



韓婉萍

行政總裁

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Chief Executive Officer

行政總裁匯報
Report of the
Chief
Executive
Officer





本人欣然以地產代理監管局(「監管局」)行政總裁的身份發表任內第六份年報。在瞬息萬變的經濟環境和消費者日益提升的期望下，監管局一如以往不斷致力監管地產代理行業，提升代理的專業水平以及加強消費者教育。本人希望藉此簡述本局於年內各方面的工作。

市場概況

在2018-19年的波動市況下，整體物業交易數字下滑，錄得75,115宗，比2017-18年度下跌了13.1%。買賣合約總值亦下跌了4.9%至7,260億元。由於本港樓價高企，因此有更多個人投資者將投資目標轉移到境外物業上。

持牌人數雖然在2018年11月突破4萬達40,142人，創下歷史新高，但從2019年初開始人數便呈現下滑跡象，情況維持了數個月。然而，截至2019年3月底，個人牌照錄得39,862個，數字仍比前一年同期微升3%。另外，參與資格考試的整體考生人數亦較前一年微升0.5%。

監管局嚴格把關

監管局的其中一個主要角色是確保業界守法循規。為提醒業界切勿違規及提升業界的專業水平，監管局在2018-19年度發布了有關「物業廣告」及「一手住宅樓盤銷售地點的秩序」兩份新執業通告。

I am delighted to present the sixth annual report as the Chief Executive Officer ("CEO") of the Estate Agents Authority ("EAA"). Through the changing fortunes of the economy and rising expectations of consumers, the EAA remains, as always, dedicated to regulating the estate agency trade, upholding the trade's professionalism and enhancing consumer education. Here I would like to give a brief account of our work on various fronts over the year.

Market overview

Under the volatile market conditions in 2018/19, the total number of property transactions decreased, amounting to 75,115, which was lower than that of 2017/18 by 13.1%. The total consideration also decreased by 4.9% to \$726 billion. With high property prices in Hong Kong, more individual investors shifted their focus to non-local properties.

While the number of licensees hit a record high, exceeding forty thousand to 40,142 in November 2018, there was a downward adjustment starting from the beginning of 2019 and the drop has continued for a few months. However, as at the end of March 2019, the total number of individual licensees reached 39,862, which is a slight 3% higher than the number at the same date of the previous year. In addition, the overall number of candidates participating in the qualifying examinations showed a slight increase of 0.5% when compared with the previous year.

The EAA as an effective gatekeeper

One of the key roles of the EAA is to ensure compliance of the trade. To heighten the estate agency trade's vigilance against non-compliances and to enhance the professional standard of the trade, the EAA issued two new practice circulars in 2018/19, one on "Property Advertisements" and the other on the "Order at First-sale Sites of Residential Properties".



年內，監管局進行了共3,252次巡查，以確保業界守法循規，次數比前一年增加了6.7%；而針對一手樓盤銷售點的巡查有1,374次，地產代理商舖則有1,878次。此外，監管局亦在年內針對網上物業廣告進行了661次抽查，以及巡查網上物業平台364次。

在巡查中，局方發現了149宗違規個案，其中有14宗來自一手銷售的巡查，違規情況比前一年大幅改善（個案數目下跌了57.6%），相信是由於局方在2018年與34間物業發展商簽訂了《一手住宅物業銷售約章》，以及推出了新的牌照政策有關。根據該新政策，假如持牌人被裁定在進行地產代理工作時干犯涉及暴力罪行，局方將會撤銷他們的牌照，並在五年內不會向他們發出新牌照。這些措施均遏止了持牌人在一手樓盤銷售點中干犯違規行為。

與此同時，監管局在2018-19年度收到291宗投訴，較2017-18年度的425宗顯著減少了32%。至於涉及一手住宅物業銷售的投訴，亦按年下跌62.3%。常見的投訴類型包括不妥善地處理臨時買賣合約／臨時租約、提供不準確及具誤導性的物業資料，以及未有與客戶訂立地產代理協議或向客戶解釋協議。

2018-19年度，監管局基於有關持牌人不再符合相關發牌條件，合共撤銷了34個牌照。同時，監管局對184宗違規個案作出裁定，共向180名持牌人作出紀律處分。

During the year, the EAA conducted a total of 3,252 inspections to ensure the trade's compliance, which was a 6.7% increase compared to the previous year. Among these inspections, 1,374 checks were conducted at first-sale sites and 1,878 visits were paid to estate agency shops. In addition, the EAA also screened online property advertisements 661 times and conducted 364 inspections of online property portals during the year.

During these inspections, the EAA discovered 149 non-compliant cases, of which 14 cases arose from first-sale inspections, which was a very good improvement (a decrease of 57.6%) compared to the previous year. It is probably due to the Charter on the Sales of First-hand Residential Properties the EAA signed with 34 property developers in 2018, as well as the new licensing policy in which the licences of those licensees convicted of any offence involving violence when conducting estate agency work will be revoked and will not be granted a new one within five years. Both measures deterred unruly behaviour of our licensees in the first-sale sites.

Furthermore, the EAA received 291 complaints in 2018/19, also a noticeable decrease of 32% from 425 complaints in 2017/18. The complaints concerning the sale of first-hand residential properties also recorded a year-on-year decrease of 62.3%. The common categories of complaints included mishandling the provisional agreement for sale and purchase/provisional tenancy agreement, providing inaccurate or misleading property information and failing to enter into an estate agency agreement with clients or explain the agreement to clients.

In 2018/19, the EAA revoked a total of 34 licences because those licensees were no longer eligible to hold a licence. The EAA has also adjudicated 184 non-compliant cases and a total of 180 licensees were disciplined.



提升行業專業水平

2018年，監管局投放了大量時間和資源為局方及業界作好準備，以符合將法定盡職調查及紀錄保存規定擴展至地產代理業的《2018年打擊洗錢及恐怖分子資金籌集（金融機構）（修訂）條例》。在與財務行動特別組織進行互相評估前，監管局和參與的業界代表竭盡所能、進行了無數次籌備會議，局方對所有參與的業界代表所作出的努力和支持表示感謝。

此外，監管局亦推出多項教育措施以鞏固持牌人對這個議題的認識。監管局將會繼續教育業界，並執行審慎巡查，以確保業界符合有關規定。

Enhancing the professionalism of the trade

In 2018, the EAA invested plenty of time and resources to prepare itself and the trade for the enactment of the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) (Amendment) Ordinance 2018 as the Ordinance extended the statutory due diligence and record keeping requirements to the estate agency trade. Prior to the mutual evaluation with the Financial Action Task Force, both the EAA and the participating trade representatives made their best efforts in countless preparatory meetings for the mutual evaluation. The EAA appreciated the efforts and support of the participating trade representatives.

As well as the above, the EAA has also rolled out a number of educational and awareness building measures for licensees. The EAA will continue to educate the trade and conduct prudential visits to make sure of the trade's compliance in the subject.



監管局年內的其他工作包括繼續優化持續專業進修計劃，以進一步提升持牌人的專業水平。自2013年10月1日起，連續三年或五年達成持續專業進修計劃目標的持牌人，將會分別獲頒持續專業進修計劃優越嘉許獎章「銀章」和「金章」。結果，於2018年，有275名達成持續專業進修計劃目標的持牌人獲頒首批「金章」，另有98名持牌人獲發「銀章」。2018年，監管局亦與香港大學專業進修學院和理工大學企業發展院建立策略夥伴關係，為地產代理從業員提供各種不同的持續專業進修課程。在這些舉措下，2018-19年度出席監管局持續專業進修計劃講座的持牌人人數錄得顯著上升。

與業界及公眾連繫

為了與地產代理業界維持雙向溝通，監管局年內除了繼續與業界商會舉行聯絡會議外，亦在不同地區與前線持牌人會面舉辦聚焦小組會議。

同時，監管局亦繼續透過與媒體合作及其他舉措，推廣消費者資訊，並提高大眾對監管局的認識。年內，監管局透過舉辦新聞發布會、發布不同的新聞稿、安排專題採訪，以及在不同的媒體專欄發表多份文章，宣傳與消費者有關的資訊和局方的工作。

As regards the EAA's other work in the year, the EAA continued to optimise the Continuing Professional Development ("CPD") Scheme to further enhance the professional standard of licensees. Since 1 October 2013, licensees who have achieved their CPD attainment targets for three or five consecutive CPD periods will be awarded the "Silver" and "Gold" Premium CPD Attainment Symbol respectively. As a result, 275 licensees who had achieved the CPD attainment target were awarded the first batch of the Gold Symbol in 2018, while another batch of 98 licensees were awarded the Silver Symbol. The EAA also established a strategic partnership with the HKU School of Professional and Continuing Education and the Institute for Entrepreneurship of The Hong Kong Polytechnic University respectively to offer a wider variety of CPD courses for the estate agency trade practitioners in 2018. With these initiatives, the number of licensees attending the seminars of the EAA's CPD Scheme showed considerable improvement in 2018/19.

Reaching out to the trade and the public

To maintain a two-way communication with the estate agency trade, the EAA continued to hold liaison meetings with trade associations and meet frontline licensees in various districts through focus group meetings held with them during the year.

At the same time, the EAA also continued its efforts in promoting consumer related information and raising awareness of the EAA through collaborations with the media and other initiatives. In the year, the EAA organised press conferences, issued a number of press releases, arranged feature interviews, and contributed plenty of articles to various media columns to promote consumer related information and the EAA's work.



監管局亦推出了一個推廣專業地產代理應具備「三言兩與」特質的宣傳計劃，以及舉辦兩場分別名為「如何做個精明一手樓買家（進階版）」及「境外置業前 風險你要知」的講座，俱獲得公眾的正面回應。

籌劃未來

2018年，監管局很高興能首次擁有一個永久辦公室，而因此局方於2018年8月將大約半數的同事從現時位於合和中心的租用辦公室，搬遷至柴灣的新辦公室。

另外，為了讓考生靈活地選擇應試方法，監管局將會為在2019年中為營業員資格考試推出一項全新的電腦化考試執行計劃。在檢討考生的反應及計劃的執行情況後，局方會進一步決定該計劃未來的規模。

由於打擊洗錢及恐怖分子資金籌集是監管局和業界需要持續履行的使命，因此局方將會致力教育業界，以提升他們對洗錢及恐怖分子資金籌集風險的了解。此外，監管局亦將會加強消費者在購買香港境外物業方面的教育。

結語 — 鳴謝及監管局的承諾

這個回顧年度對監管局和業界來說都是挑戰重重。一如既往，本人十分感謝董事局，尤其是監管局主席和所有其他成員所提供的寶貴意見、指導和支持。同時，我亦感謝在年內盡心盡力、堅決和竭力工作的監管局同事。

The EAA also launched a publicity campaign to promote the “5A” qualities that a professional estate agent should possess and organised two public seminars titled “Be a Smart Purchaser of First-hand Property (Advanced)” and “Know the risks when purchasing properties situated outside Hong Kong”, both of which received a positive response from the public.

Forward planning

In 2018, the EAA was excited to acquire for the first time its own permanent office and, as a result, about half of the EAA staff were relocated from the current rented office at the Hopewell Centre to the new office in Chai Wan in August 2018.

In addition, to provide another option and flexibility for candidates, the EAA will launch a new pilot scheme of computer-based examinations for the Salespersons Qualifying Examination in mid-2019. After reviewing the response from candidates and the implementation of the pilot scheme, the EAA will further decide its scale in the future.

As the subject of Anti-Money Laundering and Counter-Terrorist Financing is a continuing mission that both the EAA and the trade have to fulfil, the EAA will strive to educate the trade and enhance their understanding of the money laundering and terrorist financing risks. In addition, the EAA will also step up consumer education on purchasing properties situated outside Hong Kong.

Closing – Acknowledgements and the EAA’s Commitment

The year in review has been challenging both for the EAA and the trade. I am, as always, grateful to the Board for their input, guidance and support, in particular, the EAA Chairman and all other Members. My gratitude also goes to the EAA’s staff, who continued to work with dedication, determination and commitment throughout the year.



最後，我謹向抽空閱讀本報告、以及陪伴監管局一起成長的閣下致以萬二分感謝。監管局將會繼續致力配合社會的變化，密切監察市場動態，以及迅速制止出現在業界的違規行為，以提昇地產代理業界的專業水平和保障消費者為己任。

韓婉萍
行政總裁

Finally, I extend my thanks to you, for taking an interest in reading my report and being a part of the EAA's development journey. The EAA will continue to strive to meet the changing needs of our community and closely monitor market changes, as well as deter any non-compliance in the trade responsively and efficiently, with a view to continuously enhancing the trade's professionalism and consumer protection in Hong Kong.

Ruby HON Yuen-ping
Chief Executive Officer



(前排) 監管局行政總裁韓婉萍女士

(後排左起) 監管局服務總監王頌恩先生、執行及專業發展總監方安妮女士以及規管及法律總監梁德麗女士

EAA Chief Executive Officer Ms Ruby Hon (front row)

EAA Director of Services Mr Ivan Wong, Director of Operations and Professional Development Ms Annie Fonda and Director of Regulatory Affairs and General Counsel Ms Juliet Leung (from left, back row)