

## 專業地處理 分間單位的租賃

Be professional in handling  
tenancies of subdivided units



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## 專業地處理分間單位的租賃

### Be professional in handling tenancies of subdivided units

地產管理局在今期《專業天地》會重溫執業通告(22-01(CR))中有關處理受《業主與租客(綜合)條例》(《條例》)第IVA部租務管制制度規管的分間單位租賃時需要注意的一些重點，並提醒持牌人必須時刻保持專業，及切勿參與任何可能違法或違反土地契約的分間單位租賃。

In this issue of *Horizons*, the EAA will revisit certain key points-to-note in Practice Circular 22-01 (CR) on the handling of subdivided units ("SDUs") tenancies that are subject to the tenancy control regime under Part IVA of the Landlord and Tenant (Consolidation) Ordinance ("LTCO"); and remind licensees to always remain professional and not to participate in any tenancy of SDUs which may contravene the law or relevant land lease.





早前有傳媒報道，有地產代理參與一些位處工業樓宇（「工廈」）或新界豁免管制屋宇（包括丁屋）的分間單位租賃。監管局提醒持牌人，工廈不能作住用用途，而新界豁免管制屋宇（包括丁屋）的土地契約則限制其不可將任何樓層分割為多於一個獨立單位。持牌人應注意，不可向客戶介紹可租住這些違反土地契約的分間單位，除了可能導致客戶蒙受損失，該地產代理亦可能因違反監管局制定的《操守守則》而被紀律處分，最嚴重的處分為撤銷牌照。

#### 工廈不能作住用用途

工廈並非設計作居住用途，而且工廈內的其他單位可能仍然有工業活動進行或用作儲存危險及易燃物品，有發生火警的機會，從安全角度而言絕不適合居住。若業主將工廈單位非法改作住用用途，將違反《建築物條例》（第123章）及對住戶構成嚴重安全風險，屋宇署會採取嚴厲的執法行動。

Recently, there have been media reports that some estate agents have been involved in the leasing of SDUs located in industrial buildings or New Territories Exempted Houses ("NTEHs"), including small houses. The EAA would like to remind licensees that industrial buildings cannot be used for residential purposes, while the land leases of NTEHs, including small houses, contain restrictions that no floor may be divided into more than one individual unit. Licensees should note that they must not introduce to their clients such SDUs for residential purposes, which are in breach of the land lease. In addition to causing possible loss to their clients, the estate agent concerned may also be disciplined by the EAA for breaching the EAA's *Code of Ethics*, of which the most severe sanction is licence revocation.

#### Industrial buildings cannot be used for residential purposes

Industrial buildings are not designed for residential use. Moreover, other units in industrial buildings may still be used for industrial activities or storage of dangerous and inflammable goods, leading to fire safety concerns. From a safety point of view, these units are not suitable for residential purposes. If a property owner illegally converted an industrial building unit for residential purposes, he/she may have contravened the Buildings Ordinance (Cap. 123) in addition to creating a serious safety risk to the inhabitants, and the Buildings Department will take vigorous enforcement actions.



持牌人須留意，在向準租客或準買家介紹工廈單位時，不可向客戶明示或暗示該等單位可供居住，例如表示「有不少人都住在樓上樓下」。當客戶向持牌人查詢工廈單位是否可用作住宅時，持牌人應向客戶提供正確的資料，包括地契所規限物業的用途及相關條款，並向客戶重申，物業的許可用途屬工業用途，絕不能誤導客戶，同時亦應提醒客戶居住於工廈單位將面對非常高的安全風險。

### 有關分間單位租賃的執業通告(22-01(CR))重點

另外，監管局提醒持牌人，在處理分間單位的「規管租賃」時，持牌人須向準租客披露他們在交易中的行事身份。他們須向準租客披露其所屬的地產代理公司是只代表業主行事；只代表租客行事；抑或同時代表業主及租客雙方行事。

持牌人在安排立約方訂立租賃協議前，必須向客戶解釋《條例》第IVA部的主要規定，包括有關租住權保障和租金規管及每項「規管租賃」隱含的強制性條款的規定。持牌人亦須向其客戶提供強制性條款摘要之副本。

另外，持牌人切勿協助業主干犯任何有關《條例》第IVA部下的罪行（例如：向租戶濫收水費及電費），否則持牌人有機會需要承擔法律責任。

Licensees should note that when introducing industrial building units to prospective tenants or purchasers, they must not indicate or imply that these units can be used for residential purposes, such as stating that “a number of people are living upstairs and downstairs”. When a client asks whether the industrial building unit can be used for residential purposes, licensees should provide accurate information to the client, including the use of the property as stipulated in the relevant land lease, and reiterate to the client that the permitted use of the property is industrial use. Licensees must not mislead their client and should remind them that living in an industrial building unit will face high safety risks.

### Highlights from Practice Circular (22-01 (CR)) on the leasing of SDUs

The EAA also reminds licensees that when handling “regulated tenancies” of SDUs, licensees must inform prospective tenants of their capacity in the transaction. They must disclose to the prospective tenants whether their estate agency company acts only for the landlord; only for the tenant; or for both the landlord and the tenant.

Licensees are required to explain the key requirements under Part IVA of the LTCO to their clients, including those relating to the security of tenure and rent regulation, and the mandatory terms to be implied for every “regulated tenancy”, before arranging for them to enter into the tenancy agreement. Licensees are also required to provide a copy of the summary mandatory terms to their clients.

In addition, licensees must not assist landlords in committing any offences under Part IVA of the LTCO (e.g. overcharging the tenant for water and electricity), or else licensees may themselves be held legally liable.



### 簡樸房登記制度料明年3月實施

另一方面，《簡樸房條例草案》已於2025年6月20日刊憲，該條例草案要求住宅樓宇分間單位須符合一系列有關居住環境的最低標準，包括內部樓面面積、樓底淨高度、消防安全、結構安全、照明及通風、廁所、供水點及水電錶等，以及取得「簡樸房」認證，方可合法出租作居住用途。如有人將未獲認證的分間單位出租便要負上刑事責任，而相關租客則不會涉及法律責任。

預期《簡樸房條例草案》將會今年底通過，而相關的登記制度料於明年3月實施。監管局將繼續和政府及地產代理業界保持緊密溝通，有待草案正式立法後，將會優化現行的指引，並會加強教育業界及宣傳，以確保地產代理遵從。

### BHU registration system to be implemented in March next year

Furthermore, the Basic Housing Units (“BHUs”) Bill was already gazetted on 20 June 2025. The Bill requires SDUs in residential buildings to meet a set of minimum standards of living conditions, including internal floor area, headroom, fire safety, structural safety (i.e. loading), lighting and ventilation, toilet, water supply point, as well as water and electricity meters, and to obtain BHUs recognition before they are allowed to be let out for habitation. There would be criminal liability on the person who lets out unrecognised SDUs, while the tenants concerned will not be held liable.

The BHUs Bill is expected to be passed by the end of this year and the relevant registration system will be implemented in March next year. The EAA will continue to maintain close communication with the Government and the estate agency trade. Upon passage of the Bill, the EAA will enhance the existing guidelines and step up education and publicity for the trade to ensure compliance by estate agents.





## 「專家分享： 來港租買房屋避坑指南」網上講座

Webinar on “Expert Guidance: A guide for newcomers to avoid pitfalls when renting or purchasing property in Hong Kong”

監管局一直透過不同渠道教育及提醒公眾有關委託持牌地產代理進行物業交易的重要性。局方於2025年3月29日舉辦了一場名為「專家分享：來港租買房屋避坑指南」的網上公開講座，透過Zoom及微信視頻直播，吸引了近4,000位本地及內地的公眾觀看。

講座由林伽遙女士擔任主持，講者嘉賓包括香港立法會議員江玉歡律師、香港警務處商業罪案調查科反詐騙協調中心黃知雯總督察，以及監管局執行總監陳汝傲先生。講座希望能協助新來港人士及非本地學生了解在香港租樓及置業前需要注意的事項，以降低他們受騙和金錢損失的風險，並提供實用的租買房屋建議及避免房騙的指南。

To keep educating consumers on the importance of engaging licensed estate agents for property transactions through various channels, the EAA organised a webinar titled “Expert Guidance: A guide for newcomers to avoid pitfalls when renting or purchasing property in Hong Kong” on 29 March 2025. The webinar was streamed live via Zoom and WeChat Live channel, attracting nearly 4,000 viewers from Hong Kong and Mainland China.

The webinar was hosted by Ms Caca Lam, with guest speakers including the Honorary Doreen KONG Yuk-foon, member of the Legislative Council of HKSAR and a solicitor; Ms Grace WONG Chi-man, Chief Inspector of Police (Field) at the Anti-Deception Coordination Centre, Commercial Crime Bureau of the Police; and Mr CHAN U-keng, Director of Operations of the EAA. The webinar aimed to help new arrivals and non-local students understand the key considerations before renting or purchasing property in Hong Kong, with a view to reducing their risk of facing fraud and financial loss, and providing practical advice on avoiding property scams.

主辦機構 **EAA** 地產代理監管局  
ESTATE AGENTS AUTHORITY

支持媒體 **星島頭條**

網上講座

— 專家分享 —

**來港租買房屋避坑指南**



「專家分享：來港租買房屋  
避坑指南」網上講座  
Webinar on “Expert Guidance:  
A guide for newcomers to avoid  
pitfalls when renting or purchasing  
property in Hong Kong”

黃知雯總督察指出，2019年至2024年間的騙案舉報數字按年遞升4倍以上，大部分受害者皆為港漂大學生，只因詐騙集團利用他們急於解決住屋需求的心理，再加上他們不熟悉香港租屋程序，行騙成功。



黃知雯總督察講解如何辨識騙局。  
Ms Grace WONG Chi-man explained how to identify scams.

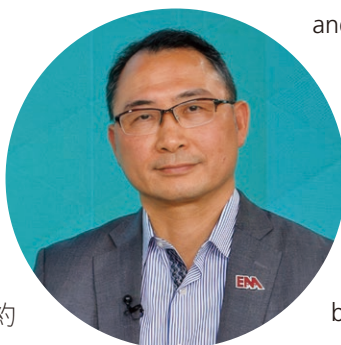
江玉歡律師詳細分享了香港物業買賣和租賃的程序，釐清了業主、買家及租戶的權責與交易時需要注意的事項，並提醒公眾，無論租賃或置業，切勿盡信網上資訊，必須親身「睇樓」和確認業主身份。江律師並就租樓及置業方面為公眾獻上七項錦囊。

Ms Kong provided a detailed explanation of property transaction procedures in Hong Kong, clarifying the rights and responsibilities of landlords, purchasers and tenants, and emphasising the importance of inspecting properties in person and verifying the identity of landlords rather than relying solely on online information. She also shared seven major tips for renting and purchasing property.



江玉歡律師提醒大眾切勿盡信網上資訊，務必親身視察物業。  
The Honorary Doreen KONG Yuk-foon reminded the public not to rely solely on online information and to inspect properties in person.

陳汝傲總監強調網上充斥著各式各樣的樓盤資訊，想免招金錢損失，無論租樓或置業，務必要委託持牌地產代理及識別合規廣告。陳總監隨即詳細講解如何挑選合法可靠的地產代理、確認廣告真偽及在簽署合約前後要注意的事項，並提醒公眾遵從他建議的六項原則，以保障個人權益，交易便會穩妥。



陳汝傲總監強調委託持牌地產代理及識別合規廣告的重要性。  
Mr CHAN U-keng emphasised the importance of engaging licensed estate agents and identifying compliant advertisements.

Mr Chan pointed out that the Internet is flooded with various property information. Hence, to avoid financial losses, it is advised to engage licensed estate agents and identify compliant advertisements. He elaborated on how to select legitimate estate agents, verify the authenticity of advertisements, and the key considerations before and after signing contracts. He also advised the public to follow six principles to safeguard their rights and ensure secure transactions.

講座的精華錄影片段已上載至監管局消費者教育網站及YouTube頻道，歡迎有興趣人士網上重溫。

The highlight videos of the webinar have been uploaded to the EAA's consumer education website and the EAA's YouTube channel for interested individuals to watch online.



EAA YouTube頻道  
EAA YouTube Channel



# 《2024 年消防安全（建築物）（修訂）條例》 對物業擁有人的影響

# Impact of the Fire Safety (Buildings) (Amendment) Ordinance 2024 on Property Owners

《消防安全(建築物)條例》(第572章)(《條例》)於2007年實施，規定於1987年3月1日或之前落成或首次呈交建築圖則予建築事務監督審批的綜合用途及住用建築物，其消防安全水平須提升至切合現代防火保障的要求。消防處和屋宇署作為執行當局，會對目標樓宇進行聯合巡查，然後按照樓宇的實際情況向擁有人及／或佔用人發出「消防安全指示」(「指示」)，要求他們提升這些樓宇的消防裝置或設備和消防安全建造，以達到所要求的水平。

《條例》於去年12月修訂，其中一項新條文規定新的物業擁有人須就物業權益轉讓通知執行當局，以期令他們清楚知悉其法律責任。因此，在物業買賣交易中，如持牌地產代理知悉相關物業有尚未獲遵從的「指示」，應提醒買家在完成物業交易後的三個月內，須就物業權益轉讓以書面形式通知相關執行當局。新的物業擁有人如未能在指定期限內通知相關執行當局，即屬犯罪，一經定罪，可處第3級罰款（即最高罰款10,000元）。

為便利新的物業擁有人履行上述責任，屋宇署已製備了一份權益轉讓通知書，上載至屋宇署網站的「消防安全」頁面 ([www.bd.gov.hk/tc/safety-inspection/fire-safety/index.html](http://www.bd.gov.hk/tc/safety-inspection/fire-safety/index.html))，以供使用。

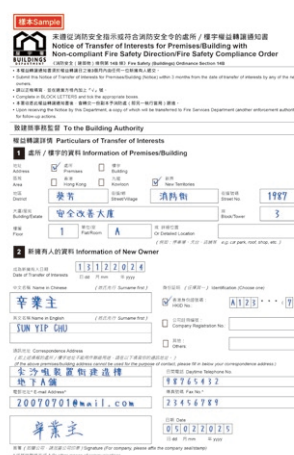
如欲了解更多相關資訊，請瀏覽執行當局的網站([www.bd.gov.hk](http://www.bd.gov.hk)或[www.hkfsd.gov.hk](http://www.hkfsd.gov.hk))。

**T**he Fire Safety (Buildings) Ordinance (Cap. 572) (the Ordinance) came into operation in 2007 to require the upgrading of fire safety standards of composite and domestic buildings constructed, or with the plans of the building works first submitted to the Building Authority for approval on or before 1 March 1987 to meet modern fire protection requirements. The Fire Services Department and the Buildings Department (BD), as the enforcement authorities (EAs), will conduct joint inspections of the target buildings, and in light of the actual conditions of the buildings, issue Fire Safety Directions (Directions) to the owners and/or occupiers to require the upgrading of the fire service installations or equipment and fire safety construction of such buildings to meet the required standards.

The Ordinance was amended in December last year, with a **new provision to require new property owners to notify the EAs of the transfer of interests in property** so that they will be well aware of their legal obligations. Therefore, in a property transaction, if the licensed estate agent is aware of any outstanding Directions in respect of the property concerned, he/she should remind the purchaser to notify the EA concerned in writing of the transfer of interests in property within three months upon completion of the property transaction. A new property owner who fails to notify the EA concerned within the specified period commits an offence and is liable on conviction to a fine at Level 3 (i.e. a maximum fine of \$10,000).

To facilitate new property owners in fulfilling the above obligation, BD has prepared a Notice of Transfer of Interests, which has been uploaded onto the “Fire Safety” page on BD’s website ([www.bd.gov.hk/en/safety-inspection/fire-safety/index.html](http://www.bd.gov.hk/en/safety-inspection/fire-safety/index.html)) for use.

For further information, please visit the EAs' websites at [www.bd.gov.hk](http://www.bd.gov.hk) or [www.hkfsd.gov.hk](http://www.hkfsd.gov.hk)



權益轉讓通知書  
Notice of Transfer of Interests

## 個人資料私隱專員公署發布 《僱員使用生成式 AI 的指引清單》

Checklist on Guidelines for the Use of Generative AI by Employees issued by the Office of the Privacy Commissioner for Personal Data

因應生成式人工智能(「生成式AI」)的快速發展，個人資料私隱專員公署(「公署」)制定了一份《僱員使用生成式AI的指引清單》。

該清單旨在協助機構制定僱員在工作時使用生成式AI的內部政策或指引，以及遵從《個人資料(私隱)條例》有關處理個人資料的相關規定。

監管局建議地產代理公司可掃描以下二維碼閱讀該份《僱員使用生成式AI的指引清單》，以制定相關的內部政策或指引。請瀏覽公署網頁以了解更多資訊：  
[www.pcpd.org.hk/cindex.html](http://www.pcpd.org.hk/cindex.html)



《僱員使用生成式AI的指引清單》

In light of the rapid development of generative artificial intelligence (Gen AI), the Office of the Privacy Commissioner for Personal Data ("PCPD") has formulated a checklist on guidelines for the use of Gen AI at work.

The checklist aims to help organisations develop internal policies or guidelines for the use of Gen AI by employees at work while complying with the requirements of the Personal Data (Privacy) Ordinance in relation to the handling of personal data.

The EAA encourages estate agency companies to read the "Checklist on Guidelines for the Use of Generative AI by Employees" by scanning the QR code below, when developing the corresponding internal policies or guidelines. Please visit the website of the PCPD for more information ([www.pcpd.org.hk](http://www.pcpd.org.hk)).



(Checklist on Guidelines for the Use of Generative AI by Employees)

## 稅務局的新稅務網站 於 2025 年 7 月 21 日啟用

Inland Revenue Department launched New Tax Portals on 21 July 2025

稅務局推出三個互聯的附屬網站，分別為個人稅務網站、商業稅務網站及稅務代表網站(統稱為「新稅務網站」)，以優化現有「稅務易」系統，為個人、企業和服務代理人提供專屬且更便捷的服務。新稅務網站已於2025年7月21日正式啟用。

請瀏覽稅務局網頁([www.ird.gov.hk](http://www.ird.gov.hk))以了解更多有關新稅務網站的資訊，或致電2594 3201(有關租約及股票轉讓)或2594 3202(有關樓宇轉讓)查詢。

The Inland Revenue Department ("IRD") launched three interconnected sub-portals, namely Individual Tax Portal, Business Tax Portal and Tax Representative Portal (collectively referred to as "New Tax Portals"), to enhance the existing eTAX system. The New Tax Portals were launched on 21 July 2025 officially.

Please visit the website of the IRD ([www.ird.gov.hk](http://www.ird.gov.hk)) for more information on the New Tax Portals, or contact IRD at 2594 3201 (for lease and share transfer) or 2594 3202 (for property transfer) for enquiries.



## 差餉物業估價署發出的提醒

### Reminder from the Rating and Valuation Department

**差**餉物業估價署(「估價署」)發文建議持牌人在協助買賣雙方交易時，要提醒客戶有關繳納差餉及／或地租的責任，以及更新物業繳納人的資料，以保障買方的利益。

此外，估價署亦介紹「電子差餉地租單服務」，登記用戶可透過此服務查閱電子差餉地租單並安排付款，既方便又環保。

監管局鼓勵持牌人於以下連結閱覽該篇文章：  
[www.eaa.org.hk/Portals/0/Sections/CC/2025\\_Jun/Article\\_from\\_RVD\\_TC.pdf](http://www.eaa.org.hk/Portals/0/Sections/CC/2025_Jun/Article_from_RVD_TC.pdf)

如需進一步資料或查詢，請致電估價署查詢熱線2152 0111或瀏覽該署網頁：  
[www.rvd.gov.hk/tc](http://www.rvd.gov.hk/tc)

**T**he Rating and Valuation Department ("RVD") has issued an article advising licensees to remind their clients of the liabilities in rates and/or Government rent and change the registered payer's information so as to protect the purchasers' interest while handling property transactions.

In addition, the RVD has also introduced the eRVD Bill service for registered users to retrieve their electronic demand which is convenient and environmentally friendly.

The EAA encourages licensees to refer to the RVD's article at [www.eaa.org.hk/Portals/0/Sections/CC/2025\\_Jun/Article\\_from\\_RVD\\_Eng.pdf](http://www.eaa.org.hk/Portals/0/Sections/CC/2025_Jun/Article_from_RVD_Eng.pdf)

For any further information or enquiries, please contact the RVD's hotline at 2152 0111 or visit its website: [www.rvd.gov.hk/en](http://www.rvd.gov.hk/en)

## 監管局榮獲 2025 年私隱之友嘉許獎金獎

### EAA won the Gold Award in Privacy-Friendly Awards 2025

**監**管局在個人資料私隱專員公署舉辦的「2025年私隱之友嘉許獎」中榮獲金獎。

此獎項旨在表揚及嘉許不同企業及機構在保障個人資料私隱的決心及表現。

未來，監管局將繼續致力視個人資料私隱的保護為監管局政策及文化的一部分。

**T**he EAA has won the Gold Award in the Privacy-Friendly Awards 2025 ("the Awards") organised by the Office of the Privacy Commissioner for Personal Data.

The Awards aim to recognise the commitment and efforts paid by different enterprises and organisations in the protection of personal data privacy.

In the future, the EAA will continue to attach great importance in the protection of personal data privacy as part of the EAA's policies and culture.



## 持續專業進修活動 — 不可不知的處理僭建的知識

### CPD Activity – Essential Knowledge in Handling Unauthorized Building Works

為提升持牌人在處理僭建物方面的認知，並深化對建築工程安全的理解，監管局於2025年5月23日舉辦了題為「不可不知的處理僭建的知識」的持續專業進修講座。本次活動特邀香港建築師學會代表鄭仲良建築師擔任主講嘉賓，分享相關專業見解。

鄭建築師在講座中詳細介紹了常見僭建物的辨識方法，並闡述其對建築物安全方面的影響。此外，講座亦涵蓋僭建行為涉及的法律責任、可能面臨的刑罰以及改善措施與建議，為持牌人提供實務操作的參考。是次講座反應熱烈，共吸引了126名持牌人參與。

往後時間，監管局將持續舉行不同界別的講座予持牌人以提升各個範疇的專業知識，當中包括7月份的「認識買賣農地」及「設施管理科技的新發展趨勢」等，有關詳情及其他更多活動可參閱監管局網頁：<https://www.eaa.org.hk/zh-hk/cpd-events>

To enhance licensees' knowledge in handling unauthorized building works ("UBWs") and deepen their understanding of building works safety, the EAA held a CPD seminar titled "Essential Knowledge in Handling Unauthorized Building Works" on 23 May 2025. The EAA invited a representative of The Hong Kong Institute of Architects, Mr Jeff Cheng, to be the guest speaker for the seminar.

During the seminar, Jeff provided a detailed introduction to the identification methods for common UBWs and explained their impact on building safety. In addition, the seminar covered the legal responsibilities involved in UBWs, potential penalties, and improvement measures and recommendations, providing participants with practical references. The seminar was well-received, with 126 licensees participated.

In the future, the EAA continues to hold various seminars for licensees to enhance their professional knowledge in different disciplines. These include topics in July such as "Understanding the Sale and Purchase of Agricultural Land" and "New Development Trends in Facility Management Technology". For details and other activities, please visit EAA's website: <https://www.eaa.org.hk/en-us/cpd-events>





## 在《專業天地》內，我們會分享近期常見的投訴個案或違規情況，作為對持牌人的提醒。

In *Horizons*, we will share some recent common complaints or malpractice as a reminder to licensees.

**持**牌人須注意，在商場範圍內進行任何招攬生意或銷售行為前，務必事先獲得有關商場的業主及／或其管理公司准許。本局近期巡查發現，有持牌人涉嫌在未獲某大型商場的管理公司准許下，在商場內向途人展示某一手發展項目的銷售文件並招攬途人參觀示範單位，本局已就事件立案處理。

根據編號18-03(CR)執業通告，持牌人如未獲有關商場、屋苑、停車場或其他場地／地方的業主及／或其管理處准許，不可在該些地方招攬生意或派發單張。即使持牌人獲准許於該些地方進行招攬生意活動，進行時亦必須遵守該些地方的業主及／或其管理處的指示。

此外，持牌人亦不得在港鐵站(包括車站入口及入閘範圍內)進行任何生意招攬活動、攔截途人或派發單張。根據港鐵附例第32A條規定，除非獲得港鐵公司的職員或獲授權人的准許，否則任何人不得在鐵路處所展示或展覽任何印刷品、書寫物品或圖片或任何物品，以作廣告或宣傳用途。

同時，地產代理公司的僱主和管理層必須遵守《地產代理常規(一般責任及香港住宅物業)規例》第15條，設立妥善的程序或制度，監督和管理其地產代理工作的業務，以確保其僱員或其轄下的人遵守相關的規定和指引。

若任何地產代理公司及持牌人違反以上規定或指引，可能遭受監管局的紀律處分。如持牌人的有關行為構成刑事罪行(例如違反港鐵附例第32A條)，違者除須負刑事責任外，亦可能遭受監管局的紀律處分。

**L**icensees should note that prior to conducting any business soliciting or sales activities within the premises of a shopping mall, they must obtain prior permission from the mall owner and/or its management company. In a recent inspection at a large shopping mall, the EAA found certain licensees suspected of displaying sales documents of a first-hand property development and soliciting passers-by to visit the show flats without the permission from the management office of the mall. The EAA has opened a case to follow up on this matter.

According to Practice Circular No. 18-03(CR), licensees are strictly prohibited from soliciting business or distributing promotional materials in shopping malls, housing estates, car parks, or other venues without the requisite permission from respective owners and/or management offices. Even when permission is granted, licensees must adhere to the instructions of the venue management.

Furthermore, licensees are also strictly prohibited from conducting any business soliciting activities, intercepting passers-by or distributing leaflets at MTR stations (including station entrances, exits and paid areas). Under Section 32A of the MTR By-law, no person while upon the railway premises shall, except by permission of a member of the staff of the MTR Corporation or an authorised person, display or exhibit any printed, written or pictorial matter or any article for the purpose of advertisement or publicity.

In addition, employers and the management of estate agency companies must comply with section 15 of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation. They must establish proper procedures and systems to supervise and manage estate agency business, ensuring that employees and individuals under their control comply with all relevant regulations and guidelines.

If any estate agency company or licensee breaches the above regulations or guidelines, they may be subject to disciplinary action by the EAA. If the licensee's conduct constitutes a criminal offence (such as violating Section 32A of MTR By-law), he/she will not only be held criminally liable but may also face disciplinary action by the EAA.



## 牌照委員會處理個案 Case from Licensing Committee

### 因安排未補地價資助單位 出租而被撤銷牌照

Revocation of a licence due to handling the rental of a subsidised sale flat in which the premium had not been paid

#### 引言

持牌人不得協助未解除轉讓限制的資助房屋業主出租單位，否則有機會觸犯《房屋條例》（第283章）及被監管局採取處分行動，最嚴重為撤銷牌照。

#### 事件經過

一名地產代理（個人）牌照持有人被房屋署人員發現其協助及教唆一名「租者置其屋」計劃下的單位業主，在其單位尚未向香港房屋委員會繳付補價以解除轉讓限制的情況下，安排其與租客訂立一項口頭的一年租賃協議。由於該代理的行為違反了《房屋條例》下有關非法讓與等的規定，該代理被房屋署檢控，最終被定罪及罰款5千港元。

#### Introduction

Licencees must not assist the owner of subsidised housing in the leasing of a flat in which alienation restrictions have not been removed, otherwise they may have violated the Housing Ordinance (Cap. 283) and will be subject to the EAA's action, in which the highest sanction could be licence revocation.

#### Incident

The staff of the Housing Department discovered that an estate agent (individual) licence holder aided and abetted an owner of a flat under the Tenants Purchase Scheme to enter into a one-year verbal tenancy agreement with a tenant. However, the premium of the flat had not been paid to the Hong Kong Housing Authority for the removal of alienation restrictions. As the estate agent violated the provisions of the Housing Ordinance on illegal alienation, he was prosecuted by the Housing Department and was convicted of an offence with a fine of HK\$5,000.



## 結果

監管局牌照委員會認為，涉事地產代理應有辨別是非的能力；另外，局方有責任保障公眾利益及提高地產代理及營業員的地位；該持牌人在從事地產代理工作時干犯《房屋條例》下的非法讓與等罪行；他在知悉未補地價的資助房屋不能出租的情況下仍安排向業主介紹租客，使其及業主觸犯《房屋條例》下的罪行，情況非常嚴重。基於上述因素，監管局決定撤銷該地產代理的牌照。

## Result

The EAA's Licensing Committee was of the view that the concerned estate agent should have the ability to distinguish right from wrong. Furthermore, the EAA has the responsibility to safeguard the public interest and uphold the professional standard of estate agents and salespersons. The licensee committed the offence of unlawful alienation under the Housing Ordinance while engaging in estate agency work; he introduced the tenant to the landlord despite knowing that the subsidised housing with an unpaid premium should not be leased. This led both the agent and the landlord to violate the Housing Ordinance, which is considered a serious matter. Considering these factors, the EAA decided to revoke the estate agent's licence.



陳翠珊女士

地產代理管理協會副會長

**Ms Anita Chan**

Vice President of Estate Agents  
Management Association

## 業界意見 Comment from the trade

地產代理必須嚴格遵守《房屋條例》及監管局指引，確保所有交易合法合規。本案例中，涉事代理於單位未補地價仍安排出租，不僅違反法律，更損害客戶及公眾利益，嚴重影響行業聲譽。地產代理公司應強化內部培訓與監察機制，確保員工熟悉資助房屋交易的限制，防範類似違規行為。監管局對違規行為採取嚴厲處分，充分體現維護公眾利益及行業標準的決心，希望從業員引以為鑑，秉持誠信與專業，共同提升行業公信力。

Estate agents must comply with the Housing Ordinance and the EAA's guidelines. In this case, the agent arranged for the leasing of a flat on which the premium had not been paid, which violated the regulations, harmed the interests of the client and the public, and damaged the reputation of the industry. Estate agency companies should strengthen their internal training and monitoring mechanisms to ensure that their staff are familiar with the restrictions on subsidised housing transactions to prevent similar breaches. The EAA's severe sanction for this case fully reflects its determination to safeguard the public interest and industry standards. I hope that practitioners will learn from this case and uphold their professionalism, so as to enhance the public credibility of the industry.

## 紀律研訊個案 Disciplinary Hearing Case

## 提供失實按揭資訊

## Providing false mortgage information

## 引言

持牌人不得向客戶聲稱可保證其可獲得某按揭貸款金額或獲得其希望的按揭條款，否則有機會被監管局紀律處分。

## Introduction

Licensees must not make any statement to assure the client that he would be able to obtain a specific amount of mortgage loan or the desired terms to finance the client's purchase. Otherwise, they may be subject to disciplinary action by the EAA.

## 事件經過

一名年過60歲的準買家在視察某一手住宅樓盤的示範單位後，於展銷廳內向涉事地產代理查詢有關按揭事宜。該地產代理告知該準買家，由發展商提供的按揭可以承造至90歲，並透過其手機應用程式，按28年年期的按揭基準為該準買家計算出每月的供款額，並將有關計算寫在紙上。

基於該地產代理的陳述及其計算後得出的每月供款額等資訊，該準買家決定購買該一手住宅物業，並簽署了臨時買賣合約。約兩星期後，該買家致電發展商的按揭部查詢有關按揭問題時發現，發展商提供的按揭只能承造至75歲，而非該地產代理所述的90歲。經考慮後，該買家決定更改至一年的「先住後付」的計劃，並須支付樓價5%的額外款項。一年後，該買家因自己的財政狀況難以負擔該單位而最終放棄交易，並向監管局作出投訴。

## 結果

紀律委員會認為，該持牌地產代理違反了監管局發出的《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」。考慮到個案的性質及該地產代理的違規紀錄，紀律委員會決定向該地產代理作出紀律處分，包括譴責、向其罰款港幣\$10,000及在其牌照附加進修條件，包括須在12個月內，透過參加並完成地產代理監管局的持續專業進修計劃下的『合規及有效管理』類別的講座或研討會，並取得地產代理監管局認可的12個學分，當中至少有2個學分須透過參加專業操守及誠信科目的講座或研討會而獲取。

## Incident

A prospective buyer aged over 60 visited the show flat of a first-hand residential property and subsequently asked an estate agent about the mortgage matters at the sales office. The estate agent informed the buyer that the mortgage provided by the developer could be underwritten up to the age of 90. He also used a mobile app to calculate the monthly repayment amount based on a 28-year mortgage term and wrote the calculation down on a paper for the buyer.

Relying on the statement and monthly repayment amount calculated by the estate agent, the prospective buyer decided to purchase the property and signed a provisional agreement for sale and purchase. About two weeks later, the buyer contacted the developer's mortgage department to inquire further about the mortgage terms and discovered that the developer's mortgage plan only allowed repayment up to the borrower's age of 75, not 90 as stated by the estate agent. After careful consideration, the buyer opted to switch to a "Pay After Occupation" plan with a one-year term, which required an additional payment of 5% of the property price. However, one year later, due to financial difficulties, the buyer was unable to afford the property and ultimately abandoned the transaction. The buyer subsequently lodged a complaint with the EAA.

## Result

The Disciplinary Committee found that the licensed estate agent had breached 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." Having considered the nature of the case and the disciplinary record of the estate agent, the Disciplinary Committee decided to sanction the estate agent, including a reprimand, imposing a fine of \$10,000 and attaching conditions on his licence. The estate agent is required to obtain 12 points through attending seminars or workshops in the "Compliance and Effective Management" category of the Continuing Professional Development Scheme within 12 months, with at least two points from seminars or workshops on the subject of Professional Ethics and Integrity.



岑柱華先生

地產代理(從業員)總公會副主席

**Mr Shum Chu-wah**

Vice Chairman of Estate Agent  
Association

## 業界意見 Comment from the trade

地產代理不應胡亂向客戶作出有關按揭年期或金額的承諾，地產代理應建議客戶向銀行查詢，而不應隨便向客戶作出有關申請按揭的保證。地產代理的責任僅包括物業買賣相關事宜，並不包括提供財務資訊。

Estate agents should not make any promises to their clients on the terms or amount of the mortgage loan. They should advise their clients to check with the banks and should not casually make any assurance to their clients relating to mortgage applications. Estate agents' duties only include matters related to the sale and purchase of property and do not include the provision of financial information.





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, we will provide various information and updates about AML in the "AML Corner".

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，監管局於5月17日在灣仔區舉辦了第一場的「反洗錢及反恐怖分子資金籌集知識傳承工作坊」，工作坊內透過探討不同個案，配以互動及討論形式了解反洗錢的重點內容，同時鼓勵持牌人推廣相關訊息。為更有效進行知識傳承，使更多持牌人學習到反洗錢的知識，此工作坊將於未來數月繼續在不同地區舉行，詳情請留意監管局網頁。



To enhance licensees' understanding of anti-money laundering and counter-terrorist financing ("AML/CTF"), the EAA held the first "AML/CTF Workshop" on May 17 at Wanchai. During the workshop, different cases were studied through interactive discussions to understand the key points of AML/CTF and licensees were encouraged to disseminate relevant information.

In order to promulgate the knowledge and understanding of AML/CTF to more licensees, this workshop will be held continually in various districts over the coming months, please check the EAA's website for details.

## 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：**根據地產代理監管局(「監管局」)就一手住宅樓盤銷售點的秩序而發出的執業通告(編號(18-03 (CR)))(「執業通告」)中的相關指引，地產代理公司須於每個樓盤銷售開始前最少一天向監管局提供某些文件。為遵從執業通告，地產代理公司在每個樓盤開始銷售前一天向監管局提交所需文件是否足夠？

**答：**否。

如執業通告的序言中所述，其目的是為多年來備受公眾關注的持牌人在進行香港一手住宅樓盤銷售點的推廣活動時的秩序和行為訂立指引，以確保該等推廣活動在良好秩序下進行。

由於一手樓盤銷售點的推廣活動通常在遠早於賣方就每個樓盤開始銷售前進行，監管局將視「每個樓盤銷售開始」為涵蓋地產代理公司在一手樓盤銷售點進行的任何與銷售有關的推廣活動。

因此，為遵從執業通告中有關向監管局提交所需文件的期限的相關指引，地產代理公司必須在其或其員工在一手樓盤銷售點進行的任何與銷售有關的推廣活動前最少一天，向監管局提交該等文件；如有關樓盤分期數發售，地產代理公司必須在其或其員工在一手樓盤銷售點就該樓盤的每一期數進行與銷售有關的推廣活動前最少一天，向監管局提交所需文件。

**Q:** According to the guidelines on order at first-sale sites of residential properties in Practice Circular No. (18-03 (CR)) ("Practice Circular") issued by the Estate Agents Authority ("EAA"), certain documents are required to be provided by estate agency companies to the EAA at least one day before the launch of the sale of each development. To comply with the Practice Circular, is it sufficient for estate agency companies to submit the required documents to the EAA one day before the commencement of sale of each development?

**A:** No.

As explained in the Preamble of the Practice Circular, its aim is to set out guidelines on licensees' order and conduct relating to the promotional activities of first-sale sites of residential properties in Hong Kong, which have raised considerable public concern over the years, with a view to ensuring good order in the conduct of such promotional activities.

As promotional activities at first-sale sites are usually carried out much earlier than the commencement of sale of each development by the vendor, the EAA will regard the "launch of the sale of each development" as covering any promotional activities at the first-sale site(s) carried out by the estate agency companies in relation to the sale.

Accordingly, in order to comply with the relevant guideline(s) in the Practice Circular with respect to the deadline for submission of the required documents to the EAA, estate agency companies must provide such documents to the EAA at least one day before they or their staff carry out any promotional activities at the first-sale site(s) in relation to the sale; and where the development is to be sold in phases, they must provide the required documents to the EAA at least one day before they or their staff carry out any promotional activities at the first-sale site(s) in relation to the sale of each phase of the development.



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

### 講座

日期 (月/年) Date (Month/Year)	課程名稱 Course title	學分 CPD Points	語言 Language	類別 Category
8/2025	認識綠色建築與理解售樓書上的 強制性綠建資訊	2	廣東話	合規及有效管理

### 網絡研討會

日期 (月/年) Date (Month/Year)	課程名稱 Course title	學分 CPD Points	語言 Language	類別 Category
8/2025	物業轉易須知	3	廣東話	合規及有效管理
8/2025	種族平等與地產代理工作	2	廣東話	合規及有效管理
8/2025	Learn about the Latest Trend of Green Building in Hong Kong and How to Interpret Green Building Information on Sale Brochures of First-hand Residential Properties	2	English	Compliance and Effective Management
9/2025	物業租賃實務知識	3	廣東話	合規及有效管理
9/2025	掌握土地查冊	3	廣東話	合規及有效管理
9/2025	Racial Equality and Estate Agency Work	2	English	Compliance and Effective Management

詳情請瀏覽

《持續專業進修計劃》的網頁：  
Please visit the webpage  
of the CPD Scheme for details:



### 其他活動

#### 個人資料私隱專員公署主辦活動

《個人資料(私隱)條例》簡介講座(以視像形式進行)

日期 Date	時間 Time	語言 Language	課程費用 Fee
14/8/2025	15:00-16:30	廣東話	免費
18/9/2025	15:00-16:30	廣東話	免費

請瀏覽個人資料私隱專員公署了解詳情及登記。

查詢電郵：training@pcpd.org.hk

查詢電話：2877 7147(梁小姐)



02/4/2025



監管局執行總監陳汝儼先生(中)在香港人才服務辦公室舉辦的講座中擔任講者，分享在香港租買物業時如何避免受騙。

The EAA's Director of Operations Mr CHAN U-keng (middle) talks at the seminar organised by the Hong Kong Talent Engage and shares tips on how to avoid being scammed when renting or purchasing properties in Hong Kong.

09/4/2025

監管局主席蕭澤宇先生BBS，JP(右)接受HOY TV 新聞節目訪問。

The EAA's Chairman Mr Simon SIU Chak-yu, BBS, JP (right) attends an interview by HOY TV's news programme.



25/4/2025



監管局在油麻地舉辦與前線持牌人交流的聚焦小組會議。

The EAA holds a focus group meeting with frontline licensees in Yau Ma Tei.

27/6/2025



監管局與業界代表舉行季度聯絡會議，房屋局代表出席向業界簡述簡樸房制度的立法進程。

The EAA holds quarterly liaison meeting with the trade representatives, in which representatives from the Housing Bureau attend and introduce the latest legislative process of the Basic Housing Unit regime to the trade.





09/2013

監管局於各區民政諮詢中心放置宣傳小冊子及海報。

The EAA places promotional pamphlets and posters at Home Affairs Enquiry Centres in different districts.

02/2017

監管局與主要業界代表舉行聯絡會議。

The EAA holds a liaison meeting with the representatives of major trade associations.



03/2020

監管局在疫情下舉辦消費者教育網上公開講座。

The EAA holds a public webinar for consumer education during the pandemic.

## 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
172	39.0%

考試及考試日期 Examination and date 5/2025
172

172

39.0%

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
588	33.0%

考試日期 Examination date 4/2025
588

588

33.0%

地產代理資格考試（筆試應考模式）  
Estate Agents Qualifying Examination  
(Paper-based)

參加人數 No. of candidates	合格率 Pass rate
887	39.7%

考試及考試日期 Examination and date 6/2025
887

887

39.7%

## 牌照數目（截至2025年6月30日）

## Number of licences (as at 30/6/2025)

營業員牌照

Salesperson's Licence

20,264

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

17,528

個人牌照總和  
Total no. of  
individual licences

37,792

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

3,923

## 開立的投訴（2025年1月至6月）

## Number of complaint cases opened

(January to June 2025)

## 營業詳情說明書（截至2025年6月30日）

## Number of statements

of particulars of business (as at 30/6/2025)

合夥經營

Partnerships

149

獨資經營

Sole proprietorships

1,362

有限公司

Limited companies

5,063

總數 Total

6,574

## 活躍持牌人 Active Licensees

63.8%

截至2025年5月，活躍持牌人<sup>1</sup>的百分比約為63.8%。The estimated percentage of licensees who are active<sup>1</sup> as at end of May 2025: 63.8%.

1 活躍持牌人指於過去12個月內的任何時間(1)曾從事地產代理工作但非受僱於任何物業發展公司或物業管理公司，及(2)同時沒有參與其他行業業務的個人牌照持有人。  
An individual licensee is considered active if at any time during the past 12 months: (1) has practised estate agency work but not employed by any property development companies or property management companies; and (2) is not engaged in the business of any other industries concurrently.

## 已處理的投訴個案結果\*（2025年1月至6月）

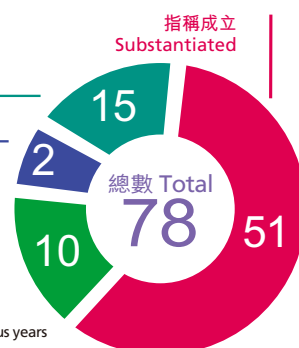
## Results of completed complaint cases\* (January to June 2025)

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



128





## 巡查次數 (2025年1月至6月)

## Number of compliance inspections (January to June 2025)



## 巡查發現主動調查的個案 (2025年1月至6月)

## Number of cases arising from self-initiated investigations during inspections (January to June 2025)

## 主動調查的個案

Cases arising from self-initiated investigations

54

## 主動調查而指稱成立的個案\*

Cases completed from self-initiated investigations and were substantiated\*

24

\* 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\* (2025年1月至6月)

## Actions taken against licensees or ex-licensees\* (January to June 2025)

有關的持牌人或前持牌人人數  
No of licensees or ex-licensees

138

行動  
Actions taken



訓誡／譴責  
Admonishment/  
reprimand

66

罰款  
Fine

53

於牌照附加／更改條件  
Attachment/alteration of  
conditions to licence

73

暫時吊銷牌照  
Suspension

3

撤銷牌照  
Revocation

33<sup>#</sup>

\* 以上行動是根據《地產代理條例》所賦予的權力而採取的。當中部份行動屬紀律性質，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.



2025 GOLD 金獎  
Privacy-Friendly Awards  
私隱之友嘉許獎  
Awarded by PCPD, Hong Kong  
由香港個人資料私隱專員公署頒發

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



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