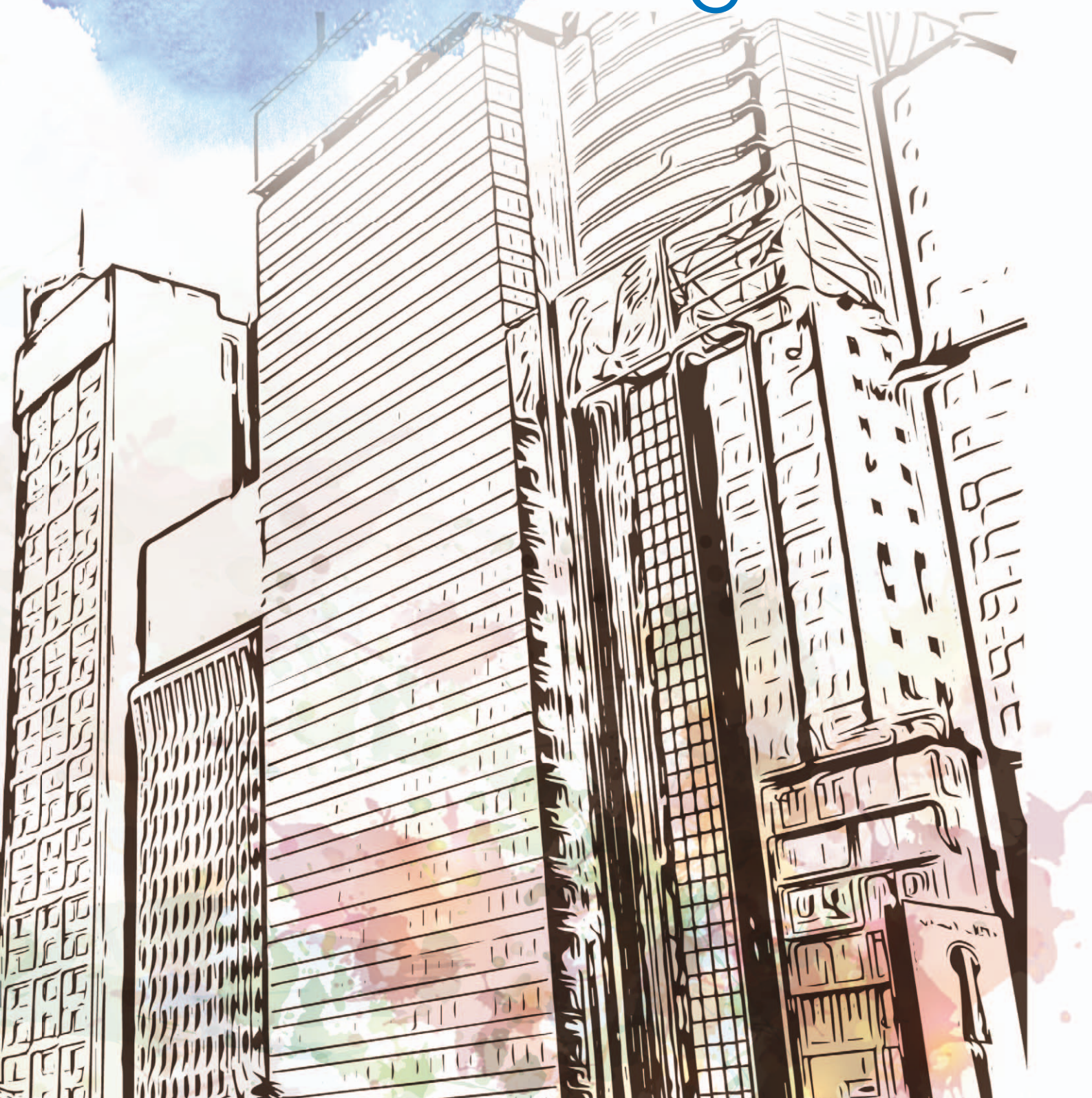




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Chairman

主席的話
Chairman's
Message



主席的話 Chairman's Message



作為香港地產代理業的監管機構，地產代理監管局（「監管局」）負責確保業界守法循規及保護消費者的利益。由於市場競爭激烈，為保障其市場份額，地產代理往往會採用各種不同以至受質疑的經營策略，因此監管工作是一項持續不斷的挑戰。監管局會監察代理的營銷策略，並迅速回應以制止違規行為。

堅定跨越波動的一年

2018年，本港的物業市場有輕微冷卻的跡象。然而，踏入2019年首季，市場已有復甦趨勢。在發展商爭相提供低門檻的首期付款計劃下，令一手住宅物業交投繼續熾熱。反觀二手物業的賣家不願以低價出售物業，加上準買家在籌集足夠資金支付首期上仍有困難，以致二手市場的交投依然呈現膠着狀態。

縱使市場表現不穩，持牌地產代理的人數卻於2018年底創下新高，但其後稍微回落。然而，持牌人數下跌和物業市場並沒有明顯關係。

因應地產代理面對不斷轉變的環境，監管局推出了幾項新措施以確保地產代理業界井然有序、運作暢順。

迎接挑戰 精益求精

財務行動特別組織首度把地產代理業列入其涵蓋範圍，以評估打擊洗錢及恐怖分子資金籌集系統的有效程度。去

As the regulator of the estate agency trade in Hong Kong, the Estate Agents Authority ("EAA") is charged with the responsibility for ensuring proper trade practices and conduct for the protection of consumers' interests. This is an on-going challenge because estate agents often deploy different and sometimes questionable tactics in the competitive market. The EAA will monitor their marketing tactics and respond swiftly to halt practices considered not in order.

Getting through a volatile year with determination

The Hong Kong property market cooled off slightly in 2018. However, by spring 2019, a revived rally started to take hold again. First-hand residential properties remained the most sought after due chiefly to the down payment schemes provided by developers. Transactions in the second-hand market remained sluggish because sellers were reluctant to sell at a low price and potential buyers had difficulties raising sufficient cash to satisfy the down-payment requirements.

Despite the market performance, the number of licensed estate agents reached a record high towards the end of 2018 but showed a mild decline thereafter. There was however no clear correlation between the licensee numbers and the property market.

As estate agents reacted to the changing environment, the EAA introduced several new measures to ensure that the estate agency trade continued to operate orderly and smoothly.

Challenges and improvements

For the first time, the Financial Action Task Force ("FATF") extended its coverage to the estate agency sector to evaluate the effectiveness of its anti-money laundering ("AML") and



年，《2018年打擊洗錢及恐怖分子資金籌集（金融機構）（修訂）條例》將法定客戶盡職審查及備存紀錄的規定擴展到某些非金融專業，包括律師、會計、地產代理、以及信託或公司服務提供者。對於監管局和業界而言，這無疑是一項挑戰，但亦標誌業界的專業水平逐漸成形，業界必須逐步提升自己，以與其他專業範疇的標準看齊。透過一系列措施，例如發出指引、提供培訓和合規巡查等，業界對打擊洗錢及恐怖分子資金籌集風險的重視亦日益提高。在接受財務行動特別組織的評估前，業界代表已具備了相關的知識。不論評估的結果如何，監管局將會繼續教育業界，以改善他們在這方面的認識。

counter-terrorist financing ("CTF") systems. Last year, the Anti-Money Laundering and Counter-Terrorist Financing Ordinance 2018 extended the statutory customer due diligence and record keeping requirements to certain non-financial professions including solicitors, accountants, estate agents, and trust, or company service providers. Although it was a challenge for both the EAA and the trade it also meant that the professionalism of the trade is taking shape and the trade must gradually advance itself to match the standards of other professions. Through a series of measures, such as issuing guidelines, conducting training sessions and compliance inspections, the trade's awareness of AML/CTF risks was raised. Trade representatives were equipped with the relevant knowledge before they met with the FATF at the evaluation session. Regardless of the outcome of the evaluation, the EAA will continue to educate the trade to improve their knowledge on the subject.



因應在一手住宅物業銷售點發生的打鬥事件，監管局認為有需要尋求發展商的合作，規限地產代理在銷售點工作期間的行為。去年，監管局與34間發展商簽訂《一手住宅物業銷售約章》，讓公眾和業界清楚知道，監管局和發展商絕不姑息地產代理在宣傳一手住宅物業時所干犯的任何違規行為。隨着約章生效及實施更嚴格要求的新執業通告發出後，一手住宅物業銷售點的秩序有了明顯的改善。

另外，監管局亦嚴肅處理有關業界積存已久、在發布物業廣告時準確度欠奉的陋習。年內，監管局就發布物業廣告發出新的執業通告，進一步制訂指引，旨在阻止業界使用虛假或不實的價格吸引客戶，或容許過時的廣告保留數月或數年之久。由於這些有欠專業的手法均會損壞業界的信譽，局方樂見有關情況已漸有改善。

監管局一直關注香港消費者在購買境外物業時所遇到的不愉快經歷。除非持牌人有份參與相關的物業銷售，否則境外物業並不屬於監管局的規管範圍。然而，監管局始終難以像保障香港消費者購買本地物業的方式來保障購買境外物業的買家。縱然如此，監管局仍有向持牌人發出指引，告誡他們倘若參與相關銷售活動，必須加倍小心以保障香港消費者。監管局將繼續協助政府教育公眾，提醒消費者在購買境外物業時，應聘請當地的專業人士來協助完成交易。

Responding to the order issue at the sales-sites of first-hand residential properties, the EAA saw the need to seek the cooperation of developers to restrain the behaviour of estate agents carrying out work on their sites. The signing of the First-sales Charter with 34 developers last year sent a strong message to the public and the trade that both the EAA and the participating developers would not condone any unruly behavior of estate agents when promoting first-hand residential properties. Following the Charter and the issuance of a new practice circular imposing stricter requirements, the order at the first-sale sites was significantly improved.

The EAA also dealt with a long-term bad habit of the trade, which was the accuracy issue of property advertisements. During the year, the EAA issued a new practice circular setting out further guidelines on issuing property advertisements, which was aimed at stopping the practice of using sham listings or fake listing prices to lure customers or allowing obsolete advertisements to remain for months or years. As these practices are unprofessional and damage the credibility of the trade, we were glad to see gradual improvements.

The EAA has been concerned about the unpleasant experiences Hong Kong consumers have had in purchasing non-local properties. While such properties are outside of the EAA's purview unless our licensees are involved in the sales, it is still difficult if not entirely impossible for the EAA to protect their buyers in the way it is protecting Hong Kong consumers in their property purchases in Hong Kong. Nonetheless, the EAA issued guidelines for its licensees and warned them to put in extra effort in protecting Hong Kong consumers if they are involved in such sales activities. The EAA will continue to assist the government in educating the public that the consumers involved in such transactions should engage local professionals to assist with their purchase transactions.



推廣「5A」代理

監管局的所有工作都旨在建立一個更專業的地產代理業界，讓消費者得到更佳保障，而在業界中能提供五星級服務的專業地產代理應得到表揚。為了教育消費者如何識別優質的地產代理，監管局推出了一項宣傳計劃，以推廣專業地產代理具備的「5A」品質。透過計劃，局方亦希望提醒從業員作為一個「5A」代理所具備的特質，以及需要為客戶提供更優質的服務。

Promoting the “5A” agent

All the EAA's work paves the way for a more professional trade and better consumer protection. There are professional estate agents in the business that provide five-star quality services and should be acknowledged. In order to educate consumers to identify a high calibre estate agent, the EAA launched a publicity campaign promoting the “5A” qualities of a professional estate agent. Through the campaign, we also aim to remind estate agents of the required qualities of a competent “5A” agent and the need to serve customers better.





面對錯綜複雜的未來

要做好監管工作，監管局必須回應市場的新趨勢和地產代理的經營手法。舉例來說，地產發展商在銷售一手住宅物業時，運用了非公開的招標程序銷售策略，樓價被指欠缺透明度，而地產代理在協助銷售過程中的角色亦同樣備受公眾關注。監管局將會密切監察相關情況，並在有需要時採取適當行動。

結語

最後，本人謹藉此機會感謝董事局全體成員，尤其是在年內卸任的成員所付出的寶貴時間和無私貢獻。本人亦同時歡迎加入董事局的新成員，包括戴敏娜女士、許智文教授MH和黃永光太平紳士。

本人亦衷心感謝運輸及房屋局、地產代理從業員、業界商會、發展商及所有持份者一直以來對監管局的鼎力支持。

經過廿載籌劃，今年監管局揭開了新一頁，添置新辦公室並把部份同事遷往該址工作。由此，我們已作好充足準備，應付日後對我們資源需求增加的各種挑戰。

Complicated business ahead

To do a good job as a regulator the EAA must respond to new market trends and estate agency practices. For example, the new sales strategy of using a closed bidding process in the sale of first-hand residential properties by property developers has been questioned due to a lack of transparency of the prevailing prices for these properties. In addition, the role of estate agents assisting in the process is also under scrutiny. The EAA will closely monitor the situation and take any appropriate action, if necessary.

Closing

In closing, I would like to thank each and every one of our Board Members for his/her time and selfless contributions, in particular, those members who have retired during the year. I also welcome our new members to our Board, Ms Meena DATWANI, Professor Eddie HUI Chi-man, MH and Mr Daryl NG Win-kong, JP.

My heartfelt gratitude also goes to the Transport and Housing Bureau, estate agency practitioners, trade associations, developers and all our other stakeholders, for their continuous support.

A new page was turned this year as we finally moved some of our staff from the city centre into our own office, which the EAA had planned for two decades. From here we are well placed to face the challenges and issues that will arise due to an ever-increasing demand on our human resources.



最後，本人特別鳴謝監管局在行政總裁韓婉萍女士的能幹領導下、一直盡忠職守的各位同事。沒有他們的全情投入，監管局的工作實難以順利完成。

在大家的齊心協力下，監管局將會繼續改善地產代理的執業，讓消費者在物業交易中得到更佳保障。

Last but not least, special thanks must go to Ms Ruby HON Yuen-ping, the EAA Chief Executive Officer and all EAA colleagues under her able leadership. Without their dedication and commitment, our work would not have been accomplished.

With our collaborative efforts and support, the EAA will continue to improve the practice of the estate agency trade, so consumers will be better protected in property transactions.

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