

年報 ANNUAL REPORT 2019/20



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# 主要統計數字一覽

## Key Figures at a Glance



牌照及營業詳情說明書數目 (至2020年3月31日)  
Number of Licences and Statements of  
Particulars of Business (as at 31/3/2020)



21,237

營業員牌照  
Salesperson's Licence

18,121

地產代理(個人)牌照  
Estate Agent's Licence  
(individual)



3,802

地產代理(公司)牌照  
Estate Agent's Licence  
(company)

6,952

營業詳情說明書  
Statement of particulars  
of business



考生人數(2019/20年度)  
Number of Examination Candidates (2019/20)



3,866

地產代理資格考試  
Estate Agents  
Qualifying Examination

4,729

營業員資格考試  
Salespersons  
Qualifying Examination



投訴個案(2019/20年度)  
Number of Complaint Cases (2019/20)

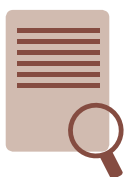


268

開立的個案  
Opened

264

已完成的個案\*  
Completed\*



- \* 部分是往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及行動部處理的表面證據不成立的個案。  
\* Some cases completed in the year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.

巡查次數(2019/20年度)  
Number of Compliance Inspections (2019/20)



727

一手樓盤銷售點\*  
At First-sale Sites\*

1,121

地產代理商舖  
At Estate Agency  
Shops



666

反洗錢/反恐怖分子資金籌集抽查  
Anti-Money Laundering/Counter-  
Terrorist Financing Inspections

689

網上廣告  
Online Advertisements



412

網上物業平台  
Online Property Portals

- \* 包括樓盤所在處、樓盤銷售處及其附近。  
\* Includes the development sites, sales offices and vicinity areas.

被暫時吊銷/撤銷的牌照數目(2019/20年度)  
Number of Licences Suspended /  
Revoked (2019/20)



14

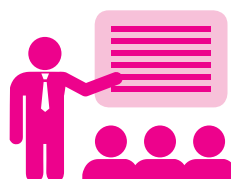
暫時吊銷  
Suspended

57

撤銷  
Revoked



持續專業進修活動的參與人次(2019/20年度)  
Number of Enrolments in Continuing  
Professional Development Activities (2019/20)



26,002





# 機構簡介

## Corporate Profile

### 關於我們

地產代理監管局(「監管局」)是於1997年11月根據《地產代理條例》而成立的法定機構，主要職能包括規管香港地產代理業界的執業；推動業界行事持正；以及鼓勵行業培訓，確保從業員符合道德操守。

監管局舉辦資格考試、發出個人和公司牌照、處理對從業員的投訴、執行巡查工作，以及對違反《地產代理條例》的地產代理從業員施行紀律處分。監管局亦為業界舉辦專業發展活動，並推動消費者教育。

監管局是財政自給的機構。監管局成員由香港特別行政區行政長官委任，設有正、副主席各一名及不多於18名普通成員。成員來自社會多個界別，包括地產代理行業。

### About Us

The Estate Agents Authority ("EAA") is a statutory body established in November 1997 under the Estate Agents Ordinance ("EAO"). Its principal functions are to regulate the practice of the estate agency trade in Hong Kong, promote integrity and competence within the industry, and facilitate training for practitioners to ensure a proper standard of conduct.

The EAA organises qualifying examinations, issues licences to individuals and companies, handles complaints against licensees, conducts compliance inspections and metes out disciplinary sanctions to practitioners who have breached the EAO. The EAA also organises activities for the professional development of the trade and promotion of consumer education.

The EAA is a self-financing body. It consists of a Chairman, a Vice-chairman, and not more than 18 ordinary members from various sectors in the community, including the estate agency sector. The Chairman, Vice-chairman and every ordinary member are appointed by the Chief Executive of the Hong Kong Special Administrative Region.

## 願景與使命

### 我們的願景

#### 監管局致力於

- 在規管地產代理業界的執業上追求卓越成績，以保障消費者的權益；及
- 支持地產代理專業不斷發展，以獲取社會尊重。

### 我們的使命

規管香港地產代理業的執業，提升從業員的專業能力，並為業界訂立高的道德標準和操守。

## Vision & Mission

### Our Vision

#### *The EAA strives for*

- excellence in regulating the practice of the estate agency trade, for the protection of consumers' interests; and
- supporting the development of an estate agency profession worthy of the respect of the community.

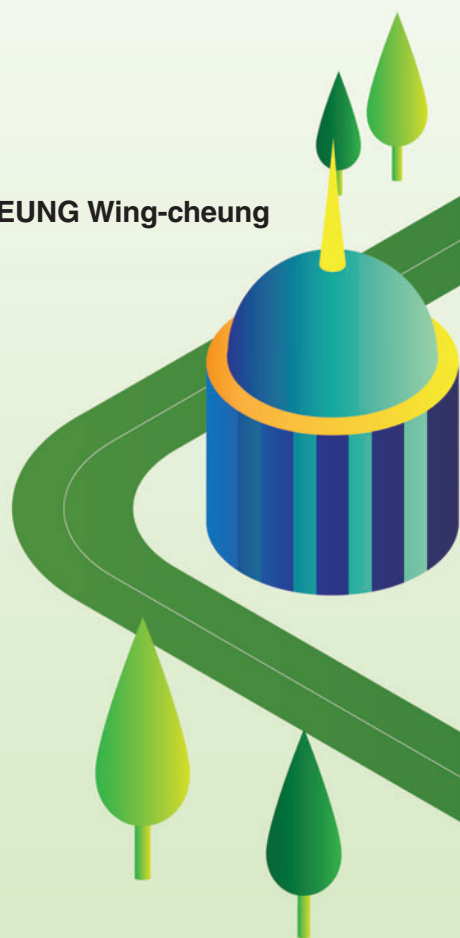
### Our Mission

To regulate the practice of estate agency in Hong Kong, raise the competence of practitioners and set high standards of ethics and conduct befitting the trade.



梁永祥教授  
SBS 太平紳士  
主席

**Professor William LEUNG Wing-cheung**  
SBS, JP  
Chairman





主席的話

Chairman's Message





## 主席的話

## Chairman's Message

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 6<sup>th</sup> 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.



## 主席的話

## Chairman's Message

### 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".







## 主席的話

## Chairman's Message

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.

**梁永祥教授**  
SBS 太平紳士  
主席

**Professor William LEUNG Wing-cheung**  
SBS, JP  
Chairman

行政總裁匯報  
Report of the  
Chief Executive  
Officer



韓婉萍  
行政總裁

**Ruby HON Yuen-ping**  
Chief Executive Officer







# 行政總裁匯報

## Report of the Chief Executive Officer

這是本人以地產代理監管局(「監管局」)行政總裁身份發表的第七份年報。2019/20年度，地產市場因社會運動和2019冠狀病毒病全球大流行而受到沉重打擊。在香港人努力適應變幻莫測的局勢的同時，監管局亦一如以往與時並進，致力促進業界遵守法規，提升業界形象。本人藉此簡述本局於年內各方面的工作。

### 牌照數目及考試新措施

地產市道市況不景，令持牌人數持續下跌。2019/20年度香港的整體物業交易宗數為70,532宗，比上年下跌了6.1%。與此同時，截至2020年3月31日，個人持牌人數目錄得39,358人，比上年輕微下跌了1.26%。

另一方面，監管局在2019年7月為營業員資格考試推出電腦應考模式，為有意入行的人士提供另一個方便的考試方式。然而，由於2019冠狀病毒病疫情爆發導致年內部分資格考試被逼取消，本年度的考生人數因而較2018/19年度減少了29.8%。

### 促進業界守法循規

過去多年，監管局發出了多份執業通告予業界遵守。這些通告旨在加強地產代理對違規行為的警惕。自上年與地產發展商簽署了《一手住宅物業銷售約章》以及隨後發出的相關執業通告後，加強了地產代理公司和管理層的責任，從而有效地監督和管理派遣到一手住宅樓盤銷售點工作的員工，並且禁止安排未有牌照的員工到這些銷售點工作，年內一手住宅樓盤銷售點的秩序有着明顯改善。

This is the seventh report I present as the Chief Executive Officer (“CEO”) of the Estate Agents Authority (“EAA”). In 2019/20, the property market experienced a heavy blow due to social movements and the outbreak of the global COVID-19 pandemic. While people in Hong Kong are adapting to the evolving situation, the EAA, as always, keeps abreast of the changing circumstances and stands firm in strengthening the trade’s compliance and promoting the trade’s image. Here, I would like to give a brief account of our work on various fronts during the year.

### Licensing figures and a new initiative on examinations

There was a steady decrease in the licensee population as a result of the clouded property market. The total number of Hong Kong property transactions in 2019/20 amounted to 70,532, which was a drop of 6.1% compared to the previous year. At the same time, the number of individual licences recorded a mild decrease of 1.26% over that of the previous year to 39,358 as of 31 March 2020.

On the other hand, the EAA launched the computer-based examination (“CBE”) for the Salespersons Qualifying Examination (“SQE”) in July 2019, with a view to providing an alternative and convenient mode of examination to the new entrants. The outbreak of the COVID-19 pandemic however caused the cancellation of some qualifying examinations in the year, resulting in a drop in the number of candidates of 29.8% compared to that in 2018/19.

### Enhancing compliance of the trade

Over the years, the EAA has issued various practice circulars for the trade to comply with. These circulars serve to heighten the estate agency trade’s vigilance against non-compliances. During the year, the order at first-sale sites improved extensively after the Charter on the Sales of First-hand Residential Properties was signed by the property developers in the previous year and the issuance of a subsequent practice circular on the matter, which strengthens the accountability of estate agency companies and their management regarding the effective supervision and management of their employees deployed to the first-sale sites and barring the deployment of non-licensed staff to these sites.

去年，監管局就業界在遵守反洗錢及反恐怖分子資金籌集方面，推出了多項教育和提高意識的措施。在大家同心協力下，業界對相關事項的要求有着更深入的了解。監管局將會繼續教育業界及進行審慎巡查，以確保業界遵守有關要求。此外，監管局已開始分發問卷從業界中收集資訊，以便進一步了解業界在反洗錢／反恐怖分子資金籌集方面的遵循情況。這項工作的目的，是要全面地評估業界在反洗錢／反恐怖分子資金籌集上所面對的風險，以及他們所採取的預防措施，有助監管局日後推行反洗錢／反恐怖分子資金籌集的監管和教育工作。

另外，監管局於年內進行了合共3,615次巡查，以確保業界守法循規。在這些巡查工作中，有727次是在一手住宅樓盤銷售地點進行；亦巡查了1,121次地產代理商舖、抽查了689個網上物業廣告，以及412個網上物業平台。另外，亦對反洗錢／反恐怖分子資金籌集的規定作出666次抽查。

Last year, the EAA rolled out a number of educational and awareness building measures for the trade's compliance on the subject of Anti-Money Laundering ("AML") and Counter-Terrorist Financing ("CTF"). With our concerted effort, the trade is more familiar with the requirements on the subject and the EAA will continue to educate the trade as well as conduct prudential visits to ensure the trade's compliance. The EAA has also started distributing questionnaires to collect information from the trade to better understand the trade's compliance in AML/CTF, which is aimed to assess the AML/CTF risks faced by the trade and the measures taken by them comprehensively, which would be useful for the implementation of AML/CTF supervisory work and education by the EAA in future.

In addition, the EAA conducted a total of 3,615 inspections to ensure the trade's compliance during the year. Among these inspections, 727 checks were conducted at first-sale sites and 1,121 visits made to estate agency shops, whereas 689 online property advertisements were screened and 412 online property portals were inspected. There were also another 666 compliance inspections in relation to anti-money laundering and counter-terrorist financing requirements.





# 行政總裁匯報

## Report of the Chief Executive Officer

再者，監管局在2019/20年度接獲268宗投訴，較2018/19年度的291宗減少8%。另一方面，在2019/20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57個牌照。局方亦裁決了129宗違規個案（雖然因為疫情而有研訊延期，令個案數目比2018/19年度少），合共有123名持牌人被紀律處分。

### 推廣業界的專業形象

除上述工作外，監管局在2019/20年度進行了多項工作向公眾推廣業界的正面形象。2019年6月，監管局推出首個企業社會責任活動，與環境保護署合作舉辦名為「家在香港 — 地產代理清潔海岸日」活動。作為當日活動參與者之一，本人很高興和過百位來自地產代理業界的義工，一同清潔大嶼山水口的海岸。

此外，本局亦於2020年年初展開了新一輪的「5A代理」宣傳計劃，以承接這個計劃在2019年年初首次推出時的勢頭，繼續推廣業界的專業形象。這個計劃的目標是引入專業地產代理應該達到的「三言兩與」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」。新一輪推廣活動已遍及所有地產代理商舖，並提醒所有持牌人時刻都要具備「三言兩與」的特質。

談到「與時並進」，年內監管局繼續不遺餘力地推廣持續專業進修計劃。為了促進地產代理業界與其他行業專業人士之間的跨界別交流，全新名為「聽君一席話 • 勝讀十年書」的系列講座於2019年12月推出，以讓業界獲得更豐富的學習體驗。

監管局完全理解地產代理業界在2019/20年度所面對的艱難境況。有見及此，在經過與八大商會的全面商討，再加上得到業界代表的支持和監管局董事局的批准下，局方在2020年1月宣布向每位合資格的個人持牌人，提供一筆過500元專業發展資助，以協助他們發展及維持專業服務水平。

Furthermore, the EAA received 268 complaints in 2019/20, an 8% decrease compared to 291 complaints in 2018/19. On the other hand, in 2019/20, the EAA revoked a total of 57 licences because those licensees were no longer eligible to hold a licence. The EAA has also adjudicated 129 non-compliant cases (though the number of cases was less than that for 2018/19 due to the suspension of inquiry hearings amidst the pandemic) and a total of 123 licensees were disciplined.

### Promoting professionalism and the image of the trade

Separately, the EAA had launched a number of initiatives in 2019/20 to promote the trade's positive image to the public. In June 2019, the EAA initiated its first Corporate Social Responsibility ("CSR") activity and co-organised the event titled "My Home Hong Kong – Estate Agents Coastal Cleanup Day" with the Environmental Protection Department. As one of the participants that day, I was delighted to see that over 100 volunteers from the trade helped clean up the shoreline of Shui Hau on Lantau Island.

As well as the above, the EAA also kicked off its new wave of "5A Agent" promotion in early 2020 to keep the momentum of promoting the trade's professional image since the first campaign rolled out in early 2019. The aim of the campaign was to introduce the "5A" excellent qualities a professional estate agent should attain, which include "Adherence", "Ability", "Accountability", "Advancement" and "Affinity". The new wave of promotion has reached all estate agency shops and reminded all licensees to be a "5A Agent" at all times.

Speaking of "Advancement", the EAA continued to spare no effort in promoting the Continuing Professional Development ("CPD") Scheme during the year. With a view to fostering cross-discipline exchanges between the estate agency trade and professionals of other sectors, a new series of CPD seminars titled "Top Tips by Elites" was launched in December 2019 so as to enrich the learning experiences of the trade.

The EAA fully understands that the estate agency trade was facing a difficult operating environment in 2019/20. Hence, after thorough discussion with the eight major trade associations, and with their support as well as the approval of the EAA Board, the EAA announced in January 2020 it would offer a one-off professional development subsidy of \$500 to each eligible individual licensee to assist them in developing and maintaining their professional service standard.





## 與公眾接觸

監管局一直相當重視消費者教育。2019/20年度的其中一個重點，是提醒公眾注意購買境外物業的相關風險。本局在2020年2月出版了名為「境外置業要『究』SMART」的全新小冊子，透過以漫畫描繪的個案，重點介紹購買香港境外物業前市民應考慮的重要事項。此外，局方亦在2020年3月舉辦與上述小冊子同名的公開講座。在疫情之下，監管局首次透過網上社交媒體直播講座。透過分享對不同國家的地產市場的各種觀點，以及講述了購買境外物業時應注意的重要事項，該講座得到公眾一致好評。

## Outreaching to the public

The EAA always attaches great importance to consumer education. In 2019/20, one of the focuses was to draw the attention of the public to the risks associated with purchasing non-local properties. Apart from publishing in February 2020 a new booklet titled “Purchasing Non-local Properties Be SMART” with cases illustrated in a comic style to highlight the essential issues to be considered before purchasing properties outside Hong Kong, the EAA also organised a public seminar under the same title in March 2020. It was the EAA’s first time to hold a public seminar via a social media channel due to the impact of the pandemic. By sharing views on the property markets in different countries and the important points-to-note when purchasing non-local properties, the response from the public on the seminar was overwhelmingly positive.





# 行政總裁匯報

## Report of the Chief Executive Officer

### 籌劃未來

在2020/21年度，監管局將會協助政府和業界，以克服2019冠狀病毒疫情對地產代理業所構成的衝擊。局方將會繼續努力透過各種巡查和業界教育工作，改善業界的合規情況，從而確保從業員的專業水平和操守。尤其重要的是，監管局將會進一步提升業界在反洗錢／反恐怖分子資金籌集方面的知識，以達致可持續符合相關指引之餘，更要以改善業界落實指引的成效為目標。

### Forward planning

In 2020/21, the EAA will provide assistance to the Government and the trade to conquer the impact of COVID-19 pandemic on the estate agency sector. The EAA will continue its effort in strengthening the compliance of the trade by various means of inspection and trade education, so as to uphold the professionalism and ethical standards of the practitioners. In particular, the EAA will further enhance the knowledge of the trade on AML/CTF to achieve sustainable compliance and improvements in the effectiveness of the trade's implementation of the relevant guidelines.



(左起)監管局服務及專業發展總監王頌恩先生、行政總裁韓婉萍女士、執行總監陳汝傲先生以及規管及法律總監梁德麗女士  
(from left) EAA Director of Services and Professional Development Mr Ivan Wong, Chief Executive Officer Ms Ruby Hon, Director of Operations Mr U Keng Chan and Director of Regulatory Affairs and General Counsel Ms Juliet Leung

## 鳴謝

本人必須強調，監管局得以在年內完成所有工作，全賴一眾持份者的傾力支持，當中包括政府、其他公營機構、傳媒，以及地產代理業界的成員。另外，本人亦衷心感謝監管局主席和其他董事局成員一整年所給予的珍貴建議、遠見和支持；並且感謝監管局一眾辛勤的總監和同事們，一直努力不懈地工作和對我的支持。

雖然我們正處於充滿挑戰的艱難時刻，但本人深信憑着大家的熱誠、創造力和不屈不撓的精神，監管局和地產代理業界定能排除萬難，繼續在未來日子追求卓越的成績。

**韓婉萍**  
行政總裁

## Acknowledgements

I must acknowledge that all the EAA's work in the year could only have been made possible with the full support of our stakeholders, including the Government, other public bodies, media, and the estate agency trade members. My heartfelt gratitude goes to the EAA Chairman and other Board members for their invaluable advice, foresight and support throughout the year; and I am also indebted to our hard-working directors and colleagues of the EAA for their untiring efforts and support rendered to me.

Despite the challenges in a time of uncertainty, I am confident that with our passion, our ingenuity, and our resilience, the EAA and the trade can surf through the hard times and continue to strive for excellence in the years ahead.

**Ruby HON Yuen-ping**  
Chief Executive Officer



# 機構管治

## Corporate Governance





# 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。

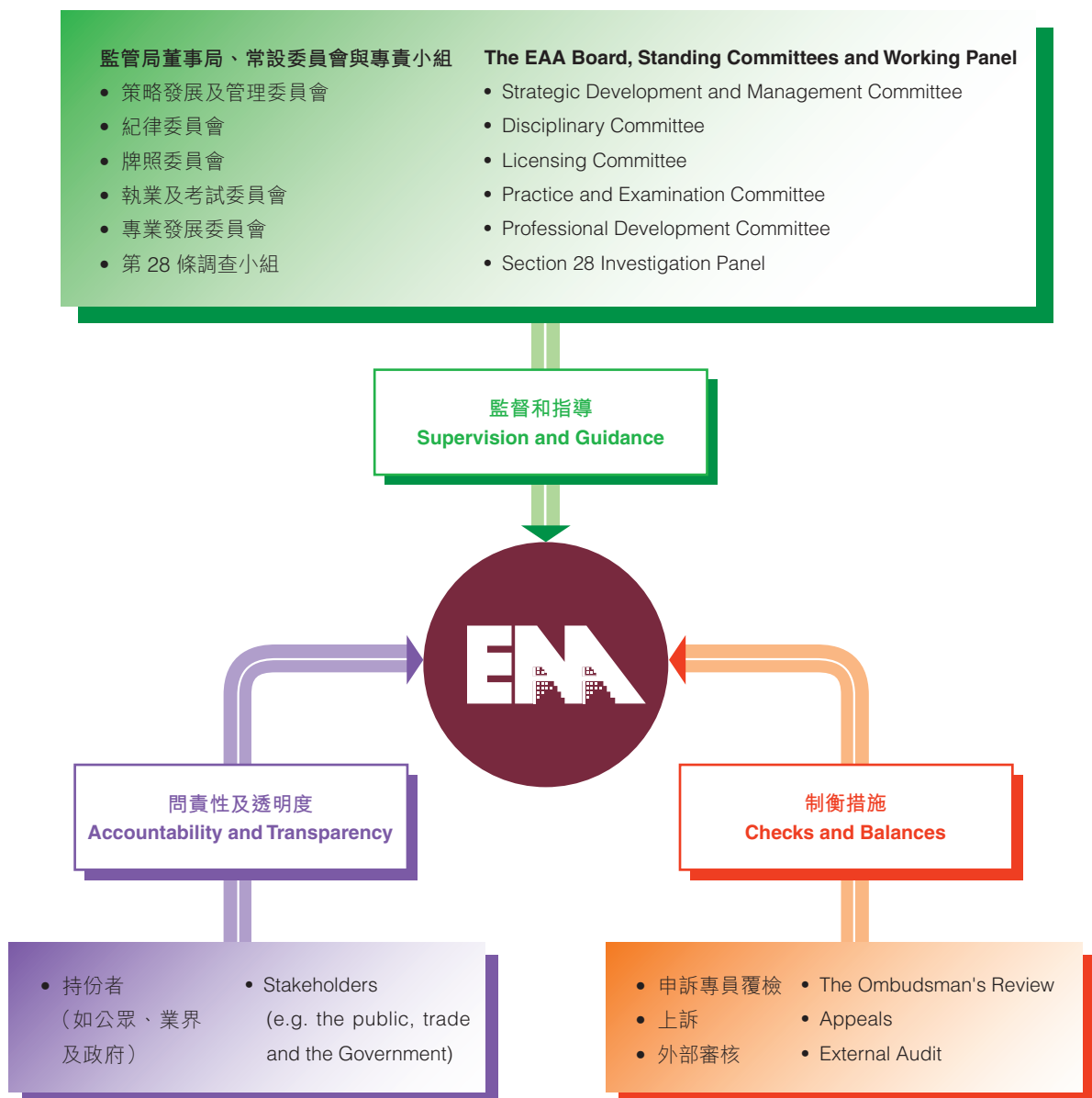
To enhance public trust in the EAA and for the best interests of its stakeholders, the EAA spares no effort in taking corporate governance to a higher level and reaching a high standard of integrity, impartiality, accountability and transparency when discharging its duties under the Estate Agents Ordinance ("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、物業發展、商業、法律、測量、金融、會計、消費者事務及學術界別等，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 EAA 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 estate agency, property development, business, legal, surveying, finance, accounting professions, consumer affairs 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 the EAA Administration responsible for executing the decisions of the Board and administering everyday business and affairs of the EAA.





# 機構管治

## Corporate Governance

### 董事局成員 Board membership

#### 主席 CHAIRMAN



#### 梁永祥教授 SBS 太平紳士

**Professor William LEUNG Wing-cheung, SBS, JP**

梧桐國際發展有限公司執行主席

**WeLab 銀行執行董事及行政總裁 (至 2020 年 1 月 17 日)**

**Executive Chairman, Planetree International Development Limited**

**Executive Director and Chief Executive, WeLab Bank (Up to 17 January 2020)**

- 法律援助服務局主席
- 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 (至 2019 年 3 月 31 日)
- 香港心臟基金會副主席
- 仁愛堂諮議局委員
- Chairman, Legal Aid Services Council
- Advisor, Our Hong Kong Foundation
- Chairman, Governing Board of Hong Kong Creative Arts Centre Limited
- Ex-officio Member, Manpower Development Committee (Up to 31 March 2019)
- Vice Chairman, Hong Kong Heart Foundation
- Member, Advisory Board of Yan Oi Tong

#### 副主席 VICE-CHAIRMAN

#### 廖玉玲太平紳士

**Ms Elaine LIU Yuk-ling, JP**

大律師

**Barrister-at-law**

- 牌照上訴委員會主席
- 稅務上訴委員會副主席
- 行政上訴委員會副主席
- 旅遊業監管局委員及其紀律委員會主席
- 金融糾紛調解中心紀律委員會主席
- Chairman, Licensing Appeals Board
- Deputy Chairman, Board of Review (Inland Revenue Ordinance)
- Deputy Chairman, Administrative Appeals Board
- Member, Travel Industry Authority and Chairman of its Disciplinary Committee
- Chairman, Disciplinary Committee of Financial Dispute Resolution Centre



## 會員 MEMBERS

### 張呂寶兒太平紳士

郭葉陳律師事務所顧問律師  
(2019年6月1日起)  
眾達國際法律事務所顧問律師  
(至2019年5月31日)

- 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)主席
- 漁民特惠津貼上訴委員會(禁拖措施)主席
- 獨立監察警方處理投訴委員會觀察員
- 上訴委員會(房屋)成員  
(2013-2019)
- 人事登記審裁處審裁員  
(2008-2014)



### Mrs Peggy CHEUNG Po-yee, JP

Consultant of Kwok, Yih & Chan  
(From 1 June 2019)  
Of Counsel, Jones Day International  
Law Firm (Up to 31 May 2019)

- Member, Solicitors Disciplinary Tribunal Panel
- Chairman, Appeal Tribunal Panel (Buildings)
- Chairman, Appeal Panel (Housing)
- Chairman, Fishermen Claims Appeal Board (Trawl Ban)
- Observer, Independent Police Complaints Council
- Member, Appeal Panel (Housing) (2013-2019)
- Adjudicator, Registration of Persons Tribunal (2008-2014)

### 戴敏娜女士

安永會計師事務所資深顧問  
(亞太區金融服務監管事務)

- 私人財富管理公會白皮書顧問委員會會員
- 融幼社董事局成員



### Ms Meena DATWANI

Senior Advisor (Financial Services  
Regulatory Affairs), Ernst & Young

- Member, White Paper Advisory Council, Private Wealth Management Association
- Board Member, Pathfinders

### 許智文教授 MH

香港理工大學建築及房地產學系教授

- 物業管理服務監管局副主席
- 香港房屋協會監事會成員
- 證券及期貨事務監察委員會房地產投資信託委員會委員
- 香港測量師學會研究委員會主席
- 上訴審裁團(建築物)成員



### Professor Eddie HUI Chi-man, MH

Professor, Department of Building  
and Real Estate, The Hong Kong  
Polytechnic University

- Vice Chairman, The Property Management Services Authority
- Member, Supervisory Board, Hong Kong Housing Society
- Member, Committee on Real Estate Investment Trusts, Securities and Futures Commission
- Chairman, Research Committee of Hong Kong Institute of Surveyors
- Member, Appeal Tribunal Panel (Buildings)





# 機構管治

## Corporate Governance

### 藍德業資深大律師

德輔大律師事務所資深大律師

- 高等法院暫委法官  
(2017-2018及2020)
- 保險事務上訴審裁處主席
- 上訴審裁處(建築物)主席
- 獨立監察警方處理投訴委員會委員兼法律事務委員會主席
- 行政上訴委員會副主席
- 證券及期貨事務監察委員會紀律研訊主席委員會委員
- 香港大律師公會海外大律師資格認許委員會成員及投資委員會成員

### 凌潔心女士

羅兵咸永道會計師事務所前審計合夥人

下列香港上市公司獨立非執行董事：

- 遊樂互動集團有限公司
- 麗年國際控股有限公司
- 利民實業有限公司
- 億和精密工業控股有限公司
- 香港教育大學校董會成員
- 醫院管理局管治委員會成員
- 上訴委員會(城市規劃)成員
- 香港青年協會理事會委員兼核數委員會成員
- 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  
(2006-2012)

### 羅孔君太平紳士

大律師

- 學術及職業資歷評審上訴委員會主席
- 保安及護衛業管理委員會主席
- 酷刑聲請上訴委員會委員
- 獨立監察警方處理投訴委員會委員



**Mr Douglas LAM Tak-yip, SC**

**Senior Counsel, Des Voeux Chambers**

- Deputy Judge, the High Court  
(2017-2018 & 2020)
- Chairperson, Insurance Appeals Tribunal
- Chairman, Appeal Tribunal Panel (Buildings)
- Member, Independent Police Complaints Council and Chairman of the Legal Committee
- Deputy Chairman, Administrative Appeals Board
- Member, Disciplinary Chair Committee, Securities and Futures Commission
- Member, Special Committee of the Bar Association on Overseas Admissions (Civil) and the Investment Committee



**Ms Imma LING Kit-sum**

**Retired Assurance Partner, PricewaterhouseCoopers  
Independent Non-executive Director of the following listed companies in Hong Kong:**

- Digital Hollywood Interactive Limited
- Wise Ally International Holdings Limited
- Raymond Industrial Limited
- EVA Precision Industrial Holdings Limited
- Council Member, The Education University of Hong Kong
- Member, Hospital Governance Committee, Hospital Authority
- Member, Appeal Board Panel (Town Planning)
- Council Member and Audit Committee Member, Hong Kong Federation of Youth Groups
- Executive Committee Member, Hong Kong Youth Hostels Association
- Board Member, HKSAR Employees Compensation Assistance Fund Board  
(2006-2012)



**Ms Jane Curzon LO, JP**

**Barrister-at-law**

- Chairman, Accreditation of Academic and Vocational Qualifications Appeal Board
- Chairman, Security and Guarding Services Industry Authority
- Member, The Torture Claims Appeal Board
- Member, Independent Police Complaints Council

### 吳啟民先生

世紀21香港有限公司行政總裁

- 博愛醫院總理 (1994-1995)
- 公益金屋邨籌款委員會聯席主席 (1995-1996)

### 黃永光太平紳士

信和集團副主席

- 第十三屆中國人民政治協商會議北京市委員會委員
- 大灣區共同家園青年公益基金主席
- 楊協成有限公司董事長
- 東亞銀行有限公司獨立非執行董事
- 香港大學校務委員會委員
- M Plus Museum Limited 董事局成員

### 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
- 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 (2007-2013)
- 上訴委員會(城市規劃)委員 (2013-2017)
- 香港特別行政區護照上訴委員會副主席 (2013-2019)



### Mr NG Kai-man

**Chief Executive Officer, Century 21 Hong Kong Limited**

- Director, Pok Oi Hospital (1994-1995)
- Co-chairman, Community Chest Estates for the Chest Committee (1995-1996)

### Mr Daryl NG Win-kong, JP

**Deputy Chairman of Sino Group**

- Member, The 13<sup>th</sup> Beijing Municipal Committee of the Chinese People's Political Consultative Conference
- Chairman, Greater Area Bay Homeland Youth Community Foundation
- Chairman, Yeo Hiap Seng Ltd
- Non-Executive Director, The Bank of East Asia, Limited
- Member, Council of The University of Hong Kong
- Board Member, M Plus Museum Limited

### Mr Simon SIU Chak-yu, BBS, JP

**Partner, Hastings & Co.**

- Chairman, Environmental Impact Assessment Appeal Board Panel
- Chairman, Board of Review (Film Censorship)
- Member, The Torture Claims Appeal Board
- Chairman, Appeal Panel (Housing) (2007-2013)
- Member, Appeal Board Panel (Town Planning) (2013-2017)
- Deputy Chairman, HKSAR Passports Appeal Board (2013-2019)



# 機構管治

## Corporate Governance

### 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榮譽主席
- 香港地產代理商總會主席 (2015-2019)
- 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 (2013-2019)
- 河畔花園業主立案法團主席

### 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
- 香港工業總會選聘理事

### 黃靜怡女士

美聯集團副主席及董事總經理  
美聯工商舖有限公司執行董事

- 美聯慈善基金有限公司董事及副會長
- 香港公開大學資助及發展基金委員會成員
- 香港專業人士協會常務會董
- 香港會計師公會資深會員



### Mr Calvin TSE Shun-lai

**Chief Executive Officer, Ka Wai Property Agency Co. Ltd.**  
**Chief Executive Officer, Ka Hing Properties Co. Ltd.**

- Honorary Chairman, Hong Kong Real Estate Agencies General Association
- Chairman, Hong Kong Real Estate Agencies General Association (2015-2019)
- Member, Sedentary and Professional Services Safety and Health Committee, Occupational Safety & Health Council (2013-2019)
- Chairman, Incorporated Owners of Garden Rivera

### 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
- Co-opted Member, General Committee of Federation of Hong Kong Industries

### Ms Angela WONG Ching-yi

**Deputy Chairman and Managing Director, Midland Holdings Limited**  
**Executive Director, Midland IC&I Limited**

- Director and Vice President, Midland Charitable Foundation Limited
- Member, Sponsorship and Development Fund Committee, The Open University of Hong Kong
- Standing Committee member, The Association of Hong Kong Professionals
- Fellow member, The Hong Kong Institute of Certified Public Accountants

## 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「地產代理業行業諮詢網絡」召集人
- 社會福利署屯門地區福利協調機制委員
- 屯門區公民教育委員會名譽會長
- 屯門區少年警訊名譽會長會副主席

## 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
- 防控非傳染病督導委員會委員

## 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

- 民政事務局社會企業諮詢委員會當然委員
- 民政事務總署「伙伴倡自強」社區協作計劃諮詢委員會主席
- 香港綠色建築議會董事會成員(至2019年12月31日)
- 香港僱主聯合會理事會會員
- 英國皇家特許測量師學會資深會員



## Dr Lawrence WONG Dun-king, MH

### President, Many Wells Property Agent Limited

- Honorary President, Hong Kong Chamber of Professional Property Consultants Limited
- Convenor, Real Estate Agency, Industry Consultative Networks, Employees Retraining Board
- Member, Tuen Mun District Coordination Mechanism, Social Welfare Department
- Honorary President, Committee on the Promotion of Civic Education in Tuen Mun
- Vice-President of Tuen Mun District JPC Honorary President Council

## 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, Steering Committee on Prevention and Control of Non-communicable Diseases

## Mr Ricky WONG Kwong-yiu

### Executive Director, Wheelock and Company Limited

### Managing Director, Wheelock Properties (HK) Limited

- Ex-officio Member, Social Enterprise Advisory Committee of Home Affairs Bureau
- Chairman, Advisory Committee on Enhancing Self-Reliance Through District Partnership Programme, Home Affairs Department
- Director, Hong Kong Green Building Council (Up to 31 December 2019)
- General Committee Member, Employers' Federation of Hong Kong
- Fellow Member, Royal Institution of Chartered Surveyors





## 機構管治

## Corporate Governance

### 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

### 余雅芳女士

安永諮詢服務有限公司合夥人

- 香港房屋委員會投標小組委員會委員
- 香港房屋委員會資助房屋小組委員會委員
- 漁農自然護理署「內地過港漁工計劃」工作小組委員

### 張趙凱渝太平紳士

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)



### Mr Addy WONG Wai-hung, MH

**Chairman and Chief Executive Officer – Asia Pacific, Centaline Property Agency Ltd**

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

### Ms Avon YUE Nga-fong

**Partner, Ernst & Young Advisory Services Limited**

- Member, Tender Committee of Housing Authority
- Member, Subsidised Housing Committee of Housing Authority
- Member, Mainland Fishermen Deckhands Scheme

### Mrs Alice CHEUNG CHIU Hoi-yue, 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2019/20年度並無召開會議。

自2018年11月1日起，前財務及策略發展委員會易名為策略發展及管理委員會，其職權範圍改動後，委員會除處理監管局日常的人力資源管理及財務事宜外，更會集中審議有關整個地產代理行業的策略性議題。

2019/20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

#### 策略發展及管理委員會

##### 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. 協調監管局的各常設委員會和／或工作小組／專責小組的工作和決定，以達至共同目標和解決其各自職能有關的或因履行其各自職能而可能引起的分歧（如有）。
3. 監察業界及公眾人士對監管局的規例、政策及措施的反應，並據此向監管局董事局及／或相關常設委員會建議適當行動。

### 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 2019/20, there was no meeting held.

Upon the change of the name from the former Finance and Strategic Development Committee to Strategic Development and Management Committee and the revision of its terms of reference since 1 November 2018, the committee has put more focus on the deliberation of strategic issues related to the estate agency trade as a whole, in addition to its normal functions on scrutinising financial matters and human resources management of the EAA.

Terms of reference of the standing committees and working panel of the EAA in 2019/20, are listed in the following section.

### Terms of reference and membership

#### Strategic Development and Management Committee

##### Terms of Reference:

1. To consider strategic issues of long-term significance, in preparation for consideration by the Board.
2. To align the work and decisions of the various standing committees and/or work groups/panels of the EAA with a view to achieving common goals and resolving divergences (if any) which may arise in connection with or out of the carrying out of their respective functions.
3. To monitor trade and community response to the EAA regulations, policies and measures and, on such basis, recommend appropriate actions to the Board and/or the standing committees for consideration.



4. 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。
  5. 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。
  6. 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。
  7. 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。
  8. 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。
  9. 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。
  10. 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。
  11. 執行由監管局董事局授權處理的工作。
4. 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.
  5. To review and endorse the annual work plan and budget prepared by the Administration and to recommend the same to the Board for consideration.
  6. To devise guidelines for and make recommendations to the Board on the investment of the EAA monies.
  7. 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 Chief Executive Officer and Directors), and to make recommendations to the Board for consideration.
  8. To review and approve establishment structure, reorganisation, manpower planning and development of human resources policies and procedures.
  9. At the direction of the Chairman, to review and evaluate the performance of the Chief Executive Officer 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.
  10. 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.
  11. To perform such other tasks as the Board may from time to time delegate.

12. 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。

12. 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:   | 梁永祥教授 SBS 太平紳士      | Professor William LEUNG Wing-cheung, SBS, JP                                  |
| 成員 Members:    | 凌潔心女士               | Ms Imma LING Kit-sum  |
|                | 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   |
|                | 蕭澤宇 BBS 太平紳士        | Mr Simon SIU Chak-yu, BBS, JP   |
|                | 黃鳳嫻女士               | Ms Gilly WONG Fung-han  |
|                | 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：

- 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。
- 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。
- 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。
- 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。
- 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。

### Disciplinary Committee

#### Terms of Reference

- To draw up guidelines and procedures to ensure consistency and fairness in handling disciplinary cases.
- 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.
- 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.
- 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 Committee, 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.
- To exercise any of the disciplinary powers provided under section 30 of the EAO as the Committee considers appropriate.





# 機構管治

## Corporate Governance

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| <p>6. 在牌照上附加委員會認為適當的條件。</p> <p>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。</p> <p>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。</p> <p>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。</p> | <p>6. To attach to licences such conditions as the Committee may consider appropriate.</p> <p>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.</p> <p>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.</p> <p>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.</p> |
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| 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     |
|                                  | 戴敏娜女士    | Ms Meena DATWANI                |
|                                  | 許智文教授 MH | Professor Eddie HUI Chi-man, MH |
|                                  | 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                   |
|                                  | 黃永光太平紳士  | Mr Daryl NG Win-kong, JP        |
|                                  | 謝順禮先生    | Mr Calvin TSE Shun-lai          |
|                                  | 黃靜怡女士    | Ms Angela WONG Ching-yi         |
|                                  | 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<br>Board-appointed members: | 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                 |
|                                  | 潘志豪先生    | Mr Philip POON Chi-ho           |
|                                  | 王興偉先生    | Mr Newman WONG                  |
|                                  | 葉慕貞女士    | Ms Jessica YIP Mo-ching         |

**牌照委員會****職權範圍：**

1. 研究及建議地產代理及營業員之發牌規定。
2. 研究及建議豁免某類人士發牌規定的準則。
3. 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。
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。
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條訂明監管局的任何職能和權力。
6. 制定有關發牌事項的政策。
7. 檢討及建議牌照費用及監管局各類服務之收費幅度。
8. 研究及設計與發牌事項有關的表格及文件。
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。

**Licensing Committee****Terms of Reference**

1. To consider and recommend licensing requirements for estate agents and salespersons.
2. To consider and recommend the criteria for exemption from the licensing requirements for any particular class of persons.
3. 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.
4. To consider and if thought appropriate, to approve or refuse applications for licences/SPOBs brought before the Committee.
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.
6. To set policies relating to licensing matters.
7. To review and make recommendations on the scale of licence fees and charges for services provided by the EAA.
8. To consider and design the relevant forms and related documents pertaining to licensing matters.
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.



# 機構管治

## Corporate Governance

| 成員 Membership:                      |                 |  |
|-------------------------------------|-----------------|--|
| 主席 Chairman:                        | 羅孔君太平紳士         | Ms Jane Curzon LO, JP  |
| 成員 Members:                         | 張呂寶兒太平紳士        | Mrs Peggy CHEUNG Po-yee, JP  |
|                                     | 許智文教授 MH        | Professor Eddie HUI Chi-man, MH                                      |
|                                     | 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<br>Board-appointed<br>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（消費者委員會代表） | Representative of the Consumer Council -<br>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。

### 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.

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| <p>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。</p> <p>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。</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>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.</p> <p>8. To review and determine the pass marks and commendation marks for the qualifying examinations and, where appropriate, those for each part thereof.</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:                  | 蕭澤宇 BBS 太平紳士        | Mr Simon SIU Chak-yu, BBS, JP   |
| 副主席 Vice-chairman:            | 黃鳳嫻女士               | Ms Gilly WONG Fung-han  |
| 成員 Members:                   | 張呂寶兒太平紳士            | Mrs Peggy CHEUNG Po-yee, JP   |
|                               | 戴敏娜女士               | Ms Meena DATWANI  |
|                               | 許智文教授 MH            | Professor Eddie HUI Chi-man, MH   |
|                               | 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   |
|                               | 黃永光太平紳士             | Mr Daryl NG Win-kong, JP  |
|                               | 謝順禮先生               | Mr Calvin TSE Shun-lai  |
|                               | 謝小玲女士               | Ms Phoebe TSE Siu-ling  |
|                               | 黃靜怡女士               | Ms Angela WONG Ching-yi   |
|                               | 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 Paul LEE King-leong  |
|                               | 黃漢成先生               | Mr Daniel WONG Hon-shing  |





# 機構管治

## Corporate Governance

### 專業發展委員會

#### 職權範圍：

1. 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。
2. 監督「持續專業進修計劃」的執行，包括：
  - a. 定期檢討計劃的重點、範疇和要求；
  - b. 訂立分配合規及有效管理及全面提升發展科目活動的指引；
  - c. 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；
  - 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의 持續專業進修計劃；及
  - 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。
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。
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。
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。

### Professional Development Committee

#### Terms of Reference

1. To examine the training needs and design appropriate training programmes to raise the competence of licensees.
2. To oversee the implementation of the Continuing Professional Development ("CPD") Scheme including-
  - a. conducting periodic reviews on its focus, scope and requirements;
  - b. determining guidelines for assigning Compliance and Effective Management and All-round Advancement activities;
  - c. approving CPD activity providers and evaluating CPD activities;
  - d. adopting appropriate CPD activities of other professions and trades into the CPD Scheme of the EAA; and
  - e. monitoring the effectiveness of the CPD Scheme and making recommendations to the Board as appropriate.
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.
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.
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.

| 成員 Membership:                   |                     |   |
|----------------------------------|---------------------|---|
| 主席 Chairman:                     | 凌潔心女士               | Ms Imma LING Kit-sum  |
| 成員 Members:                      | 戴敏娜女士               | Ms Meena DATWANI  |
|                                  | 藍德業資深大律師            | Mr Douglas LAM Tak-yip, SC  |
|                                  | 吳啟民先生               | Mr NG Kai-man   |
|                                  | 黃永光太平紳士             | Mr Daryl NG Win-kong, JP  |
|                                  | 謝小玲女士               | Ms Phoebe TSE Siu-ling  |
|                                  | 黃靜怡女士               | Ms Angela WONG Ching-yi   |
|                                  | 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<br>Board-appointed members: | 蔡鴻達博士               | Dr Lennon H.T. CHOY   |
|                                  | 葉國雄先生               | Mr Ivan IP Kwok-hung  |
|                                  | 郭昶先生                | Mr Anthony KWOK Chong   |
|                                  | 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<sup>1</sup>

### 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。

## Section 28 Investigation Panel<sup>1</sup>

### 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.

<sup>1</sup> 不屬常設委員會，僅在需要時召開會議。該小組在2019/20年度並無召開會議。

<sup>1</sup> Not a standing committee, meet as and when needed. In 2019/20, there was no meeting held.



# 機構管治

## Corporate Governance

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| <p>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。</p> <p>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。</p> <p>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。</p> <p>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。</p> <p>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。</p> | <p>5. To receive and consider the reports and recommendations from the investigator appointed by the Panel under section 28 of the EAO.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>9. To exercise and perform any and such of the EAA's functions and powers as prescribed by section 28 of the EAO.</p> |
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### 成員 Membership:

|              |              |                               |
|--------------|--------------|-------------------------------|
| 主席 Chairman: | 蕭澤宇 BBS 太平紳士 | Mr Simon SIU Chak-yu, BBS, JP |
| 成員 Members:  | 謝小玲女士        | Ms Phoebe TSE Siu-ling        |
|              | 余雅芳女士        | Ms Avon YUE Nga-fong          |

### 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。

2019/20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 2019/20, 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<br>Number of meetings held | 平均出席率 *<br>Average attendance rate* | 經審議的文件數目<br>Number of papers considered |
|--|---------------------------------|-------------------------------------|---|
| 董事局<br>The EAA Board   | 3                               | 85%                                 | 33                                      |
| 策略發展及管理委員會<br>Strategic Development and Management Committee | 2                               | 79%                                 | 10                                      |
| 紀律委員會 **<br>Disciplinary Committee**                         | 1                               | 75%                                 | 4                                       |
| 牌照委員會<br>Licensing Committee                                 | 5                               | 73%                                 | 12                                      |
| 執業及考試委員會<br>Practice and Examination Committee               | 1                               | 70%                                 | 4                                       |
| 專業發展委員會<br>Professional Development Committee                | 1                               | 58%                                 | 12                                      |

\* 委員會出席率包括董事局成員及董事局委任成員。

\*\* 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。

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

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





# 機構管治

## Corporate Governance

### 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。

#### 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。

### 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 EAA's 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.

#### 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.

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。

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.

## 問責性及透明度

## Accountability and Transparency

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。

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 EAA Administration is responsible for managing the EAA's everyday business and is accountable to the Board for its performance.

### 《機構授權指引》

### Corporate Authorisation Manual

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。

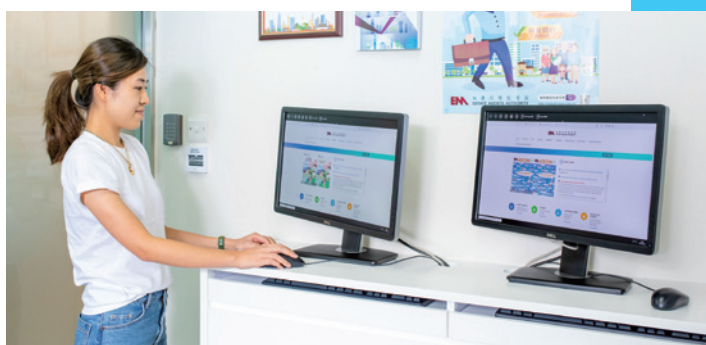
To maintain a high standard of accountability, a *Corporate Authorisation Manual* was formulated for the EAA to provide corporate management authority guidelines. All members of the EAA, standing committees, work groups/panels and all staff must act in compliance with the spirit and intent of the Manual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

### 查閱資料

### Access to information

為方便公眾取得有關監管局的資料，監管局已任命服務及專業發展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。

To facilitate the public to access information about the EAA, the EAA has designated the Director of Services and Professional Development 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.



監管局透過媒體活動、公眾教育活動、監管局刊物及網站等不同渠道發布資訊，以提高局方透明度。

The EAA enhances its transparency by publishing information through various channels, such as media events, public education activities, EAA publications and its website etc



### 查閱資料申請摘要

### Summary of Applications for Access to Information

| 年度<br>Year | 申請數目<br>No of<br>Applications | 申請結果<br>Application<br>Outcome | 要求資料<br>Information Requested  |
|------------|-------------------------------|--------------------------------|--|
| 2019/20    | 13                            | 12 個接受<br>12 accepted          | 牌照副本<br>Copies of licences   |
|            |                               |                                | 申請牌照時遞交的表格<br>Forms submitted for licence applications   |
|            |                               |                                | 申請牌照時遞交的個人資料<br>Personal data submitted for licence application                                    |
|            |                               |                                | 申請牌照時遞交的學歷證明文件<br>Documentary proofs of academic qualifications submitted for licence application  |
|            |                               | 1 個拒絕<br>1 declined            | 要求的資料已公開<br>Information requested already published  |
| 2018/19    | 3                             | 全部接受<br>All accepted           | 第三者發出的學歷確認函<br>Confirmation letter on an education record issued by a third party                  |
|            |                               |                                | 申請牌照時遞交的學歷證明文件<br>Documentary proofs of academic qualifications submitted for licence applications |
| 2017/18    | 2                             | 全部接受<br>All accepted           | 申請牌照遞交的個人資料<br>Personal Data submitted for licence application                                     |
|            |                               |                                | 調查和紀律研訊結果<br>Investigation and inquiry hearing results   |

監管局透過其網站發布資訊以提高局方工作的透明度，而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，以進一步提高本局透明度。公眾可於監管局辦事處及網站閱覽有關年報。

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。

The transparency of the EAA's work is attained through the information published at its website and is further enhanced by furnishing 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.

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

為方便公眾人士查悉紀律委員會根據《地產代理條例》賦予的權力向有關持牌人或前持牌人涉及的紀律事宜進行紀律研訊的結果，以及為教育地產代理業界及公眾，監管局於其網站內公布紀律研訊結果。

紀律委員會於2019/20年度共裁決了129個紀律研訊個案。監管局將這些個案的結果於其標題為「近期的紀律研訊結果」的網頁內公布。

同時，監管局亦在其網站內公布紀律研訊的裁決理由。詳情請參閱「積極參與執法」章節內的「公布研訊的裁決理由」。

## 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。2019/20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112至152頁。

### 上訴

根據《地產代理條例》，持牌人或牌照申請人可就監管局有關拒絕批給牌照或續期牌照，或監管局施行的紀律處分的決定提出上訴。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。委員會的主席須從委員會成員中委任成員組成審裁小組就上訴作出裁決。

## Publication of inquiry hearing results

The EAA publishes inquiry hearing results on its website to facilitate members of the public to ascertain the results of the inquiry hearings conducted by the Disciplinary Committee 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 Disciplinary Committee adjudicated 129 inquiry hearing cases in 2019/20 and the EAA has published the inquiry hearing results of these cases on its webpage titled "Recent Inquiry Hearing Results".

The EAA also publishes the reasons for disciplinary decisions on its website. For details, please refer to the sub-section headed "*Publication of reasons for the decisions of inquiry hearings*" under the section headed "*Proactive in Law Enforcement*".

## 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 2019/20.

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 2019/20 audited by Deloitte Touche Tohmatsu are included in pages 112 to 152.

### 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.





# 機構管治

## Corporate Governance

### 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。2019/20年度內，本局共接獲六宗申訴專員轉介的個案，當中五宗個案已於年內結束及裁定為不成立，一宗則仍在處理中。

### The Ombudsman's review

The EAA came under the jurisdiction of the Ombudsman on 2 July 2010. In the year of 2019/20, a total of six inquiries from the Ombudsman were received. Five of them were closed and unsubstantiated while one is outstanding.

### 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。

### 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 their pledges to the public.

### 2019/20 年度行政部門服務達標率

### Achievement of the Performance Pledges in 2019/20

#### 查詢

#### Enquiries

| 服務類別<br>Service type  | 指標<br>Standard  | 達標率<br>Results |
|---|---|----------------|
| 回覆查詢<br>Response to enquiries   |   |                |
| <ul style="list-style-type: none"> <li>電話查詢（留言訊息）</li> <li>Telephone enquiries (voice mail messages)</li> </ul> | <ul style="list-style-type: none"> <li>一個工作天內<sup>1</sup></li> <li>Within 1 working day<sup>1</sup></li> </ul>  | 100%           |
| <ul style="list-style-type: none"> <li>書面查詢</li> <li>Written enquiries</li> </ul>                               | <ul style="list-style-type: none"> <li>七個工作天內<sup>2</sup></li> <li>Within 7 working days<sup>2</sup></li> </ul> | 99.96%         |

#### 資格考試

#### Qualifying Examinations

| 服務類別<br>Service type                                    | 指標<br>Standard  | 達標率<br>Results |
|---|---|----------------|
| 發出成績通知單 <sup>3</sup><br>Issue result slips <sup>3</sup> | 考試後的 14 個工作天內<br>Within 14 working days after the examination | 100%           |

<sup>1</sup> 監管局的工作天為星期一至五。

<sup>2</sup> 收到查詢後下一個工作天開始計算。

<sup>3</sup> 由監管局委託舉辦資格考試的職業訓練局高峰進修學院發出。

<sup>1</sup> The EAA's working days are from Monday to Friday.

<sup>2</sup> From the next working day following receipt of the enquiry.

<sup>3</sup> Issued by the Institute of Professional Education And Knowledge of the Vocational Training Council, authorised by the EAA to administer the examinations.

## 牌照 Licensing

| 服務類別<br>Service type  | 指標<br>Standard  | 達標率<br>Results |
|---|---|----------------|
| 處理新牌照申請<br>Process new licence applications   | 收到新申請後的 10 個工作天內 <sup>1</sup><br>Within 10 working days for new applications <sup>1</sup> | 99.93%         |
| 處理續牌申請<br>Process renewal licence applications  | 收到續牌申請後的 20 個工作天內<br>Within 20 working days for renewal applications                      | 100%           |
| 退款予不獲發牌照或取消牌照申請的申請人<br>Refund of application fees for rejected/<br>cancelled applications | 10 個工作天內 <sup>2</sup><br>Within 10 working days <sup>2</sup>                              | 100%           |

<sup>1</sup> 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。

<sup>2</sup> 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。

<sup>1</sup> From the next 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.

<sup>2</sup> From the next day after an application is cancelled or rejected; for bankruptcy cases, from the next day following the receipt of instructions from the Official Receiver's Office or the trustee-in-bankruptcy.



### 投訴、行動及紀律研訊

### Complaints, Enforcement and Disciplinary Proceedings

| 服務類別<br>Service type  | 指標<br>Standard   | 達標率<br>Results |
|---|--|----------------|
| 確認收到投訴人的書面投訴<br>Acknowledge receipt of written complaints   | 五個工作天內<br>Within 5 working days                            | 100%           |
| 收到足夠證明文件後向投訴人作出書面回覆<br>Provide a written response to complainants upon receipt of sufficient supporting documents   | 15個工作天內<br>Within 15 working days                          | 100%           |
| 進行首次紀律研訊(適用於普通個案和複雜個案)／於監管局網頁公布已承認的違規事項(適用於快速個案) <sup>1</sup><br><i>[注意：並非所有個案會進行紀律處分。]</i> <sup>2</sup><br>Conduct the first disciplinary inquiry hearing for Normal Cases and Complex Cases/Publish admitted breach(es) on EAA website for Fast Track Cases <sup>1</sup><br><i>[Note: Not all cases will proceed to disciplinary actions.]</i> <sup>2</sup> |  |                |
| 快速個案<br>(紀律處分新計劃下而又不牽涉有證人的個案)<br>Fast Track Cases<br>(Cases dealt with under the New Scheme for Disciplinary Cases and involving no witnesses)  | 六個月內 <sup>3</sup><br>Within 6 calendar months <sup>3</sup> | 不適用<br>N/A     |

<sup>1</sup> 監管局之調查一般着眼於《地產代理條例》及其附屬法例之規定是否獲得遵從，以及地產代理及營業員之執業操守。倘若個案涉及任何同期進行的刑事調查、由其他監管機構就不遵從其法規進行的調查或民事訴訟，則本服務承諾並不適用。

<sup>2</sup> 投訴人及涉案持牌人會在以下期間獲書面通知有關的個案有否獲建議進行紀律處分：快速個案為3個月內；普通個案為6個月內；複雜個案為9個月內。

<sup>3</sup> 由監管局接獲足夠證明文件後向投訴人作出書面回覆的日期，或(如個案沒有投訴人)由監管局向涉案持牌人發出首封闡明指稱的信件的日期，直至首次紀律研訊的研訊日期(適用於普通個案和複雜個案)，或已承認的違規事項於監管局網頁公布的日期(適用於快速個案)。

<sup>1</sup> The EAA's investigation generally focuses on the compliance of the Estate Agents Ordinance and its subsidiary legislation and the conduct of estate agents and salespersons in their practice of estate agency trade. If a case is related to any parallel investigation of criminal offence or non-compliance with any law or regulation by other regulatory bodies, or if the case is related to any parallel civil court action, this performance pledge is inapplicable.

<sup>2</sup> A written notification of whether the case will be recommended for disciplinary actions will be given to the complainant(s) and the licensee(s) concerned within 3 calendar months for Fast Track Cases, within 6 calendar months for Normal Cases, or within 9 calendar months for Complex Cases.

<sup>3</sup> Commences from the date of the EAA's written response to complainants upon receipt of sufficient supporting documents from them or (if there is no complainant) from the date of the EAA's first allegation letter to licensees concerned to the date of the first disciplinary inquiry hearing for cases proceeding to an inquiry hearing for Normal Cases and Complex Cases or to the publication date of admitted breach(es) on EAA website for Fast Track Cases.

| 服務類別<br>Service type   | 指標<br>Standard  | 達標率<br>Results |
|--|---|----------------|
| 普通個案<br>(非快速個案並只涉及不多於2項受監管局調查的指稱的個案)<br>Normal Cases<br>(Cases other than Fast Track Cases concerning not more than 2 allegations investigated by the EAA) | 10 個月內 <sup>1,2</sup><br>Within 10 calendar months <sup>1,2</sup> | 94.34%         |
| 複雜個案<br>(除快速個案及普通個案以外的個案)<br>Complex Cases<br>(Cases other than Fast Track cases and Normal Cases)   | 13 個月內 <sup>1,2</sup><br>Within 13 calendar months <sup>1,2</sup> | 88.57%         |
| 通知投訴人個案結果<br>Notify complainants of the outcome of the case  | 10 個工作天內 <sup>3</sup><br>Within 10 working days <sup>3</sup>      | 100%           |
| 通知被投訴人(持牌人)個案結果<br>Notify complainees (licensees) of the outcome of the case   | 10 個工作天內 <sup>4</sup><br>Within 10 working days <sup>4</sup>      | 100%           |

## 持續專業進修計劃

## Continuing Professional Development (“CPD”)

| 服務類別<br>Service type   | 指標<br>Standard                     | 達標率<br>Results |
|--|------------------------------------|----------------|
| 完成處理持續專業進修活動認可的申請<br>Process applications for endorsement of CPD activities                        | 20 個工作天內<br>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<br>Issue certificates of attendance for EAA-organised CPD activities | 30 個工作天內<br>Within 30 working days | 100%           |

<sup>1</sup> 由監管局接獲足夠證明文件後向投訴人作出書面回覆的日期，或(如個案沒有投訴人)由監管局向涉案持牌人發出首封闡明指稱的信件日期，直至首次紀律研訊的研訊日期(適用於普通個案和複雜個案)，或已承認的違規事項於監管局網頁公布的日期(適用於快速個案)。

<sup>2</sup> 就本服務承諾而言，就有關個案於進行紀律研訊後出現一切非監管局所能控制的情況，如：紀律研訊已經準備就緒但研訊日期尚未確定、出席有關紀律研訊的投訴人、證人及/或被投訴人未能出席有關紀律研訊等，所產生的額外時間將不會納入本服務承諾中。

<sup>3</sup> 由完成調查之日起計；假如監管局須要為有關個案舉行紀律研訊或根據紀律處分新計劃下處理有關個案，則以向被投訴人發出研訊結果通知書之日起計。

<sup>4</sup> 不包括須要舉行紀律研訊的投訴個案。法例規定，監管局「須自有關決定日期起計21天內，將該決定以書面通知持牌人和通知該決定所針對的任何其他人……」。

<sup>1</sup> Commences from the date of the EAA's written response to complainants upon receipt of sufficient supporting documents from them or (if there is no complainant) from the date of the EAA's first allegation letter to licensees concerned to the date of the first disciplinary inquiry hearing for cases proceeding to an inquiry hearing for Normal Cases and Complex Cases or to the publication date of admitted breach(es) on EAA website for Fast Track Cases.

<sup>2</sup> Situations out of the EAA's control, such as no inquiry hearing date is available after the case is ready for inquiry hearing or the unavailability of complainant(s), witness(es) and/or the licensee(s) concerned on the purported inquiry hearing date after the case is ready for inquiry hearing etc., are disregarded for the purpose of this performance pledge.

<sup>3</sup> From completion of investigation or, in the event the case is submitted for an inquiry hearing or dealt with under the New Scheme for Disciplinary Cases, the date of the letter notifying the complainees of the result of the hearing.

<sup>4</sup> Excludes cases that have to be submitted for inquiry hearings. For the latter, the statutory requirement is for the EAA to “within the period of 21 days beginning on the date of the relevant decision, to notify in writing the licensee and any other person against whom the decision is made of the decision...”.





# 監管局行政部門 The EAA Administration

## 組織與員工 Organisation and People

### 組織架構 Organisation structure



總監級以下的員工編制

Non-directorate staff establishment





# 監管局行政部門 The EAA Administration

## 管理團隊

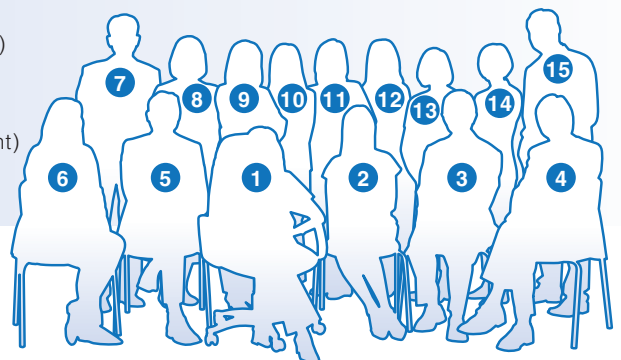
## Management team



- 1 行政總裁韓婉萍女士  
Ms Ruby HON,  
Chief Executive Officer
- 2 規管及法律總監梁德麗女士  
Ms Juliet LEUNG,  
Director of Regulatory Affairs  
and General Counsel
- 3 服務及專業發展總監王頌恩先生  
Mr Ivan WONG,  
Director of Services  
and Professional Development
- 4 法律顧問梁耀光先生  
Mr YK LEUNG,  
Legal Counsel
- 5 規執行總監陳汝微先生  
Mr CHAN U Keng,  
Director of Operations
- 6 法律顧問容慧敏女士  
Ms Jennifer YUNG,  
Legal Counsel

- 7 投訴部經理馬喜得先生  
Mr Danny MA,  
Manager (Complaints)
- 8 機構傳訊部經理鄭麗珊女士  
Ms Anissa CHENG,  
Manager  
(Corporate Communications)
- 9 牌照部經理李佩華女士  
Ms Ivy LEE,  
Manager (Licensing)
- 10 財務及行政部經理潘穎芝女士  
Ms Wendy POON,  
Manager  
(Finance and Administration)
- 11 投訴部經理傅慧敏女士  
Ms Connie FU,  
Manager (Complaints)
- 12 行動部經理李淑儀女士  
Ms Elvina LEE,  
Manager (Enforcement)

- 13 專業發展部經理鄧敏琪女士  
Ms Maggie TANG,  
Manager  
(Professional Development)
- 14 法律事務及考試部經理高善君女士  
Ms Susanna KO,  
Manager  
(Legal Services and Examination)
- 15 資訊科技及數據分析部經理林家雯先生  
Mr LAM Ka Man,  
Manager  
(IT and Data Analysis)



## 員工及薪酬

### 員工

監管局行政部門由行政總裁領導，其職能包括管理監管局事務，以及監察及規管業界遵守《地產代理條例》。截至2020年3月31日，監管局職員編制共有104名員工。殘疾僱員佔總僱員數目1%，2019/20年度的員工流失率為27%。

### 薪酬

監管局定期檢討其薪酬政策及做法，以確保其薪酬福利符合市場趨勢，以維持一定的競爭力以吸引及留住人才。本局委託了獨立顧問公司在年內進行薪酬結構檢討及薪酬趨勢調查。工資範圍已根據市場水平進行調整。2020年度按表現的薪金調整制度亦參考了顧問公司的建議而釐訂。

### 本年度行政總裁和總監的薪酬

本年度支付予行政總裁和總監<sup>2</sup>的薪酬<sup>1</sup>如下：

|                       |                            | 數字<br>Number of<br>individuals |
|-----------------------|----------------------------|--------------------------------|
| 1,500,000 元以下         | below \$1,500,000          | 1                              |
| 1,500,001–2,000,000 元 | \$1,500,001 to \$2,000,000 | 2                              |
| 3,000,001–3,500,000 元 | \$3,000,001 to \$3,500,000 | 1                              |
| 總數                    | <b>Total</b>               | <b>4</b>                       |

<sup>1</sup> 整套薪酬福利包括年內支付的薪金、約滿酬金及按表現調整的薪金(如適用)。

<sup>2</sup> 年內其中一名現任總監擔任總監一職少於半年。

## Staffing and remuneration

### Staffing

The EAA Administration is led by the Chief Executive Officer who is responsible for managing the business of the EAA, and monitoring and supervising compliance with the Estate Agents Ordinance. As at 31 March 2020, the staff establishment was 104. The percentage of employees with disabilities was 1%. The staff turnover rate for 2019/20 was 27%.

### Remuneration

The EAA regularly reviews its remuneration policy to ensure that its remuneration packages are in line with the market trends, so as to maintain competitiveness in attracting and retaining talent. An independent consultant was commissioned to conduct a pay structure review and a pay trend survey during the year. The pay ranges were revised in line with the market and the 2020 annual performance-linked pay adjustment also drew reference from the recommendations of the consultant.

### Remuneration of Chief Executive Officer and Directors during the year

The total remuneration<sup>1</sup> of the Chief Executive Officer and directors<sup>2</sup> during the year was as follows:

<sup>1</sup> Total remuneration includes salary, contract-end gratuity and performance-linked pay, if applicable, paid during the year.

<sup>2</sup> One of the current directors had taken up the position for less than six months during the year.





# 監管局行政部門

## The EAA Administration

### 培訓及溝通

#### 員工培訓及發展

隨着公眾對公營機構的問責性及透明度之期望與日俱增，監管局必須確保員工具備履行職責、積極回應時刻演變的大眾訴求，以及維持高服務水平的能力。作為本局人力資源策略之一，監管局致力提供各類資源（包括內部工作坊、對外的培訓課程及培訓資助等），以提升員工的工作能力及支持員工的事業發展。

監管局的員工身為公營組織的人員，應對防止貪污及誠信事宜有高度認知。有見及此，我們安排從未出席廉政公署研討會及有意重溫相關知識的員工，參加由廉政公署舉辦的「防止貪污」講座。

為了加強全體員工對防止職場性騷擾的意識，監管局委託平等機會委員會舉行工作坊，以提高員工對性騷擾的了解。



監管局委託平等機會委員會舉行工作坊，以提高員工對性騷擾的了解。  
EAA commissioned Equal Opportunities Commission to provide a workshop on understanding sexual harassment for all staff.

年內，監管局為員工舉行團隊建設活動，透過分組加強不同職級員工的溝通。此舉能鼓勵員工相互協作以解決問題，以及凝聚員工士氣，實現共同目標。

### Training and communication

#### Staff training and development

With rising public expectations on the accountability and transparency of public organisations, the EAA needs to ensure that its staff are equipped with the necessary competencies to discharge their duties, respond to the community's evolving needs, and achieve consistently high levels of performance. As part of its human resources strategy, the EAA is committed to providing various kinds of resources, including in-house workshops, external training programmes and training sponsorship to enhance their competencies and support their career development.

Being employees of a public body, EAA staff should have a high level of awareness on corruption prevention and flawless integrity. For this purpose, a talk by the Independent Commission Against Corruption ("ICAC") on "Corruption Prevention" was organised for those staff who had not attended similar seminars conducted by the ICAC before and for others to refresh their knowledge.

To enhance staff awareness on the importance of preventing sexual harassment in the office, EAA commissioned Equal Opportunities Commission to provide a workshop on understanding sexual harassment for all staff.



監管局為員工舉行團隊建設活動，凝聚員工士氣。  
The EAA organised a team building workshop to boost staff morale.

The EAA organised a team building workshop during the year to enhance communication among EAA staff of different ranks and from different teams, drive staff's motivation to collaborate with one another to resolve problems, and to boost staff morale through achieving common goals.



本局同時資助員工參加相關的培訓課程，以加強他們在工作方面的知識及實現其個人事業發展目標。

所有培訓活動旨在提升監管局員工的專業知識與技能，協助他們盡展所長，以迎接日後更大的挑戰和成就。

### 溝通

監管局透過不同渠道來加強員工之間的溝通，包括定期舉行管理層會議及部門會議，一方面確保各個部門的透明度及對彼此工作的互相理解，同時確保監管局方針能傳達至各職級的員工。高級管理層亦會透過定期的溝通活動(如部門簡報會)接觸員工，分享管理層有關各事項上的最新訊息及政策方針，例如監管局的機構計劃及架構變化等，並提供機會讓員工發表意見。

另外，監管局亦設立員工委員會，由各職級的員工選出代表而組成。

為培養團隊精神，監管局於年內舉行了若干員工聚會，如年度聖誕派對及午飯時段工作坊等。

Staff were provided with sponsorship for attending their self-initiated training programmes to enhance their knowledge at work and to meet individual career development goals.

All these training activities aim to enhance the professional knowledge and skills of EAA staff, to develop their full potential and to prepare them for greater challenges and achievements ahead.

### Communication

The EAA reinforces communication among staff through different channels, including regular meetings among management staff and sectional meetings, horizontally to ensure transparency and understanding of the work of different sections and vertically to convey direction to different rankings of staff. The senior management further regularly reaches out to staff through various communication sessions, such as the sectional briefing sessions to share the latest message and direction from the senior management on matters such as the EAA's corporate plan and organisational changes, as well as to provide a platform for the staff to share their views.

In addition, the EAA has formed a staff committee with members comprised representatives of each rank of staff through elections.

To foster team spirit, informal gatherings such as an annual Christmas party and lunchtime workshops were arranged during the year.



監管局員工於午飯時段參與咖啡拉花工作坊。  
The EAA staff participated in the latte art workshops during lunch hour.



# 監管局行政部門

## The EAA Administration

### 機構及員工獎項

#### 機構獎項

監管局連續五年獲香港社會服務聯會頒發「同心展關懷」標誌，以表揚本局在「關懷社區」、「關懷僱員」及「關注環境」上的承諾和貢獻。

監管局同時再次獲得由僱員再培訓局嘉許為「人才企業」，表揚本局在人才培訓及發展方面的卓越表現。

#### 員工獎項

監管局的牌照部經理及一位投訴部主任獲選為「2019申訴專員嘉許獎—公職人員獎」得獎者，以表揚他們在服務大眾和處理投訴及查詢方面的專業及積極態度。這是連續第五年有監管局員工獲頒該等獎項。

### 財務回顧

#### 收入及支出

由於監管局向地產代理業界的個人持牌人提供一筆過專業發展資助(於2020年4月至7月發放)，監管局於本年度錄得510萬元赤字(相比去年盈餘為1,220萬元)。

董事局於2020年1月宣布批准為每名個人持牌人提供一筆過專業發展資助。於2020年3月31日每名持有有效地產代理(個人)牌照或營業員牌照的人士，獲得由監管局發放的500元一筆過專業發展資助，以助他們於困難的經營環境下發展及維持其專業服務水平。故此，監管局已於2020年3月31日將2,060萬元的應付資助入賬。由2020年4月起，資助會按牌照號碼的先後順序分批向合資格個人持牌人發放。所有資助預計於7月底全部發放完畢。若撇除此項非經常性開支，監管局則於2019/20年度錄得1,550萬元盈餘。

### Corporate and staff awards

#### Corporate awards

The EAA received the Caring Organisation logo for the fifth consecutive year presented by The Hong Kong Council of Social Service in recognition of its commitment and contribution to “Caring for the Community”, “Caring for the Employees” and “Caring for the Environment”.

The EAA was also acknowledged as a “Manpower Developer” again by the Employees Retraining Board for its outstanding achievements in manpower training and development.

#### Staff awards

A Manager of the Licensing Section and an Officer of the Complaints Section received “The Ombudsman’s Award 2019” for “Officers of Public Organisations” in recognition of their professional and positive attitude in serving the public and handling complaints and enquiries. This was the fifth consecutive year that EAA staff have received the awards.

### Financial Review

#### Income and expenditure

For the year under review, the EAA reported a deficit of \$5.1 million after the provision of the one-off professional development subsidy to individual licensees to be released from April 2020 to July 2020 (as compared to a surplus of \$12.2 million last year).

The Board approved the provision of the one-off professional development subsidy to each individual licensee which was announced in January 2020. Holders of a valid estate agent’s licence (individual) or salesperson’s licence as at 31 March 2020 would each receive a one-off professional development subsidy of \$500 from the EAA to assist them in developing and maintaining their professional service standard under the difficult operating environment. The subsidy payable of \$20.6 million was thus recognised as at 31 March 2020. Starting from April 2020, the subsidy is released to eligible individual licensees by batches in sequence of licence numbers. The disbursement of the subsidy is expected to be completed by end of July 2020. If excluding this exceptional non-recurrent expenditure, the EAA reported a surplus of \$15.5 million for 2019/20.

監管局在本年度之總收入為9,140萬元，較上年度減少150萬元或1.6%。年內總支出為7,590萬元(不包括2,060萬元的資助)，較上年度減少470萬元或5.8%。

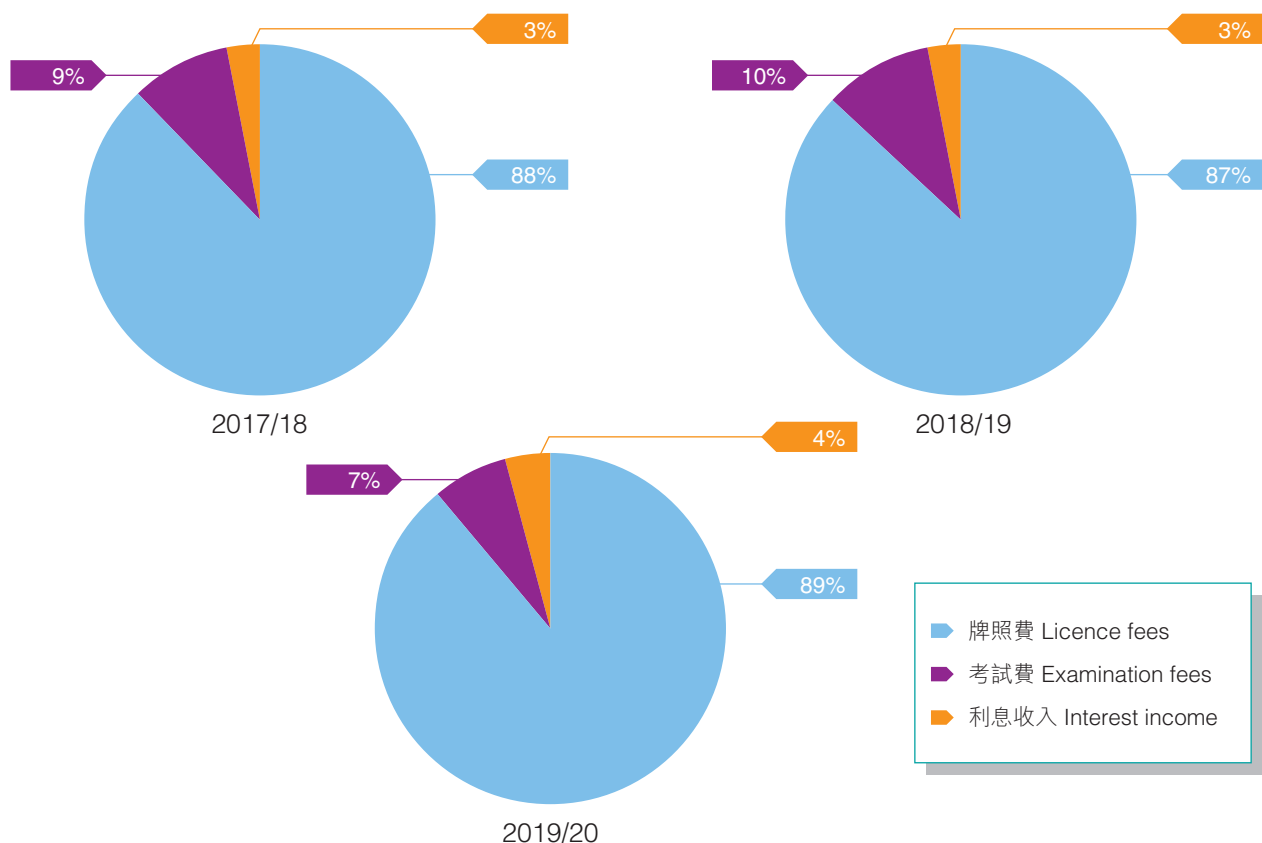
### 收入

牌照費收入佔總收入的89%，較上年度增加了20萬元或0.3%至8,120萬元，原因主要為年內持牌人數輕微上升。原訂於2020年2月及3月的資格考試因應2019冠狀病毒病疫情的發展而取消，考試費收入則較上年度減少260萬或28.9%至650萬元。此外，利息收入上升至370萬元，較上年度增加90萬元或33.9%，原因為年內銀行的平均定期存款息率上升；更有效管理定期存款的存款期，以致獲得最大回報；以及更多資金轉向至銀行作定期存款。

Income for the year was \$91.4 million, a decrease of \$1.5 million or 1.6% over the previous year. Expenditure for the year (excluding the subsidy of \$20.6 million) was \$75.9 million, a decrease of \$4.7 million or 5.8% compared to the previous year's.

### Income

Licence fee income, contributing 89% of the total income, was \$81.2 million, representing an increase of \$0.2 million or 0.3% over the previous year. The increase was mainly due to a mild growth in the number of licensees during the year. Examination fee income was \$6.5 million, representing a decrease of \$2.6 million or 28.9% over the previous year, mainly due to the cancellation of qualifying examinations in February and March 2020 because of the outbreak of COVID-19 during 2019/20. Interest income was \$3.7 million, representing an increase of \$0.9 million or 33.9% over the previous year, due to the rise in time deposit interest rates during 2019/20 on average; better management of the duration of time deposits to maximise the return; and more cash shifted to time deposits placed at banks.





# 監管局行政部門

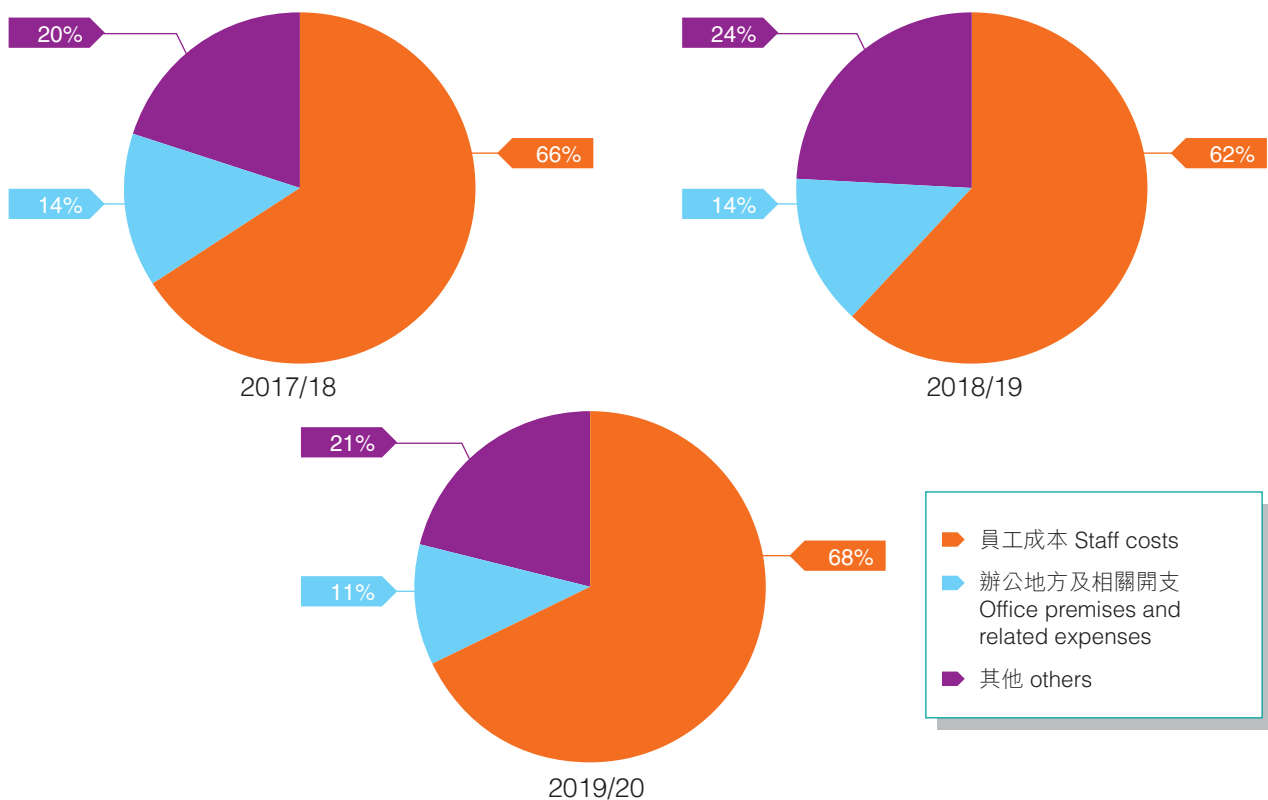
## The EAA Administration

### 支出

員工成本與辦公地方及相關開支為兩大主要支出，分別佔經常性總開支67.5%及11.2%。主要金額增加的支出項目為員工成本及專業服務費用，而主要金額減少的支出項目則為辦公地方及相關開支、考試服務費用，以及物業、機器及設備之折舊。

### Expenditure

Staff costs, and office premises and related expenses were two major expenditure items, accounting for about 67.5% and 11.2% of the total recurrent expenditures respectively. Expenditure items that saw major increases in dollar amount were staff costs and professional service fees. Expenditure items that saw major decreases in dollar amount were office premises and related expenses, service fees for examinations, and depreciation of property, plant and equipment.



### 企業社會責任

監管局致力將企業社會責任原則融入日常運作中，為社會持續發展作出貢獻。針對社區、環境及工作場所等主要企業社會責任範疇，均已納入至本局所有營運決策及實務中。要維持作為法定機構應有的良好企業社會責任，有賴全體監管局成員的努力。

### Corporate Social Responsibility

The EAA is committed to integrating corporate social responsibility ("CSR") principles into our daily operations and contributing to the sustainable development of the society. Key CSR aspects such as community, environment and workplace, are integrated into all our operational decisions and practices. Maintaining good CSR practices that align with our role as a statutory body involves everyone at the EAA.



### 參與慈善活動

為關懷弱勢社群及社會上有需要的人士，監管局全力支持非牟利機構所舉辦的籌款活動(包括：公益便服日、公益愛牙日、公益行善「折」食日等)。今年，監管局決定支持香港基督教青年會企業社會責任計劃下的面試技巧工作坊及綠色工作坊兩項活動。面試技巧工作坊向高中生簡單介紹了求職面試的所需技能，以及舉辦模擬面試。五名監管局員工為該活動擔任義工，一共有20名學生參與其中。綠色工作坊旨在幫助基層家庭了解更多有關食物來源及低碳飲食習慣。16名監管局員工為該活動擔任義工。

### Charity participation

To show our care to the underprivileged and those in need, the EAA supported various fund-raising activities (e.g. Dress Casual Day, Love Teeth Day, Skip Lunch Day, etc.) and supported non-profit making organisations. This year, the EAA chose to support two events (Interview Skill Workshop and Go Green Workshop) of the YMCA Corporate Social Responsibility Programmes. The Interview Skill Workshop is a brief introduction to job interviews by teaching the skillset needed and providing a mock interview for senior secondary school students. Five EAA staff volunteered for the event and twenty students joined the workshop. The Go Green Workshop is to help children from low income families understand more about food sources and low carbon diets. Sixteen EAA staff volunteered for the event.



監管局員工在面試技巧工作坊中為高中生進行模擬面試。  
EAA staff conducted mock interview with senior secondary school students at the Interview Skill Workshop.



監管局員工積極參與香港公益金舉辦的公益便服日。  
The EAA staff participated in the Dress Casual Day organised by the Hong Kong Community Chest.





# 監管局行政部門

## The EAA Administration

### 後50 • 實習生計劃

監管局於2019年參加由僱員再培訓局舉辦的「後50 • 實習生計劃」。該計劃旨在為50歲或以上人士提供就業機會。在為期一個月的實習期中，參加者有機會在職場上一展所長，同時掌握就業市場的現況。在實習完結後，監管局主動向實習生提供臨時職位。

監管局於2019年參加由僱員再培訓局舉辦的「後50 • 實習生計劃」。The EAA joined the Post-50 Internship Programme held by the Employee Retraining Board in 2019.



### Post-50 Internship Programme

The EAA joined the Post-50 Internship Programme held by the Employee Retraining Board in 2019. The Post-50 Programme is to provide people aged over 50 with an opportunity to join the workforce. During the one-month programme, the participants had the opportunity to develop their strengths in the workplace and get up to date with the current status of the job market. After the internships, the EAA voluntarily offered the participants temporary jobs.



監管局支持香港基督教青年會企業社會責任計劃下的綠色工作坊。

The EAA supported the Go Green Workshop under the YMCA Corporate Social Responsibility Programmes.

### 環境

監管局致力成為一個環保機構，並向員工推廣環保理念。我們採納了多項綠色辦公室措施，包括提供專門收集單面印刷紙張以作重複使用的托盤、回收紙張及碳粉盒、使用符合環保原則的印刷紙張，以及使用自動關閉照明系統和空調的定時器等。

年內，監管局亦參與不少環保活動，例如「『輕 • 型』上班日」、「香港無冷氣夜」及「地球一小時」等。

### 抗疫工作

為減低2019冠狀病毒病擴散的風險，自2020年1月底開始，局方實施同事在家工作的輪值安排。而為避免交叉感染，會議採取網上方式進行，以替代面談。

然而，監管局接待處或向市民提供服務的櫃位在期內仍如常對外開放。局方採取不同的預防措施，包括：要求訪客在進入寫字樓前量度體溫及佩戴口罩、以及透過監管局的網上預約系統進行預約等。

### Environment

The EAA strives to operate as an environmentally friendly organisation and promotes the same to its staff. Green office measures adopted include provision of designated trays to collect one-side printed paper for reuse; recycling of paper and toner cartridges; and use of environmentally friendly printing paper, timer for switching off lighting and air-conditioning automatically, etc.

The EAA also participated in several environmental initiatives during the year, e.g. Biz-green Dress Day, Hong Kong No Air Con Night and Earth Hour.

### Combating COVID-19

To reduce risk of the spread of COVID-19, a roster arrangement for colleagues to work from home was implemented since the end of January 2020. Meetings were held online in lieu of physical attendance to prevent cross infection.

Nonetheless, the opening hours of the EAA reception/service counter for providing services to the public were maintained as usual during the period. Precautionary measures were implemented such as requiring visitors to take a body temperature check and to wear a face mask before entering the office premises, to make a prior appointment for service through an online booking system, etc.

## 資訊科技

### 網上服務

監管局在年內重整了網站的多個網上功能(例如查詢「牌照目錄」及紀律研訊結果)，讓公眾和持牌人更方便地搜尋資訊，從而使他們獲得更佳的服務體驗。

受2019冠狀病毒病疫情所影響，監管局在其網站上推出網上預約系統，牌照申請人或持牌人如需前往監管局辦事處辦理相關手續，可透過網上預約系統進行預約，讓局方可有效地控制人流，確保接待處範圍在繁忙時段不會過分擁擠。

此外，隨着境外置業越來越普及，監管局在消費者教育網站內推出一個全新網頁專區，為公眾提供有關境外置業的有用資訊。

### 新媒體及渠道

鑑於近年電子資訊覆蓋廣泛，監管局透過各種電子渠道，向大眾及消費者宣傳有關資訊。年內，監管局採用網上營銷工具及網上平台，有效地向其目標群眾傳達所需資訊。例如，局方去年運用了互聯網廣告顯示網絡，亦採用了搜索引擎營銷(Search Engine Marketing)工具，以推廣其消費者教育網站內新增的有關購買境外物業網頁專區，促使網頁的瀏覽量增長了一倍。另外，監管局在一個媒體的Facebook專頁進行「境外置業要『究』SMART」直播講座，其精華片段瀏覽次數錄得超過40,000次。

監管局將會繼續探討在不同領域上(包括持續專業進修講座)使用新媒體以擴大其服務接觸的對象。

### 網絡安全

隨着網絡攻擊和資料洩漏風險不斷提高，監管局定期檢討其保安平台和參數，確保有關措施為最新版本，以及符合業界的標準。

## Information Technology

### Online services

A number of online functions on the EAA website such as licence list and inquiry hearing results have been revamped this year in order to provide easier access and better user experiences for the public and licensees.

Owing to the COVID-19 pandemic, an online appointment system to allow licence applicants and licensees to make prior bookings for acquiring services at the EAA office was deployed on the EAA's website which could effectively avoid the reception area being overcrowded with visitors requesting services during peak hours.

Moreover, a new designated webpage was created under the EAA's consumer education website to provide the public with useful references in relation to the purchase of properties located outside Hong Kong, which is a popular topic lately.

### New media and channels

In view of the wider acceptance of information delivered in electronic form recently, the EAA has explored different digital channels to reach out to the public and to disseminate relevant information to consumers. During the year, the EAA adopted an online marketing tool and platform to reach its target audience effectively. For example, further to the use of display network of advertisement on internet browser last year, the EAA adopted Search Engine Marketing (SEM) tool to promote its new website section about purchasing non-local properties in the EAA's consumer education website and the number of pageviews was doubled during the promotion period. In addition, the EAA also conducted a public seminar through online live broadcast on a media's Facebook page and over 40,000 views were recorded for the recap video.

The EAA will continue to explore the use of new media in different areas, including CPD seminars, in order to broaden the reach of its services.

### Cyber security

With the ever increasing threat of cyber-attacks and data leakage, the EAA has constantly reviewed its security platform and parameters to ensure that they are up-to-date and on a par with the industry practices.



# 活動回顧 Events & Activities

2019

05/2019

舉行「地產代理監管局實務證書課程」(第五期)證書頒授典禮

Certificate presentation ceremony of the fifth series of the EAA's Certificate Programme in Practice held



04/2019

監管局推行網上報考資格考試

The EAA launched online registration for its qualifying examinations



06/2019

監管局與環境保護署合辦「家在香港——地產代理清潔海岸日」，是監管局首次舉辦與地產代理業界一起參與的社會責任活動

The EAA co-organised "My Home Hong Kong – Estate Agents Coastal Cleanup Day" with the Environmental Protection Department, which is the first CSR activity with the estate agency trade's participation



07/2019

監管局的「5A代理」的宣傳計劃榮獲房地產牌照司法人員協會(ARELLO)頒發的教育獎(消費者教育)

The "5A Agent" publicity campaign was awarded the Education Award (Consumer Education) by the international Association of Real Estate License Law Officials ("ARELLO")



監管局為營業員資格考試推出電腦應考模式的試行計劃

The EAA launched a pilot scheme of computer-based examination for the Salesperson Qualifying Examinations

08/2019

出版新小冊子「紀律研訊案例選輯 — 第五輯」  
New booklet titled “Inquiry Hearing Cases – A Selection V” published



監管局舉辦首個「區區有『理』」—社區服務建議比賽」  
The EAA introduced its first Estate Agents Community Service Proposal Competition



監管局2017/18年報獲得國際ARC Award銅獎  
The EAA's Annual Report 2017/18 won the “Bronze” award in the International ARC Awards Competition



09/2019

舉辦「改建有風險 租買要留神」公開講座  
Public Seminar on “Be alert when renting or purchasing properties with alteration works” held



10/2019

監管局消費者教育網站的「精明錦囊」內，新增了一個「有關購買境外物業」的專區  
A new designated website section titled “Purchasing properties located outside Hong Kong” created at the EAA's consumer education website







## 活動回顧 Events & Activities

12/2019

監管局推出名為「聽君一席話・勝讀十年書」的持續專業活動新系列

The EAA introduced a new series of CPD seminars titled "Top Tips by Elites"



11/2019

監管局兩名員工獲頒發「申訴專員嘉許獎」  
Two EAA staff awarded The Ombudsman's Award



2020

01/2020

監管局推出新一輪的「5A代理」宣傳，推廣業界的專業形象並鼓勵消費者委託優質的地產代理

The EAA launched a new wave of "5A Agent" publicity campaign to promote the trade's professional image and encourage consumers to appoint estate agents of high calibre



監管局連續五年獲香港社會服務聯會頒發「同心展關懷」標誌

The EAA continued to be recognised as a Caring Organisation by the Hong Kong Council of Social Service for the fifth consecutive year



01/2020

監管局會見傳媒，回顧2019年的工作及簡介2020年的工作重點

The EAA met the press to review its work in 2019 and introduced its initiatives for 2020





02/2020

出版名為《境外置業要「究」SMART》的新小冊子

New booklet titled “Purchasing Non-local Properties Be SMART” published



監管局2018/19年報獲得國際獎項Mercury Excellence Award 優異獎

The EAA's Annual Report 2018/19 was granted Honours in the Mercury Excellence Award



03/2020

監管局首次以網上直播形式舉辦公開講座，題為「境外置業要『究』SMART」

The EAA's first online seminar titled “Purchasing Non-local Properties Be SMART” held



監管局連續五年獲僱員再培訓局嘉許為「人才企業」

The EAA continued to be awarded as the Manpower Developer by the Employees Retraining Board for the fifth consecutive year



2020



# 監管局及政府給予的特別資助

## Special Subsidy from the EAA and the Government

### 監管局及政府給予的特別資助

#### 監管局資助的背景

為協助持牌人在2019/20逆市之中發展及維持專業服務水平，監管局與主要業界商會代表討論後，在得到他們支持及董事局的批准之下，於2020年1月23日宣布向持有有效地產代理(個人)牌照及營業員牌照的持牌人發放一筆過500元的專業發展資助。

#### 監管局資助的資格及發放

該資助發放予每名於2020年3月31日當天持有有效牌照的人士；及每名於2020年3月31日或之前遞交個人牌照申請的人士。

為簡化申請程序並加快資助的發放，持牌人毋須申請該資助。資助以本票形式發放予合資格的個人持牌人，並於2020年4月起分批用平郵寄至他們的註冊地址。預計資助的發放將於2020年第三季完成。

#### 政府現金津貼的進度

為了向地產代理業界的個人持牌人提供及時的財政支援，以紓緩2019冠狀病毒疫情對地產代理工作帶來的負面影響，政府亦於2020年4月8日公布在第二輪「防疫抗疫基金」下透過監管局向合資格的個人持牌人提供一筆過的現金津貼(下稱「政府津貼」)。

政府津貼金額相等於相關牌照的24個月牌照費，即營業員牌照的金額為港幣2,510元；地產代理(個人)牌照的金額則為港幣3,930元。每名於2020年4月8日當天持有有效地產代理(個人)牌照或營業員牌照的人士，以及每名於2020年4月8日或之前遞交個人牌照申請的人士均可獲發此筆津貼。

### Special Subsidy from the EAA and the Government

#### Background of the EAA Subsidy

In order to assist the licensees in developing and maintaining their professional service standard under the difficult operating environment in 2019/20, after discussed with and supported by major trade association representatives and approved by the EAA Board, the EAA announced to offer a one-off professional development subsidy of \$500 (herein referred to as "the EAA Subsidy") on 23 January 2020 to the holders of a valid estate agent's licence (individual) or salesperson's licence.

#### Eligibility and distribution of the EAA Subsidy

The EAA Subsidy is granted to each individual licensee holding a valid licence as aforesaid as at 31 March 2020; and each individual who has submitted an application for such a licence on or before 31 March 2020.

To simplify and speed up the process of disbursement, licensees were not required to submit any application for the EAA Subsidy. The EAA Subsidy would be released to eligible individual licensees by cashier's order payable to them and delivered to their registered addresses through ordinary mail by batches starting from April 2020. The disbursement of the EAA Subsidy is expected to complete in the third quarter of 2020.

#### The Government Subsidy in progress

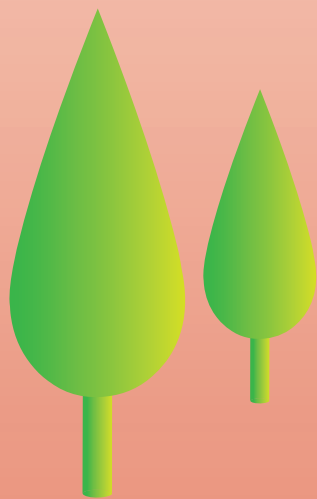
To provide financial support to individual licensees in the estate agency trade in view of the adverse impact of the COVID-19 pandemic on their estate agency practices, the Government also announced on 8 April 2020 to provide a one-off cash subsidy (herein referred to as "the Government Subsidy") to individual licensees of the estate agency trade through the EAA under the second round of the Government's Anti-epidemic Fund.

The amount of the Government Subsidy is equal to 24-month licence fee for respective licences, which is HK\$2,510 for a salesperson's licence and HK\$3,930 for an estate agent's licence (individual). The Government Subsidy is provided to each individual licensee holding a valid estate agent's licence (individual) or salesperson's licence on 8 April 2020 and to each individual who has submitted an application for such a licence on or before 8 April 2020.

在政府釐訂有關獲取津貼資格準則，並於2020年5月11日公布後，監管局盡一切努力務求簡化行政程序，以盡早發放津貼。持牌人毋須申請該政府津貼，銀行本票於2020年5月下旬起會以平郵寄予合資格的持牌人。

Upon the eligibility criteria set out by the Government and announced on 11 May 2020, the EAA has done its utmost to simplify the administrative procedure for the disbursement of the Government Subsidy. No application for the Government Subsidy by the eligible licensees is required, and it will be disbursed to them by bank cashier's orders through ordinary mail starting from late May 2020.

# 提升把關措施 Advances in Gatekeeping









# 提升把關措施

## Advances in Gatekeeping

### 提升把關措施

#### 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。

### Advances in Gatekeeping

#### 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”).

於2019/20年度舉行的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 held in 2019/20 is as follows:**

|                             | 地產代理資格考試<br>EAQE  | 營業員資格考試<br>SQE  |
|-----------------------------|---|---|
| 考試場次<br>Number of Sessions  | 4 場 <sup>1</sup><br>4 sessions <sup>1</sup>   | 筆試應考模式：6 場 <sup>2</sup><br>Paper-based: 6 sessions <sup>2</sup><br>電腦應考模式：9 場 <sup>3</sup><br>Computer-based: 9 sessions <sup>3</sup> |
| 考試時間<br>Examination Time    | 3 小時<br>3 hours   | 2 小時 30 分鐘<br>2 hours 30 minutes  |
| 試題數目<br>Number of Questions | 第一部分：30 條獨立試題<br>Part 1: 30 stand-alone questions<br>第二部分：20 條試題（依據一至兩個個案分析）<br>Part 2: 20 questions based on one or two case studies | 第一部分：40 條獨立試題<br>Part 1: 40 stand-alone questions<br>第二部分：10 條試題（依據一至兩個個案分析）<br>Part 2: 10 questions based on one or two case studies |
| 形式<br>Format                | 多項選擇題<br>Multiple-choice questions  |   |
| 合格分數<br>Pass Mark           | 每部分最少需答對 60%<br>At least 60% of correct answers in each part  |   |

<sup>1</sup> 鑑於2019冠狀病毒病疫情的發展，原定於3月舉行的一場地產代理資格考試被取消。

<sup>2</sup> 鑑於社會運動及2019冠狀病毒病疫情的發展，原訂於2019年11月及2020年2月舉行的兩場營業員資格考試被取消。

<sup>3</sup> 監管局在2019年7月推行一個電腦應考模式的營業員資格考試（「電腦模式考試」）試行計劃。在該試行計劃下，每月舉行一次電腦模式考試（即一年共舉辦12場電腦模式考試）。鑑於2019冠狀病毒病疫情的發展，原訂於2020年2月及3月舉行的兩場電腦模式考試被取消。

<sup>1</sup> Due to the development of COVID-19, one EAQE session was cancelled in March 2020.

<sup>2</sup> Due to social movements and the development of COVID-19, two SQE sessions were cancelled in November 2019 and February 2020.

<sup>3</sup> The EAA launched a pilot scheme of computer-based SQEs (“CBEs”) in July 2019. Under the pilot scheme, CBEs are to be held once a month (i.e. 12 CBEs each year). Due to the development of COVID-19, two CBE sessions were cancelled in February and March 2020.

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。

2019/20年度的資格考試，由職業訓練局高峰進修學院代表監管局舉辦。

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。

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 Institute of Professional Education And Knowledge ("PEAK") of the Vocational Training Council ("VTC") on behalf of the EAA in 2019/20.

The qualifying examinations comprise two parts – one consisting of stand-alone questions and the other consisting 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.

### 有關資格考試的報考及應考人數

在2019/20年度，報考地產代理資格考試的人數為4,376人，報考營業員資格考試的人數則為5,412人，兩者分別較去年減少約28.6%及29.2%。

與2018/19年度相比，實際應考地產代理資格考試的人數減少約29.4%至3,866人，而應考營業員資格考試的人數則減少約30.1%至4,729人。

在2019/20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25%及30.8%，而2018/19年度兩個考試的合格率則為23.8%及29.5%。

### Number of registrants and candidates for qualifying examinations

A total of 4,376 persons registered for the EAQE and 5,412 persons registered for the SQE in 2019/20, representing a decrease of about 28.6% and a decrease of about 29.2% respectively over those of the previous year.

Compared to that in 2018/19, the number of examination candidates that actually took the EAQE decreased by about 29.4% to 3,866 and in the case of the SQE it decreased by about 30.1% to 4,729.

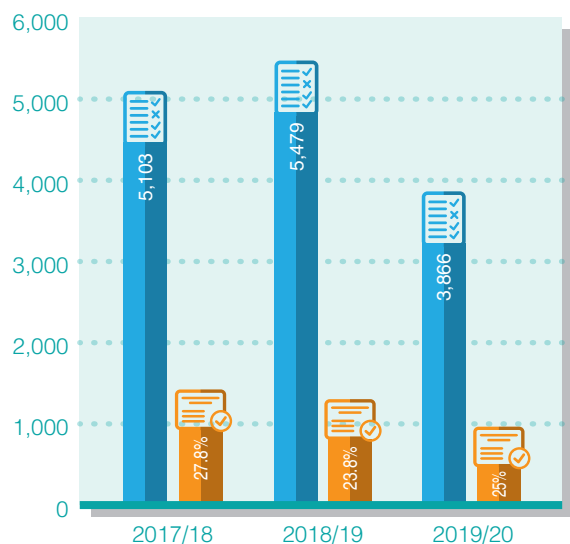
In 2019/20, the average pass rate for the EAQE and SQE were 25% and 30.8% respectively, as against 23.8% and 29.5% respectively in 2018/19.



# 提升把關措施 Advances in Gatekeeping

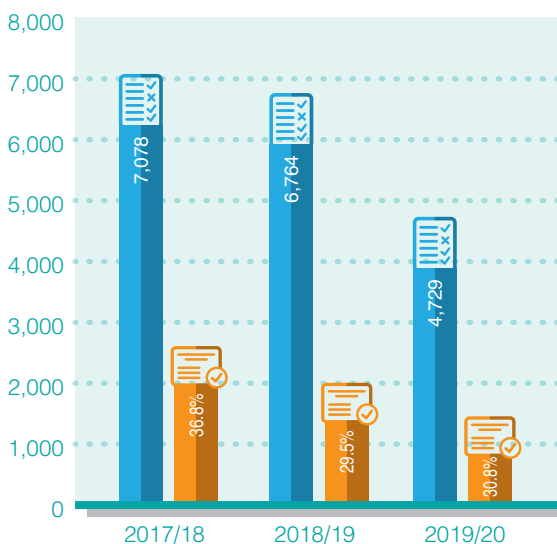
## 地產代理資格考試

### Estate Agents Qualifying Examination



## 營業員資格考試

### Salespersons Qualifying Examination



應考人數

Number of examination candidates



合格率

Pass rate

## 應考考生學歷

在2019/20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32%，至於應考地產代理資格考試，具備大專或以上學歷的考生比率則約為46%，而2018/19年度的比率則分別為33%及48%。一般來說，學歷較高的考生所考取的分數比學歷較低的考生為高。

## Educational background of candidates

In 2019/20, the percentage of candidates who took the SQE and who have attained tertiary or above educational level was about 32%, and that for the EAQE was about 46%, as compared to 33% and 48% respectively in 2018/19. Generally, candidates with higher educational qualifications scored higher marks than those candidates with lower educational qualifications.

|                      | 學歷<br>Education Level         | 2017/18                          |                  | 2018/19                          |                  | 2019/20                          |                  |
|----------------------|-------------------------------|----------------------------------|------------------|----------------------------------|------------------|----------------------------------|------------------|
|                      |                               | 應考考生<br>比率<br>% of<br>candidates | 合格率<br>Pass rate | 應考考生<br>比率<br>% of<br>candidates | 合格率<br>Pass rate | 應考考生<br>比率<br>% of<br>candidates | 合格率<br>Pass rate |
| 地產代理<br>資格考試<br>EAQE | 中五<br>F.5                     | 26.7%                            | 22.9%            | 27.5%                            | 18.5%            | 26.8%                            | 16.2%            |
|                      | 中六或中七<br>F.6 or F.7           | 8.1%                             | 24.5%            | 8.0%                             | 19.0%            | 8.2%                             | 22.7%            |
|                      | 大專或以上<br>Tertiary or<br>above | 46.8%                            | 31.2%            | 47.5%                            | 26.9%            | 45.7%                            | 62.1%            |
|                      | 資料不詳<br>Unknown               | 18.4%                            | 28.0%            | 17.0%                            | 25.9%            | 19.3%                            | 24.5%            |
| 營業員<br>資格考試<br>SQE   | 中五<br>F.5                     | 36.8%                            | 32.2%            | 35.6%                            | 25.5%            | 35.9%                            | 27.3%            |
|                      | 中六或中七<br>F.6 or F.7           | 16.1%                            | 31.3%            | 15.8%                            | 24.0%            | 15.2%                            | 22.6%            |
|                      | 大專或以上<br>Tertiary or<br>above | 30.4%                            | 45.3%            | 33.1%                            | 36.2%            | 32.3%                            | 76.4%            |
|                      | Unknown<br>資料不詳               | 16.7%                            | 37.4%            | 15.5%                            | 29.9%            | 16.6%                            | 33.7%            |

### 報考人士的職業背景

報考資格考試的人士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考生約有 43%。

### Occupational background of registrants

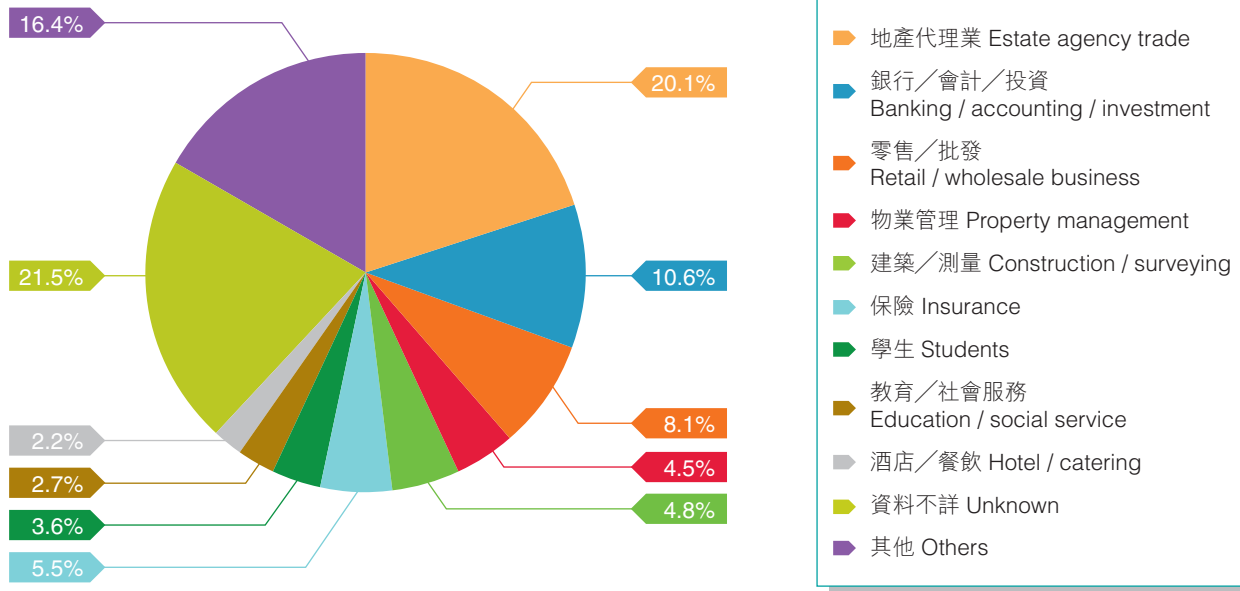
Persons registered for the qualifying examinations included students and people from a wide range of occupational backgrounds, including the retail and wholesale business, property management, banking, accounting, and investment. About 43% of the candidates attempted the examination for the first time.



# 提升把關措施 Advances in Gatekeeping

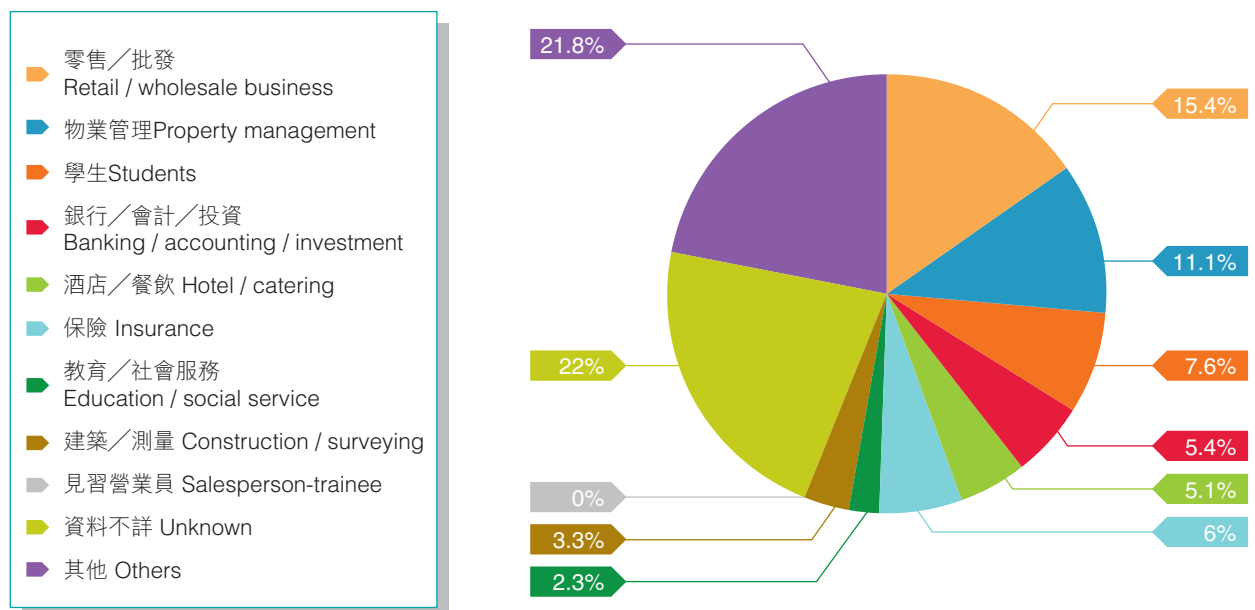
## 地產代理資格考試

### Estate Agents Qualifying Examination



## 營業員資格考試

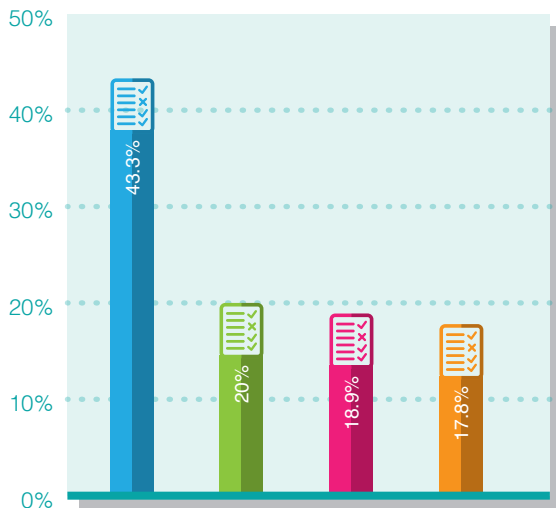
### Salespersons Qualifying Examination





## 考生參加考試的次數 Number of attempts by candidates at examinations

地產代理資格考試  
Estate Agents Qualifying Examination



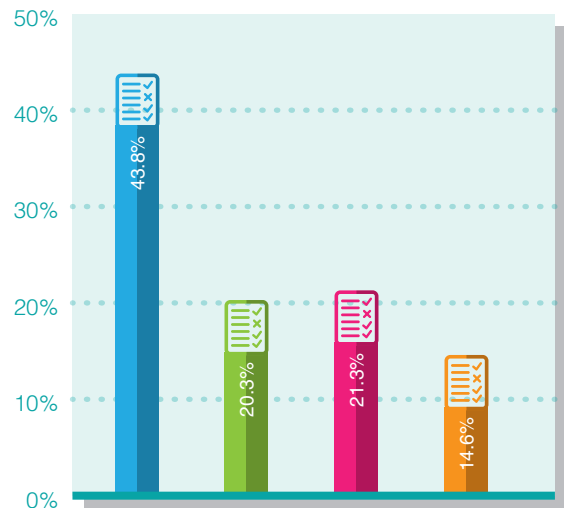
首次應考  
First attempt

第二次應考  
Second attempt

第三次或以上應考  
Third attempt or above

資料不詳  
Unknown

營業員資格考試  
Salespersons Qualifying Examination



### 轉換服務供應商及推出電腦應考模式考試

由2019年4月開始，所有監管局的資格考試均由職業訓練局高峰進修學院舉辦。營業員資格考試及地產代理資格考試均提供筆試應考模式。

另外，為提供另一個選擇及彈性予考生，監管局為營業員資格考試推出一個新的電腦應考模式的試行計劃。自2019年7月以來，監管局每月均舉辦一場電腦應考模式的營業員資格考試（2020年2月及3月份除外）。

### 因應突發事件導致資格考試取消及改期

鑑於2019年11月的社會運動及2019冠狀病毒病疫情的發展，監管局以考生及監考人員的人身安全及／或健康為考量，於2019/20年度取消了一場地產代理資格考試、兩場筆試應考模式的營業員資格考試，及兩場電腦應考模式的營業員資格考試。上述所有被取消的考試已獲安排改期。

### Change of service provider and launch of computer-based examinations

With effect from April 2019, all the EAA's qualifying examinations are administered by PEAK of the VTC. Both the SQE and the EAQE are available in paper-based format.

In order to provide another option and flexibility for candidates, the EAA has launched a new pilot scheme of computer-based examination ("CBE") for the SQE. Since July 2019, there has been one CBE for the SQE every month except for February and March 2020.

### Cancellation and Re-schedule of Qualifying Examinations Due to Unexpected Events

Due to social movements in November 2019, the development of COVID-19, and having regard for the personal safety and/or health of the candidates and examination personnel attending the examinations, the EAA cancelled one EAQE, two paper-based SQEs and two computer-based SQEs in 2019/20 and all of them have been re-scheduled.



# 提升把關措施

## Advances in Gatekeeping

### 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，任何在香港從事地產代理工作的人士，必須持有有效的牌照，否則會觸犯法例。

在發牌制度下，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，負責有效及獨立控制其業務<sup>1</sup>。

地產代理在某個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<sup>2</sup>；及
- 被監管局認為是持牌的「適當人選」。

<sup>1</sup> 《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。

<sup>2</sup> 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 EAO and its subsidiary legislation, any person who carries on estate agency work in Hong Kong must hold a valid licence. Failure to do so is an offence.

Under the licensing regime, 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 control<sup>1</sup>.

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 examination<sup>2</sup>; and
- having been considered by the EAA a "fit and proper" person.

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

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

## 發牌數字

在2019/20年度，個人牌照的總數較上年度輕微減少。截至2020年3月31日，個人牌照的總數為39,358個，較去年同期下跌1.3%。在這些持牌人士中，21,237人持有營業員牌照，18,121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有所減少，分別為3,802個及6,952個，較2019年3月31日分別下跌0.1%及1.8%。

在2019/20年度，監管局共批出2,150個新申領的個人牌照，較上年度減少22.9%。

## Licensing Figures

In the year of 2019/20, the total number of individual licences dropped slightly as compared with that of last year. As at 31 March 2020, there were 39,358 individual licences, representing a decrease of 1.3% over that of the previous year. Among these licences, 21,237 were salesperson's licences and 18,121 were estate agent's licences (individual).

The number of company licences and SPOBs also decreased, respectively to 3,802 and 6,952, representing a decrease of 0.1% and 1.8% over those of 31 March 2019.

In 2019/20, 2,150 new individual licences were granted, a decrease of 22.9% compared to that of the last year.

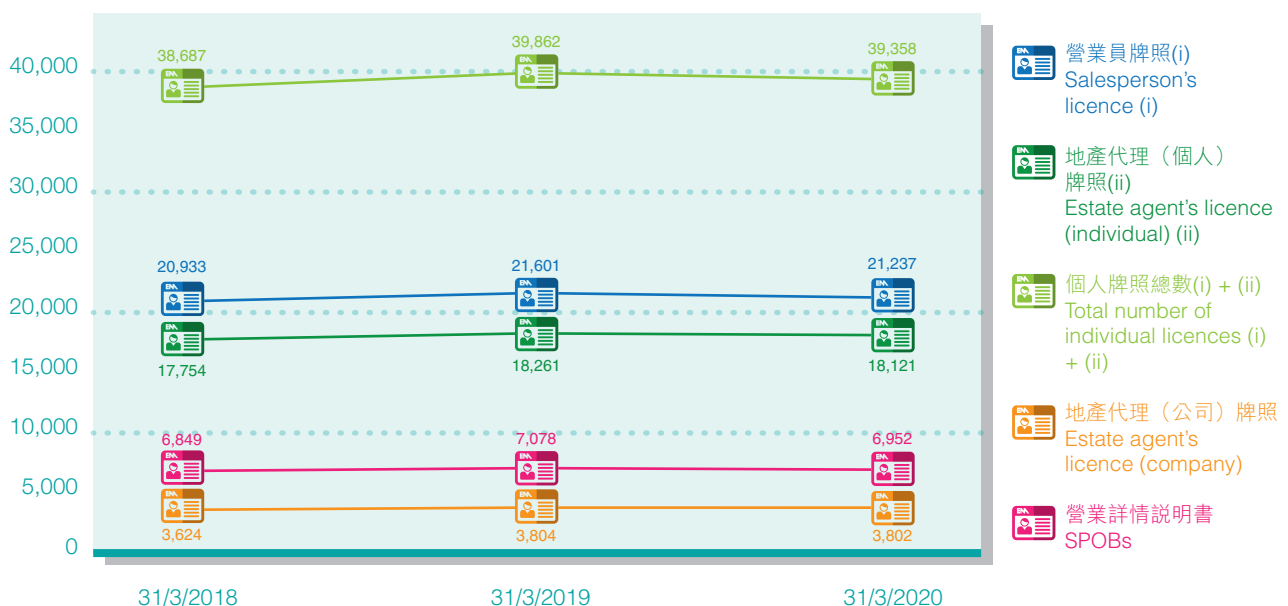


在2019/20年度，監管局共批出2,150個新申領的個人牌照，較上年度減少22.9%。

In 2019/20, 2,150 new individual licences were granted, a decrease of 22.9% compared to that of the last year.

## 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



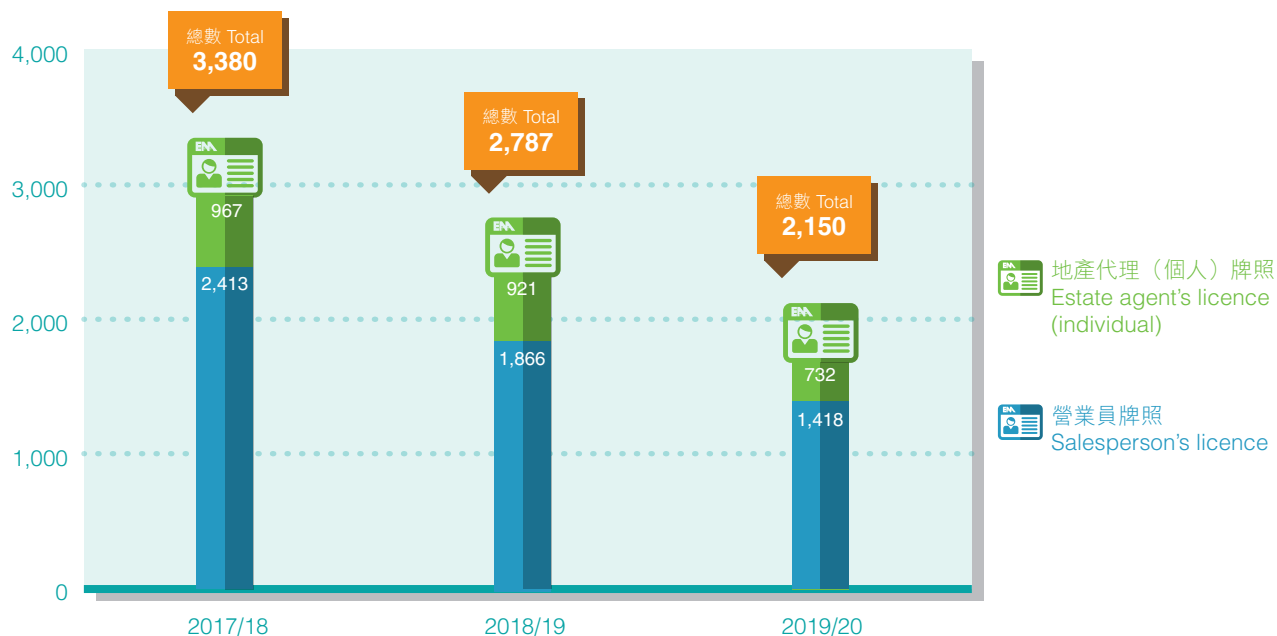


## 提升把關措施

## Advances in Gatekeeping

過往三年新批出的個人牌照數目

### New Licences (Individual) Granted in the Past Three Years

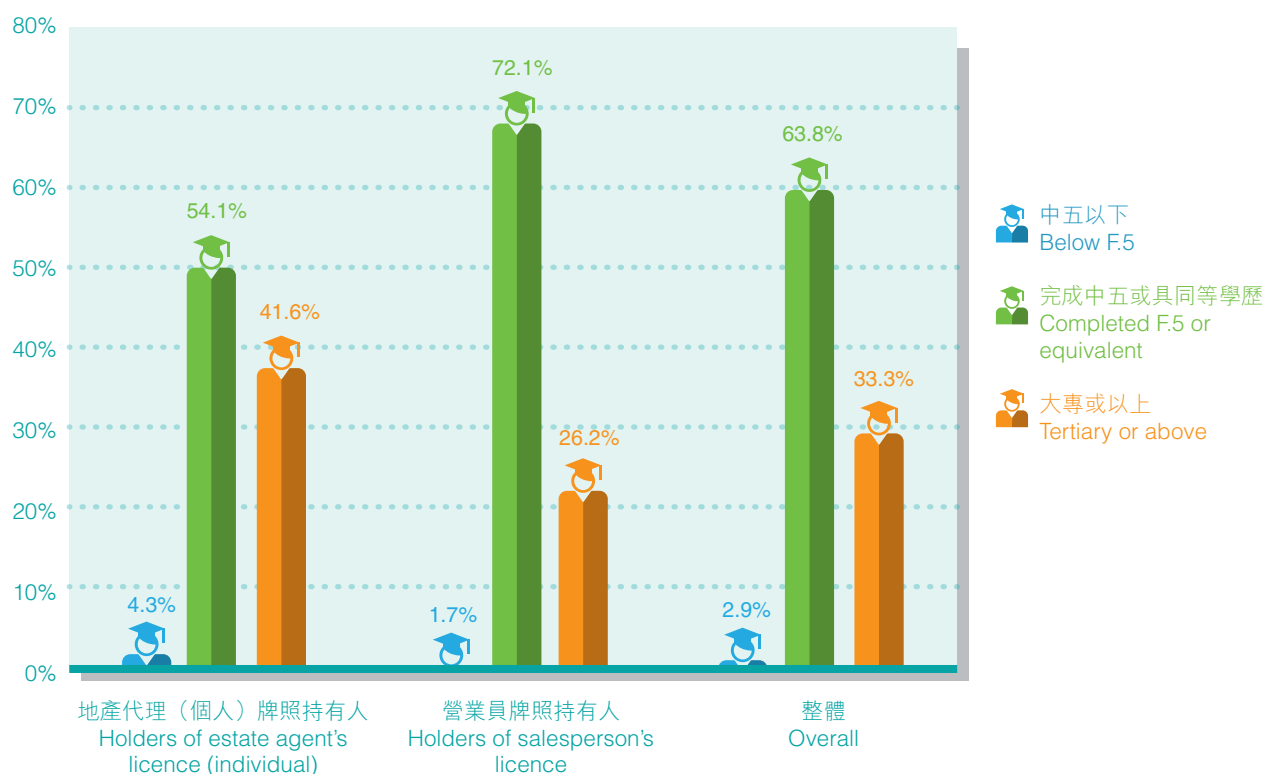


個人持牌人的背景

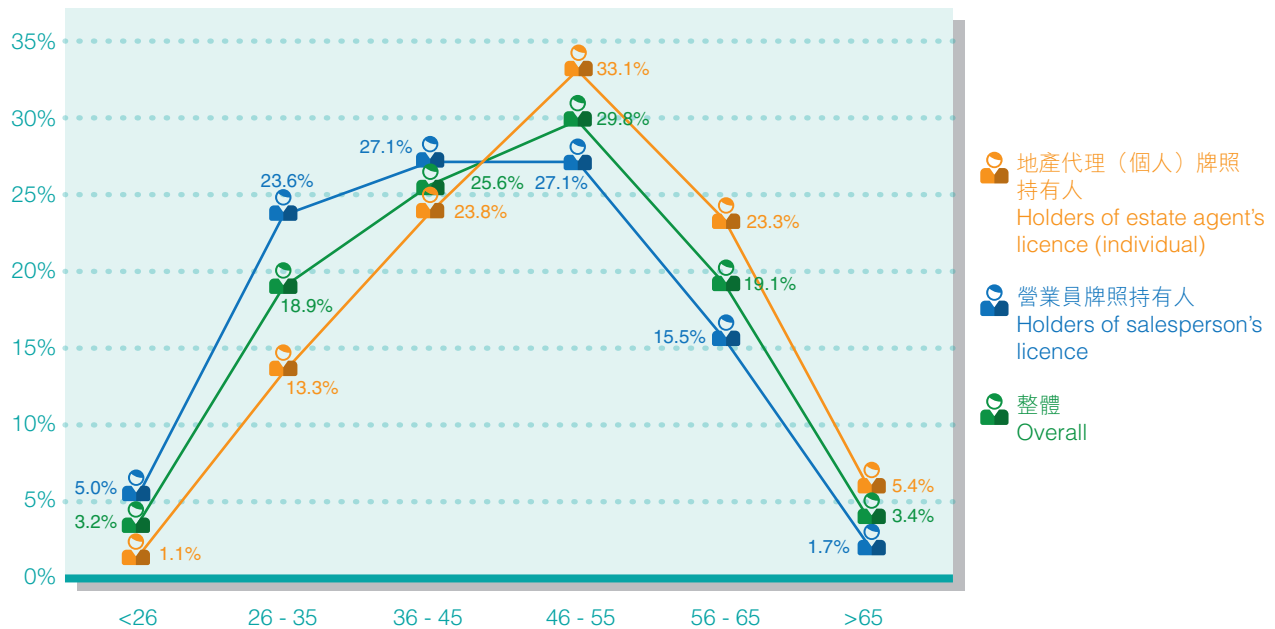
### Background of Individual Licensees

持牌人的學歷水平(截至2020年3月31日)

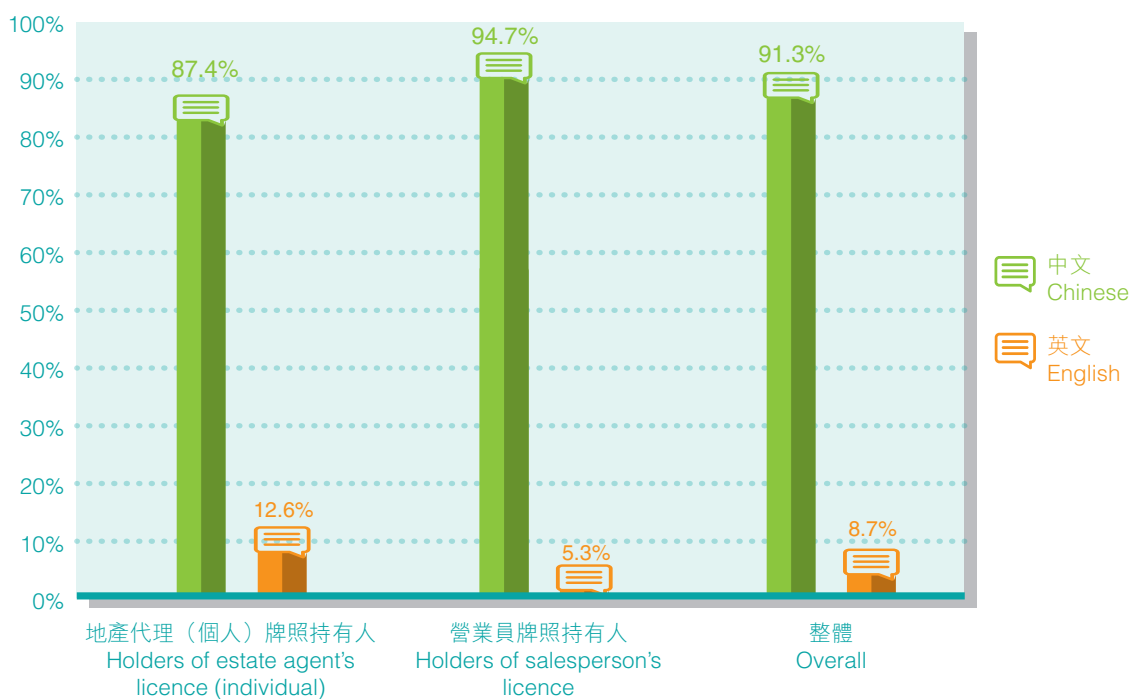
### Educational Level of Licensees (as at 31/3/2020)



持牌人的年齡 (截至 2020 年 3 月 31 日)  
Age of Licensees (as at 31/3/2020)



持牌人所選擇的通訊語言 (截至 2020 年 3 月 31 日)  
Licensees' Choice of Language in Communication (as at 31/3/2020)



### 地產代理業務的經營概況

一如以往，2019/20 年度大多數地產代理屬於小規模的經營者。截至 2020 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 2019/20 were small scale operators. As at 31 March 2020, 95.1% of agency operators operated as a single shop and less than 1% had five or more shops.

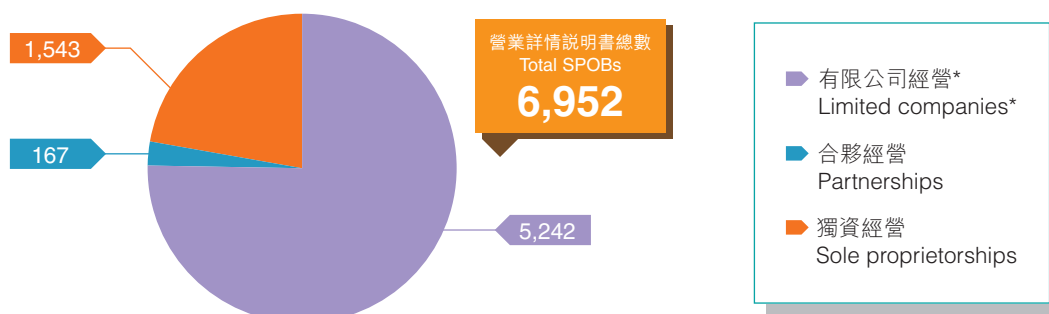




## 提升把關措施 Advances in Gatekeeping

代理業務的經營模式(截至2020年3月31日)

Mode of Operation of Estate Agency Businesses (as at 31/3/2020)



\* 由3,802個公司持牌人經營

\* Operated by 3,802 company licensees

代理業務的規模(截至2020年3月31日)

Size of Operation of Estate Agency Businesses (as at 31/3/2020)

| 經營者<br>Operator           | 店舖數目 *<br>Number of shops* | 1     | 2   | 3  | 4 | 5-10 | 11-20 | 21-30 | >30 |
|---------------------------|----------------------------|-------|-----|----|---|------|-------|-------|-----|
| 有限公司經營 Limited companies  |                            | 3,589 | 136 | 42 | 8 | 19   | 3     | 1     | 4   |
| 合夥經營 Partnerships         |                            | 152   | 4   | 1  | 1 | 0    | 0     | 0     | 0   |
| 獨資經營 Sole proprietorships |                            | 1,435 | 42  | 4  | 0 | 2    | 0     | 0     | 0   |
| 小計 Sub-total              |                            | 5,176 | 182 | 47 | 9 | 21   | 3     | 1     | 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2019/20年度，監管局共拒絕了105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，監管局牌照委員會共撤銷了57個牌照，原因是有關持牌人不再符合發牌條件。

### 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 2019/20, a total of 105 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 a 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 57 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<br>Types of Actions                     | 2017/18 | 2018/19 | 2019/20 |
|--|---------|---------|---------|
| 在牌照上附加條件 Attachment of conditions to licence | 97      | 56      | 54      |
| 暫時吊銷牌照 Suspension of licence                 | 1       | 0       | 0       |
| 撤銷牌照 Revocation of licence                   | 30      | 34      | 57      |

## 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28,673份個人持牌人的續牌申請，其中有37.4%（即10,710份續牌申請）經網上遞交。

在2020/21年度，前持牌人在其個人牌照失效當日起計的24個月內也可於網上遞交牌照申請。

## 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 28,673 renewal applications received from individual licensees, 37.4% (i.e. 10,710 renewal applications) were submitted online.

In 2020/21, online submission of licence applications will be extended to former licensees who would like to apply for the re-grant of an individual licence within 24 months from the date on which the licence ceased to be valid.

## 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登記證書或監管局牌照。

首兩期培訓課程及考試已分別於2011年7月及2017年12月舉行，共363名曾參與培訓課程的香港從業員及94名內地從業員通過考試，合資格申請對方的專業資格。在這457名參與者當中，有338名香港和65名內地從業員按計劃提出申請並獲授予對方的專業資格。

截至2020年3月31日，214名曾參與互認計劃的香港地產代理持有由中房學批出的登記證書；而持有由監管局發出的牌照的內地地產代理則有11名。

監管局將繼續就下一期培訓課程及考試的安排與中房學聯繫。

## 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 first and second training courses and examinations of the scheme were held in July 2011 and December 2017 respectively. A total of 363 attendees from Hong Kong and 94 from the Mainland passed the examinations and were eligible to apply for the qualification of the other party. Among these 457 participants, 338 Hong Kong and 65 Mainland attendees applied for and were granted the qualification of the other party under the scheme.

As at 31 March 2020, 214 Hong Kong estate agents held a registration certificate issued by the CIREA and 11 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.

積極參與執法  
Proactive in  
Law Enforcement







## 積極參與執法

## Proactive in Law Enforcement

### 打擊物業交易中洗錢及恐怖分子資金籌集的風險

### Combatting Money Laundering and Terrorist Financing Risks in Property Transactions

#### 執行條例及監管局發出的執業通告

#### Implementation of the Ordinance and EAA's practice circular

《2018年打擊洗錢及恐怖分子資金籌集(金融機構)(修訂)條例》(《打擊洗錢條例》)已於2018年3月1日生效。在《打擊洗錢條例》的規管下，針對反洗錢及反恐怖分子資金籌集而進行的法定客戶盡職審查及備存記錄的要求，由適用於金融機構擴展至包括地產代理在內的指定非金融行業。與此同時，監管局被指定為相關規管機構，負責監察及監督地產代理遵守反洗錢／反恐怖分子資金籌集的規定。

On 1 March 2018, the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) (Amendment) Ordinance 2018 ("AMLO") took effect. Under the AMLO, the statutory customer due diligence and record keeping requirements in relation to anti-money laundering ("AML") and counter-terrorist financing ("CTF") have been extended from financial institutions to cover also estate agents together with some other designated non-financial businesses and professions. At the same time, the EAA has been designated as the relevant authority for monitoring and supervising estate agents' AML/CTF compliance.

有見及此，監管局早前向地產代理業界發出執業通告，列出有關反洗錢／反恐怖分子資金籌集方面的指引。為了提高業界意識，並促進從業員落實執行有關各項法定責任及監管局發出的指引，繼發出執業通告後，局方在2018/19年度實施了一系列的推廣措施，包括在其網站設置了「反洗錢資訊專區」，使持牌人易於取得有關反洗錢／反恐怖分子資金籌集的相關資訊；向所有地產代理商舖分發教育套材，以協助持牌人向其客戶解釋遵從反洗錢／反恐怖分子資金籌集規定的重要性；製作電子單張，以協助持牌人向其客戶解釋他們的法定責任；以及舉辦多個持續專業進修計劃活動，讓持牌人認識相關法例及規管的要求。

As such, the EAA issued a practice circular earlier which sets out AML/CTF guidelines for the estate agency sector. To raise the trade's awareness and facilitate practitioners' compliance with their statutory obligations and the EAA's guidelines, subsequent to the issuance of the practice circular, the EAA implemented a number of outreaching initiatives in 2018/19, namely development of an AML Corner in its website for licensees' easy access to AML/CTF related information; distribution of an educational kit to all estate agency shops to assist licensees in highlighting to their clients the importance of AML/CTF compliance; production of an e-leaflet which helped licensees explain to their clients their statutory obligations; and conducting numerous CPD activities to equip licensees with necessary knowledge of the relevant legal and regulatory requirements.

監管局作為在《打擊洗錢條例》下指定的監管機構，負責監督地產代理遵守反洗錢／反恐怖分子資金籌集的規定。局方同時透過實地商舖巡查及非實地監察，增加了檢查的頻率及監察的強度，以評估業界是否符合反洗錢／反恐怖分子資金籌集的要求。

Having been designated as the regulatory body under the AMLO for supervising estate agents' AML/CTF compliance, the EAA at the same time increased the frequency and intensity of inspections, in the forms of both on-site shop visits and off-site monitoring, to assess the trade's compliance with the AML/CTF requirements.

#### 執法和教育措施

#### Enforcement and educational measures

繼監管局於2018/19年度實施推廣措施及監督工作後，局方於2019/20年度就地產代理經營者在機構層面上因洗錢和恐怖分子資金籌集所帶來的威脅及漏洞進行了深入研究，並更新了其對個別地

Further to its AML/CTF outreaching and supervision efforts in 2018/19, the EAA conducted an intensive study in 2019/20 on the estate agency operators' threats and vulnerability to money laundering and terrorist financing risks at institutional level. Through this study, the EAA updated its risk profiling



產代理經營者的風險剖析及分類方法。就上述研究所得，監管局也優化了其就反洗錢／反恐怖分子資金籌集的執法策略，以加強其以風險為本的監督方法；讓其更有效地監督及監察地產代理有否正確遵從反洗錢／反恐怖分子資金籌集的規定。

除了以風險為本執法及監督業界有否遵從反洗錢／反恐怖分子資金籌集的規定外，局方一直繼續其教育及推廣工作以加強業界對反洗錢／反恐怖分子資金籌集規定的熟悉程度。監管局亦推出新的持續專業進修計劃活動，以加深持牌人就特定範疇的認識，包括分辨實益擁有權及法定擁有權、遵從有關備存記錄的法定規定的正確方法，以及明白本地及外地政治人物所涉及的較高風險。此外，監管局還於《專業天地》季刊中開設新的章節，為持牌人提供額外渠道以使知悉有關反洗錢／反恐怖分子資金籌集的最新資訊。

#### 繼財務特別行動組織相互評估後的持續工作

在2018年，財務特別行動組織(制定打擊洗錢和恐怖分子資金籌集國際標準的跨政府組織)的代表就香港反洗錢／反恐怖分子資金籌集措施的成效進行檢討(亦稱「相互評估」)。監管局和業界對此次相互評估積極作出準備，並對香港在相關法規及規管制度上被評為整體合規有效感到欣喜。

繼相互評估後，監管局將焦點放在改善其以風險為本的執法及監督策略，以及進一步向持牌人推廣反洗錢／反恐怖分子資金籌集的措施。

監管局已投入額外人手及資源，並加強其以風險為本監督業界對反洗錢／反恐怖分子資金籌集措施的遵守成效。地產代理經營者需就其反洗錢／反恐怖分子資金籌集的狀況定期向監管局作出匯報，以便局方持續監察；監管局巡查的頻率和監管力度會視乎地產代理經營者所面對的威脅及漏洞而定。局方將加強政策和措施的力度，以減低被評估為承受較高洗錢和恐怖分子融資風險的地產代理公司之風險。

and classification of individual estate agency operators. Based on the findings derived from the study, the EAA also refined its AML/CTF enforcement strategies to reinforce its risk-based supervision approach which would be deployed in a more effective way to supervise and monitor the estate agents' proper compliance with the AML/CTF requirements.

Alongside with its risk-based enforcement and supervision on the trade's AML/CTF compliance, the EAA has been continuing its educational and outreaching efforts to enhance the trade's familiarity with the relevant AML/CTF requirements. New Continuing Professional Development ("CPD") activities were developed and delivered to deepen licensees' understanding of some key areas, such as the differentiation between beneficial ownership and legal ownership, the proper ways to comply with the statutory requirements of record-keeping and the higher risks involved in relation to domestic and foreign Politically Exposed Persons. In addition, a new chapter was created in *Horizons*, the EAA's quarterly magazine, to provide extra-means for licensees to keep abreast of the latest issues in relation to the AML/CTF.

#### Continuous efforts following the Mutual Evaluation with FATF

In 2018, representatives of the Financial Action Task Force ("FATF"), an inter-governmental body that sets international standards on combating money laundering and terrorist financing, conducted a review (known as the Mutual Evaluation) on the effectiveness of Hong Kong's AML/CTF measures. Both the EAA and the trade had made extra efforts to prepare for the Mutual Evaluation and it was encouraging that Hong Kong's AML/CTF regime was assessed to be compliant and effective overall.

Subsequent to the Mutual Evaluation, the EAA has placed its emphasis on improving its risk-based enforcement and supervision strategies as well as further expanding the AML/CTF outreach amongst the licensees.

The EAA has dedicated additional manpower and resources to strengthen its risk-based supervision on AML/CTF compliance. Operators would be asked to submit regular AML/CTF status updates for the EAA's continuous monitoring. The intensity of supervision and frequency of inspections by the EAA would be based on the level of threats and vulnerability of the estate agency operators. More stringent policies and measures will be adopted to mitigate the money laundering and terrorist financing risks of those estate agencies which are assessed to be exposed to a higher level of such risks.



## 積極參與執法

## Proactive in Law Enforcement

為了擴大對持牌人的反洗錢／反恐怖分子資金籌集的推廣工作範圍，局方正在籌備相關新舉措，以表揚持牌人為促進反洗錢／反恐怖分子資金籌集方面之貢獻。新舉措將會加強局方與地產代理公司的合作，並認可其於促進反洗錢／反恐怖分子資金籌集方面的貢獻。我們的最終目標是為地產代理業界營造及維持良好的營商環境，積極打擊洗錢及恐怖分子資金籌集。

不論對監管局或業界來說，打擊洗錢及恐怖分子資金籌集都是一項持之以恆的任務。局方將不遺餘力地提升持牌人認識及遵守反洗錢及反恐怖分子資金籌集規定。

### 操守與守則

#### 《地產代理條例》及其執業通告

根據《地產代理條例》成立的監管局，獲賦予的權力包括規管與管制地產代理及營業員的執業，及採取其認為適當或需要的行動，以促使地產代理及營業員行事持正及稱職，或維持或提高他們的地位。從事地產代理工作之地產代理及營業員必須遵從所有《地產代理條例》及其附屬法例、由監管局發出的《操守守則》及執業通告內的所有適用指引。

#### 規例簡介

監管局不時檢視業界的執業手法及發出執業通告，並提供指引予業界依循，使持牌人能夠遵從他們在法律下的職責。

由於現有執業通告所載列的指引足以應付對於2019/20年度出現之執業問題，局方在年內沒有編制及發出新執業通告。

#### 發出致持牌人函件

為提醒持牌人在從事地產代理工作時需遵守相關法律及規例，以及提醒他們留意與其執業相關的最新政府公布的措施及／或文件，監管局在年內向持牌人共發出了五封函件。

With a view to expanding the AML/CTF outreach amongst the licensees, the EAA is planning on new initiatives to recognise the licensees' contributions to promote AML/CTF. New initiatives to deepen the collaboration with and to recognise the contributions of estate agency firms to promote AML/CTF would be derived. The ultimate goal is to build and maintain a culture and business environment among the estate agency trade to proactively combat money laundering and terrorist financing.

As AML/CTF is a continuing mission that both the EAA and the trade have to fulfil, the EAA will spare no effort to ensure licensees' understanding of and compliance with the AML/CTF requirements.

### Ethics and Regulations

#### The EAO and practice circulars

The EAA established under the Estate Agents Ordinance ("EAO") is tasked to, inter alia, regulate and control the practice of estate agents and salespersons and to take such actions as the EAA considers appropriate or necessary to promote integrity and competence amongst, or maintain or enhance the status of, estate agents and salespersons. Estate agents and salespersons must observe and comply with all the relevant provisions in the EAO and its subsidiary legislation, the *Code of Ethics* and all the applicable guidelines set out in the practice circulars issued by the EAA when they carry out estate agency work.

#### Introduction of regulations

The EAA reviews the practices of the trade and issues practice circulars to provide guidelines and directives on estate agency practice from time to time, to enable licensees to comply with their duties under the law.

As the guidelines set out in existing practice circulars were sufficient to cover issues that arose in 2019/2020, no new practice circular was developed and issued by the EAA during the year.

#### Issuance of letters to licensees

With a view to reminding licensees on the requirements of the relevant laws and regulations when carrying out estate agency work and to draw their attention to the updates on certain Government measures and/or documentation which may be relevant to their practices, the EAA issued five letters to licensees during the year.

鑑於持牌人推廣發展商以招標形式銷售一手住宅物業的事宜備受關注，監管局已向持牌人發出一封函件，提醒他們不論發展商以何種方式銷售其物業，他們均必須嚴格遵守《地產代理條例》、監管局發出的《操守守則》，以及在執業通告內的所有適用指引及《一手住宅物業銷售條例》。

為回應香港按揭證券有限公司按揭保險計劃之修訂，以及於居屋第二市場計劃和「住宅發售計劃」第二市場下各文件之修訂，監管局已發出函件提醒持牌人應及時掌握最新的要求，避免向準買家提供不準確或具誤導性的資料。

此外，監管局亦向持牌人（特別是參與銷售境外物業的人士或公司）發出一封函件，提醒他們需留意來港參與境外物業銷售活動的非香港永久性居民的逗留條件。

監管局將會繼續在有需要時透過執業通告及致持牌人函件，為業界提供指引，以及在需要時提高業界對當前有關地產代理執業問題的關注。

## 投訴與巡查

### 處理投訴與查詢

監管局於2019/20年度共接獲268宗投訴，較2018/19年度的291宗減少了8%。268宗的投訴指稱主要涉及不妥善處理臨時買賣合約（或臨時租約）、發出違規廣告，以及提供不準確或具誤導性的物業資料。當中，有關一手住宅物業銷售的投訴由2018/19年度的49宗增加至本年度的55宗，指稱主要涉及未有履行回贈承諾、發出違規廣告，以及提供具誤導性的按揭資訊。

In light of the concerns with regard to licensees promoting the sale of first-hand residential units offered by developers to be sold by way of tender, the EAA issued a letter to licensees to remind them to strictly comply with the EAO, the *Code of Ethics* and all applicable guidelines issued by the EAA and abide by the Residential Properties (First-hand Sales) Ordinance at all times regardless of the method of sales adopted by developers for selling their properties.

In response to the amendments to the Mortgage Insurance Programme of the Hong Kong Mortgage Corporation Insurance Limited and the revisions of documentation under the Home Ownership Scheme Secondary Market Scheme and the Flat-for-Sale Secondary Market Scheme, the EAA issued letters to remind licensees to keep abreast of the latest requirements and not to provide any inaccurate or misleading information to prospective purchasers.

In addition, the EAA issued a letter to licensees, in particular those who were involved in the sale of non-local properties, to draw their attention to the conditions of stay of non-Hong Kong permanent residents who come to Hong Kong and participate in the sales activities of non-local properties.

The EAA will continue to issue practice circulars and letters to licensees to provide the trade with guidelines and raise its awareness of current issues with respect to estate agency practice as and when necessary.

## Complaints and Inspections

### Complaints and enquiries handling

In 2019/20, the EAA received 268 complaints, a decrease of 8% from 291 complaints in 2018/19. Key allegations of the 268 complaints included mishandling the provisional agreement for sale and purchase (or the provisional tenancy agreement), issuing non-compliant advertisements and providing inaccurate or misleading property information. Among the 268 complaints, the complaints concerning the sale of first-hand residential properties had increased from 49 cases in 2018/19 to 55 cases in 2019/20 with key allegations of failing to honour rebate promises, issuing non-compliant advertisements and provision of misleading mortgage information.



## 積極參與執法

## Proactive in Law Enforcement

在2018年最後一個季度發布的有關物業廣告的執業通告(編號18-02(CR))，引起公眾及地產代理業界對物業廣告的注意，導致針對違規廣告的投訴增加。其中違反該執業通告的指引，即沒有在廣告中述明編配給廣告上的物業的編號和廣告發出或更新的日期為最常見的投訴指稱。隨着網上廣告越見流行，60%與廣告相關的投訴皆涉及網上廣告，因此局方在今年已加強網上巡查以監察網上廣告。

The issue of Practice Circular 18-02 (CR) on property advertisements in the last quarter of 2018 had alerted the public and also the estate agency trade's attention to property advertisements, leading to an increase in complaints about non-compliant advertisements. Non-compliance with the guidelines set out in that Circular, namely failing to state in advertisements the property numbers assigned to the properties advertised and the dates on which the advertisements are issued or updated, is the most common allegation. As online advertisements have now become more popular, 60% of the advertisement complaints related to online advertisements. Cyber patrols were stepped up in the year to monitor online advertisements.

除了處理投訴，監管局亦於2019/20年度處理了5,573宗有關地產代理執業手法的查詢，並就1,434宗查詢採取相關的跟進行動。

In addition to complaints, the EAA also received 5,573 enquiries on estate agency practices in 2019/20, and in response to those enquiries, the EAA took follow-up actions on 1,434 enquiries.



監管局於2019/20年度共接獲268宗投訴，較2018/19年度的291宗減少了8%。  
In 2019/20, the EAA received 268 complaints, a decrease of 8% from 291 complaints in 2018/19.

### 投訴個案

### Complaint Cases

| 個案數目 Number of Cases | 2017/18 | 2018/19 | 2019/20 |
|----------------------|---------|---------|---------|
| 開立的個案 Opened         | 425     | 291     | 268     |
| 已完成的個案 * Completed*  | 440     | 333     | 264     |

\* 年內完成的個案部分為往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及行動部處理的表面證據不成立的個案。

\* Some cases completed in a year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.



| 已完成的個案結果 * Results of Cases Completed*       | 2017/18 | 2018/19 | 2019/20 |
|--|---------|---------|---------|
| 指稱成立 <sup>△</sup> Substantiated <sup>△</sup> | 131     | 106     | 75      |
| 指稱不成立 Unsubstantiated                        | 187     | 146     | 123     |
| 資料不足 Insufficient information to pursue      | 33      | 22      | 17      |
| 其他 <sup>#</sup> Others <sup>#</sup>          | 89      | 59      | 49      |
| 總數 Total                                     | 440     | 333     | 264     |

\* 年內完成的個案部分為往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及行動部處理的表面證據不成立的個案。

△ 如個案中所涉及任何一項指稱被分類為「指稱成立」，該已完成處理的個案即會被歸類為「指稱成立」。

# 包括擱置調查、取消投訴或因其他原因而終止調查的個案。

\* Some cases completed in a year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.

△ A completed case will be classified as "Substantiated" if any of the allegations involved therein has been concluded as "Substantiated".

# Include cases which were curtailed, withdrawn or closed due to other reasons.

## 巡查及調查

2019/20年度，監管局一如以往於地產代理業務地點及一手住宅樓盤銷售地點進行巡查工作。自2018年最後一個季度，監管局就有關物業廣告及一手住宅樓盤銷售地點的秩序發出執業通告(編號18-02(CR)及18-03(CR))後，局方加強相關指引的執法行動，以監察業界的合規情況。在巡查地產代理商舖及一手住宅樓盤銷售地點期間，除了就物業廣告及銷售秩序進行巡查外，監管局亦同時提醒持牌人需要遵從以上兩份新執業通告的指引。有鑑於網上廣告越見流行，監管局亦加強監察網上物業廣告平台，並繼續把監察網上廣告納入其執法職務的重點當中。

在社會運動及2019冠狀病毒病疫情影響下，發展商推出的一手住宅物業發展項目有所減少。儘管如此，監管局仍繼續不遺餘力地確保持牌人的銷售活動有良好的秩序。自監管局於2018年7月推動地產發展商訂立一手住宅物業銷售約章後，現時已有35間地產發展商簽訂該約章，以改善地產代理於一手住宅物業銷售地點、示範單位，以及其附近地方的銷售秩序。參與的發展商承諾將為消費者提供理想的銷售環境，並會向任何涉及不守規矩、無禮、滋擾、不當或暴力行為的地產代理公司及相關員工採取嚴懲措施。局方歡迎尚未簽署約章的發展商隨時加入。

## Compliance inspections and investigations

In 2019/2020, the EAA continued to maintain its enforcement effort on places of estate agency business and promotion sites of first-hand residential property developments. Since the issue of Practice Circular 18-02 (CR) on property advertisements and Practice Circular 18-03 (CR) on the order at first-sale sites of residential properties in the last quarter of 2018, actions have been stepped up to monitor the compliance with the new guidelines. During our visits to the agency shops and the first-sale sites, other than conducting compliance inspections on the property advertisements and the sales order, we also take those opportunities to remind the licensees to observe and comply with the guidelines of the two newly issued circulars. As online advertisements had become more popular, more efforts had been put on cyber patrols to the online portals. Monitoring online advertisements will continue to be one of the main foci of our enforcement duties.

Fewer first-hand residential development projects were launched into the market amid the social movements and the COVID-19 pandemic in the year. Notwithstanding, the EAA continued to spare no effort to ensure that the licensees' sales activities at first-sale sites were in good order. Since the Charter on the Sales of First-hand Residential Properties of Property Developers was launched in July 2018, 35 property developers have signed the Charter with a view to improving the sales order of estate agents at the sale-sites and show flats of first-hand residential properties and their nearby vicinity. Participating developers pledge to provide consumers with a desirable sales environment and will take strong punitive actions against the estate agency companies and their employees involved in any unruly, impolite, harassing, improper or violent behaviours. The EAA welcomes other developers which have not yet signed the Charter to join us at any time.





## 積極參與執法

## Proactive in Law Enforcement

在不斷轉變的營商環境下，監管局將繼續檢討和優化執法策略，以提高其規管成效以保障公眾利益。

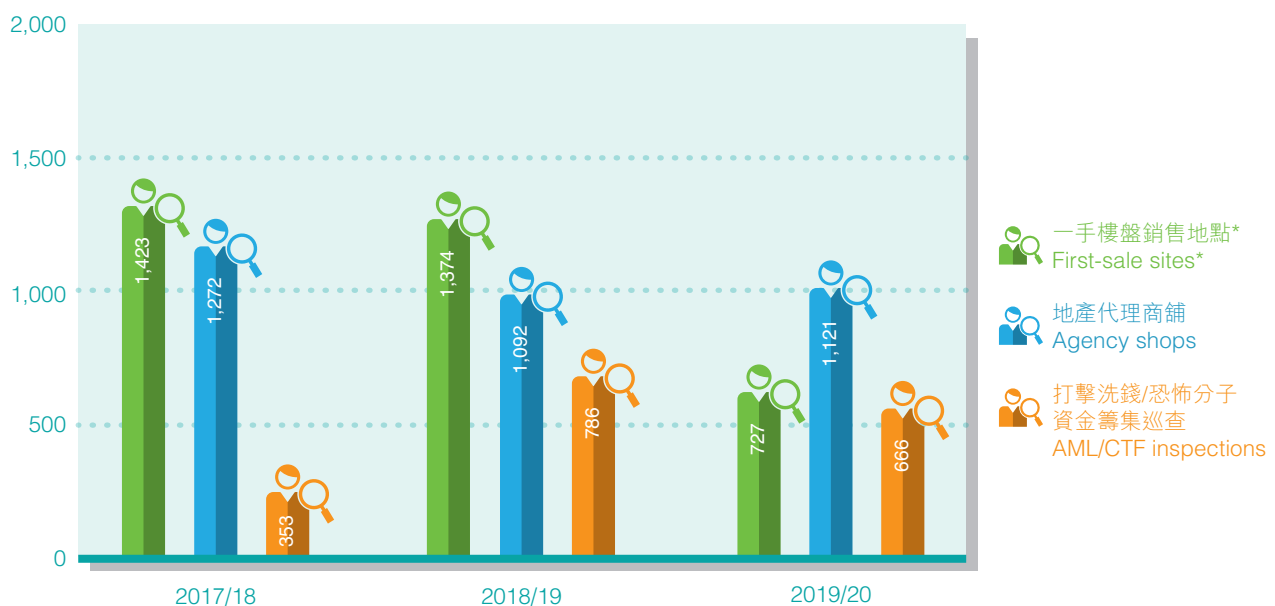
In an ever-changing environment, the EAA will continue to review and refine its enforcement strategies to enhance the effectiveness of its regulatory functions to safeguard public interest.

年內，監管局在一手樓盤銷售地點共進行727次巡查，在地產代理商舖進行了1,121次巡查，及針對反洗錢和反恐怖分子資金籌集的要求，進行了666次合規檢查。期內，局方亦就網上廣告進行了689次抽查，並就網上物業平台進行了412次抽查。

During the year, the EAA conducted 727 compliance inspections at first-sale sites, 1,121 compliance inspections at agency shops and 666 compliance inspections for anti-money laundering and counter-terrorist financing requirements. Some 689 spot checks on online advertisements and 412 on online property portals were also carried out during the period.

### 合規巡查 Compliance Inspections

#### 巡查次數 Number of Inspections



\* 包括樓盤所在處、樓盤銷售處及其附近。

\* Includes development sites, sales offices and vicinity areas.

就相關的巡查和抽查，監管局共開立了154宗個案進行跟進調查，當中有17宗是源自涉及一手樓盤的巡查，56宗是源自巡查地產代理商舖，36宗則為網上及報章抽查個案，其餘個案涉及其他性質。

Subsequent to inspections and spot checks, 154 enforcement cases were opened, including 17 cases arising from first-sale inspections, 56 from estate agency shop visits, 36 cases from online and newspaper patrols, and the rest are of a miscellaneous nature.

## 執行個案

## Enforcement Cases

| 個案數目 Number of Cases | 2017/18 | 2018/19 | 2019/20 |
|----------------------|---------|---------|---------|
| 開立的個案 Opened         | 79      | 149     | 154     |
| 已完成的個案 * Completed*  | 77      | 120     | 115     |

\* 年內完成的個案部分為往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及行動部處理的表面證據不成立的個案。

\* Some cases completed in a year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.

## 對涉嫌向監管局作出虛假聲明或提供虛假資料的持牌人／牌照申請人的調查

在申請牌照或續牌時，倘若作出虛假或誤導性的聲明或提供虛假或誤導性的資料，均屬違法。在2019/20年度，監管局調查了106宗涉嫌在申請牌照或續牌時作出虛假聲明或提供虛假文件的個案。年內，監管局向警方轉介了54宗可疑個案，以進行刑事調查。

## Investigations into licensees/licence applicants suspected of making false statements or furnishing false information to the EAA

It is an offence to make a false or misleading statement or furnish false or misleading information when making applications for the grant or renewal of licences. In 2019/20, investigations were conducted into 106 licence applications in which the applicants were suspected of making false statements or furnishing false information in their licence application or licence renewal process. In the year, the EAA referred 54 suspicious cases to the Police for criminal investigations.

| 個案數目 Number of Cases | 2017/18 | 2018/19 | 2019/20 |
|----------------------|---------|---------|---------|
| 開立的個案 Opened         | 64      | 53      | 106     |
| 已完成的個案 * Completed*  | 37      | 50      | 63      |

\* 年內完成的個案部分為往年接獲的個案。

\* Some cases completed in a year were brought forward from previous years.

## 紀律行動

## 紀律研訊

倘若監管局行政總裁有理由相信任何持牌人沒有遵守《地產代理條例》及／或其附屬法例；或沒有資格持有或繼續持有牌照；或沒有遵守附加於其牌照上的任何指明的條件，行政總裁可向紀律委員會提出呈述，以決定是否就有關個案進行研訊。

## Disciplinary Actions

## Inquiry hearings

If the Chief Executive Officer ("CEO") of the EAA has reasons to believe that a licensee has failed to comply with the EAO and/or its subsidiary legislation; or is not eligible to hold or continue to hold a licence; or has failed to comply with a specified condition attached to his licence, the CEO shall make a submission to the Disciplinary Committee for consideration if an inquiry hearing should be conducted.



## 積極參與執法

## Proactive in Law Enforcement

紀律委員會是一個根據《地產代理條例》成立的常設委員會，負責接受、考慮及查究投訴以及行政總裁所呈述的個案。倘若紀律委員會在紀律研訊後認為有關的投訴或呈述成立，可行使紀律制裁權，當中包括訓誡或譴責有關持牌人，將條件附加於其牌照上或更改附加於其牌照上的條件，暫時吊銷或撤銷其牌照，判處罰款以及作出支付費用的命令。

在2019/20年度，紀律委員會共判決了129宗個案，其中119宗(即佔92.2%)的指稱成立。結果，共有123名持牌人被紀律處分，其中80名為個人持牌人<sup>1</sup>，43名為公司持牌人。

同期，紀律委員會暫時吊銷了14個牌照，吊銷期由14日至六個星期不等。被處分的持牌人涉及作出違反專業操守的行為，例如作出誤導性陳述、未有保障和促進客戶的利益，以及在履行職務時沒有盡量小心和盡一切應盡的努力。

共有98名持牌人被罰款，金額由1,000元至150,000元不等。

The Disciplinary Committee, a standing committee established under the EAO, receives, considers and conducts inquiries into complaints and submissions by the CEO. If the Disciplinary Committee, after conducting an inquiry hearing, is satisfied that the complaint or submission is well-founded, it may exercise disciplinary powers including admonishing or reprimanding the licensee concerned, attaching/varying specified conditions attached to his licence, suspending/revoking his licence, imposing a fine and making a costs order.

In 2019/20, the Disciplinary Committee adjudicated 129 cases, of which 119 were substantiated (i.e. 92.2%). As a result, a total of 123 licensees were disciplined, among whom 80 were individual licensees<sup>1</sup> and 43 company licensees.

During the same period, 14 licences were suspended for periods ranging from 14 days to six weeks. Licensees disciplined were found to have been engaged in unprofessional conduct such as making misrepresentations, failing to protect and promote the interests of their clients, or failing to exercise due care and due diligence in fulfilling their duties.

A total of 98 licensees were fined, with the fines ranging from \$1,000 to \$150,000.



模擬紀律研訊圖片。  
A staged inquiry hearing.

<sup>1</sup> 包括地產代理公司的獨資經營者／合夥人。

<sup>1</sup> Including sole-proprietors and partners of estate agency firms.

### 公布研訊的裁決理由

監管局在2020年1月1日前於其網站內公布過往兩年的紀律研訊的裁決結果。自2020年1月開始，所有於2020年1月1日或其後所裁決的紀律研訊結果，均可於三年內在「近期的紀律研訊結果」網頁中供搜尋。

除了紀律研訊結果外，監管局亦會於其網站內公布研訊裁決的理由，有關公布不但能提高監管局工作的透明度，亦能讓地產代理業界進一步了解監管局的紀律裁決，為他們就如何遵守《地產代理條例》提供寶貴的學習材料，以減低日後出現類似違規行為的風險。長遠來說，這項措施將有效地提高業界的專業水平。

另一方面，公布研訊裁決的理由能讓公眾明白監管局的紀律決定，從而令他們在獲取持牌人的服務時能作出明智的選擇。

自2020年1月開始，監管局加設標題為「過往的紀律研訊案件的裁決理由」的新網頁。該網頁載有從標題為「近期的紀律研訊結果」的網頁內所有被移除的在面晤研訊時裁定成立的案件及其裁決理由，為期五年。

### Publication of reasons for the decisions of inquiry hearings

Prior to 1 January 2020, the EAA published inquiry hearing results of the last two years on its website. With effect from January 2020, the inquiry hearing results adjudicated on or after 1 January 2020 would be provided for search on the EAA's webpage titled "Recent Inquiry Hearing Results" for three years.

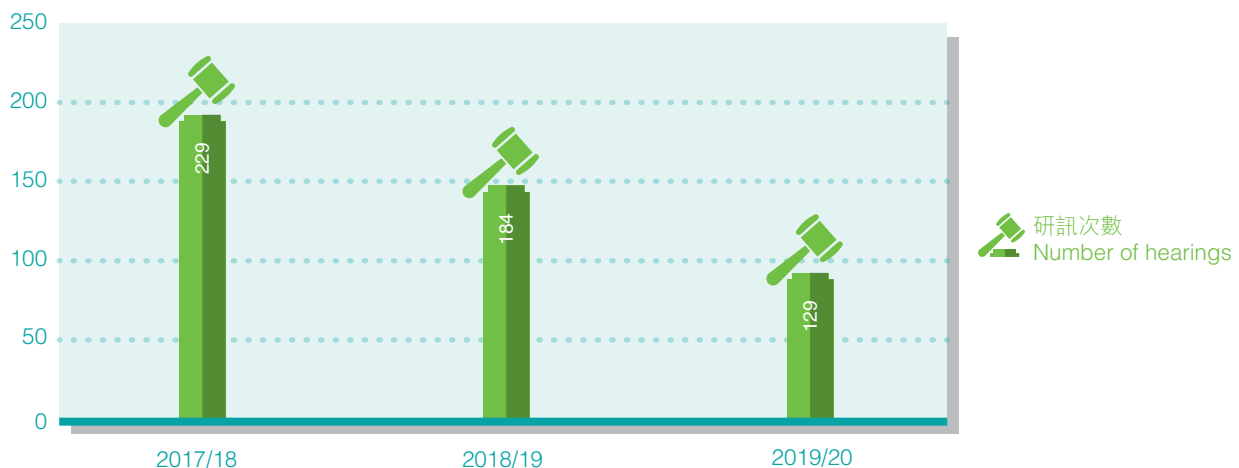
As well as inquiry hearing results, the EAA also publishes the reasons for disciplinary decisions on its website. Not only does such publication enhance the transparency of the EAA's work but also enables the estate agency trade to have a better understanding of the EAA's disciplinary decisions, as well as equips the estate agency trade with valuable learning on how to comply with the EAO and reduces the risks of similar non-compliances in future. In the long run, it will make a substantial contribution to improving the professional standard of the trade.

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

From January 2020, a new webpage titled "Reasons for Decisions of Past Inquiry Hearing Cases" has been added which contains all the substantiated full inquiry hearing cases and their reasons for decisions for a period of five years after they had been removed from publication on the webpage titled "Recent Inquiry Hearing Results".

### 已舉行並作出裁決的紀律研訊次數

#### Number of Inquiry Hearings with Decision Handed Down





# 積極參與執法

## Proactive in Law Enforcement

| 2019/20 年度常見違規事項 *<br>Common Types of Non-compliance in 2019/20*  | 指稱宗數<br>Number of Allegations |
|---|-------------------------------|
| 1. 沒有在物業的廣告內清楚及可閱地述明該物業編號及／或有關廣告發出或更新的日期<br>Failure to state clearly and legibly in a property advertisement the property number and/or the date on which it was issued or updated  | 20                            |
| 2. 向客戶提供錯誤的物業或交易資料；未有查核提供予客戶的物業或交易資料的準確性；未能向客戶提供物業或交易資料<br>Providing wrong property or transaction information to clients; failure to verify the accuracy of property or transaction information provided to clients; failure to supply property or transaction information to clients  | 18                            |
| 3. 發出虛假或誤導性廣告；未獲賣方事先書面同意而發出廣告；發出違反賣方指示的廣告<br>Issuing a false or misleading advertisement; advertising without vendor's prior written consent; advertising in contravention of vendor's instruction  | 17                            |
| 4. 於公共場所張貼廣告海報；在公共場所造成阻礙（在行人道上放置桌椅及太陽傘）<br>Affixing a poster in public area; obstruction of public place by placing tables, chairs and sun shades on the pedestrian sidewalk  | 15                            |
| 5. 提供／提出提供貸款予一手樓盤的準買家<br>Offering/making a loan to a prospective purchaser of a first-hand property   | 12                            |
| 6. 沒有核實在租賃協議（「租約」）／臨時租約下的業主的身分及／或在安排租客簽訂租約／臨時租約之前未有核實業主是否有權將物業出租予該租客；未有確保代表簽署臨時買賣協議／租約／臨時租約／地產代理協議的人士已獲有關的訂約方的正式授權<br>Failure to ascertain the identity of the landlord under a tenancy agreement ("TA")/provisional tenancy agreement ("PTA") and/or whether the said landlord had the right to lease the property to the tenant before arranging for the tenant to enter into the TA/PTA; failure to ensure that the signatory was duly authorised by the party concerned to sign the provisional agreement for sale and purchase/TA/PTA/estate agency agreement  | 12                            |
| 7. 安排客戶在有漏空部分條款的臨時買賣協議／臨時租約上簽署<br>Arranging for client(s) to sign a provisional agreement for sale and purchase/PTA with certain terms of the agreement left blank  | 12                            |
| 8. 未有設立妥善的程序或制度以對員工／下屬施加有效的管控措施，從而避免他們：<br>- 提供／提出提供貸款予一手樓盤的準買家<br>- 在推銷一手樓盤時沒有佩戴地產代理證及／或職員證<br>- 以持牌人的個人名義而非地產代理公司的名義發出有關一手住宅樓盤的廣告<br>- 在參與舊樓收購活動時違反監管局所發出的有關指引<br>- 在未經得到有關物業的指定受託人同意／授權下刊登物業拍賣的廣告及／或張貼相關告示<br>Failure to exercise effective control on employee(s)/subordinate(s) by establishing proper procedures or systems to avoid them from:<br>- offering or making loan to prospective purchasers of first-hand properties<br>- failing to wear Estate Agent card and/or staff card when promoting the sale of first-hand properties<br>- issuing advertisements concerning first-hand residential properties in the licensee's own capacity instead of in the capacity of an estate agency company<br>- contravening the guidelines issued by the EAA when engaging in activities pertaining to the acquisition of flats in old buildings<br>- putting up advertisements for auction sale and/or notices of auction sale for properties without the consent/authority of the appointed trustees of the property concerned | 12                            |



| 2019/20 年度常見違規事項 *<br>Common Types of Non-compliance in 2019/20*   | 指稱宗數<br>Number of Allegations |
|--|-------------------------------|
| 9. 未有履行向買家作出的現金回贈承諾及／或以書面形式列明有關承諾<br>Failure to give and/or set out in writing the cash rebate as promised to purchasers   | 11                            |
| 10. 在廣告提供物業的樓面面積時未有遵守監管局所發出的指引<br>Failure to comply with the guidelines issued by the EAA when providing the floor area of the property concerned in the advertisement | 11                            |

\* 部分紀律研訊個案或涉及超過一項違規事宜。

\* There could be more than one type of non-compliances in some inquiry hearing cases.

| 向持牌人或前持牌人採取的行動 *<br>Actions Taken Against Licensees or Former Licensees*  | 2017/18         | 2018/19         | 2019/20         |
|---|-----------------|-----------------|-----------------|
| 有關的持牌人或前持牌人人數<br>Number of licensees or former licensees involved         | 359             | 180             | 234             |
| 行動性質 <sup>1</sup><br>Type of actions <sup>1</sup>                         |                 |                 |                 |
| 訓誡／譴責<br>Admonishment/reprimand   | 233             | 183             | 123             |
| 罰款<br>Fine  | 168             | 129             | 98              |
| 在牌照上附加條件 <sup>2</sup><br>Attachment of conditions to licence <sup>2</sup> | 170             | 138             | 111             |
| 暫時吊銷牌照<br>Suspension of licence   | 31              | 24              | 14              |
| 撤銷牌照<br>Revocation of licence   | 30 <sup>△</sup> | 34 <sup>△</sup> | 57 <sup>△</sup> |

\* 以上行動是根據《地產代理條例》的權力而作出的判決。當中有部份可能不屬於紀律性質。部份是往年展開調查的個案。

<sup>1</sup> 在部分個案中，會對同一持牌人或前持牌人採取超過一項行動。

<sup>2</sup> 部分條件於批出牌照時附加，其他隨後附加。

<sup>△</sup> 這些個案均由牌照委員會裁定，理由是持牌人不再符合相關的發牌條件。

\* These actions were taken pursuant to powers under the EAO. Some actions may be disciplinary in nature and others not. Some cases were carried over from previous years.

<sup>1</sup> In some cases more than one action was imposed on the same licensee or former licensee.

<sup>2</sup> Some conditions were attached upon the granting of licences and others attached thereafter.

<sup>△</sup> These cases were decided by the Licensing Committee on the ground that the licensees concerned no longer met the relevant licensing requirements.



# 知識傳播前瞻 Forward-looking Approach in Knowledge Dissemination





# 知識傳播前瞻

## Forward-looking Approach in Knowledge Dissemination

### 專業發展

為達到消費者的期望及維持行業競爭力，對地產代理從業員而言，掌握最新知識，以確保能有效率地執業尤其重要。

為讓從業員不斷追求進步及終身學習，監管局於2005年推出了自願性持續專業進修計劃。監管局鼓勵持牌人參與該計劃下認可的學習活動，以獲取實用的知識和技能，對其執業及個人發展皆有幫助。

#### 持續專業進修計劃

持續專業進修計劃的科目主要分為兩個類別，分別為「合規及有效管理」，以及「全面提升發展」。前者的科目包括與法例、法規要求及有效管理有關；而其他有助提升持牌人全面發展及質素提升的科目則歸類為全面提升發展類別。

為鼓勵持牌人參與持續專業進修計劃，監管局提供不同形式的持續專業進修活動，包括面授講座、網上學習活動及網上個案研習。除監管局外，其他教育機構、地產代理公司及業界商會亦會舉辦相關的持續專業進修計劃活動。同時，持牌人更可參與由廣泛認受的專業協會提供或認可的活動，這些專業和知識領域，能與地產代理行業相輔相成。

### Professional Development

To meet the growing expectations of consumers and maintain their competitiveness within the trade, it is important for estate agency trade practitioners to keep their professional knowledge up to date so as to carry out their estate agency work effectively.

With a view to fostering practitioners' continual personal advancement and lifelong learning, the EAA launched a voluntary Continuing Professional Development ("CPD") Scheme in 2005. Licensees are encouraged to participate in learning activities recognised under the CPD Scheme in order to acquire useful knowledge and practical skills for their effective practice and personal accomplishment.

#### The CPD Scheme

Under the CPD Scheme, the subjects of CPD activities are classified under two categories, namely "Compliance and Effective Management" and "All-round Advancement". Subjects relating to law, compliance or supervisory issues are categorised as Compliance and Effective Management subjects, while other subjects conducive to enabling all-round development and quality enhancement of licensees are grouped under All-round Advancement.

To facilitate licensees' CPD participation, the EAA provides them with CPD activities in different forms, including face-to-face seminars, e-Learning programmes and e-Quizzes. In addition to the EAA, educational institutions, estate agency firms and trade associations are organising learning activities under the CPD Scheme. Licensees can also choose to undertake activities offered or accredited by the widely recognised professional associations of those professions or areas where the expertise of such fields are complementary to that of the estate agency trade.



舉辦題為「處理遺產物業和送讓契物業」的持續專業進修講座。

CPD seminar on "Handling Properties Involving Estate of Deceased Owner or Deed of Gift" held.

## 活動及參與次數

年內，監管局及其他主辦機構合共舉辦516個持續專業進修活動，吸引了26,002人次參與。在516個活動中，126個(佔活動總數的24.4%)由監管局舉辦，參與人次為12,722(約佔總參與人次的48.9%)。

為減低2019冠狀病毒病在社區擴散的風險，監管局取消了12場原訂於2020年2月1日至3月31日舉行的面授講座。其他主辦機構在此期間也相繼減少舉辦持續專業進修活動。講座數目減少無疑為持續專業進修活動參與人次減少的原因。與2018/19年度相比，2019/20年度持續專業進修活動的參與人次減少了8,567人(約24.8%)。

為滿足持牌人持續進修的需求，相比起舉行大型面授講座，監管局於2020年2月1日至3月31日舉辦了12場規模較小的影片播放課堂。透過收緊各課堂座位限額，讓參加者保持適當的社交距離。

## Number of activities and enrolments

During the year, a total of 516 CPD activities were organised by the EAA and other activity organisers and these CPD activities attracted 26,002 enrolments. Among the 516 activities, 126 (24.4% of the total number of activities) were organised by the EAA with 12,722 enrolments (about 48.9% of total enrolments).

To reduce the risk of the spread of COVID-19 in the community, the EAA cancelled 12 face-to-face seminars already scheduled between 1 February and 31 March 2020. Likewise, other CPD activity organisers conducted fewer CPD seminars during this period. These decreases in the number of seminars accounted for certain decreases in CPD enrolments. A drop of 8,567 enrolments (about 24.8%) of CPD activities was recorded in 2019/20 as compared with 2018/19.

To fulfil the needs of licensees on continuous learning, rather than delivering large scale face-to-face seminars, instead, by allowing sufficient social distancing amongst participants, the EAA held 12 smaller scale video classes with the number of seats per class restricted during 1 February to 31 March 2020.

## 過往三年的持續專業進修活動

### CPD Activities in the Past Three Years

| 主辦機構<br>Activity Providers    | 2017/18                      |                              | 2018/19                      |                              | 2019/20                      |                              |
|-------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
|                               | 活動數目<br>No. of<br>Activities | 參與人次<br>No. of<br>Enrolments | 活動數目<br>No. of<br>Activities | 參與人次<br>No. of<br>Enrolments | 活動數目<br>No. of<br>Activities | 參與人次<br>No. of<br>Enrolments |
| 監管局<br>EAA                    | 119                          | 16,021                       | 116                          | 12,954                       | 126                          | 12,722                       |
| 地產代理業界<br>Estate Agency Trade | 366                          | 12,702                       | 403                          | 20,832                       | 376                          | 12,834                       |
| 其他主辦機構<br>Other Providers     | 9                            | 210                          | 20                           | 783                          | 14                           | 446                          |
| 總數<br>Total                   | 494                          | 28,933                       | 539                          | 34,569                       | 516                          | 26,002                       |



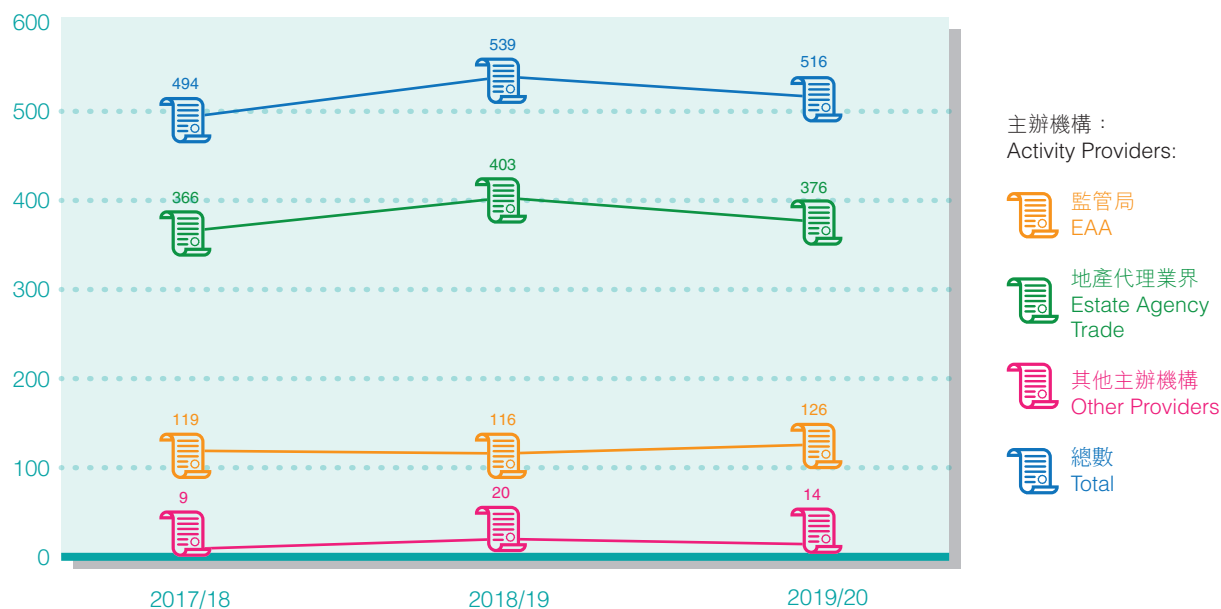


# 知識傳播前瞻

## Forward-looking Approach in Knowledge Dissemination

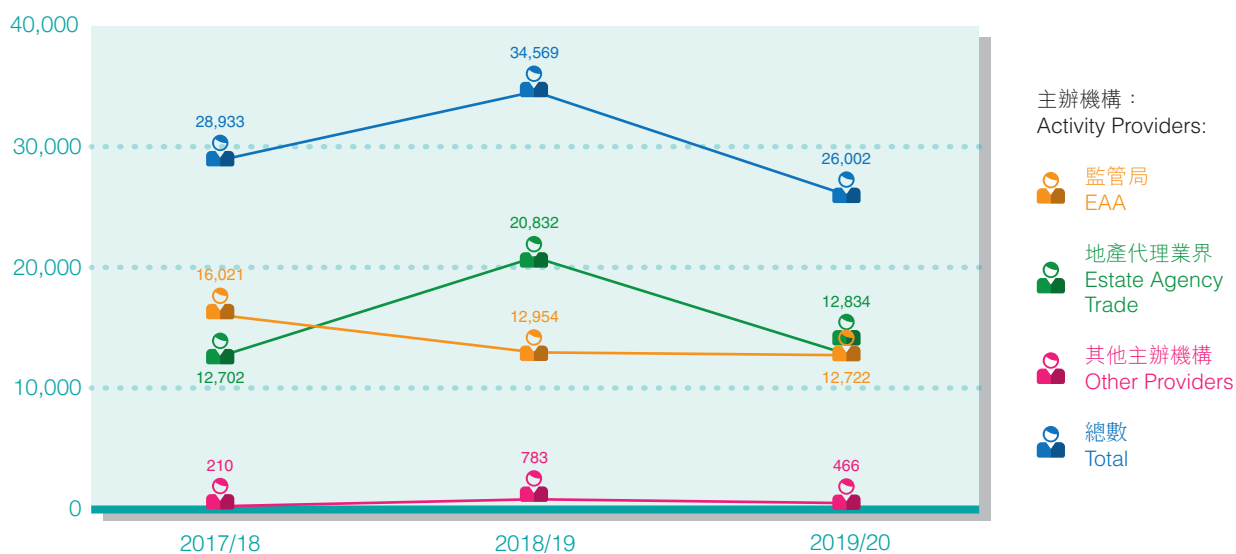
### 活動數目

#### Number of Activities



### 參與人次

#### Number of Enrolments



## 活動摘要

### 持續專業進修講座全新系列「聽君一席話 • 勝讀十年書」

為促進地產代理從業員與其他界別的專業人士跨學科交流，使持續專業活動的內容更多元化及加強持牌人的學習體驗，監管局於2019年推出一個名為「聽君一席話 • 勝讀十年書」的新系列講座。監管局邀請了會德豐地產(香港)有限公司常務董事黃光耀先生及消費者委員會總幹事黃鳳嫻女士於2019年12月17日的首場講座上分享其成功之道，藉此鼓勵持牌人自我提升及向他們灌輸正向思維。持牌人對這場講座的反應非常熱烈，活動座無虛席，共吸引了143位參加者。參加者認為講者的分享很有見地，極具啟發性。

由於持牌人的反應正面，監管局未來將繼續邀請其他傑出人士為此系列擔任主講嘉賓。

### 有關反洗錢及反恐怖分子資金籌集的持續專業進修活動

為加深持牌人對有關反洗錢及反恐怖分子資金籌集(「反洗錢」)的法例及監管要求的認識，監管局推出了30個持續專業進修活動，並吸引了4,000人次參加。由於擴大「反洗錢」的推廣工作仍然是監管局首要任務之一，局方會定期為持牌人舉辦相關「反洗錢」的持續專業進修活動。

## Highlights of activities

### CPD seminar under the new “Top Tips by Elites” series

With an aim to foster cross-discipline exchanges between estate agency trade practitioners and professionals of other sectors as well as ensure a balanced mix of CPD activities to enrich licensees' learning experiences, a new series of CPD seminars titled “Top Tips by Elites” was launched in 2019. To encourage personal advancement and instil positive thinking in licensees, Mr Ricky Wong Kwong-yiu (Managing Director, Wheelock Properties (HK) Limited) and Ms Gilly Wong Fung-han (Chief Executive, Consumer Council) were invited to share their stories on “key to success” at the first Top Tips by Elites seminar held on 17 December 2019. Due to an overwhelming response from licensees the Top Tips by Elites seminar attracted a full house of 143 participants and the participants reflected that the seminar was very inspiring and insightful.

In light of the positive responses from the licensees, the EAA will continue inviting other distinguished guests to speak at CPD seminars organised under the Top Tips by Elites series in future.

### CPD Activities on Anti-Money Laundering and Counter Terrorist Financing

To help licensees fully understand the legal and regulatory requirements in relation to anti-money laundering (“AML”) and counter-terrorist financing (“CTF”), 30 CPD activities on this subject were held by the EAA during the year and attracted 4,000 enrolments in total. As an expansion of AML/CTF outreach amongst licensees remains one of the EAA's priorities, CPD activities on AML/CTF will be regularly provided to licensees.



舉辦題為「聽君一席話 • 勝讀十年書」的持續專業進修講座。  
CPD seminar on “Top Tips by Elites” held.



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### 持續專業進修跨學科講座

為了讓持牌人擴闊視野及全面提升行業質素，監管局不時邀請其他監管機構和專業團體代表和成員擔任演講嘉賓，主講不同範疇的持續進修講座。合作機構和團體包括：競爭事務委員會、平等機會委員會、香港廉政公署、香港警務處、保安局禁毒處、個人資料私隱專員公署、一手住宅物業銷售監管局、特許公認會計師公會、香港綠色建築議會、香港營造師學會、香港測量師學會、香港按揭證券有限公司，以及英國皇家特許測量師學會。就此，監管局於年內舉辦了25個跨學科的持續專業進修活動，吸引1,888人次參加。

### 持續專業進修獎勵及嘉許獎章

在持續專業進修計劃下，每個持續專業進修活動均會按活動性質和學員的參與情況獲發學分。一般來說，持牌人每參與一小時的活動，便會獲發一個持續專業進修學分。於為期12個月的進修時段內取得12個或以上持續專業進修學分的從業員，將獲視為達到持續專業進修計劃的學分要求，並可獲頒持續專業進修計劃嘉許獎章。自2013年10月1日開始的持續專業進修時段起，持牌人若連續三個及五個進修時段達到持續專業進修計劃的學分要求，將分別獲頒持續專業進修計劃優越嘉許獎章銀章（「銀章」）及持續專業進修計劃優越嘉許獎章金章（「金章」）。

### CPD Seminars in Cross Disciplines

In order to broaden licensees' knowledge and facilitate their all-round advancement, the EAA from time to time invites representatives of other regulatory bodies and members of professional associations of sectors other than estate agency to deliver CPD seminars on multi-disciplines. Guest speakers from various regulatory bodies and professional associations included the Competition Commission; Equal Opportunities Commission; Independent Commission Against Corruption; Hong Kong Police Force; Narcotics Division of Security Bureau; Office of the Privacy Commissioner for Personal Data; Sales of First-hand Residential Properties Authority; Association of Chartered Certified Accountants; Hong Kong Green Building Council; Hong Kong Institute of Construction Managers; Hong Kong Institute of Surveyors; Hong Kong Mortgage Corporation Limited; and Royal Institution of Chartered Surveyors. During the year, 25 CPD activities on subjects of cross disciplines were held and these activities attracted 1,888 enrolments in total.

### CPD incentives and premium recognitions

Under the CPD Scheme, points would be assigned to CPD activities based on the nature of the activity and the input required from the learner. Generally, one CPD point is awarded for one hour of activity undertaken. Practitioners who earned 12 or more CPD points in a 12-month CPD period are considered having achieved the CPD yearly attainment target and will be awarded the CPD Attainment Symbol. With effect from the CPD period commencing 1 October 2013, licensees who have achieved their CPD attainment targets for three and five consecutive CPD periods will also be awarded the Premium CPD Attainment Symbol – Silver ("Silver Symbol") and Premium CPD Attainment Symbol – Gold ("Gold Symbol") respectively.

除個人持牌人會獲頒發持續專業進修計劃優越嘉許獎章、銀章及金章外，若持有營業詳情說明書的地產代理商舖有80%或以上的持牌僱員（包括分行經理）達到該計劃的學分要求，亦可獲頒發地產代理商舖專業進修嘉許獎章。

In addition to the CPD Attainment Symbol, the Silver Symbol and the Gold Symbol which are presented to individual licensees, estate agency firms as holders of Statement of Particulars of Business ("SPOB") with over 80% of their licensed employees (including the branch manager) having achieved the yearly CPD attainment target will be awarded the CPD Mark for Estate Agencies.

| 成就<br>Achievement  | 獎勵<br>Award  | 2019/20 年度<br>得獎者數目<br>No. of awardees<br>in 2019/20 |
|--|--|--|
| 在一個進修時段達到持續專業進修計劃的學分要求的持牌人 *<br>Licensees achieving CPD attainment target for one CPD period*  | 持續專業進修計劃嘉許獎章<br>CPD Attainment Symbol              | 1,769  |
| 在連續三個進修時段達到持續專業進修計劃的學分要求的持牌人（自 2013 年 10 月 1 日開始的進修時段起生效）<br>Licensees achieving CPD attainment target for three consecutive CPD periods (with effect from the CPD period commencing 1 October 2013) | 銀章<br>Silver Symbol                                | 143  |
| 在連續五個進修時段達到持續專業進修計劃的學分要求的持牌人（自 2013 年 10 月 1 日開始的進修時段起生效）<br>Licensees achieving CPD attainment target for five consecutive CPD periods (with effect from the CPD period commencing 1 October 2013)  | 金章<br>Gold Symbol                                  | 60   |
| 有 80% 或以上持牌僱員（包括分行經理）達到持續專業進修計劃的學分要求的營業詳情說明書持有人<br>Holders of SPOB with over 80% of licensed employees (including the branch manager) having achieved the CPD attainment target                      | 地產代理商舖<br>專業進修嘉許獎章<br>CPD Mark for Estate Agencies | 44   |

\* 每個持續專業進修時段為期 12 個月，由每年 10 月 1 日起至翌年 9 月 30 日止。

\* Each CPD period shall be a 12-month period commencing 1 October each year and ending on 30 September the following year.



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### 網上學習活動

為方便持牌人可隨時隨地學習，監管局一直就各種主題範疇製作網上學習活動。受2019冠狀病毒疫情影响，網上學習活動正是目前社交距離受制下靈活學習的選擇。雖然局方為減少病毒傳播風險而取消了持續專業進修計劃講座，為彌補失去的相關學習機會，局方製作了更多的網上學習活動。年內，監管局在其網上學習平台上新增了五個網上學習活動，較2018/19年度的三個新增活動為多。隨着網上學習日漸普及，監管局將會提供更多專題科目的網上學習活動，以配合持牌人的興趣和學習需要。

### E-Learning programmes

To enable licensees to study at anytime and anywhere, the EAA has been producing e-Learning programmes on various subjects. These e-Learning programmes happened to serve as a flexible learning option for licensees amid the social distancing constraints caused by COVID-19. To help compensate for the loss of learning opportunities resulting from the cancellations of CPD seminars for reducing the risk of the spread of COVID-19, more e-Learning programmes have been produced. During the year, the EAA added five new e-Learning programmes to its learning platform, as compared with three new additions in 2018/19. As e-Learning has become an accepted learning option in society, more e-Learning programmes on topical subjects will be developed to suit the interests and learning needs of licensees.

### 過往三年監管局的網上學習活動

#### EAA's e-Learning Programmes in the Past Three Years

|   | 2017/18 | 2018/19 | 2019/20 |
|---|---------|---------|---------|
| 監管局網上學習活動數目<br>Number of EAA's e-Learning programmes                    | 18      | 21      | 26      |
| 監管局網上學習活動的參加人數<br>Number of participants of EAA's e-Learning programmes | 441     | 635     | 525     |
| 監管局網上學習活動的參與人次<br>Number of enrolments of EAA's e-Learning programmes   | 1,943   | 2,082   | 2,046   |

### 公眾教育及與持份者的聯繫

### Public Education and Stakeholder Liaisons

#### 消費者教育

#### Consumer education

監管局十分重視推廣與消費者相關的知識，以協助消費者保障其自身權益。在2019/20年度，局方繼續透過不同平台向公眾發放有關物業交易的全面及實用資訊。為了更有效地接觸公眾，局方採用了網上和非網上的各種宣傳渠道。

The EAA attaches great importance to promoting consumer related knowledge to enable consumers to protect their own interests. In 2019/20, the EAA continued to disseminate comprehensive and practical information to the public on property transactions across multiple platforms. In order to reach the mass public effectively, the EAA adopted various promotional channels which include both online and offline.

監管局於2019年推出「5A代理」宣傳計劃，除得到業界的認同之外，更於2019年7月榮獲房地產牌照司法人員協會（ARELLO）頒發教育獎。為了延續向公眾推廣業界的專業形象，局方在2020年第一季推出了新一輪的「5A代理」宣傳計劃，在超過100輛在全港行駛的巴士車身印上「5A代理」的廣告。監管局亦製作

The “5A Agent” publicity campaign launched in 2019 was well recognised by the trade and has been awarded the education award by the Association of Real Estate License Law Officials (“ARELLO”) in July 2019. To keep the momentum of promoting the trade’s professional image to the public, a new wave of “5A agent” publicity was launched in the first quarter of 2020. The key message was promoted through advertising on over 100 public bus fleets travelling in the territory. A set



了一系列搶眼的相關宣傳品，派發到各地產代理商舖。這些宣傳品旨在鼓勵公眾委託優質的持牌地產代理，以及提醒持牌人時刻保持專業態度。宣傳品中包括一張座枱卡，背面還印有額外訊息以協助地產代理為符合《打擊洗錢及恐怖分子資金籌集條例》的要求而向客戶收取身份證明文件副本作備存紀錄。

of eye-catching promotional materials were also produced and distributed to the estate agency shops. The materials aimed to encourage the public to appoint licensed estate agents of high calibre and enhance licensees' awareness of being professional at all times. The promotional materials also included a table tent card carrying an additional message to facilitate the licensees to obtain a copy of their clients' identity document for record-keeping in order to comply with the requirement of Anti-money Laundering and Counter-terrorist Financing Ordinance.



監管局於2020年首季推出新一輪的「5A代理」宣傳計劃，鼓勵公眾委託優質的持牌地產代理。

A new wave of "5A agent" publicity was launched in the first quarter of 2020 to encourage the public to appoint licensed estate agents of high caliber.

有見港人境外置業的興趣增加，監管局在年內不斷致力於提醒公眾購買境外物業時需注意的要點。例如，監管局在2019年，於消費者教育網站內的「精明錦囊」中，新增了一個「購買境外物業」的專區 (<http://outsideHK.eaa.org.hk>)。內容包括有關購買境外物業的文章、單張、公開講座精華片段以及有用連結，以供參考。為了吸引更多公眾瀏覽此網頁內容，局方於2020年3月利用搜索引擎營銷(Search Engine Marketing)工具推廣這個新增專區，令該網站的整體瀏覽量因而大幅增加。宣傳期內，該網頁的瀏覽次數比平時上升了一倍。此外，監管局亦於2020年2月出版一本名為《境外置業要「究」SMART》的全新小冊子。新小冊子介紹在決定購買境外物業前應考慮的重要因素，並透過漫畫形式分享一些個案，讓讀者更易於理解。

In view of the increasing interest of Hong Kong residents in purchasing non-local properties, the EAA has made a continuous effort in the year to alert the public on the points-to-note when purchasing properties situated outside Hong Kong. For example, a designated section titled "Purchasing properties located outside Hong Kong" (<http://outsideHK.eaa.org.hk>) has been launched under the section of "Smart Advice" in the EAA's consumer education website in 2019. The section consists of a number of articles, leaflets, videos and useful links related to the purchase of non-local properties for the public's reference. In order to attract more members of the public to access this online information, the EAA adopted the Search Engine Marketing (SEM) tool to promote this designated website section in March 2020 which led to a much higher number of visits to the website section. The number of pageviews doubled during the promotion period. In addition, a consumer education booklet titled "Purchasing Non-local Properties Be SMART" was also published in February 2020. The booklet introduced the essential factors to be considered before making a purchase decision of non-local properties with cases sharing in a user-friendly comic style for easier understanding.



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除了上述的小冊子外，監管局在年內也出版了一本名為《紀律研訊案例選輯——第五輯》的新小冊子，以加強持牌人對處理物業買賣的相關法律及規管要求的認知，藉以提升地產代理業的服務質素。

上述兩本小冊子的印刷版均可於民政事務總署轄下的各區民政諮詢中心索取。

另一方面，監管局於年內舉辦了兩場公開講座，以加強公眾對物業交易的知識。2019年9月，監管局舉辦名為「改建有風險 租買要留神」的公開講座，四位來自不同專業範疇的講者向近150名觀眾分享有關購買或租用附有改建工程物業的潛在風險之見解。而因受2020年初2019冠狀病毒病疫情於社區蔓延所影響，局方原訂於2020年3月舉行題為「境外置業要究SMART」公開講座，首次改以網上直播形式於Facebook平台上舉行，讓在線觀眾能夠與三位講者實時互動。公眾反應熱烈，講座在直播中共吸引了超過3,000次瀏覽，而講座的錄影回顧則在講座結束一週後共錄得40,000次瀏覽。上述兩個講座的精華片段，均已上載至監管局的網頁及YouTube頻道讓公眾瀏覽。

As well as the aforementioned booklet, another booklet titled “Inquiry Hearing Cases – A Selection V” was also produced in the year to enhance licensees’ understanding of the relevant legal and regulatory requirements in handling property transactions through sharing certain real inquiry hearing cases, in a bid to promote quality service of the estate agency trade.

Printed copies of both booklets were sent to all Home Affairs Enquiry Centres for the public’s collection.

On the other hand, two public seminars were held during the year in order to enhance the public’s knowledge in property transactions. In September 2019, a seminar titled “Be alert when renting or purchasing properties with alteration works” was held. Four speakers from different professions shared with an audience of around 150 their insight on the possible risks when renting or purchasing properties with alteration works. Owing to the spread of COVID-19 in the community in early 2020, the seminar held in March 2020 titled “Purchasing Non-local Properties Be SMART” was conducted online for the first time. The online seminar was broadcast through Facebook, which allowed the online audience to interact with the three speakers in real time. A positive response was received from the public. Over 3,000 views were recorded during the live broadcast of the seminar and the recap video was viewed 40,000 times in the week afterwards. Video highlights of the seminars were also uploaded to the EAA’s websites and YouTube channel for the public’s viewing.



監管局於年內舉辦了兩場公開講座，以加強公眾對物業交易的知識。  
Two public seminars were held during the year in order to enhance the public’s knowledge in property transactions.

### 傳媒關係

為了進一步提升公眾對監管局的認知及建立正面形象，與媒體保持緊密聯繫以宣傳局方之措施和工作至為重要。年內，監管局共發出了8篇新聞稿，舉辦了一次新聞發布會，均獲傳媒廣泛報導。監管局主席及管理層亦接受了主要印刷及電子傳媒合共六次專訪。當中，監管局行政總裁韓婉萍女士於2019年12月接受無線電視節目《日日有樓睇》訪問，闡釋地產代理的角色及責任，以及委託地產代理時要注意的事項。該訪問共分一系列數集播出並獲得廣泛迴響，而該系列亦於2020年繼續播放。



年內，監管局管理層接受不同媒體專訪，以提升公眾對監管局措施及工作的認識。

During the year, the EAA management was interviewed by different media in order to enhance public awareness on EAA's initiatives and efforts.

為透過大眾媒體進一步推廣與消費者相關的資訊，監管局定期在媒體專欄撰寫有關物業交易及地產代理服務的文章。在2019/20年度，監管局在三份報章及網站專欄合共發表了39篇文章，包括《星島日報》地產網站及雜誌、《信報財經新聞》網站及南華早報網站等。監管局將繼續與不同媒體及宣傳平台保持聯繫。

### Media relations

In order to further enhance public awareness of the EAA with a positive public image, it is important to keep a close connection with the media in order to publicise the EAA's initiatives and efforts. During the year, the EAA issued eight press releases and held one press conference which gained wide media coverage. A total of six feature interviews were arranged for the EAA Chairman and EAA management with major print and electronic media. Among these interviews, the EAA Chief Executive Officer, Ms Ruby Hon, was interviewed by a TVB programme titled "A Property A Day" in December 2019. Ms Hon illustrated the role and responsibility of estate agents and the points-to-note when appointing estate agents. There were a few episodes aired with positive response and the series continued in 2020.



To further promote consumer-related information through mass media channels, the EAA regularly contributes articles on current topics relating to property transactions and expected services of estate agents to the media. In 2019/20, the EAA contributed a total of 39 articles to three print and online columns, namely, the property magazine and website of *Sing Tao Daily*, the websites of *Hong Kong Economic Journal*, and *South China Morning Post*. The EAA will continue to cultivate relationships with the media by exploring more media channels and publicity platforms.





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### 業界溝通

監管局重視與主要持份者及業界代表保持良好關係，以爭取他們理解及支持監管局工作，這對業界守法循規及發展專業非常重要。作為定期對話及雙向溝通，監管局於2019/20年度與主要業界商會代表舉行了三次聯絡會議及一次針對如何就業界營運困難提供援助而舉行的特別會議。會議中除了討論到雙方關心的議題外，監管局亦向業界講解局方的最新措施。例如，業界向監管局表達其於社會運動期間面對的經營困難，局方因而制定資助計劃，並鼓勵個人持牌人不斷學習，增值自己。此外，監管局亦幫助業界向政府反映他們在2019冠狀病毒病疫情下面對的經營困難。政府決定透過監管局在第二輪「防疫抗疫基金」中向個人持牌人提供現金津貼。



監管局透過聚焦小組會議了解持牌人日常執業，有助為業界制定有效的政策、指引和措施。

The EAA understood the daily practice of licensees by conducting focus groups, which helped the EAA formulate practical policies, guidelines and measures for the trade.

除了與業界商會代表舉行聯絡會議外，監管局亦與不同地區的持牌人舉行聚焦小組會議，和前線從業員直接溝通。會議內持牌人分享了其遇到的執業問題，這有助監管局為業界制定有效的政策、指引和措施。年內，局方分別於油塘及馬鞍山舉行了合共兩次聚焦小組會議，並得到正面回應。

### Trade communications

The EAA believes that it is vital to maintain a good rapport with key stakeholders and the trade, so as to gain their understanding and support for the work of the EAA which is essential for trade compliance and the development of professionalism. The EAA hosted three regular liaison meetings and one special meeting on the ways to assist the trade under operation difficulties with the representatives of major trade associations in 2019/20 as a regular dialogue and two-way exchange with the trade. Issues of mutual concern were also discussed and the trade was informed on the most updated initiatives of the EAA. For instance, the trade expressed to the EAA their difficulties during the period of social movements resulting in a financial assistance plan provided by the EAA to encourage individual licensees to upgrade themselves through continuous learning. The EAA also helped reflect the trade's difficulties during the COVID-19 pandemic to the Government which had decided to provide cash subsidies to individual licensees through the EAA under the second round of the Anti-epidemic Fund.



監管局與主要業界商會代表定期舉行聯絡會議。

The EAA hosted regular liaison meetings with the representatives of major trade associations.

In addition to liaison meetings with representatives of trade associations, focus group meetings with licensees in various districts were also organised to maintain direct dialogue with frontline practitioners. At these meetings, the EAA invited licensees to share practice issues they encountered, which helped the EAA formulate practical policies, guidelines and measures for the trade. During the year, two focus group meetings with positive feedback were held in Yau Tong and Ma On Shan respectively.

監管局亦不時透過電郵、於網站上發布的特別通告向持牌人發出函件或提醒等，提示業界注意一些有關執業的要求及由政府發出的提醒或措施。在2019/20年度，監管局合共發出了25份此類信函或通告。此外，監管局亦出版了四期持牌人通訊《專業天地》，讓持牌人知悉局方的最新規管工作及活動。公眾人士亦可於監管局辦事處索取該通訊或於監管局網站瀏覽電子版本。在2019/20年度，監管局亦透過出席不同的業界活動，與業界保持良好關係。

### 與其他持份者的交流及聯繫

年內，監管局亦一直與政府、專業機構和其他公共機構等外界持份者保持良好聯繫。由於地產代理有必要了解相關的政府規例及市場的最新發展，監管局不時收到不同部門或機構的最新消息及資訊，包括一手住宅物業銷售監管局、稅務局、競爭事務委員會、土地註冊處、規劃署、香港房屋協會、消費者委員會、平等機會委員會、個人資料私隱專員公署、物業管理業監管局、選舉事務處，及入境事務處等。

監管局的管理層亦與房地產牌照司法人員協會(「ARELLO」)的前任主席兼ARELLO基金信託委員會主席會面。在會談中，雙方就香港物業市場及持牌人數目等資訊交換意見。

From time to time, the EAA issues letters or reminders to licensees in the form of email or special notices published on the EAA's website to alert them to certain requirements relating to the estate agency practice, and reminders or new measures from the Government. In 2019/20, a total of 25 such letters or notices were issued. In addition, four issues of the EAA's newsletter for licensees, *Horizons*, were published in the year to keep licensees abreast of the EAA's regulatory measures and our latest activities. Members of the public could either collect a copy of the newsletter at the EAA office or read the e-version at the EAA's website. By attending different trade events in 2019/20, the EAA also maintained a cordial relationship with the trade.

### Exchanges and liaisons with other stakeholders

During the year, the EAA also maintained a good relationship with external stakeholders, including the Government, professional institutes and other public bodies. As it is essential for estate agents to keep informed of relevant government regulations and new developments in the market, we also received up-to-date news and information from various departments or organisations such as the Sales of First-hand Residential Properties Authority, Inland Revenue Department, Competition Commission, Land Registry, Planning Department, Hong Kong Housing Society, Consumer Council, Equal Opportunities Commission, Office of the Privacy Commissioner for Personal Data, Property Management Services Authority, Registration and Electoral Office, and Immigration Department.

The EAA management also met with the former President of the Association of Real Estate License Law Officials ("ARELLO") who is also the chairman of the board of trustees for the ARELLO Foundation. Information on the property market in Hong Kong and the number of licensees was exchanged in the meeting.



監管局與政府、專業機構和其他公共機構等外界持份者保持良好聯繫。圖為與香港測量師學會舉行會議時攝。

The EAA maintained a good relationship with external stakeholders, including the Government, professional institutes and other public bodies. Photo taken at a meeting with the Hong Kong Institute of Surveyors.





# 獨立核數師報告

## Independent Auditor's Report

致地產代理監管局全體成員

(根據《地產代理條例》於香港成立)

### 意見

本核數師(以下簡稱「我們」)已審計列載於第116至152頁地產代理監管局(以下簡稱「監管局」)的財務報表，此財務報表包括於2020年3月31日的財務狀況表與截至該日止年度之收支結算表、儲備變動表及現金流量表，以及財務報表附註(包括主要會計政策概要)。

我們認為，上述財務報表已根據香港會計師公會頒佈的《香港財務報告準則》真實而公平地反映監管局於2020年3月31日的財務狀況，及監管局截至該日止年度的財政表現及現金流量，並已遵守《地產代理條例》妥為編製。

### 意見的基礎

我們已根據香港會計師公會頒佈的《香港審計準則》進行審計。我們在該等準則下承擔的責任已於本報告的「核數師就審計財務報表須承擔的責任」部分中進一步闡述。根據香港會計師公會頒佈的《專業會計師道德守則》(以下簡稱「守則」)，我們獨立於監管局，並已根據守則履行其他道德責任。我們相信，我們所獲得的審計憑證能充足和適當地為我們之意見提供基礎。

### 其他信息

監管局須對其他信息負責。其他信息包括年報內所載的信息，但不包括財務報表及當中的核數師報告。

我們對財務報表的意見並不涵蓋其他信息，我們亦不對此等其他信息發表任何形式的鑒證結論。

TO THE MEMBERS OF ESTATE AGENTS AUTHORITY

地產代理監管局

(established in Hong Kong pursuant to the Estate Agents Ordinance)

### Opinion

We have audited the financial statements of Estate Agents Authority set out on pages 116 to 152, which comprise the statement of financial position as at 31 March 2020, and the statement of income and expenditure, statement of movements in reserve and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of Estate Agents Authority as at 31 March 2020, and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA") and have been properly prepared in compliance with the Estate Agents Ordinance.

### Basis for Opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSA") issued by the HKICPA. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of Estate Agents Authority in accordance with the HKICPA's Code of Ethics for Professional Accountants (the "Code"), and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Other Information

Estate Agents Authority is responsible for the other information. The other information comprises the information included in the annual report, but does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

就我們對財務報表的審計，我們的責任是細閱其他信息，並在此過程中考慮其他信息與財務報表或與我們在審計過程中所知悉的情況是否存在重大不相符或似乎存在其他重大錯誤陳述。基於我們已執行的工作，如果我們認為該等其他信息存在重大錯誤陳述，我們須報告該事實。在這方面，我們沒有任何報告。

### 監管局須就財務報表承擔的責任

監管局須負責根據香港會計師公會頒佈的《香港財務報告準則》及《地產代理條例》，編製真實而公平的財務報表，及落實其認為編製財務報表所必要之內部監控，以使財務報表不存在由於欺詐或錯誤而導致之重大錯誤陳述。

在編制財務報表時，監管局須負責評估其持續經營的能力，並披露與持續經營有關的事項(如適用)。除非監管局擬將監管局清盤或停止營運，或除此之外並無其他實際可行的辦法，否則須採用持續經營會計基礎。

監管局須負責監督其財務報告流程。

### 核數師就審計財務報表須承擔的責任

我們的目標是對財務報表整體是否不存在由於欺詐或錯誤而導致的重大錯誤陳述取得合理保證，並按照《地產代理條例》第12條，僅向監管局全體成員出具包括我們意見的核數師報告。除此之外，我們之報告不可作其他用途。我們不會就本報告的內容向任何其他人士負責或承擔責任。合理保證是高水準的保證，但按照《香港審計準則》進行的審計並不保證總能發現所存在的重大錯誤陳述。錯誤陳述可由欺詐或錯誤引起，如果按合理預期該等錯誤陳述或會個別或總體影響財務報表使用者倚賴此等財務報表所作的經濟決策，則被視作重大錯誤陳述。

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

### Estate Agents Authority's Responsibility for the Financial Statements

Estate Agents Authority is responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and the Estate Agents Ordinance, and for such internal control as Estate Agents Authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, Estate Agents Authority is responsible for assessing its ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Estate Agents Authority either intends to liquidate Estate Agents Authority or to cease operations, or has no realistic alternative but to do so.

Estate Agents Authority is responsible for overseeing its financial reporting process.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion solely to you, as a body, in accordance with section 12 of the Estate Agents Ordinance, and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSAAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.



# 獨立核數師報告

## Independent Auditor's Report

在根據《香港審計準則》進行審計的過程中，我們運用專業判斷，並保持專業懷疑態度。我們亦：

- 識別及評估因欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審計程序以應對此等風險，以及獲取充足及適當的審計憑證，作為我們意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、失實陳述，或凌駕於內部監控之上，因此，未能發現因欺詐導致出現重大錯誤陳述的風險，高於未能發現因錯誤導致出現重大錯誤陳述的風險。
- 了解與審計相關的內部監控，以設計適當的審計程序，但目的並非對監管局內部監控的有效性發表意見。
- 評估監管局所採用的會計政策的適當性以及作出會計估計及相關披露的合理性。
- 對監管局採用持續經營會計基礎的適當性作出結論，並根據所獲取的審計憑證，確認是否存在與可能導致對監管局持續經營能力產生重大疑慮的事項或情況相關之重大不確定性。如果我們認為存在重大不確定性，則有必要在核數師報告中提請使用者注意財務報表中的相關披露，或如有關披露不充分，則修改我們的意見。我們的結論乃基於截至核數師報告之日止所取得的審計憑證。然而，未來事項或情況或可能導致監管局不再持續經營業務。
- 評估財務報表的整體列報方式、結構及內容(包括披露)，以及財務報表是否公平反映相關交易及事項。

As part of an audit in accordance with HKSA's, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Estate Agents Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by Estate Agents Authority.
- Conclude on the appropriateness of Estate Agents Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Estate Agent Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause Estate Agents Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

除其他事項外，我們與監管局就審計的計劃範圍和時間安排及重大審計發現(包括我們在審計期間識別的內部監控之任何重大缺陷)進行溝通。

We communicate with Estate Agents Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

德勤 • 關黃陳方會計師行  
執業會計師  
香港  
2020年7月21日

**Deloitte Touche Tohmatsu**  
*Certified Public Accountants*  
Hong Kong  
21 July 2020



# 財務報表

## Financial Statements

### 收支結算表

截至2020年3月31日止年度

### Statement of Income and Expenditure

For the year ended 31 March 2020

|                           |   | 附註<br>NOTES | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|---------------------------|---|-------------|--------------------|--------------------|
| 收入                        | Income  |             |                    |                    |
| 牌照費                       | Licence fees  | 5           | <b>81,175,857</b>  | 80,971,414         |
| 考試費                       | Examination fees  | 6           | <b>6,477,400</b>   | 9,111,200          |
| 利息收入                      | Interest income   |             | <b>3,723,431</b>   | 2,780,858          |
|                           |   |             | <b>91,376,688</b>  | 92,863,472         |
| 支出                        | Expenditure   |             |                    |                    |
| 核數師酬金                     | Auditor's remuneration  |             | <b>102,000</b>     | 102,000            |
| 公眾教育開支                    | Community education expenses  |             | <b>1,600,157</b>   | 1,796,598          |
| 投訴、調查及紀律研訊的<br>支出         | Complaints, investigation and<br>disciplinary proceedings expenses            |             | <b>119,787</b>     | 120,555            |
| 物業、機器及設備之折舊               | Depreciation of property, plant and<br>equipment                              | 9           | <b>4,457,269</b>   | 4,998,076          |
| 使用權資產之折舊                  | Depreciation of right-of-use assets   | 10          | <b>5,803,300</b>   | –                  |
| 器材維修保養及通訊費用               | Equipment maintenance and<br>communication expenses                           |             | <b>1,828,679</b>   | 1,920,916          |
| 地產代理證支出                   | Estate agent card expenses  |             | <b>82,434</b>      | 90,342             |
| 保險費                       | Insurance   |             | <b>1,352,485</b>   | 1,265,973          |
| 租賃負債之利息支出                 | Interest expense on lease liabilities   |             | <b>247,052</b>     | –                  |
| 汽車營運支出                    | Motor vehicle operating expenses  |             | <b>133,685</b>     | 207,768            |
| 辦公室及相關開支                  | Office accommodation and related<br>expenses                                  |             | <b>2,497,760</b>   | 3,502,658          |
| 經營租賃租金 – 土地及樓宇            | Operating lease rentals in respect<br>of land and buildings                   |             | –                  | 7,771,583          |
| 郵費                        | Postage   |             | <b>369,935</b>     | 388,671            |
| 印刷及文具                     | Printing and stationery   |             | <b>395,362</b>     | 504,108            |
| 專業服務費用                    | Professional service fees   |             | <b>646,970</b>     | 42,000             |
| 公共關係及聯絡費                  | Public relations and liaison  |             | <b>12,536</b>      | 51,263             |
| 宣傳及廣告                     | Publicity and advertising   |             | <b>12,760</b>      | 20,300             |
| 員工成本                      | Staff costs   |             |                    |                    |
| – 薪金及津貼                   | – wages, salaries and allowances  |             | <b>49,865,700</b>  | 48,930,361         |
| – 強制性公積金供款                | – contributions to mandatory<br>provident fund scheme                         |             | <b>1,394,802</b>   | 1,396,713          |
| 考試服務費                     | Service fees for examinations   |             | <b>3,537,370</b>   | 6,138,421          |
| 培訓活動開支                    | Training activity expenses  |             | <b>595,202</b>     | 659,408            |
| 其他開支                      | Other expenses  |             | <b>883,190</b>     | 741,116            |
|                           |   |             | <b>75,938,435</b>  | 80,648,830         |
| 專業發展資助                    | Professional development subsidy  | 7           | <b>20,551,000</b>  | –                  |
|                           |   |             | <b>96,489,435</b>  | 80,648,830         |
| 年內(虧損)盈餘及其他全面<br>(支出)收益總額 | (Deficit) surplus and total<br>comprehensive (expense) income<br>for the year |             | <b>(5,112,747)</b> | 12,214,642         |



## 財務狀況表

於2020年3月31日

## Statement of Financial Position

At 31 March 2020

|              |  | 附註<br>NOTES | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|--------------|--|-------------|--------------------|--------------------|
| 非流動資產        | Non-current assets                       |             |                    |                    |
| 物業、機器及設備     | Property, plant and equipment            | 9           | 81,350,867         | 84,539,703         |
| 使用權資產        | Right-of-use assets                      | 10          | 9,464,035          | –                  |
|              |  |             | 90,814,902         | 84,539,703         |
| 流動資產         | Current assets                           |             |                    |                    |
| 應收賬款、預付款項及按金 | Debtors, prepayments and deposits        |             | 3,032,430          | 3,900,342          |
| 定期存款         | Time deposits                            | 11          | 70,471,747         | 64,959,029         |
| 銀行結餘及現金      | Bank balances and cash                   | 11          | 127,425,199        | 115,300,886        |
|              |  |             | 200,929,376        | 184,160,257        |
| 流動負債         | Current liabilities                      |             |                    |                    |
| 應付賬款及應計項目    | Creditors and accruals                   |             | 9,873,527          | 11,531,310         |
| 應付專業發展資助     | Professional development subsidy payable | 7           | 20,551,000         | –                  |
| 合約負債         | Contract liabilities                     | 12          | 67,570,726         | 68,249,955         |
| 租賃負債         | Lease liabilities                        | 13          | 5,692,614          | –                  |
|              |  |             | 103,687,867        | 79,781,265         |
| 流動資產淨值       | Net current assets                       |             | 97,241,509         | 104,378,992        |
| 總資產減流動負債     | Total assets less current liabilities    |             | 188,056,411        | 188,918,695        |
| 儲備           | Reserve                                  |             | 183,805,948        | 188,918,695        |
| 非流動負債        | Non-current liability                    |             |                    |                    |
| 租賃負債         | Lease liabilities                        | 13          | 4,250,463          | –                  |
|              |  |             | 188,056,411        | 188,918,695        |

載於第116至152頁之財務報表於2020年7月21日獲地產代理監管局全體成員批准及授權刊發，並由以下代表簽署：

The financial statements on pages 116 to 152 were approved and authorised for issue by the members of Estate Agents Authority on 21 July 2020 and are signed on their behalf by:

梁永祥  
主席

韓婉萍  
行政總裁

William LEUNG Wing-cheung  
CHAIRMAN

Ruby HON Yuen-ping  
CHIEF EXECUTIVE OFFICER



# 財務報表

## Financial Statements

### 儲備變動表

截至2020年3月31日止年度

### Statement of Movements in Reserve

For the year ended 31 March 2020

|             |                      | 總計<br><b>Total</b><br>港元<br>HK\$ |
|-------------|----------------------|----------------------------------|
| 於2018年4月1日  | At 1 April 2018      | 176,704,053                      |
| 年內盈餘        | Surplus for the year | 12,214,642                       |
| 於2019年3月31日 | At 31 March 2019     | 188,918,695                      |
| 年內虧損        | Deficit for the year | (5,112,747)                      |
| 於2020年3月31日 | At 31 March 2020     | 183,805,948                      |

儲備指地產代理監管局(「監管局」)的營運累積盈餘。

Reserve represents retained cumulative surplus from the operations of Estate Agents Authority ("EAA").

## 現金流量表

截至2020年3月31日止年度

## Statement of Cash Flows

For the year ended 31 March 2020

|                  |  | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|------------------|--|--------------------|--------------------|
| <b>營運活動</b>      | <b>OPERATING ACTIVITIES</b>                              |                    |                    |
| 年內(虧損)盈餘         | (Deficit) surplus for the year                           | (5,112,747)        | 12,214,642         |
| 就下列各項作出調整：       | Adjustments for:   |                    |                    |
| 利息收入             | Interest income  | (3,723,431)        | (2,780,858)        |
| 租賃負債之利息支出        | Interest expense on lease liabilities                    | 247,052            | —                  |
| 物業、機器及設備之折舊      | Depreciation of property, plant and equipment            | 4,457,269          | 4,998,076          |
| 使用權資產之折舊         | Depreciation of right-of-use assets                      | 5,803,300          | —                  |
| 營運資金變動前之營運現金流量   | Operating cash flows before movements in working capital | 1,671,443          | 14,431,860         |
| 應收賬款、預付款項及按金減少   | Decrease in debtors, prepayments and deposits            | 695,965            | 665,121            |
| 應付賬款及應計項目(減少)增加  | (Decrease) increase in creditors and accruals            | (1,476,893)        | 2,567,867          |
| 應付專業發展資助增加       | Increase in professional development subsidy payable     | 20,551,000         | —                  |
| 合約負債(減少)增加       | (Decrease) increase in contract liabilities              | (679,229)          | 1,093,245          |
| 營運活動所得現金淨額       | NET CASH FROM OPERATING ACTIVITIES                       | 20,762,286         | 18,758,093         |
| <b>投資活動</b>      | <b>INVESTING ACTIVITIES</b>                              |                    |                    |
| 存置定期存款           | Placement of time deposits                               | (5,512,718)        | (43,172,670)       |
| 購置物業、機器及設備       | Purchase of property, plant and equipment                | (1,268,433)        | (73,888,325)       |
| 已收利息             | Interest received  | 3,895,378          | 2,210,157          |
| 投資活動所用現金淨額       | NET CASH USED IN INVESTING ACTIVITIES                    | (2,885,773)        | (114,850,838)      |
| <b>融資活動所用現金</b>  | <b>CASH USED IN A FINANCING ACTIVITY</b>                 |                    |                    |
| 支付租賃負債           | Repayment of lease liabilities                           | (5,752,200)        | —                  |
| 現金及現金等值物增加(減少)淨額 | NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS     | 12,124,313         | (96,092,745)       |
| 年初的現金及現金等值物      | CASH AND CASH EQUIVALENTS AT THE BEGINNING OF THE YEAR   | 115,300,886        | 211,393,631        |
| 年終的現金及現金等值物      | CASH AND CASH EQUIVALENTS AT THE END OF THE YEAR         | 127,425,199        | 115,300,886        |
| 現金及現金等值物結餘分析：    | ANALYSIS OF BALANCES OF CASH AND CASH EQUIVALENTS:       |                    |                    |
| 銀行結餘及現金          | Bank balances and cash                                   | 127,425,199        | 115,300,886        |



# 財務報表

## Financial Statements

### 財務報表附註

截至2020年3月31日止年度

#### 1. 一般資料

地產代理監管局(「監管局」)根據於1997年5月29日頒佈的《地產代理條例》成立。主要職能為促進地產代理的專業操守，提高從業員的專業水平，及簽發地產代理牌照。監管局的註冊辦事處及主要營業地點為香港灣仔皇后大道東183號合和中心48樓4801室。

本財務報表以港元呈列，而港元同樣為監管局的功能貨幣。

#### 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)

本年度強制生效之新訂及經修訂之香港財務報告準則

於本年度，監管局首次採用以下由香港會計師公會頒布之新訂及經修訂香港財務報告準則及詮釋：

香港財務報告準則第16號  
HKFRS 16

香港(國際財務報告詮釋委員會)  
– 詮釋第23號  
HK(IFRIC)-Int 23

香港財務報告準則第9號修訂本  
Amendments to HKFRS 9

香港會計準則第19號修訂本  
Amendments to HKAS 19

香港會計準則第28號修訂本  
Amendments to HKAS 28

香港財務報告準則修訂  
HKFRSs

### Notes to the Financial Statements

For the year ended 31 March 2020

#### 1. General

EAA was established with the principal functions of promoting integrity and competence of estate agents and issuing estate agents' licences under the Estate Agents Ordinance dated 29 May 1997 (date of enactment). The address of the registered office and principal place of business of EAA is Room 4801, 48th Floor, Hopewell Centre, 183 Queen's Road East, Hong Kong.

The financial statements are presented in Hong Kong dollar, which is the same as the functional currency of EAA.

#### 2. Application of New and Amendments to Hong Kong Financial Reporting Standards ("HKFRSs")

**New and Amendments to HKFRSs that are mandatorily effective for the current year**

EAA has applied the following new and amendments to HKFRSs and an interpretation issued by the HKICPA for the first time in the current year:

租賃  
Leases

所得稅不確定性的處理

Uncertainty over Income Tax Treatments

負補償的預付款項特性  
Prepayment Features with Negative Compensation

計劃修訂、縮減或支付  
Plan Amendment, Curtailment or Settlement

於聯營公司及合營公司的長期權益  
Long-term Interests in Associates and Joint Ventures

香港財務報告準則二零一五年至二零一七年週期之年度改進  
Annual Improvements to HKFRSs 2015-2017 Cycle

## 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

本年度強制生效之新訂及經修訂之香港財務報告準則(續)

除下文所述外，應用上述香港財務報告準則之新訂及修訂及本年度之詮釋，對監管局本年度及過往年度之財務表現和狀況及／或對這些財務報表所載之披露資料，並不予以適用及不會造成重大影響。

### 2.1 香港財務報告準則第16號租賃

本年度監管局首次應用了香港財務報告準則第16號。香港財務報告準則第16號取代香港會計準則第17號租賃及其相關詮釋。

#### 租賃定義

監管局選擇以可行的權宜方法，將香港財務報告準則第16號應用於過往在應用香港會計準則第17號和香港(國際財務報告詮釋委員會)–詮釋第4號：「釐定一項安排是否包含租賃」下，獲確定為租賃的合約中；以及不將此標準應用於過往未有確定為包含租賃的合約中。因此，監管局並未重新評定在初次應用日之前已經存在的合約。

對於在2019年4月1日或之後所簽訂或修訂的合約，監管局根據香港財務報告準則第16號所訂明的要求，在評定一份合約是否包含租賃時應用了租賃定義。

## 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (continued)

New and Amendments to HKFRSs that are mandatorily effective for the current year (continued)

Except as described below, the application of the above new and amendments to HKFRSs and an interpretation in the current year is either not applicable or has had no material effect on the EAA's financial performance and positions for the current and prior years and/or on the disclosures set out in these financial statements.

### 2.1 HKFRS 16 Leases

EAA has applied HKFRS 16 for the first time in the current year. HKFRS 16 superseded HKAS 17 Leases, and the related interpretations.

#### Definition of a lease

EAA has elected the practical expedient to apply HKFRS 16 to contracts that were previously identified as leases applying HKAS 17 and HK(IFRIC)-Int 4. Determining whether an Arrangement contains a Lease and not apply this standard to contracts that were not previously identified as containing a lease. Therefore, EAA has not reassessed contracts which already existed prior to the date of initial application.

For contracts entered into or modified on or after 1 April 2019, EAA applies the definition of a lease in accordance with the requirements set out in HKFRS 16 in assessing whether a contract contains a lease.





# 財務報表

## Financial Statements

### 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

本年度強制生效之新訂及經修訂之香港財務報告準則(續)

#### 2.1 香港財務報告準則第16號租賃(續)

##### 作為承租人

於2019年4月1日，監管局透過應用香港財務報告準則第16號C8(b)(ii)之過渡，確認了額外租賃負債和使用權資產的金額，相等於以任何累計租賃付款而調整的相關租賃負債。在初次應用日的差額均在期初未分配利潤中得到確認，以及並無重述比較資訊。

在過渡期間，監管局根據香港財務報告準則第16號應用經修改的追溯方法時，已在與個別租賃合約相關之情況下，以每項租賃為基礎對過往根據香港會計準則第17號獲歸類為經營租賃之租賃，應用了下列可行的權宜方法：

- 透過應用香港會計準則第37號「撥備、或有負債及或有資產」作為減值審查的替代方法，來評定租賃是否虧損性。

當確認租賃的租賃負債過往獲歸類為經營租賃時，監管局在初次應用日應用了遞增借款利率，其為2%。

### 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (continued)

New and Amendments to HKFRSs that are mandatorily effective for the current year (continued)

#### 2.1 HKFRS 16 Leases (continued)

##### As a lessee

As at 1 April 2019, EAA recognised additional lease liabilities and right-of-use assets at amounts equal to the related lease liabilities adjusted by any accrued lease payments by applying HKFRS 16.C8(b)(ii) transition. Any difference at the date of initial application is recognised in the opening retained profits and comparative information has not been restated.

When applying the modified retrospective approach under HKFRS 16 at transition, EAA applied the following practical expedient to leases previously classified as operating leases under HKAS 17, on lease-by-lease basis, to the extent relevant to the respective lease contracts:

- relied on the assessment of whether leases are onerous by applying HKAS 37 Provisions, Contingent Liabilities and Contingent Assets as an alternative of impairment review.

When recognising the lease liabilities for leases previously classified as operating leases, EAA has applied incremental borrowing rates at the date of initial application. The incremental borrowing rate applied is 2%.

## 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

本年度強制生效之新訂及經修訂之香港財務報告準則(續)

### 2.1 香港財務報告準則第16號租賃(續)

作為承租人(續)

|  |  |   |
|--|--|---|
|  |  | 於2019年<br>4月1日<br>At<br>1 April<br>2019<br>港元<br>HK\$ |
| 於2019年3月31日已披露的經營租賃承擔                        | Operating lease commitments disclosed as at 31 March 2019  | 15,422,040  |
| 以相關遞增借款利率及在應用香港財務報告準則第16號下，獲確認與折現經營租賃相關的租賃負債 | Lease liabilities relating to operating leases discounted at relevant incremental borrowing rate and recognised upon application of HKFRS 16 | 15,028,007  |
| 於2019年4月1日的租賃負債                              | Lease liabilities as at 1 April 2019   | 15,028,007  |
| 分析為  | Analysed as  |   |
| 流動   | Current  | 5,451,494   |
| 非流動  | Non-current  | 9,576,513   |
|  |  | 15,028,007  |

於2019年4月1日，使用權資產的賬面價值包括以下事項：

The carrying amount of right-of-use assets as at 1 April 2019 comprises the following:

|                                  |  |            |   |
|----------------------------------|--|------------|---|
|                                  |  | 附註<br>Note | 使用權資產<br>Right-of-use<br>assets<br>港元<br>HK\$ |
| 在應用香港財務報告準則第16號下獲確認與經營租賃相關的使用權資產 | Right-of-use assets relating to operating leases recognised upon application of HKFRS 16 |            | 15,028,007                                    |
| 減：於2019年4月1日與免租期相關的累計租賃負債        | Less: Accrued lease liabilities relating to rent-free period at 1 April 2019             | (a)        | (180,890)                                     |
|                                  |  |            | 14,847,117                                    |
| 按類別：                             | By class:  |            |   |
| 辦公室物業                            | Office premises  |            | 14,847,117                                    |

## 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (continued)

New and Amendments to HKFRSs that are mandatorily effective for the current year (continued)

### 2.1 HKFRS 16 Leases (continued)

As a lessee (continued)



# 財務報表

## Financial Statements

### 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

本年度強制生效之新訂及經修訂之香港財務報告準則(續)

#### 2.1 香港財務報告準則第16號租賃(續)

##### 作為承租人(續)

於2019年4月1日，在財務狀況表中獲確認的金額進行了以下調整。不受更改影響的單項並無包括在內。

### 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (continued)

New and Amendments to HKFRSs that are mandatorily effective for the current year (continued)

#### 2.1 HKFRS 16 Leases (continued)

##### As a lessee (continued)

The following adjustments were made to the amounts recognised in the statement of financial position at 1 April 2019. Line items that were not affected by the changes have not been included.

|              |                                |                    | 於2019年<br>3月31日<br>過往報告的<br>賬面金額<br>Carrying<br>amounts<br>previously<br>reported at<br>31 March | 調整                 | 於2019年<br>4月1日在<br>香港財務<br>報告準則<br>第16號下的<br>賬面金額<br>Carrying<br>amounts<br>under<br>HKFRS 16 at<br>1 April |
|--------------|--------------------------------|--------------------|--|--------------------|---|
|              | 附註<br>Note                     | 2019<br>港元<br>HK\$ | Adjustments<br>港元<br>HK\$  | 2019<br>港元<br>HK\$ |   |
| <b>非流動資產</b> | <b>Non-current assets</b>      |                    |  |                    |   |
| 使用權資產        | Right-of-use assets            | (a)                | –  | 14,847,117         | 14,847,117  |
| <b>流動資產</b>  | <b>Current liabilities</b>     |                    |  |                    |   |
| 應付賬款及應計項目    | Creditors and accruals         | (a)                | 11,531,310   | (180,890)          | 11,350,420  |
| 租賃負債         | Lease liabilities              |                    | –  | 5,451,494          | 5,451,494   |
| <b>非流動資產</b> | <b>Non-current liabilities</b> |                    |  |                    |   |
| 租賃負債         | Lease liabilities              |                    | –  | 9,576,513          | 9,576,513   |

附註：

- (a) 上述乃與出租人提供免租期的物業租賃累計租賃負債有關。於2019年4月1日，在應付賬款及應計項目下的租賃優惠負債賬面金額，已於過渡期調整為使用權資產。

Note:

- (a) These relate to accrued lease liabilities for leases of properties in which the lessors provided rent-free period. The carrying amount of the lease incentive liabilities under creditors and accruals as at 1 April 2019 was adjusted to right-of-use assets at transition.

## 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

### 已頒佈但尚未生效之香港財務報告準則新訂及修訂本

監管局並未提前採用以下已頒佈但尚未生效之香港財務報告準則新訂及修訂本：

香港財務報告準則第 17 號  
HKFRS 17

香港財務報告準則第 16 號修訂本  
Amendment to HKFRS 16

香港財務報告準則第 3 號修訂本  
Amendments to HKFRS 3

香港財務報告準則第 3 號修訂本  
Amendments to HKFRS 3

香港財務報告準則第 10 號修訂本及  
香港會計準則第 28 號修訂本  
Amendments to HKFRS 10  
and HKAS 28

香港會計準則第 1 號修訂本及  
香港會計準則第 8 號修訂本  
Amendments to HKAS 1 and  
HKAS 8

香港會計準則第 16 號修訂本  
Amendments to HKAS 16

香港會計準則第 37 號修訂本  
Amendments to HKAS 37

香港財務報告準則第 9 號修訂本、  
香港會計準則第 39 號修訂本及  
香港財務報告準則第 7 號修訂本  
Amendments to HKFRS 9, HKAS  
39 and HKFRS 7

香港財務報告準則修訂本  
Amendments to HKFRSs

## 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (continued)

### New and Amendments to HKFRSs in issue but not yet effective

EAA has not early applied the following new and amendments to HKFRSs that have been issued but are not yet effective:

保險合約<sup>1</sup>  
Insurance Contracts<sup>1</sup>

與新型冠狀病毒相關的租金寬減<sup>6</sup>  
COVID-19 Related Rent Concession<sup>6</sup>

業務的定義<sup>2</sup>  
Definition of a Business<sup>2</sup>

概念框架的引用<sup>5</sup>  
Reference to the Conceptual Framework<sup>5</sup>

投資者與其聯營或合營公司之間的資產出售或投入<sup>3</sup>  
Sale or Contribution of Assets between an Investor and its  
Associate or Joint Venture<sup>3</sup>

重大的定義<sup>4</sup>  
Definition of Material<sup>4</sup>

物業、機器及設備 – 達到預定使用狀態前之價款<sup>5</sup>  
Property, Plant and Equipment – Proceeds before  
Intended Use<sup>5</sup>

虧損性合約 – 履行合約的成本<sup>5</sup>  
Onerous Contracts – Cost of Fulfilling a Contract<sup>5</sup>

利率指標改革<sup>4</sup>  
Interest Rate Benchmark Reform<sup>4</sup>

香港財務報告準則二零一八年至二零二零年之年度改進<sup>5</sup>  
Annual Improvements to HKFRSs 2018-2020<sup>5</sup>



# 財務報表

## Financial Statements

### 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

已頒佈但尚未生效之香港財務報告準則新訂及修訂本(續)

- <sup>1</sup> 於二零二一年一月一日或之後開始的年度期間生效
- <sup>2</sup> 就收購日期為於二零二零年一月一日或之後開始的首個年度期間或之後開始的業務合併及資產收購生效於特定日期或之後開始的年度期間生效
- <sup>3</sup> 於二零二零年一月一日或之後開始的年度期間生效
- <sup>4</sup> 於二零二零年一月一日或之後開始的年度期間生效
- <sup>5</sup> 於二零二二年一月一日或之後開始的年度期間生效
- <sup>6</sup> 於二零二零年六月一日或之後開始的年度期間生效

除上述《香港財務報告準則》新訂及《香港財務報告準則》修訂本外，2018年亦發布了《財務報告概念框架》修訂版。其引致之修訂，即《對香港財務報告準則中概念框架的引用之修訂》，於二零二零年一月一日或之後開始的年度期間生效。

監管局管理層認為所有新訂及經修訂之香港財務報告準則的應用於可見未來將不會對財務報表產生重大影響。

### 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (continued)

New and Amendments to HKFRSs in issue but not yet effective (continued)

- <sup>1</sup> Effective for annual periods beginning on or after 1 January 2021
- <sup>2</sup> Effective for business combinations and asset acquisitions for which the acquisition date is on or after the beginning of the first annual period beginning on or after 1 January 2020
- <sup>3</sup> Effective for annual periods beginning on or after a date to be determined
- <sup>4</sup> Effective for annual periods beginning on or after 1 January 2020
- <sup>5</sup> Effective for annual periods beginning on or after 1 January 2022
- <sup>6</sup> Effective for annual periods beginning on or after 1 June 2020

In addition to the above new and amendments to HKFRSs, a revised Conceptual Framework for Financial Reporting was issued in 2018. Its consequential amendments, *the Amendments to References to the Conceptual Framework in HKFRS Standards*, will be effective for annual periods beginning on or after 1 January 2020.

The management of EAA anticipates that application of all new and amendments to HKFRSs will have no material impact on the financial statements in the foreseeable future.



### 3. 主要會計政策

本財務報表根據香港會計師公會頒佈的《香港財務報告準則》及《地產代理條例》編製。

如下列會計政策所述，財務報表乃根據歷史成本基準於每報告期終而編制。

歷史成本一般以交換貨品及服務時給予代價的公平值為基準。

公允價值是市場參與者之間，於計量日在有序交易中出售資產所獲取的價值或轉移負債所支付的價值，不管此價值是能直接觀察到還是運用其他估值技術來估算。在估算一項資產或負債的公允價值時，假如市場參與者於計量日為該資產或負債定價會考慮其特徵時，監管局亦會考慮該資產或負債的特徵。在這些財務報表中用於計量及／或披露目的的公允價值，是以此基礎來釐定，但不包括在香港財務報告準則第2號股份基礎給付範圍內以股份為基礎的支付交易、根據香港財務報告準則第16號或香港會計準則第17號（在應用香港財務報告準則第16號之前）入賬的租賃交易（自2019年4月1日起），以及與公允價值有些相似但並非為公允價值的計量，例如香港會計準則第2號存貨的可變現價值或香港會計準則第36號資產減值的使用價值。

### 3. Significant Accounting Policies

The financial statements have been prepared in accordance with HKFRSs issued by the HKICPA and the Estate Agents Ordinance.

The financial statements have been prepared on the historical cost basis at the end of each reporting period, as explained in the accounting policies set out below.

Historical cost is generally based on the fair value of the consideration given in exchange for goods and services.

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date, regardless of whether that price is directly observable or estimated using another valuation technique. In estimating the fair value of an asset or a liability, EAA takes into account the characteristics of the asset or liability if market participants would take those characteristics into account when pricing the asset or liability at the measurement date. Fair value for measurement and/or disclosure purposes in these financial statements is determined on such a basis, except for share-based payment transactions that are within the scope of HKFRS 2 Share-based Payment, leasing transactions that are accounted for in accordance with HKFRS 16 (since 1 April 2019) or HKAS 17 (before application of HKFRS 16), and measurements that have some similarities to fair value but are not fair value, such as net realisable value in HKAS 2 Inventories or value in use in HKAS 36 Impairment of Assets.



# 財務報表

## Financial Statements

### 3. 主要會計政策(續)

此外，在財務報告的目的下，公允價值的計量是根據計量公允價值的輸入數據可觀察程度，以及計量整個公允價值的輸入數據重要性，而獲分類成第1、2或3級，如下所述：

- 第1級輸入數據是實體在計量日就相同資產或負債而可在活躍市場中獲取的報價(未經調整)；
- 第2級輸入數據是除第1級所包括的報價外，資產或負債可直接或間接地觀察的輸入數據；及
- 第3級輸入數據是資產或負債不可觀察的輸入數據。

主要會計政策載列如下。

#### 客戶合約收益

根據香港財務報告準則第15號，監管局於完成履約責任時(即特定履約責任相關貨品或服務的「控制權」轉讓予客戶時)確認收益。

履約責任指個別之貨品及服務(或一組貨品或服務)或一系列大致相同之個別貨品或服務。

倘符合以下其中一項標準，則控制權隨時間轉讓，而收益則參照完成履行相關履約責任之進度而隨時間確認：

- 於監管局履約時，客戶同時取得並耗用監管局履約所提供之利益；
- 監管局之履約產生或提升資產，而該項資產於監管局履約時由客戶控制；或
- 監管局之履約並未產生讓監管局有替代用途之資產，且監管局對至今已完成履約之付款具有可強制執行權利。

### 3. Significant Accounting Policies (continued)

In addition, for financial reporting purposes, fair value measurements are categorised into Level 1, 2 or 3 based on the degree to which the inputs to the fair value measurements are observable and the significance of the inputs to the fair value measurement in its entirety, which are described as follows:

- Level 1 inputs are quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date;
- Level 2 inputs are inputs, other than quoted prices included within Level 1, that are observable for the asset or liability, either directly or indirectly; and
- Level 3 inputs are unobservable inputs for the asset or liability.

The principal accounting policies are set out below.

#### Revenue from contracts with customers

Under HKFRS 15, EAA recognises income when (or as) a performance obligation is satisfied, i.e. when “control” of the goods or services underlying the particular performance obligation is transferred to the customer.

A performance obligation represents a good or service (or a bundle of goods or services) that is distinct or a series of distinct goods or services that are substantially the same.

Control is transferred over time and revenue is recognised over time by reference to the progress towards complete satisfaction of the relevant performance obligation if one of the following criteria is met:

- the customer simultaneously receives and consumes the benefits provided by EAA’s performance as EAA performs;
- EAA’s performance creates and enhances an asset that the customer controls as EAA performs; or
- EAA’s performance does not create an asset with an alternative use to EAA and EAA has an enforceable right to payment for performance completed to date.

### 3. 主要會計政策(續)

#### 客戶合約收益(續)

否則，收入於客戶取得個別貨品或服務控制權時確認。

合約負債指監管局因已向客戶收取代價(或已到期收取代價)，而須向客戶轉讓貨品或服務之責任。

與同一合同有關的合約負債按淨額入賬並呈列。

#### 牌照費收入

牌照費收入隨牌照費期限參考相關履約責任的完工進度予以確認，因為隨監管局履約，牌照持有人同時取得並耗用監管局履約所提供的利益。

#### 考試費收入

考試費收入在服務交付考生時，於考試之日確認。

#### 隨時間確認收入：計量履行履約責任之完成進度

##### 輸出量法

完成履行履約責任之進度按輸出量法計量，即根據直接計量至今已轉讓予客戶之貨品或服務價值與合約項下承諾之餘下貨品或服務相比較確認收益，可以最佳方式描述監管局轉移貨品或服務控制權之履約情況。

### 3. Significant Accounting Policies (continued)

#### Revenue from contracts with customers (continued)

Otherwise, revenue is recognised at a point in time when the customer obtains control of the distinct goods or services.

A contract liability represents EAA's obligation to transfer goods or services to a customer for which EAA has received consideration (or an amount of consideration is due) from the customer.

A contract liability relating to the same contract is accounted for and presented on a net basis.

#### Income from licence fees

Income from licence fees is recognised over the licence fees period by reference to the progress towards complete satisfaction of the relevant performance obligation, as the licensees simultaneously receive and consume the benefits provided by EAA's performance as EAA performs.

#### Income from examination fees

Income from examination fees is recognised at a point in time at the date of examination when the service is delivered to candidates.

#### Over time revenue recognition: measurement of progress towards complete satisfaction of a performance obligation

##### Output method

The progress towards complete satisfaction of a performance obligation is measured based on output method, which is to recognise revenue on the basis of direct measurements of the value of the goods or services transferred to the customer to date relative to the remaining goods or services promised under the contract, that best depict EAA's performance in transferring control of goods or services.



# 財務報表

## Financial Statements

### 3. 主要會計政策(續)

#### 租賃

**租賃定義(根據附註2的過渡而應用香港財務報告準則第16號)**

如合約為換取代價而給予在一段時間內控制已識別資產使用的權利，則該合約為一份租賃或包含租賃。

對於在初始應用日或之後訂立或修改或因企業合併而產生的合約，監管局根據香港財務報告準則第16號項下的定義，於開始或修改或併購日(以適用者為準)評定合約是否為或包含租賃。除非該合約的條款及細則其後有所變動，否則該合約將不會獲重新評定。

**監管局作為承租人(根據附註2的過渡而應用香港財務報告準則第16號)**

#### 使用權資產

使用權資產的成本包括：

- 租賃負債的初次計量金額；
- 在開始日或之前所作的任何租賃付款，減去所獲得的任何租賃優惠；
- 由監管局產生的任何初次直接開支；及
- 監管局將於拆除及移除相關資產、修復相關資產所處之位址或將相關資產修復至租賃條款及細則所規定之狀況時，所產生的估計成本。

使用權資產根據其估計的可使用期限和租賃期限(以較短者為準)，按直線法折舊。

監管局於財務狀況表內將使用權資產呈列為單獨項。

### 3. Significant Accounting Policies (continued)

#### Leases

**Definition of a lease (upon application of HKFRS 16 in accordance with transitions in note 2)**

A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

For contracts entered into or modified or arising from business combinations on or after the date of initial application, EAA assesses whether a contract is or contains a lease based on the definition under HKFRS 16 at inception, modification date or acquisition date, as appropriate. Such contract will not be reassessed unless the terms and conditions of the contract are subsequently changed.

**EAA as a lessee (upon application of HKFRS 16 in accordance with transitions in note 2)**

#### Right-of-use assets

The cost of right-of-use asset includes:

- the amount of the initial measurement of the lease liability;
- any lease payments made at or before the commencement date, less any lease incentives received;
- any initial direct costs incurred by EAA; and
- an estimate of costs to be incurred by EAA in dismantling and removing the underlying assets, restoring the site on which it is located or restoring the underlying asset to the condition required by the terms and conditions of the lease.

Right-of-use assets are depreciated on a straight-line basis over the shorter of its estimated useful life and the lease term.

EAA presents right-of-use assets as a separate line item on the statement of financial position.

### 3. 主要會計政策(續)

#### 租賃(續)

監管局作為承租人(根據附註2的過渡而應用香港財務報告準則第16號)(續)

#### 租賃負債

在租賃開始日，監管局以該日期未有支付的租賃付款現值來確認及計量租賃負債。在計算租賃付款現值時，如租賃內含之利率無法輕易釐定，則監管局會運用租賃開始日的遞增借款利率來計算。

租賃付款包括：

- 固定付款(包括實質固定付款)減去任何應收的租賃優惠；及
- 終止租賃的罰金(假如租賃條款反映監管局行使終止租賃選擇權)。

開始日之後，租賃負債會以利息增加和租賃付款來調整。

每當租賃條款變動或行使購買選擇權的評估出現變化時，監管局會重新計量租賃負債(以對相關的使用權資產作出相應調整)。如此之下，相關租賃負債會透過運用在重新評估日的經修改折現率，以折現的經修改租賃付款來重新計量。

監管局於財務狀況表內將租賃負債呈列為單獨項。

#### 租賃修訂

在以下情況，監管局會將租賃修訂作為一份單獨的租賃入賬：

- 修訂透過新增一項或多項目相關資產的使用權，而增加了租賃的範圍；及

### 3. Significant Accounting Policies (continued)

#### Leases (continued)

EAA as a lessee (upon application of HKFRS 16 in accordance with transitions in note 2) (continued)

#### Lease liabilities

At the commencement date of a lease, EAA recognises and measures the lease liability at the present value of lease payments that are unpaid at that date. In calculating the present value of lease payments, EAA uses the incremental borrowing rate at the lease commencement date if the interest rate implicit in the lease is not readily determinable.

The lease payments include:

- fixed payments (including in-substance fixed payments) less any lease incentives receivable; and
- payments of penalties for terminating a lease, if the lease term reflects EAA exercising an option to terminate the lease.

After the commencement date, lease liabilities are adjusted by interest accretion and lease payments.

EAA remeasures lease liabilities (and makes a corresponding adjustment to the related right-of-use assets) whenever the lease term has changed or there is a change in the assessment of exercise of a purchase option, in which case the related lease liability is remeasured by discounting the revised lease payments using a revised discount rate at the date of reassessment.

EAA presents lease liabilities as a separate line item on the statement of financial position.

#### Lease modifications

EAA accounts for a lease modification as a separate lease if:

- the modification increases the scope of the lease by adding the right to use one or more underlying assets; and





# 財務報表

## Financial Statements

### 3. 主要會計政策(續)

#### 租賃(續)

**監管局作為承租人(根據附註2的過渡而應用香港財務報告準則第16號)(續)**

#### 租賃修訂(續)

- 租賃的代價按照與增加範圍的單獨價格相符的金額，以及為反映特定合約情況而對該單獨價格所作的任何適當調整而增加。

對於並無入賬以列作一項單獨租賃的租賃修訂，監管局會透過運用在修訂生效日的經修改折現率，以折現的經修改租賃付款，基於經修改訂租賃的租賃條款來重新計量租賃債。

監管局透過相應地調整相關使用權資產，來重新計量租賃負債和出租人提供的租賃優惠。當經修訂的合約包含一份租賃組成部分，以及一個或多個額外租賃或非租賃組成部分時，監管局會按照租賃組成部分的相對單獨價格和非租賃組成部分的總單獨價格，在經修訂合約中將代價分配予每一個租賃組成部分。

#### **監管局作為承租人(2019年4月1日前)**

當租賃條款將所有權的絕大部分風險及回報轉移至承租人，則分類為融資租賃。所有其他租賃被分類為經營租賃。

經營租賃付款，包括購買由經營租賃所持有的土地，會於租賃年內以直線法確認為開支。

### 3. Significant Accounting Policies (continued)

#### Leases (continued)

**EAA as a lessee (upon application of HKFRS 16 in accordance with transitions in note 2) (continued)**

#### Lease modifications (continued)

- the consideration for the leases increases by an amount commensurate with the stand-alone price for the increase in scope and any appropriate adjustments to that stand-alone price to reflect the circumstances of the particular contract.

For a lease modification that is not accounted for as a separate lease, EAA remeasures the lease liability based on the lease term of the modified lease by discounting the revised lease payments using a revised discount rate at the effective date of the modification.

EAA accounts for the remeasurement of lease liabilities and lease incentives from lessor by making corresponding adjustments to the relevant right-of-use asset. When the modified contract contains a lease component and one or more additional lease or non-lease components, EAA allocates the consideration in the modified contract to each lease component on the basis of the relative stand-alone price of the lease component and the aggregate stand-alone price of the non-lease components.

#### **EAA as a lessee (prior to 1 April 2019)**

Leases are classified as finance leases whenever the terms of the lease transfer substantially all the risks and rewards of ownership to the lessee. All other leases are classified as operating leases.

Operating lease payments, including the cost of acquiring land held under operating leases, are recognised as an expense on a straight-line basis over the lease term.

### 3. 主要會計政策(續)

#### 物業、機器及設備

物業、機器及設備乃用作生產或提供貨物或服務或作行政用途的有形資產，並按成本減其後累計折舊及累計減值虧損(如有)於財務狀況表列賬。

物業、機器及設備折舊乃按其估計可使用年期，以直線法撇銷其成本減剩餘價值。估計可使用年期，剩餘價值及折舊方法於各報告期終時檢討，並會考慮到未來估計任何變動的影響。

物業、機器及設備項目於出售後或預期持續使用該資產將不會產生未來經濟利益時終止確認。出售或報銷物業、機器及設備目時所產生之任何收益或虧損，按出售所得款項與該資產賬面值之差額釐定，並於收支結算表內確認。

#### 物業、機器及設備及使用權資產之減值

物業、機器及設備，和使用權資產會以成本減去累計折舊和減值後的金額(如有)列賬。在決定一項資產是否為減值時，監管局需要作出判斷和估算，尤其是評估(1)是否發生了一件事件或有任何指標可能會影響到資產的價值；(2)可收回金額能否支持資產的賬面價值，在評估使用價值時，按照該資產的持續使用來估算未來現金流的淨現值；及(3)包括現金流的預測和適當的折現率等用作估計可收回金額的恰當重要假設。當無法估計個別資產(包括使用權資產)的可收回金額時，監管局便會估計資產所屬之現金產生單位的可收回金額。改變假設和估計，包括現金流預測的折現率或增長率，可能會嚴重地影響減值測試中的淨現值。

### 3. Significant Accounting Policies (continued)

#### Property, plant and equipment

Property, plant and equipment are tangible assets that are held for use in the production or supply of goods or services, or for administrative purposes. Property, plant and equipment are stated in the statement of financial position at cost less subsequent accumulated depreciation and subsequent accumulated impairment losses, if any.

Depreciation is recognised so as to write off the cost of items of property, plant and equipment less their residual values over their estimated useful lives, using the straight-line method. The estimated useful lives, residual values and depreciation method are reviewed at the end of each reporting period, with the effect of any changes in estimate accounted for on a prospective basis.

An item of property, plant and equipment is derecognised upon disposal or when no future economic benefits are expected to arise from the continued use of the asset. Any gain or loss arising on the disposal or retirement of an item of property, plant and equipment is determined as the difference between the sales proceeds and the carrying amount of the asset and is recognised in the statement of income and expenditure.

#### Impairment of property, plant and equipment and right-of-use assets

Property, plant and equipment and right-of-use assets are stated at costs less accumulated depreciation and impairment, if any. In determining whether an asset is impaired, EAA has to exercise judgment and make estimation, particularly in assessing: (1) whether an event has occurred or any indicators that may affect the asset value; (2) whether the carrying value of an asset can be supported by the recoverable amount, in the case of value in use, the net present value of future cash flows which are estimated based upon the continued use of the asset; and (3) the appropriate key assumptions to be applied in estimating the recoverable amounts including cash flow projections and an appropriate discount rate. When it is not possible to estimate the recoverable amount of an individual asset (including right-of-use assets), EAA estimates the recoverable amount of the cash-generating unit to which the assets belongs. Changing the assumptions and estimates, including the discount rates or the growth rate in the cash flow projections, could materially affect the net present value used in the impairment test.



# 財務報表

## Financial Statements

### 3. 主要會計政策(續)

#### 金融工具

當監管局成為工具合約條文的訂約方時，確認金融資產及金融負債。所有定期方式購買或銷售的金融資產以交易日期作基準確認及取消確認。定期方式購買或銷售指要求按規則或市場慣例所定的時間規範內將資產運抵的金融資產買賣。

除自客戶合約產生的應收款項，自2018年4月1日起根據香港財務報告準則第15號初步計量，金融資產及金融負債初步按公平價值計量。因收購或發行金融資產及金融負債而直接產生交易成本，於首次確認時於該項金融資產或金融負債的公平價值中計入或扣除(視適用情況而定)。

實際利息法為計算金融資產或金融負債於有關期間攤銷成本以及分配利息收入及利息支出之方法。實際利率指將金融資產或金融負債於整個預計可使用年期或較短期間內(倘適用)的估計未來現金收入及現金付款(包括屬於實際利率不可分割部份的所有已付或已收費及點數、交易成本及其他溢價或折讓)剛好貼現為初步確認時賬面淨值的利率。

當經濟利益很可能流入監管局，並且能夠可靠地計量收入金額時，便確認出金融資產的利息收入。利息收入在參照尚未償還的本金及按適用的實際利率下，按時間而累積，而實際利率為透過金融資產的預計可用年期，將估計的未來現金收入準確折現至該資產在初次確認的淨賬面金額中。

### 3. Significant Accounting Policies (continued)

#### Financial instruments

Financial assets and financial liabilities are recognised when EAA becomes a party to the contractual provisions of the instrument. All regular way purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the market place.

Financial assets and financial liabilities are initially measured at fair value except for receivables arising from contracts with customers which are initially measured in accordance with HKFRS 15 since 1 April 2018. Transaction costs that are directly attributable to the acquisition or issue of financial assets and financial liabilities are added to or deducted from the fair value of the financial assets or financial liabilities, as appropriate, on initial recognition.

The effective interest method is a method of calculating the amortised cost of a financial asset or financial liability and of allocating interest income and interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts and payments (including all fees and points paid or received that form an integral part of the effective interest rate, transaction costs and other premiums or discounts) through the expected life of the financial asset or financial liability, or, where appropriate, a shorter period, to the net carrying amount on initial recognition.

Interest income from a financial asset is recognised when it is probable that economic benefits will flow into EAA and the amount of income can be measured reliably. Interest income is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable, which is the rate that exactly discounts the estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount on initial recognition.

### 3. 主要會計政策(續)

#### 金融工具(續)

#### 金融資產

##### 金融資產之分類及其後計量

符合以下條件之金融資產其後按攤銷成本計量：

- 以收取合約現金流動為目的之業務模式下持有之金融資產；及
- 合約條款於指定日期產生之現金流動主要用作支付本金及未付本金之利息。

##### 利息收入及攤銷成本

利息收入乃使用實際利率法就其後按攤銷成本計量的財務資產確認。利息收入以金融資產的總賬面值按實際利率計算，惟其後成為信貸減值的金融資產除外(見下文)。就其後出現信貸減值的金融資產而言，利息收入透過於下個報告期間的金融資產的攤銷成本應用實際利率確認。倘有關信貸減值的金融工具信貸風險得到改善以致有關金融資產不再出現信貸減值，則利息收入透過於緊隨釐定有關資產不再出現信貸減值的報告期間開始之金融資產總賬面值應用實際利率確認。

### 3. Significant Accounting Policies (continued)

#### Financial instruments (continued)

#### Financial assets

##### Classification and subsequent measurement of financial assets

Financial assets that meet the following conditions are subsequently measured at amortised cost:

- the financial asset is held within a business model whose objective is to collect contractual cash flows; and
- the contractual terms give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

##### Amortisation cost and interest income

Interest income is recognised using the effective interest method for financial assets measured subsequently at amortised cost. Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset, except for financial assets that have subsequently become credit-impaired (see below). For financial assets that have subsequently become credit-impaired, interest income is recognised by applying the effective interest rate to the amortised cost of the financial asset from the next reporting period. If the credit risk on the credit-impaired financial instrument improves so that the financial asset is no longer credit-impaired, interest income is recognised by applying the effective interest rate to the gross carrying amount of the financial asset from the beginning of the reporting period following the determination that the asset is no longer credit-impaired.



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## Financial Statements

### 3. 主要會計政策(續)

#### 金融工具(續)

#### 金融資產(續)

#### 金融資產減值

根據香港財務報告準則第9號，監管局就作減值之金融資產確認預期信貸虧損之虧損準備。預期信貸虧損之數額於各報告日更新，以反映自首次確認後信貸風險之變化。

全期預期信貸虧損是指相關工具於預計全期因所有可能違約事件而產生的預期信貸虧損。相反，12個月的預期信貸虧損是指於報告日期後12個月內可能發生的違約事件而預計產生的一部分全期預期信貸虧損。評估乃根據監管局之歷史信貸虧損經驗進行，並根據債務人特有之因素、一般經濟狀況以及對報告日當前狀況之評估以及對未來狀況之預測作出調整。

就所有工具而言，監管局計量之虧損準備相等於十二個月預期信貸虧損，除非當信貸風險自首次確認後顯著增加，則監管局確認全期預期信貸虧損。是否應確認全期預期信貸虧損之評估乃基於自首次確認以來發生違約之可能性或風險之顯著增加。

#### (i) 信貸風險顯著增加

於評估信貸風險自首次確認以來是否顯著增加時，監管局將於報告日金融工具發生違約之風險與首次確認當日金融工具發生違約之風險進行比較。於進行該評估時，監管局會考慮合理且可支持之定量和定性資料，包括無需付出不必要之成本或努力而可得之歷史經驗及前瞻性資料。

### 3. Significant Accounting Policies (continued)

#### Financial instruments (continued)

#### Financial assets (continued)

#### Impairment of financial assets

EAA recognises a loss allowance for expected credit loss ("ECL") on financial assets which are subject to impairment under HKFRS 9. The amount of ECL is updated at each reporting date to reflect changes in credit risk since initial recognition.

Lifetime ECL represents the ECL that will result from all possible default events over the expected life of the relevant instrument. In contrast, 12-month ECL ("12m ECL") represents the portion of lifetime ECL that is expected to result from default events that are possible within 12 months after the reporting date. Assessment is done based on EAA's historical credit loss experience, adjusted for factors that are specific to the debtors, general economic conditions and an assessment of both the current conditions at the reporting date as well as the forecast of future conditions.

For all instruments, EAA measures the loss allowance equal to 12m ECL, unless when there has been a significant increase in credit risk since initial recognition, EAA recognises lifetime ECL. The assessment of whether lifetime ECL should be recognised is based on significant increases in the likelihood or risk of a default occurring since initial recognition.

#### (i) Significant increase in credit risk

In assessing whether the credit risk has increased significantly since initial recognition, EAA compares the risk of a default occurring on the financial instrument as at the reporting date with the risk of a default occurring on the financial instrument as at the date of initial recognition. In making this assessment, EAA considers both quantitative and qualitative information that is reasonable and supportable, including historical experience and forward-looking information that is available without undue cost or effort.



### 3. 主要會計政策(續)

#### 金融工具(續)

#### 金融資產(續)

#### 金融資產減值(續)

##### (i) 信貸風險顯著增加(續)

特別是，於評估信貸風險是否顯著增加時，會考慮以下資料：

- 金融工具之外部(如有)或內部信貸評級之實際或預期顯著惡化；
- 外部市場信貸風險指標之顯著惡化；
- 預計會導致債務人履行債務責任之能力大幅下降之業務、財務或經濟狀況之現有或預測之不利變化；
- 債務人經營業績之實際或預期顯著惡化；及
- 導致債務人履行債務責任之能力大幅下降之債務人監管、經濟或技術環境之實際或預期之重大不利變化。

不論上述評估結果，監管局假設逾期，則信貸風險自首次確認以來有顯著增加，除非監管局有合理且可支持之資料證明並非如此。

監管局定期監控識別信貸風險是否出現顯著增加所用標準的有效性，並對其作出適當修訂以確保在款項逾期前有關標準能識別信貸風險的顯著增加。

### 3. Significant Accounting Policies (continued)

#### Financial instruments (continued)

#### Financial assets (continued)

#### Impairment of financial assets (continued)

##### (i) Significant increase in credit risk (continued)

In particular, the following information is taken into account when assessing whether credit risk has increased significantly:

- an actual or expected significant deterioration in the financial instrument's external (if available) or internal credit rating;
- significant deterioration in external market indicators of credit risk;
- existing or forecast adverse changes in business, financial or economic conditions that are expected to cause a significant decrease in the debtor's ability to meet its debt obligations;
- an actual or expected significant deterioration in the operating results of the debtor; and
- an actual or expected significant adverse change in the regulatory, economic, or technological environment of the debtor that results in a significant decrease in the debtor's ability to meet its debt obligations.

Irrespective of the outcome of the above assessment, EAA presumes that the credit risk has increased significantly since initial recognition when past due, unless EAA has reasonable and supportable information that demonstrates otherwise.

EAA regularly monitors the effectiveness of the criteria used to identify whether there has been a significant increase in credit risk and revises them as appropriate to ensure that the criteria are capable of identifying significant increase in credit risk before the amount becomes past due.



# 財務報表

## Financial Statements

### 3. 主要會計政策(續)

#### 金融工具(續)

#### 金融資產(續)

#### 金融資產減值(續)

#### (ii) 違約的定義

監管局認為就內部信貸風險管理而言，倘交易對手方違反財務契諾；或內部編製或自外部來源獲得的資料表明，債務人不大可能向其債權人(包括監管局)悉數還款，則構成違約事件。

#### (iii) 信貸減值金融資產

當發生一項或多項對金融資產估計未來現金流量有不利影響之違約事件時，金融資產出現信貸減值。金融資產信貸減值之證據包括以下可觀察事件：

- (a) 債務人陷入重大財務困難；
- (b) 違反合約，如違約或逾期事件；
- (c) 債務人有可能破產或進行其他財務重組；或
- (d) 由於財務困難致使金融資產之活躍市場消失。

#### (iv) 撇銷政策

當有資料顯示交易對手方有嚴重財務困難及並無實際可收回希望(如交易對手方已進行清算或已進入破產程序)，監管局會撇銷金融資產。根據監管局收回程序並考慮法律建議(如適用)，已撇銷金融資產可能仍受到執法活動之約束。一項撇銷構成一項取消確認事件。任何其後收回均於收支中確認。

### 3. Significant Accounting Policies (continued)

#### Financial instruments (continued)

#### Financial assets (continued)

#### Impairment of financial assets (continued)

#### (ii) Definition of default

For internal credit risk management, EAA considers an event of default occurs when information developed internally or obtained from external sources indicates that the debtor is unlikely to pay its creditors, including EAA, in full.

#### (iii) Credit-impaired financial assets

A financial asset is credit-impaired when one or more events of default that have a detrimental impact on the estimated future cash flows of that financial asset have occurred. Evidence that a financial asset is credit-impaired includes observable data about the following events:

- (a) significant financial difficulty of the debtor;
- (b) a breach of contract, such as a default or past due event;
- (c) it is becoming probable that the debtor will enter bankruptcy or other financial reorganisation; or
- (d) the disappearance of an active market for that financial asset because of financial difficulties.

#### (iv) Write-off policy

EAA writes off a financial asset when there is information indicating that the counterparty is in severe financial difficulty and there is no realistic prospect of recovery, for example, when the counterparty has been placed under liquidation or has entered into bankruptcy proceedings. Financial assets written off may still be subject to enforcement activities under EAA's recovery procedures, taking into account legal advice where appropriate. A write-off constitutes a derecognition event. Any subsequent recoveries are recognised in income and expenditure.

### 3. 主要會計政策(續)

#### 金融工具(續)

#### 金融資產(續)

#### 金融資產減值(續)

#### (v) 預期信貸虧損計量及確認

計量預期信貸虧損起到計算違約概率，違約損失率(即違約時的損失程度)及違約風險的作用。評估違約概率及違約損失率乃基於經前瞻性資料進行調整的歷史數據。預期信貸虧損的估計反映無偏頗及概率加權數額，其乃根據加權的相應違約風險而釐定。

一般而言，預期信貸虧損為合約應付監管局的所有合約現金流量與監管局預期將收取按初始確認時釐定的實際利率貼現的現金流量之間的差額進行估計。

利息收入乃根據財務資產的賬面總值計算，除非財務資產經信貸減值，此時利息收入則根據財務資產的攤銷成本計算。

#### 取消確認財務資產

僅於從資產收取現金流量之合約權利屆滿時，或將財務資產與該等資產所有權之絕大部分風險及回報轉讓予另一實體時，監管局方會取消確認財務資產。倘監管局並無轉移或保留擁有權的絕大部分風險及回報及持續控制已轉移資產，則監管局確認其於資產的保留權益及其必須支付的相關負債金額。倘監管局保留已轉讓財務資產所有權之絕大部分風險及回報，則監管局會繼續確認該財務資產並同時就已收款項確認有抵押借款。

### 3. Significant Accounting Policies (continued)

#### Financial instruments (continued)

#### Financial assets (continued)

#### Impairment of financial assets (continued)

#### (v) Measurement and recognition of ECL

The measurement of ECL is a function of the probability of default, loss given default (i.e. the magnitude of the loss if there is a default) and the exposure at default. The assessment of the probability of default and loss given default is based on historical data adjusted by forward-looking information. Estimation of ECL reflects an unbiased and probability-weighted amount that is determined with the respective risks of default occurring as the weights.

Generally, the ECL is the difference between all contractual cash flows that are due to EAA in accordance with the contract and the cash flows that EAA expects to receive, discounted at the effective interest rate determined at initial recognition.

Interest income is calculated based on the gross carrying amount of the financial asset unless the financial asset is credit impaired, in which case interest income is calculated based on amortised cost of the financial asset.

#### Derecognition of financial assets

EAA derecognises a financial asset only when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another entity. If EAA neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, EAA recognises its retained interest in the asset and an associated liability for amounts it may have to pay. If EAA retains substantially all the risks and rewards of ownership of a transferred financial asset, EAA continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.



# 財務報表

## Financial Statements

### 3. 主要會計政策(續)

#### 金融工具(續)

#### 金融資產(續)

#### 取消確認財務資產(續)

取消確認按攤銷成本計量的財務資產時，資產賬面值與已收及應收代價總額之差額於收支確認。

#### 金融負債

金融負債乃根據所訂立合約安排之內容及金融負債之定義分類。

#### 金融負債

金融負債(包括應付賬款、應付專業發展資助、應計項目及租賃負債)乃其後以按實際利息法按攤銷成本計量。

#### 終止確認的金融負債

僅於監管局的責任解除、取消或屆滿時，方終止確認金融負債。終止確認的金融負債賬面值與已付及應付代價之差額於收支結算表中確認。

#### 僱員福利

#### 僱員可享年假權利

僱員可享年假之權利在其符合資格享有時確認。

就截至結算日止因僱員已提供服務而產生之估計年假責任已作出撥備。

### 3. Significant Accounting Policies (continued)

#### Financial instruments (continued)

#### Financial assets (continued)

#### Derecognition of financial assets (continued)

On derecognition of a financial asset at amortised cost, the difference between the asset's carrying amount and the sum of the consideration received and receivable is recognised in income and expenditure.

#### Financial liabilities

Financial liabilities are classified in accordance with the substance of the contractual arrangements entered into and the definition of a financial liability.

#### Financial liabilities

Financial liabilities (including creditors, professional development subsidy payable, accruals and lease liabilities) are subsequently measured at amortised cost, using the effective interest method.

#### Derecognition of financial liabilities

EAA derecognises financial liabilities when, and only when, EAA's obligations are discharged, cancelled or expire. The difference between the carrying amount of the financial liability derecognised and the consideration paid and payable is recognised in the statement of income and expenditure.

#### Employee benefits

#### Employee leave entitlements

Employee entitlements to annual leave are recognised when they accrue to employees.

A provision is made for the estimated liability for annual leave as a result of services rendered by employees up to the end of the reporting period.

### 3. 主要會計政策(續)

#### 僱員福利(續)

##### 僱員福利 – 公積金責任

監管局在香港設立一項強制性公積金計劃(「強積金計劃」)。強積金計劃的資產分開存放在由信託人管理的基金內。監管局及其僱員每月均須繳付相等於僱員有關收入5%之供款，上限為1,500港元(2019年：1,500港元)。監管局就強積金計劃所作供款於作出供款時確認為開支。

### 4. 關鍵會計判斷及估計不確定因素之主要來源

於應用監管局之會計政策時(已於附註3詳述)，管理層作出下列對財務報表所確認之金額具有最重大影響之關鍵判斷。

#### 應收賬款之減值評估

應收賬款初次確認乃按公平價值計算，其後則按實際利息法以攤銷成本計算。倘有客觀證據顯示該資產出現減值，則就估計不可收回金額計算之適當撥備於收支結算表內確認。

決定個別撥備時，監管局認為已實施周詳程序以監控此項風險。釐定是否需要作出香港會計準則第39號之減值評估時，監管局已考慮賬齡狀況、可收回之可能性及估計貼現未來現金流量。特定撥備僅就不大可能收回之應收款項而作出。倘若此等賬款轉壞，導致其還款能力減退，則可能須作出撥備。

### 3. Significant Accounting Policies (continued)

#### Employee benefits (continued)

##### Employee benefits – provident fund obligations

EAA operates a mandatory provident fund scheme ("MPF scheme") in Hong Kong. The assets of the MPF scheme are held in a separate trustee – administered fund. Both EAA and the employees are required to contribute 5% of the employee's relevant income up to a maximum of HK\$1,500 (2019: HK\$1,500) per employee per month. EAA's contributions to the MPF scheme are expensed as incurred.

### 4. Critical Accounting Judgment and Key Sources of Estimation Uncertainty

In the process of applying EAA's accounting policies, which are described in note 3, management had made the following judgments that have the most significant effect on the amounts recognised in the financial statements.

#### Impairment assessment of debtors

Debtors are measured at initial recognition at fair value, and are subsequently measured at amortised cost using the effective interest method. Appropriate allowances for estimated irrecoverable amounts are recognised in the statement of income and expenditure when there is objective evidence that the asset is impaired.

In determining individual allowances, EAA has considered that detailed procedures have been in place to monitor this risk. In determining whether impairment assessment of HKFRS 9 is required, EAA takes into consideration the aging status, the likelihood of collection and the estimated discounted future cash flows. Specific allowance is made for debtors that are unlikely to be collected. If the financial conditions of these debtors were to deteriorate, resulting in an impairment of their ability to make payments, allowances may be required.





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### 4. 關鍵會計判斷及估計不確定因素之主要來源(續)

#### 應收賬款之減值評估(續)

監管局評估應收賬款的內部信貸評級。除根據香港財務報告準則第9號確定為信貸減值的應收賬款(其預期信貸虧損為個別評估)外，應收賬款按內部信貸評級分組，而該等資產的預期信貸虧損將使用撥備矩陣而進行集體評估。撥備率乃基於監管局的過往違約率，並考慮可得之合理且可支持的前瞻性資料，減少不必要的成本及努力。於各報告日期，可觀察的歷史違約率會重新評估，並考慮前瞻性資料的變動。

預期信貸虧損撥備對估計變動尤為敏感。有關預期信貸虧損及監管局應收賬款的資料於附註16披露。

### 4. Critical Accounting Judgment and Key Sources of Estimation Uncertainty (continued)

#### Impairment assessment of debtors (continued)

EAA assesses the internal credit ratings for debtors. Except for those which had been determined as credit impaired under HKFRS 9 the ECL of which is assessed individually, debtors are grouped based on internal credit rating and the ECL on these assets are assessed collectively using a provision matrix. The provision rates are based on EAA's historical default rates taking into consideration forward-looking information that is reasonable and supportable available without undue costs or effort. At every reporting date, the historical observed default rates are reassessed and changes in the forward-looking information are considered.

The provision of ECL is sensitive to changes in estimates. The information about the ECL and EAA's debtors are disclosed in note 16.

### 5. 牌照費

|        |                    | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|--------|--------------------|--------------------|--------------------|
| 牌照費總收入 | Total licence fees | 81,175,857         | 80,971,414         |

### 5. Licence Fees

### 6. 考試費

|              |   | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|--------------|---|--------------------|--------------------|
| 地產代理及營業員資格考試 | Estate agents and salespersons<br>qualifying examinations | 6,477,400          | 9,111,200          |

### 6. Examination Fees

### 7. 專業發展資助

董事會於2020年1月宣布批准為個人持牌人提供一筆過專業發展資助，以協助他們在艱難的經營環境下發展及維持其專業服務水平。在這個計劃下，於2020年3月31日每名持有有效地產代理(個人)牌照或營業員牌照的人士，獲得由監管局發放的500港元一筆過資助。

### 7. Professional Development Subsidy

The Board approved the provision of a one-off professional development subsidy to individual licensees which was announced in January 2020 to assist them in developing and maintaining their professional service standard under the difficult operating environment. Under the scheme, holders of a valid estate agent's licence (individual) or salesperson's licence as at 31 March 2020 would each receive a one-off subsidy of HK\$500 from EAA.

## 8. 稅項

根據《稅務條例》第87條，監管局獲豁免繳納香港利得稅。

## 8. Taxation

EAA is exempt from Hong Kong Profits Tax under section 87 of the Inland Revenue Ordinance.

## 9. 物業、機器及設備

## 9. Property, Plant and Equipment

|             |                         | 租賃土地及樓宇<br>Leasehold land and building<br>港元<br>HK\$ | 租賃物業裝修<br>Leasehold improvements<br>港元<br>HK\$ | 汽車<br>Motor vehicles<br>港元<br>HK\$ | 傢俬及裝置<br>Furniture and fixtures<br>港元<br>HK\$ | 設備<br>Equipment<br>港元<br>HK\$ | 合計<br>Total<br>港元<br>HK\$ |
|-------------|-------------------------|--|--|------------------------------------|---|-------------------------------|---------------------------|
| <b>成本</b>   | <b>COST</b>             |  |  |                                    |   |                               |                           |
| 於2018年4月1日  | At 1 April 2018         | –  | 4,605,633                                      | 557,264                            | 1,770,087                                     | 17,928,479                    | 24,861,463                |
| 添置          | Additions               | 75,991,930   | 2,474,170                                      | –                                  | 7,946,676                                     | 425,759                       | 86,838,535                |
| 註銷          | Disposals               | –  | (1,422,839)                                    | –                                  | (405,931)                                     | (82,731)                      | (1,911,501)               |
| 於2019年3月31日 | At 31 March 2019        | 75,991,930   | 5,656,964                                      | 557,264                            | 9,310,832                                     | 18,271,507                    | 109,788,497               |
| 添置          | Additions               | –  | 73,950   | 646,982                            | 29,500  | 518,001                       | 1,268,433                 |
| 於2020年3月31日 | At 31 March 2020        | 75,991,930   | 5,730,914                                      | 1,204,246                          | 9,340,332                                     | 18,789,508                    | 111,056,930               |
| <b>折舊</b>   | <b>DEPRECIATION</b>     |  |  |                                    |   |                               |                           |
| 於2018年4月1日  | At 1 April 2018         | –  | 4,593,330                                      | 557,264                            | 1,757,616                                     | 15,254,009                    | 22,162,219                |
| 年內撥備        | Provided for the year   | 1,473,401  | 355,550  | –                                  | 1,028,262                                     | 2,140,863                     | 4,998,076                 |
| 撇銷          | Eliminated on disposals | –  | (1,422,839)                                    | –                                  | (405,931)                                     | (82,731)                      | (1,911,501)               |
| 於2019年3月31日 | At 31 March 2019        | 1,473,401  | 3,526,041                                      | 557,264                            | 2,379,947                                     | 17,312,141                    | 25,248,794                |
| 年內撥備        | Provided for the year   | 1,519,839  | 846,402  | 48,524                             | 1,595,651                                     | 446,853                       | 4,457,269                 |
| 於2020年3月31日 | At 31 March 2020        | 2,993,240  | 4,372,443                                      | 605,788                            | 3,975,598                                     | 17,758,994                    | 29,706,063                |
| <b>賬面值</b>  | <b>NET BOOK VALUES</b>  |  |  |                                    |   |                               |                           |
| 於2020年3月31日 | At 31 March 2020        | 72,998,690   | 1,358,471                                      | 598,458                            | 5,364,734                                     | 1,030,514                     | 81,350,867                |
| 於2019年3月31日 | At 31 March 2019        | 74,518,529   | 2,130,923                                      | –                                  | 6,930,885                                     | 959,366                       | 84,539,703                |

物業、機器及設備折舊乃按其估計使用年期以直線法按以下年率撇銷其成本：

Depreciation is recognised to write off the cost of items of property, plant and equipment over their estimated useful lives, using the straight-line method, at the following rates per annum:

|         |                                   |
|---------|-----------------------------------|
| 租賃土地及樓宇 | 2%                                |
| 租賃物業裝修  | 20% 或 按 租 賃<br>年 期 (倘 少 於<br>五 年) |
| 汽車      | 30%                               |
| 傢俬及裝置   | 20%                               |
| 設備      | 20% 至 30%                         |

|                             |   |
|-----------------------------|---|
| Leasehold land and building | 2%  |
| Leasehold improvements      | 20% or over the period<br>of the lease term if it is<br>less than 5 years |
| Motor vehicles              | 30%   |
| Furniture and fixtures      | 20%   |
| Equipment                   | 20% to 30%  |



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## 10. 使用權資產

## 10. Right-of-use Assets

|                 |  | 租賃物業<br><b>Leased<br/>properties</b><br>港元<br>HK\$ | 辦公室設備<br><b>Office<br/>equipment</b><br>港元<br>HK\$ | 總額<br><b>Total</b><br>港元<br>HK\$ |
|-----------------|--|--|--|----------------------------------|
| 於2019年4月1日      | <b>As at 1 April 2019</b>                        |  |  |                                  |
| 賬面金額            | Carrying amount                                  | 14,847,117   | –  | 14,847,117                       |
| 於2020年3月31日     | <b>As at 31 March 2020</b>                       |  |  |                                  |
| 賬面金額            | Carrying amount                                  | 9,099,846  | 364,189  | 9,464,035                        |
| 截至2020年3月31日止年度 | <b>For the year ended<br/>31 March 2020</b>      |  |  |                                  |
| 折舊費             | Depreciation charge                              | 5,747,271  | 56,029   | 5,803,300                        |
| 年內因租賃而流出的現金總額   | Total cash outflow for leases during the year    |  |  | (5,752,200)                      |
| 年內使用權資產的添置金額    | Additions to right-of-use assets during the year |  |  | 420,218                          |

截至2020年3月31日止年度，監管局因營運而租用辦公室和辦公室設備。租賃合約的固定期限為3年至5年，但具有延期及終止選擇權。租賃條款根據個別情況經協商確定，當中包含了不同的條款和細則。在確定租賃期及評估不可取消期限的時間長短時，監管局應用了合約定義及確定合約可強制執行的期限。

For the year ended 31 March 2020, EAA leases offices and office equipment for its operations. Lease contracts are entered into for fixed term of 3 years to 5 years, but may have extension and termination options. Lease terms are negotiated on an individual basis and contain a wide range of different terms and conditions. In determining the lease term and assessing the length of the non-cancellable period, EAA applies the definition of a contract and determines the period for which the contract is enforceable.

## 11. 銀行結餘及現金及定期存款

## 11. Bank Balances and Cash and Time Deposits

銀行結餘及現金包括監管局持有之現金及餘下到期日為20至69日（2019年：11至67日），按當時市場年利率介乎0.15%至2.3%（2019年：介乎0.03%至2.5%）計算之短期銀行存款。

Bank balances and cash comprise cash held by EAA and short-term bank deposits with remaining tenure of 20 to 69 days (2019: 11 to 67 days) at prevailing market interest rates ranging from 0.15% to 2.3% per annum (2019: 0.03% to 2.5% per annum).

於2020年3月31日，為日後購置永久辦公室計劃而維持一筆101,407,511港元的基金（2019年：99,611,085港元）。監管局撥出足夠的資金以維持其運作後，基金的金額由其酌情決定。

As at 31 March 2020, a fund of HK\$101,407,511 (2019: HK\$99,611,085) was maintained for the plan to acquire permanent office accommodation in future. The amount of the fund is determined at the discretion of EAA after setting aside sufficient fund for sustaining its operation.

## 11. 銀行結餘及現金及定期存款 (續)

定期存款包括餘下到期日為132至133日(2019年：120日至130日)，按當時市場年利率介乎2.31%至2.4%(2019年：2.09%至2.3%)計算之短期銀行存款。

監管局認為該等資產之賬面值與其公平價值相若。

## 11. Bank Balances and Cash and Time Deposits (continued)

Time deposits comprise short-term bank deposits with remaining tenure of 132 to 133 days (2019: 120 to 130 days) at prevailing market interest rates ranging from 2.31% to 2.4% per annum (2019: 2.09% to 2.3% per annum).

EAA considers that the carrying amounts of these assets approximate their fair values.

## 12. 合約負債

## 12. Contract Liabilities

|          |                                  | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|----------|----------------------------------|--------------------|--------------------|
| 遞延牌照費收入  | Deferred licence fees income     | 65,462,366         | 64,457,573         |
| 已收牌照申請款項 | Licence application fee received | 2,108,360          | 3,792,382          |
|          |                                  | 67,570,726         | 68,249,955         |

### 牌照費

### Licence fees

|                       |  | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|-----------------------|--|--------------------|--------------------|
| 已確認的牌照費收入包含在年初的合約負債結餘 | Licence fee income recognised that was included in the contract liability balance at the beginning of the year | 53,849,177         | 53,392,956         |

於報告期末，11,192,493港元的合約負債(2019年：11,192,713港元)預期不會於報告期末起計十二個月內確認。

At the end of the reporting period, contract liabilities amounting to HK\$11,192,493 (2019: HK\$11,192,713) were not expected to be realised within twelve months from the end of the reporting period.



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### 13. 租賃負債

### 13. Lease Liabilities

|                           |   | 2020<br>港元<br>HK\$ |
|---------------------------|---|--------------------|
| 應付的租賃負債：                  | Lease liabilities due:  |                    |
| 一年之內                      | Within one year   | 5,692,614          |
| 一年以上，但不超過兩年               | Within a period of more than one year but not exceeding two years                       | 4,049,179          |
| 兩年以上，但不超過五年               | Within a period of more than two years but not exceeding five years                     | 201,284            |
|                           |   | 9,943,077          |
| 減：在十二個月內到期的應付金額（在流動負債下顯示） | Less: Amounts due for settlement within twelve months (shown under current liabilities) | (5,692,614)        |
| 在十二個月後到期的應付金額             | Amounts due for settlement after twelve months  | 4,250,463          |

### 14. 經營租賃承擔

### 14. Operating Lease Commitments

#### 監管局作為承租人

#### EAA as lessee

於2019年3月31日，監管局就租用樓宇之不可撤銷之經營租賃，於下列期間之未來最低租賃款項承擔如下：

At 31 March 2019, EAA had commitments for future minimum lease payments under non-cancellable operating leases in respect of rented office premises which fall due as follows:

|                |                                       | 2019<br>港元<br>HK\$ |
|----------------|---------------------------------------|--------------------|
| 一年內            | Within one year                       | 5,693,400          |
| 第二至第五年（包括首尾兩年） | In the second to fifth year inclusive | 9,728,640          |
|                |                                       | 15,422,040         |

經營租賃款項乃監管局就其辦事處應付之租金。租賃及租金平均每三年議定一次。

Operating lease payments represent rentals payable by EAA for certain of its office premises. Leases are negotiated for and rentals are fixed for an average term of three years.



## 15. 資本風險管理

監管局的資本主要是來自其成立以來所累積的盈餘。其資本管理的目的是要確保監管局能持續經營，以提升地產代理的專業操守及專業水平。

監管局定期檢討並管理其資本架構，以確保監管局有充足的資金以作營運及資本需求。監管局對產生的盈餘實行零攤派政策。監管局撥出足夠的資金以維持其運作後，維持一筆基金，以便計劃日後購置永久辦公室。

地產代理每年須向監管局繳付牌照費。監管局定期檢討增加牌照費的需要，以確保妥善切合營運需求。

## 15. Capital Risk Management

EAA's capital comprises primarily the fund accumulated since its establishment, and its objective when managing the capital is to ensure that EAA will be able to continue as a going concern so that it can continue to promote integrity and competence of estate agents.

EAA regularly reviews and manages its capital to ensure adequacy for both the operational and capital needs. EAA operates a zero distribution policy with regard to surpluses generated. EAA maintains a fund for the plan to acquire permanent office accommodation in future after setting aside sufficient fund for sustaining EAA's operation.

EAA charges annual licence fees on the estate agents. EAA regularly reviews the need to increase licence fees to ensure operational needs are fully covered.

## 16. 金融工具

### a. 金融工具類別

## 16. Financial Instruments

### a. Categories of financial instruments

|              |  | 2020<br>港元<br>HK\$ | 2019<br>港元<br>HK\$ |
|--------------|--|--------------------|--------------------|
| <b>金融資產：</b> | <b>Financial assets:</b>                 |                    |                    |
| 按攤銷成本計量之金融資產 | Financial assets at amortised cost       |                    |                    |
| 其他應收款        | Sundry receivables                       | 968,918            | 1,840,324          |
| 已付按金         | Deposit paid                             | 1,480,754          | 1,417,026          |
| 定期存款、銀行結餘及現金 | Time deposits, bank balances and cash    | 197,896,946        | 180,259,915        |
|              |  | <b>200,346,618</b> | 183,517,265        |
| <b>金融負債：</b> | <b>Financial liabilities:</b>            |                    |                    |
| 攤銷成本         | Amortised costs                          |                    |                    |
| 應付賬款         | Creditors                                | 9,873,527          | 11,350,420         |
| 應付專業發展資助     | Professional development subsidy payable | 20,551,000         | —                  |
|              |  | <b>30,424,527</b>  | 11,350,420         |



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### 16. 金融工具 (續)

#### b. 金融風險管理目標及政策

監管局之主要金融工具包括其他應收款、定期存款、銀行結餘及現金、應付賬款、應付專業發展資助及租賃負債。該等金融工具詳情於各自附註披露。該等金融工具之相關風險包括市場風險(包括利率風險)、信貸風險及流動資金風險。如何減輕該等風險的政策載於下文。管理層管理及監控該等風險，以確保可及時及有效地實施適當措施。

##### 市場風險

##### 現金流量利率風險

監管局因計息金融資產利率變動的影響而面對現金流量利率風險。計息金融資產主要為銀行結餘，全屬短期性質。因此，未來任何利率變動將不會對監管局之業績造成重大影響。

##### 信貸風險

信貸風險指交易對手予未能履行合約責任而引致監管局蒙受財務損失之風險。監管局會持續監控及審核因對手而面對之信貸風險。

為了儘量減低信貸風險，監管局於每個結算日就應收款項之可收回金額進行檢討，以確保對不可收回金額充分計算減值損失。就此而言，監管局認為其信貸風險已大幅降低。

### 16. Financial Instruments (continued)

#### b. Financial risk management objectives and policies

EAA's financial instruments include sundry receivables, time deposits, bank balances and cash, creditors, professional development subsidy payable and lease liabilities. Details of the financial instruments are disclosed in respective notes. The risks associated with these financial instruments include market risk (including interest rate risk), credit risk and liquidity risk. The policies on how to mitigate these risks are set out below. Management manages and monitors these exposures to ensure that appropriate measures are implemented in timely and effective manner.

##### Market risk

##### Cash flow interest rate risk

EAA is exposed to cash flow interest rate risk through the impact of rate changes on interest bearing financial assets. Interest bearing financial assets are mainly balances with banks which are all short term in nature. Therefore, any future variation in interest rates will not have a significant impact on the results of EAA.

##### Credit risk

Credit risk refers to the risk that the counterparty will default on its contractual obligations resulting in financial loss to EAA. EAA's exposure of its counterparties are continuously monitored, received and approved.

In order to minimise the credit risk, EAA reviews the recoverable amount of the receivables at the end of each reporting period to ensure that adequate impairment losses are made for irrecoverable amounts. In this regard, EAA considers that EAA's credit risk is significantly reduced.

## 16. 金融工具 (續)

## b. 金融風險管理目標及政策 (續)

## 信貸風險 (續)

釐定應收賬款的預期信貸虧損時，監管局計及適合的過往經驗及前瞻資料。監管局已審視過往違約率持續低微及斷定監管局的其他應收款附帶信貸風險。監管局進一步評估其他應收款自初始確認後並未出現信貸風險大幅增加，且違約風險不重大，因此並無確認減值。

截至2020年3月31日及2019年3月31日止年度，根據預期信貸虧損評估，並無就已付按金提供重大減值撥備。

定期存款及流動資金之信貸風險不大，原因是交易對手為具良好聲譽之銀行。

監管局內部信貸風險評級由下列類別組成：

| 內部信貸評級<br>Internal credit rating | 說明<br>Description   | 金融資產<br>Financial assets                               |
|----------------------------------|---|--|
| 履行<br>Performing                 | 交易對手方之違約風險較低，且並無任何逾期未還款項<br>The counterparty has a low risk of default and does not have any past-due amounts   | 十二個月預期信貸虧損<br>12-month ECL                             |
| 監察名單<br>Watch list               | 經常於到期日後償還而通常於到期日後結付的債務。<br>Debtor frequently repays after due dates but usually settle after due date   | 十二個月預期信貸虧損<br>12-month ECL                             |
| 存疑<br>Doubtful                   | 根據內部形成之資料或外部資源，信貸風險自初始確認以來顯著增加<br>There have been significant increases in credit risk since initial recognition through information developed internally or external resources | 全期預期信貸虧損 – 無信貸減值<br>Lifetime ECL – not credit-impaired |
| 虧損<br>Loss                       | 有證據顯示資產出現信貸減值<br>There is evidence indicating the asset is credit-impaired  | 全期預期信貸虧損 – 已信貸減值<br>Lifetime ECL – credit-impaired     |
| 註銷<br>Write-off                  | 有證據顯示債務人面對嚴重財政困難及監管局並無實際可收回希望<br>There is evidence indicating that the debtor is in severe financial difficulty and the Group has no realistic prospect of recovery             | 款項被註銷<br>Amount is written off                         |

## 16. Financial Instruments (continued)

## b. Financial risk management objectives and policies (continued)

## Credit risk (continued)

In determining the ECL for debtors, EAA has taken into account the historical default experience and forward-looking information, as appropriate. EAA has considered the consistently low historical default rate and concluded that credit risk is inherent in EAA's sundry receivable. EAA has further assessed that sundry receivables have not had a significant increase in credit risk since initial recognition and risk of default is insignificant, and therefore, no impairment has been recognised.

During the years ended 31 March 2020 and 2019, no material impairment allowance on deposit paid was provided based on the ECL assessment.

The credit risk on time deposits and liquid funds is limited because the counterparties are banks with good reputation.

EAA's internal credit risk grading assessment comprises the following categories:



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### 16. 金融工具 (續)

#### b. 金融風險管理目標及政策 (續)

##### 信貸風險 (續)

下表詳述監管局金融資產(須進行預期信貸虧損評估)所面臨之信貸風險：

|   | 外部信貸評級                    | 內部信貸評級                    | 十二個月或<br>全期預期信貸虧損           | 賬面總值                  |                    |
|---|---------------------------|---------------------------|-----------------------------|-----------------------|--------------------|
|   | External<br>credit rating | Internal<br>credit rating | 12-month or<br>lifetime ECL | Gross carrying amount |                    |
|   |                           |                           |                             | 2020<br>港元<br>HK\$    | 2019<br>港元<br>HK\$ |
| <b>按攤銷成本入賬的金融資產</b>                       |                           |                           |                             |                       |                    |
| <b>Financial assets at amortised cost</b> |                           |                           |                             |                       |                    |
| 其他應收款                                     | 不適用                       | 履行(附註a)                   | 十二個月預期信貸虧損                  |                       |                    |
| Sundry receivables                        | N/A                       | Performing (note a)       | 12-month ECL                | <b>968,918</b>        | 1,840,324          |
| 已付按金                                      | 不適用                       | 履行(附註a)                   | 十二個月預期信貸虧損                  |                       |                    |
| Deposit paid                              | N/A                       | Performing (note a)       | 12-month ECL                | <b>1,480,754</b>      | 1,417,026          |
| 定期存款、銀行結餘及現金                              | Aa3至A3                    | 不適用                       | 十二個月預期信貸虧損                  |                       |                    |
| Time deposits, bank balances and cash     | Aa3 to A3                 | N/A                       | 12-month ECL                | <b>197,896,946</b>    | 180,259,915        |

附註：

- (a) 就內部信貸風險管理而言，監管局使用逾期的其他應收款及已付按金的財務資料，以評估自初始確認後信貸風險是否顯著增加。

Note:

- (a) For the purpose of internal credit risk management, EAA uses the financial information of the past-due information of sundry receivables and deposit paid to assess whether credit risk has increased significantly since initial recognition.

##### 流動資金風險

監管局管理層對流動資金風險負有最終管理責任，彼等已就監管局之短期、中期及長期資金及流動資金管理規定建立適當之流動資金風險管理框架。監管局管理層透過維持足夠儲備以及持續監察預測及實際現金流量，以管理流動資金風險。

##### Liquidity risk

Ultimate responsibility for liquidity risk management rests with management of EAA, which has built an appropriate liquidity risk management framework for the management of EAA's short, medium and long-term funding and liquidity management requirements. Management of EAA manages liquidity risk by maintaining adequate reserve and continuously monitors the forecast and actual cash flows.

## 16. 金融工具 (續)

## b. 金融風險管理目標及政策 (續)

## 流動資金風險 (續)

下表載列監管局非衍生金融負債之餘下合約到期日。該表乃根據監管局可被要求支付金融負債之最早日期編製，以反映金融負債之未貼現現金流量。

|               |  | 加權平均<br>實際利率<br>%                                 | 0至30天          | 1個月至1年              | 1至5年           | 未貼現現金<br>流量總額                       | 賬面值                |
|---------------|--|---|----------------|---------------------|----------------|-------------------------------------|--------------------|
|               |  | Weighted<br>average<br>effective<br>interest rate | 0 – 30<br>days | 1 month –<br>1 year | 1 – 5<br>years | Total<br>undiscounted<br>cash flows | Carrying<br>amount |
|               |  | %   | 港元<br>HK\$     | 港元<br>HK\$          | 港元<br>HK\$     | 港元<br>HK\$                          | 港元<br>HK\$         |
| 2020年<br>應付賬款 | 2020<br>Creditors                              | –   | 9,771,527      | 102,000             | –              | 9,873,527                           | 9,873,527          |
| 應付專業發展資助      | Professional<br>development<br>subsidy payable | –   | –              | 20,551,000          | –              | 20,551,000                          | 20,551,000         |
| 租賃負債          | Lease liabilities                              | 2   | 576,690        | 5,254,770           | 4,279,380      | 10,110,840                          | 9,943,077          |
|               |  |   | 10,348,217     | 25,907,770          | 4,279,380      | 40,535,367                          | 40,367,604         |
| 2019年<br>應付賬款 | 2019<br>Creditors                              | –   | 10,806,331     | 544,089             | –              | 11,350,420                          | 11,350,420         |

## c. 公平價值

金融資產及金融負債之公平價值，按貼現現金流量分析普遍採納之定價模式釐定。

監管局認為，於財務報表按攤銷成本入賬的金融資產及金融負債之賬面值與其公平價值相約。

## 16. Financial Instruments (continued)

## b. Financial risk management objectives and policies (continued)

## Liquidity risk (continued)

The following table details EAA's remaining contractual maturity for its non-derivative financial liabilities on the agreed repayment terms. The table has been drawn up based on the undiscounted cash flows of financial liabilities based on the earliest date on which EAA can be required to pay.

## c. Fair values

The fair values of financial assets and financial liabilities are determined in accordance with generally accepted pricing models based on discounted cash flow analysis.

EAA considers that the carrying amounts of financial assets and financial liabilities recorded at amortised cost in the financial statements approximate their corresponding fair values.





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### 17. 融資活動產生的負債之對賬

下表詳述監管局來自融資活動的負債變動，當中包括現金和非現金變動。融資活動所產生的負債為現金流量或未來現金流量將於監管局的現金流量表中分類為來自融資活動現金流量的負債。

### 17. Reconciliation of a Liability Arising from Financing Activity

The table below details changes in EAA's liability arising from financing activity, including both cash and non-cash changes. Liability arising from financing activity is that for which cash flows were, or future cash flows will be, classified in EAA's statement of cash flows as cash flows from financing activity.

|                           |   | 租賃負債<br>Lease liabilities<br>港元<br>HK\$ |
|---------------------------|---|---|
| 於2018年4月1日及<br>2019年3月31日 | At 1 April 2018 and 31 March 2019       | –                                       |
| 應用《香港財務報告準則》<br>第16號而調整   | Adjustment upon application of HKFRS 16 | 15,028,007                              |
| 於2019年4月1日(重列)            | At 1 April 2019 (restated)              | 15,028,007                              |
| 融資現金流                     | Financing cash flow                     | (5,752,200)                             |
| 簽訂的新租賃                    | New lease entered                       | 420,218                                 |
| 利息支出                      | Interest expense                        | 247,052                                 |
| 於2020年3月31日               | At 31 March 2020                        | 9,943,077                               |

### 18. 報告期末後的事項

在第二輪「防疫抗疫基金」下，香港特別行政區政府將會透過監管局，向地產代理業界的個人持牌人提供一筆過的現金資助，以因應新冠肺炎對地產代理工作所造成的衝擊，給予及時的財政支援。

每名於2020年4月8日(即行政長官宣布措施當日)持有有效個人牌照(即地產代理(個人)牌照或營業員牌照)的人士；以及每名於2020年4月8日或之前遞交個人牌照(即地產代理(個人)牌照或營業員牌照)申請並於2020年12月31日或之前獲批給牌照的人士，均合資格獲得現金資助。資助金額相等於相應牌照的24個月牌照費。

監管局已於2020年5月開始，根據於監管局網站所張貼的資助發放時間表和安排，透過郵寄銀行本票分批地發放資助。

### 18. Event after the Reporting Period

Under the second round of Anti-epidemic Fund, the Government of Hong Kong Special Administration Region will provide a one-off cash subsidy to individual licensees of the estate agency trade via EAA to provide some timely financial support in view of the adverse impact of the COVID-19 pandemic on their practice of estate agency work.

Each individual licensee who held a valid licence (i.e. estate agent's licence (individual) or salesperson's licence) on 8 April 2020 (i.e. the date on which the Chief Executive announced the measure); and each individual who has submitted an application for an individual licence (i.e. estate agent's licence (individual) or salesperson's licence) on or before 8 April 2020 and whose licence is approved by 31 December 2020 are eligible for the cash subsidy. The amount of cash subsidy is equal to 24-month licence fee for respective licences.

EAA has started to disburse the subsidy by bank cashier's order since May 2020 by post in batches according to the disbursement schedule and arrangements posted on its website.

## 地產代理監管局

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