

# 附錄一 常設委員會

## 職權範圍和成員名單

### A. 財務及策略發展委員會

1. 研究具有長遠性影響的策略性議題以備提交監管局董事局審議。
2. 審核重要的財政議題－特別是員工開支對監管局財政狀況的影響、預算事項、長遠的財政規劃和資產管理，並將建議提交監管局董事局審議。
3. 監督人力資源管理事宜，並審視及批核編製架構和重組安排、人力規劃，以及人力資源政策和程序的制訂。
4. 研究重要的人力資源管理議題－尤其薪酬架構、薪酬和津貼政策，以及監管局員工（包括行政總裁和總監）的聘用條款和條件，並將建議提交監管局董事局審議。
5. 根據監管局主席的指示，審視及檢討行政總裁和總監的工作表現，以確定是否聘用、延長試用期、晉升、解僱、終止或繼續聘用，或其他與聘用相關事宜，以及確定是否批出按表現發放的獎賞，並將建議提交監管局董事局審議。
6. 審視及批署由監管局行政部門所預備的年度工作計劃和預算案，並於確認後提交監管局董事局審議。

## Terms of Reference and membership

### A. Finance and Strategic Development Committee

1. To consider strategic issues of long-term significance, in preparation for consideration by the Board.
2. To examine issues of major financial significance, in particular, staff cost implications, budgetary matters, long-term financial planning and asset management, and to make recommendations to the Board for consideration.
3. To oversee human resources management and to review and approve establishment structure, reorganisation, manpower planning and development of human resources policies and procedures.
4. To examine issues of major significance in human resources management, in particular, the pay structure, remuneration and allowance policies and terms and conditions of employment of the EAA employees (including the Chief Executive Officer and Directors), and to make recommendations to the Board for consideration.
5. At the direction of the Chairman, to review and evaluate the performance of the Chief Executive Officer and Directors for the purpose of confirmation of appointment, extension of probation, promotion, dismissal, termination or renewal of employment or other employment related issues and the granting of any performance-linked awards, and to make recommendations to the Board for consideration.
6. To review and endorse the annual work plan and budget prepared by the Administration and to recommend the same to the Board for consideration.



# Annex 1 Standing committees

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| <p>7. 就監管局資金的投資事宜制定指引並向監管局董事局提交建議。</p> <p>8. 留意業界及公眾人士對監管局的規例及政策的反應，並據此向監管局董事局及／或有關委員會建議適當對策。</p> <p>9. 執行由監管局董事局授權處理的工作。</p> <p>10. 如認為需要，就委員會行使其職能和權力獲取法律及／或專業意見或服務。</p> | <p>7. To devise guidelines for and make recommendations to the Board on the investment of the EAA monies.</p> <p>8. To monitor trade and community response to the EAA regulations and policies and, on such basis, recommend appropriate actions to the Board and/or the standing committees for consideration.</p> <p>9. To perform such other tasks as the Board may from time to time delegate.</p> <p>10. To obtain legal and/or expert advice or service relating to the exercise of the Committee's functions and powers as and when the Committee considers necessary.</p> |
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成員		Membership	
主席：	陳韻雲女士，BBS，JP	Chairman:	Ms Vivien Chan, BBS, JP
成員：		Members:	
	梁永祥先生，BBS，JP		Mr William Leung Wing-cheung, BBS, JP
	鍾詠雪女士		Ms Cynthia Chung Wing-suet
	劉詩韻測量師		Sr Serena Lau Sze-wan
	劉燕卿女士，JP		Miss Connie Lau Yin-hing, JP
	李國麟議員，SBS，JP		Dr The Hon Joseph Lee Kok-long, SBS, JP
	廖玉玲女士		Ms Elaine Liu Yuk-ling
	呂耀華先生		Mr Alexander Lui Yiu-wah
	馬豪輝先生，SBS，JP		Mr Ma Ho-fai, SBS, JP
	運輸及房屋局常任秘書長(房屋)或其代表		Permanent Secretary for Transport & Housing (Housing) or his representative

## 附錄一 常設委員會

### B. 紀律委員會

1. 訂立指引和程序，確保以公平及貫徹一致的立場，處理紀律個案。
2. 接受、考慮和查究由監管局轉介至紀律委員會，根據《地產代理條例》第29(1)條所作的投訴及《地產代理條例》第29(2)條由行政總裁作出的呈述，並在考慮該等投訴和呈述後，進行其認為合適的研訊。
3. 接受及查究涉及持牌地產代理或營業員的投訴，是否抵觸監管局不時向業界發出的《操守守則》、執業通告或指引。
4. 審閱監管局根據《地產代理條例》第28條委任的調查員提交的報告及建議（經由第28條調查小組轉介），考慮就涉嫌和指稱觸犯或沒有遵守《地產代理條例》條文的個案，進行其認為合適的研訊。
5. 按照《地產代理條例》第30條賦予之紀律制裁權，行使其認為適當的權力。
6. 在牌照上附加委員會認為適當的條件。
7. 視乎情況將委員會審議的不良執業手法或投訴個案轉交其他委員會，以便制訂及／或修訂政策、常規或規例，從而更有效地執行監管局之職能。

### B. *Disciplinary Committee*

1. To draw up guidelines and procedures to ensure consistency and fairness in handling disciplinary cases.
2. To receive, consider and inquire into complaints as mentioned in section 29(1) of the Estate Agents Ordinance (EAO) and submissions by the Chief Executive Officer as mentioned in section 29(2) of the EAO that are referred by the EAA to the Committee, and to conduct such inquiry as the Committee may think fit after having considered such complaints and submissions.
3. To receive and inquire into complaints lodged against licensed estate agents or salespersons for breaches of the Code of Ethics, practice circulars or guidelines issued to the trade from time to time by the EAA.
4. To consider the reports and recommendations of the investigator appointed by the EAA under section 28 of the EAO, with referral by the Section 28 Investigation Panel, to look into suspected and alleged breaches or non-compliance of the provisions of the EAO and to conduct such inquiry as the Committee may think fit after having considered such reports and recommendations.
5. To exercise any of the disciplinary powers provided under section 30 of the EAO as the Committee considers appropriate.
6. To attach to licences such conditions as the Committee may consider appropriate.
7. To refer from time to time cases of malpractice or complaints considered by the Committee to other committees for formulation and/or revision of policies, practice or regulations for better discharge of the EAA's functions.



## Annex 1 Standing committees

8. 如認為需要，就委員會行使其職能和權力獲取法律及／或專業意見或服務。

8. To obtain legal and/or expert advice or service relating to the exercise of the Committee's functions and powers as and when the Committee considers necessary.

成員		Membership	
主席：	馬豪輝先生，SBS，JP	Chairman:	Mr Ma Ho-fai, SBS, JP
成員：		Members:	
	陳超國先生		Mr Charles Chan Chiu-kwok
	鍾詠雪女士		Ms Cynthia Chung Wing-suet
	林詩棋先生		Mr Kevin Lam Sze-cay
	劉振江測量師		Sr Lau Chun-kong
	劉詩韻測量師		Sr Serena Lau Sze-wan
	李景亮先生		Mr Lee King-leong
	劉哲寧先生		Mr Liu Che-ning
	呂耀華先生		Mr Alexander Lui Yiu-wah
	伍景華先生		Mr Ng King-wah
委任成員：		Board-appointed Members:	
	周富祥先生，PDSM		Mr Sidney Chau Foo-cheong, PDSM
	朱樂生先生		Mr Antonio Chu Lok-sang
	何世文先生		Mr Simon Ho
	林文娟女士		Ms Phyllis M.K. Lam
	梁家駒先生		Mr Johnny Leung Ka-kui
	廖志明先生		Mr Liu Chi-ming
	謝順禮先生		Mr Calvin Tse Shun-lai
	王羅桂華女士		Mrs Karen Wong Law Kwai-wah
	黃燦光先生，OBE，QPM，CPM		Mr Wong Tsan-kwong, OBE, QPM, CPM

## 附錄一 常設委員會

### C. 牌照委員會

1. 研究及建議地產代理及營業員之發牌規定。
2. 研究及建議豁免某類人士發牌規定的準則。
3. 指示監管局行政部門處理牌照／營業詳情說明書的申請，並向符合發牌條件的申請人發出或續發有關牌照／營業詳情說明書。
4. 審閱提交予委員會之牌照／營業詳情說明書申請，若認為適當，可批准或拒絕申請。
5. 行使及執行《地產代理條例》第17、23、24、25及27條及《地產代理（發牌）規例》第9條訂明監管局的任何職能和權力。
6. 制定有關發牌事項的政策。

### C. Licensing Committee

1. To consider and recommend licensing requirements for estate agents and salespersons.
2. To consider and recommend the criteria for exemption from the licensing requirements for any particular class of persons.
3. To instruct the EAA Administration to process applications for licences/statements of particulars of business (SPOBs) and to grant or renew such licences/SPOBs to applicants meeting the licensing requirements.
4. To consider and if thought appropriate, to approve or refuse applications for licences/SPOBs brought before the Committee.
5. To exercise and perform any and such of the EAA's functions and powers under sections 17, 23, 24, 25 and 27 of the Estate Agents Ordinance and section 9 of the Estate Agents (Licensing) Regulation.
6. To set policies relating to licensing matters.



## Annex 1 Standing committees

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| <p>7. 檢討及建議牌照費用及監管局各類服務之收費幅度。</p> <p>8. 研究及設計與發牌事項有關的表格及文件。</p> <p>9. 如認為需要，就委員會行使其職能和權力獲取法律及／或專業意見或服務。</p> | <p>7. To review and make recommendation on the scale of licence fees and charges for services provided by the EAA.</p> <p>8. To consider and design the relevant forms and related documents pertaining to licensing matters.</p> <p>9. To obtain legal and/or expert advice or service relating to the exercise of the Committee's functions and powers as and when the Committee considers necessary.</p> |
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成員		Membership	
主席：	廖玉玲女士	Chairman:	Ms Elaine Liu Yuk-ling
成員：	洪小蓮女士	Members:	Ms Katherine Hung Siu-lin
	郭昶先生		Mr Anthony Kwok Chong
	李景亮先生		Mr Lee King-leong
	李國麟議員，SBS，JP		Dr the Hon Joseph Lee Kok-long, SBS, JP
	梁繼昌先生		Mr Kenneth Leung Kai-cheong
	吳麗莎女士		Miss Melissa Wu
委任成員：		Board-appointed Members:	
	譚秀娥女士(消費者委員會)		Miss Vera Tam Sau-ngor (Consumer Council)
	余家旗先生		Mr Alex Yu Ka-ki

## 附錄一 常設委員會

### D. 執業及考試委員會

1. 制訂、檢討及修訂操守守則，規管地產代理行業的操守及執業方式。
2. 檢討《地產代理條例》所載有關地產代理的執業及運作的規例，並就此提供建議。
3. 不時考慮及檢討地產代理行業的執業手法，並制訂或研究關於地產代理工作的執業通告或指引。
4. 監察業界遵行《地產代理條例》及其附屬法例、《操守守則》、執業通告或其他指引的情況；並聯絡業界，共同研究提升執業水準及服務質素的方法。
5. 制訂地產代理和營業員資格考試的範圍及費用。
6. 為資格考試的執行工作制訂準則。
7. 監督資格考試的試題設定與調整、考生違反考試規則的懲處決定，並就此向監管局行政部門發出指引。

### D. Practice and Examination Committee

1. To draw up, review and revise code(s) of ethics governing the conduct and practice of the estate agency trade.
2. To review and make recommendation on the regulations under the Estate Agents Ordinance (EAO) relating to the practice and operation of estate agents.
3. To consider and review practices within the trade and prepare or consider practice circulars or other guidelines on various aspects of estate agency work from time to time.
4. To monitor compliance of the EAO and its subsidiary legislations, code(s) of ethics, practice circulars or other guidelines; and to liaise with the trade on ways to improve the standard of practice and quality of service.
5. To determine the syllabi and fees for the qualifying examinations for estate agents and salespersons.
6. To set the parameters for the administration of the qualifying examinations.
7. To oversee and give direction to the EAA Administration in the setting and moderation of examination questions and determination of penalties for breaches of examination regulations by candidates.



## Annex 1 Standing committees

8. 檢討及釐定資格考試及其各個部分(如適用)的合格分數和優異分數。

9. 如認為需要，就委員會行使其職能和權力獲取法律及／或專業意見或服務。

8. To review and determine the pass marks and commendation marks for the qualifying examinations and, where appropriate, those for each part thereof.

9. To obtain legal and/or expert advice or service relating to the exercise of the Committee's functions and powers as and when the Committee considers necessary.

成員	Membership
主席：梁永祥先生，BBS，JP	Chairman: Mr William Leung Wing-cheung, BBS, JP
副主席：劉燕卿女士，JP	Vice-chairman: Miss Connie Lau Yin-hing, JP
成員：陳超國先生	Members: Mr Charles Chan Chiu-kwok
郭昶先生	Mr Anthony Kwok Chong
林詩棋先生	Mr Kevin Lam Sze-cay
李景亮先生	Mr Lee King-leong
梁繼昌先生	Mr Kenneth Leung Kai-cheong
伍景華先生	Mr Ng King-wah
運輸及房屋局常任秘書長(房屋) 或其代表	Permanent Secretary for Transport & Housing (Housing) or his representative
委任成員：	Board-appointed Members:
傅德華先生	Mr Fu Tak-wah
吳芝萍女士	Ms Jasmine Ng Chi-ping
黃靜怡女士	Miss Angela Wong Ching-yi
汪敦敬先生	Mr Lawrance Wong Dun-king
黃錦昌博士	Ir Dr Stanley K C Wong



## 附錄一 常設委員會

### E. 專業發展委員會

1. 研究業界的培訓需要，並設計合適的培訓課程，以提升持牌人的執業水平。
2. 監督「持續專業進修計劃」的執行，包括：
  - a. 定期檢討計劃的重點、範疇和要求；
  - b. 訂立分配核心及非核心科目活動的指引；
  - c. 審批持續專業進修活動的主辦機構及評估持續專業進修活動；
  - d. 將其他專業界別和行業的合適持續專業進修活動納入監管局的持續專業進修計劃；及
  - e. 監察持續專業進修計劃的成效，並向監管局董事局提交適當建議。

### E. Professional Development Committee

1. To examine the training needs and design appropriate training programmes to raise the competence of licensees.
2. To oversee the implementation of the Continuing Professional Development (CPD) Scheme including:
  - a. conducting periodic reviews on its focus, scope and requirements;
  - b. determining guidelines for assigning core and non-core activities;
  - c. approving CPD activity providers and evaluating CPD activities;
  - d. adopting appropriate CPD activities of other professions and trades into the CPD Scheme of the EAA; and
  - e. monitoring the effectiveness of the CPD Scheme and making recommendations to the Board as appropriate.



## Annex 1 Standing committees

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| <p>3. 就專業交流活動提供意見，並監察地產代理業內專業資格互認計劃的執行。</p> <p>4. 如認為需要，就委員會正確履行及行使其職能和權力獲取這方面的法律及／或專業意見。</p> | <p>3. To advise on professional exchange activities and monitor the administration of scheme(s) relating to reciprocal recognition of professional qualifications for the estate agency trade.</p> <p>4. To obtain such legal and/or expert advice as the Committee may consider necessary for or in relation to the proper discharge and exercise of the Committee's functions and powers.</p> |
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成員		Membership	
主席：	劉詩韻測量師	Chairman:	Sr Serena Lau Sze-wan
成員：		Members:	
	洪小蓮女士		Ms Katherine Hung Siu-lin
	郭昶先生		Mr Anthony Kwok Chong
	劉振江測量師		Sr Lau Chun-kong
	劉哲寧先生		Mr Liu Che-ning
	伍景華先生		Mr Ng King-wah
	吳麗莎女士		Miss Melissa Wu
	運輸及房屋局常任秘書長(房屋) 或其代表		Permanent Secretary for Transport & Housing (Housing) or his representative
委任成員：		Board-appointed Members:	
	鄺子文博士		Dr Kwong Tsz-man
	劉光耀博士		Dr Joseph Lau Kwong-yiu
	柯興捷先生		Mr Stephen Or Hing-chit
	黃慶隆先生		Mr Wong Hing-lung
	黃傑雄博士		Dr Charles Wong Kit-hung
	楊彩鳳女士		Miss Caroline Yeung Choi-fung
	職業訓練局代表		Representative of the Vocational Training Council

### F. 第28條調查小組<sup>1</sup>

1. 就如何選取需要根據《地產代理條例》(《條例》)第28條展開調查的個案制定指引和程序。
2. 監督根據《條例》第28條進行的調查，確保調查工作符合法例規定。
3. 接受和考慮監管局行政部門就其認為有需要根據《條例》第28條進行調查的懷疑或涉嫌違反或沒有遵守《條例》的規定或其他條文的個案所呈交的報告和建議。
4. 根據《條例》第28條委任調查員，展開小組認為有需要的調查及執行其認為有需要的職務。
5. 接受和考慮根據《條例》第28條小組委任的調查員所提交的報告和建議。

### F. Section 28 Investigation Panel<sup>1</sup>

1. To formulate guidelines for and procedures on the selection of cases for investigation under section 28 of the Estate Agents Ordinance (EAO).
2. To oversee the conduct of investigation under section 28 of the EAO to ensure its full compliance.
3. To receive and consider reports and recommendations from the EAA Administration on suspected or alleged cases of breaches or non-compliance of a requirement(s) or other provision(s) of the EAO warranting investigation under section 28 of the EAO.
4. To appoint investigator(s) under section 28 of the EAO to conduct such investigation and carry out such duties as the Panel considers necessary.
5. To receive and consider the reports and recommendations from the investigator appointed by the Panel under section 28 of the EAO.

<sup>1</sup> 不屬常設委員會，僅在需要時召開會議

<sup>1</sup> Not a standing committee, meet as and when needed

## Annex 1 Standing committees

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| <p>6. 如調查員建議小組該考慮行使《條例》第30條所訂明的紀律處分的權力，則將有關個案轉交紀律委員會處理。</p> <p>7. 如認為需要，就行使《條例》第28條所訂明的監管局職能和權力獲取法律及／或專業意見或服務。</p> <p>8. 行使及執行《條例》第28條所訂明的監管局職能和權力。</p> | <p>6. Where the investigator recommends to the Panel that the exercise of disciplinary powers under section 30 of the EAO should be considered, to refer the case to the Disciplinary Committee for its consideration.</p> <p>7. To obtain legal and/or expert advice or service relating to the exercise of the EAA's functions and powers as prescribed by section 28 of the EAO as and when the Panel considers necessary.</p> <p>8. To exercise and perform any and such of the EAA's functions and powers as prescribed by section 28 of the EAO.</p> |
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成員		Membership	
主席：	廖玉玲女士	Chairman:	Ms Elaine Liu Yuk-ling
成員：	洪小蓮女士	Members:	Ms Katherine Hung Siu-lin
	梁繼昌先生		Mr Kenneth Leung Kai-cheong