子，幫助消費者了解新定義和保障自己的消費權益。

監管局也就其他重要的題目發出執業通告，向業界提供指引。今年度監管局曾經就「洗黑錢」、「聘用收數公司」和「物業資訊網」等發出執業通告。

專業交流

今年內，監管局在推動內地與香港地產代理專業交流方面，邁進一大步。監管局與內地相關機構達成協議，方便香港地產代理在內地從事地產代理業。

Regulatory affairs and law enforcement

The sales practices of estate agents in the promotion of first-sale properties remained an area of concern for the EAA. To maintain good order at first-sale sites, the EAA conducted 1,128 compliance checks in the year, an increase of 50% over the previous year. The EAA also established close rapport with property developers who were about to launch new developments, in a bid to help developers understand the responsibilities of practitioners and the regulatory work of the EAA.

In addition to conducting compliance checks, the EAA also handled complaints from the public. During the year, the number of complaint cases received, 643, was slightly more than that of the previous year. The EAA Disciplinary Committee conducted inquiry hearings into 208 cases during the same period. As a result, 26 licences were suspended and one was revoked.

To complement the adoption of a standardised definition of “saleable area” for first-hand residential properties and to increase market transparency, the EAA issued a practice circular and organised seminars to educate estate agency practitioners on the new definition. These measures served to remind practitioners to provide accurate and comprehensive property information to prospective purchasers. The EAA and the Consumer Council also jointly updated the relevant pamphlets to help consumers better understand the new definition and protect their interests.

The EAA also issued other practice circulars, providing guidelines and directives covering other areas such as anti-money laundering, using debt-collection companies and the Property Information Online service.

Professional exchanges

During the year, the EAA took a great step forward in promoting professional exchanges between the Mainland and Hong Kong estate agency trade. The EAA reached agreements with Mainland authorities in a bid to facilitate Hong Kong estate agents’ practising estate agency work on the Mainland.

2009年年初，監管局與中國房地產估價師與房地產經紀人學會簽訂備忘錄，準備將來兩地業界達成資格互認的協議。較早之前監管局也與廣州市房地產中介服務管理所簽訂協議，安排香港地產代理考取在廣州市執業的資格(廣州計劃)。

地產代理可通過廣州計劃，與內地同業互相交流知識和經驗，提升專業水平。

專業發展

監管局於2008年6月推行「地產代理商舖專業進修嘉許獎章計劃」，鼓勵更多從業員積極參與持續專業進修計劃。地產代理商舖可於店內展示嘉許獎章，以表揚店內從業員努力進修。截至2008年年底，共有172間不同規模的商舖獲得這個獎章。

繼於2008年3月推出為新入職從業員而設的課程之後，監管局於2008年年底，為地產代理管理層推出類似的課程。課程主要教授管理層所需的管理技巧，從而提升他們的管治水平。

整體而言，監管局和其他培訓機構共舉辦495場進修活動，而總參與人次由上年度19,284人升至本年度的31,010人，升幅高達61%，顯示從業員支持監管局的自願性的持續專業進修計劃，反應令人鼓舞。

公眾教育與對外聯繫

為了提升公眾對於監管局工作和消費者權益的認知，監管局於2009年年初推出宣傳活動，鼓勵市民簽訂地產代理協議和向地產代理查詢重要的物業資料。

The signing of a memorandum of understanding between the EAA and the China Institute of Real Estate Appraisers and Agents in early 2009 paved the way for the mutual recognition of professional qualifications for estate agents in Hong Kong and the Mainland. An earlier agreement signed between the EAA and the Guangzhou Real Estate Agent Service Administration Centre also facilitated Hong Kong estate agents' qualifying to practise estate agency work in Guangzhou (the Guangzhou Scheme).

Through the special arrangements under the Guangzhou Scheme, estate agents will be able to upgrade their standards of service by exchanging knowledge and experience with their Mainland counterparts.

Professional development

In June 2008, the EAA launched the CPD Mark for Estate Agencies Award Scheme to encourage greater participation in the CPD Scheme. The CPD Mark can be displayed in the shop for recognition of their efforts in continuous learning. At the end of 2008, a total of 172 shops of various sizes were awarded the mark.

Following the introduction of an intensive course for fresh entrants in March 2008, the EAA launched a similar course for estate agency managers in late 2008. The course sought to equip target licensees with the necessary management skills to exercise better governance of their companies.

Overall, the EAA and other training providers organised a total of 495 sessions of CPD activities. The overall response to the voluntary CPD Scheme was encouraging. The total number of enrolments rose from 19,284 in 2007/08 to 31,010 in 2008/09, a significant increase of 61%, reflecting practitioners' supportive attitude toward the CPD Scheme.

Community education and external relations

To raise public awareness of the EAA's work and consumer rights, the EAA undertook an advertising campaign in early 2009 to encourage consumers to sign estate agency agreements and to obtain important property information from their estate agent.

此外，監管局也和地產代理業界商會保持緊密聯繫，以加深業界對監管局措施的了解，並就打擊偷盤射單等違規行為交換意見。

財務與行政

本年度，監管局的收入達到54.9百萬元，較去年增加3.5%。同時，支出增加6.8%至52.2百萬元。

以2008年3月31日計，監管局的職員編制有81名員工。

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。

堅守使命 持續努力

這是我以監管局行政總裁身份所發表的最後一份工作報告。在過去六年期間，我有幸參與監管局政策的制訂和推行的工作，深感工作既富挑戰性又有意義。多年來，我得到監管局董事局和委員會成員對我的指導，持牌人對我支持和鼓勵，為此感到萬分感激。此外，我也感謝監管局同事克盡己職並致力推動監管局工作。

During the year, the EAA also closely engaged estate agency associations in a bid to enhance their understanding of the EAA's measures and to exchange views on how to fight against common malpractices such as the unlawful transfer of clientele.

Finance and administration

The EAA's income reached \$54.9 million, an increase of 3.5% over the previous year. Meanwhile, expenditure rose 6.8% to \$52.2 million.

As at 31 March 2009, the EAA had a staff establishment of 81.

Acknowledgements

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

The EAA's commitment carries on

This is the final report I present as the Chief Executive Office of the EAA. During the past six years, I have had the honour to participate in the formulation and implementation of the EAA's policies, an experience which has been both meaningful and challenging. I would like to extend my appreciation to the Members of the EAA and its Committees and Working Groups for their guidance, and to our licensees for their support and encouragement. It was also gratifying to see my colleagues putting a great deal of effort into discharging their duties and realising the EAA's objectives.

我有信心憑藉監管局在過去多年來建立的根基，監管局會繼續堅守使命，致力提升地產代理業界的專業水平，推動公平而誠實的物業交易。我亦深信通過監管局與業界的共同努力，地產代理業界會在未來發展成為真正的專業。

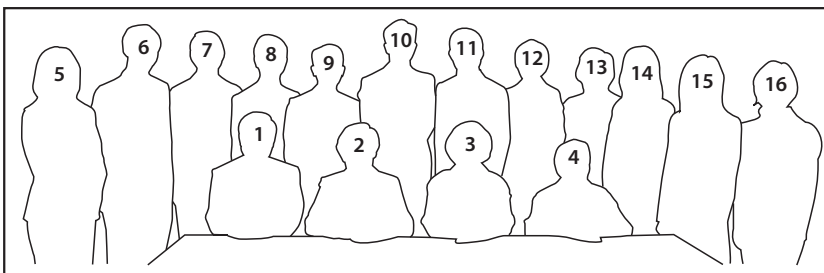
I am confident that with the foundation laid over the past years, the EAA will continue its commitment to raising the professional standards of the trade and promoting fair and honest property transactions. I also have every reason to believe that the trade, with the concerted efforts of the EAA and the practitioners themselves, will become a true profession in the years ahead.

行政總裁
陳佩珊

Sandy Chan
Chief Executive Officer



監管局行政總裁陳佩珊女士與管理團隊。
EAA Chief Executive Officer Ms Sandy Chan and the management team.



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Director of Operations Mr Anthony Wong, PMSM | 6 財務及資訊科技部經理陳杰崙先生
Manager (Finance & IT) Mr George Chan | 12 法律顧問劉淑葵女士
Legal Counsel Ms Eva Lau |
| 2 規管及法律總監趙世芳女士
Director of Regulatory Affairs & General Counsel
Ms Margaret Chiu | 7 執行部經理陳汝傲先生
Manager (Enforcement) Mr Chan U Keng | 13 紀律研訊部經理伍秀麗女士
Manager (Disciplinary Proceedings) Ms Ingrid Ng |
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Chief Executive Officer Ms Sandy Chan | 8 牌照部經理張嘉賢先生
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