

機構管治 Corporate Governance

為加強公眾對監管局的信任及以持份者的最佳利益為依歸，監管局致力提升機構管治，在履行《地產代理條例》下的職責時，維持高度誠信、公正、問責性和透明度。

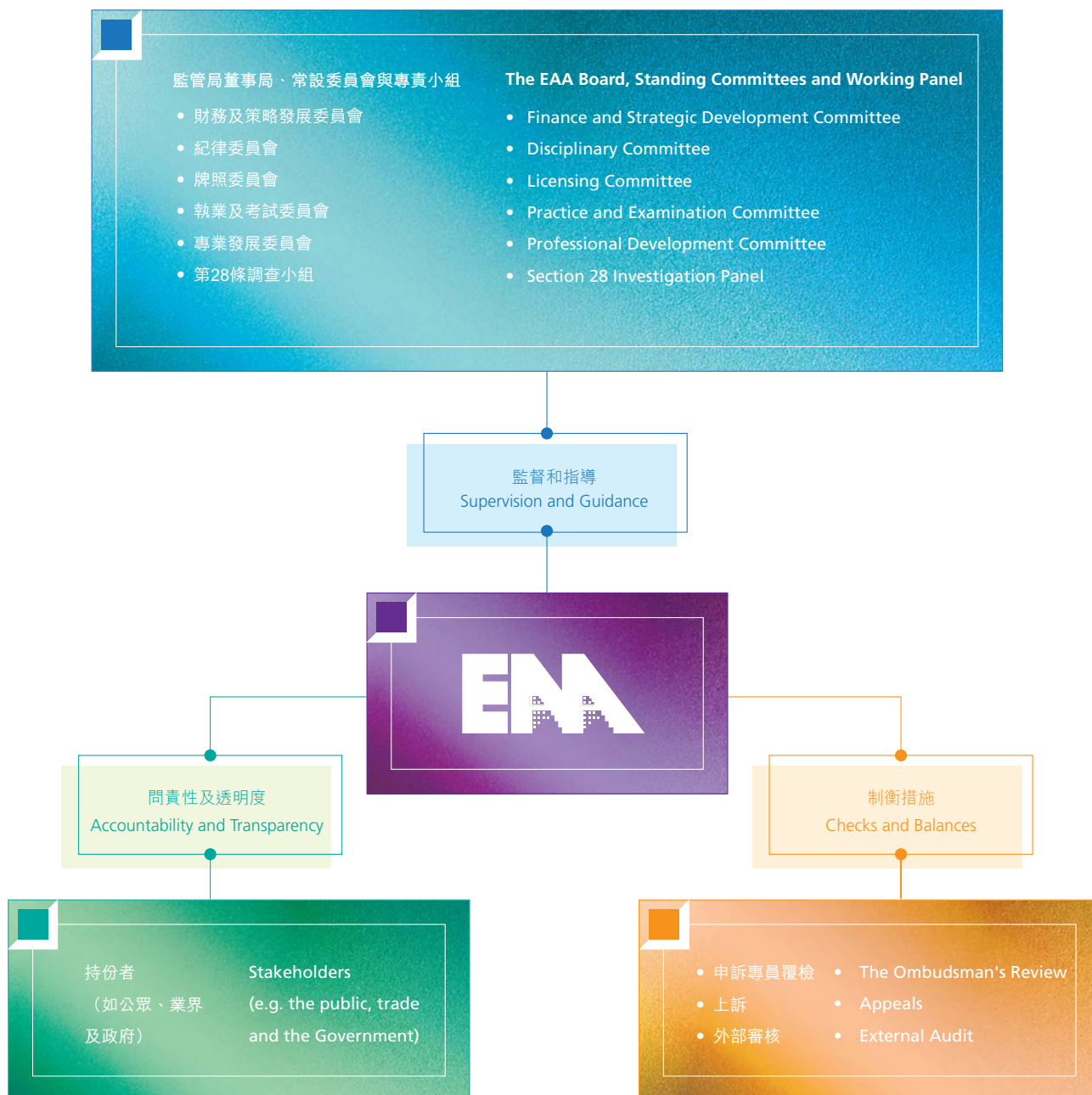
To enhance public trust in the Estate Agents Authority ("EAA") and for the best interests of its stakeholders, the EAA spares no effort in taking corporate governance to a higher level and reaching a high standard of integrity, impartiality, accountability and transparency when discharging its duties under the Estate Agents Ordinance ("EAO").

機構管治框架

機構管治架構

Governance Framework

Governance structure



監管局董事局及其組成

董事局

董事局是監管局的最高決策組織，負責制定監管局整體策略方向及政策，例如制定及通過機構發展計劃、年度工作計劃、年度預算案，以及負責管理及監察監管局行政部門的表現。

董事局的組成

《地產代理條例》對監管局董事局的組成有所訂明。董事局設有正、副主席各一名及不多於18名普通成員。成員來自社會上不同界別，包括地產代理行業和運輸及房屋局。董事局成員的任期固定，由香港特別行政區行政長官決定及委任。行政部門會向新任董事局成員提供簡報及一套資料，以便其熟悉監管局的工作。

董事局成員來自多元化背景，並擁有不同的知識、經驗及專業，包括來自地產代理、商業、法律、測量、金融、會計及學術界別等，為董事局帶來專業見解以及獨立觀點。來自地產代理業內及業外的成員組合，亦能為董事局在制定各項政策及措施時，帶來更平衡和全面的觀點。有關現任董事局成員的姓名及詳細資料詳載於本年報的下一個章節。

監管局的主席及行政總裁職位由不同人士出任，各司其職。主席負責領導董事局執行《地產代理條例》，制定監管局策略及政策；而行政總裁則是領導行政部門，負責執行董事局的決定，並負責管理局方各項日常事務。

The EAA Board and composition

The Board

The highest decision-making authority of the EAA is the Board. It sets the overall strategic direction and policies of the EAA, such as considering and endorsing its corporate plan, annual work plan and annual budget. It also supervises and monitors the performance of the EAA Administration.

Board composition

The constitution of the EAA Board is stipulated by the EAO. The EAA Board consists of a Chairman, a Vice-chairman, and not more than 18 ordinary members from different sectors of the community, including the estate agency sector and the Transport and Housing Bureau. All Board members are determined and appointed for a fixed term by the Chief Executive of the Hong Kong Special Administrative Region. After appointment, new Board members will be provided with briefings and information packages by the Administration to familiarise themselves with the work of the EAA.

Board members come from varied backgrounds with diverse knowledge, experience and expertise, including the sectors of real estate agency, business, legal, surveying, finance, accounting professions and academia. They bring to the Board their own wisdom and independent perspectives. The combination of members from within and outside the estate agency trade also provides the Board with a more balanced and holistic view when setting policies and identifying measures. The names and details of all current Board members are listed in the next section of this report.

The positions of Chairman and Chief Executive Officer ("CEO") of the EAA are held by different persons and their roles are segregated. The Chairman is responsible for leading the Board in enforcing the EAO, setting strategies and policies for the EAA, while the CEO is the head of administration responsible for executing the decisions of the Board and administering everyday business and affairs of the EAA.

董事局成員 Board membership

主席 CHAIRMAN



梁永祥博士 SBS 太平紳士

- 僱員再培訓局主席
- 團結香港基金顧問
- 香港創意藝術中心有限公司董事局主席
- 人力發展委員會當然成員
- 扶貧委員會增補委員(青年教育、就業和培訓專責小組)
- 仁愛堂諮議局委員

Dr William LEUNG Wing-cheung, SBS, JP

- Chairman, Employees Retraining Board
- Advisor, Our Hong Kong Foundation
- Chairman, Governing Board of Hong Kong Creative Arts Centre Limited
- Ex-officio Member, Manpower Development Committee
- Co-opted Member, Youth Education, Employment and Training Task Force of the Commission on Poverty
- Member, Advisory Board of Yan Oi Tong

副主席 VICE-CHAIRMAN



廖玉玲太平紳士

大律師

- 牌照上訴委員會主席
- 稅務上訴委員會副主席
- 香港大律師公會調解委員會主席
- 區域法院規則委員會會員
- 旅行代理商諮詢委員會委員
- 香港貿易發展局專業諮詢服務委員會委員

Ms Elaine LIU Yuk-ling, JP

Barrister-at-law

- Chairman, Licensing Appeals Board
- Deputy Chairman, Board of Review (Inland Revenue Ordinance)
- Chairman, Committee on Mediation of Hong Kong Bar Association
- Member, District Court Rules Committee
- Member, Advisory Committee on Travel Agents
- Member, Professional Services Advisory Committee of Hong Kong Trade Development Council

成員 MEMBERS



鄒廣榮教授

香港大學房地產及建設系講座教授及系主任

香港大學科斯產權研究中心主任

- 土地供應專責小組成員(2017-19)
- 上訴委員團(市區重建局條例)成員(2013-19)
- 土地及建設諮詢委員會成員(2015-18)
- 自置居所津貼上訴委員會成員(2011-17)
- 上訴委員團(城市規劃)成員(2006-12)
- 香港測量師學會會長(2009-10)

Professor CHAU Kwong-wing

Chair Professor and Head of Department of Real Estate and Construction, The University of Hong Kong
Director, Ronald Coase Centre for Property Rights Research, The University of Hong Kong

- Member, Task Force on Land Supply (2017-19)
- Member, Appeal Board Panel (Urban Renewal Authority Ordinance) (2013-19)
- Member, Land and Development Advisory Committee (2015-18)
- Member, Home Purchase Allowance Appeals Committee (2011-17)
- Member, Appeal Board Panel (Town Planning) (2006-12)
- President, Hong Kong Institute of Surveyors (2009-10)

張國鈞議員太平紳士

張國鈞楊煒凱律師事務所合夥人

- 行政會議成員
- 立法會議員
- 中西區區議會民選議員
- 香港房屋委員會委員
- 香港按揭證券有限公司董事
- 香港大學校董會成員

The Honorable Horace CHEUNG Kwok-kwan, JP

Partner, Cheung & Yeung, Solicitors

- Member, Executive Council of the HKSAR
- Member, Legislative Council of the HKSAR
- Member, Central & Western District Council
- Member, Hong Kong Housing Authority
- Director, The Hong Kong Mortgage Corporation Limited
- Court Member, The University of Hong Kong

張呂寶兒太平紳士

眾達國際法律事務所顧問律師

- 律師紀律審裁團成員
- 上訴審裁團(建築物)主席
- 上訴委員會(房屋)成員
- 漁民特惠津貼上訴委員會(禁拖措施)主席
- 人事登記審裁處審裁員(2008-14)

Mrs Peggy CHEUNG Po-yee, JP

Of Counsel, Jones Day International Law Firm

- Member, Solicitors Disciplinary Tribunal Panel
- Chairman, Appeals Tribunal Panel (Buildings)
- Member, Appeals Panel (Housing)
- Chairman, Fishermen Claims Appeal Board (Trawl Ban)
- Adjudicator, Registration of Persons Tribunal (2008-14)

成員 MEMBERS



藍德業資深大律師

德輔大律師事務所資深大律師

- 保險事務上訴審裁處主席
- 上訴審裁團(建築物)主席
- 行政上訴委員會副主席
- 獨立監察警方處理投訴委員會成員
- 香港電台顧問委員會成員
- 高等法院暫委法官 (2017-18)

Mr Douglas LAM Tak-yip, SC

Senior Counsel, Des Voeux Chambers

- Chairperson, Insurance Appeals Tribunal
- Chairman, Appeal Tribunal Panel (Buildings)
- Deputy Chairman, Administrative Appeals Board
- Member, Independent Police Complaints Council
- Member, Board of Advisers of Radio Television Hong Kong
- Deputy Judge, the High Court (2017-18)



凌潔心女士

羅兵咸永道會計師事務所前審計合夥人

遊萊互動集團有限公司獨立非執行董事兼審核委員會主席

- 香港教育大學校董會成員兼審計委員會主席
- 醫院管理局廣華醫院及東華三院黃大仙醫院管治委員會成員
- 上訴委員團(城市規劃)成員
- 香港青年協會理事會委員
- 香港青年旅舍協會行政委員會成員
- 僱員補償援助基金管理局成員 (2006-12)

Ms Imma LING Kit-sum

Retired Assurance Partner, PricewaterhouseCoopers
Independent Non-executive Director and Audit Committee Chairperson, Digital Hollywood Interactive Limited

- Council Member and Audit Committee Chairperson, The Education University of Hong Kong
- Hospital Governance Committee Member, Kwong Wah Hospital & TWGHs Wong Tai Sin Hospital, Hospital Authority
- Member, Appeal Board Panel (Town Planning)
- Council Member, Hong Kong Federation of Youth Groups
- Executive Committee Member, Hong Kong Youth Hostels Association
- Board Member, HKSAR Employees Compensation Assistance Fund Board (2006-12)



羅孔君太平紳士

大律師

- 學術及職業資歷評審上訴委員會副主席
- 入境事務審裁處審裁員
- 保安及護衛業管理委員會主席
- 酷刑聲請上訴委員會委員
- 藝術發展諮詢委員會委員

Ms Jane Curzon LO, JP

Barrister-at-law

- Deputy Chairman, Accreditation of Academic and Vocational Qualifications Appeal Board
- Adjudicator, Immigration Tribunal
- Chairman, Security and Guarding Services Industry Authority
- Member, Torture Claims Appeal Board
- Member, Advisory Committee on Arts Development



吳啟民先生

世紀 21 香港有限公司行政總裁

- 博愛醫院總理 (1994-95)
- 公益金屋邨籌款委員會聯席主席 (1995-96)

Mr NG Kai-man

Chief Executive Officer, Century 21 Hong Kong Limited

- Director, Pok Oi Hospital (1994-95)
- Co-chairman, Community Chest Estates for the Chest Committee (1995-96)

司徒惠貞女士

第一太平戴維斯估值及專業顧問有限公司資深董事

Ms Anna SETO Wai-ching

Senior Director, Savills Valuation and Professional Services Limited

蕭澤宇 BBS 太平紳士

希仕廷律師行合夥人

- 環境影響評估上訴委員會主席
- 香港特別行政區護照上訴委員會副主席
- 審核委員會 (電影檢查) 主席
- 酷刑聲請上訴委員會委員
- 上訴委員會 (房屋) 主席 (2007-13)
- 上訴委員會 (城市規劃) 委員 (2013-17)

Mr Simon SIU Chak-yu, BBS, JP

Partner, Hastings & Co.

- Chairman, Environmental Impact Assessment Appeal Board Panel
- Deputy Chairman, HKSAR Passports Appeal Board
- Chairman, Board of Review (Film Censorship)
- Member, Torture Claims Appeal Board
- Chairman, Appeal Panel (Housing) (2007-13)
- Member, Appeal Board Panel (Town Planning) (2013-17)

成員 MEMBERS



謝順禮先生

嘉威物業代理有限公司行政總裁
嘉興地產有限公司行政總裁

- 香港地產代理商總會主席
- 職業安全健康局文職及專業服務業安全及健康委員會委員
- 河畔花園業主立案法團主席

Mr Calvin TSE Shun-lai

CEO, Ka Wai Property Agency Co. Ltd.
CEO, Ka Hing Properties Co. Ltd.

- Chairman, Hong Kong Real Estate Agencies General Association
- Member, Sedentary and Professional Services Safety and Health Committee, Occupational Safety & Health Council
- Chairman, Incorporated Owners of Garden Rivera



謝小玲女士

中國銀行(香港)有限公司工商金融部總經理

- 香港出口信用保險局諮詢委員會成員
- 僱員再培訓局委員
- 保險事務上訴審裁處成員

Ms Phoebe TSE Siu-ling

General Manager, Commercial Banking Department, Bank of China (Hong Kong) Limited

- Member, the Hong Kong Export Credit Insurance Corporation Advisory Board
- Member, Employees Retraining Board
- Member, Insurance Appeals Tribunal



汪敦敬博士 MH

祥益地產代理有限公司總裁

- 香港專業地產顧問商會榮譽會長
- 僱員再培訓局委員
- 僱員再培訓局課程及服務發展委員會召集人
- 僱員再培訓局「地產代理業行業諮詢網絡」召集人
- 僱員再培訓局質素保證及覆核委員會成員
- 社會福利署屯門地區福利協調機制委員

Dr Lawrence WONG Dun-king, MH

President, Many Wells Property Agent Limited

- Honorary President, Hong Kong Chamber of Professional Property Consultants Limited
- Member, Employees Retraining Board
- Convenor, Course and Service Development Committee, Employees Retraining Board
- Convenor, Real Estate Agency, Industry Consultative Networks, Employees Retraining Board
- Member, Quality Assurance and Review Committee, Employees Retraining Board
- Member, Tuen Mun District Coordination Mechanism, Social Welfare Department



黃鳳嫻女士

消費者委員會總幹事

- 消費者訴訟基金管理委員會當然成員
- 旅遊代理商諮詢委員會委員
- 香港金融管理局接受存款公司諮詢委員會委員
- 旅遊業賠償基金管理委員會委員
- 降低食物中鹽和糖委員會委員
- 競爭政策諮詢委員會委員

Ms Gilly WONG Fung-han

Chief Executive, Consumer Council

- Ex-officio Member, Management Committee of the Consumer Legal Action Fund
- Member, Advisory Committee on Travel Agents
- Member, Deposit-taking Companies Advisory Committee, Hong Kong Monetary Authority
- Member, Travel Industry Compensation Fund Management Board
- Member, Committee on Reduction of Salt and Sugar in Food
- Member, Competition Policy Advisory Group

黃光耀先生

會德豐有限公司執行董事

會德豐地產(香港)有限公司常務董事

- 香港考試及評核局香港中學文憑考試應用學習科目委員會增選委員
- 香港綠色建築議會董事會成員及綠建教育委員會副主席
- 香港僱主聯合會副主席
- 英國皇家特許測量師學會資深會員
- 民政事務總署「伙伴倡自強」社區協作計劃諮詢委員會成員

Mr Ricky WONG Kwong-yiu

Executive Director, Wheelock and Company Limited

Managing Director, Wheelock Properties (HK) Limited

- Co-opted Member, the Hong Kong Diploma of Secondary Education Examination – Applied Learning Subject Committee of the Hong Kong Examinations and Assessment Authority
- Director, Hong Kong Green Building Council and Vice-Chairman, Public Education Committee
- Vice-Chairman, Employers' Federation of Hong Kong
- Fellow Member, Royal Institution of Chartered Surveyors
- Member, Advisory Committee on Enhancing Self-Reliance Through District Partnership Programme, Home Affairs Department

黃偉雄先生 MH

中原地產代理有限公司亞太區主席兼行政總裁

- 中原慈善基金有限公司主席
- 愛心力量中原慈善基金洗腎中心榮譽主席及董事
- 香港專業及資深行政人員協會常務副會長
- 香港貿發局基建發展服務諮詢委員會委員
- 教育局教育人員專業操守議會成員
- 個人資料(私隱)諮詢委員會成員

Mr Addy WONG Wai-hung, MH

Chairman and Chief Executive Officer

– Asia Pacific, Centaline Property Agency Ltd

- Chairman, Centaline Charity Fund Limited
- Hon. Chairman & Council Member, POLCCF Dialysis Centre
- Deputy President, Hong Kong Professionals and Senior Executives Association
- Member, HKTDC's Infrastructure Development Advisory Committee
- Member, Council On Professional Conduct in Education, Education Bureau
- Member, Personal Data (Privacy) Advisory Committee

成員 MEMBERS



余惠偉太平紳士

恒基兆業地產有限公司地產策劃(一)部總經理

- 香港地產建設商會建築事務委員會委員
- 發展局上訴審裁團(建築物)成員
- 建造業議會建造業工人註冊委員會成員
- 民政事務總署「伙伴倡自強」社區協作計劃諮詢委員會成員
- 水務署水喉工程技術上訴委員會成員
- 建造業議會成員(2008-2014)

Mr YU Wai-wai, JP

General Manager (Project Management (1) Department), Henderson Land Development Company Limited

- Member, Construction Sub – Committee, The Real Estate Developers Association of Hong Kong (REDA)
- Member, Appeal Tribunal Panel (Buildings) of Development Bureau
- Member, Construction Workers Registration Board, Construction Industry Council
- Member, Home Affairs Department – Advisory Committee on Enhancing Self-Reliance Through District Partnership Programme
- Member, Appeal Board Panel, Technical Committee on Plumbing, Water Supplies Department
- Member, Construction Industry Council (2008-14)



余雅芳女士

安永諮詢服務有限公司合伙人

- 促進港台交流活動資助計劃評審委員會成員
- 漁業發展貸款基金顧問委員會成員
- 漁農自然護理署「內地過港漁工計劃」工作小組委員
- 獨立監察警方處理投訴委員會觀察員

Ms Avon YUE Nga-fong

Partner, Ernst & Young Advisory Services Limited

- Member, Assessment Committee of Exchanges with Taiwan Funding Scheme
- Member, Fisheries Development Loan Fund Advisory Committee
- Member, Mainland Fishermen Deckhands Scheme
- Observer, Independent Police Complaints Council



梁悅賢太平紳士

運輸及房屋局副秘書長(房屋)
(運輸及房屋局常任秘書長(房屋)代表)

Ms Esther LEUNG Yuet-yin, JP

Deputy Secretary for Transport and Housing (Housing)
(Representative of Permanent Secretary for Transport and Housing (Housing))

委員會及專責小組

董事局以下設有五個常設委員會和一個專責小組，負責處理監管局不同範疇的工作。每個委員會須有最少三名成員，委員會所有成員皆由監管局董事局委任。

董事局亦可不時就處理特別事宜成立專責小組及工作小組，有需要時，亦可委任非監管局成員的其他人士（即董事局委任成員）參與委員會、專責小組或工作小組的工作。例如，董事局成立了第28條調查小組，負責監察《地產代理條例》第28條規定之調查權力的使用情況。該小組僅在需要時舉行會議。該小組在2017/18年度並無召開會議。

2017/18年度監管局常設委員會及專責小組載列於下一個章節。

職權範圍及成員名單

財務及策略發展委員會

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。

Committees and panel

There are five standing committees and one working panel under the EAA Board to oversee the various aspects of the EAA's work. All committees shall consist of at least three members. All committee members are appointed by the EAA Board.

The EAA Board may also set up panels and work groups to deal with particular issues from time to time. When necessary, the EAA may also appoint other persons (i.e. Board-appointed members) who are not members of the EAA Board to the committees, panels or work groups. For example, a Section 28 Investigation Panel was set up to monitor the use of the investigative powers under section 28 of the EAO. This Panel will only meet on a need basis. In 2017/18, there was no meeting held.

The standing committees and working panel of the EAA in 2017/18 are listed in the following section.

Terms of reference and membership

Finance and Strategic Development Committee

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 CEO and Directors), and to make recommendations to the Board for consideration.

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| <p>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。</p> <p>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。</p> <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>5. At the direction of the Chairman, to review and evaluate the performance of the CEO 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.</p> <p>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.</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 Chairman:	梁永祥博士 SBS 太平紳士	Dr William LEUNG Wing-cheung, SBS, JP
成員 Members:	張國鈞議員 太平紳士	The Honorable Horace CHEUNG Kwok-kwan, JP
	廖玉玲 太平紳士	Ms Elaine LIU Yuk-ling, JP
	羅孔君 太平紳士	Ms Jane Curzon LO, JP
	黃鳳嫻女士	Ms Gilly WONG Fung-han
	余惠偉 太平紳士	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

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。
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。

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 EAO and submissions by the CEO 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.
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.

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。

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 Chairman:	廖玉玲太平紳士	Ms Elaine LIU Yuk-ling, JP
成員 Members:	張呂寶兒太平紳士	Mrs Peggy CHEUNG Po-yee, JP
	藍德業資深大律師	Mr Douglas LAM Tak-yip, SC
	羅孔君太平紳士	Ms Jane Curzon LO, JP
	吳啟民先生	Mr NG Kai-man
	司徒惠貞女士	Ms Anna SETO Wai-ching
	謝順禮先生	Mr Calvin TSE Shun-lai
	汪敦敬博士 MH	Dr Lawrance WONG Dun-king, MH
	黃光耀先生	Mr Ricky WONG Kwong-yiu
	黃偉雄先生 MH	Mr Addy WONG Wai-hung, MH
	余雅芳女士	Ms Avon YUE Nga-fong
委任成員 Board-appointed members:	張麗珍女士	Ms Winnie CHEUNG Lai-chun
	江玉歡女士	Ms Doreen KONG Yuk-foon
	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

牌照委員會

職權範圍：

- 研究及建議地產代理及營業員之發牌規定。
- 研究及建議豁免某類人士發牌規定的準則。
- 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。

Licensing Committee

Terms of Reference:

- To consider and recommend licensing requirements for estate agents and salespersons.
- To consider and recommend the criteria for exemption from the licensing requirements for any particular class of persons.
- 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.

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| <p>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。</p> <p>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條訂明監管局之任何職能和權力。</p> <p>6. 制定有關發牌事項的政策。</p> <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. 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. 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>4. To consider and if thought appropriate, to approve or refuse applications for licences/SPOBs brought before the Committee.</p> <p>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 EAO and section 9 of the Estate Agents (Licensing) Regulation.</p> <p>6. To set policies relating to licensing matters.</p> <p>7. To review and make recommendations 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 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 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 Chairman:	羅孔君太平紳士	Ms Jane Curzon LO, JP
成員 Members:	鄒廣榮教授	Professor CHAU Kwong-wing
	張呂寶兒太平紳士	Mrs Peggy CHEUNG Po-yee, JP
	凌潔心女士	Ms Imma LING Kit-sum
	謝順禮先生	Mr Calvin TSE Shun-lai
	謝小玲女士	Ms Phoebe TSE Siu-ling
	黃光耀先生	Mr Ricky WONG Kwong-yiu
	黃偉雄先生 MH	Mr Addy WONG Wai-hung, MH
	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	Representative of the Consumer Council
	(消費者委員會代表)	– Ms Winnie CHEUNG Yuk-wan

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。
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。
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。

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 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.
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.
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.

成員 Membership:		
主席 Chairman:	張國鈞議員太平紳士	The Honorable Horace CHEUNG Kwok-kwan, JP
副主席 Vice-chairman:	黃鳳嫻女士	Ms Gilly WONG Fung-han
成員 Members:	鄒廣榮教授	Professor CHAU Kwong-wing
	張呂寶兒太平紳士	Mrs Peggy CHEUNG Po-yee, JP
	藍德業資深大律師	Mr Douglas LAM Tak-yip, SC
	凌潔心女士	Ms Imma LING Kit-sum
	吳啟民先生	Mr NG Kai-man
	司徒惠貞女士	Ms Anna SETO Wai-ching
	蕭澤宇 BBS 太平紳士	Mr Simon SIU Chak-yu, BBS, JP
	謝順禮先生	Mr Calvin TSE Shun-lai
	謝小玲女士	Ms Phoebe TSE Siu-ling
	汪敦敬博士 MH	Dr Lawrance WONG Dun-king, MH
	黃光耀先生	Mr Ricky WONG Kwong-yiu
	黃偉雄先生 MH	Mr Addy WONG Wai-hung, MH
	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:	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

專業發展委員會

職權範圍：

- 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。
- 監督「持續專業進修計劃」的執行，包括：
 - 定期檢討計劃的重點、範疇和要求；
 - 訂立分配核心及非核心科目活動的指引；
 - 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；

Professional Development Committee

Terms of Reference:

- To examine the training needs and design appropriate training programmes to raise the competence of licensees.
- To oversee the implementation of the Continuing Professional Development ("CPD") Scheme including:
 - conducting periodic reviews on its focus, scope and requirements;
 - determining guidelines for assigning core and non-core activities;
 - approving CPD activity providers and evaluating CPD activities;

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| <p>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可持續專業進修計劃；及</p> <p>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。</p> | <p>d. adopting appropriate CPD activities of other professions and trades into the CPD Scheme of the EAA; and</p> <p>e. monitoring the effectiveness of the CPD Scheme and making recommendations to the Board as appropriate.</p> |
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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>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. 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>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.</p> |
| <p>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。</p> | <p>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.</p> |

成員 Membership:

主席 Chairman:	余惠偉太平紳士	Mr YU Wai-wai, JP
成員 Members:	藍德業資深大律師	Mr Douglas LAM Tak-yip, SC
	凌潔心女士	Ms Imma LING Kit-sum
	吳啟民先生	Mr NG Kai-man
	司徒惠貞女士	Ms Anna SETO Wai-ching
	蕭澤宇BBS太平紳士	Mr Simon SIU Chak-yu, BBS, JP
	謝小玲女士	Ms Phoebe TSE Siu-ling
	汪敦敬博士MH	Dr Lawrance WONG Dun-king, MH
	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:	葉國雄先生	Mr Ivan IP Kwok-hung
	郭昶先生	Mr Anthony KWOK Chong
	鄭子文博士	Dr KWONG Tsz-man
	袁海星博士	Dr Horace YUEN Hoi-sing
	梁劍衡先生 (職業訓練局代表)	Representative of Vocational Training Council – Mr Leslie LEUNG Kim-hang

第28條調查小組¹**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。
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。
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。

Section 28 Investigation Panel¹**Terms of Reference:**

1. To formulate guidelines for and procedures on the selection of cases for investigation under section 28 of the 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.
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.
9. To exercise and perform any and such of the EAA's functions and powers as prescribed by section 28 of the EAO.

成員 Membership:

主席 Chairman:	蕭澤宇 BBS 太平紳士	Mr Simon SIU Chak-yu, BBS, JP
成員 Members:	鄧廣榮教授	Professor CHAU Kwong-wing
	余惠偉 太平紳士	Mr YU Wai-wai, JP

¹ 不屬常設委員會，僅在需要時召開會議。該小組在2017/18年度並無召開會議。

¹ Not a standing committee, meet as and when needed. In 2017/18, there was no meeting held.

會議出席記錄

根據《地產代理條例》，監管局會議的法定人數至少為監管局當時成員人數的一半（包括主席及副主席（不論在場與否））。出席會議的監管局成員各有一票投票權。

2017/18年度，董事局及常設委員會的會議次數、平均出席率和審議文件數目如下：

Meetings attendance

According to the EAO, the quorum for a meeting of the EAA shall be at least half of the members of the EAA for the time being (including the Chairman and the Vice-chairman whether present or not). Each member of the EAA present at a meeting thereof shall have a vote.

In 2017/18, the number of meetings, the average attendance rates and number of papers considered by the EAA Board and standing committees were as follows:

	會議數目 Number of meetings held	平均出席率* Average attendance rate*	經審議的文件數目 Number of papers considered
董事局 The EAA Board	4	79%	39
財務及策略發展委員會 Finance and Strategic Development Committee	2	79%	11
紀律委員會** Disciplinary Committee**	2	67%	10
牌照委員會 Licensing Committee	5	80%	10
執業及考試委員會 Practice and Examination Committee	2	67%	10
專業發展委員會 Professional Development Committee	2	57%	22

* 委員會出席率包括董事局成員及董事局委任成員。

* The attendance of committees includes Board members and Board-appointed members.

** 除出席會議，紀律委員會的董事局成員及董事局委任成員同時須出席紀律研訊，對涉嫌違反條例的持牌人作出判決。

** In addition to attendance at meetings, Board members and Board-appointed members of the Disciplinary Committee are also required to sit at inquiry hearings for the adjudication of suspected non-compliances of the licensees.

誠信與公正

操守標準

監管局堅守以誠信、嚴正態度及公平為原則，為公眾服務。

監管局是《防止賄賂條例》下的公共機構。在該條例下，所有監管局董事局成員及員工均被視為「公職人員」。

作為規管香港地產代理行業的法定機構，監管局致力維持最高質素的服務水平及道德標準。監管局要求全體員工秉持高水平的服務質素及道德標準，以促進並維持公眾的信心。本局員工必須遵守本局的行為守則，當中詳列了基本行為標準，涵蓋保密、利益衝突及利益收受等方面。監管局會向每位入職員工講解有關守則，並將相關文件上載至監管局內聯網供員工隨時參閱。

行政總裁、總監和經理（包括高級經理）的離職後就業限制期分別為一年、六個月及兩個月。同時，包括行政總裁和總監在內的所有員工，均不可於任職監管局期間及離職後兩個月內參加地產代理或營業員資格考試。

Integrity and Impartiality

Standard of conduct

The EAA is fully committed to the principles of honesty, integrity and fair play in the delivery of its services to the public.

The EAA is a public body under the Prevention of Bribery Ordinance. All Board members and employees of the EAA are regarded as “public servants” for the purpose of that ordinance.

As a statutory body tasked with regulating the practice of the estate agency trade in Hong Kong, the EAA strives to maintain the highest possible level of quality service and ethical standards. To promote and maintain public confidence, all EAA staff are required to have a high standard of integrity and conduct. They are required to comply with the Code of Conduct which sets out in detail the basic standards of conduct in different aspects, including confidentiality, conflicts of interest and acceptance of advantages. All EAA staff are briefed on the Code upon their commencement of duty at the EAA, and may access the document easily at any time through the EAA's intranet.

The post-employment sanitisation period for the CEO, Directors and Managers (including Senior Managers) are respectively one year, six months and two months. There is also a prohibition on all staff, including the CEO and Directors, to take the estate agents or salespersons qualifying examinations during service and within two months after service.

利益披露

為維持公眾對監管局的誠信與公正性的信心，以及避免潛在利益衝突，監管局實施兩層的申報利益制度。所有董事局成員及董事局委任成員獲委任後，必須向監管局申報其利益，並每年更新資料。此外，他們須於監管局所有會議上，申報涉及監管局所審議的任何議題或事宜的利益，以及任何與監管局事務有利益衝突或潛在利益衝突的事情。公眾可要求查閱記錄有關利益申報詳情的登記冊。

此外，監管局所有員工亦須每年申報，有否與一些和監管局有競爭的、或與監管局有業務往來的，或受監管局所監管的業務或機構有任何直接或間接的財務利益關係。

在有關土地和物業的利益方面，所有監管局董事局成員及董事局委任成員均須申報其在香港或海外的任何實益權益，但不包括有關土地或物業的地址詳情。須登記的利益包括：成員名下所持有、或透過其他公司或個人間接持有、或其有權處置、或能從中獲得任何金錢利益的土地或物業。監管局行政部門的管理職級人員亦須遵循類似的規定，申報他們的土地及物業利益。

問責性及透明度

監管局視問責性為機構管治的基本支柱之一，並基於此理念建立本局的架構及管理文化。在現行架構下，董事局須就監管局的整體表現問責。行政部門負責管理監管局的日常業務，並須就其表現向董事局問責。



Disclosure of interest

To foster public confidence in the integrity and impartiality of the EAA, the EAA adopts a two-tier reporting system on declaration of interest as a safeguard against potential conflict of interest. All Board members and Board-appointed members are required to register their interests with the EAA upon their appointment to membership and annually thereafter. They are also required to declare their interests at all EAA meetings in any subject and matter under consideration by the EAA, and any conflict of interest or potential conflict of interest which they may have with the affairs of the EAA. The register of interests is available for public inspection.

In addition, all EAA staff also have to declare annually if they have any direct or indirect financial interest in any company or organisation which competes with the EAA, which the EAA has business dealings with, or which is being regulated by the EAA.

Regarding interests in land and property, all EAA Board members and Board-appointed members are required to declare any such beneficial interests they have in Hong Kong or overseas, without disclosing details of the addresses of such land or property. Registrable interests include land or property owned by a member in his/her name or held indirectly through another company or person. It also includes land or property which a member has a right over its disposition or has any pecuniary interest deriving from it. The managerial staff of the EAA Administration are also required to follow a similar requirement in declaring their interests in land and property.

Accountability and Transparency

The EAA considers accountability one of the fundamental pillars of corporate governance and has built its corporate structure and management culture based on this concept. Under the current structure, the Board is accountable for the overall performance of the EAA. The Administration is responsible for managing the EAA's everyday business and is accountable to the Board for its performance.

監管局透過大眾媒體、監管局刊物及其網站等不同溝通渠道，向公眾發放有關監管局的工作及舉措的資訊。

The public are kept abreast of the EAA's work and initiatives through various communication channels, such as the mass media, EAA publications and its website.

《機構授權指引》

監管局制定了一套《機構授權指引》來維持高水平的問責性。所有監管局成員、常設委員會、工作／專責小組及全體員工的行為，均必須符合指引的精神及目的，以及獲授權的職權範圍。

查閱資料

為方便公眾取得有關監管局的資料，監管局已任命服務總監為公開資料主任，負責確保本局按照特定程序，妥善處理公眾根據監管局的《公開資料守則》而提出的資料查閱要求。

Corporate Authorisation Manual

To maintain a high standard of accountability, a *Corporate Authorisation Manual* was formulated for the EAA to provide corporate management authority guidelines. All members of the EAA, standing committees, work groups/panels and all staff must act in compliance with the spirit and intent of the *Manual* and within the scope of authorities therein conferred.

Access to information

To facilitate the public to access information about the EAA, the EAA has designated the Director of Services as the Access to Information Officer who is responsible for ensuring that requests for access to information under the EAA's *Code on Access to Information* are properly dealt with in accordance with specific procedures.

查閱資料申請摘要

Summary of Applications for Access to Information

年度 Year	申請數目 No of Applications	申請結果 Application Outcome	要求資料 Information Requested
2017/18	2	全部接受 All accepted	申請牌照遞交的個人資料 調查和紀律研訊結果 Personal Data submitted for licence application Investigation and inquiry hearing results
2016/17	1	拒絕* Declined*	第三者發出的學歷確認函 Confirmation letter on an education record issued by a third party
2015/16	0	不適用 N/A	不適用 N/A

* 無法取得公開有關學歷所需的第三者同意。

* Consent from the third party required for the release of the record could not be obtained.

為提高監管局工作的透明度，監管局每年向運輸及房屋局局長提交一份年報，並提呈立法會省覽。公眾可於監管局辦事處及網站閱覽有關年報。

To increase the transparency of the EAA's work, the EAA furnishes an *Annual Report* to the Secretary for Transport and Housing, copies of which have to be laid before the Legislative Council and are made available to the public at the EAA's office and website.

監管局透過媒體活動、新聞稿、宣傳和公眾教育活動、監管局刊物及網站等不同溝通渠道，向公眾發放有關監管局的工作及舉措的資訊。

Members of the public are also kept abreast of the EAA's work and initiatives through various communication channels, such as media events, press releases, publicity and public education activities, EAA publications and its website.

公布紀律研訊結果

監管局紀律委員會按照《地產代理條例》賦予的權力向有關持牌人或前持牌人的紀律事宜進行紀律研訊。為方便有關人士查悉研訊結果，以及教育地產代理業界及公眾，監管局於其網站上公布最近兩年的紀律研訊結果。

監管局亦於網上公布研訊的裁決理由，這樣不單能確保監管局工作的透明度，亦能讓地產代理業界更了解監管局的紀律裁決，讓他們對如何遵守《地產代理條例》提供寶貴的學習途徑，以減低日後收到類似投訴的風險。長遠來說，這項措施將有效地提升業界的專業水平。

另一方面，公布研訊裁決的理由能讓消費者明白監管局的裁決基礎，從而令他們在使用持牌人的服務時能作出明智的選擇。

獨立制衡措施

外部審核

監管局的財務報表須經由外部核數師審核。2017/18財政年度，德勤•關黃陳方會計師行繼續獲委聘為監管局的核數師。

外部審核的主要目的是向董事局提交監管局年度財務報表，呈示公允的獨立保證。監管局委任的外部核數師須由運輸及房屋局局長批准。有關德勤•關黃陳方會計師行的獨立核數師報告及財務報表詳載於第104至134頁。

Publication of inquiry hearing results

To facilitate concerned parties to ascertain the results of the inquiry hearings conducted by the Disciplinary Committee of the EAA pursuant to powers under the EAO on disciplinary matters concerning licensees or ex-licensees, and to educate both the estate agency trade and the public, the EAA publishes inquiry hearing results of the last two years on its website.

The EAA also publishes the reasons for disciplinary decisions on its website. Not only does it ensure the transparency of the EAA's work but also enables the estate agency trade to have a better understanding of the EAA's disciplinary decisions and equips them with valuable learning on how to comply with the EAO and reduces the risks of receiving similar complaints in future. In the long run, it will make a substantial contribution to improving the professional standard of the trade.

On the other hand, the publication of the reasons for decisions provides a way for consumers to understand the EAA's disciplinary decisions, and enables them to make informed choices when engaging the services of licensees.

Independent Checks and Balances

External audit

The EAA's financial statements are subject to audit by an external auditor. Deloitte Touche Tohmatsu continued to be the EAA's external auditor in the financial year of 2017/18.

The main purpose of the external audit is to provide independent assurance to the Board that the annual financial statements of the EAA are fairly stated. The appointment of the EAA's external auditor is subject to the approval of the Secretary for Transport and Housing. The Independent Auditor's Report and Financial Statements of 2017/18 audited by Deloitte Touche Tohmatsu are included in pages 104 to 134.

上訴

根據《地產代理條例》，持牌人或牌照申請人可對監管局的決定提出上訴，包括監管局拒絕批給牌照或批出續牌申請，或監管局施行的紀律處分。上訴須透過書面方式向運輸及房屋局局長提出。

運輸及房屋局局長須委任人士組成委員會，專責聆訊上訴。委員會的主席須就每宗上訴個案，從委員會成員中委任成員組成審裁小組進行裁決。

申訴專員覆檢

監管局自2010年7月2日起被納入申訴專員的監管範圍。2017/18年度內，本局共接獲四宗申訴專員轉介的個案，其中三宗個案已於年內結束及裁定為不成立，而另外一宗則仍未完結。

服務承諾

作為一個負責任的公營機構，監管局對公眾的服務設有一套服務承諾，且定期檢討承諾的達標率。監管局行政部各個部門負責維持有效的內部監控，以監測服務承諾的達標情況。

Appeals

Under the EAO, licensees or licence applicants may appeal against the EAA's decisions concerning refusal to grant or renew a licence, or its disciplinary sanctions by writing to the Secretary for Transport and Housing.

The Secretary for Transport and Housing is required to appoint a panel of persons for the purpose of hearing such appeals. The appeals are determined by a tribunal, the members of which are appointed by the Chairman of the panel from members of the panel.

The Ombudsman's review

The EAA came under the jurisdiction of The Ombudsman on 2 July 2010. In the year of 2017/18, a total of four inquiries from The Ombudsman were received. Three of them were closed and unsubstantiated while one is outstanding.

Performance Pledges

As a responsible public body, the EAA has a set of performance pledges for its services to the public and the attainment level of the pledges is reviewed regularly. All sections of the EAA Administration are responsible for maintaining effective internal controls to monitor the achievement of our pledges to the public.

2017/18 年度行政部門服務達標率

Achievement of the Performance Pledges in 2017/18

查詢 Enquiries

服務類別 Standard	指標 Service type	達標率 Results
回覆查詢 Response to enquiries		
<ul style="list-style-type: none"> 電話查詢(留言訊息) Telephone enquiries (voice mail messages) 	<ul style="list-style-type: none"> 一個工作天內¹ Within one working day¹ 	100%
<ul style="list-style-type: none"> 書面查詢 Written enquiries 	<ul style="list-style-type: none"> 七個工作天內² Within seven working days² 	99.85%

¹ 監管局的工作天為星期一至五。

² 收到查詢後下一個工作天開始計算。

¹ The EAA's working days are from Monday to Friday.

² From the next working day following receipt of the enquiry.

資格考試 Qualifying Examinations

服務類別 Standard	指標 Service type	達標率 Results
發出成績通知單 ¹ Issue result slips ¹	考試後的 14 個工作天內 Within 14 working days after the examination	100%

牌照 Licensing

服務類別 Standard	指標 Service type	達標率 Results
處理新牌照申請 Process new licence applications	收到新申請後的 10 個工作天內 ² Within 10 working days for new applications ²	99.99%
處理續牌申請 Process renewal licence applications	收到續牌申請後的 20 個工作天內 Within 20 working days for renewal applications	99.98%
退款予不獲發牌照或取消牌照申請的申請人 Refund of application fees for rejected/cancelled applications	10 個工作天內 ³ Within 10 working days ³	100%

投訴及執法 Complaints and Enforcement

服務類別 Standard	指標 Service type	達標率 Results
確認收到投訴人的書面投訴 Acknowledge receipt of written complaints	五個工作天內 Within five working days	100%
收到足夠證明文件後向投訴人作出書面回覆 Provide a written response to complainants upon receipt of sufficient supporting documents	15 個工作天內 Within 15 working days	100%

¹ 監管局委託香港考試及評核局舉辦資格考試。考試的成績通知單由香港考試及評核局發出。

² 由監管局收妥牌照申請、所需費用及文件之下一個工作天起計，至發出牌照／營業詳情說明書（即牌照可供領取之日）為止。如牌照申請須交由監管局牌照委員會考慮申請人是否符合法定的「適當人選」標準及其他發牌要求，此服務指標則不適用。監管局處理此類牌照申請時，須向申請人或第三者（例如破產管理署、信託人或警務處）查詢有關詳情，待得到回覆後，才可以決定批准或拒絕申請，故此在這種情況下，需要更長的時間。

³ 由取消或拒絕申請之下一個工作天起計；如屬破產個案，則由收到破產管理署或信託人指示之下一個工作天起計。

¹ Issued by the Hong Kong Examinations and Assessment Authority, authorised by the EAA to administer the examinations.

² From the next working day following the receipt of an application, the required fee and documents to the day the licence/statement of particulars of business is issued (i.e. the day the licence is available for collection). This service target does not apply to applications which require the EAA Licensing Committee to determine whether the applicant fulfills the “fit and proper” requirement and other licensing requirements as prescribed under the EAO. A longer duration is needed for such cases for the EAA to make enquiries and for the applicant or any third party (such as the Official Receiver’s Office, trustees-in-bankruptcy or the Police) to respond before the EAA approves or rejects the application.

³ From the next working day after an application is cancelled or rejected; for bankruptcy cases, from the next working day following the receipt of instructions from the Official Receiver’s Office or the trustee-in-bankruptcy.

投訴及行動部完成調查違規個案 Complete investigation of non-compliance cases by the Complaints and Enforcement Section		
快速個案 (紀律處分新計劃下，不牽涉證人並只涉及八項指明違規事項的個案) Fast Track Cases (Cases involving no witnesses and concerning allegation(s) of the Eight Specified Breaches only)	三個月內 Within three calendar months	100%
普通個案 (非快速個案並只涉及不多於兩項指稱的個案) Normal Cases (Cases other than Fast Track Cases concerning not more than two allegations)	六個月內 Within six calendar months	97.94%
複雜個案 (除快速個案及普通個案以外的個案) Complex Cases (Cases other than Fast track cases and Normal Cases)	九個月內 Within nine calendar months	95.50%
通知投訴人調查結果 Notify complainants of the outcome of the case	10個工作天內 Within 10 working days	99.71%
通知被投訴人(持牌人)調查結果 Notify complainees (licensees) of the outcome of the case	10個工作天內 Within 10 working days	100%

紀律研訊 Disciplinary Proceedings

服務類別 Standard	指標 Service type	達標率 Results
舉行首次紀律研訊 Conduct the first disciplinary inquiry hearing of a case	完成調查後的90個工作天內 Within 90 working days after completion of investigation	98.67%

持續專業進修計劃 Continuing Professional Development (“CPD”)

服務類別 Standard	指標 Service type	達標率 Results
完成處理持續專業進修活動認可的申請 Process applications for endorsement of CPD activities	20個工作天內 Within 20 working days	100%
發出「出席證書」予參加監管局舉辦的持續專業進修活動的持牌人 Issue certificates of attendance for EAA-organised CPD activities	30個工作天內 Within 30 working days	100%