



梁永祥博士 SBS 太平紳士

主席

Dr William LEUNG Wing-cheung, SBS, JP
Chairman



主席的話
Chairman's
Message

主席的話 Chairman's Message

過去二十年默默耕耘，地產代理監管局（「監管局」）的監管制度得以在穩健的基礎上扎根。業界明白監管局對業界的監管，不僅是糾正他們的不當和失誤，更是以教育業界為己任，提升他們的專業水平。

樓市在一手住宅物業市場的銷售帶動下，樓價持續攀升；加上欠缺經驗的新人不斷加入地產代理行業；公眾對業界執業水平的期望亦日趨提高，均令監管局在規管、發牌及教育業界等多方面所扮演的角色更為重要。

迎接挑戰 把握機遇

過去二十年，監管局向業界發出一系列的執業指引，業界普遍遵循，並贊同指引對業界發展帶來了正面影響。業界明白，一套完善的規管制度才能為地產專業贏得公眾的認可。

為處理香港境外物業的相關問題，我們於2017/18年度內發出了新指引，以應付這項對監管局的新挑戰。雖然境外物業一般不在監管局的規管範圍內，但為了保障消費者，我們明白必須要竭盡所能。推行有關指引對各方都有利：不但可讓持牌人有所依循，同時保障了消費者的權益，並能鼓勵公眾委託持牌地產代理以獲得更佳的保障。

After twenty years of dedicated effort, the regulatory regime of the Estate Agents Authority ("EAA") is well rooted. The trade accepts that the EAA is watching over their shoulders not only for correcting wrongdoings but also for educating them to raise their practice standard.

That said, as property prices continue to rise in a market led by the sales of first-hand properties, the continuous addition of inexperienced newcomers joining the estate agency industry, coupled with rising public expectations, have put the EAA in an even more important role to rise to the challenge of its multiple responsibilities in regulation, licensing, and education.

Challenges and opportunities

Over the past two decades the EAA has issued practice guidelines for the trade, which have generally been followed. The trade appreciates that such guidelines have positively impacted the development of the trade as they understand that a well-regulated profession will be highly regarded by the public.

In dealing with the issues relevant to properties outside Hong Kong, we issued new guidelines in 2017/18 to cope with this new challenge for the EAA. Although overseas properties are usually outside the EAA's regulatory regime, we recognise the need to step up our efforts to protect consumers. This initiative generates a multi-win situation: not only does it provide our licensees with a set of guidelines to follow, it also protects the interests of consumers and ultimately encourages the public to hire licensed estate agents for better consumer protection.



反洗錢條例延伸至地產代理行業，是去年的另一挑戰。隨着有關法例的修訂，監管局和業界在打擊洗錢方面所扮演的角色將備受國際關注。監管局和業界均需要提升其規管及執業方面的水平，以符合國際組織的要求。為此，監管局已發出一套詳盡的指引，以便業界為財務特別行動組織於2018年底來港評估做好準備。這項任務雖然艱巨，卻勢在必行。香港與地產代理業界務必在評估中一同取得佳績，在國際間豎立「廉潔香港」的形象。

隨着監管局與中國房地產估價師與房地產經紀人學會（中房學）簽訂資格互認的續約協議，我們約有370名持牌人取得向中房學申請在內地從事地產代理工作的登記證書的資格，當中包括在現時炙手可熱的大灣區大展拳腳。

Another challenge from last year was the anti-money laundering (“AML”) legislation being extended to the estate agency trade. With the amendment of the law, the EAA and the trade both have new roles to play in the AML arena, which is an international concern nowadays. Both the EAA and the trade need to raise our standards on the regulatory fronts and the practice side to meet the requirements of international organisations. On this, the EAA issued a set of detailed guidelines to facilitate the trade’s preparations for evaluations by the Financial Action Task Force by the end of 2018. It is not an easy task but it is imperative that Hong Kong together with the estate agency trade will pass the examination with flying colours in order to make Hong Kong a “clean city” in global eyes.

With the renewal of the mutual recognition agreement with the China Institute of Real Estate Appraisers and Agents (CIREA), around 370 our licensees have obtained the qualifications to apply for the registration certificates from the CIREA to practice estate agency work in the Mainland, which of course includes the red-hot Greater Bay Area.

前車之覆 後車之鑒

儘管我們已在正軌之上，一些令人無法接受的事件仍然發生了。近期有關地產代理於一手樓盤銷售處發生打鬥事件是絕對不能容忍的，亦令整個業界蒙羞。部分業界高層將事件歸咎於代理僧多粥少而導致行業競爭激烈，這實屬無根據的藉口。這些事件的真正成因，是由於個別地產代理公司指派太多代理和沒有牌照的員工到銷售處招徠顧客。其實，無論市場的競爭如何激烈，使用暴力去解決問題都是絕不能接受。

雖然，我們無法判斷代理的數字有多寡才算是對業界「剛剛好」，亦沒有任何法律基礎去限制樓盤銷售處的地產代理人數，但監管局會對不當地運用地產代理和無牌員工的地產代理公司採取懲處行動。在處理打鬥事件方面，我們別無他法，只好收緊相關執業指引及加重處分。監管局有決心遏止相關的不當行為。任何違反指引的人士，不論是參與打鬥的持牌人或是縱容暴力行為的地產代理公司，均要面臨嚴重後果。監管局絕不容許任何害群之馬破壞業界辛苦建立得來的聲譽。

準備就緒 策劃未來

為使監管局的營運成本和牌照費用水平長遠維持穩健，監管局已於柴灣購置新辦公室，約有50%的後勤員工將於2018年遷往新址工作。自置辦公室除能容納約一半員工，並能藉此節省約一半的租金開銷，及抵銷租金上升的費用，從而減低在不久將來要增加牌照費用的可能性。

Disappointment and expectations

Although we are on the right track, sometimes unacceptable events do happen. The recent incidents involving estate agents fighting at sale-sites of first-hand residential properties are absolutely intolerable, and have brought disrepute to the entire trade. Some industry leaders blame the disorder on the intense competition caused by the high number of agents competing for too little business. This is an unfounded excuse. The true reason is individual estate agency companies have assigned too many agents and unlicensed staff to the sale-sites to garner customers. No matter how competitive it is, use of violence is absolutely unacceptable.

While we cannot guess how many agents would be "just right" for the trade, and we do not have any legal basis to limit the number of agents present at the sale-sites, the EAA can take punitive actions against those estate agency companies that use agents and unlicensed staff inappropriately. In dealing with the fighting, we have no other option but to tighten the practice rules and raise the severity of punitive actions. The EAA is determined to put such misbehaviours to a stop. Any offenders, be it a licensee engaged in a fight, or a member of an agency company management promulgating such violence, will face severe consequences. The EAA will not allow a few black sheep to ruin the reputation of the trade, which the majority of our agents deserve.

Investing in the future

With a view to stabilising the EAA's operating costs and the level of licence fees in the long run, the EAA has acquired a new office in Chai Wan. Roughly 50% of our back office staff force will move there in 2018. With a self-owned office that can house about half of the staff force, the EAA will be able to hedge half of its rental expenses against rental increase, which will be helpful in reducing the possibility of a license fee increase in the near future.

結語

地產代理行業充滿活力，無論是變化、驚喜或新的法例時刻出現。監管局董事局將與業界並肩迎接這些挑戰。本人由衷希望各持牌人、地產代理公司及業界商會，能與監管局攜手克服未來的種種挑戰，令地產代理業成為香港其中一個最高回報及備受尊重的專業。

梁永祥博士 SBS 太平紳士
主席

Closing

The estate agency business is dynamic. We have never been short of events, be it changes, surprises, or new laws. The EAA board will stand by the trade to meet those challenges. It is my sincere hope that the licensees, the agency companies, and the trade associations will work in concert with the EAA to overcome whatever new challenges that may arise and to make the trade one of the most rewarding and respected professions in Hong Kong.

Dr William LEUNG Wing-cheung, SBS, JP
Chairman

