



## 附錄一：監管局常設委員會與專責小組

### Appendix I : Standing Committees and Working Panel of the EAA

#### 財務及策略發展委員會

#### Finance and Strategic Development Committee

##### 職權範圍：

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 — 特別是賬目報表初稿、委任外部核數師、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，並審視及批核編制架構和重組安排、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:

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, draft statements of accounts, appointment of external auditor, 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.



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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. 不時按委員會主席指引成立一個由委員會成員組成的工作小組，以執行委員會主席所委派的工作，審議小組的工作結果，及適時向董事局提交建議。</p> <p>10. 執行由監管局董事局授權處理的工作。</p> <p>11. 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 set up a task force as may from time to time be directed by the Committee Chairman, comprising any member(s) of the Committee, to carry out such tasks as the Committee Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.</p> <p>10. To perform such other tasks as the Board may from time to time delegate.</p> <p>11. 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：	梁永祥先生，SBS，JP	Chairman:	Mr William LEUNG Wing-cheung, SBS, JP
成員：	陳超國先生	Members:	Mr Charles CHAN Chiu-kiok
	張國鈞先生，JP		Mr Horace CHEUNG Kwok-kwan, JP
	劉振江測量師		Sr LAU Chun-kong
	廖玉玲女士，JP		Ms Elaine LIU Yuk-ling, JP
	黃鳳嫻女士		Ms Gilly WONG Fung-han
	吳麗莎女士		Miss Melissa WU
	余惠偉先生，JP		Mr YU Wai-wai, JP
	運輸及房屋局常任秘書長 (房屋)或其代表		Permanent Secretary for Transport and Housing (Housing) or his representative

## 附錄一：監管局常設委員會與專責小組

### Appendix I : Standing Committees and Working Panel of the EAA

#### 紀律委員會

##### 職權範圍：

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。

#### Disciplinary Committee

##### Terms of Reference:

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 Committee, 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.



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| <p>8. 不時按委員會主席指引成立一個由委員會成員組成的工作小組，以執行委員會主席所委派的工作，審議小組的工作結果，及適時向董事局提交建議。</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>8. To set up a task force as may from time to time be directed by the Committee Chairman, comprising any member(s) of the Committee, to carry out such tasks as the Committee Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.</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，JP	Chairman:	Ms Elaine LIU Yuk-ling, JP
成員：	羅孔君女士，JP	Members:	Miss Jane Curzon LO, JP
	吳啟民先生		Mr NG Kai-man
	蕭澤宇先生，BBS，JP		Mr Simon SIU Chak-yu, BBS, JP
	謝順禮先生		Mr Calvin TSE Shun-lai
	汪敦敬先生		Mr Lawrance WONG Dun-king
	黃光耀先生		Mr Ricky WONG Kwong-yiu
	吳麗莎女士		Miss Melissa WU
	余雅芳女士		Ms Avon YUE Nga-fong
委任成員：		Board-appointed Members:	
	陳東岳先生		Mr Tony T N CHAN
	張麗珍女士		Ms Winnie CHEUNG Lai-chun
	江玉歡女士		Ms Doreen KONG
	郭昶先生		Mr Anthony KWOK Chong
	黎斯維先生		Mr Alex LAI Sze-wai
	李曉華女士		Ms Sylvia LEE
	廖志明先生		Mr LIU Chi-ming
	葉慕貞女士		Ms Jessica YIP Mo-ching

## 附錄一：監管局常設委員會與專責小組

### Appendix I : Standing Committees and Working Panel of the EAA

#### 牌照委員會

#### Licensing Committee

##### 職權範圍：

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。
7. 檢討及建議牌照費用及監管局各類服務之收費幅度。
8. 研究及設計與發牌事項有關的表格及文件。

##### Terms of Reference:

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.
7. To review and make recommendations on the scale of licence fees and charges for services provided by the EAA.
8. To consider and design the relevant forms and related documents pertaining to licensing matters.



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| <p>9. 不時按委員會主席指引成立一個由委員會成員組成的工作小組，以執行委員會主席所委派的工作，審議小組的工作結果，及適時向董事局提交建議。</p> | <p>9. To set up a task force as may from time to time be directed by the Committee Chairman, comprising any member(s) of the Committee, to carry out such tasks as the Committee Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.</p> |
| <p>10. 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>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>   |

成員：		Membership:	
主席：	劉振江測量師	Chairman:	Sr LAU Chun-kong
成員：	鄒廣榮教授	Members:	Professor CHAU Kwong-wing
	凌潔心女士		Ms Imma LING Kit-sum
	羅孔君女士，JP		Miss Jane Curzon LO, JP
	謝順禮先生		Mr Calvin TSE Shun-lai
	黃光耀先生		Mr Ricky WONG Kwong-yiu
	余雅芳女士		Ms Avon YUE Nga-fong
委任成員：		Board-appointed Members:	
	廖志明先生		Mr LIU Chi-ming
	蕭亮鴻測量師		Sr Keith SIU Leung-hung
	張玉雲女士 (消費者委員會代表)		Ms Winnie CHEUNG Yuk-wan (representative of Consumer Council)

## 附錄一：監管局常設委員會與專責小組

### Appendix I : Standing Committees and Working Panel of the EAA

#### 執業及考試委員會

##### 職權範圍：

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。
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。

#### Practice and Examination Committee

##### Terms of Reference:

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



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| <p>9. 不時按委員會主席指引成立一個由委員會成員組成的工作小組，以執行委員會主席所委派的工作，審議小組的工作結果，及適時向董事局提交建議。</p> | <p>9. To set up a task force as may from time to time be directed by the Committee Chairman, comprising any member(s) of the Committee, to carry out such tasks as the Committee Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.</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>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>   |

成員：		Membership:	
主席：	張國鈞先生，JP	Chairman:	Mr Horace CHEUNG Kwok-kwan, JP
副主席：	黃鳳嫻女士	Vice-Chairman:	Ms Gilly WONG Fung-han
成員：	陳超國先生 鄒廣榮教授 凌潔心女士 劉哲寧先生 羅孔君女士，JP 吳啟民先生 蕭澤宇先生，BBS，JP 謝順禮先生 汪敦敬先生 黃光耀先生 余雅芳女士 運輸及房屋局常任秘書長 (房屋)或其代表	Members:	Mr Charles CHAN Chiu-kwok Professor CHAU Kwong-wing Ms Imma LING Kit-sum Mr LIU Che-ning Miss Jane Curzon LO, JP Mr NG Kai-man Mr Simon SIU Chak-yu, BBS, JP Mr Calvin TSE Shun-lai Mr Lawrance WONG Dun-king Mr Ricky WONG Kwong-yiu Ms Avon YUE Nga-fong Permanent Secretary for Transport and Housing (Housing) or his representative
委任成員：		Board-appointed Members:	
	陳永傑先生		Mr Louis CHAN Wing-kit
	李志成先生		Mr Richard LEE Chi-shing
	李景亮先生		Mr LEE King-leong



## 附錄一：監管局常設委員會與專責小組

### Appendix I : Standing Committees and Working Panel of the EAA

#### 專業發展委員會

##### 職權範圍：

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。
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。
4. 不時按委員會主席指引成立一個由委員會成員組成的工作小組，以執行委員會主席所委派的工作，審議小組的工作結果，及適時向董事局提交建議。
5. 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。

#### Professional Development Committee

##### Terms of Reference:

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.
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.
4. To set up a task force as may from time to time be directed by the Committee Chairman, comprising any member(s) of the Committee, to carry out such tasks as the Committee Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.
5. 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.



成員：		Membership:	
主席：	余惠偉先生，JP	Chairman:	Mr YU Wai-wai, JP
成員：	凌潔心女士	Members:	Ms Imma LING Kit-sum
	劉哲寧先生		Mr LIU Che-ning
	吳啟民先生		Mr NG Kai-man
	蕭澤宇先生，BBS，JP		Mr Simon SIU Chak-yu, BBS, JP
	汪敦敬先生		Mr Lawrance WONG Dun-king
	運輸及房屋局常任秘書長 (房屋)或其代表		Permanent Secretary for Transport and Housing (Housing) or his representative
委任成員：		Board-appointed Members:	
	郭昶先生		Mr Anthony KWOK Chong
	李子華先生		Mr LEE Chi-wah
	黃靜怡女士		Ms Angela WONG Ching-yi
	袁海星博士		Dr Horace YUEN Hoi-sing
	梁劍衡先生 (職業訓練局代表)		Mr Leslie LEUNG Kim-hang (representative of the Vocational Training Council)

## 附錄一：監管局常設委員會與專責小組

### Appendix I : Standing Committees and Working Panel of the EAA

#### 第 28 條調查小組<sup>1</sup>

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

##### 職權範圍：

1. 就如何選取需要根據《地產代理條例》第 28 條展開調查的個案制定指引和程序。
2. 監督根據《地產代理條例》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《地產代理條例》第 28 條進行調查的懷疑或涉嫌違反或沒有遵守《地產代理條例》的規定或其他條文的個案所呈交的報告和建議。
4. 根據《地產代理條例》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《地產代理條例》第 28 條小組委任的調查員所提交的報告和建議。
6. 如調查員建議小組該考慮行使《地產代理條例》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。
7. 不時按小組主席指引成立一個由小組成員組成的工作小組，以執行小組主席所委派的工作，審議小組的工作結果，及適時向董事局提交建議。

##### Terms of Reference:

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.
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.
7. To set up a task force as may from time to time be directed by the Panel Chairman, comprising any member(s) of the Panel, to carry out such tasks as the Panel Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.

<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



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| <p>8. 如認為需要，就行使《地產代理條例》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. 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>9. 行使及執行《地產代理條例》第28條所訂明的監管局職能和權力。</p>                   | <p>9. To exercise and perform any and such of the EAA's functions and powers as prescribed by section 28 of the EAO.</p>   |

成員：	Membership：
主席： 陳超國先生	Chairman: Mr Charles CHAN Chiu-kwok
成員： 劉哲寧先生 余惠偉先生，JP	Members: Mr LIU Che-ning Mr YU Wai-wai, JP