



Corporate Governance



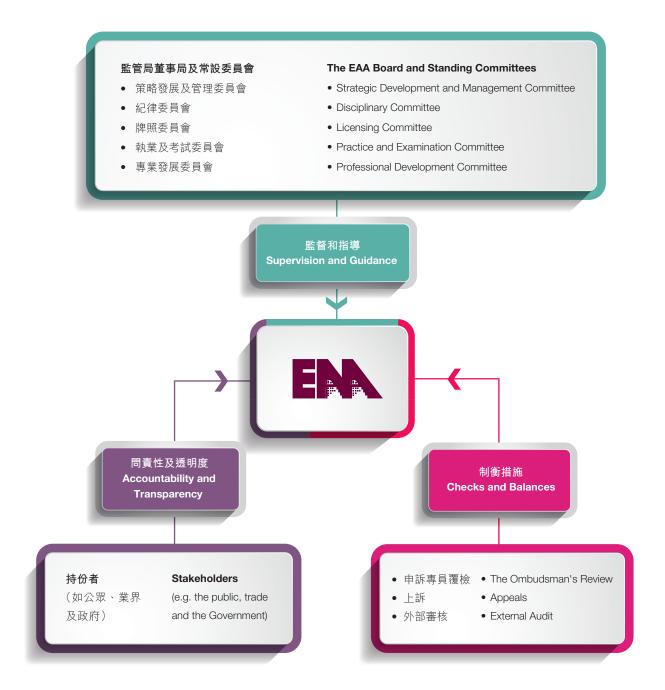
為加強公眾對監管局的信任及以持份者的 最佳利益為依歸,監管局致力提升機構管 治,在履行《地產代理條例》下的職責時, 維持高度誠信、公正、問責性和透明度。 To enhance public trust in the Estate Agents Authority ("EAA") and for the best interests of its stakeholders, the EAA spares no effort in taking corporate governance to a higher level and reaching a high standard of integrity, 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 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,亦能為董事局在則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.

Corporate Governance





董事局成員 Board membership

主席 CHAIRMAN

廖玉玲太平紳士

(至2022年7月28日)

大律師

- 牌照上訴委員會主席
- 税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
- 律政司調解督導委員會成員

Ms Elaine LIU, JP

(up to 28 July 2022)

Barrister-at-law

- 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
- Member, Department of Justice's Steering Committee on Mediation

副主席 VICE-CHAIRMAN

蕭澤宇BBS太平紳士

(2022年7月29日起出任主席)

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)
- 上訴委員團(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 Simon SIU Chak-yu, BBS, JP

(appointed Chairman since 29 July 2022)

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)





成員 MEMBERS

鄭定寧工程師

建造業議會執行總監

- 香港綠色建築議會董事會董事
- 香港珠海學院理工學院土木工程系 諮詢委員會主席
- 香港工程師學會理事會理事
- 香港大學工程舊生會顧問
- 香港公路學會前任會長

Ir Albert CHENG Ting-ning

Executive Director, Construction Industry Council

- Director, Hong Kong Green Building Council
- Advisory Committee Chairman, Faculty of Science and Engineering (Civil Engineering), Chu Hai College of Higher Education
- Council Member, Hong Kong Institution of Engineers
- Advisor, University of Hong Kong Engineering Alumni Association
- Immediate Past President, Hong Kong Institution of Highways and Transportation

張呂寶兒太平紳士

郭葉陳律師事務所顧問律師

- 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)主度
- 上訴委員會(遊戲機中心)主席
- 獨立監察警方處理投訴委員會觀察員

Mrs Peggy CHEUNG Po-yee, JP

Consultant, Kwok, Yih & Chan

- Member, Solicitors Disciplinary Tribunal Panel
- Chairman, Appeal Tribunal Panel (Buildings)
- Chairman, Appeal Panel (Housing)
- Chairman, Fishermen Claims Appeal Board (Trawl Ban)
- Chairman, Appeal Board (Amusement Game Centres)
- Observer, Independent Police Complaints Council

周偉信先生

香港大學法律專業學系副教授及系主任 劉漢銓律師行顧問律師

- 保險業監管局程序覆檢委員會委員
- 税務上訴委員會副主席(2007-2018)

Mr CHOW Wai-shun

Associate Professor and Head, Department of Professional Legal Education, The University of Hong Kong

Consultant, Chu & Lau Solicitors & Notaries

- Member, Process Review Panel for Insurance Authority
- Deputy Chairman, Board of Review (Inland Revenue Ordinance) (2007-2018)

Corporate Governance





成員 MEMBERS

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)

- 私人財富管理公會認可及 豁免委員會成員
- 融幼社董事局成員
- 融幼社管治委員會主席

Ms Meena DATWANI

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

- Member, Accreditation and Exemption Committee, Private Wealth Management Association
- Board Member, Pathfinders
- Chair of the Governance Committee, Pathfinders

許智文教授MH太平紳士

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
- 香港房屋協會審核委員會成員
- 證券及期貨事務監察委員會房地產 投資信託委員會委員
- 香港房屋委員會資助房屋小組 委員會委員
- 土地共享先導計劃顧問小組成員

Professor Eddie HUI Chi-man, MH, JP

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

- Vice Chairman, The Property Management Services Authority
- Member, Audit Committee, Hong Kong Housing Society
- Member, Committee on Real Estate Investment Trusts, Securities and Futures Commission
- Member, Subsidised Housing Committee, Hong Kong Housing Authority
- Member, Panel of Advisors, Land Sharing Pilot Scheme

黎文軒先生SBS, FSDSM, FSMSM

前任消防處處長

Mr LAI Man-hin, SBS, FSDSM, FSMSM

Former Director of Fire Services



成員 MEMBERS

林智遠教授太平紳士

(至2022年6月30日)

遠景會計師事務所有限公司創辦人及主席 (至**2022**年6月**24**日)

- 立法會議員(由2022年1月1日至 2022年6月18日)
- 中華人民共和國財政部香港會計諮詢專家 •
- 香港浸會大學商學院特邀教授

Professor Nelson LAM Chi-yuen, JP

(up to 30 June 2022)

Founder and Chairman, Nelson CPA Limited (up to 24 June 2022)

- Member, Legislative Council (1 January to 18 June 2022)
- Hong Kong Accounting Consulting Expert, The Ministry of Finance, The People's Republic of China
- Adjunct Professor, The School of Business, Hong Kong Baptist University

藍德業資深大律師

(至2022年5月31日)

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
- 上訴審裁團(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

Mr Douglas LAM Tak-yip, SC

(up to 31 May 2022)

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

黄永光SBS太平紳士

信和集團副主席 楊協成有限公司主席

- 第12及13屆中國人民政治協商會議 北京市委員會委員
- 香港大學校務委員會委員
- 香港科技大學顧問委員會成員
- 香港科技園公司董事局成員
- 數碼港顧問委員會委員
- 香港地產建設商會會董

Mr Daryl NG Win-kong, SBS, JP

Deputy Chairman, Sino Group Chairman, Yeo Hiap Seng Limited

- Member, The 12th and 13th Beijing Municipal Committees of the Chinese People's Political Consultative Conference
- Member, Council of The University of Hong Kong
- Member, Court of The Hong Kong University of Science and Technology
- Member, Board of Hong Kong Science and Technology Parks Corporation
- Member, Advisory Panel of Cyberport
- Director, Real Estate Developers Association of Hong Kong

Corporate Governance





成員 MEMBERS

潘達恒先生

聯萬地產集團有限公司創辦人及行政總裁

- 職業安全健康局文職及專業服務業安全 及健康委員會主席及宣傳委員會委員
- 僱員再培訓局地產代理業行業諮詢 網絡委員
- 職業訓練局房地產服務業訓練委員會委員
- 粤港澳大灣區投資學會榮譽會長
- 香港地產代理商總會第一副主席及東九龍分會主席
- 香港地產行政師學會會員

Mr Jacob POON Tat-hang

Founder and Chief Executive Officer, Super Land Property Group Limited

- Chairman, Sedentary & Professional Services Safety & Health Committee and Member, Publicity Committee, Occupational Safety & Health Council
- Member, Real Estate Agency, Industry Consultative Networks, Employees Retraining Board
- Member, Real Estate Services Training Board, Vocational Training Council
- Honorary President, Investment Institute of the Guangdong-Hong Kong-Macau Greater Bay Area
- First Vice-Chairman, Hong Kong Real Estate Agencies General Association and Chairman, of its East Kowloon District Branch
- Member, Hong Kong Institute of Real Estate Administration

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
- 香港工業總會理事

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, the Employees Retraining Board
- General Committee Member, the Federation of Hong Kong Industries

蔡志忠先生

亞洲地產控股(香港)有限公司主席

- 山西省港區政協常委及召集人
- 香港專業地產顧問商會會長
- 香港東區工商業聯會首席會長
- 僱員再培訓局行業諮詢網絡委員
- 東區撲滅罪行委員會委員
- 北角西分區委員會委員

Mr TSOI Chi-chung

Director and Chairman, Asia Property Holdings (Hong Kong) Company Limited

- Member and Convener, Shanxi Municipal Committees of the Chinese People's Political Consultative Conference
- President, Hong Kong Chamber of Professional Property Consultants Limited
- Chief President, Eastern District Industries & Commerce Association
- Member, Real Estate Agency, Industry Consultative Networks, Employees Retraining Board
- Member, Eastern District Fight Crime Committee
- Member, North Point, West Area Committee



成員 MEMBERS

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
- 香港都會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

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, Hong Kong Metropolitan University
- Standing Committee Member, The Association of Hong Kong Professionals
- Fellow Member, The Hong Kong Institute of Certified Public Accountants

黃鳳嫺女士

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
- 香港檢測和認證局委員
- 旅遊業賠償基金管理委員會委員
- 防控非傳染病督導委員會委員

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, Hong Kong Council for Testing and Certification
- Member, Travel Industry Compensation Fund Management Board
- Member, Steering Committee on Prevention and Control of Noncommunicable Diseases

黃偉雄MH太平紳士

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
- 個人資料(私隱)諮詢委員會成員
- 社會福利署整筆撥款督導委員會成員
- 教育局優質教育基金督導委員會成員
- 香港小交響樂團監察委員會委員
- 香港專業及資深行政人員協會前會長

Mr Addy WONG Wai-hung, MH, JP

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

- Chairman, Centaline Charity Fund Limited
- Member, Personal Data (Privacy) Advisory Committee
- Member, Lump Sum Grant Steering Committee, Social Welfare Department
- Member, Quality Education Fund Steering Committee, Education Bureau
- Board of Governors, Hong Kong Sinfonietta
- Immediate Past President, Hong Kong Professionals and Senior Executives Association

Corporate Governance





成員 MEMBERS

余智榮先生MH

創富大埔物業有限公司董事

- 大埔區居民聯會主席
- 香港地產代理商總會副主席
- 香港特別行政區第六屆選舉委員會委員
- 大埔區防火委員會委員
- 新界總商會常務董事
- 香港全國人大代表選舉委員會委員

Mr YU Chi-wing, MH

Director, Wealth Tai Po Property Limited

- Chairman, Tai Po District Residents Association
- Vice Chairman, Hong Kong Real Estate Agencies General Association
- Member of the Sixth Election
 Committee of the Hong Kong Special
 Administrative Region
- Member, District Fire Safety Committee (Tai Po District)
- Managing Director, New Territories General Chamber of Commerce
- Member, Election Committee of the Hong Kong Deputies to the National People's Congress of the People's Republic of China

徐閔女士

恒基陽光資產管理有限公司 獨立非執行董事

- 香港存款保障委員會投資委員會主席取委員
- 強制性公積金計劃諮詢委員會成員
- 證券及期貨事務監察委員會程序覆檢 委員會成員
- 數碼港顧問委員會成員
- 「警察子女教育信託基金」及「警察教育 及福利信託基金」投資諮詢委員會委員

Ms Helen ZEE

Independent non-executive director of Henderson Sunlight Asset Management Limited

- Chairperson, Investment Committee and Member of Hong Kong Deposit Protection Board
- Member, Mandatory Provident Fund Schemes Advisory Committee
- Member, Securities & Futures
 Commission Process Review Panel
- Member, Cyberport Advisory Panel
- Member, Investment Advisory Board of Police Children's Education Trust and Police Education & Welfare Trust

張趙凱渝太平紳士

(至2022年4月5日)

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)

Mrs Alice CHEUNG CHIU Hoi-yue, JP

(up to 5 April 2022)

Deputy Secretary for Transport and Housing (Housing) (Representative of Permanent Secretary for Transport and Housing (Housing))



新任成員 NEW MEMBERS



羅孔君BBS太平紳士 (2022年7月29日起出任副主席)

Ms Jane Curzon LO, BBS, JP (appointed Vice-chairman since 29 July 2022)



張天任資深大律師 (2022年6月1日起)

Mr Jonathan CHANG Tien-yin, Senior Counsel

(since 1 June 2022)



吳文傑太平紳士

(2022年4月6日起)

運輸及房屋局副秘書長(房屋) (2022年7月1日改名為房屋局副秘書長) (運輸及房屋局常任秘書長(房屋)代表) (2022年7月1日改名為房屋局常任秘書長)

Mr Donald NG Man-kit, JP

(since 6 April 2022)

Deputy Secretary for Transport and Housing (Housing) (renamed as Deputy Secretary for Housing effective from 1 July 2022) (Representative of Permanent Secretary for Transport and Housing (Housing)) (renamed as Permanent Secretary for Housing effective from 1 July 2022)

卸任成員 RETIRED MEMBERS



凌潔心女士 Ms Imma LING Kit-sum

(至2021年10月31日) (up to 31 October 2021)



吳啟民先生 Mr NG Kai-man (至2021年10月31日)

(全2021年10月31日) (up to 31 October 2021)

Corporate Governance



常設委員會

董事局以下設有五個常設委員會,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。

2021/22 年度監管局常設委員會職權範圍 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。
- 4. 審核重要的財政議題一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。

Standing Committees

There are five standing committees 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.

Terms of reference of the EAA's standing committees 2021/22 are listed in the following section.

Terms of reference and membership

Strategic Development and Management Committee

- 1. To consider strategic issues of long-term significance, in preparation for consideration by the Board.
- 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.
- 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. 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.
- 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. 研究重要的人力資源管理議題一尤其 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. 審視及批核編製架構和重組安排、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。
- 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。

- 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 CEO 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 CEO 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 performancelinked 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.
- 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(於2022年3月31 Membership (as at 3		
主席 Chairman:	廖玉玲太平紳士	Ms Elaine LIU, JP
	周偉信先生	Mr CHOW Wai-shun
	戴敏娜女士	Ms Meena DATWANI
	許智文教授MH太平紳士	Professor Eddie HUI Chi-man, MH, JP
成員 Members:	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
	黃鳳嫺女士	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 her representative

Corporate Governance



紀律委員會

職權範圍:

- 1. 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。
- 2. 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。
- 3. 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。
- 4. 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。
- 5. 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。
- 6. 在牌照上附加委員會認為適當的條 件。
- 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。
- 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。
- 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。

Disciplinary Committee

- 1. 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.
- 3. 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.
- 4. 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.
- 5. To exercise any of the disciplinary powers provided under section 30 of the EAO as the Committee considers appropriate.
- 6. To attach to licences such conditions as the Committee may consider appropriate.
- 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.
- 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.
- 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(於2022年3月31日) Membership (as at 31 March 2022):				
主席 Chairman:	周偉信先生	Mr CHOW Wai-shun		
	鄭定寧工程師	Ir Albert CHENG Ting-ning		
	張呂寶兒太平紳士	Mrs Peggy CHEUNG Po-yee, JP		
	許智文教授MH太平紳士	Professor Eddie HUI Chi-man, MH, JP		
	黎文軒先生SBS, FSDSM, FSMSM	Mr LAI Man-hin, SBS, FSDSM, FSMSM		
	林智遠教授太平紳士	Professor Nelson LAM Chi-yuen, JP		
	藍德業資深大律師	Mr Douglas LAM Tak-yip, SC		
成員 Members:	黃永光SBS太平紳士	Mr Daryl NG Win-kong, SBS, JP		
	潘達恒先生	Mr Jacob POON Tat-hang		
	蔡志忠先生	Mr TSOI Chi-chung		
	黃靜怡女士	Ms Angela WONG Ching-yi		
	黃偉雄MH太平紳士	Mr Addy WONG Wai-hung, MH, JP		
	余智榮先生MH	Mr YU Chi-wing, MH		
	徐閔女士	Ms Helen ZEE		
	畢新威先生	Mr BUT Sun-wai		
	陳耀國先生	Mr Armond CHAN Yiu-kwok		
	張偉浩先生	Mr Earnest CHEUNG Wai-ho		
	何鉅業測量師MH太平紳士	Sr Vincent HO Kui-yip, MH, JP		
T () D	關碧紅女士	Ms Helle KWAN Bik-hung		
委任成員 Board-appointed	劉瑛琳女士	Ms Sandia LAU Ying-lam		
Members:	李峻銘先生	Mr Eric LEE Chun-ming		
	廖建華先生	Mr Michael LIU Kin-wa		
	吳啟民先生	Mr Luke NG Kai-man		
	潘志豪先生	Mr Philip POON Chi-ho		
	謝凱琳女士	Ms Joanna TSE Hoi-lam		
	余雅芳女士	Ms Avon YUE Nga-fong		

Corporate Governance



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 進則。
- 3. 指示監管局行政部門處理牌照/營業 詳情説明書的申請,並向符合發牌條 件的申請人發出或續發有關牌照/營 業詳情説明書。
- 4. 審閱提交予委員會之牌照/營業詳情 説明書申請,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。
- 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。
- 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

- 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.
- 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.
- 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(於2022年3月31日) Membership (as at 31 March 2022):			
主席 Chairman:	謝小玲女士	Ms Phoebe TSE Siu-ling	
	鄭定寧工程師	Ir Albert CHENG Ting-ning	
	張呂寶兒太平紳士	Mrs Peggy CHEUNG Po-yee, JP	
	黎文軒先生SBS, FSDSM, FSMSM	Mr LAI Man-hin, SBS, FSDSM, FSMSM	
成員 Members:	林智遠教授太平紳士	Professor Nelson LAM Chi-yuen, JP	
	黄靜怡女士	Ms Angela WONG Ching-yi	
	余智榮先生MH	Mr YU Chi-wing, MH	
	徐閔女士	Ms Helen ZEE	
	盧光輝先生	Mr Eddie LOU Kuong-fai	
委任成員	譚秀娥女士(消費者委員會代表)	Ms Vera TAM Sau-ngor	
Board-appointed Members:		(representative of Consumer Council)	
	余雅芳女士	Ms Avon YUE Nga-fong	

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。
- 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。

Practice and Examination Committee

- 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.
- 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.
- 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.

Corporate Governance



- 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。
- 8. To review and determine the pass marks and commendation marks for the qualifying examinations and, where appropriate, those for each part thereof.
- 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。
- 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. 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。
- 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.

成員(於2022年3月31日)				
Membership (as at 31 March 2022):				
主席 Chairman:	許智文教授MH太平紳士	Professor Eddie HUI Chi-man, MH, JP		
副主席	黃鳳嫺女士	Ms Gilly WONG Fung-han		
Vice-Chairman:				
	張呂寶兒太平紳士	Mrs Peggy CHEUNG Po-yee, JP		
	周偉信先生	Mr CHOW Wai-shun		
	戴敏娜女士	Ms Meena DATWANI		
	林智遠教授太平紳士	Professor Nelson LAM Chi-yuen, JP		
	藍德業資深大律師	Mr Douglas LAM Tak-yip, SC		
成員 Members:	黃永光SBS太平紳士	Mr Daryl NG Win-kong, SBS, JP		
/≪⊋ Morribors.	潘逹恒先生	Mr Jacob POON Tat-hang		
	蔡志忠先生	Mr TSOI Chi-chung		
	黃靜怡女士	Ms Angela WONG Ching-yi		
	黃偉雄MH太平紳士	Mr Addy WONG Wai-hung, MH, JP		
	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 her representative		
	張偉浩先生	Mr Earnest CHEUNG Wai-ho		
委任成員	何鉅業測量師MH太平紳士	Sr Vincent HO Kui-yip, MH, JP		
Board-appointed	黎堅輝先生	Mr Victor LAI Kin-fai		
Members:	李峻銘先生	Mr Eric LEE Chun-ming		
	葉耀邦先生	Mr YIP Yiu-pong		



專業發展委員會

職權節圍:

- 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的持 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

- 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.
- 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.

Corporate Governance



成員(於2022年3月31 Membership (as at 3		
主席 Chairman:	戴敏娜女士	Ms Meena DATWANI
	鄭定寧工程師	Ir Albert CHEUNG Ting-ning
	黎文軒先生SBS, FSDSM, FSMSM	Mr LAI Man-hin, SBS, FSDSM, FSMSM
	藍德業資深大律師	Mr Douglas LAM Tak-yip, SC
	黃永光SBS太平紳士	Mr Daryl NG Win-kong, SBS, JP
	潘達恒先生	Mr Jacob POON Tat-hang
成員 Members:	蔡志忠先生	Mr TSOI Chi-chung
	黃偉雄MH太平紳士	Mr Addy WONG Wai-hung, MH, JP
	余智榮先生MH	Mr YU Chi-wing, MH
	徐閔女士	Ms Helen ZEE
	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 her representative
	蔡鴻達博士	Dr Lennon H.T. CHOY
委任成員	葉國雄先生	Mr Ivan IP Kwok-hung
Board-appointed	汪敦敬博士MH	Dr Lawrance WONG Dun-king, MH
Members:	黃思穎女士(職業訓練局代表)	Ms Venus WONG Szee Ving (representative of Vocational Training Council)

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。

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.



2021/22 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:

The number of meetings, average attendance rates and number of papers considered by the EAA Board and standing committees in 2021/22 were as follows:

	會議數目 Number of meetings held	平均出席率* Average attendance rate*	經審議的文件數目 Number of papers considered
董事局 The EAA Board	4	86%	43
策略發展及管理委員會 Strategic Development and Management Committee	3	95%	7
紀律委員會** Disciplinary Committee**	0	-	0
牌照委員會 Licensing Committee	5	79%	10
執業及考試委員會 Practice and Examination Committee	3	78%	8
專業發展委員會*** Professional Development Committee***	0	_	16

- * 委員會出席率包括董事局成員及董事局委任成員。
- ** 儘管紀律委員會在年內沒有舉行任何會議,紀 律委員會的董事局成員及董事局委任成員對315 宗個案舉行了46場紀律研訊,對涉嫌違規的持 牌人作出判決,而該委員會的初步研訊小組審 議及通過了由行政總裁就紀律研訊遞交的295份 文件。
- *** 儘管專業發展委員會在年內未舉行任何會議, 委員會轄下的持續專業進修評審小組審議了16 份文件,並通過了合共111項納入監管局的持續 專業進修計劃的培訓活動。

- The attendance of committees includes Board members and Board-appointed members.
- *** Notwithstanding that the Disciplinary Committee did not hold any meetings in the year, Board members and Board-appointed members of the Disciplinary Committee held inquiry hearings on 315 cases in 46 sessions to adjudicate the alleged non-compliances of licensees; whereas the Preliminary Scrutiny Panel of the Committee considered and approved 295 papers submitted by the CEO with respect to inquiry hearings.
- *** Notwithstanding that the Professional Development Committee did not hold any meetings in the year, the CPD Endorsement Panel of the Committee considered 16 papers and endorsed a total of 111 training activities meriting adoption into the EAA's CPD Scheme.

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」。

行政總裁、總監、高級經理和經理的離職 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。

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 of Conduct* 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, Senior Managers and 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.



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,監管局成員內事局委任利益衝突,監管局所有。所有事局委任成員獲委任後,資料。以及管理,對於監管局所有會議上,的人對於監管局所審議的任何議題或事宜的或監管局所審議的任何議題或事實的。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。

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,均須有申不包其在香港或境外的任何實益權益,但記記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、或過人間接持有、或其有權處置業。能從中獲得任何金錢利益的人員,數數與一數,與個的規定,申報他們的土地及物業利益。

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.

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 or outside Hong Kong, 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.

Corporate Governance



問責性及透明度

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。

《機構授權指引》

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《機構授權指引》的精神及目的,以及獲授權的職權範圍。

查閱資料

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。

Accountability and Transparency

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.

Corporate Authorisation Manual

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 *Corporate Authorisation Manual* and within the scope of authorities therein conferred.

Access to information

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、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 管局的工作及措施的資訊。

The public are 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.



查閱資料申請摘要 Summary of Applications for Access to Information

年度 Year	申請數目 No of Applications	申請結果 Application Outcome	要求資料 Information Requested
			牌照副本 Copies of licences
			申請牌照時遞交的表格 Forms submitted for licence applications
2021/22	20	全部接受 All accepted	申請牌照時遞交的學歷證明文件 Documentary proofs of academic qualifications submitted for licence applications
			申請牌照時遞交的個人資料 Personal data submitted for licence application
			向持牌人發出的信函 Letter to a licensee
	17	全部接受 All accepted	牌照副本 Copies of licences
			申請牌照時遞交的表格 Forms submitted for licence applications
2020/21			申請牌照時遞交的個人資料 Personal data submitted for licence application
			申請牌照時遞交的學歷證明文件 Documentary proofs of academic qualifications submitted for licence application
			牌照副本 Copies of licences
		12個接受 12 accepted 1個拒絕 1 declined	申請牌照時遞交的表格 Forms submitted for licence applications
2019/20	13		申請牌照時遞交的個人資料 Personal data submitted for licence application
			申請牌照時遞交的學歷證明文件 Documentary proofs of academic qualifications submitted for licence application
			要求的資料已公開 Information requested already published

Corporate Governance



監管局透過其網站發佈資訊以提高局方工作的透明度,而向運輸及房屋局局長提交《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 措施的資訊。

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 2021/22 年度共裁決了 318 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。 2021/22 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。有關由德勤•關黃陳方會計師行審核的 2021/22 年度獨立核數師報告及財務報表詳載於第 110 至 144 頁。 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.

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 318 inquiry hearing cases in 2021/22 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 2021/22.

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 2021/22 audited by Deloitte Touche Tohmatsu are included in pages 110 to 144.



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予牌照或續期牌 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團, 專責聆訊上訴。委員團的主席須從委員團 成員中委任成員組成審裁小組就上訴作出 裁決。

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。2021/22年度內,本局共 接獲兩宗申訴專員轉介的個案,全部個案 已於年內結束及裁定為不成立。

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。

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.

The Ombudsman's review

Appeals

The EAA came under the jurisdiction of the Ombudsman on 2 July 2010. In the year of 2021/22, a total of two inquiries from the Ombudsman were received. All of them were unsubstantiated and closed.

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.

2021/22年度行政部門服務達標率 Achievement of the Performance Pledges in 2021/22

查詢

Enquiries

	服務類別 Service type	指標 Standard	達標率 Results
ı	回覆查詢		
	Response to enquiries		
	電話查詢(留言訊息) Telephone enquiries (voice mail messages)	1個工作天內¹ Within 1 working day¹	100%
	書面查詢 Written enquiries	7個工作天內 ² Within 7 working days ²	99.26%

監管局的工作天為星期一至五。

收到查詢後下一個工作天開始計算。

The EAA's working days are from Monday to Friday.

From the next working day following the receipt of the enquiry.

Corporate Governance



資格考試

Qualifying Examinations

服務類別 Service type	指標 Standard	達標率 Results
發出成績通知單1	考試後的14個工作天內	100%
Issue result slips ¹	Within 14 working days after the examination	100%

牌照

Licensing

服務類別 Service type	指標 Standard	達標率 Results
處理新牌照申請 Process new licence applications	收到新申請後的10個工作天內 ² Within 10 working days for new applications ²	99.98%
處理續牌申請 Process renewal licence applications	收到續牌申請後的20個工作天內 Within 20 working days for renewal applications	99.99%
退款予不獲發牌照或取消牌照申請的申請人 Refund of application fees for rejected/ cancelled applications	10個工作天內³ Within 10 working days³	99.82%

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。

² 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/營業詳情説明 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。

³ 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。

¹ Issued by the Institute of Professional Education And Knowledge of the Vocational Training Council, authorised by the EAA to administer the examinations.

From the next working 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's 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.

From the next working day after an application is cancelled or rejected; for bankruptcy cases, from the next working 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 Service type	指標 Standard	達標率 Results
確認收到投訴人的書面投訴 Acknowledge receipt of written complaints	5個工作天內 Within 5 working days	100%
收到足夠證明文件後向投訴人作出書面回覆 Provide a written response to complainants upon receipt of sufficient supporting documents	15個工作天內 Within 15 working days	97.79%

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)1

[注意:並非所有個案會進行紀律處分。]2

Conduct the first disciplinary inquiry hearing for Normal Cases and Complex Cases/Publish admitted breach(es) on EAA website for Fast Track Cases¹

[Note: Not all cases will proceed to disciplinary actions.] 2

快速個案 (紀律處分新計劃下而又不牽涉有證人的個案) Fast Track Cases (Cases dealt with under the New Scheme for Disciplinary Cases and involving no witnesses)	6個月內³ Within 6 calendar months³	71.43%4
---	------------------------------------	---------

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。

² 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。

³ 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)。

⁴ 兩宗快速個案、75宗普通個案及80宗複雜個案 因受2019冠狀病毒病第五波疫情影響而未能達 到服務承諾。該段期間,監管局採取了在家工 作的安排,以致需時更長完成調查及部分研訊 需要延期。

The EAA's investigation generally focuses on the compliance of the EAO and its subsidiary legislation and the conduct of estate agents and salespersons in their estate agency practice. 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.

A written notification of whether the case will be recommended for disciplinary action 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.

Ommences from the date of the EAA's written response to complainant(s) upon the receipt of sufficient supporting documents from them or (if there is no complainant) from the date of the EAA's first allegation letter to licensee(s) 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's website for Fast Track Cases.

⁴ Two fast track cases, 75 normal cases and 80 complex cases did not meet the pledge amidst the outbreak of the fifth wave of the pandemic during the year. During the time, the EAA implemented a work-from-home arrangement which resulted in extra time needed for completion of investigation and the adjournment of some inquiry hearings.

Corporate Governance



服務類別 Service type	指標 Standard	達標率 Results
普通個案 (非快速個案並只涉及不多於兩項受監管局調查的指稱的個案) Normal Cases (Cases other than Fast Track Cases concerning not more than two allegations investigated by the EAA)	10個月內 ^{1,2} Within 10 calendar months ^{1,2}	42.75%³
複雜個案 (除快速個案及普通個案以外的個案) Complex Cases (Cases other than Fast Track Cases and Normal Cases)	13個月內 ^{1,2} Within 13 calendar months ^{1,2}	42.03%³
通知投訴人個案結果 Notify complainants of the outcome of the case	10個工作天內⁴ Within 10 working days⁴	96.91%
通知被投訴人(持牌人)個案結果 Notify complainees (licensees) of the outcome of the case	10個工作天內⁵ Within 10 working days⁵	100%

- 1 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)。
- 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。
- 3 兩宗快速個案、75宗普通個案及80宗複雜個案 因受2019冠狀病毒病第五波疫情影響而未能達 到服務承諾。該段期間,監管局採取了在家工 作的安排,以致需時更長完成調查及部分研訊 需要延期。
- 4 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。
- 5 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」。

- Ommences from the date of the EAA's written response to complainant(s) 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 licensee(s) 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's website for Fast Track Cases.
- 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.
- Two fast track cases, 75 normal cases and 80 complex cases did not meet the pledge amidst the outbreak of the fifth wave of the pandemic during the year. During the time, the EAA implemented a work-from-home arrangement which resulted in extra time needed for completion of investigation and the adjournment of some inquiry hearings.
- 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 complainee of the result of the hearing.
- 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".



持續專業進修計劃

Continuing Professional Development ("CPD")

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