

監管局回顧2023年工作 及簡介2024年工作重點

The EAA reviews its work in 2023 and introduces its initiatives for 2024



監管局主席蕭澤宇先生BBS,JP（右）及行政總裁韓婉萍女士（左）主持新聞發布會。

The EAA Chairman Mr Simon Siu Chak-yu, BBS, JP (Right) and the CEO Ms Ruby Hon (Left) review the EAA's work in 2023 and introduce its initiatives for 2024 at the press conference.

監管局於2024年1月31日舉行新聞發布會，由主席蕭澤宇先生BBS, JP及行政總裁韓婉萍女士回顧監管局在2023年的工作，並簡介2024年的工作重點。

蕭主席指出，在物業交投淡靜之下，2023年合共只有6,732人次應考資格考試，比2022年減少26%。截至2023年12月31日，個人牌照總數為39,575人，比2022年同日減少3.7%，公司牌照則增加1.4%，但地產代理商舖數字則減少1.5%。

監管局在2023年共開立196宗投訴個案，比2022年減少28%，當中涉及一手住宅物業的投訴只有24宗，比2022年減少20%。在最常見的投訴性質當中，「發出違規廣告」一類佔最多，但宗數比2022年減少6%。有關境外物業的投訴方面，2023年監管局共開立14宗有關香港境外物業的投訴個案，比2022年的62宗大幅減少77%。

另外，2023年監管局亦有進行各樣巡查，共巡查一手樓盤銷售點826次、地產代理商舖

The EAA held a press conference on 31 January 2024 at which its Chairman, Mr Simon Siu Chak-yu, BBS, JP, and Chief Executive Officer, Ms Ruby Hon, reviewed the EAA's work in 2023 and introduced its initiatives for 2024.

Mr Siu pointed out that under the quiet property market conditions, the number of candidates attending qualifying examinations dropped to 6,732 in 2023, representing a decrease of 26% compared to 2022. As at 31 December 2023, there were 39,575 individual licensees, a decrease of 3.7% compared to the same day of 2022, while the number of estate agency companies increased by 1.4% but the number of estate agency shops decreased by 1.5%.

In 2023, 196 complaint cases were opened, 28% less than the previous year, of which only 24 cases were related to first-hand residential properties, a decrease of 20% compared to 2022. The most common category of complaints was about "issuance of non-compliant advertisements", which also recorded a 6% decrease compared to 2022. Regarding complaints on non-local properties, 14 cases were opened in 2023, a significant decrease of 77% compared to the 62 cases in 2022.

On the other hand, the EAA also conducted numerous inspection checks in 2023, including 826 checks at the sale-sites of first-hand residential properties, 849 visits to estate agency shops, 1,239 spot checks on matters

849次、就有關反洗錢/打擊恐怖分子資金籌集的指引進行1,239次抽查，並抽查網上物業廣告1,331次。

在2024年，監管局會繼續因應法例及其他市場情況在有需要的情況下更新或發出對業界的執業指引。有關代理佣金相關事宜，監管局正在籌備針對業界有效及良好的競爭行為的相關指引。

為了進一步提升行業專業水平及推動終身學習，監管局將於2025年首季，推出第一階段的強制性持續專業進修計劃。監管局亦會繼續舉辦一系列的企業社會責任活動及就各項主題作消費者教育。

relating to Anti-Money Laundering and Counter Terrorist Financing requirements and 1,331 spot checks on online property advertisements.

In 2024, the EAA will continue to update or issue guidelines to the estate agency trade on matters arising from any changes in law or market situation. Regarding the commission rate issue, the EAA is preparing relevant guidelines on effective and good competition behaviour for the trade.

To further enhance the professionalism of the estate agency trade and promote lifelong learning, the EAA will launch the first phase of the Mandatory Continuing Professional Development Scheme in the first quarter of 2025. The EAA will also continue to hold a series of corporate social responsibility activities and consumer education on various topics.

有關銷售香港境外的未建成物業的執業通告的「問與答」及「供持牌人參考的摘要清單」

New “Q&A” and “Summary Checklist for Licensees’ Reference” on the Practice Circular about the Sale of Uncompleted Properties Situated Outside Hong Kong

就監管局於2023年12月發出的有關銷售香港境外未建成物業的新執業通告（編號23-02(CR)），監管局已於2024年2月16日上載一套相關的「問與答」及「供持牌人參考的摘要清單」。

持牌人應留意，新執業通告將於2024年7月1日起生效，並取代2017年發出的相關舊通告（編號17-03(CR)）。

持牌人應仔細閱讀新執業通告及上述文件的內容，並對相關工作作出調整，以確保符合新執業通告的要求。

有關「問與答」及「供持牌人參考的摘要清單」的內容，可瀏覽監管局網頁（規管 > 執業通告）。

Regarding the new Practice Circular (No. 23-02 (CR)) on the sale of uncompleted properties situated outside Hong Kong (“UPOH”) issued by the EAA in December 2023, the EAA has uploaded a set of relevant “Q&A” and “Summary Checklist for Licensees’ Reference” at its website on 16 February 2024.

Licensees should note that the new Circular will supersede the relevant old Circular (No. 17-03 (CR)) issued in 2017 when it takes effect on 1 July 2024.

Licensees should read the contents of the new Circular and the aforementioned documents in detail and make adjustments to relevant work as soon as possible to ensure compliance with the requirements in the Circular.

Please read the relevant “Q&A” and “Summary Checklist for Licensees’ Reference” at the EAA’s website (Compliance > Practice circulars).

第一階段的強制性持續專業進修計劃

Phase I of the Mandatory CPD Scheme

監管局將於2025年首季，推出「第一階段的強制性持續專業進修計劃」。計劃目的是透過從新持牌人開始，逐步實施持續學習要求，以提升行業的專業水平、形象及聲譽。

計劃對象為於實施日期後參加並通過資格考試而獲取相關牌照的人士。該人士需要符合強制性持續專業進修的要求方可於其牌照有效期屆滿前申請續領牌照。

由實施日期開始，參加並通過有關資格考試而獲得相關營業員牌照/地產代理（個人）牌照的人士，其牌照上將會附加相關強制性持續專業進修要求的條款。該些新持牌人須在其牌照有效期期間取得監管局指定的持續專業進修學分。

現有持牌人並不會被要求強制性持續專業進修。但持有營業員牌照的持牌人，於實施日期後若參加並通過地產代理牌照資格考試而獲取地產代理（個人）牌照，該人士則需要符合強制性持續專業進修的要求方可於其地產代理（個人）牌照有效期屆滿前申請續領該牌照或重新申請營業員牌照。

一般來說，持牌人每參與一小時的持續專業進修活動，便會獲發一個學分。計劃初期，有關持牌人每年必須取得4個持續專業進修學分。他們需要在申請牌照續期前獲取所需的持續專業進修學分才能續領牌照。

有關計劃的詳情請瀏覽監管局網頁：www.eaa.org.hk/zh-hk/CPD-Scheme/Mandatory-CPD-Scheme

The EAA is going to launch Phase I of the Mandatory Continuing Professional Development (“CPD”) Scheme in the first quarter of 2025. The objective of the scheme is to enhance the trade’s professional standard, image and reputation by progressively imposing a continuous learning requirement, beginning with new licensees.

The targets are individuals who pass the qualifying examinations of the EAA and obtain relevant licences after the implementation date of the scheme. Those individuals must fulfil the Mandatory CPD condition before they are eligible to apply for licence renewal prior to the expiration of their licences.

From the implementation date onwards, individuals who take and pass the relevant qualifying examinations, and then obtain the respective salesperson’s licences / estate agent’s licences (individual) will have a relevant Mandatory CPD condition attached to their licences. These new licensees are required to obtain the specified number of CPD points designated by the EAA within the validity period of their licences.

The Mandatory CPD condition will not be imposed on existing licensees. However, if a licensed salesperson takes and passes the Estate Agents Qualifying Examination and obtains an estate agent’s licence (individual) after the implementation date, he/she will be required to fulfil the Mandatory CPD condition before being eligible to apply for licence renewal prior to the expiration of his/her estate agent’s licence (individual) or re-apply for a salesperson’s licence.

Generally, one point will be awarded for every hour of CPD activities taken. Initially, four CPD points per annum are required. Those licensees need to accumulate sufficient CPD points prior to their application for licence renewal.

The implementation date of the scheme, as well as the guidelines and details, will be announced and issued in due course. For details of the scheme, please visit the EAA website (www.eaa.org.hk/en-us/CPD-Scheme/Mandatory-CPD-Scheme).



監管局到訪深圳市房地產中介協會

EAA visited Shenzhen Real Estate Intermediary Association

監管局一行11人的交流團由主席蕭澤宇先生BBS，JP及行政總裁韓婉萍女士率領，於1月到訪深圳，與內地相關機構領導層會面，以了解深圳房地產中介服務行業的最新發展及規管情況。

監管局交流團代表探訪深圳市房地產中介協會（「深房中協」），就兩地地產代理行業的發展及監管工作交流資訊及經驗。會上，深房中協與監管局代表分享深圳地產代理行業的自律管理舉措、星級評價體系及房地產中介行業信用資訊等。

蕭主席總結指，這次探訪提升了監管局對深圳房地產中介服務行業最新發展的了解，同時亦讓內地相關機構更了解香港地產代理行業的規管制度及行業現況。

蕭主席同時表示，此行獲益良多，有助推動香港與大灣區的地產代理行業的長遠合作及發展。

A delegation of 11 representatives of the EAA, led by the EAA's Chairman Mr Simon Siu Chak-yu, BBS, JP and the CEO Ms Ruby Hon, visited Shenzhen in January to meet the leaders of the relevant Mainland institution to understand the latest developments and regulatory regime of the real estate agency industry in Shenzhen.

The EAA representatives visited the Shenzhen Real Estate Intermediary Association ("SREIA") for an exchange of information and experiences in the practices and regulatory efforts on the estate agency industry. During the meeting, the SREIA shared with the EAA delegates their self-regulatory regime, agency rating system and credit information on the agency industry, etc.

Mr Siu concluded that the visit enhanced the EAA's understanding of the latest developments of the estate agency industry in Shenzhen and also provided an opportunity for the Mainland counterparts to gain a deeper understanding of the regulatory regime and industry practice of Hong Kong.

He also pointed out that the visit was fruitful and helped facilitating the long-term cooperation and development of the estate agency industry between Hong Kong and the Greater Bay Area.



監管局交流團於2024年1月到訪深圳市房地產中介協會。

The EAA delegation visits Shenzhen Real Estate Intermediary Association in January 2024.

出售違反居住規定的資助出售房屋單位 Sale of Subsidised Sale Flats which have breached the live-in requirements

監管局留意到有傳媒報道有地產代理懷疑牽涉協助業主放售一些業主未曾入住的資助出售房屋單位（「資助單位」），由於有關業主可能違反資助單位的居住規定（「居住規定」），故監管局已於2024年1月26日發出一封致持牌人函件，提醒各持牌人切勿參與銷售違反居住規定的資助單位。

持牌人亦應留意，「清水樓」一詞可被理解為從未居住過的單位，亦可被理解為未經改動的單位。監管局提醒持牌人，在推銷資助單位時必須準確地描述該單位而不應胡亂使用「清水樓」一詞或其他類似術語。

如持牌人錯誤使用相關術語形容有關資助單位，而其聲稱與事實不符，這可構成失實陳述及違反監管局發出的《操守守則》。

持牌人應閱讀上述已載於監管局網頁的相關致持牌人函件（持牌人專區 > 致持牌人函件 > 26-01-2024）。

The EAA noted from media reports that some estate agents may allegedly be involved in the sale of subsidised sale flats ("SSFs") for owners and such flats have never been occupied. As the relevant owners may be in breach of the live-in requirements, the EAA issued a Letter to Licensees on 26 January 2024 to remind all licensees not to participate in such sales if the relevant SSFs have breached the live-in requirements.

Licensees should also note that the term "unmodified flats" may be regarded as units which have never been occupied as well as units which have never been modified. Licensees are reminded that they must accurately describe the SSFs and refrain from using the term "unmodified flats" or similar terms recklessly in the promotion of the sale of SSFs.

If licensees incorrectly use the related term(s) to describe the relevant SSFs where they are untrue, it may amount to misrepresentation and contravention of the *Code of Ethics* issued by the EAA.

Licensees should read the aforementioned Letter to Licensees at the EAA's website for details (Licensees Corner > Letter to Licensees > 26-01-2024).

監管局獲得「健康企業嘉許計劃2023」 健康企業金獎 EAA received Gold Award in the "Healthy Corporate Award 2023"



健康企業 2023
HEALTHY CORPORATE
GOLD AWARD
ORGANIZED BY METHODIST CENTRE

監管局在循道衛理中心主辦的「健康企業嘉許計劃2023」中，榮獲健康企業金獎。

監管局一直積極關注員工的健康，並致力於提供愉快健康的工作環境，因而獲得此殊榮。過去，監管局亦有參與政府發起的《精神健康職場約章》，並獲嘉許為「精神健康友善機構」。在未來日子中，監管局將繼續致力優化員工的工作環境。

The EAA has been awarded the Gold Award in the Healthy Corporate Award 2023 organised by the Methodist Centre.

The EAA earned the recognition by providing proactive care towards its staff's health and its dedication in providing a joyful and healthy workplace. In the past, the EAA also participated in the Mental Health Workplace Charter initiated by the Government and was commended as one of the Mental Health Friendly Organisations. In the future, the EAA will continue to enhance the working environment for its staff.