



地產代理監管局
ESTATE AGENTS AUTHORITY

Dear Licensees,

Re: Hong Kong's anti-discrimination ordinances

The Estate Agents Authority (“EAA”) attaches great importance to enhancing the professional standard of licensees and upholding the principle of equal opportunities in their practice. The EAA would, therefore, like to draw your attention to the significance of understanding the anti-discrimination ordinances.

Hong Kong's anti-discrimination ordinances – the Sex Discrimination Ordinance; the Disability Discrimination Ordinance; the Family Status Discrimination Ordinance; and the Race Discrimination Ordinance – prohibit discrimination against a person on the grounds of sex, marital status, pregnancy, disability, family status and race. Sexual, disability and racial harassment are also unlawful under the ordinances. These ordinances are applicable in different areas, including employment, education, provision of goods, services, or facilities and disposal or management of premises. Licensees and landlords are bound by these ordinances.

Licensees should note that they will be personally liable for their own acts if they violate the anti-discrimination ordinances; and may also be liable for aiding a landlord's discriminatory act even if they act on the landlord's instructions. Likewise, estate agency may be vicariously liable for its employees' act of unlawful discrimination and harassment unless the agency can demonstrate that it has taken reasonable steps to prevent its employees from doing so.

With a view to promoting anti-discrimination, the EAA has issued Practice Circulars on the subject to licensees, including Practice Circular no. 03-01(CR) on Equal Opportunities and Practice Circular no. 09-07(CR) on Race Discrimination Ordinance. Licensees who fail to comply with the said circulars are liable to disciplinary actions by the EAA.



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To enhance licensees' understanding of the subject, from time to time the EAA organizes Continuing Professional Development ("CPD") programmes on the subject with speakers invited from the Equal Opportunities Commission ("EOC"). Please pay attention to the announcement in the EAA's website and enroll in the upcoming CPD seminar. Licensees are also encouraged to read the booklet entitled "*What You Should Know as a Real Estate Agent, Landlord, Tenant, or Home Buyer Under Hong Kong's Anti-Discrimination Ordinances*", published by the EOC, which is available for collection at the EAA's Office or on the EOC website at www.eoc.org.hk

The EAA would like to take this opportunity to remind licensees to treat all clients equally regardless of their race, sex, marital status, pregnancy, disabilities and family status and to avoid committing any unlawful act when handling property transactions. Enquiries may be made by calling the Hotline of the EOC at 2511 8211. To understand more about equal opportunities, you are advised to refer to the relevant provisions of the anti-discrimination ordinances and consult professional legal advice should you have any doubts and questions.

Estate Agents Authority

25 September 2013