

## 傳統與現代交融： 客戶關係與新時代技能同等重要

Embrace tradition and modernity:

The equally important customer relationship and modern skills



# 目錄

## Contents

01

總裁寄語  
CEO's Message

02

專題報道  
Cover Story

05

新聞速遞  
News Express

10

持續進修  
CPD

11

專業進修嘉許獎章  
CPD Mark

12

誠信與你  
Integrity in Focus

15

反洗錢專區  
AML Corner

16

常見問答  
Frequently-Asked-Questions

17

好•活動  
Mark Your Diary

18

照片回顧  
Photos recollection

20

統計數字  
Statistics



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奧運精神教曉我們不斷努力克服困難的重要性。筆者希望鼓勵所有地產代理，要保持同樣的精神，不要輕言放棄。付出過的毅力最終會得到回報。在奧運會上我們看到不少例子，運動員經過長年累月的堅毅努力後，最終獲得成功。

The Olympic spirit teaches us the importance of making continuous effort in spite of difficulties. I would like to encourage all estate agents to keep up with the same spirit and not give up easily. Your continuous effort will pay off eventually. In the Olympics, we saw many examples of athletes who have persevered over the years and finally achieved success.

# 地產代理業的奧運精神

## The Olympic spirit in estate agency business

東京奧運會和殘疾人奧運會早前結束，大家為香港運動員奪得獎牌的出色表現而慶祝的同時，也不要忘記其他稍欠運氣而未能帶回獎牌的運動員所付出過的極大努力。

奧運精神教曉我們不斷努力克服困難的重要性。筆者希望鼓勵所有地產代理，要保持同樣的精神，不要輕言放棄。付出過的毅力最終會得到回報。在奧運會上我們看到不少例子，運動員經過長年累月的堅毅努力後，最終獲得成功。

另一個筆者希望和持牌人分享的奧運精神是公平競賽。尊重對手不僅適用於體育運動，也應該在我們的日常生活和商業活動中實踐。

地產代理之間的競爭固然應該是公平進行，而在交易過程中與客戶的商議過程，也應該以誠實和透明的方式進行。相信大家記得，根據監管局發布的《操守守則》，地產代理必須秉持誠實、忠誠和嚴正的態度向客戶提供服務，保障和促進客戶的利益，對交易各方公平公正。

在奧運會上，運動員公平地比賽和裁判公正地評分至為重要。同樣，地產代理也必須緊記誠實行事，而監管局則時刻以公正不阿的方式行事。就像那些被取消資格的運動員，違規的地產代理會受到紀律處分。

截至2021年8月31日，個人持牌人總數達到創紀錄新高的41,208人。雖然地產代理行業競爭激烈，但持牌人應時刻牢記筆者上面提及的兩個價值觀。你的表現不僅受到局方所監管，也會被公眾目睹和評價。和比賽場上的運動員一樣，不懈的努力會得到讚許，任何不光彩的行為卻會備受鄙視。

While the whole community celebrated the excellent winning performances of Hong Kong athletes in the Tokyo Olympic and Paralympic Games, we must not forget the great efforts made by other athletes who were not fortunate enough to bring a medal home.

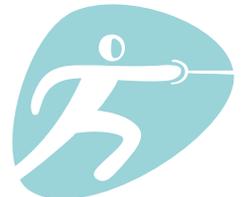
The Olympic spirit teaches us the importance of making continuous effort in spite of difficulties. I would like to encourage all estate agents to keep up with the same spirit and not give up easily. Your continuous effort will pay off eventually. In the Olympics, we saw many examples of athletes who have persevered over the years and finally achieved success.

Another Olympic value that I would like to share with licensees is "fair play". Respecting your opponents is not only applicable to sports but should also be practised in our everyday lives and businesses.

Competition between estate agents should always be fair, and negotiations with clients undertaken in an honest and transparent manner. I trust you will recall that according to the *Code of Ethics* issued by the EAA, estate agents must serve their clients with honesty, fidelity and integrity, protect and promote the interests of their clients, and act in a fair and impartial manner to all parties involved in the transaction.

In the Olympic Games, it is essential that athletes perform fairly and judges score justly. Likewise, estate agents must remember to act honestly while the EAA acts impartially at all times. As with those disqualified athletes, estate agents who do not abide by the rules will be disciplined.

The number of total individual licensees reached a record high of 41,208 as of 31 August 2021. Though competition in the estate agency industry is intense, licensees should always remember the two values I mentioned above. Your performance is not only monitored by the EAA but will also be watched and judged by the public. Similar to the athletes in training, your relentless effort will be recognised but any dishonourable behaviour will be despised.





## 傳統與現代交融： 客戶關係與新時代技能同等重要

### Embrace tradition and modernity: The equally important customer relationship and modern skills

隨着流動電子裝置成為市民日常生活的必需品，數碼營銷愈趨普及。加上受2019冠狀病毒病疫情影響，我們的生活以至做生意的模式，都變得與數碼世界密不可分。地產代理業也必然要與時並進，掌握新數碼技術，以迎合消費者行為模式的轉變。然而，地產代理始終是一個以客為先的行業，成功的地產代理的其中一個基本特質，是能夠與客戶建立持久關係。今期《專業天地》會探討培養良好客戶關係的傳統要素，以及從業員如何利用新時代技能促進其業務發展。

Digital marketing has become more popular nowadays as mobile devices have become a necessity in our daily lives. In addition, due to the impact of COVID-19 pandemic, not only our daily lives but also our businesses are becoming more engaged in the digital world. The estate agency trade inevitably has to evolve and advance with new digital skills too as consumer behaviour changes. Nevertheless, we should not forget that the estate agency business is customer-oriented and one of the fundamental attributes of a successful estate agent is to foster a long-term relationship with his/her clients. In this issue of *Horizons*, we will revisit the traditional elements that help keep a good customer relationship and also take a look into the modern skills that could facilitate estate agents to build their business.

## 優良傳統：建立良好客戶關係

對所有以客為本的行業而言，口碑至為重要。要達至生意長做長有並發展自己的事業，地產代理從業員切忌短視，為求開單而走捷徑，導致名聲受損。切記，應以優質服務讓客戶留下良好印象。

要做一個好的聆聽者，顯示出你的同理心，設身處地了解客戶需要，向他們提供實用的建議。

優質的服務能令客戶留下良好印象，當他們日後再有需要使用地產代理服務時，自然就會想起你。做到有口皆碑，客戶自然會介紹其他潛在客戶給你認識，再次委託你轉售、放租，或購買新物業。

## 新時代技能：在數碼世界中進步

除了傳統的待客之道，我們也需要發掘一些新技能。在現今的數碼世界，一個與時並進的地產代理應具備某些技能，包括：

- **影片拍攝技術**

地產代理普遍會透過不同的網上平台發布樓盤資料。要成功展示樓盤和吸引潛在客戶的目光，傳統的相片未必足以吸引目光，需要具備更高端的影片拍攝、剪輯及其他後期製作技術等技巧。

- **搜尋引擎營銷(SEM)及搜尋引擎優化(SEO)**

地產代理要懂得如何辨識互聯網上的目標客戶，例如了解他們的興趣和習慣，才能讓他們看到放盤資料或廣告。其次，在管理網站或社交媒體時，要全盤思考採用甚麼內容和設計以吸引目標客戶，及如何增加帖文的點擊率。

有關這方面，地產代理應多學習使用搜尋引擎營銷(SEM)及搜尋引擎優化(SEO)技術，協助其網頁在搜尋引擎中獲得更高點擊率。此外，學習社交媒體推廣技巧同樣重要，這可令你的帖文被「讚好」的次數

## The good tradition: Build a good customer relationship

For all customer-oriented businesses, reputation is crucial. In order to sustain the business in the long run and develop a successful career, estate agency practitioners must not be short-sighted. Do not take any shortcuts to close a deal but damage your brand. Always provide a quality service to clients and leave them with a good impression.

Be a good listener, show empathy and understand the needs of clients. Put yourself in your client's shoes and provide useful advice.

With good word-of-mouth, clients may refer other potential clients to the estate agent, assign them to resale, to lease their properties or even purchase new properties in the future.

## The modern skills: Advances in the digital world

After talking about the traditional ways of keeping clients, we need to move on to explore the modern skills. In the digital world, there are certain modern skills that an "advanced" estate agents should possess:

- **Videography**

It is common for estate agents to post property listings on different online platforms. In order to successfully showcase the property and attract potential clients, traditional photographs may not be eye-catching enough, estate agents should equip themselves with more advanced skills such as video shooting, editing, and other post-production skills.

- **Search Engine Marketing (SEM) and Search Engine Optimisation (SEO)**

It is important for estate agents to learn how to identify their target audience on the Internet (e.g. by understanding their interests and habits) so their listings or advertisements can be seen by them. Secondly, in managing their websites and social media, estate agents should thoroughly consider what content and design would attract the target audience and how to enhance the click rates of the posts.

In this regard, estate agents should learn more about Search Engine Marketing (SEM) and Search Engine Optimisation (SEO), which can assist web pages in getting higher click-through rates in search engines. It is also important to learn social media advertising skills in order to gain a higher number of "likes". Nevertheless, the most important thing is to keep reviewing the web pages regularly and make sure the information and listings are correct and up-to-date.

更多。然而，最重要的，始終是定期檢視網頁，確保放盤資訊準確及定期更新。

### ● 客戶資料管理

由於加強客戶關係對長遠營運十分重要，從業員可採用先進的客戶關係管理(CRM)系統管理客戶資料。良好的CRM系統不但省時，也能便捷地為你的日常營運作出適時的提醒（例如客戶的生日或其租約即將屆滿）。然而，持牌人必須緊記，需要經常謹慎地保障客戶的個人資料並合法地使用。

### 結語

傳統的做生意手法（尤其是街坊生意）可以讓地產代理與客戶建立緊密關係而令到生意長做長有。而面對新時代及新世代，新技能可協助從業員突出自己及開拓更多業務。以新技術融入傳統手法，是向前邁前的積極一步，同時可讓地產代理成為更優秀的「5A」代理，即「言出必行」、「言之有物」、「言而有信」、「與時並進」及「與客同行」。

為協助持牌人「與時並進」及掌握新技能，監管局提供不同的持續專業進修計劃活動讓持牌人參與，而最近推出的「以智能電話製作樓盤影片」課程，正正就是持牌人所不容錯過的。



### ● Customer database management

As strengthening customer relationships is essential for business in the long run, practitioners should adopt new Customer Relationship Management (“CRM”) software to manage their customer database. A good CRM software can help reduce time resources and prompt timely reminders to your operation (e.g. your client’s birthday or his/her lease will expire soon). Having said that, licensees are reminded to be always careful in protecting the personal data of clients and using them legally.

### Conclusion

The traditional ways of doing business (especially neighbourhood business) show how estate agents can build a close relationship with clients and sustain their businesses. Facing new era and new generation, the modern skills can help practitioners stand out and explore more business opportunities. Combining the tradition with modernity is a good move and can help estate agents become a better “5A” agent, i.e. with “Adherence”, “Ability”, “Accountability”, “Advancement” and “Affinity”.

To help licensees “advance” and equip themselves with modern skills, the EAA offers various Continuing Professional Development (“CPD”) activities for licensees to join. One of our recent CPD courses, namely “Video Production for Estate Agency Trade Using Smartphone”, is exactly what licensees should not miss.



# 監管局舉辦半年回顧新聞發布會

## The EAA held a half-year review press conference

**地**產代理監管局（「監管局」）於2021年7月28日舉行網上直播新聞發布會，由監管局主席廖玉玲太平紳士及行政總裁韓婉萍女士回顧2021年上半年監管局的工作概況，並簡介下半年的工作重點。

由於去年多場資格考試受疫情影響而取消，監管局今年上半年致力加開更多場的資格考試，以致考生人數較去年同期大幅增加2.5倍。另外，截至2021年6月30日，個人牌照數目為40,987個，較去年同日增加3%。

**T**he Estate Agents Authority (“EAA”) held an online press conference on 28 July 2021 at which its Chairman, Ms Elaine Liu, JP and Chief Executive Officer, Ms Ruby Hon, reviewed the EAA’s work in the first half of 2021 and introduced its initiatives for the second half.

Since a number of qualifying examinations were cancelled last year due to the pandemic, the EAA stepped up its efforts in the first half of 2021 and held more qualifying examinations. This led to a sharp increase in the number of candidates by more than 2.5 times compared to the same period of last year. On the other hand, the number of individual licences as of 30 June 2021 was 40,987, which is an increase of 3% when compared to the same date of last year.



監管局主席廖玉玲太平紳士（左）及行政總裁韓婉萍女士（右）於新聞發布會上回顧局方在2021年上半年的工作，並簡介下半年的工作重點。

*EAA Chairman Ms Elaine Liu, JP (left) and Chief Executive Officer Ms Ruby Hon (right) review the EAA’s work in the first half of 2021 and introduce its initiatives for the second half in the press conference.*



監管局於2021年上半年共開立192宗投訴個案，較去年同期增加30%。最常見的投訴類別為「發出違規廣告」，由去年同期的41宗增至69宗，當中有60宗涉及網上物業廣告。

其他常見的投訴類別包括：「不妥善地處理臨時買賣合約（或臨時租約）」、「提供不準確或具誤導性的物業資料」及「就租金回報作出錯誤或具誤導性的陳述」。另外，有關香港境外物業的投訴則有16宗，比去年同期的27宗有所減少。

因應業界的新執業模式，監管局進一步加強網上巡查，包括抽查網上物業廣告564次及網上物業平台306次，按年分別增加40%及35%。

踏入2021年下半年，監管局將密切留意政府的最新政策，例如就有關劏房租務管制可能涉及地產代理需遵循的新要求而作出相關準備工作。

此外，監管局將繼續加強抽查物業廣告（尤其是網上廣告），並進行相關教育工作。

In the first half of 2021, the EAA opened 192 complaint cases, an increase of 30% when compared to the same period of last year. The most common category of complaints was “issuing non-compliant advertisements”, which recorded a year-on-year increase from 41 cases to 69 cases, of which 60 cases were about online property advertisements.

Other common categories of complaints included “mishandling the provisional agreement for sale and purchase (or provisional tenancy agreement)”, “providing inaccurate or misleading property information” and “providing false or misleading statements on rental returns”. Meanwhile, the number of complaints about properties situated outside Hong Kong recorded a decrease to 16 cases from 27 cases for the same period of last year.

Due to the new practice model of the trade, the EAA further strengthened its online inspections. The EAA has conducted 564 spot checks on online property advertisements and 306 spot checks on online portals, representing a year-on-year increase of 40% and 35% respectively.

Stepping into the second half of 2021, the EAA will keep abreast of new government policies, such as the tenancy control of subdivided units, and work on the possible new requirements to be complied with by estate agents under the proposed new regulation.

In addition, the EAA will continue to strengthen inspections and increase its educational efforts on the issuance of property advertisements, especially the online ones.



## 有關購買境外物業的新宣傳片 New API about purchasing non-local properties

為教育及提醒公眾在決定購買香港境外物業時要加倍小心，監管局剛於八月尾推出新的宣傳短片及聲帶，於各大免費及收費電視台及電台頻道中播出。同時，局方亦於YouTube頻道及Google和Yahoo的廣告網絡中作出相關宣傳。

該電視宣傳片已上載至監管局的網站、局方的消費者教育網站(<http://smart.eaa.org.hk>)及局方的YouTube頻道([www.youtube.com/estateagentsauthority](http://www.youtube.com/estateagentsauthority))，你亦可透過掃描以下二維碼收看短片。



另外，監管局提醒持牌人，證券及期貨事務監察委員會（「證監會」）最近新推出的「非認可投資計劃警示」，就疑似集體投資計劃的安排向公眾發出警示。

監管局建議持牌人（尤其是有參予銷售香港境外物業的持牌人）查閱證監會所發出的警示：[www.sfc.hk/TC/Suspected-Unauthorised-CIS-Alert-List](http://www.sfc.hk/TC/Suspected-Unauthorised-CIS-Alert-List)

In order to educate and remind the public to be more careful when making decisions on purchasing properties situated outside Hong Kong, the EAA has recently launched a new announcement in the public interest ("API") in late August. The API is now broadcasting on major free and paid TV and radio channels. The API has also been promoted on YouTube and the display advertising networks of Google and Yahoo.

The TV API is also available at the EAA's website, consumer education website (<http://smart.eaa.org.hk>) and YouTube channel ([www.youtube.com/estateagentsauthority](http://www.youtube.com/estateagentsauthority)). You may also scan the QR code below to watch it.



In addition, the EAA would like to bring to the licensees' attention that the Securities and Futures Commission ("SFC") has recently launched a new "Suspected Unauthorised CIS Alert List" to alert the public about suspected collective investment schemes ("CIS"). Licensees, particularly those participating in the sale of properties situated outside Hong Kong, are advised to check the alert list issued by the SFC at [www.sfc.hk/en/Suspected-Unauthorised-CIS-Alert-List](http://www.sfc.hk/en/Suspected-Unauthorised-CIS-Alert-List)





## 監管局辦事處搬遷通知 Relocation of the EAA's office

監管局繼2018年在柴灣購入首個自置辦公室後，今年5月再購入該座大廈的另一層辦公室。今年9月，大部分員工已遷往柴灣的新辦公室，而監管局亦同時在灣仔合和中心26樓設立一個小型辦事處，為公眾及持牌人提供前線服務。

Since the purchase of its first self-owned office in Chai Wan in 2018, the EAA purchased another office in the same building in May 2021. Most of the EAA staff have moved to the new Chai Wan office in this September while a small office in 26/F of Hopewell Centre at Wanchai has been set up to provide frontline services to the public and licensees.

請所有持牌人留意，如欲處理有關牌照事宜，請前往以下地址：

All licensees should go to the following address for licensing matters:

**香港灣仔皇后大道東183號合和中心26樓2601室**

**Room 2601, 26/F, Hopewell Centre, 183 Queen's Road East, Wanchai, Hong Kong**

監管局的熱線電話（2111 2777）及辦公時間（星期一至五上午8時45分至下午5時45分、公眾假期除外）均保持不變。

The EAA hotline will remain the same (2111 2777) and the opening hours of this office is also unchanged: from 8:45am to 5:45pm Monday to Friday (except public holidays).

# 對已參與節能有「理」嘉許計劃的地產代理商舖的提醒

## Reminder for the participating estate agency shops of the "Estate Agents Energy Saving Award Scheme"

屋宇管理委員會於2021年4月推出節能有「理」嘉許計劃（「計劃」），旨在鼓勵地產代理透過節省地產代理商戶用電量回饋地球，已有超過900間地產代理商戶報名參與此計劃。

已登記的地產代理商舖需於2021年6月至10月期間減少用電量，並與2020年的同期月份作出比較。由2021年11月開始，參與商戶可透過計劃網頁提交有關月份的用電量（<http://csr2021.eaa.org.hk>）。此外，局方並提醒參與商戶需收集及保存2020年及2021年有關月份的電費單至2021年11月。



The EAA introduced the "Estate Agents Energy Saving Award Scheme" ("Scheme") in April 2021 which aims to encourage estate agents to contribute to the planet by reducing the electricity usage of estate agency shops. Over 900 estate agency shops have enrolled in the Scheme.

The enrolled estate agency shops will need to reduce their electricity usage from June to October 2021 and compare their monthly electricity usage with the same months in 2020. Starting from November 2021, participating shops can start submitting their monthly electricity consumption on the Scheme's website (<http://csr2021.eaa.org.hk>). Meanwhile, participating shops are reminded to retrieve their electricity bills of the relevant months in 2020 and keep the bills in 2021 before November 2021.

### 節能貼士

-  每晚營業時間過後，關掉櫥窗廣告燈箱的電源
-  調校店內空調室溫並維持於攝氏24至26度
-  關掉所有不需要的用電設備（例如影印機）

### Energy saving tips

-  Switch off the advertising light boxes after business hours every night
-  Set and maintain the shop's air-conditioned room temperature between 24°C and 26°C
-  Switch off any electronic appliance (e.g. copier) that is not in use

# 《技能提升配對資助計劃》課程 “Government Matching Grant Scheme” Skills Upgrading Courses

為協助持牌人不斷提升個人的專業水平，監管局委託了香港大學專業進修學院推出兩個嶄新的培訓課程：「土地查冊學英文」及「以智能電話製作樓盤影片」。這兩個免費的培訓課程均獲得政府「第二輪防疫抗疫基金：技能提升配對資助計劃」的資助，兩個培訓課程約每月重覆推出一至兩次，約一年內共舉辦十二次，直至2022年6月或之前完結，額滿即止。

當中「土地查冊學英文」的首兩班課堂已分別於2021年7月28日及8月25日完成舉行；而「以智能電話製作樓盤影片」的首四班課堂亦分別於7月19及26日、8月10及24日完成舉行，出席者均表示課堂內容實用及能夠迎合市場營商環境的轉變。

由於反應踴躍及名額有限，部份班別已額滿，新班別正在安排中並將會稍後陸續推出，有興趣的持牌人可透過以下網站瀏覽課程及報名詳情：<https://www.eaa.org.hk/zh-hk/CPD-Scheme/Matching-Grant-Scheme-for-Skills-Upgrading-Courses>

In order to sustain and enhance the competencies of professional of the licensees, the EAA has appointed HKUSPACE to launch two brand new CPD training courses, namely, “Learning English through Land Search” and “Video Production for Estate Agency Trade Using Smartphone”. These two free-of-charge CPD courses are organised with the financial subsidies from the “Government Matching Grant Scheme for Skills Upgrading under the second round of the Anti-epidemic Fund”. The two training courses would generally be repeated once or twice a month for 12 times in total within a maximum period of one year until June 2022, or earlier once the quota is met.

Among them, two classes of “Learning English through Land Search” have been completed on 28 July and 25 August 2021 and four classes of “Video Production for Estate Agency Trade Using Smartphone” have also been completed on 19 and 26 July and 10 and 24 August representatively. Attendees commented that the content of these courses were practical and could cater for the changes in the business environment of the market.

Due to the overwhelming response and the quota set for each class, some upcoming classes have already been full and new classes are being scheduled and will be launched soon. Interested licensees can refer to the following website for the courses and registrations details: <https://www.eaa.org.hk/en-us/CPD-Scheme/Matching-Grant-Scheme-for-Skills-Upgrading-Courses>



# 「地產代理商舖專業進修嘉許獎章」計劃 CPD Mark for Estate Agencies Award Scheme



《專業天地》會專訪一些獲得「地產代理商舖專業進修嘉許獎章」（「商舖嘉許獎章」）的地產代理公司，分享他們推動員工持續進修的經驗。今期我們訪問了萬怡置業，該公司自2008年專業進修嘉許計劃推出以來一直積極參與計劃，並總共10年獲頒發「專業進修嘉許獎章」。

1. 你認為參加「商舖嘉許獎章」對貴公司及員工有什麼幫助或得著？可否分享具體例子？

「商舖嘉許獎章」標誌可以張貼於獲得標誌的營業地點，更可在店舖的單張及代理名片上印上標誌，使公眾清晰知道我們有積極參與持續進修。即使公司規模不大，客戶仍然可以透過此獎章標誌提升對我們專業服務的了解及信心，使代理更容易得到客戶信任及認同。

2. 地產代理工作繁重，貴公司如何鼓勵員工參加持續專業進修活動？

我們會安排員工留意監管局及各培訓機構不時推出的持續專業進修活動，並會向員工發布最新資訊，亦會提供協助，例如安排假期及報名等。員工透過持續進修，從而溫故知新，熟知工作所需知識，使他們工作更為順利，減少不必要的解難工作，客戶滿意度高，更有助提升同事的生意額及成功感，因此，我們的員工普遍也會積極參與進修。

In *Horizons*, we will interview a number of the estate agencies who have been awarded the CPD Mark for Estate Agencies Award ("CPD Mark") to share their experiences in facilitating their staff's continuous learning. In this issue, we interviewed Million Yield Properties Limited which has actively participated in the CPD scheme since the scheme launched in 2008 and has received the CPD Mark for ten years.

1. Could you share what benefits the "CPD Mark" has brought to your company and staff with some examples?

With the decal of the CPD Mark being displayed at the shop, on leaflets and on the business cards of our agents, customers are informed that we are proactive in continuous learning. Through the CPD Mark we gain the clients' understanding and confidence in our professional service, helping us to gain clients' recognition despite being a small-scale agency.

2. With the heavy workload of estate agents, how does your company encourage your staff to participate in CPD activities?

We encourage our staff to keep up to date with the CPD activities organised by the EAA and other providers and share the latest information with our staff. We also assist them to enroll on the courses and offer the needed time-off. Continuous learning enables estate agents to refresh their knowledge and skills, work more efficiently and reduce any unnecessary problem-solving work. With higher satisfaction from customers, business would be facilitated, and our staff would have a greater sense of achievement. Hence, they are all eager to take further studies.



## 紀律研訊個案 Disciplinary hearing case

### 作出可獲取的按揭貸款額保證

### Giving an assurance on the amount of mortgage loan that could be obtained

#### 引言

持牌人不得向客戶作出其可成功取得某按揭貸款額或有關按揭條款的保證，他們應建議準買家直接向銀行及財務機構查詢。否則，他們有可能被監管局紀律處分。

#### Introduction

Licenses must not give any assurances to clients that a certain amount of mortgage loan or terms could be successfully obtained. They should advise prospective purchasers to make enquiries directly with the banks or finance institutions concerned. Otherwise, they may be disciplined by the EAA.

#### 事件經過

一名營業員安排一名準買家視察一個一手住宅物業，該準買家表示，該物業售價太高而無法負擔。該營業員遂向她聲稱，倘若她經指定按揭轉介服務公司申請按揭，便可承造相等於樓價八成的按揭貸款。基於該營業員的陳述，準買家便決定購買該物業。

在訂立臨時買賣協議（「臨約」）後，準買家聯絡該按揭轉介服務公司申請按揭；然而，該公司職員卻告訴她，除非她可提供另一物業申請

#### Incident

A salesperson arranged for a prospective purchaser to inspect a first-hand residential property. The prospective purchaser said the price was too high to afford. The salesperson then told her that she could obtain a mortgage loan of 80% of the property price through a designated mortgage services company. Relying on this statement by the salesperson, the prospective purchaser decided to purchase the property.

After entering into the Provisional Agreement for Sale and Purchase ("PASP"), the purchaser contacted the mortgage services company to apply for a mortgage loan. However, the company informed her that

轉按，否則只能承造相等於樓價五成的按揭貸款。準買家因未能獲得所需的按揭貸款，遂取消交易並向監管局作出投訴。

she could only obtain a loan of 50% of the property price unless she could provide another property for refinancing. Being unable to get the mortgage loan, she cancelled the transaction and lodged a complaint with the EAA.

## 研訊結果

監管局紀律委員會認為，該營業員在安排買家訂立臨約前，不應作出任何保證買家能成功獲批按揭貸款以購買該物業的陳述。

因此，他沒有遵守執業通告（編號13-04（CR））的指引，因而違反《操守守則》第3.2.1段，即「地產代理和營業員應熟悉並必須在執業時遵守《地產代理條例》、其附屬法例、操守守則，以及由監管局不時發布的所有其他指引」。

考慮到個案的性質及該營業員的違規紀錄，紀律委員會決定向他作出譴責及罰款7,000元。

## Result

The EAA Disciplinary Committee was of the view that before arranging for the purchaser to sign the PASP, the salesperson should not have made any statement to assure the purchaser that she could successfully obtain a mortgage loan to finance her purchase.

Hence, he failed to comply with the guidelines set out in Practice Circular No. 13-04(CR) and thus was in breach of paragraph 3.2.1 of the *Code of Ethics* which stipulates: "Estate agents and salespersons should be fully conversant with the *Estate Agents Ordinance*, its subsidiary legislation, this *Code of Ethics*, and other guidelines issued by the EAA from time to time and shall observe and comply with them in the course of their practice."

Having considered the nature and gravity of the case, and the disciplinary record of the salesperson, the Committee decided to reprimand him, and imposed on him a fine of \$7,000.



施明如女士  
香港地產代理商總會主席  
**Ms Karen Sze**  
Chairman of Hong Kong Real Estate  
Agencies General Association

## 業界意見 Comment from trade

專業地產代理應對客戶負責，為他們提供準確的物業資料。倘若買家需申請按揭貸款，代理應建議客戶先行諮詢銀行才作購買決定。個案中的買家，因從業員提供的錯誤資訊導致金錢損失；其實，不同按揭計劃的審批條件各異，因此，地產代理應提醒客戶尋求專業意見。

Professional estate agents should be accountable to their clients and provide them with accurate property information. If a purchaser needs to apply for a mortgage loan, estate agents should advise him/her to make inquiries from the bank before making a purchase decision. In this case, the purchaser lost her deposit due to the false information provided by the practitioner. In fact, as different mortgage plans may have different approval requirements, estate agents should remind their clients to seek professional advice.

### 紀律研訊個案 Disciplinary hearing case

## 發布誤導的廣告

## Issuance of misleading advertisements

### 引言

在發布物業廣告時，地產代理公司不得發出任何載有在要項上屬虛假或具誤導陳述或詳情的廣告，否則有可能被監管局紀律處分。

### Introduction

When issuing property advertisements, estate agency companies must not include any statements or material particulars that are false or misleading. Otherwise, they may be subject to disciplinary action by the EAA.

### 事件經過

在店舖巡查期間，監管局要求某地產代理公司就其張貼於櫥窗的一則住宅物業廣告提供訂明文件。根據該公司與業主訂立的地產代理協議（「表格5」），業主只委託該公司放租其物業。然而，該廣告上卻列出「899萬」的字眼，有可能令消費者被誤導以為該物業是出售。

### Incident

During a compliance inspection, an estate agency company was requested by the EAA to provide the prescribed information of a residential property being advertised in its shop window. The signed Estate Agency Agreement (Form 5) revealed that the landlord of the property had appointed the company for leasing only. However, the advertisement included wording such as "\$8.99 million", which might mislead consumers to think that the property was for sale.

### 研訊結果

監管局紀律委員會認為，該地產代理公司發出版載有在要項上屬虛假或具誤導陳述或詳情的廣告，違反了《地產代理常規（一般責任及香港住宅物業）規例》第9(1)條。

考慮到個案的性質及該地產代理公司的違規紀錄，紀律委員會決定譴責該地產代理公司及向其罰款38,000元。

### Result

The EAA Disciplinary Committee was of the view that the estate agency company issued an advertisement which included statements or material particulars that were false or misleading. Hence, the company was in breach of section 9(1) of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation.

Having considered the nature and gravity of the case and the disciplinary record of the estate agency company, the Committee decided to reprimand the estate agency company and impose a fine of \$38,000.



何潔芝女士  
地產代理人協會主席

**Ms Rosanna Ho**  
Chairman of Property Agents Association

### 業界意見 Comment from trade

專業地產代理應聽從客戶的指示行事，妥善填寫地產代理協議，並在發放廣告前核實所有相關資料。此外，地產代理應做足「開門七件事」，妥備物業資料以供客戶及監管局巡查，切記不可作出任何虛假及誤導陳述。

Professional estate agents should act according to clients' instructions and fill in the estate agency agreements properly. They should also verify the accuracy of all relevant information before issuing property advertisements. In addition, estate agents should thoroughly prepare the key property information for their clients and for any EAA inspection, and never make any false or misleading representations.

## 反洗錢

為加深持牌人對反洗錢及反恐怖分子資金籌集（「反洗錢」）議題的認知，我們會在《專業天地》這個「反洗錢專區」為大家提供有關反洗錢的不同資訊及最新消息。

To enhance licensees' knowledge on the subject of anti-money laundering ("AML") and counter-terrorist financing ("CTF"), we will provide various information and updates about AML in the "AML Corner".



## 閱覽監管局網站的反洗錢資訊專區

### Visit Anti-Money Laundering ("AML") corner of the EAA website

為認識有關《打擊洗錢及恐怖分子資金籌集條例》（615章）的規定及接收最新的相關資訊，監管局強烈建議持牌人，應不時閱覽監管局網站內的反洗錢資訊專區。

該反洗錢資訊專區提供有關反洗錢實用資訊及最新消息，包括相關的執業通告、保安局發出的最新通知及有關反洗錢的持續專業進修計劃講座等。另外，反洗錢資訊專區亦提供其他有用資訊，例如電子宣傳單張及海報，方便持牌人更易於向客戶解釋有關反洗錢的規定，尤其是在安排客戶簽訂買賣協議前，地產代理必須核實客戶身分及取得其身分證明文件作備存記錄。

要了解更多關於反洗錢資訊專區的資料，請參閱：[www.eaa.org.hk/zh-hk/Licensees/Anti-Money-Laundering-AML-Corner](http://www.eaa.org.hk/zh-hk/Licensees/Anti-Money-Laundering-AML-Corner)或掃描以下二維碼。



To understand the requirements and receive the latest updates related to the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Cap. 615), licensees are strongly advised to visit the Anti-Money Laundering ("AML") corner in the EAA website from time to time.

The AML corner provides useful information and the latest news related to AML, such as relevant practice circulars, updates from the Security Bureau and the schedule of AML-related CPD seminars, etc. In addition, the AML corner also provides resources, such as e-leaflets and posters, which help licensees to explain the AML requirements to their customers, particularly that estate agents must verify their client's identity and obtain a copy of their client's identity document for record-keeping before arranging for a client to enter into an agreement for sale and purchase.

To learn more about the AML corner, you may visit [www.eaa.org.hk/en-us/Licensees/Anti-Money-Laundering-AML-Corner](http://www.eaa.org.hk/en-us/Licensees/Anti-Money-Laundering-AML-Corner) or scan the QR code below.



在《專業天地》內，我們會解答持牌人的一些常見提問。

In *Horizons*, we will answer questions commonly asked by licensees.

**問** 假如某客戶經某地產代理視察某一住宅單位，並就此簽署地產代理協議（俗稱「睇樓紙」），但最後該客戶直接向該單位的業主購入物業，該地產代理有權向該客戶追討佣金嗎？

**答** 適用於購買香港住宅物業的「地產代理協議」（表格4）（或俗稱「睇樓紙」）內的附表3的第5項訂明，「如買方或買方的配偶、任何代名人、未經披露身分的主事人或代理人在有效期內（不論是否透過代理），與任何一項或多於一項物業的賣方訂立具約束力的買賣協議，則買方須就代理就有關物業而提供的服務向代理支付佣金。」

換言之，即使該客戶直接向該單位的業主購入物業，只要有關交易是在地產代理協議的有效期內進行，該客戶亦有法律上的責任，向其所委託的地產代理繳付佣金。

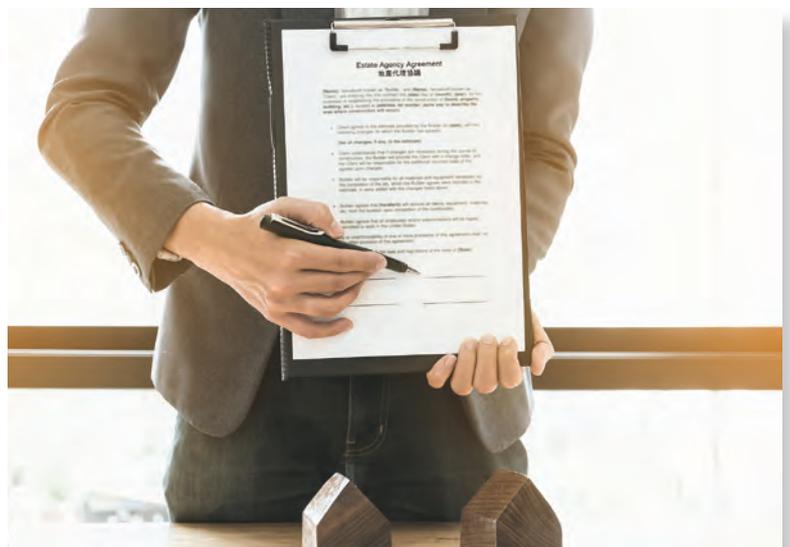
倘若持牌人不幸地需向客戶追討佣金，他們必須謹記要以專業的方式行事及不得使用辱罵言語或作出滋擾行為，否則有可能違反《操守守則》第3.7.2段，即「地產代理和營業員應避免做出可能令地產代理行業信譽及/或名聲受損的行為」。

**Q** If an estate agent arranges for a client to view a residential property and enters into an estate agency agreement with him, but then the client purchases the property from the vendor direct, does the estate agent have the right to claim commission from the client?

**A** It is stipulated in item 5 of Schedule 3 of the Estate Agency Agreement for Purchase of Residential Properties in Hong Kong (Form 4) that "the Purchaser is also liable to pay to the Agent as commission for services rendered with regard to the property concerned if the Purchaser or the spouse, or any nominee, undisclosed principal or agent of the Purchaser enters into a binding agreement for sale and purchase with the vendor of any one or more of the Properties during the Validity Period, whether through the Agent or otherwise."

In other words, even if the client purchases the property direct from the vendor, as long as the purchase is made during the validity period of the estate agency agreement, the client is legally obliged to pay commission to his appointed estate agent.

If licensees unfortunately need to chase their clients for commission, they must remember to act in a professional manner and not use any abusive language or carry out any nuisance act. Otherwise, they may be in breach of paragraph 3.7.2 of the *Code of Ethics*: "estate agents and salespersons should avoid any practice which may bring discredit and/or disrepute to the estate agency trade".



## 監管局即將推出的持續專業進修計劃活動 Upcoming CPD activities offered by EAA

日期 Date	課程名稱 Course title	語言 Language	類別 Category	活動模式 Activity mode
19/10/2021	「橋」王教你做代理 (由前地產代理監管局主席 梁永祥教授 SBS 太平紳士主講)  	粵語	全面提升發展	講座
26/10/2021	違規的可能後果	粵語	合規及有效管理	網絡研討會
08/11/2021	Corruption Prevention Measures for Estate Agency Industry (Management)	English	Compliance and Effective Management	Webinar
21/12/2021	其他與地產代理工作相關的法律及實務	粵語	合規及有效管理	網絡研討會

詳情及報名 : [www.eaa.org.hk/zh-hk/cpd-events](http://www.eaa.org.hk/zh-hk/cpd-events)  
Details and registration: [www.eaa.org.hk/en-us/cpd-events](http://www.eaa.org.hk/en-us/cpd-events)

## 其他活動 Other activities

香港個人資料私隱專員公署主辦活動  
條例簡介講座 (\*以視像形式進行)

日期	時間	語言	課程費用
19/10/2021	15:00-16:30	粵語	免費
09/11/2021			
16/12/2021			

查詢電郵 : [training@pcpd.org.hk](mailto:training@pcpd.org.hk)  
查詢電話 : 2877 7130



## 照片回顧 PHOTOS RECOLLECTION



監管局行政總裁韓婉萍女士（中）接受新城電台節目訪問，回顧局方在2021年上半年的工作。

Ms Ruby Hon (middle), the EAA's Chief Executive Officer, attends an interview with Metro Radio to give a review on the EAA's work in the first half of 2021.



監管局以視像會議形式與業界主要代表舉行定期聯絡會議，會上談及多項議題，包括有關增加考試費用、外展教育工作及即將舉行的持續專業進修活動等。

The EAA holds a regular liaison meeting with major trade representatives by video conferencing. Various topics including the increase of examination fee, educational outreach programme and upcoming CPD activities are discussed in the meeting.



監管局於美孚舉行與前線持牌人交流的聚焦小組會議。席間，監管局代表與出席的持牌人討論到網上牌照申請服務、常見違規個案及外展教育工作等事項，而持牌人則分享其日常執業所遇到的問題。

The EAA holds a focus group meeting with frontline licensees in Mei Foo District. During the meeting, EAA representatives discuss with the participating licensees about the e-application of licence, common non-compliances and the educational outreach programme while licensees also share the problems they encountered in their daily practice.



## 10/2005

監管局推出鼓勵措施，包括頒發嘉許證書予每名達標的從業員，從而向業界推廣持續專業進修計劃。

The EAA promotes the Continuing Professional Development (“CPD”) programme to the trade by implementing new incentive initiatives, such as awarding certificate to practitioners who have attained the targeted CPD points.



## 08/2008

監管局與廣州市房地產中介服務管理所簽署協議，讓香港地產代理可在通過特定課程和考試後，獲得在廣州執業的資格。

The EAA and the Guangzhou Real Estate Agent Service Administration Centre enter into an agreement under which Hong Kong estate agents can be qualified to practise in Guangzhou after attending a specific course and passing an examination.

## 09/2016

監管局舉辦題為「住宅物業開門七件事」公開講座。

The EAA organises a public seminar titled “Key Information of Residential Properties”.



## 考試 Examinations

營業員資格考試 (電腦應考模式) Salespersons Qualifying Examination (Computer-based)	
參加人數 No. of candidates	合格率 Pass rate
考試日期 Examination date 7/2021	
96	30.2%
考試日期 Examination date 8/2021	
78	55.1%

營業員資格考試 (筆試應考模式) Salespersons Qualifying Examination (Paper-based)	
參加人數 No. of candidates	合格率 Pass rate
考試日期 Examination date 8/2021	
1,329	43.0%

## 牌照數目 (截至2021年8月31日) Number of licences (As at 31/8/2021)



## 營業詳情說明書 (截至2021年8月31日) Number of statements of particulars of business (As at 31/8/2021)



## 開立的投訴 (2021年1月至8月) Number of complaint cases opened (January to August 2021)



## 已處理的投訴個案結果\* (2021年1月至8月) Results of completed complaint cases\* (January to August 2021)

其他(例如投訴人撤回投訴或  
因其他原因而終止調查)  
Others (include cases  
withdrawn or closed  
because of other reasons)

資料不足  
Insufficient  
information to  
pursue

指稱不成立  
Unsubstantiated



\* 部分是往年接獲的個案  
Some cases were carried over from previous years

巡查次數 (2021年1月至8月)

Number of compliance inspections

(January to August 2021)



巡查發現主動調查的個案 (2021年1月至8月)

Number of cases arising from self-initiated investigations during inspections

(January to August 2021)

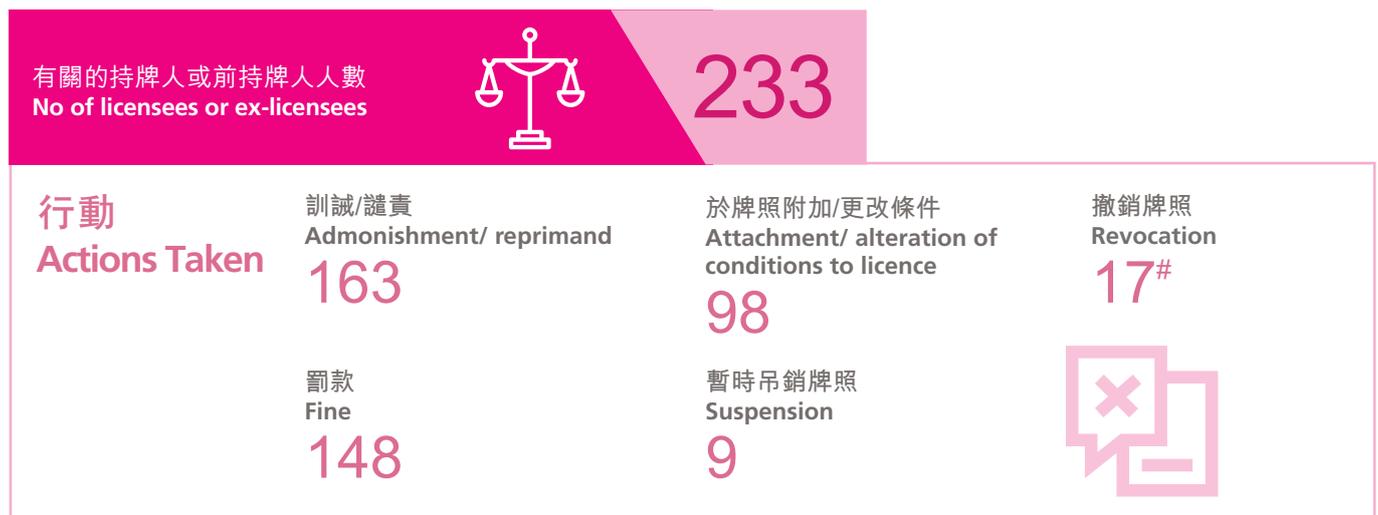


\* 部分是往年展開調查的個案  
Some cases were carried over from previous years



向持牌人或前持牌人採取的行動\* (2021年1月至8月)

Actions taken against licensees or ex-licensees\* (January to August 2021)



\* 以上行動是根據《地產代理條例》所賦予的權力而採取的。當中部分行動屬紀律性質，其他則是由牌照委員會裁定的，包括在批出牌照時在牌照上附加條件。部分是往年接獲的個案。

\* These actions were taken pursuant to powers under the Estate Agents Ordinance. Some actions were disciplinary in nature whereas others were decided by the Licensing Committee which actions included the attachment of conditions to licences upon issuance. Some cases were carried over from previous years.

# 這些個案由牌照委員會裁定。理由是持牌人不再符合相關發牌條件。

# These cases were decided by the Licensing Committee on the ground that the licensees concerned no longer met the relevant licensing requirements.



**EAA** 地產代理監管局  
ESTATE AGENTS AUTHORITY

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