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主席的話

Chairman's Message



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2019/20財政年度是本人出任地產代理監管局(「監管局」)主席的第六個年頭。對香港的經濟環境來說，這個年度可能是近幾十年來最具挑戰性的一年。即使境況艱難，地產代理業界仍然繼續積極以專業和熱誠的態度服務大眾。

持牌人水平

發牌制度在1999年生效。起初，所有執業地產代理均無需通過任何考試，即可在三年過渡期內繼續執業。其時，他們的專業知識、對當時全新的《地產代理條例》的了解，以及其職業操守均受到質疑。到了今天，我樂見超過98%持牌人都通過了嚴格的牌照考試以獲得牌照，並有超過33%具有學位資格。此外，為了進一步提升他們的專業知識，監管局於2005年為持牌人引入了自願性質的「持續專業進修計劃」。截至2020年3月，計劃已累積了大約980,000學分，約有41,400名持牌人透過這個計劃報讀不同的課程。

處理投訴

監管局的紀律委員會曾因為要處理大量投訴而面對沉重壓力。六年前，監管局實施了「預防勝於治療」的策略積極處理投訴。與其投放大量資源以研訊來解決投訴，監管局透過發布包含常見問答的執業通告，以教育持牌人應注意及避免的事項，以免成為投訴對象。這個預防投訴策略，加上整體持牌人的知識水平提升，帶來成效顯著，也是投訴數字持續下降的其中一個主因。監管局在2019/20年度接獲268宗投訴，是監管局成立23年歷史以來最少。

The fiscal year 2019/20 is my 6th year of chairmanship at the Estate Agents Authority (“EAA”). It is also probably the most challenging year for the economy of Hong Kong in recent decades. Notwithstanding the difficult environment, the trade continues to practise with professionalism and serve the community with enthusiasm.

Licensee standards

The introduction of the licensing regime came into force in 1999. In the beginning all practising estate agents were offered conditional licences and were exempt from having to pass any examinations for a three-year transitional period. At that time licensees' professional knowledge, their understanding of the then new Estate Agents Ordinance, and their business ethics were all called into question. Looking at the situation today, I am pleased to see more than 98% of our licensees have passed the rigorous licencing examinations and more than 33% now have academic qualifications at degree level. In addition, to further improve their professional knowledge the EAA introduced the voluntary Continuing Professional Development Scheme for licensees in 2005 and up to the end of March 2020 around 980,000 points have been earned and some 41,400 licensees have attended courses under this programme.

Complaint handling

Having to deal with a high number of complaints used to be a serious headache for the Authority's Disciplinary Committee. Six years ago, the EAA implemented the “prevention is better than cure” strategy to deal with complaints proactively. Instead of investing a lot of resources to bring the complaints to hearings, the EAA issued practice circulars with frequently asked questions and answers to educate the licensees on what to pay attention to and what to avoid in order not to become the subject of a complaint. This complaint prevention approach together with the generally improved knowledge level of the licensees is proven effective and is one of the main reasons for the continuous reduction of complaints. The number of complaints the EAA received is 268 in 2019/20, which is the record low in the twenty three years' history of the EAA.



一手住宅物業銷售問題 — 秩序與回贈

一手住宅物業於過去三、四年銷情暢旺，為監管局帶來了兩大挑戰。發展商透過提供高額佣金推動銷情熾熱，令持牌人在銷售處不守秩序，造成業界聲譽受損，有時更引發持牌人之間的肢體衝突。另一個同樣需要正視的問題，是持牌人與物業買家之間的糾紛，當中包括買家投訴持牌人經常未能兌現其回贈承諾。

為處理秩序問題，監管局引入一系列措施：每隊在物業銷售處工作的持牌人，必須由擁有10年經驗、且有最少五年擔任管理職位經驗的地產代理帶領，而這名地產代理更必須保存一份每天於該地點工作的持牌人名單。對外方面，監管局成功獲取35間發展商的支持，並同意對那些不守秩序的代理作出懲治。

在回贈問題上，監管局一方面教導公眾妥善地記錄地產代理所提供的回贈承諾，另一方面加強對違規者的懲罰。

First-hand property issues — order and rebate

The red-hot sales of first hand properties in the past three to four years created two problems for the Authority. Motivated by the high commission offered by the developers, the licensees failed to behave orderly at the sales sites. Some of those failures developed into fist fights among licensees which brought disrepute to the trade. Another problem which was of equal magnitude was the dispute between the licensees and the property buyers who complained that the licensees always failed to honour their rebate promises.

To deal with the order issue, the EAA introduced a series of measures. Each team of licensees working at sales sites must be led by a responsible estate agent of 10 years' standing with at least five years in a managerial role and who must keep a daily list of licensees working at the site he is responsible for. Externally, the EAA successfully obtained the support of 35 developers who agreed to sanction those teams who performed badly on the order issue.

On the rebate issue, the EAA on the one hand educated the public to document properly the rebate offer and on the other hand heightened the penalties on offenders.



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業界對財務行動特別組織評核 香港打擊清洗黑錢及恐怖分子 資金籌集的制度的貢獻

香港成為亞太地區中首個獲財務行動特別組織評估達到整體合規的司法管轄區。這項評估牽涉到香港所有金融專業及指定的非金融行業及專業界別，而地產代理業正是其中之一。透過由監管局安排的練習和培訓，業界代表發揮了出色的表現，為香港整個團隊順利通過評核出一分力。

購置辦公室和控制成本

在監管局各項開支項目中，租金和員工成本是兩大主要開支。假如局方管理不善，持牌人人數的持續增加將會導致同時間員工數目增加和辦公室規模擴大。

2018年，監管局動用了過去20年所累積的財政儲備，於柴灣購置了一間由局方全資擁有的辦公室。雖然新辦公室只能容納整體員工的40%，但仍然能有效抵銷40%的租金升幅。假如沒有這個對沖，監管局每年便要承擔100%的租金升幅了。

為了應付員工成本上升，局方增加了網上一站式服務，一方面減慢員工人數的增長，另一方面亦能夠在疫情期間減少人與人之間的接觸。2019年，監管局首次試行電腦化營業員資格考試，亦獲得一些為客戶提供遙距服務的經驗。這些經驗對於監管局重新設計未來的客戶體驗模式帶來極大裨益。

The Trades' contribution to the Financial Action Task Force ("FATF")'s evaluation on the Anti-Money Laundering/Counter-Terrorist Financing regime in Hong Kong

Hong Kong became the first jurisdiction in the Asia-Pacific region to have achieved an overall compliant result of the FATF evaluation. The evaluation involved all the financial professions in Hong Kong as well as the designated non-financial businesses and professions, and the estate agency sector was included as one of the professions under scrutiny. Through the drills and trainings organised by the EAA, the trade representatives put up an impressive performance, which contributed to the passing of the evaluation and enabled Hong Kong to qualify as a whole team.

Office purchase and cost control

Among all the expense items of the EAA, rental payment and staff cost are the two largest items. The continuous growth in the number of licensees will result in expansions of staff size and the office premises in tandem if not managed properly.

In 2018, the EAA made use of its reserve that had been accumulated over the past 20 years to purchase a self-owned office in Chai Wan. Although the new office was only able to accommodate 40% of the staff force, it was still considered a meaningful hedge for 40% of the rental increase. Without the hedge, the EAA would have to bear 100% of the rental increase which will virtually happen every year.

To deal with the growth in staff cost, the increased deployment of the internet to promote straight through service is not only a way to slow down growth of staff force but also a way to reduce human interactions, which is the preferred mode of operation during the pandemic. In 2019, the EAA pioneered the computer-based salespersons qualifying examination, and acquired some degree of experience in handling customer service on a remote basis. These experiences would certainly be very helpful in re-designing the EAA's future customer experience model.

疫情支援措施

2020年，持牌人的收入因社會運動和新型冠狀病毒疫情而受到嚴重影響。為了舒緩持牌人的困境，監管局迅速決定從預留購買辦公室的財政儲備中，撥出大約2,100萬元以向所有合資格的個人持牌人每人發放500元專業發展資助。局方亦與政府緊密合作，將緩解津貼發放予所有合資格的個人持牌人。預計在2020年8月底前，每名合資格的持牌人都會收到由政府發放、相等於兩年牌照費用的現金津貼。

在公眾眼中維持正面形象

一直以來，監管局都非常重視提升地產代理業界的專業水平。年內，局方將這個重點付諸行動。較早前，局方推出了一項「5A」地產代理宣傳計劃，以教育和鼓勵業界達到「三言兩與」的優良特質，當中包括「言出必行」、「言之有物」、「言而有信」、「與時並進」和「與客同行」。

Pandemic reliefs

In 2020, the licensee's income was badly affected by the social movement and the pandemic. As a token of the EAA's contribution to ease off licensee's difficult position, the EAA made a quick decision to spare some \$21 million out of its office purchase reserve to distribute to all eligible individual licensees a professional development subsidy of \$500 each. The EAA is also working tightly with the Government to disburse the relief payments to all eligible individual licensees. Each of the eligible licensees is expected to have received a cash subsidy that equals two-year licence fees before the end of August 2020 from the Government.

Staying positive in the public's eyes

The EAA has always attached great importance to enhancing the professionalism of the trade. This year, the EAA put the emphasis into action. A "5A Agent" publicity campaign was launched earlier in the year to educate and encourage the trade to obtain the "5A" qualities, namely "Adherence", "Ability", "Accountability", "Advancement" and "Affinity".





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為了回饋社會，監管局推出首個企業社會責任活動。今年較早前，本人與超過一百位來自業界的義工，以及監管局同事一起參與清潔大嶼山水口海岸的活動。為延續這份貢獻社會的精神，監管局推出了「區區有『理』— 社區服務建議比賽」，從而鼓勵地產代理更努力地服務自己的社區。這個比賽旨在鼓勵地產代理在他們所服務的社區中，了解當中不同的需要，並提出各種社區服務以滿足這些需求。

寄語

回顧本人在監管局多年來的種種經歷，發現地產代理的薪酬結構、工作壓力和管理層的管理風格等，很大程度上會塑造了持牌人所展現的行為，有時更會導致他們工作時走捷徑及進入灰色地帶。本人促請業界構思新方法以管理旗下的地產代理。假如能改善有關體制以鼓勵地產代理要有的良好表現，本人肯定業界的形象、專業水平和持牌人應得的信任將能夠顯著提升。在這方面，業界領袖應展示他們擁有改善現狀的能力，為行業的聲譽和誠信作出貢獻。

結語

在此，本人必須感謝多年來與監管局並肩同行的各方。我衷心多謝每一位盡心盡力、提供真知灼見的董事局成員。

此外，本人亦希望向由行政總裁韓婉萍女士所帶領的出色行政團隊致謝，他們的表現令我能夠心無旁騖地工作。沒有這些努力不懈的員工，監管局的工作實在難以完成。本人希望藉此機會向監管局行政部門的所有同事，致以最真摯的感謝。

另外，我亦必須多謝監管局的所有持份者多年來一直給予的支持，當中包括發展商、地產代理業界成員和政府。

In a bid to contribute to society, the EAA initiated its first Corporate Social Responsibility activity. Earlier in the year, I joined with more than a hundred volunteers from the trade together with EAA colleagues to clean up the shoreline of Shui Hau on Lantau Island. To keep the momentum going, the EAA launched the Estate Agents Community Service Proposal Competition with a view to encouraging estate agents to serve their communities better. The competition aims to encourage estate agents to identify the needs of the communities they are working in and to propose community services to address such needs.

A piece of advice

Looking back over the past years of my affiliation with the EAA, I have noticed that the compensation structure, the work pressure, and the supervisors' management style, etc. of estate agencies' management do significantly shape the behaviours of the licensees, sometimes causing them to cut corners and to step into the grey areas. I urge the trade to innovate new ways to manage their sales agents. If the system can be improved to encourage positive behaviours, I am sure that the image, the professionalism and trust the licensees could deserve would be greatly improved. It is an area where leaders in the trade should demonstrate their abilities to make positive changes for the reputation and integrity of the trade.

Closing

I cannot end this message without thanking the parties who have walked these years with me in the EAA. My heartfelt gratitude must go to each of the fellow Board Members for their tireless commitment and knowledgeable insight.

I would also like to say how assured and delighted I am to have an outstanding administration team led by our CEO, Ms Ruby Hon. The EAA's work could not have been accomplished without our dedicated staff. I would like to take this opportunity to express my sincere appreciation to all colleagues in the EAA Administration.

I must thank all the stakeholders of the EAA, including developers, estate agency trade members and the Government, for their continuous support over the years.

我絕對相信業界將能過度困境。還有，正如我一直所說，機會是留給那些保持警惕和做好準備的人。希望大家保持健康，準備好迎接美好的將來。

I have a strong belief that our trade will survive through the bad times. And, as I always say, opportunities are for those who are vigilant and well prepared. Let's stay fit and gear up for the good time to come.

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