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專訪紀律委員會及牌照委員會成員余雅芳女士 INTERVIEW WITH MS AVON YUE NGA-FONG, MEMBER OF THE DISCIPLINARY COMMITTEE AND THE LICENSING COMMITTEE

本期《專業天地》專訪了身兼監管局紀律委員會及牌照委員會成員的余雅芳女士，了解一下她對委員會工作的看法及對業界如何滿足和處理日益提升的公眾期望的建議。

In this issue of *Horizons* we interview Ms Avon Yue Nga-fong, member of the EAA Disciplinary Committee and the Licensing Committee, about her feelings on the work of the committees and her advice for the trade on how to meet and manage the rising public expectations.

問：監管局剛剛慶祝成立二十周年。你對地產代理業界多年來的發展及表現有何看法？

Q : The EAA has just celebrated its establishment of 20 years. What are your views on the development and the performance of the estate agency trade over these years?

答：在加入監管局前，我都有過買賣及租賃物業的經驗，但沒有對地產代理有很強烈的觀感，但印象中他們是專業的。成為監管局成員之後，接觸和了解業界的機會多了很多，雖然，我發現有個別違規案例比較差，但其實都只是佔少數，因此，我覺得普遍來說，地產代理是專業的。這與監管局成立多年來，對業界監管及提升專業的工作成效顯著不無關係。展望未來，業界必須朝着更專業的方向發展，我希望所有從業員的操守都可以有所提升，絕大部份的地產代理不再有違規的情況。

A : Before joining the EAA, I had experience in property transactions and tenancy. I did not have a strong perception about estate agents but they were professional in my impression. After becoming a member of the EAA, I have had more opportunities to be in touch with and understand the trade. Although I have come across some serious non-compliant cases, they still constitute only a small number. Therefore, I think that in general the estate agency trade is professional. The credit should go to the effectiveness of the regulatory work and the professional enhancement of the trade over the years by the EAA. Looking forward, the trade must move in the direction of elevating professionalism. I hope that the standard of conduct of all practitioners will be enhanced and most estate agents will no longer be in breach of the rules.

問：你自從2014年11月起，獲委任成為監管局成員，並加入監管局不同委員會工作，包括紀律委員會及牌照委員會。你對這些工作有何感受？

答：坦白說，委員會的工作量比我想像中更為繁重，而且責任極為重大。在紀律委員會及牌照委員會的工作中，我都需要不時審視很多不同個案，不論是紀律研訊個案抑或是申請牌照個案，當中我都需要作出小心謹慎的判斷，才可作出最終的決定。例如，我需要衡量有關決定是否正確及一貫，判決會否被挑戰等等，因此，每個判斷都絕不容易。同時，因為有關決定會直接影響到持牌人或牌照申請人的生計、以至他們的家庭，我所作出的每個決定和每個簽名都十分重要。因此，不論是懲處抑或發牌，在考慮和判斷的過程當中，我需要保持專業、運用法例賦予的權力做出公平公正的判決。總而言之，有關工作可說是事關重大、肩負重任。

問：你積極參與不少公共服務，相信對如何處理公眾期望十分熟悉。可否和持牌人分享一下你的建議，持牌人如何可滿足及處理公眾對他們服務的日益提升的期望？

答：其實，要做到滿足公眾期望並不難，我希望給予持牌人兩句簡單建議，就是「設身處地」和「將心比己」。相信所有持牌人都會容易理解這兩句說話。只要能做到這兩點，很大程度上已符合了公眾期望。簡單來說，就是把自己代入想置業或租樓人士的處境，先想想自己希望地產代理能提供怎樣的服務，然後自己就盡量做同一樣的事。例如，自己也希望地產代理能清楚解釋土地查冊文本給自己的話，自己也就應該認真學識如何解讀土地查冊文本並告知客戶。還有，若自己希望地產代理會兌現回贈的承諾，自己就該切實執行執業通告的要求，在客戶簽訂臨時買賣合約前，就已協助該客戶取得其公司所要求的批准，並以書面確認。否則就應如實告知客戶。

Q : You have been appointed an EAA Member since November 2014 and have participated in different committees, including the Disciplinary Committee and the Licensing Committee. What are your feelings on their work?

A : Frankly speaking, the workload of the committees is heavier than I thought and the duties are extremely great. In the work of the Disciplinary Committee and the Licensing Committee, I need to review many different cases from time to time. No matter if it is a disciplinary inquiry case or a licence application case, I need to make a cautious judgement before making a final decision. For example, I need to assess whether the decisions are correct and consistent, whether the judgements will be challenged, and so on. Hence, every judgement is by no means easy. At the same time, every decision and every signature that I make is very important because the relevant decision will directly affect the livelihood of the licensees or licence applicants as well as their families. Therefore, whether it is a sanction or granting a licence, in the process of consideration and judgement, I need to maintain professionalism and apply the powers conferred by the law to make a fair and just decision. All in all, the work of both committees is of great importance and responsibility.

Q : We believe that you are experienced in dealing with public expectations as you are actively involved in a number of different public services. Could you share your advice with our licensees on how to meet and manage the rising public expectations on their services?

A : In fact it is not difficult to meet public expectations. I would like to give two simple suggestions to licensees: "put yourself in others' shoes" and "feel for others". I believe all licensees will understand these two points easily. As long as our licensees can act on these two points, they can meet the public expectations at large. To put it simply, licensees should first put themselves into the shoes of property purchasers or tenants, and think about the kind of services they would want from their estate agents. They should then try offering the same kind of services to their clients. For example, if I hope that my estate agent can clearly explain the land search record to me, I should learn to interpret the land search record myself so as to be able to inform my clients accordingly. Furthermore, if they expect estate agents to honour the promise of a rebate to themselves, they should duly follow the requirements of the practice circular and assist their clients to obtain the necessary approval from their companies and confirm it in writing, before their clients enter into the provisional agreement for sale and purchase. Otherwise, they should truthfully inform their clients about it.