



提升把關措施

Advances in Gatekeeping





提升把關措施 Advances in Gatekeeping



資格考試

「能力」是客戶對我們的持牌人期望的主要素質之一。因此，作為把關者，我們要確保投身地產代理行業的人士具備提供相關服務所需的知識。而獲取牌照以從事地產代理行業的其中一個先決條件，就是通過相關的資格考試。監管局目前提供兩類資格考試，分別為：(i) 地產代理資格考試及(ii) 營業員資格考試。

通過地產代理資格考試的考生可申請地產代理(個人)牌照或營業員牌照；而通過營業員資格考試的考生則僅可申請營業員牌照。

2018/19 年度的資格考試，是由香港考試及評核局代表監管局舉辦的。

Qualifying Examinations

"Ability" is one of the major qualities that clients expect from our licensees. As a gatekeeper to ensure persons entering the trade possess the required knowledge to provide estate agency services, a prerequisite for obtaining a licence to practise in the estate agency industry is to pass the relevant qualifying examination. Currently, the EAA offers two types of qualifying examinations, namely: (i) the Estate Agents Qualifying Examination ("EAQE") and (ii) the Salespersons Qualifying Examination ("SQE").

A candidate who passes the EAQE may apply for either an estate agent's licence (individual) or a salesperson's licence. A candidate who passes the SQE can apply for a salesperson's licence only.

The qualifying examinations are administered by the Hong Kong Examinations and Assessment Authority on behalf of the EAA in 2018/19.

地產代理資格考試與營業員資格考試的比較如下：

A comparison of the EAQE and SQE is as follows:

	地產代理資格考試 EAQE	營業員資格考試 SQE
次數 Frequency	每年4次 4 times a year	每年6次 6 times a year
考試時間 Examination Time	3小時 3 hours	2小時30分鐘 2 hours 30 minutes
試題數目 Number of Questions	第一部份：30條獨立試題 Part 1: 30 stand-alone questions	第一部份：40條獨立試題 Part 1: 40 stand-alone questions
	第二部份：20條試題（依據一至兩個個案分析） Part 2: 20 questions based on one or two case studies	第二部份：10條試題（依據一至兩個個案分析） Part 2: 10 questions based on one or two case studies
形式 Format	多項選擇題 Multiple-choice questions	
合格分數 Pass Mark	每部分最少需答對60% At least 60% of correct answers in each part	

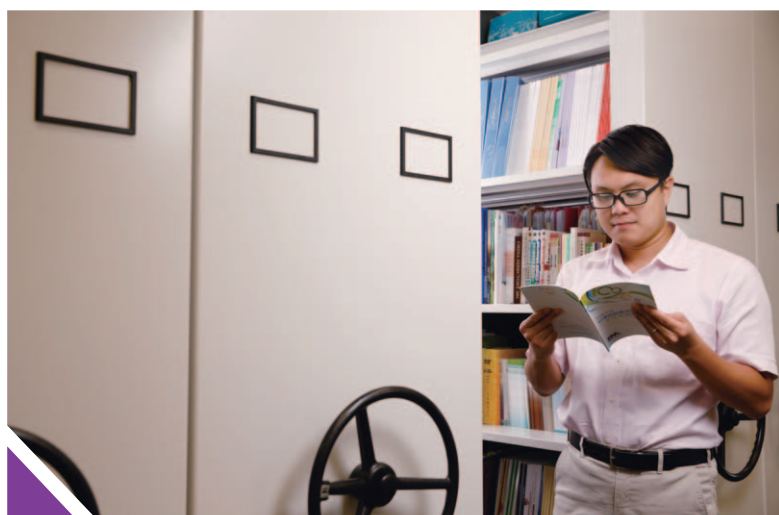


資格考試包括兩個部分，其中一部分為獨立試題，另一部分為個案分析。考生必須在兩個部分均取得合格成績，方能通過考試。

考試的第一部分測試考生對地產代理資格考試及營業員資格考試內容綱要中各個範疇的認識，包括適用於地產代理業務的法律和常規；第二部分則測試考生將知識應用於實際情景的能力。

The qualifying examinations comprise two parts – one consisting of stand-alone questions and the other of questions on case studies. Candidates must pass both parts in order to pass the examination.

Part 1 of the examination is intended to test candidates' knowledge of various parts of the syllabi of the EAQE and SQE, including the laws and practices applicable to the estate agency practice, while Part 2 is intended to test candidates' ability to apply the knowledge to practical scenarios.



監管局舉辦資格考試以評估有關人士是否具備提供地產代理服務所需的知識。

Qualifying examinations are organised to assess whether persons possess the requisite knowledge to provide estate agency services.

考生人數

在2018/19年度，報考地產代理資格考試的人數為6,131人，報考營業員資格考試的人數則為7,648人，兩者分別較去年上升約8.2%及下跌約4.8%。

與2017/18年度相比，實際應考地產代理資格考試的人數上升約7.4%至5,479人，而應考營業員資格考試的人數則減少約4.4%至6,764人。

在2018/19年度，地產代理資格考試及營業員資格考試的平均合格率分別為23.8%及29.5%，而2017/18年度兩個考試的合格率則為27.8%及36.8%。

Number of candidates

A total of 6,131 candidates registered for the EAQE and 7,648 candidates registered for the SQE in 2018/19, representing an increase of about 8.2% and a decrease of about 4.8% respectively over those of the previous year.

Compared to that in 2017/18, the number of candidates actually sitting the EAQE increased by about 7.4% to 5,479 and in the case of the SQE it decreased by about 4.4% to 6,764.

In 2018/19, the average pass rate for the EAQE and SQE were 23.8% and 29.5% respectively, as against 27.8% and 36.8% respectively in 2017/18.



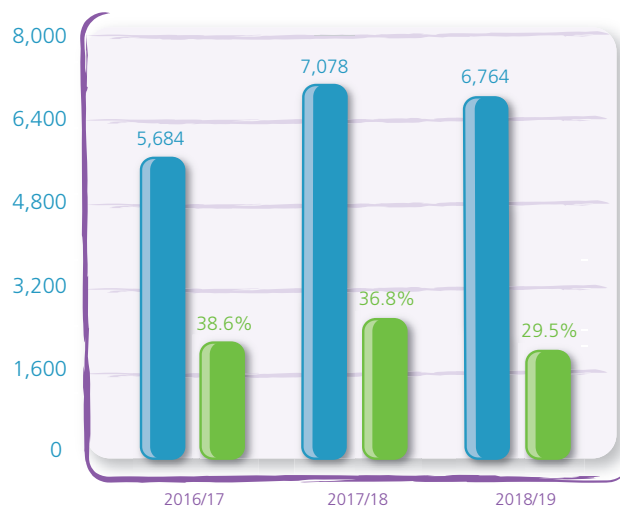
地產代理資格考試

Estate Agents Qualifying Examination



營業員資格考試

Salespersons Qualifying Examination



● 考生人數
Number of examination candidates

● 合格率
Pass rate

考生學歷

在2018/19年度，應考營業員資格考試的考生中，具備大專或以上學歷的比率約有33%，至於地產代理資格考試，具備大專或以上學歷的考生比率則約為48%，而2017/18年度的比率則分別為30%及47%。一般來說，學歷較高的考生所考取的成績比學歷較低的考生為高。

Educational background of candidates

In 2018/19, the percentage of candidates sitting for the SQE who have attained tertiary or above educational level was about 33%, and that for the EAQE was about 48%, as compared to 30% and 47% respectively in 2017/18. Generally, candidates with higher educational qualifications scored higher marks than those candidates with lower educational qualifications.



	學歷 Education Level	2016/17		2017/18		2018/19	
		應考考生 比率 % of registered candidates	合格率 Pass rate	應考考生 比率 % of registered candidates	合格率 Pass rate	應考考生 比率 % of registered candidates	合格率 Pass rate
地產代理 資格考試 EAQE	中五 F.5	27.7%	28.6%	26.7%	22.9%	27.5%	18.5%
	中六或中七 F.6 or F.7	7.7%	34.0%	8.1%	24.5%	8.0%	19.0%
	大專或以上 Tertiary or above	46.7%	44.5%	46.8%	31.2%	47.5%	26.9%
	資料不詳 Unknown	17.9%	37.5%	18.4%	28.0%	17.0%	25.9%
營業員 資格考試 SQE	中五 F.5	37.7%	33.9%	36.8%	32.2%	35.6%	25.5%
	中六或中七 F.6 or F.7	17.3%	33.5%	16.1%	31.3%	15.8%	24.0%
	大專或以上 Tertiary or above	29.3%	55.7%	30.4%	45.3%	33.1%	36.2%
	資料不詳 Unknown	15.7%	39.4%	16.7%	37.4%	15.5%	29.9%

考生的職業背景

報考資格考試的考生當中不乏學生及來自各行各業的人士，包括零售及批發、物業管理、銀行、會計及投資。首次參加資格考試的人士約有 46%。

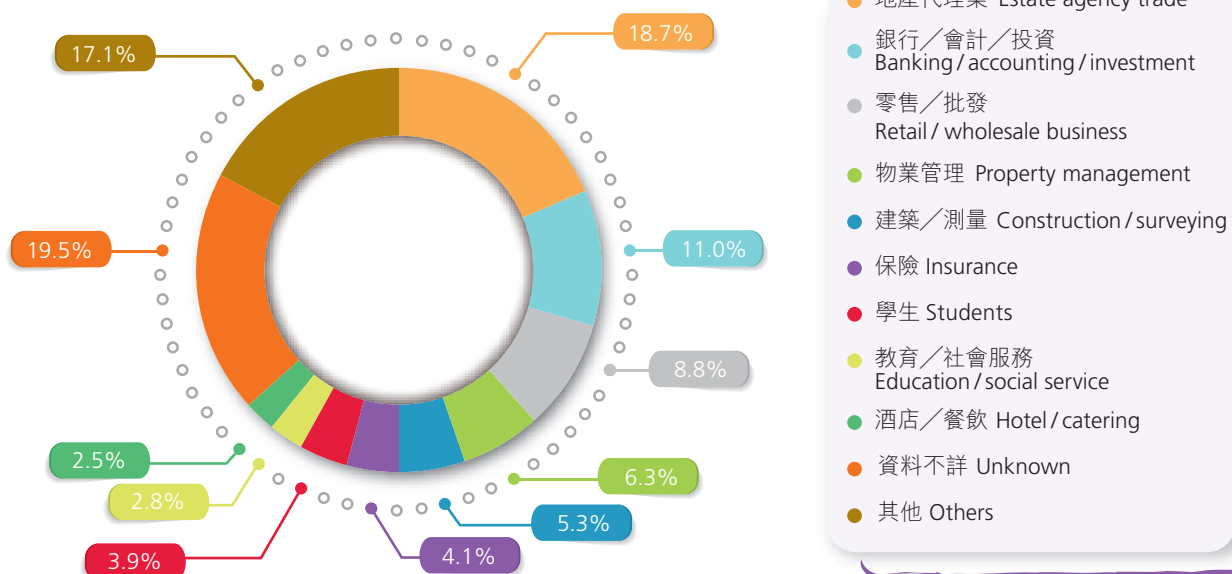
Occupational background of candidates

Candidates registered for the qualifying examinations included students and people from a wide range of occupational backgrounds, including the retail and wholesale business, property management, banking, accounting, and investment. About 46% of the candidates attempted the examination for the first time.



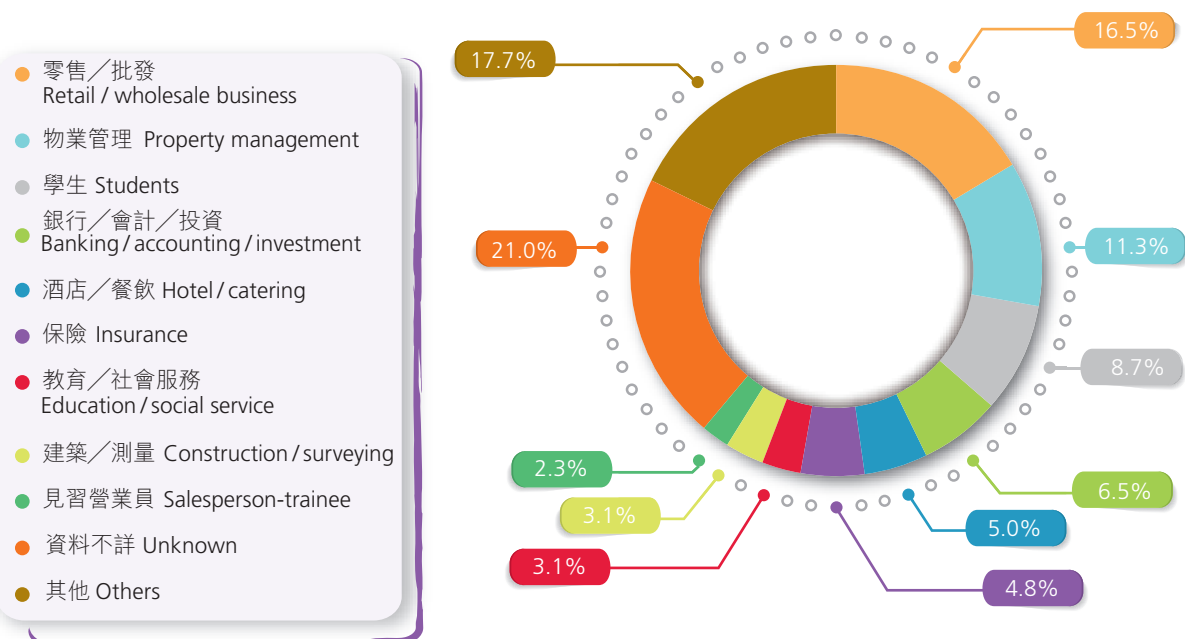
地產代理資格考試

Estate Agents Qualifying Examination



營業員資格考試

Salespersons Qualifying Examination



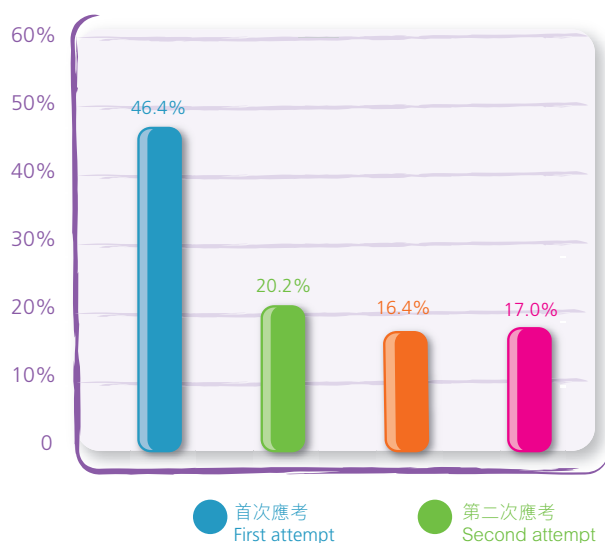


考生參加考試的次數

Number of attempts at examinations

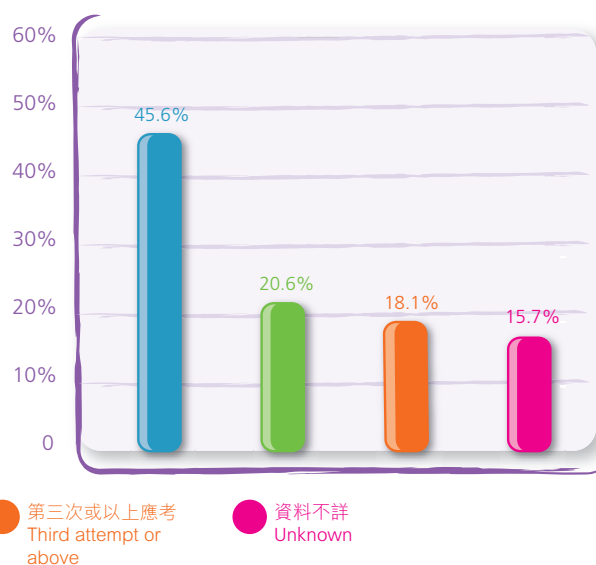
地產代理資格考試

Estate Agents Qualifying Examination



營業員資格考試

Salespersons Qualifying Examination



轉換服務供應商及電腦化考試的準備事宜

經過正式的採購程序，職業訓練局高峰進修學院由2019年4月開始，獲監管局委任為舉辦資格考試的服務供應商。

從2019年3月開始，考生可以在網上報考資格考試。推行電腦化的營業員資格考試的工作正在籌備中，而監管局已決定於2019年7月推行電腦化考試試行計劃。根據該計劃，每月將舉行一次電腦化的營業員資格考試。

Change of service provider and preparing for computer-based examinations

After a formal procurement exercise, The Institute of Professional Education And Knowledge of the Vocational Training Council was appointed as the service provider for administering the qualifying examinations effective from April 2019.

Starting from March 2019, candidates could register online for the qualifying examinations. The preparation work for implementation of the computer-based examination ("CBE") for the SQE is underway and the EAA has decided to launch a pilot scheme of the CBE in July 2019. Under the pilot scheme, there will be one CBE for the SQE each month.



發牌

發牌制度

除《地產代理條例》及其附屬法例規定的某些例外情況外，任何在業務過程中於香港從事地產代理工作的個人或公司，必須持有有效的牌照，否則會觸犯法例。

牌照分為兩種，分別為營業員牌照及地產代理牌照。營業員牌照僅會批予個人；而地產代理牌照則可批予個人或公司。

持有營業員牌照的個人只可為持牌地產代理從事地產代理工作，而持有地產代理牌照的個人則可為持牌地產代理從事地產代理工作或以獨資經營者、合夥經營的合夥人或持有地產代理牌照的公司董事身份從事地產代理工作。他亦可被委任為地產代理轄下某一營業地點的經理¹，負責有效及獨立控制其業務。

地產代理在某地點以特定營業名稱經營地產代理業務前，必須向監管局申請批給營業詳情說明書。

任何個人必須符合以下要求，方可獲發地產代理牌照或營業員牌照：

- 年滿18歲；
- 完成中學五年級或同等程度的教育；
- 在有關的資格考試中考獲合格成績²；及
- 被監管局認為是持牌的「適當人選」。

¹ 《地產代理條例》第38條規定，地產代理轄下的每個營業地點，須由一名經理有效和獨立的控制，而該名經理必須為地產代理(個人)牌照的持有人。

² 申請人必須於提交牌照申請當日起計的前12個月內在資格考試中考獲合格成績。

Licensing

Licensing Regime

Subject to certain exceptions as stipulated in the Estate Agents Ordinance ("EAO") and its subsidiary legislation, any person or company practising estate agency work in the course of business in Hong Kong must hold a valid licence. Failure to do so is an offence.

There are two types of licences, namely, salesperson's licence and estate agent's licence. A salesperson's licence may only be granted to an individual while an estate agent's licence may be granted either to an individual or a company.

An individual holding a salesperson's licence may only perform estate agency work for a licensed estate agent, whereas an estate agent's licence holder may perform estate agency work either for a licensed estate agent or in his capacity as a sole proprietor, a partner of a partnership, or a director of a company holding an estate agent's licence. He may also be appointed as a manager of an office of an estate agency business responsible for its effective and separate control¹.

Before operating an estate agency business at a particular place of business using a particular business name, an estate agent is required to apply for a statement of particulars of business ("SPOB").

To be granted an estate agent's licence or a salesperson's licence, an individual must fulfill the following requirements:

- having attained the age of 18 years;
- having completed an educational level of Form Five of secondary education or its equivalent;
- having passed the relevant qualifying examination²; and
- having been considered by the EAA a "fit and proper" person.

¹ Section 38 of the EAO requires each office of an estate agency business to under the effective and separate control of a manager who must be a holder of an estate agent's licence (individual).

² The qualifying examination must have been passed within 12 months immediately before the date of an application for the grant of a licence.



發牌的相關政策

監管局就學歷、刑事定罪及破產事宜制定了相關的政策，以決定牌照申請人是否符合有關的發牌條件，並不時檢討該等政策。

於2018/19年度，為加強監管局在監察地產代理於一手樓盤銷售點的紀律和執業方面的有效性，監管局修訂了持牌人在進行地產代理工作時干犯任何涉及暴力行為而被定罪的有關刑事定罪政策。在新政策下，涉及此類案件的持牌人，其被撤銷牌照及不獲發牌的年期將由三年延長至五年。此五年禁制期亦適用於從事一手物業推廣活動時干犯任何涉及暴力行為而被定罪的非持有有效牌照人士。

除上述修訂外，新的五年政策亦延申至任何在進行地產代理工作時干犯性罪行或涉及猥褻行為而被定罪的個案（不論法庭所判處的刑罰為何），因此等罪行將會對客戶的人身安全或心理健康構成嚴重影響。新政策於2018年12月1日起實施。

Licensing Policies

In determining whether a licence applicant has fulfilled the licensing requirements, the EAA has formulated policies on education, conviction of criminal offences and bankruptcy. These policies will be reviewed from time to time.

In 2018/19, with a view to enhancing the effectiveness in monitoring the discipline and practice of estate agents at first-sale sites, the EAA revised its criminal conviction policy for cases in which licensees have been convicted of any offence involving violence when conducting estate agency work. Under the new policy, the period for which the licence of such cases will be revoked and not being granted a new one has been extended from three years to five years. Such five-year ban is also applicable to individuals, not being a holder of a valid licence, committing any offence involving violence in the course of engaging in promotional activities relating to the sale of first-hand properties.

In addition to the above changes, the new five-year ban also extends to cases involving sexual offences and offences of indecent conduct committed at the time the offender was carrying out estate agency work, irrespective of the sentence meted out by the court, as these offences would have a severe impact on the personal safety or psychological well-being of a client. The new policy took effect on 1 December 2018.



本年度，監管局共批出2,787個新申領的個人牌照，較上年度減少17.5%。

During the year, 2,787 new individual licences were granted, a decrease of 17.5% compared to that of the last year.



發牌數字

年內，個人牌照的總數持續上升。截至2019年3月31日，個人牌照的總數為39,862個，較去年同期上升3.0%。在39,862名個人牌照的持牌人中，21,601人持有營業員牌照，18,261人持有地產代理（個人）牌照。

公司牌照及營業詳情說明書的數目亦創新高，分別達3,804個及7,078個，較2018年3月31日分別上升5%及3.3%。

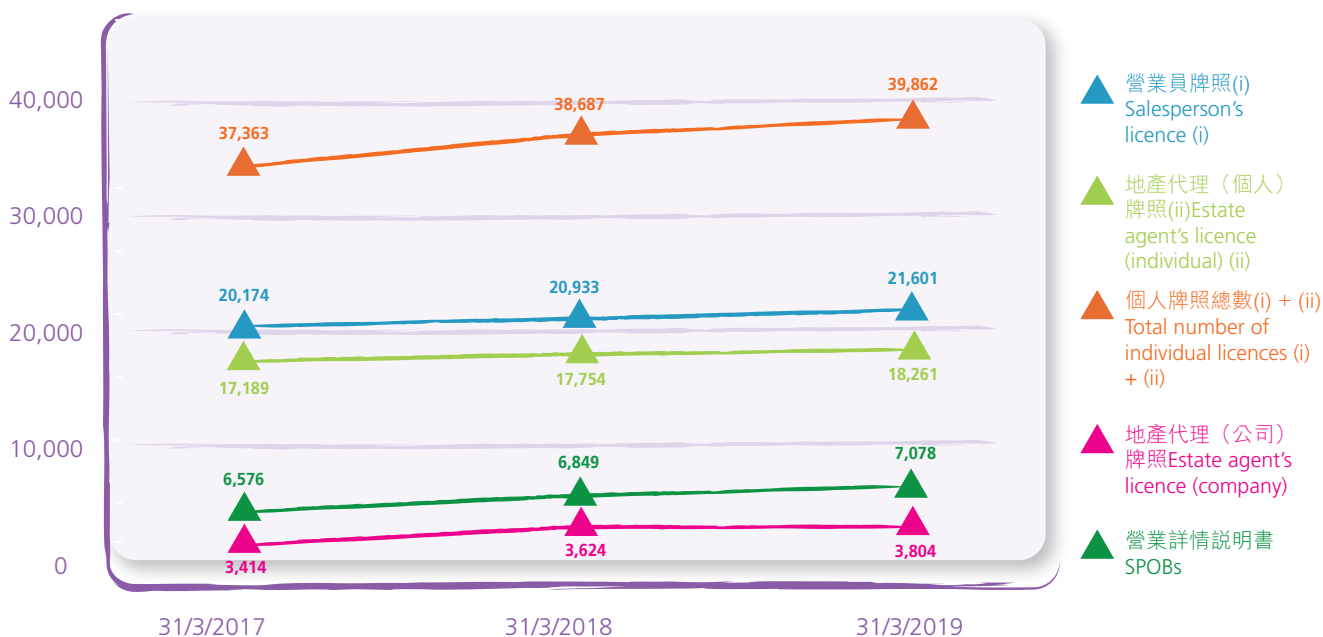
在2018/19年度，監管局共批出2,787個新申領的個人牌照，較上年度減少17.5%。

網上牌照續期申請

已於監管局網站註冊電子服務帳戶的個人持牌人，可於網上遞交續牌申請。年內，監管局收到28,711份個人持牌人的續牌申請，其中有29.0%（即8,339份續牌申請）經網上遞交。

過往三年牌照及營業詳情說明書數目

Number of Licences and SPOBs in the Past Three Years



Licensing Figures

The total number of individual licences continued to increase in the year of 2018/19. As at 31 March 2019, there were 39,862 individual licences, representing an increase of 3.0% over that of the previous year. Among these licences, 21,601 were salesperson's licences and 18,261 were estate agent's licences (individual).

The number of company licences and SPOBs also reached new heights, respectively at 3,804 and 7,078, representing an increase of 5% and 3.3% over those of 31 March 2018.

In 2018/19, 2,787 new individual licences were granted, a decrease of 17.5% compared to that of the last year.

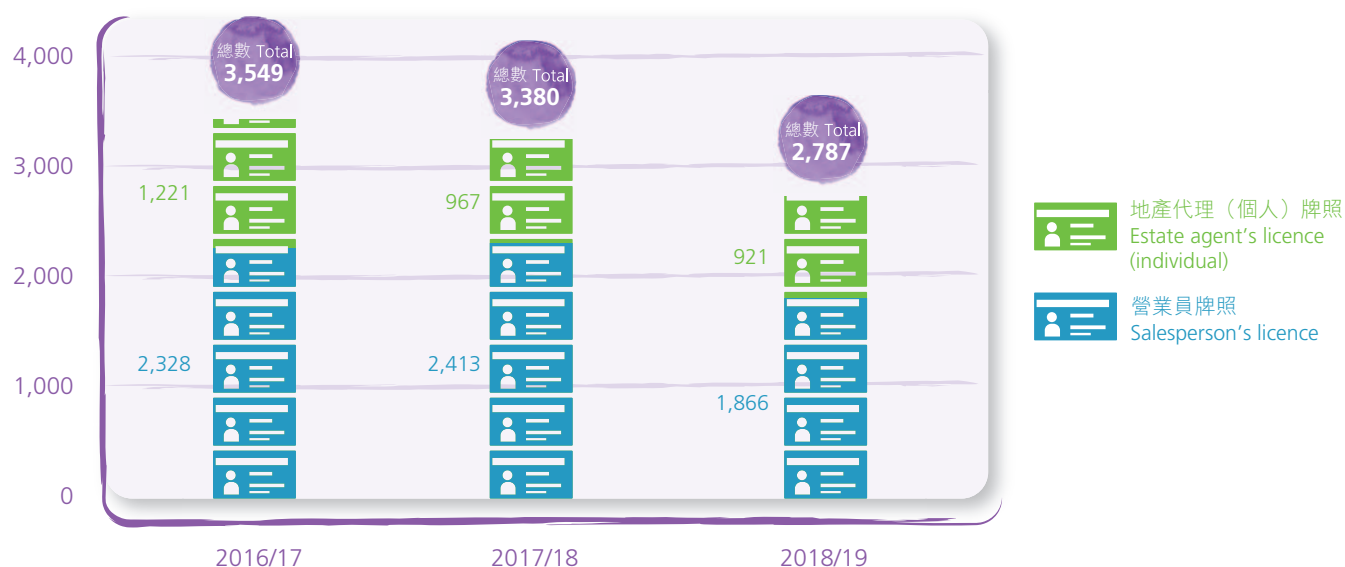
Online Renewal of Licence Application

Individual licensees who have registered an e-Service account at the EAA's website may submit their licence renewal applications online. During the year, among the 28,711 renewal applications received from individual licensees, 29.0% (i.e. 8,339 renewal applications) were submitted online.



過往三年新批出的個人牌照數目

New Licences (Individual) Granted in the Past Three Years

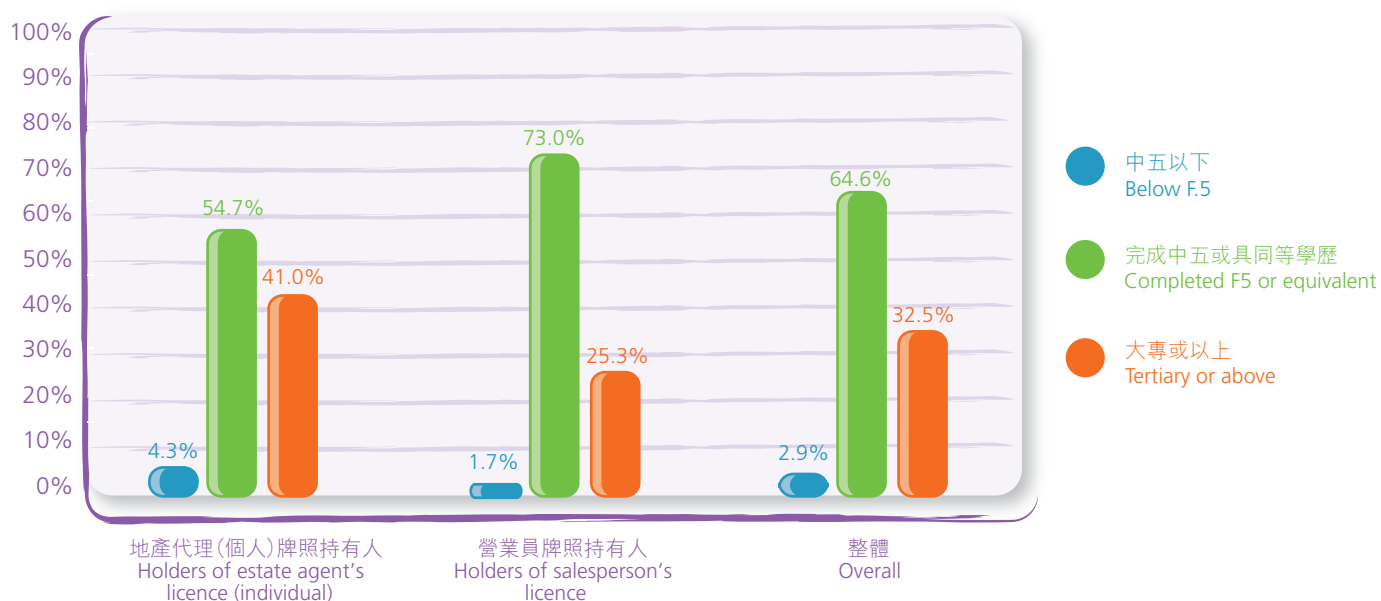


個人持牌人的背景

Background of Individual Licensees

持牌人的學歷水平（截至2019年3月31日）

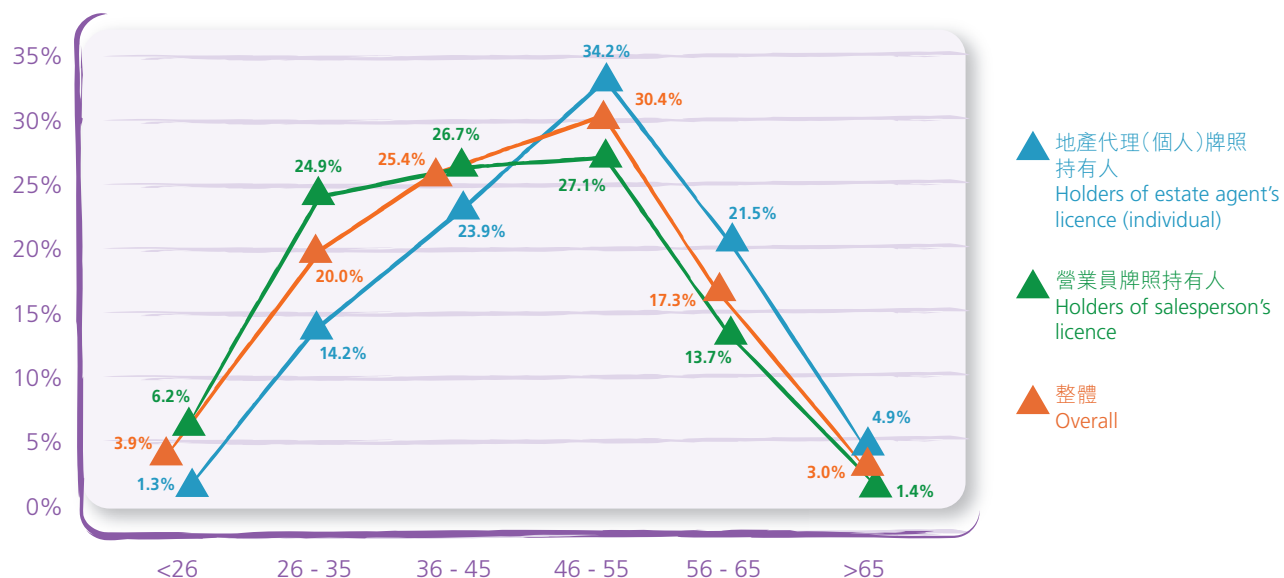
Educational Level of Licensees (as at 31/3/2019)





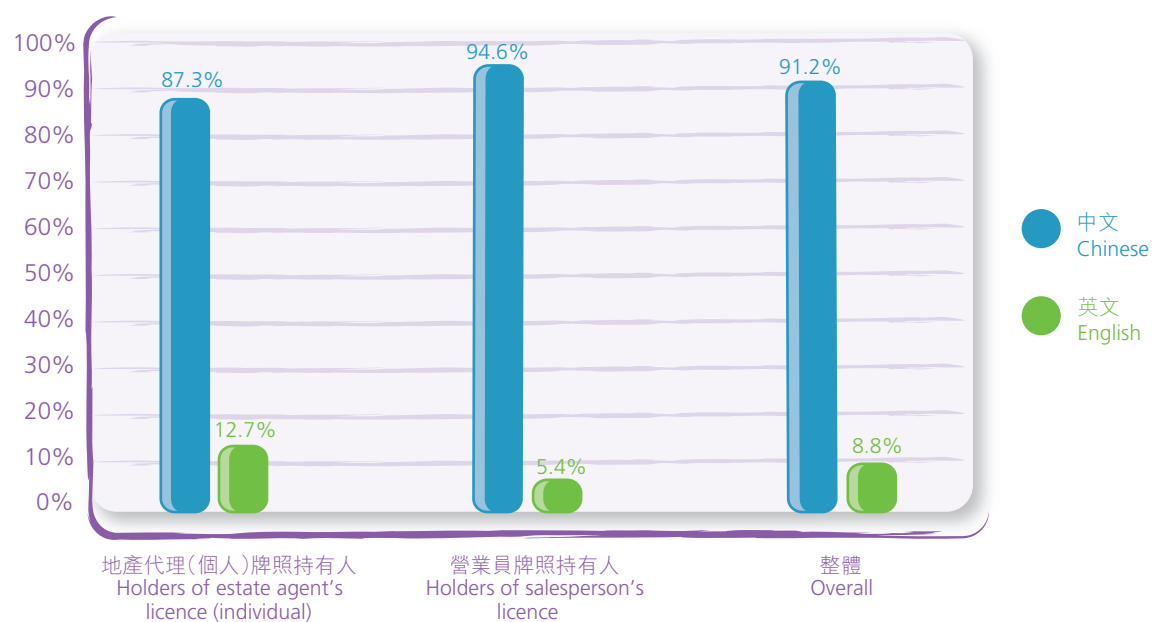
持牌人的年齡 (截至 2019 年 3 月 31 日)

Age of Licensees (as at 31/3/2019)



持牌人所選擇的通訊語言 (截至 2019 年 3 月 31 日)

Licensees' Choice of Language in Communication (as at 31/3/2019)





地產代理業務的經營概況

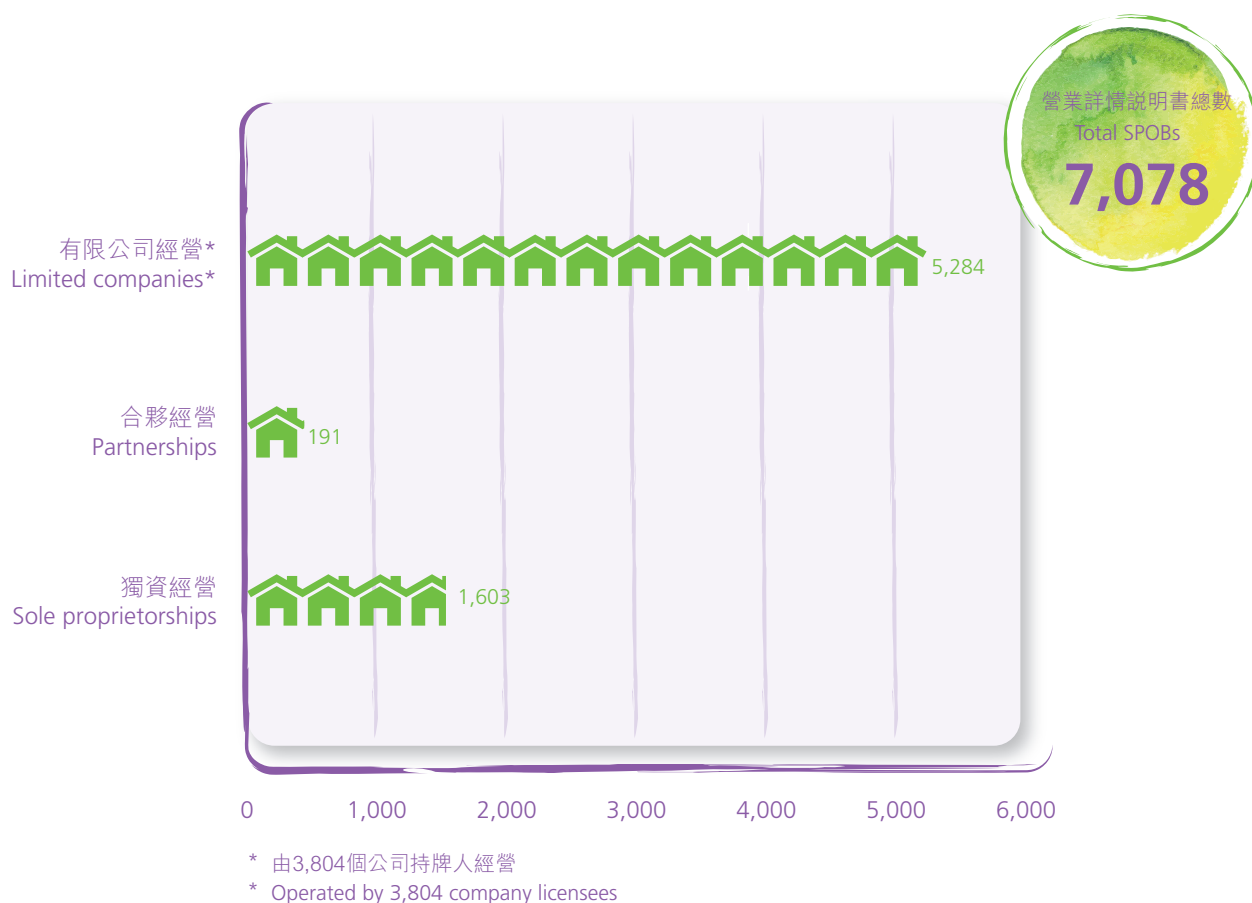
一如以往，2018/19年度大多數地產代理屬於小規模的經營者。截至2019年3月31日，95.1%的經營者只開設一間店舖，而同時經營五間店舖或以上的只佔少於1%。

Operations of Estate Agency Business

As usual, most of the estate agencies operated in 2018/19 were small scale operators. As at 31 March 2019, 95.1% of agency operators operated as a single shop and less than 1% had five or more shops.

代理業務的經營模式（截至2019年3月31日）

Mode of Operation of Estate Agency Businesses (as at 31/3/2019)





代理業務的規模 (截至 2019 年 3 月 31 日)

Size of Operation of Estate Agency Businesses (as at 31/3/2019)

經營者 Operator	店舖數目 * Number of shops*	1	2	3	4	5-10	11-20	21-30	>30
有限公司經營 Limited companies		3,583	140	38	16	19	2	2	4
合夥經營 Partnerships		178	3	1	1	0	0	0	0
獨資經營 Sole proprietorships		1,497	41	4	0	2	0	0	0
小計 Sub-total		5,258	184	43	17	21	2	2	4

* 即營業詳情說明書

* i.e. SPOBs

不符合發牌條件

牌照申請人必須符合若干的發牌條件方可獲發牌照。倘若牌照申請人未能符合任何發牌條件，監管局將會拒絕其牌照申請。在2018/19年度，監管局共拒絕了114宗牌照申請，原因包括申請人未能符合有關的學歷要求，或不被視為獲批給、持有或繼續持有牌照的「適當人選」（例如破產或因刑事罪行被定罪）。

即使已獲發牌照，倘若持牌人不再符合繼續持有牌照的資格，其牌照亦可能被撤銷。年內，監管局牌照委員會因有關持牌人不再符合發牌條件而撤銷了共34個牌照。

Failure to Meet the Licensing Requirements

A licence applicant must have fulfilled certain requirements in order to be granted a licence. If a licence applicant fails to meet any of the licensing requirements, his/her licence application will be refused. In 2018/19, a total of 114 applications were refused for different reasons, such as applicants were considered not having the required educational qualifications or not being considered “fit and proper” persons to be granted a licence (e.g. bankruptcy or conviction of criminal offence).

Even if a licence has been granted, a licensee’s licence may be revoked if he/she is no longer eligible to continue to hold a licence. During the year, a total of 34 licences were revoked by the Licensing Committee as the relevant licensees no longer met the licensing requirements.

牌照委員會向持牌人採取的行動

Actions Taken Against Licensees by the Licensing Committee

行動類別 Types of Actions	2016/17	2017/18	2018/19
在牌照上附加條件 Attachment of conditions to licence	104	97	56
暫時吊銷牌照 Suspension of licence	1	1	0
撤銷牌照 Revocation of licence	29	30	34



內地與香港地產代理專業資格互認計劃

為推動內地與香港地產代理從業員的專業交流及促進兩地業界的長遠發展，監管局及中國房地產估價師與房地產經紀人學會（「中房學」）於2010年11月3日簽訂了一份為期五年的協議，以推行內地與香港地產代理專業資格互認計劃。雙方於2017年簽訂有關計劃的續約協議，續期五年。

根據協議，在五年的協議期內，雙方分別推薦特定數額的合資格地產代理，參加由對方專門開設的培訓課程及考試。完成上述課程並順利通過考試後，獲推薦人士可申請中房學註冊證書或監管局牌照。

第二期培訓課程及考試已於2017年12月在珠海舉行，分別有138名香港和28名內地從業員參與。全部166名參加者均通過考試，合資格於2018年申請對方的專業資格。在這166名參與者當中，有126名香港和26名內地從業員提出申請並獲授予在該計劃下對方的專業資格。

截至2019年3月31日，249名香港地產代理經互認計劃持有由中房學批出的登記證書；持有由監管局發出的牌照的內地地產代理則有32名。

監管局將就下一期培訓課程及考試的安排繼續與中房學聯繫。

Scheme on Mutual Recognition of Professional Qualifications of Estate Agents in the Mainland and Hong Kong

With a view to boosting professional exchanges between estate agency practitioners in the Mainland and Hong Kong and the long-term development of the trade of both sides, the EAA and the China Institute of Real Estate Appraisers and Agents ("CIREA") signed a five-year agreement on 3 November 2010 to launch a mutual recognition scheme for estate agents in the Mainland and Hong Kong. The agreement was renewed for another five years in 2017.

Under the provisions of the agreement, both sides will each nominate a certain number of qualified estate agents to participate in a specially-designed training course and examination organised by the other party within the five-year agreement period. Upon completion of the said course and successfully passing the examination, the nominees could apply for the CIREA registration certificate or the EAA licence.

The second training course and examination of the scheme were held in December 2017 in Zhuhai with 138 attendees from Hong Kong and 28 from the Mainland respectively. All 166 participants passed the examination and were eligible to apply for the qualification of the other party in 2018. Among these 166 participants, 126 Hong Kong and 26 Mainland attendees applied for and were granted the qualification of the other party under the scheme.

As at 31 March 2019, 249 Hong Kong estate agents held a registration certificate issued by the CIREA and 32 Mainland estate agents held an estate agent's licence issued by the EAA under the scheme.

The EAA will continue to liaise with the CIREA for the arrangement of the next round of nomination.