

年報 ANNUAL REPORT

2016-17







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# 主要統計數字一覽

## Key Figures at a Glance



牌照和營業詳情說明書數目  
(截至2017年3月31日)

Number of Licences and Statements of  
Particulars of Business (as at 31/3/2017)



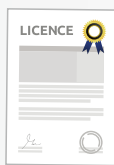
**20,174**

營業員牌照  
Salesperson's  
Licence



**17,189**

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



**3,414**

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



**6,576**

營業詳情說明書  
Statement of  
particulars of  
business

考生人數(2016/17年度)  
Number of Examination  
Candidates (2016/17)

**4,210**

地產代理資格考試  
Estate Agents  
Qualifying  
Examination



Estate Agents

**5,684**

營業員資格考試  
Salespersons  
Qualifying  
Examination



Salespersons

投訴個案(2016/17年度)

Number of Complaint Cases (2016/17)



**477**

開立的個案  
Opened



**368**

已完成的個案\*  
Completed\*

\* 部分是往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及執行部處理的表面證據不成立的個案。

\* Some cases completed in the year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.

巡查次數(2016/17年度)

Number of Compliance Inspections (2016/17)



總數 Total

**3,725**

**1,398**

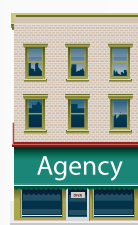
一手樓盤地點\*  
At First-sale Sites\*

**1,659**

地產代理商舖  
At Estate Agency Shops

**668**

網上廣告  
Online Advertisements



\* 包括樓盤所在處、樓盤銷售處及其附近。

\* Includes the development sites, sales offices and vicinity areas.

被暫時吊銷/撤銷的牌照數目(2016/17年度)

Number of Licences Suspended / Revoked (2016/17)



暫時吊銷  
Suspended

**25**



撤銷  
Revoked

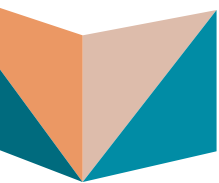
**29**

持續專業進修活動的參與人次(2016/17年度)

Number of Enrolments in Continuing Professional  
Development Activities (2016/17)



**26,552**



# 機構簡介

## Corporate Profile

### 關於我們 About us

地產代理監管局(「監管局」)是於1997年11月根據《地產代理條例》而成立的法定機構，主要職能包括規管香港地產代理業界的執業；推動業界行事持正；以及鼓勵行業培訓，確保從業員符合道德操守。

監管局舉辦資格考試、發出個人和公司牌照、處理對從業員的投訴、執行巡查工作，以及對違反《地產代理條例》的地產代理從業員施行紀律處分。監管局亦為業界舉辦專業發展活動，並推動消費者教育。

監管局是財政自給的機構。監管局成員由香港特別行政區行政長官委任，設有正、副主席各一名及不多於18名普通成員。成員來自社會多個界別，包括地產代理行業。

The Estate Agents Authority ("EAA") is a statutory body, established in November 1997 under the Estate Agents Ordinance ("EAO"). Its principal functions are to regulate the practice of the estate agency trade in Hong Kong, promote integrity and competence within the industry, and facilitate training for practitioners to ensure a proper standard of conduct.

The EAA organises qualifying examinations, issues licences to individuals and companies, handles complaints against licensees, conducts compliance inspections and metes out disciplinary sanctions to practitioners who have breached the EAO. The EAA also organises activities for the professional development of the trade and promotion of consumer education.

The EAA is a self-financing body. It consists of a Chairman, a Vice-chairman, and not more than 18 ordinary members from various sectors in the community, including the estate agency sector. The Chairman, Vice-chairman and every ordinary member are appointed by the Chief Executive of the Hong Kong Special Administrative Region.

## 願景與使命 Vision & Mission

### 我們的願景

#### 監管局致力於

- 在規管地產代理業界的執業上追求卓越成績，以保障消費者的權益；及
- 支持地產代理專業不斷發展，以獲取社會尊重。

### Our Vision

#### The EAA strives for

- excellence in regulating the practice of the estate agency trade, for the protection of consumers' interests; and
- supporting the development of an estate agency profession worthy of the respect of the community.

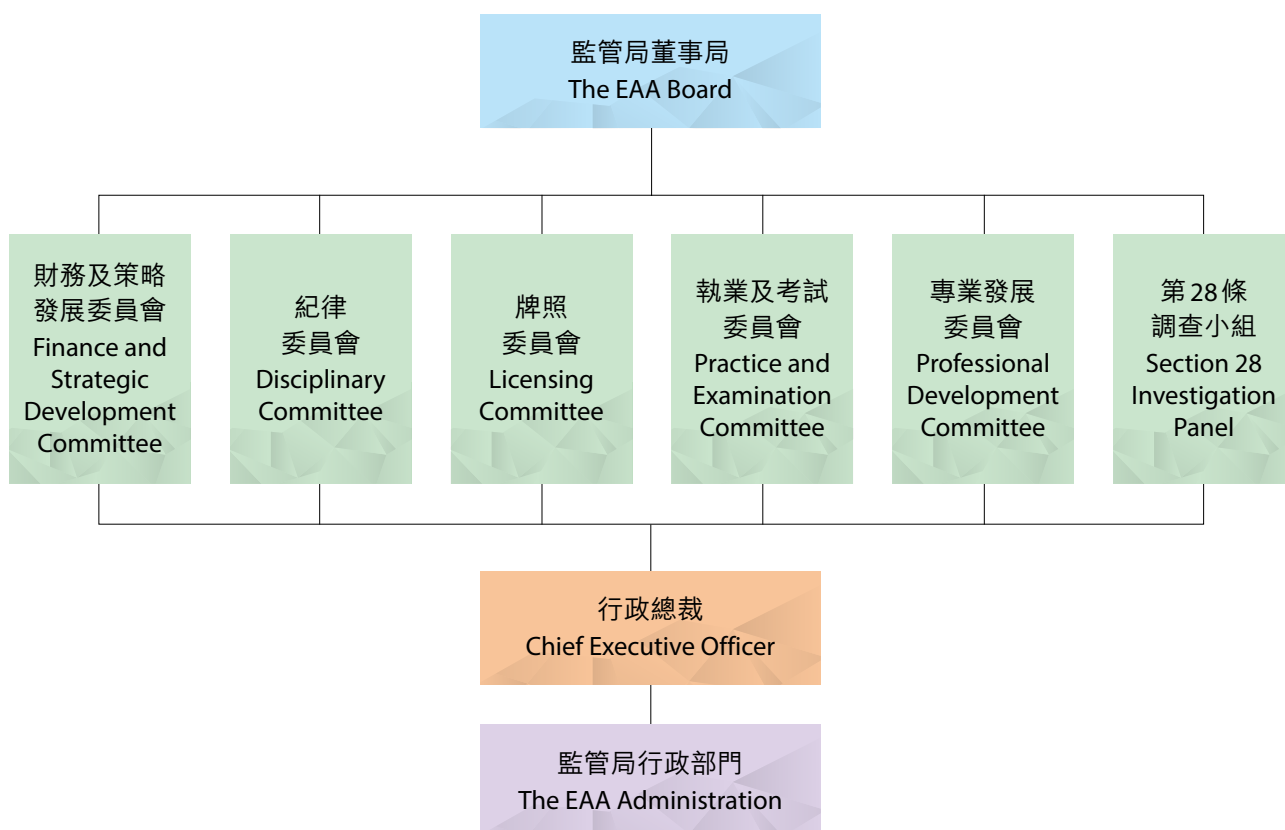
### 我們的使命

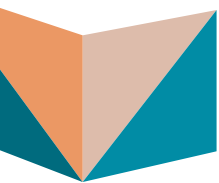
規管香港地產代理業的執業，提升從業員的專業能力，並為業界訂立高的道德標準和操守。

### Our Mission

To regulate the practice of estate agency in Hong Kong, raise the competence of practitioners and set high standards of ethics and conduct befitting the trade.

## 監管局架構 The EAA Structure





## 主席的話 Chairman's Message

“ 2017年標誌著地產代理監管局成立20周年，亦是回顧過去、總結經驗及向前推進的良機。

The year 2017 marks the 20<sup>th</sup> anniversary of the Estate Agents Authority, an opportune time for us to take stock of the past, reflect on lessons learned, and press onward. ”







梁永祥 SBS 太平紳士  
主席

William LEUNG Wing-cheung, SBS, JP  
Chairman

# 主席的話

## Chairman's Message

2017年標誌著地產代理監管局（監管局）成立20周年，亦是回顧過去、總結經驗及向前推進的良機。

### 從零至今 嶄新扉頁

地產代理行業在香港經濟扮演著重要的角色，是最主要的經濟支柱之一。置業與地產代理行業息息相關，亦是港人最偏好和人生中最重大的投資。因此，一群訓練有素、秉持道德及專業能幹的地產代理團隊，必定有助促進香港經濟，及保障消費者權益。

監管局成立於1997年，旨在規管及推動地產代理行事持正。我們引入規管制度，批出業界牌照及制定標準；亦同時實施制裁措施，處分違規行為、鼓勵執業操守，以維持公眾信心。過去20年，監管局一直與業界緊密合作，提高業界的執業水平。監管局現時負責規管逾40,000名個人及公司牌照持牌人，儘管偶爾發生違規行為，但這些年來業界的整體服務水平已經顯著提升。

的而且確，自2004年加入監管局以來，本人見證著監管局及地產代理業界的積極發展。這些發展正是業界付出努力適應規管制度的改變，以及公眾期望業界執業水平日趨提高的成果。監管局自2005年起，以自願參與形式推行持續專業進修計劃，參加相關專業講座的人數逐年增加；多年來，隨著持牌人的整體教育程度提高，監管局、業界及其他培訓機構每年均提供數百個培訓機會，致力促進持續學習，並進一步提升從業員的專業能力。

The year 2017 marks the 20<sup>th</sup> anniversary of the Estate Agents Authority (EAA), an opportune time for us to take stock of the past, reflect on lessons learned, and press onward.

### Turning pages – from ground zero to where we are

The real estate industry has an important role in Hong Kong's economy. It is foremost one of the major economic pillars, and home purchases, which are closely linked to the industry, are the most preferred and biggest personal investments in the lifetimes of Hong Kong people. A force of well trained, highly ethical, and professional estate agents can thus certainly contribute to promoting the economy of Hong Kong and protecting consumer interests.

The EAA was founded in 1997 to regulate and upgrade the estate agency profession. A regulatory system was introduced to grant trade licences and establish standards. As well, sanctioning measures were put in place to penalise malpractices, encourage ethical practices and maintain public confidence. After 20 years of working closely with the trade to raise practice standards, the EAA now has under its purview over 40,000 individual and company licensees; and despite occasional malpractices, the overall standard of services of the trade has enhanced noticeably over the years.

Indeed, since I joined the EAA in 2004, I have witnessed the positive development of both the EAA and the estate agency trade, which is a direct result of the industry's effort in coping with regulatory changes and rising public expectations in its practice standards. In 2005, the EAA launched the Continuing Professional Development (CPD) Scheme on a voluntary basis and attendances at professional seminars grew progressively. Over the years, along with the rise in the overall educational attainment level of licensees, the EAA together with the trade and other training providers has been delivering hundreds of training opportunities every year to promote continuous learning and further the competence of the practitioners.





誠然，業界一直致力與監管局攜手追求更高的執業標準。面對日益激烈的競爭環境，對擴闊知識層面的需求有增無減，業界亦積極回應監管局的新舉措，藉以加強公眾信心。

為提高消費者保障自身權益的意識，近年來監管局不遺餘力地推動消費者教育。我們針對公眾所需的特定範疇，舉辦公開講座及製作消費者教育材料，讓公眾對物業交易有更深入的了解。隨著消費者對自身權益及地產代理職責有更充份的認知，監管局接獲的投訴個案數目及其複雜程度有所增加，都促使監管局著手發展更完善的投訴處理機制。

It is evident that the trade has committed to pursuing a higher standard of trade practices together with the EAA. Amidst an increasingly competitive environment and call for an expanding scope of knowledge, the trade has responded positively to the EAA's new measures and renewed effort to instil confidence in the public.

To heighten consumers' awareness to be the protector of their own interests, the EAA spared no effort in promoting consumer education these years. Public seminars were organised and consumer education materials were produced to target specific areas where better public understanding of property transactions was needed. As consumers also gained a better understanding of their rights and the obligations of an estate agent, the number and complexity of complaint cases received by the EAA increased, resulting in a more sophisticated complaint handling mechanism being developed by the EAA.

# 主席的話

## Chairman's Message

### 恪守原則 實現價值

誠信是持久成功的基石。監管局的使命是規管香港地產代理的執業、提升從業員的專業能力，並為業界訂立高道德標準和操守。大力推動業界秉持誠信正直的原則，從而不斷提高專業水平，乃至關重要。而此等核心價值，亦是從業員與客戶維持長久關係的要素。

以上便是監管局一直以來的工作。我們不僅發出執業通告，定期進行巡查，確保業界守法遵規；同時透過持續專業進修計劃的多項新猷，提倡行事持正，並提醒業界避免常見的違規情況。我們認為，只有推動持續進修、建立專業精神、鼓勵從業員實踐「優質執業」，方能加強公眾信心及保障消費者，並同時有助從業員追求持續學習、提升職業滿意度及事業發展。

### 市場新勢 迎接挑戰

「關鍵不在於能否作出改變，在於我們應變得有多迅速。」正如德國總理默克爾所言，我們需要盡快適應瞬息萬變的世界和市場。無論面臨什麼挑戰，能夠快速適應新趨勢、有智謀地發展新業務的從業員，總可開拓新視野。

### Remember and live the core values

Integrity is the cornerstone of lasting success. The EAA's mission is to regulate the practice of estate agency in Hong Kong, raise the competence of practitioners, and set high standards of ethics and conduct befitting the trade. It is of paramount importance to step up our efforts to promote trade practices that are grounded in integrity and honesty so as to boost a high degree of professionalism. These core values also coincide with the practitioners' focus to maintain long lasting relationships with their clients.

And that is what the EAA has been doing over the years. We not only issued practice circulars and conducted regular inspections to ensure the trade's compliance with relevant laws and regulations, but also launched a number of initiatives under the CPD Scheme to advocate the right behaviours and to sound alarms for common mistakes. We believe that the promotion of continuous learning will strengthen public confidence and consumer protection through building a culture of professionalism and encouraging adherence to "best practice" among practitioners. It will as well assist practitioners in their quest for continuous learning, personal satisfaction and career development.

### Clouded market with new trends and new risks

"The question is not whether we are able to change but whether we are changing fast enough." As said by German Chancellor Angela Merkel, we need to embrace a changing world and market as quickly as we can. No matter what challenges are in store, there always will be a new horizon for practitioners who can quickly adapt to new trends, and remain resourceful in developing new business.



有目共睹，科技如何引領變革，提供便利、推動適時資訊共享、促進人與人之間的緊密聯繫，以及造就更多機遇。地產代理及監管局的工作亦難以獨善其身。智能手機和互聯網的普及使用改變了現今的商業模式，亦隨之加增了對法規誤解或輕率行事所致的違規風險；隨著更多平台及渠道可供業界在網上推廣業務，亦意味著監管局肩負起多一重規管職責。事實上，監管局一直密切關注網上物業交易平台的活動，並將繼續加強對有關活動及網上廣告的監察，以確保符合《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其他指引。

We have already seen how technology has heralded changes to provide convenience, enriched timely information sharing, enabled closer connection among people, and provided more opportunities. The work of the estate agents and the EAA is not immune to such impact. The mode of doing business has been changed to incorporate the wide adoption of smart phones and the internet. With the proliferation of cyber usage, there are risks of non-compliances due to misunderstanding of regulations or simply recklessness. The advent of cyber business activities means an additional dimension of the EAA's regulatory duties, as there are now more online platforms and channels for the trade to promote their businesses. The EAA has kept a close watch over the activities of online property portals, and will continue to step up its efforts in monitoring such activities and online advertisements to ensure their compliance with the Estate Agents Ordinance (EAO), its subsidiary legislation, and other code of ethics and guidelines issued by the EAA from time to time.



# 主席的話

## Chairman's Message

### 適時反思 迎難而上

業界的執業情況在經歷了連續數年的改進後，投訴數字於2016年回升，有關地產代理於一手樓盤銷售處發生肢體衝突的報導時有聽聞。有關不當行為被高調報導，嚴重損害從業員及其僱主的形象，實在令人遺憾。涉事從業員應反思個人行為的選擇，及此等不當行為帶來的後果。誠然，要贏得公眾的尊重和信任，從業員必須以值得尊敬的方式行事。

無論前線或其他從業員，都必須秉持和實踐相同的價值觀。目光短淺的業務策略或會損害長遠的事業，要建立長遠的事業，則必需建基於努力不懈和力求達致高操守標準的決心。

專業不僅僅體現於服務，還意味著技能、誠信及優質的工作。我們有信心與業界攜手提升行業的專業水平。雖然前路挑戰重重，但有著過去20年所取得的成果所鼓舞，我們只要不斷努力提高標準以符合公眾需求和社會變遷，將使地產代理行業成為一門真正的專業，並使從業員成為真正的專業人士。本人會繼續鼓勵業界保持終身學習的興趣，從而提升專業能力，擴闊事業發展，提高社會地位。

### 由衷致謝 誠摯歡迎

有賴所有董事局成員、監管局行政部門、政府和業界的支持，監管局才得以完成如此大量的工作。本人亦要感謝董事局歷任主席的英明領導，讓本局一步步發展至今。

### Time to reflect

After successive years of improvement in trade practices, the number of complaints bounced back in 2016. There was from time to time unhappy news of purported estate agents fighting at first-sale sites. This is regrettable, as such high profile reporting of misconduct tarnishes the image of the practitioners and their employers alike. It is time to reflect on the choices one makes and the consequences that come with such misconducts. Needless to say, practitioners must act in a respectable manner if they wish to be respected and trusted by the public.

Practitioners, whether front line or otherwise, must also share and practise the same values. Short-sighted business tactics may compromise a long-term career which can only be built through hard work and persistent striving for high standards.

Professionalism embodies more than a service. It denotes skills, integrity, and quality work. Together with the trade we have confidence in the enhancement of the professionalism of the trade. While the road ahead is full of challenges, we are encouraged by the progress made in the last 20 years, and as long as we make continuous effort to raise standards in keeping with public demands and societal changes, we will make estate agency truly a profession and its practitioners truly professionals. I would urge the trade to keep up their interest in life-long learning, so as to raise their professional competence, enhance their career progression, and improve their social status.

### Gratitude and welcome

The tremendous work of the EAA could not be accomplished without the support from all my fellow Board members, the EAA Administration, the Government and the trade. I must also express my appreciation to past chairpersons of the EAA Board for their leadership in shaping the EAA into what it is today.

已故張建東博士 GBS, OBE 太平紳士在擔任監管局首任主席期間，堅定落實業界監管制度，並奠定業界執業標準，一切皆由零開始。潘國濂博士 BBS 太平紳士於關鍵時刻接任主席，當時業界面對大量涉及如何有效管理及監控地產代理業務的複雜問題，得以在其賢明領導下迎刃而解。隨著監管局的規管角色逐漸成熟，前任主席陳韻雲 SBS 太平紳士，對監管局的組織架構和行政制度進行了饒有助益的檢討，為監管局的行政帶來長遠效益。建基於這些堅實的基礎，本人可以專注推動業界的持續專業發展，並會繼續在這方面加緊努力，建立一種追求學習和自我提升的文化，進而加強公眾對業界的信心。

本人亦要感謝業界的不懈努力、信任和支持。同時，本人謹藉此機會，歡迎年內加入董事局的新成員。我們同心攜手，定能將監管局及業界推向新高峰。

在慶祝香港特別行政區和監管局成立 20 周年之際，本人殷切期望特區政府與監管局的工作在未來 20 年再創輝煌。我們會堅守監管局的使命，繼續鍥而不捨地發揮多重角色，規管地產代理行業，保障消費者權益，並提高業界的專業水平和能力，讓地產代理行業成為真正值得公眾信賴和尊重的專業。本人堅信，只要業界同心，地產代理及從業員繼續與監管局並肩而行，目標實現便指日可待。

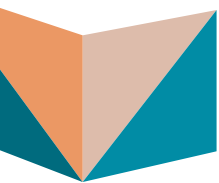
**梁永祥** SBS 太平紳士  
主席

The founding Chairman, the late Dr the Hon Marvin Cheung Kin-tung, GBS, OBE, JP, put firmly in place the regulatory regime and established a practice standard for the trade, all started from ground zero. Dr Steven Poon Kwok-lim, BBS, JP, took up the chairmanship at a critical point of evolution in the estate agency trade when a considerable number of complex issues that hinged on the effective management and control of estate agency business by the trade were successfully resolved under his headship. As the EAA matured on its regulatory role, my preceding Chairman Ms Vivien Chan, SBS, JP, introduced constructive reviews in the sphere of organisational structure and administrative system that determined the long-term effectiveness of the EAA Administration. Building on these solid foundations, I have been promoting continuing professional development among the trade, and will continue our efforts in this aspect with a view to building a culture of a quest for learning and development, which in turn will strengthen public confidence in the trade.

Thanks must also go to the trade for their unfailing hard work, trust and support. Taking the opportunity, I also extend my warm welcome to the new Board members who joined us in the year. Together we will lift the EAA and the trade to new heights.

As we celebrate the 20<sup>th</sup> birthday of the HKSAR and the EAA, I am keen to see the HKSAR and the EAA will create new glory in the next 20 years. Consistent with the EAA's goal today, we will continue to diligently play multiple roles in regulating the estate agency industry for the protection of consumer interests, and promoting a high degree of professionalism and competence in the trade to convert it into a true profession worthy of public trust and respect. I am fully confident that this will be achievable if the trade, including estate agency companies and practitioners, all continue to walk this path with the EAA.

**William LEUNG Wing-cheung, SBS, JP**  
Chairman



## 行政總裁匯報

### Report of the Chief Executive Officer

“ 監管局的願景和使命是在規管地產代理和提高業界專業水平上追求卓越。這信念將繼續推動本局不斷向前，以克服未來的挑戰。

Our vision and mission to strive for excellence in regulating estate agents and enhancing the professionalism of the trade will continue to fuel our progress and overcome the challenges ahead. ”







韓婉萍  
行政總裁

Ruby HON Yuen-ping  
Chief Executive Officer

# 行政總裁匯報

## Report of the Chief Executive Officer

2017年為監管局成立二十周年，本人欣然在監管局這個歷史時刻發表這份年報。即使面對變幻莫測的經濟及消費者的需求日趨上升，監管局一如以往，致力規管地產代理行業、維護行業專業水平及加強消費者教育。

### 市場概況

儘管香港的經濟氣候不穩，加上香港金融管理局就物業按揭貸款推出審慎措施，2016/17年度的整體物業交易仍達到82,584宗，較2015/16年度錄得32%的升幅，買賣合約總值亦上升38%至6,180億元水平。

即使參與資格考試的考生總數較去年同期輕微下跌4.9%，牌照數量卻比去年同期微升0.6%。截至2017年3月31日，個人牌照總數達37,363個。年內，在持牌人數高企且物業交投數字增加的情況下，監管局已採取措施保障消費者的權益及加強業界守法循規。

### 推動守法循規

監管局其中的主要職能是確保業界守法循規，尤其是針對一手住宅物業銷售。監管局已採取一系列措施，提醒業界切勿違規，並提升業界專業水平。年內，監管局對一手樓盤銷售點及地產代理商舖進行了3,057次巡查。在2016/17年度，監管局亦就網上物業廣告及網上物業平台分別進行了668次及392次抽查。為使我們的努力達至最佳成效，監管局進一步利用該等巡查機會提醒業界有關本局發出的新指引中要注意的重要事項。

Commemorating the 20<sup>th</sup> Anniversary of the EAA's founding, it gives me great pleasure to present this annual report as year 2017 marked an important milestone in the EAA's history. Through the changing fortunes of the economy and rising consumer demands, the EAA remains, as always, dedicated to regulating the estate agency trade, upholding the trade's professionalism and strengthening consumer education.

### Market overview

Despite the uncertain economic climate in Hong Kong and the prudential measures for property mortgage loans introduced by the Hong Kong Monetary Authority, the total number of property transactions in 2016/17 was still 32% higher than 2015/16 and amounted to 82,584. The total consideration has also increased by 38% to \$618 billion.

While the overall number of candidates participating in qualifying examinations showed a slight decrease by 4.9% when compared to that of the previous year, the number of licensees has slightly increased by 0.6% over that of the previous year and the total number of individual licensees reached 37,363 as of 31 March 2017. With a higher number of licensees and more property transactions during the year, the EAA has worked relentlessly to protect the rights of consumers and strengthen the compliance of the trade.

### Promoting compliance

One of our key roles is to ensure compliance of the trade, especially in the sales of first-hand residential properties. Measures have been taken to heighten the trade's vigilance against non-compliance and enhance the professional standard of the trade. During the year, the EAA conducted 3,057 compliance checks at first-sale sites and estate agency shops. A total of 668 inspections of online property advertisements and 392 inspections of online property portals were also conducted in 2016/17. To maximise our efforts, the EAA further made use of the occasion of such checks and visits to remind the trade of the important points to note in our new guidelines.

鑑於2016年發生有關騙徒假冒業主身份以騙取訂金的事件，監管局遂發出關於「核實賣方的身分」的執業通告供業界遵從。年內，監管局透過持續專業進修計劃講座、致持牌人函件及定期與業界商會舉行會議，向持牌人講解有關地產代理執業的其他事宜。

## 提升專業水平

2016/17年度，監管局基於有關持牌人不再符合相關發牌條件，共撤銷29個牌照。同時，監管局對187宗違規個案作出裁定，共向190名持牌人作出紀律處分。

監管局在教育持牌人方面亦不遺餘力，進一步提高地產代理業的專業水平。為表揚持牌人積極參與持續專業進修計劃以提升其知識，監管局推出持續專業進修計劃優越嘉許獎章「金章」和「銀章」，頒發予分別連續五年或三年達到持續專業進修計劃目標的持牌人。首批「銀章」已於2016年11月頒發予427名持牌人。此外，為協助持牌人就有效的地產代理執業建立穩固基礎，監管局於2016年10月推出全新結構性課程，名為「地產代理監管局實務證書課程」。這些措施旨在鼓勵持牌人提升其專業知識及延續其專業發展。

2017年2月，監管局首次舉辦「傑出地產代理獎」，以進一步鼓勵持牌人自我提升，從而為業界帶來長遠的正面影響。頒獎典禮將於2017年11月在監管局的20周年慶典上舉行。

In response to news about fraudsters impersonating flat owners and swindling deposits in 2016, the EAA issued a practice circular on “Verifying the Identity of Vendors” for the trade to follow. During the year, our licensees were also educated on other subjects relating to estate agency practice through seminars under the Continuing Professional Development (CPD) Scheme, our Letters to Licensees and our regular meetings with trade associations.

## Enhancing professionalism

In 2016/17, the EAA revoked a total of 29 licences because those licensees no longer met the relevant licensing requirements. Besides, the EAA adjudicated on 187 non-compliant cases and as a result a total of 190 licensees were disciplined.

The EAA also spared no effort on licensee education to further enhance the professional level of the estate agency industry. To recognise licensees' continuous efforts in enhancing their knowledge through participation in the CPD Scheme, the EAA introduced the “Gold” and “Silver” Premium CPD Attainment Symbols, which will be presented to licensees who have respectively achieved the CPD attainment target for a consecutive period of five or three years. The first batch of the “Silver” Symbol was granted to 427 licensees in November 2016. Moreover, to help licensees build a solid foundation for effective estate agency practice, the EAA also introduced a new structured programme, namely “EAA’s Certificate Programme in Practice” in October 2016. These initiatives are to encourage licensees to enhance their professional knowledge and continue their professional development.

In February 2017, the EAA launched its first ever “Outstanding Estate Agent Award” which aims to further motivate licensees to improve themselves so as to achieve a long-term positive influence on the trade. The award presentation ceremony will be held in November 2017 on the occasion of the EAA’s 20<sup>th</sup> anniversary reception.



# 行政總裁匯報

## Report of the Chief Executive Officer

### 加強溝通

發放有效及快捷的資訊對監管局與業界和公眾的溝通至為重要。年內，監管局繼續與地產代理業界保持雙向溝通。局方除了與業界商會舉行四次聯絡會議外，也在不同地區與前線持牌人舉辦三次的聚焦小組會議。

監管局亦繼續透過與媒體合作及其他舉措，向消費者推廣相關資訊，以提高大眾對監管局工作的認識。監管局舉辦了兩場新聞發布會、發出了14篇新聞稿及

### Strengthening communication

Effective and efficient information dissemination is vital to the EAA's communication with the trade and public. In the year under review, the EAA continued to maintain a two-way communication with the estate agency trade. We held four liaison meetings with trade associations, and met frontline licensees in various districts through three focus group meetings.

The EAA further continued to promote consumer related information and raise public awareness of the EAA's work through collaborations with the media and other initiatives. We organised two press conferences, issued 14 press releases and arranged 15



(前排) 監管局行政總裁韓婉萍女士

(後排左起) 監管局服務總監張秀成先生、規管及法律總監劉淑榮女士及執行總監方安妮女士

EAA Chief Executive Ms Ruby Hon (front row)

EAA Director of Services Mr Cavan Cheung, Director of Regulatory Affairs & General Counsel Ms Eva Lau and Director of Operations Ms Annie Fonda (from left, back row)



安排了15個專訪。此外，監管局的企業網站在年內亦進行了大革新，並推出全新的消費者教育網站「精明委託地產代理」，透過加入更多視覺和互動元素，如小型遊戲及短片等，以便更有效地向公眾傳遞有用資訊。

此外，局方制作了題為「訂金交託律師行、樓宇買賣風險降」的全新電視宣傳短片及電台宣傳聲帶，並舉辦了兩場大型公開講座，提高了大眾對消費者權益的認識以及對物業交易中須注意事項的理解。

## 由衷致謝

最後，本人衷心感謝監管局主席、副主席以及所有董事局成員，感謝他們一直給予本人寶貴的意見和支持。本人也藉此感謝三位總監及各同事在年內恪盡職守、不辭勞苦，以及各持份者包括業界和政府在内的支持。

監管局的願景和使命是在規管地產代理和提高業界專業水平上追求卓越。這信念將繼續推動本局不斷向前，以克服未來的挑戰。

**韓婉萍**

行政總裁

feature interviews. We have also revamped the EAA corporate website and launched a brand new consumer education website “Be Smart in Appointing Estate Agents”, providing more visually engaging content and interactive components such as mini games and videos – all designed to more easily deliver useful information to the public.

In addition, we produced a new TV and radio Announcement in the Public Interest titled “Lower the risk in property transactions; place all deposits at a law firm for stakeholding” and organised two large-scale public seminars, which have increased public awareness of consumer rights and raised the public’s understanding of the issues to take note of in property transactions.

## Expression of gratitude

Finally, I would like to express my heartfelt gratitude to the EAA Chairman, the Vice-chairman and all other board members who have given me their invaluable enlightenment and support throughout. My special thanks also go to the dedication of my three directors and my colleagues who have worked tremendously hard during the year; and the support of many stakeholders, including the trade and the Government.

Our vision and mission to strive for excellence in regulating estate agents and enhancing the professionalism of the trade will continue to fuel our progress and overcome the challenges ahead.

**Ruby HON Yuen-ping**

Chief Executive Officer

# 監管局成員

## Members of the EAA



**01** 蕭澤宇 BBS 太平紳士  
Mr Simon SIU Chak-yu, BBS, JP

**02** 余惠偉 太平紳士  
Mr YU Wai-wai, JP

**03** 張國鈞 議員 太平紳士  
The Honorable Horace CHEUNG  
Kwok-kwan, JP

**04** 梁永祥 SBS 太平紳士  
Mr William LEUNG Wing-cheung, SBS, JP

**05** 廖玉玲 太平紳士  
Ms Elaine LIU Yuk-ling, JP

**06** 羅孔君 太平紳士  
Ms Jane Curzon LO, JP

**07** 王天予 太平紳士  
Ms Agnes WONG Tin-yu, JP

**08** 黃偉雄 先生，MH  
Mr Addy WONG Wai-hung, MH

**09** 司徒惠貞 女士  
Ms Anna SETO Wai-ching

**10** 吳啟民 先生  
Mr NG Kai-man



11 凌潔心女士  
Ms Imma LING Kit-sum

12 汪敦敬博士，MH  
Dr Lawrance WONG Dun-king, MH

13 黃光耀先生  
Mr Ricky WONG Kwong-yiu

14 鄒廣榮教授  
Professor CHAU Kwong-wing

15 黃鳳嫻女士  
Ms Gilly WONG Fung-han

16 余雅芳女士  
Ms Avon YUE Nga-fong

17 謝順禮先生  
Mr Calvin TSE Shun-lai

18 張呂寶兒太平紳士  
Mrs Peggy CHEUNG Po-ye, JP

19 謝小玲女士  
Ms Phoebe TSE Siu-ling

20 藍德業資深大律師  
Mr Douglas LAM Tak-yip, SC



# 監管局成員

## Members of the EAA



主席 CHAIRMAN



副主席 VICE-CHAIRMAN

### 梁永祥 SBS 太平紳士

- 僱員再培訓局主席
- 團結香港基金顧問
- 香港創意藝術中心有限公司董事局主席
- 人力發展委員會當然成員
- 扶貧委員會增補委員(青年教育、就業和培訓專責小組)
- 仁愛堂諮議局委員
- 香港浸會大學基金榮譽主席
- 香港浸會大學基金校友委員會主席

### Mr William LEUNG Wing-cheung, SBS, JP

- Chairman, Employees Retraining Board
- Advisor, Our Hong Kong Foundation
- Chairman, Governing Board of Hong Kong Creative Arts Centre Limited
- Ex-officio Member, Manpower Development Committee
- Co-opted Member, Youth Education, Employment and Training Task Force of the Commission on Poverty
- Member, Advisory Board of Yan Oi Tong
- Honorary President, Hong Kong Baptist University Foundation
- Chairman, Alumni Committee of Hong Kong Baptist University Foundation

### 廖玉玲 太平紳士

大律師

- 稅務上訴委員會副主席
- 牌照上訴委員會副主席
- 區域法院規則委員會會員
- 旅行代理商諮詢委員會委員
- 香港貿易發展局專業諮詢服務委員會委員

### Ms Elaine LIU Yuk-ling, JP

Barrister-at-law

- Deputy Chairman, Board of Review (Inland Revenue Ordinance)
- Vice Chairman, Licensing Appeals Board
- Member, District Court Rules Committee
- Member, Advisory Committee on Travel Agents
- Member, Professional Services Advisory Committee of Hong Kong Trade Development Council



## 成員 MEMBERS

### 鄒廣榮教授

香港大學房地產及  
建設系講座教授及系主任  
香港大學科斯產權研究中心主任

- 自置居所津貼上訴委員會成員 (2011-17)
- 上訴委員團(市區重建局條例)成員 (2013-19)
- 土地及建設諮詢委員會成員 (2015-18)
- 上訴委員團(城市規劃)成員 (2006-12)
- 岩土工程師註冊事務委員會委員 (2008-11)
- 香港測量師學會會長 (2009-10)

### Professor CHAU Kwong-wing

Chair Professor and Head of Department of Real Estate and Construction, The University of Hong Kong  
Director, Ronald Coase Centre for Property Rights Research, The University of Hong Kong

- Member, Home Purchase Allowance Appeals Committee (2011-17)
- Member, Appeal Board Panel (Urban Renewal Authority Ordinance) (2013-19)
- Member, Land and Development Advisory Committee (2015-18)
- Member, Appeal Board Panel (Town Planning) (2006-12)
- Member, Geotechnical Engineers Registration Committee (2008-11)
- President, Hong Kong Institute of Surveyors (2009-10)

### 張國鈞議員太平紳士

張國鈞楊煒凱律師事務所合夥人  
香港理工大學兼任客席講師

- 立法會議員
- 中西區區議會民選議員
- 香港房屋委員會委員
- 香港按揭證券有限公司董事
- 香港會計師公會紀律小組A成員
- 香港大學校董會成員

### The Honorable Horace CHEUNG Kwok-kwan, JP

Partner, Cheung & Yeung, Solicitors  
Visiting Lecturer (Part-time), The Hong Kong Polytechnic University

- Member, Legislative Council of the HKSAR
- Member, Central and Western District Council
- Member, Hong Kong Housing Authority
- Director, The Hong Kong Mortgage Corporation Limited
- Member, Disciplinary Panel A of the Hong Kong Institute of Certified Public Accountants
- Court Member, The University of Hong Kong

### 張呂寶兒太平紳士

眾達國際法律事務所顧問律師

- 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)成員
- 漁民特惠津貼上訴委員會(禁拖措施)主席
- 人事登記審裁處審裁員 (2008-14)

### Mrs Peggy CHEUNG Po-yee, JP

Of Counsel, Jones Day  
International Law Firm

- Member, Solicitors Disciplinary Tribunal Panel
- Chairman, Appeals Tribunal Panel (Buildings)
- Member, Appeals Panel (Housing)
- Chairman, Fishermen Claims Appeal Board (Trawl Ban)
- Adjudicator, Registration of Persons Tribunal (2008-14)

# 監管局成員

## Members of the EAA



### 成員 MEMBERS

#### 藍德業資深大律師

德輔大律師事務所資深大律師

- 保險事務上訴審裁處主席
- 上訴審裁處(建築物)主席
- 行政上訴委員會暫委主席
- 獨立監察警方處理投訴委員會成員
- 香港電台顧問委員會成員
- 高等法院暫委法官(2017)

#### Mr Douglas LAM Tak-yip, SC

Senior Counsel, Des Voeux Chambers

- Chairperson, Insurance Appeals Tribunal (IAT)
- Chairman, Buildings Appeal Tribunal
- Deputy Chairman, Administrative Appeals Board
- Member, Independent Police Complaints Council
- Member, Board of Advisers of Radio Television Hong Kong
- Deputy Judge, the High Court (2017)

#### 凌潔心女士

羅兵咸永道會計師事務所前審計合夥人

- 香港教育大學校董會成員兼審計委員會主席
- 醫院管理局廣華醫院及東華三院黃大仙醫院管治委員會成員
- 城市規劃上訴委員會成員
- 香港青年協會理事會委員
- 香港青年旅舍協會行政委員會成員
- 僱員補償援助基金管理局成員(2006-12)

#### Ms Imma LING Kit-sum

Retired Assurance Partner, PricewaterhouseCoopers

- Council Member and Audit Committee Chairperson, The Education University of Hong Kong
- Hospital Governance Committee Member, Kwong Wah Hospital and TWGHs Wong Tai Sin Hospital, Hospital Authority
- Appeal Board Panel Member, Town Planning
- Council Member, Hong Kong Federation of Youth Groups
- Executive Committee Member, Hong Kong Youth Hostels Association
- Board Member, HKSAR Employees Compensation Assistance Fund Board (2006-12)

#### 羅孔君太平紳士

大律師

- 學術及職業資歷評審上訴委員會副主席
- 入境事務審裁處審裁員
- 保安及護衛業管理委員會主席
- 酷刑聲請上訴委員會委員
- 藝術發展諮詢委員會委員

#### Ms Jane Curzon LO, JP

Barrister-at-law

- Deputy Chairman, Accreditation of Academic and Vocational Qualifications Appeal Board
- Adjudicator, Immigration Tribunal
- Chairman, Security and Guarding Services Industry Authority
- Member, The Torture Claims Appeal Board
- Member, Advisory Committee on Arts Development



**吳啟民先生**

世紀 21 香港有限公司行政總裁

- 博愛醫院總理 (1994-95)
- 公益金屋邨籌款委員會聯席主席 (1995-96)

**Mr NG Kai-mann**

Chief Executive Officer,  
Century 21 Hong Kong Limited

- Director, Pok Oi Hospital (1994-95)
- Co-chairman, Community Chest Estates for the Chest Committee (1995-96)



**司徒惠貞女士**

第一太平戴維斯估值及  
專業顧問有限公司資深董事

**Ms Anna SETO Wai-ching**

Senior Director, Savills Valuation  
and Professional Services Limited



**蕭澤宇 BBS 太平紳士**

希仕廷律師行合夥人

- 環境影響評估上訴委員會主席
- 香港特別行政區護照上訴委員會副主席
- 審核委員會 (電影檢查) 主席
- 城市規劃上訴委員會委員
- 酷刑聲請上訴委員會委員
- 房屋局上訴委員會主席 (2007-13)

**Mr Simon SIU Chak-yu,  
BBS, JP**

Partner, Hastings & Co.

- Chairman, Environmental Impact Assessment Appeal Board Panel
- Deputy Chairman, HKSAR Passports Appeal Board
- Chairman, Board of Review (Film Censorship)
- Member, Appeal Board Panel (Town Planning)
- Member, Torture Claims Appeal Board
- Chairman, Housing Bureau Appeal Panel (2007-13)

# 監管局成員

## Members of the EAA



### 謝順禮先生

嘉威物業代理有限公司行政總裁  
嘉興地產有限公司行政總裁

- 香港地產代理商總會主席
- 職業安全健康局文職及專業服務業安全及健康委員會委員
- 河畔花園業主立案法團主席

### Mr Calvin TSE Shun-lai

CEO, Ka Wai Property Agency Co. Ltd.  
CEO, Ka Hing Properties Co. Ltd.

- Chairman, Hong Kong Real Estate Agencies General Association
- Member, Sedentary and Professional Services Safety and Health Committee, Occupational Safety and Health Council
- Chairman, Incorporated Owners of Garden Rivera



### 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
- 僱員再培訓局成員

### 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, Employees Retraining Board



### 汪敦敬博士，MH

祥益地產代理有限公司總裁

- 香港專業地產顧問商會榮譽會長
- 僱員再培訓局委員
- 僱員再培訓局課程及服務發展委員會召集人
- 僱員再培訓局質素保證及覆核委員會成員
- 僱員再培訓局審計委員會成員
- 社會福利署屯門地區福利協調機制委員

### Dr Lawrence WONG Dun-king, MH

President, Many Wells Property  
Agent Limited

- Honorary President, Hong Kong Chamber of Professional Property Consultants Limited
- Member, Employees Retraining Board
- Convenor, Course and Service Development Committee, Employees Retraining Board
- Member, Quality Assurance and Review Committee, Employees Retraining Board
- Member, Audit Committee, Employees Retraining Board
- Member, Tuen Mun District Coordination Mechanism, Social Welfare Department





#### 黃鳳嫻女士

消費者委員會總幹事

- 競爭事務委員會委員
- 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
- 旅遊業賠償基金管理委員會委員
- 降低食物中鹽和糖委員會成員

#### Ms Gilly WONG Fung-han

Chief Executive, Consumer Council

- Member, Competition Commission
- 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, Travel Industry Compensation Fund Management Board
- Member, Committee on Reduction of Salt and Sugar in Food

#### 黃光耀先生

會德豐有限公司董事  
會德豐地產(香港)有限公司常務董事

- 香港特區政府中央政策組特邀顧問
- 香港考試及評核局香港中學文憑考試應用學習科目委員會增選委員
- 香港綠色建築議會董事會成員及綠建教育委員會副主席
- 香港僱主聯合會副主席
- 英國皇家特許測量師學會資深會員
- 民政事務總署「伙伴倡自強」社區協作計劃諮詢委員

#### Mr Ricky WONG Kwong-yiu

Director, Wheelock and Company Limited  
Managing Director, Wheelock Properties (HK) Limited

- Associate Member, Central Policy Unit of HKSAR
- Co-opted Member, the Hong Kong Diploma of Secondary Education Examination – Applied Learning Subject Committee of the Hong Kong Examinations and Assessment Authority
- Director, Hong Kong Green Building Council and Vice-Chairman, Public Education Committee
- Vice-Chairman, Employers' Federation of Hong Kong
- Fellow Member, Royal Institution of Chartered Surveyors
- Advisory Committee on Enhancing Self-Reliance Through District Partnership Programme, Home Affairs Department

#### 黃偉雄先生，MH

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
- 愛心力量中原慈善基金洗腎中心榮譽主席及董事
- 香港專業及資深行政人員協會副會長
- 香港品牌發展局理事
- 教育局教育人員專業操守議會成員
- 樂群社會服務處榮譽顧問

#### Mr Addy WONG Wai-hung, MH

Chairman and Chief Executive Officer, Asia Pacific, Centaline Property Agency Ltd

- Chairman, Centaline Charity Fund Ltd
- Hon. Chairman and Council Member, POLCCF Dialysis Centre
- Vice President, Hong Kong Professionals and Senior Executives Association
- General Committee Member, Hong Kong Brand Development Council
- Member, Council On Professional Conduct in Education – Education Bureau
- Honorary Adviser, Lok Kwan Social Services

# 監管局成員

## Members of the EAA



### 余惠偉太平紳士

恒基兆業地產有限公司  
地產策劃（一）部總經理

- 香港地產建設商會建築事務委員會委員
- 發展局上訴審裁團（建築物）成員
- 建造業議會建造業工人註冊委員會成員
- 民政事務總署「伙伴倡自強」社區協作計劃成員
- 建造業議會成員（2008-14）
- 建造業議會零碳天地主席（2011-15）

### Mr YU Wai-wai, JP

General Manager (Project Management (1) Department), Henderson Land Development Company Limited

- Member, Construction Sub-Committee, The Real Estate Developers Association of Hong Kong (REDA)
- Member, Appeal Tribunal Panel (Buildings) of Development Bureau
- Member, Construction Workers Registration Board, Construction Industry Council
- Member, Advisory Committee on Enhancing Self-Reliance Through District Partnership Programme, Home Affairs Department
- Member, Construction Industry Council (2008-14)
- Chairman, Zero Carbon Building, Construction Industry Council (2011-15)



### 余雅芳女士

安永諮詢服務有限公司合伙人

- 封閉令（對健康的即時危害）上訴委員會成員
- 促進港台交流活動資助計劃評審委員會成員
- 漁業發展貸款基金顧問委員會成員
- 漁農自然護理署「內地過港漁工計劃」工作小組委員

### Ms Avon YUE Nga-fong

Partner, Ernst & Young Advisory Services Limited

- Member, Appeal Board on Closure Orders (Immediate Health Hazard)
- Member, Assessment Committee of Exchanges with Taiwan Funding Scheme
- Member, Fisheries Development Loan Fund Advisory Committee
- Member, Mainland Fishermen Deckhands Scheme



### 王天予太平紳士

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）

### Ms Agnes WONG Tin-yu, JP

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



監管局成員定期與行政部門舉行會議。

Members of the EAA regularly hold meetings with the Administration.



# 活動回顧

## Events & Activities

- 舉辦題為「企業管治的概述及於地產代理業的實施」的持續專業進修講座
- CPD seminar on "Corporate Governance and Internal Control – An Overview and Application in Estate Agency Industry" held



- 推出網上個人牌照續牌申請服務
- Launched online application of individual licence renewal
- 獲頒發「同心展關懷」標誌
- Awarded Caring Organisation

- 舉辦題為「遵守《競爭條例》」的持續專業進修講座
- CPD seminar on "Compliance with the Competition Ordinance" held



4/2016

5/2016

6/2016



- 獲僱員再培訓局嘉許為「人才企業」
- Received ERB Manpower Developer Award



- 接待法律教育基金的交流團
- Delegation from Legal Education Fund received

- 全新消費者小冊子《住宅物業「開門七件事」》出版

- New consumer leaflet titled "Key Information of Residential Properties" published



- 舉辦題為「執業通告——一手住宅物業銷售」的持續專業進修講座

- CPD seminar on "Practice Circulars – First Sale of Residential Properties" held

- 監管局發出有關「一手住宅樓盤銷售地點的秩序事宜」的執業通告(編號 16-02(CR))

- Practice Circular (No. 16-02(CR)) on "First Sale Residential Properties – Order at First-sale Sites" became effective

- 舉辦題為「『港人港地』措施概述」的持續專業進修講座

- CPD seminar on "Hong Kong Property for Hong Kong People Measure" held

7/2016

8/2016

9/2016



- 監管局會見傳媒，回顧2016年上半年工作及簡介下半年工作重點
- The EAA met the press to review its work in the first half of 2016 and introduced its initiatives for the second half



- 接待青海省工商行政管理局代表團
- Delegation from Qinghai Province Administration for Industry received



- 「輕・型」上班日
- Biz-Green Dress Day



- 舉辦「精明置業系列：住宅物業開門七件事」公開講座
- Public Seminar on "Key Information of Residential Properties" held

# 活動回顧

## Events & Activities

- 監管局推出實務證書課程
- EAA launched Certificate Programme in Practice

- 監管局兩名員工獲頒發「申訴專員嘉許獎」
- Two EAA staff awarded the Ombudsman's Award



- 427名持牌人獲頒發優越嘉許獎章「銀章」
- 427 licensees awarded the "Silver" Premium CPD Attainment Symbol



- 監管局發出有關「核實賣方的身分」的執業通告(編號16-03(CR))
- Practice Circular (No. 16-03(CR)) on "Verifying the Identity of Vendors" became effective

- 舉辦「防止有關物業的詐騙罪案」的持續專業進修講座
- CPD seminar on "Prevention of Property Fraud" held



10/2016

11/2016

12/2016



- 與中國房地產估價師與房地產經紀人學會進行會議
- Meeting with the China Institute of Real Estate Appraisers and Agents



- 接待杜拜房地產協會代表團
- Delegation from Dubai Real Estate Institute received



- 監管局員工參與「生命小戰士會」舉辦之步行籌款
- EAA staff participated in Little Life Warrior Society's Walkathon



- 舉辦午餐會歡迎新任董事局成員及歡送卸任成員
- Luncheon held to welcome newly appointed Board members and bid farewell to outgoing Board members



- 全新消費者小冊子《委託地產代理須知》出版
- New consumer leaflet titled "Notes on Appointing Estate Agents" published



- 推出電視宣傳短片「訂金交託律師行、樓宇買賣風險降」
- API on "Lower the risk in property transactions; place all deposits at a law firm for stakeholding" launched



- 舉辦「精明置業系列：置業按揭精明眼」公開講座
- Public Seminar on "Smart Tips on Mortgage Application" held



1/2017

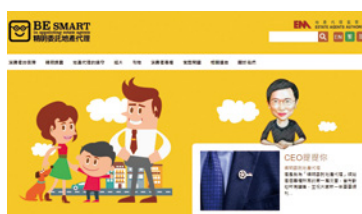


- 接待廣東省機構編制委員會辦公室代表團
- Delegation from Office of Government Set-up Committee of Guangdong Province received



- 監管局會見傳媒，回顧2016年工作及簡介2017年工作重點
- The EAA met the press to review its work in 2016 and introduced its initiatives for 2017

2/2017



- 推出消費者教育網站
- Consumer education website launched



- 農曆新年與傳媒團拜
- Chinese New Year media luncheon held

3/2017



- 舉辦題為「認識涉及房地產權益的集體投資計劃」的持續專業進修講座
- CPD seminar on "Collective Investment Schemes Involving Real Property" held



# 監管局團隊 The EAA Team

## 行政與員工

### 員工

監管局由行政總裁領導，其職能包括管理監管局事務，以及監察及規管業界遵守《地產代理條例》。截至2017年3月31日，監管局職員編制共有99名員工。殘疾僱員佔總僱員數目1%，2016/17年度的員工流失率為24%。

### 薪酬

監管局定期檢討其薪酬政策，以確保薪酬福利與市場趨勢一致，維持一定的競爭力以吸引及留住人才。本局委託了獨立顧問公司在年內進行薪酬水平及薪酬趨勢調查。工資範圍已根據市場水平進行調整。2017年度按表現的薪金調整制度亦參考了顧問公司的建議而釐訂。

### 員工培訓及發展

隨着公眾對監管局的問責性及透明度之期望與日俱增，我們必須確保員工具備履行職責、積極回應大眾訴求，以及維持高服務水平的能力。作為本局人力資源策略之一，監管局致力提供各類資源（包括內部工作坊、對外的培訓課程及培訓資助等），以支持員工的事業發展及提高他們的專業技巧和競爭力。

為加強員工對有效處理衝突的重要認識，監管局年內為員工舉辦了有關衝突管理的工作坊。

## Organisation and People

### Staffing

The EAA is led by the Chief Executive Officer who is responsible for managing the business of the EAA, monitoring and supervising compliance with the Estate Agents Ordinance. As at 31 March 2017, the staff establishment was 99. The percentage of employees with disabilities was 1%. The staff turnover rate for 2016/17 was 24%.

### Remuneration

The EAA regularly reviews its remuneration policy and practices to ensure that our remuneration packages are in line with the market trends, so as to maintain competitiveness in attracting and retaining talent. An independent consultant has been commissioned to conduct a pay level and pay trend survey during the year. The pay ranges have been revised in line with the market and the 2017 annual performance-linked pay adjustment exercise also drew reference from the recommendations of the consultant.

### Staff Training and Development

With rising public expectations on the accountability and transparency of the EAA, we need to ensure that our staff are equipped with the necessary competencies to discharge their duties, respond to the community's evolving needs, and achieve consistently high levels of performance. As part of its human resources strategy, the EAA is committed to providing various kinds of resources, including in-house workshops, external training programmes and training sponsorship, to support our staff's career development and enhance their professional skills and competencies.

To enhance staff awareness on the importance of managing conflicts effectively and constructively, a workshop on Conflict Management was organised for all staff during the year.



監管局亦鼓勵員工申請資助，積極參與與工作相關的進修課程，以增進工作方面的知識及實現個人事業發展目標。

這些培訓活動旨在提高員工的專業知識及技能、以協助他們盡展所長，並為日後面對更大的挑戰及成就而作好準備。

## 溝通

管理層與員工的雙向溝通對於建立一支成功的團隊至為重要。監管局透過不同渠道，包括定期舉行高級管理層會議及部門會議，加強溝通以傳達監管局方針，同時確保不同部門之間的透明度及對彼此工作的互相理解。管理層透過定期的溝通活動（如行政總裁座談會及部門簡報會）接觸員工，分享重要議題，如機構計劃、薪酬調整制度及架構變化等，並提供機會讓員工發表意見。

為培養團隊精神，年內，監管局也舉行了不少員工聚會，如員工旅行及年度派對等。另外，為確保員工的積極態度在機構中得到承認和傳達，監管局也舉辦了「最佳團隊成員」的員工表彰活動。

Staff are also encouraged to apply for sponsorship for their self-initiated job-related programmes to enhance their knowledge at work and to meet individual career development goals.

All these training activities aim to enhance the professional knowledge and skills of our staff, to develop their full potential and to prepare them for greater challenges and achievements ahead.

## Communication

Two-way communication between management and staff is crucial to building a winning team. The EAA reinforces communication through different channels, including regular meetings among senior management staff and sectional meetings, to convey direction and to ensure transparency and understanding of the work of different sections. Management regularly reaches out to staff through various communication sessions, such as the CEO's Forum and sectional briefing sessions, to share key topics like the EAA's corporate plan, the pay adjustment mechanism, and organisational changes, as well as to provide staff with opportunities to share their views.

To foster team spirit, informal gatherings such as staff outings and an annual party were arranged during the year. As well, to ensure the positive attitude of staff is acknowledged and communicated throughout the organisation, a staff appreciation programme named "Excellent Team Player Award" was organised during the year.

# 監管局團隊

## The EAA Team

### 企業社會責任

本局致力將企業社會責任原則融入日常運作中，為社區持續發展作出貢獻。針對社區、環境及工作場所等主要企業社會責任範疇，均已納入本局所有營運決策及實務中。要維持作為法定機構應有的良好企業社會責任，有賴全體監管局成員的努力。

### 獎項

監管局獲香港社會服務聯會頒發「同心展關懷」標誌，以表彰本局對「關懷社區」、「關愛僱員」及「關注環境」所作的承諾和貢獻。

監管局同時獲僱員再培訓局嘉許為「人才企業」，表揚局方在人才培訓及發展方面的卓越表現。

監管局的兩名員工獲選為「2016申訴專員嘉許獎—公職人員獎」得獎者，以表揚他們在服務大眾和處理查詢方面的專業及積極態度。一名牌照部的助理經理和一名財務及行政部的高級文員憑藉出色表現獲頒個人獎項。該頒獎典禮已於2016年10月27日舉行，共有37名來自不同公營機構和政府部門的公職人員獲獎。這是連續第二年有監管局員工獲頒該等獎項。

### Corporate Social Responsibility

We are committed to integrating corporate social responsibility ("CSR") principles into our daily operations and contributing to the sustainable development of the community. Key CSR aspects such as community, environment and workplace, are integrated into all our operational decisions and practices. Maintaining good CSR practices that align with our role as a statutory body involves everyone at the EAA.

### Awards

The EAA received the Caring Organisation logo presented by The Hong Kong Council of Social Service in recognition of its commitment and contribution to "Caring for the Community", "Caring for the Employees" and "Caring for the Environment".

The EAA was also acknowledged as a "Manpower Developer" by the Employees Retraining Board for its outstanding achievements in manpower training and development.

Two EAA staff received "The Ombudsman's Award 2016" for "Officers of Public Organisations" in recognition of their professional and positive attitude in serving the public and handling enquiries. An Assistant Manager of the Licensing Section and a Senior Clerk of the Finance & Administration Section received individual awards for their outstanding performance. The presentation ceremony was held on 27 October 2016 and there were 37 awardees from various public organisations and Government departments. This was the second consecutive year that EAA staff have received the awards.

監管局參加由「生命小戰士會」舉辦的步行籌款活動。

The EAA participates in a fundraising walkathon held by Little Life Warrior Society.



## 社區

監管局於2017年1月8日參加由「生命小戰士會」舉辦的「愛童行 — 與小戰士步出新生」步行籌款活動。「生命小戰士會」是一所兒童血液學及癌症互助組織，旨在為癌症兒童、接受骨髓移植病童及嚴重血病兒童提供服務。參與此活動的監管局員工及親友共有約20名，所有參加者都可沿途欣賞城門河優美景色。是次活動為主辦單位籌得合共19,850元善款。

為表達我們對弱勢社群的關懷，監管局也全力支持香港公益金所舉辦的籌款活動（包括：公益便服日、公益愛牙日、公益行善「折」食日等）以及長者探訪活動。

## Community

The EAA participated in a fundraising walkathon "Walk for love: Cherishing little life warriors towards a brighter future" held by Little Life Warrior Society on 8 January 2017. Little Life Warrior Society is a childhood haematology and cancer mutual-support organisation to serve child patient with cancer; bone marrow transplants or severe blood diseases. A total of about 20 EAA staff, their families and friends participated in the walkathon, and a total of \$19,850 was raised for the organiser. All participants enjoyed the scenic walk along Shing Mun River.

To show our care to the less fortunate, the EAA supported various fund-raising activities (e.g. Dress Casual Day, Love Teeth Day, Skip Lunch Day etc) and an elderly visit activity organised by the Hong Kong Community Chest.

# 監管局團隊

## The EAA Team

### 在職學習機會

#### 暑期實習計劃

監管局為大學生提供暑期實習職位。在為期兩個月的計劃中，實習生有機會與不同的專業人士進行互動及取得實際工作經驗。教學相長，主管們亦可從指導年輕一代中獲取經驗。

### 環境

監管局致力成為一個環保機構，並向員工推廣環保理念。我們鼓勵員工將資源循環再用，例如回收紙張、碳粉盒及文儀用品等，以減少浪費。

### On-the-Job Learning Opportunities

#### Summer Internship Programme

The EAA offered internship placements to university students during the summer holiday. During the 2-month programme, the interns had the opportunity to interact with different professionals and get hands-on working experience. The supervisors also gained experience in coaching the younger generation.

### Environment

The EAA strives to operate as an environmentally friendly organisation and promotes the same to its staff. EAA staff are encouraged to recycle usable materials, e.g. paper, toner cartridges and stationery, in order to minimise waste.



監管局管理層頒贈證書予暑期實習生。

The management of the EAA presents certificates to the summer interns.





監管局參與「利是封回收重用大行動」。

The EAA participates in the Lai See Packets Recycling & Reuse Programme.

年內，監管局亦有支持不少環保活動，例如「『輕•型』上班日」、「香港無冷氣夜」、「利是封回收重用大行動」及「地球一小時」等。

The EAA also supported several environmental initiatives during the year, e.g. Biz-green Dress Day, Hong Kong No Air Con Night, Lai See Packets Recycling & Reuse Programme and Earth Hour.

## 健康與安全

監管局致力為員工提供健康及安全的工作環境。我們會定期為工作間進行風險評估及在有必要時對個別員工的工作間作出調整。

監管局亦於2016年簽署了衛生署及職業安全健康局制定的「好心情@健康工作間」約章，承諾促進僱員的身心健康，重點關注健康飲食、體能活動及心理健康。2016年11月，監管局為員工安排了體格檢測活動，好讓他們更了解自己的健康狀況。

## Health and Safety

The EAA is committed to providing a healthy and safe working environment to staff. Regular risk assessments on work stations are conducted and, if necessary, adjustments to individual's work setting would be made.

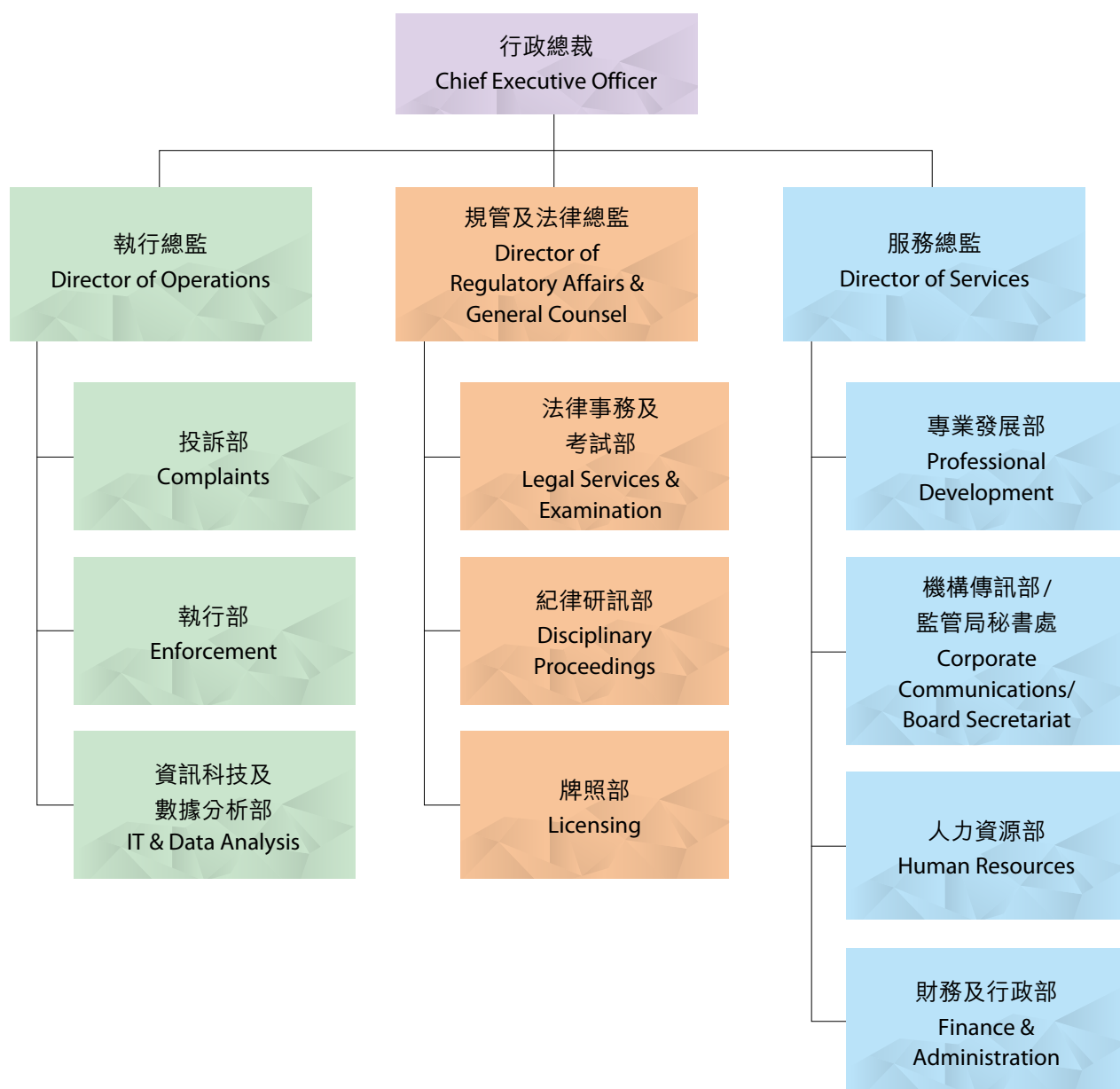
The EAA also signed the Joyful@Healthy Workplace Charter by the Department of Health and the Occupational Safety and Health Council in 2016, and pledged to promote physical and mental well-being amongst employees with a focus on healthy diet, physical activity and mental well-being within the organisation. A health check session was arranged for EAA staff in November 2016 to facilitate them to have a better understanding of their health condition.

# 監管局團隊

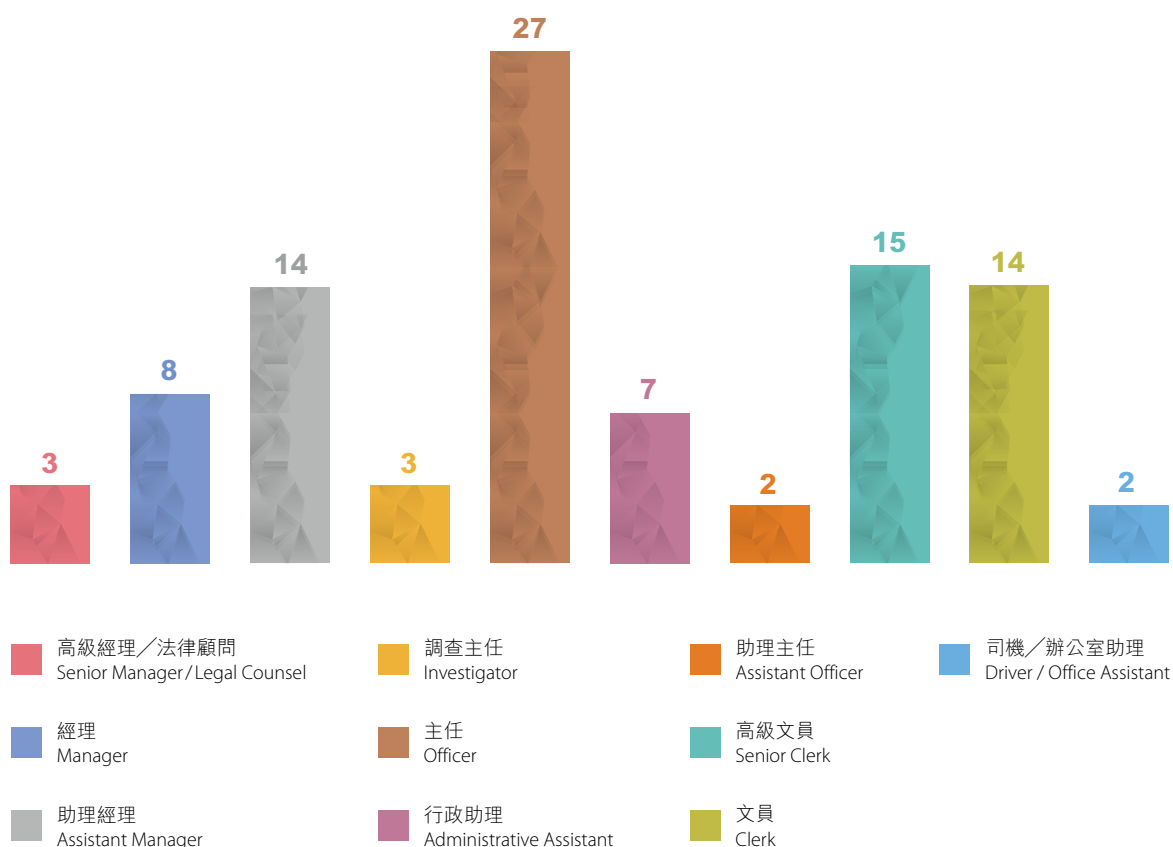
## The EAA Team

### 監管局行政部門組織架構圖

#### Organisation chart of the EAA Administration



## 總監級以下的員工編制 Non-directorate staff establishment



# 監管局團隊

## The EAA Team

### 本年度行政總裁和總監的薪酬

本年度支付予行政總裁和總監<sup>2</sup>的薪酬<sup>1</sup>如下：

### Remuneration of Chief Executive Officer and Directors during the year

The total remuneration<sup>1</sup> of the Chief Executive Officer and directors<sup>2</sup> during the year was as follows:

|                             |                            | 人數<br>Number of individuals |
|-----------------------------|----------------------------|-----------------------------|
| \$1,500,001 – \$2,000,000 元 | \$1,500,001 to \$2,000,000 | 1                           |
| \$2,000,001 – \$2,500,000 元 | \$2,000,001 to \$2,500,000 | 1                           |
| \$2,500,001 – \$3,000,000 元 | \$2,500,001 to \$3,000,000 | 2                           |
| 合計                          | Total                      | 4                           |

<sup>1</sup> 整套薪酬福利包括年內支付的薪金、約滿酬金及按表現調整的薪金（如適用）。

<sup>2</sup> 監管局年內共有三位總監級員工，分別為服務總監、規管及法律總監及執行總監。

<sup>1</sup> Total remuneration includes salary, contract-end gratuity and performance-linked pay, if applicable, paid during the year.

<sup>2</sup> There are three directorate staff, namely Director of Services, Director of Regulatory Affairs and General Counsel and Director of Operations.



## 財務

於本年度，監管局錄得640萬元盈餘（相比去年盈餘為990萬元）。監管局在本年度內之總收入為8,350萬元，較上年度增加30萬元或0.4%。監管局年度內之總開支為7,710萬元，較上年度增加390萬元或5.3%。

### 收入

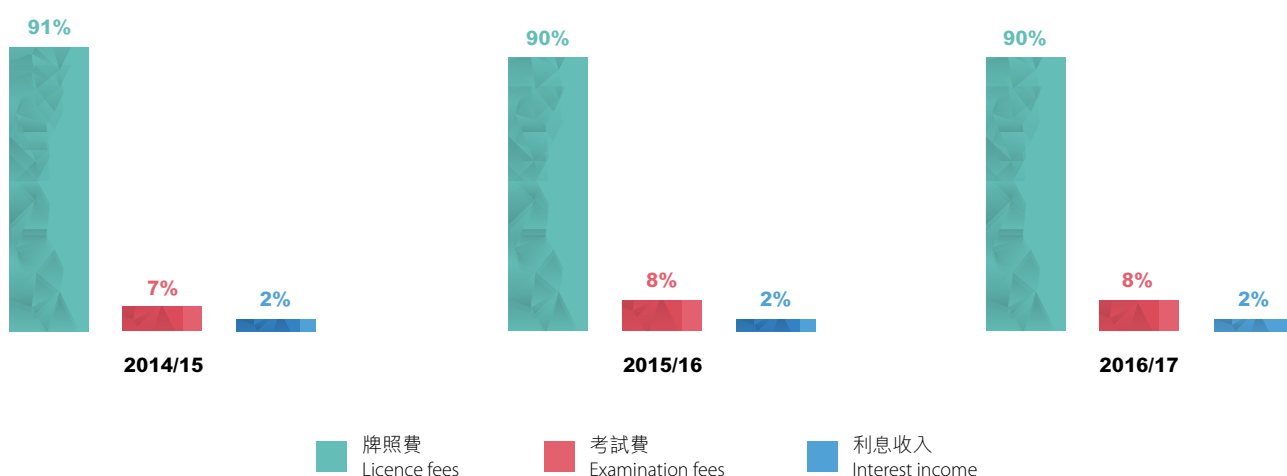
牌照費收入較上年度增加了30萬元或0.4%至7,550萬元，佔總收入的90%。增加的主要因為年度內持牌人數上升。由於報考考試的考生人數下降，考試費收入較上年度減少30萬元或4.7%至620萬元。另因各銀行提高定期存款息率及監管局的平均現金結餘增加，令利息收入上升至180萬元，較上年度增加30萬元或18.6%。

## Finance

For the year under review, the EAA reported a surplus of \$6.4 million (as compared to a surplus of \$9.9 million last year). Income for the year under review was \$83.5 million, an increase of \$0.3 million or 0.4% over the previous year. Expenditure for the year was \$77.1 million, an increase of \$3.9 million or 5.3% compared to last year.

### Income

Licence fee income, contributing 90% of the total income, was \$75.5 million, representing an increase of \$0.3 million or 0.4% over the previous year. The increase was mainly due to a growth in the number of licensees during the year. Examination fee income was \$6.2 million, representing a decrease of \$0.3 million or 4.7% over the previous year, due to the decrease in the number of candidates that registered for the examination. Interest income was \$1.8 million, representing an increase of \$0.3 million or 18.6% over the previous year, due to higher time deposits interest rates offered by banks and an increase in the EAA's average cash balance.



# 監管局團隊

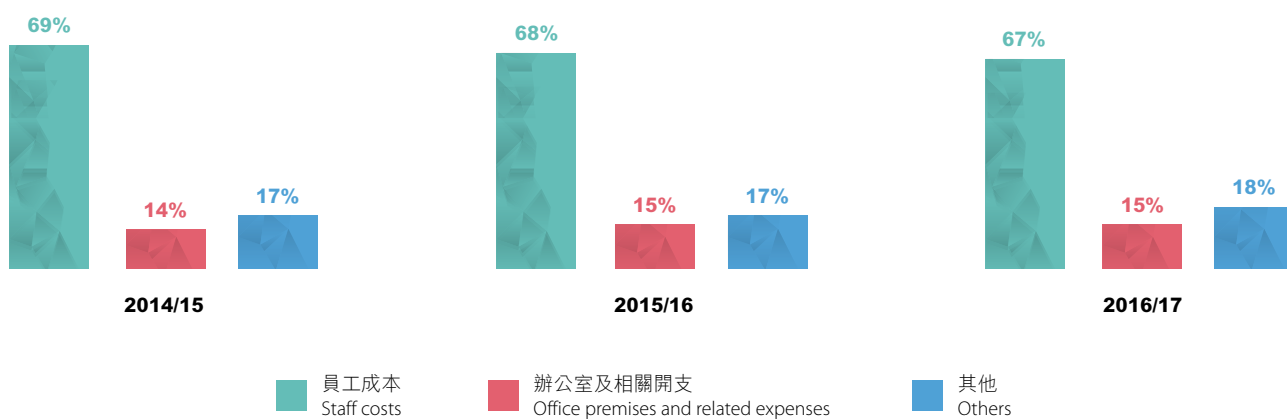
## The EAA Team

### 開支

員工成本與辦公室及相關開支為兩大主要支出，分別佔總開支66.4%及15.2%。主要支出增加的項目在於員工成本、辦公室及相關開支、折舊、公眾教育支出，以及器材維修保養及通訊支出，而主要支出減少的項目則為考試服務費、印刷及文具開支。

### Expenditure

Staff costs and office premises & related expenses were two major expenditure items, accounting for about 66.4% and 15.2% of our total expenditures respectively. Expenditure items recording major increases were staff costs, office premises and related expenses, depreciation, community education expenses, and equipment maintenance and communication expenses. Expenditure items recording major decreases were service fees for examinations, and printing and stationery expenses.



## 資訊科技

綜合管理資訊系統自2015年11月投入運作以來，一直運作良好。現時，該系統提供一個全面綜合的資訊科技平台，讓監管局各部門可以靈活及有效地共同運用資料庫。在新系統下，所有資料儲存在一個中央統一的資料庫中，以確保數據定義的一致性。目前，所有部門均可透過電子方式保存其統計數據及記錄，以有效及準確地進行資料擷取、數據分析及交叉列表等各項功能。資訊系統的各项重要功能例如提供重大數據，對於提升及評估監管局的規管工作及協助其管理層制定決策至為重要。該系統亦可根據管理層的指示允許各個部門之間共同分享及運用資訊，好讓各部門能即時擷取最新、完整及準確的統計數據。

有關網上申請續牌、網上支付續牌費用以及網上登記持續專業進修活動的新電子服務，該系統可透過電子郵件或手機短訊向持牌人發送自動回覆通知，以確認收到續牌申請。這不但提高監管局的工作效率，而且對用戶來說更方便，有助提升客戶滿意度。相比以往員工以人手輸入資料，新系統可自動收集持牌人在網上輸入的所有個人資料，減少人為出錯的機會。

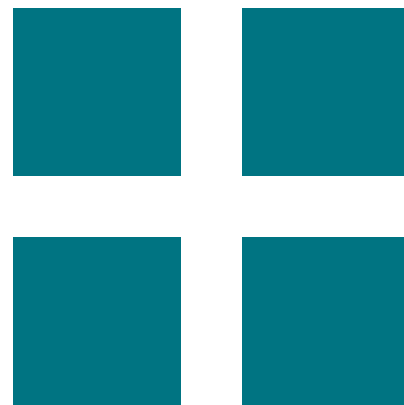
新電子服務自2016年5月啟用以來，頗受申請人歡迎。監管局將積極研究，希望在未來為持牌人及大眾提供更多快捷的網上服務。

## Information Technology

The Integrated Management Information System had been functioning well since its operation in November 2015. It now effectively provides a fully integrated information technology platform with its database readily and effectively shared by all sections of EAA on the same platform. Under the new system, all data is now centralised under a database to ensure data definition consistency. At present, all sections can maintain their statistics and records electronically to ensure effective and accurate data-mining, data analysis and cross-tabulation among the various functions, which are essential to enhancing and evaluating the effectiveness of EAA's regulatory efforts as well as providing the essential Big Data to guide management decision. The system is also able to allow information to be shared between various sections subject to management's direction as well as facilitate all sections to capture and obtain immediate and most up-to-date, complete and accurate statistics for their sections.

Concerning the new e-services such as online application for licence renewal, online payment of licence renewal fees, and online enrolment of CPD activities, the system is now able to send direct automatic electronic notifications such as emails or SMS to licensees to acknowledge receipt of their licence renewal applications. It not only improves work efficiency on the part of the EAA but at the same time ensures user-friendliness and enhances customer satisfaction. The new system is capable of minimizing human errors as it now automatically captures all personal particulars entered online by licensees as opposed to the previous inputting process handled manually by staff.

Since the e-service's inception in May 2016, the service was found to be quite popular among applicants. EAA will continue to explore and provide more online services that are convenient for licensees and the general public in future.



# 機構管治

## Corporate Governance





# 機構管治

## Corporate Governance

為加強公眾對監管局信心及以持份者的最佳利益為依歸，監管局一直致力保持良好的機構管治，在履行《地產代理條例》下的職責時，維持高度問責制、公信力、公平性和透明度。

In order to foster public confidence in the EAA and for the best interests of its stakeholders, the EAA attaches great importance to achieving high standards of corporate governance and a high level of accountability, credibility, fairness and transparency in discharging its duties under the Estate Agents Ordinance ("EAO").

### 機構管治框架

#### Governance Framework



## 監管局董事局及其架構

### 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，包括機構發展計劃、年度工作計劃、年度預算案，以及負責監察監管局行政部門的表現。

### 董事局的組成

董事局的組成在《地產代理條例》中有所規定。董事局設有正、副主席各一名及不多於18名普通成員。成員來自社會上不同界別，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委任。新任董事局成員均獲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但相關的背景，擁有不同的技能、經驗及專業，包括來自地產代理、商業、法律、測量、金融、會計及學術界別等，為董事局帶來不同範疇的經驗與專業知識以及獨立的觀點。來自地產代理業內及業外的成員組合，使董事局在辯論各項議題時，能兼顧各方面的觀點。有關董事局成員的履歷資料詳載於第22至28頁「監管局成員」部分。

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》，制定監管局政策，並監督局方事務；而行政總裁則領導行政部門，執行董事局及委員會的決定，並負責管理局方各項事務。

## The EAA Board and Composition

### The Board

The Board is the highest decision-making authority of the EAA. It sets the overall strategic direction and policies of the EAA, including its corporate plan, annual work plan and annual budget, and monitors the performance of the EAA Administration.

### Board Composition

The constitution of the Board is stipulated by the EAO. The Board consists of a Chairman, a Vice-chairman, and not more than 18 ordinary members from various sectors of the community, including the estate agency sector and the Transport and Housing Bureau. Board members are appointed for a fixed term by the Chief Executive of the Hong Kong Special Administrative Region. The newly appointed Board members are given briefings and information packages to familiarise them with the work of the EAA.

Board members come from varied but relevant backgrounds with diverse skills, experience and expertise, including real estate agency, business, legal, surveying, finance, accounting and academia, and bring to the Board a wide range of experience and expertise as well as an independent perspective. The combination of members from within and outside the real estate agency trade gives the Board a balanced perspective to debate the issues it faces. Biographical details of the Board members are set out in the section "Members of the EAA" on pages 22 to 28.

The positions of Chairman and Chief Executive Officer ("CEO") are held by different persons and their roles are segregated. The Chairman is responsible for leading the Board in enforcing the EAO, setting policies for the EAA, and overseeing EAA's business and affairs, while the CEO is the administrative head responsible for executing the decisions of the Board and Committees and administering the business and affairs of the EAA.

# 機構管治

## Corporate Governance

### 委員會及專責小組

董事局以下設有五個常設委員會和一個專責小組，負責處理監管局不同範疇的工作。委員會的每名成員皆由監管局董事局委任，而每個委員會須有最少三名成員。

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。例如，董事局成立了第28條調查小組，負責監察《地產代理條例》第28條規定之調查權力的使用情況。該小組僅在需要時舉行會議。該小組在2016/17年度並無召開會議。

2016/17年度，監管局常設委員會及專責小組包括：



監管局常設委員會的職權範圍及成員名單載於**附錄一**。

<sup>1</sup> 非常設委員會，僅在需要時舉行會議。

### Standing Committees and Working Panel

There are five standing committees and one working panel under the EAA Board to oversee the various aspects of the EAA's work. Each of the members of a committee is appointed by the EAA Board and a committee shall consist of at least three members.

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. For example, a S.28 Investigation Panel was set up to monitor the use of the investigative powers under section 28 of the EAO. This Panel will only meet on a need basis. In 2016/17, there was no meeting held.

The standing committees and working panel of the EAA in 2016/17 included:

The terms of reference and composition of the standing committees and working panel of the EAA are listed in **Appendix I**.

<sup>1</sup> Not a standing committee, meet as and when needed.



## 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。

2016/17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：

## Meeting 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.

In 2016/17, the number of meetings, the average attendance rates and number of papers considered by/at the meetings of the EAA Board and standing committees were as follows:

2016年4月1日至2016年10月31日  
1 April 2016 to 31 October 2016

|  | 會議數目<br>Number of<br>meetings held | 平均出席率*<br>Average<br>attendance rate* | 經審議的文件數目<br>Number of papers<br>considered |
|--|------------------------------------|---------------------------------------|--|
| 董事局<br>The EAA Board   | 2                                  | 92%                                   | 21   |
| 財務及策略發展委員會<br>Finance and Strategic<br>Development Committee | 1                                  | 78%                                   | 3  |
| 紀律委員會<br>Disciplinary Committee                              | 2                                  | 75%                                   | 9  |
| 牌照委員會<br>Licensing Committee                                 | 3                                  | 70%                                   | 10   |
| 執業及考試委員會<br>Practice and Examination Committee               | 2                                  | 62%                                   | 7  |
| 專業發展委員會<br>Professional Development<br>Committee             | 2                                  | 71%                                   | 18   |

\* 委員會出席率包括董事局成員及董事局委任成員。

\* The attendance of committees includes Board members and Board-appointed members.

# 機構管治

## Corporate Governance

2016年11月1日至2017年3月31日  
1 November 2016 to 31 March 2017

|  | 會議數目<br>Number of<br>meetings held | 平均出席率*<br>Average<br>attendance rate* | 經審議的文件數目<br>Number of papers<br>considered |
|--|------------------------------------|---------------------------------------|--|
| 董事局<br>The EAA Board   | 2                                  | 85%                                   | 24   |
| 財務及策略發展委員會<br>Finance and Strategic<br>Development Committee | 1                                  | 71%                                   | 5  |
| 紀律委員會<br>Disciplinary Committee                              | 0                                  | 不適用<br>N/A                            | 0  |
| 牌照委員會<br>Licensing Committee                                 | 2                                  | 75%                                   | 3  |
| 執業及考試委員會<br>Practice and Examination Committee               | 1                                  | 83%                                   | 4  |
| 專業發展委員會<br>Professional Development<br>Committee             | 1                                  | 93%                                   | 7  |

\* 委員會出席率包括董事局成員及董事局委任成員。

\* The attendance of committees includes Board members and Board-appointed members.

## 誠信與公正

### 操守標準

本局堅守以誠信及公平為原則，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」。

作為規管香港地產代理行業的法定機構，監管局明白盡力維持最高質素服務水平及道德標準的重要性。監管局要求全體員工在誠信及行為上皆秉持高標準，以促進並維持公眾的信心。本局員工必須遵守適用於全體監管局員工的行為守則，當中詳列本局期望全體員工達到的基本行為標準，涵蓋保密、利益衝突及利益收受等方面。監管局會向每位入職員工講解有關守則，並將相關文件上載至監管局內聯網供員工隨時參閱。

行政總裁、總監和經理（包括高級經理）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

We are fully committed to the principle of honesty, integrity and fair play in the delivery of services to the public.

The EAA is a public body under the Prevention of Bribery Ordinance. The 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 recognises the importance of maintaining the highest possible level of quality service and ethical standards. A high standard of integrity and conduct is required of all staff to promote and maintain public confidence. Our staff members are required to comply with our Code of Conduct applicable to all EAA staff which sets out in detail our basic standards of conduct expected of all staff, covering confidentiality, conflicts of interest and acceptance of advantages. All EAA staff members are briefed on the Code upon their commencement of duties 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 and Managers (including Senior 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 and within two months after service.

# 機構管治

## Corporate Governance

### 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，監管局實施兩層的申報利益制度。所有董事局成員及董事局委任成員獲委任後，必須向監管局申報其利益，並每年更新資料。此外，他們須於監管局所有會議上，申報涉及監管局所審議的任何議題及事宜的利益，以及任何與監管局事務有利益衝突或潛在利益衝突的事情。公眾可要求查閱記錄有關利益申報詳情的登記冊。

此外，監管局所有的行政部門人員亦須每年申報，有否與一些和監管局有競爭的、或與監管局有業務往來，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。

在有關土地和物業利益方面，所有監管局董事局成員及董事局委任成員均須申報其在香港或海外的任何實益權益，但不包括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、或透過其他公司或個人間接持有、或其有權處置、或能從中獲得任何金錢利益的土地或物業。監管局行政部門的管理職級人員亦須遵循類似的規定，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 conflicts of interests. 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 staff of the EAA Administration also have to declare annually if they have any financial interest, direct or indirect, in any business or organisation which competes with the EAA, with which the EAA has business dealings, 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 Hong Kong or overseas, 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 also adopt a similar requirement in declaring their interests in land and property.



監管局透過大眾媒體、監管局刊物及其網站等不同渠道，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 channels, such as the mass media, EAA publications and its website.



## 問責性及透明度

本局視問責制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表現整體問責。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。

監管局制定了一套《機構授權指引》，加強問責。所有監管局成員、常設委員會、工作／專責小組及所有行政部門的員工的行為，均必須符合指引的精神及目的，以及獲授權的職權範圍。

為提高監管局工作的透明度，監管局每年向運輸及房屋局局長提交一份年報，並提呈立法會省覽。公眾可於監管局辦公室及網站閱覽有關年報。

## Accountability and Transparency

We consider accountability one of the fundamental pillars of corporate governance and have built our corporate structure and management culture based on this concept. Under the current structure, the Board is overall accountable for the performance of the EAA. The Administration is responsible for managing the EAA's day-to-day business and is accountable to the Board for its performance.

To facilitate accountability of the EAA, a *Corporate Authorisation Manual* was formulated to provide corporate management authority guidelines. All Members of the EAA, standing committees, work groups / panels and all employees of the Administration must act in compliance with the spirit and intent of the Manual and within the scope of authorities conferred.

To increase the transparency of the EAA's work, the EAA furnishes the Secretary for Transport and Housing an *Annual Report*, 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.

# 機構管治

## Corporate Governance

監管局亦會通過媒體活動、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。

為方便公眾取得有關監管局的資料，監管局已任命服務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》提出查閱資料的要求。

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.

To facilitate the public to access information about the EAA, the EAA has designated the Director of Services 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.

### 查閱資料申請摘要

#### Summary of Applications for Access to Information

| 年度<br>Year | 申請數目<br>No of Applications | 申請結果<br>Application Outcome | 要求資料<br>Information Requested   |
|------------|----------------------------|-----------------------------|---|
| 2016/17    | 1                          | 拒絕*<br>Declined*            | 第三者發出的學歷確認函<br>Confirmation letter on an education record issued by a third party |
| 2015/16    | 0                          | 不適用<br>N/A                  | 不適用<br>N/A  |

\* 無法取得公開有關學歷所需的第三者同意。

\* Consent from the third party required for the release of the record could not be obtained.

### 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。2016/17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。

### 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 2016/17.

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。有關德勤·關黃陳方會計師行的獨立核數師報告及財務報表詳載於第100至127頁。

## 上訴

根據《地產代理條例》，持牌人或牌照申請人可對監管局的決定提出上訴，包括監管局拒絕發出牌照或批出續牌申請，或監管局施行的紀律處分。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會，專責聆訊上訴。委員會的主席須就每宗上訴個案，從委員會成員中委任成員組成審裁小組進行裁決。

## 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。2016/17年度內，共接獲六宗申訴專員轉介的個案，有關個案俱於年內結束及裁定為不成立。

## 行政部門服務標準

作為一個負責任的監管機構，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。所有部門均有責任維持有效的內部監控，以監察我們對公眾兌現承諾的情況。

2016/17年度的承諾詳情及達標率列於附錄二。

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 2016/17 audited by Deloitte Touche Tohmatsu are included on pages 100 to 127.

## Appeals

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.

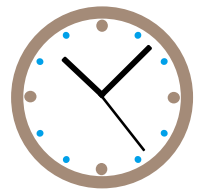
## The Ombudsman's Review

The EAA came under the jurisdiction of The Ombudsman on 2 July 2010. In the year of 2016/17, a total of six inquiries from The Ombudsman were received and all of them were closed and unsubstantiated.

## Administration's Performance Standards

As a responsible regulatory 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 are responsible for maintaining effective internal controls to monitor the achievement of our pledges to the public.

Details of the pledges and the attainment level in 2016/17 are listed in **Appendix II**.

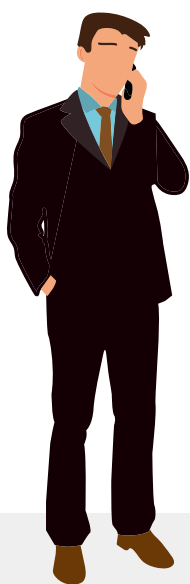






# 地產代理專業之路

## The Road to the Estate Agency Profession



# 地產代理專業之路

## The Road to the Estate Agency Profession

### 資格考試

為符合相關發牌條件以獲取牌照，該人士需符合監管局的要求，當中包括：他/她須具備提供地產代理服務所需的知識。因此，為評估有關人士是否具備相關知識，監管局目前提供兩類資格考試：(i) 地產代理資格考試及(ii) 營業員資格考試，兩者均由香港考試及評核局舉辦。

### Qualifying Examinations

In order to be eligible to be granted a licence, an individual needs to satisfy the EAA, among other things, that he/she possesses the requisite knowledge to provide estate agency services. In this connection, the EAA currently offers two types of qualifying examinations, both administered by the Hong Kong Examinations and Assessment Authority, namely: (i) the Estate Agents Qualifying Examination ("EAQE") and (ii) the Salespersons Qualifying Examination ("SQE") to assess whether such persons do possess such requisite knowledge.

資格考試旨在評估有關人士是否具備提供地產代理服務所需的知識。

The qualifying examinations serve to assess whether persons possess the requisite knowledge to provide estate agency services.



地產代理資格考試與營業員資格考試的比較如下：

A comparison of the EAQE and SQE is as follows:

| 地產代理資格考試<br>EAQE            |   | 營業員資格考試<br>SQE  |
|-----------------------------|---|---|
| 次數<br>Frequency             | 每年4次<br>4 times a year  | 每年6次<br>6 times a year  |
| 考試時間<br>Examination Time    | 3小時<br>3 hours  | 2小時30分鐘<br>2 hours 30 minutes   |
| 試題數目<br>Number of Questions | 第一部分：30條獨立試題<br>第二部分：20條試題（依據一至兩個個案分析）<br>Part 1: 30 stand-alone questions<br>Part 2: 20 questions based on one or two case studies | 第一部分：40條獨立試題<br>第二部分：10條試題（依據一至兩個個案分析）<br>Part 1: 40 stand-alone questions<br>Part 2: 10 questions based on one or two case studies |
| 形式<br>Format                | 多項選擇題<br>Multiple-choice questions  |   |
| 合格分數<br>Pass Mark           | 每部分最少需答對60%<br>At least 60% of correct answers in each part   |   |

試卷的第一部分測試考生對地產代理資格考試及營業員資格考試內容綱要中各個範疇的認識，當中包括《地產代理條例》及其附屬法例、《操守守則》、執業通告，以及其他適用於地產代理實務的相關法例及執業手法。

試卷的第二部分是依據一個或兩個個案研究，綜合測試考生就地產代理或營業員應具備的執業知識，包括對土地查冊的理解、訂明表格的使用、監管制度的規定、有關物業買賣和租務等其他實務事宜，以及地產代理或營業員在從事地產代理工作時必備的道德標準及專業操守。

Part 1 of the examination paper is intended to test candidates' knowledge of various parts of the syllabi of the EAQE and SQE, including the EAO and its subsidiary legislation, *the Code of Ethics*, practice circulars, and other relevant laws and practices applicable to the estate agency practice.

Part 2 of the examination paper, based on one or two case studies, is intended to test in an integrated way the practical knowledge expected of estate agents or salespersons, including interpretation of land search, use of prescribed forms, the requirements under the regulatory regime, other practical issues such as conveyancing and tenancy, and the ethical standards and professional integrity required of estate agents or salespersons in the performance of estate agency work.

# 地產代理專業之路

## The Road to the Estate Agency Profession

由於持牌地產代理同時可經營地產代理業務，除營業員資格考試的考試內容綱要外，地產代理資格考試亦會測試考生就地產代理在物業估值、有效管治業務及監督營業員方面的知識，以符合規管制度等方面應具備的知識。

Since licensed estate agents could also undertake an estate agency business, in addition to the topics examined in the syllabus of the SQE, the questions in the examination paper of the EAQE also test the knowledge expected of estate agents in property valuation, effective management of agency and supervision of salespersons in the compliance of the requirements under the regulatory regime.

### 考生人數

在2016/17年度，報考地產代理資格考試及營業員資格考試的人數分別為4,667人及6,600人，較去年分別下降約1.6%及6.4%。

與2015/16年度相比，實際應考地產代理資格考試的人數下降約1.5%至4,210人，而應考營業員資格考試的人數亦下降約7.2%至5,684人。

在2016/17年度，地產代理資格考試及營業員資格考試的平均合格率分別為38.0%及38.6%，而2015/16年度兩個考試的合格率則為33.7%及45.5%。

### Number of Candidates

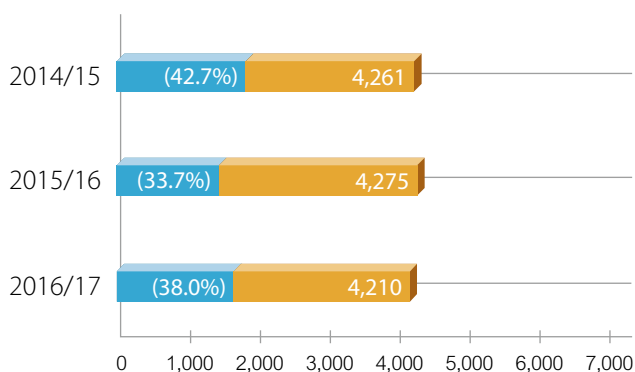
A total of 4,667 candidates registered for the EAQE and 6,600 candidates registered for the SQE in 2016/17, representing a decrease of about 1.6% and 6.4% respectively over those of the previous year.

Compared to that in 2015/16, the number of candidates actually sitting the EAQE decreased by about 1.5% to 4,210 and in the case of SQE also decreased by about 7.2% to 5,684.

In 2016/17, the average pass rate for the EAQE and SQE were 38.0% and 38.6% respectively, as against 33.7% and 45.5% respectively in 2015/16.

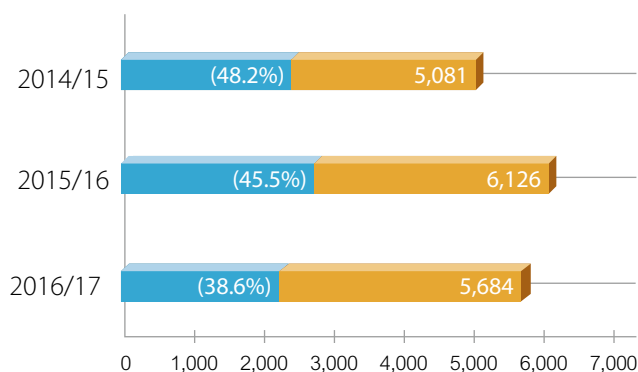
#### 地產代理資格考試

##### Estate Agents Qualifying Examination



#### 營業員資格考試

##### Salespersons Qualifying Examination



合格率 Pass Rate



考生人數 Number of Examination Candidates



## 考生學歷

在2016/17年度報考營業員資格考試的考生中，具備大專或以上學歷的比率約有29%，至於地產代理資格考試，具備大專或以上學歷的考生比率則約為47%，而2015/16年度的比率則分別為28%及41%。從邏輯上來說，學歷較高的考生得分一般比學歷較低的考生為高。

## Educational Background of Candidates

In 2016/17, the percentage of candidates registered for the SQE who were of tertiary or above educational level was about 29%, and that for the EAQE was about 47%, as compared to 28% and 41% respectively in 2015/16. Logically speaking, candidates with higher educational qualifications generally score higher marks than those candidates with lower educational qualifications.

|  | 學歷<br>Education Level         | 2014/15  |                  | 2015/16  |                  | 2016/17  |                  |
|--|-------------------------------|--|------------------|--|------------------|--|------------------|
|  |                               | 報考考生<br>比率<br>% of<br>registered<br>candidates | 合格率<br>Pass rate | 報考考生<br>比率<br>% of<br>registered<br>candidates | 合格率<br>Pass rate | 報考考生<br>比率<br>% of<br>registered<br>candidates | 合格率<br>Pass rate |
| 地產代理<br>資格考試<br>Estate Agents<br>Qualifying<br>Examination | 中五<br>F.5                     | 30.4%  | 31.0%            | 30.5%  | 24.6%            | 27.3%  | 26.2%            |
|  | 中六或中七<br>F.6 or F.7           | 8.0%   | 34.4%            | 8.0%   | 26.8%            | 8.0%   | 29.5%            |
|  | 大專或以上<br>Tertiary or<br>above | 43.4%  | 42.9%            | 41.2%  | 34.6%            | 46.7%  | 40.1%            |
|  | 資料不詳<br>Unknown               | 18.2%  | 43.3%            | 20.3%  | 31.7%            | 18.0%  | 33.7%            |
| 營業員<br>資格考試<br>Salespersons<br>Qualifying<br>Examination   | 中五<br>F.5                     | 40.3%  | 36.2%            | 37.8%  | 35.4%            | 37.2%  | 29.5%            |
|  | 中六或中七<br>F.6 or F.7           | 18.0%  | 37.5%            | 19.1%  | 35.8%            | 17.3%  | 29.0%            |
|  | 大專或以上<br>Tertiary or<br>above | 27.9%  | 53.6%            | 27.8%  | 49.4%            | 29.4%  | 40.5%            |
|  | 資料不詳<br>Unknown               | 13.8%  | 43.5%            | 15.3%  | 36.2%            | 16.1%  | 33.1%            |

# 地產代理專業之路

## The Road to the Estate Agency Profession

### 考生的職業背景

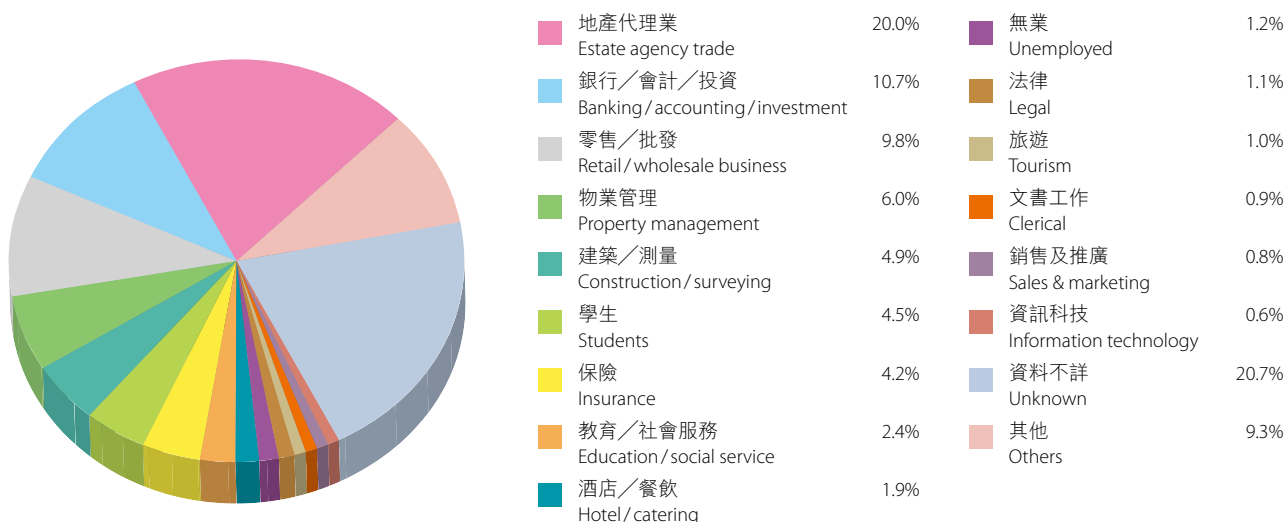
考生當中不乏學生及來自各行各業的人士，包括零售及批發、物業管理、銀行、會計及投資。首次參加資格考試的人士約有 50%。

### Occupational Background of Candidates

Candidates included students and people from a wide range of occupational backgrounds, including retail and wholesale business, property management, banking, accounting, and investment. About 50% of the candidates sat the examination for the first time.

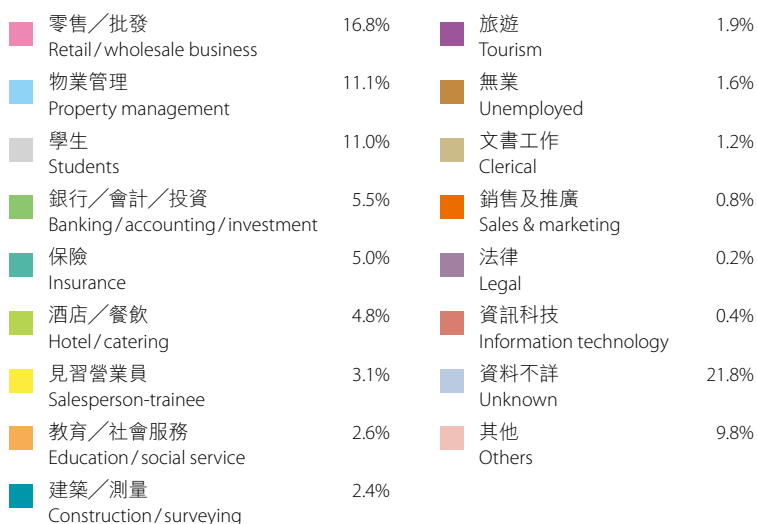
### 地產代理資格考試

#### Estate Agents Qualifying Examination



### 營業員資格考試

#### Salespersons Qualifying Examination

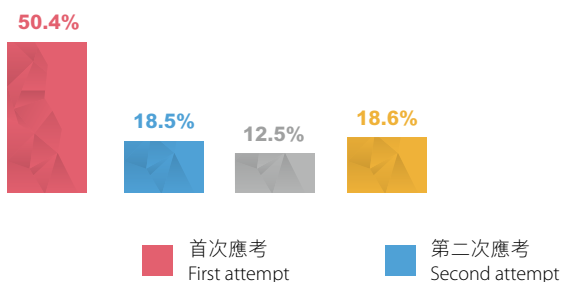


## 考生參加考試的次數

### Number of Attempts at Examinations

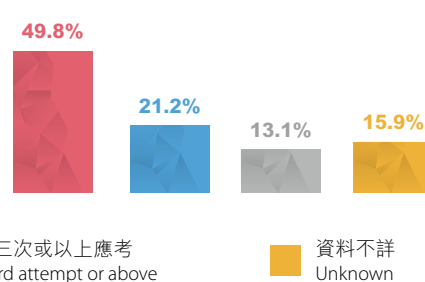
#### 地產代理資格考試

##### Estate Agents Qualifying Examination



#### 營業員資格考試

##### Salespersons Qualifying Examination



## 發牌

除《地產代理條例》訂明的豁免情況外，任何在香港從事地產代理工作的人士均必須持有有效的牌照，否則即屬違法。

牌照共分兩種 — 營業員牌照及地產代理牌照。個人申請者可申請營業員牌照或地產代理(個人)牌照，而公司則只可申請地產代理(公司)牌照。地產代理牌照與營業員牌照之間的主要分別在於：持有營業員牌照的人士僅可以持牌地產代理的僱員的身分從事地產代理工作，而持有地產代理牌照的人士則可不受限制地從事地產代理工作，例如作為獨資經營者、合夥經營的合夥人、持有地產代理牌照的公司董事，或擔任地產代理轄下某一辦事處的經理<sup>1</sup>，負責有效及獨立控制其業務。

地產代理在任何營業地點以任何營業名稱開展地產代理業務前，須就該地點及名稱向監管局申請批給營業詳情說明書。

## Licensing

Subject to certain exceptions as set out in the Estate Agents Ordinance ("EAO"), any person practising estate agency work in Hong Kong must hold a valid licence. Failure to do so is an offence.

There are two types of licences – a salesperson's licence and an estate agent's licence. An individual may apply for a salesperson's licence or an estate agent's licence (individual). Companies may only apply for an estate agent's licence (company). The major difference between an estate agent's licence and a salesperson's licence is that an individual holding a salesperson's licence may only perform estate agency work for a licensed estate agent while a person holding an estate agent's licence may perform estate agency work without restriction, such as acting as a sole proprietor, a partner of a partnership, a director of a company holding an estate agent's licence, or a manager of an office of an estate agency business responsible for its effective and separate control<sup>1</sup>.

Before carrying on estate agency business, estate agents are required to apply, for each place of business under each business name, for a statement of particulars of business ("SPOB").

<sup>1</sup> 《地產代理條例》第38條規定，地產代理在其每個辦事處的業務，須由一名經理有效和獨立控制，而該名經理必須為地產代理牌照的持有人。

<sup>1</sup> Section 38 of the EAO requires each office of an estate agency business to be under the effective and separate control of a manager who must be a holder of an estate agent's licence.

# 地產代理專業之路

## The Road to the Estate Agency Profession

申請地產代理牌照或營業員牌照的人士必須符合若干發牌條件，包括年滿18歲、完成中五或同等程度教育，並在相關的資格考試中考獲合格成績<sup>1</sup>，以及被監管局認為是「適當人選」。

Individuals applying for an estate agent's licence or a salesperson's licence must fulfill certain requirements, namely, having attained the age of 18 years; having completed an educational level of Form Five of secondary education or its equivalent; having passed the relevant qualifying examination<sup>1</sup> and having been considered by the EAA a "fit and proper" person.

### 與牌照相關的統計數字

截至2017年3月31日，個人牌照的總數為37,363個，較去年同期上升0.6%。在37,363名持有個人牌照的人士中，20,174人持有營業員牌照，17,189人持有地產代理（個人）牌照。公司牌照及營業詳情說明書數目，分別達3,414個及6,576個，較上年度分別上升5.8%及3.3%。

年內，監管局共批出3,549個新申領的個人牌照，較上年度增加8.3%。

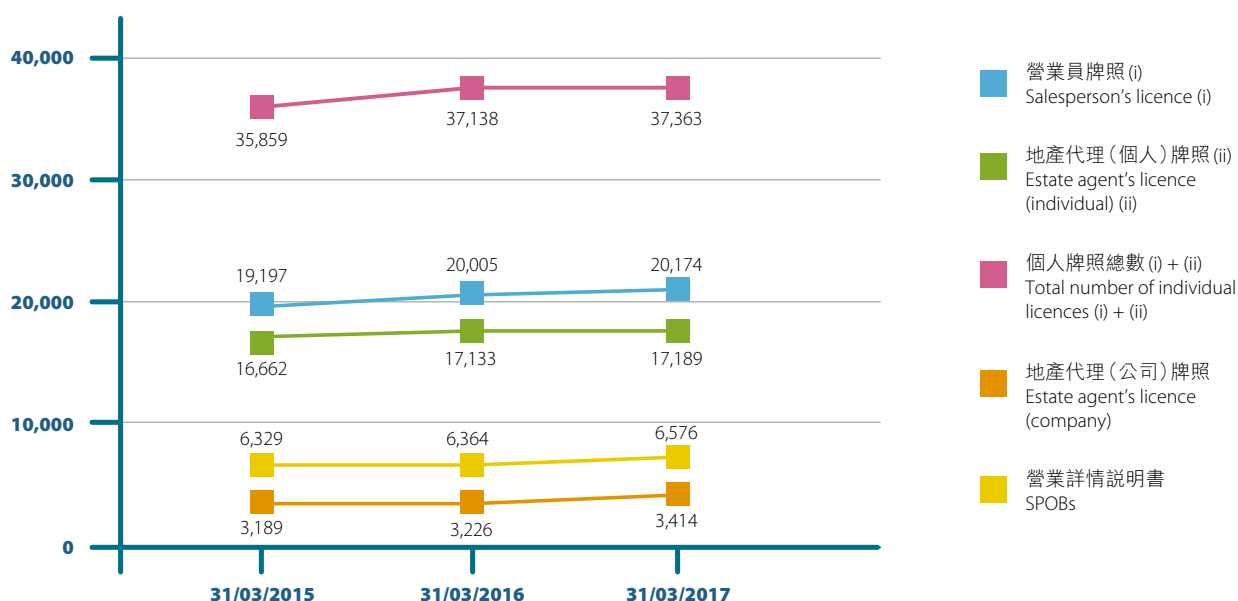
### Licensing Figures

As at 31 March 2017, there were 37,363 individual licences, representing an increase of 0.6% over that of last year. Among the 37,363 individual licences, 20,174 were salesperson's licences and 17,189 were estate agent's licences (individual). The number of company licences and SPOBs increased by 5.8% and 3.3% respectively over those of last year to 3,414 and 6,576 respectively.

During the year, the EAA granted 3,549 new individual licences, an increase of 8.3% compared to that of the previous year.

### 過往三年牌照及營業詳情說明書數目

#### Number of Licences and SPOBs in the Past Three Years



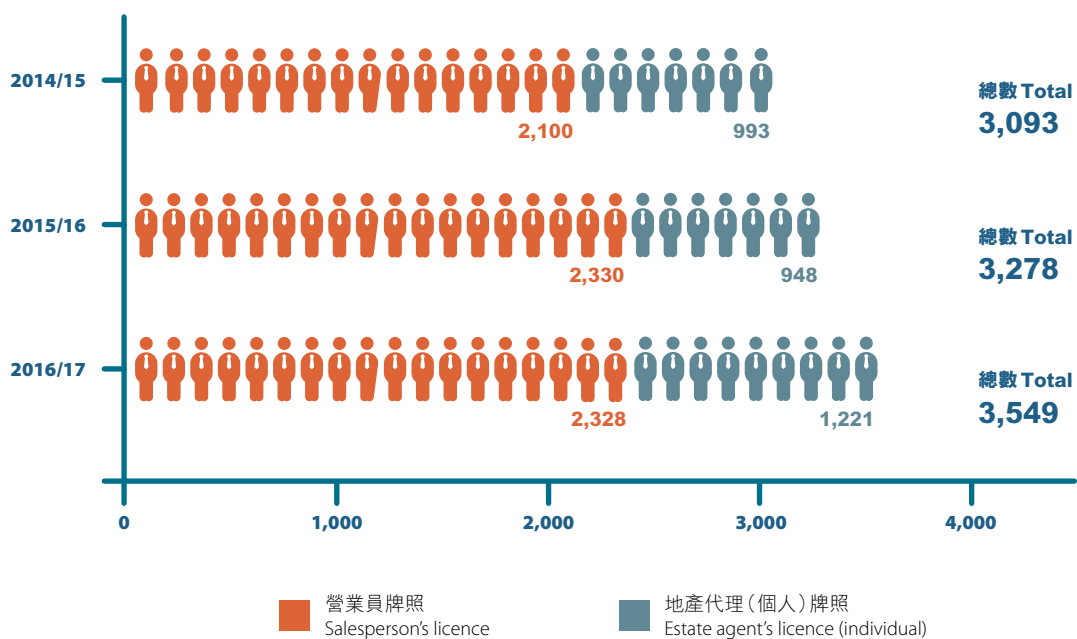
<sup>1</sup> 申請人必須於提交牌照申請當日起計的前12個月內在資格考試中考獲合格成績。

<sup>1</sup> The qualifying examination must have been passed within 12 months immediately before the date of an application for the grant of a licence.



## 過往三年新批出的個人牌照數目

## New Licences (Individual) Granted in the Past Three Years



## 個人持牌人的背景

## Background of Individual Licensees

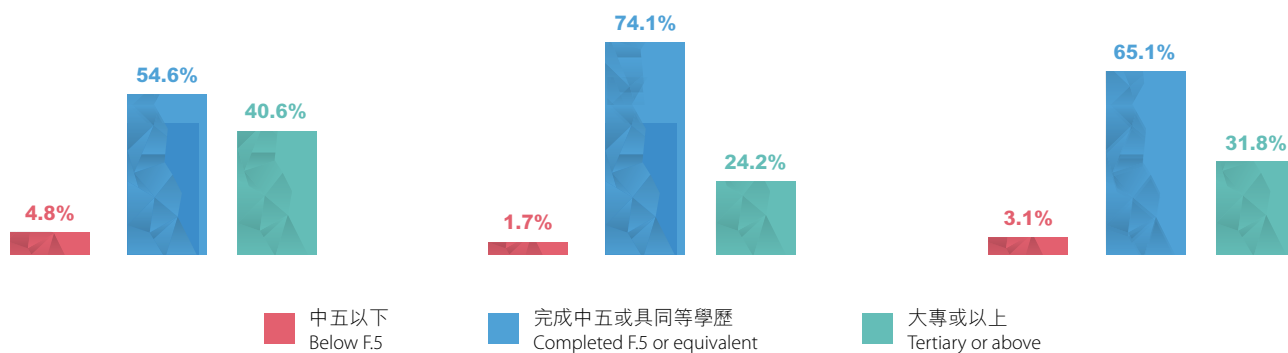
## 持牌人的學歷水平(截至2017年3月31日)

## Educational Level of Licensees (as at 31/3/2017)

地產代理(個人)牌照持有人  
Holders of estate agent's licence  
(individual)

營業員牌照持有人  
Holders of salesperson's licence

整體  
Overall

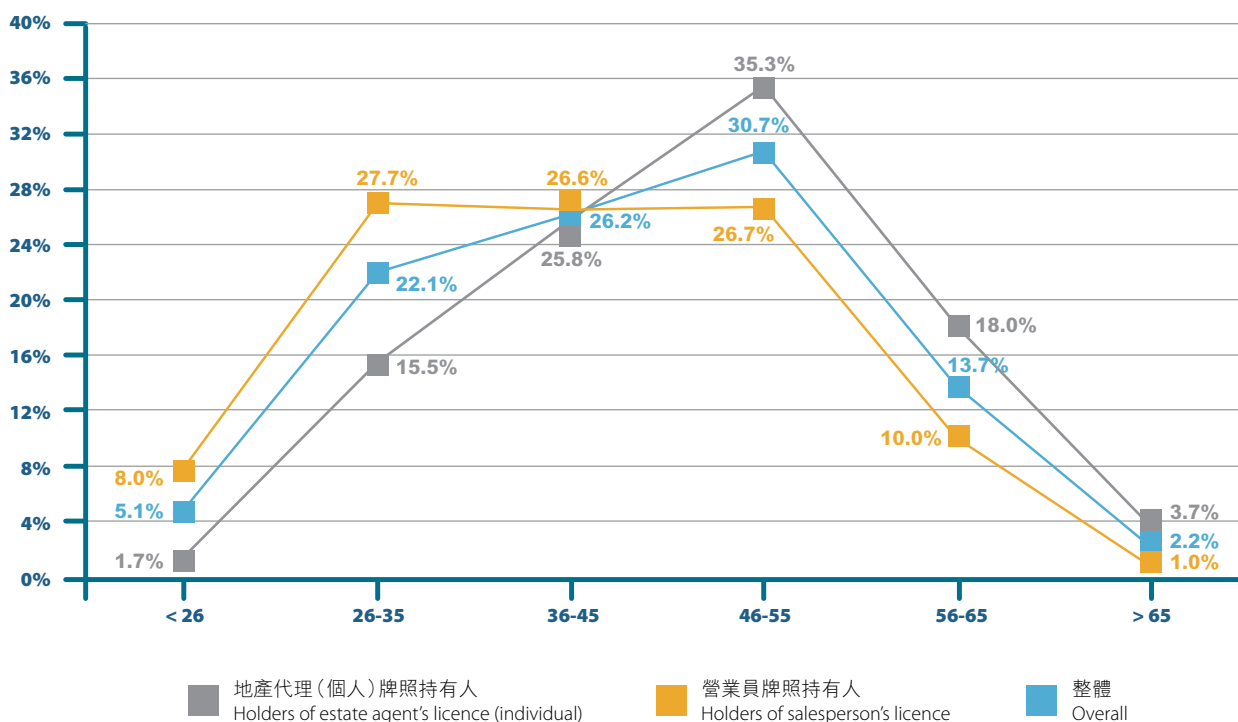


# 地產代理專業之路

## The Road to the Estate Agency Profession

持牌人的年齡（截至 2017 年 3 月 31 日）

Age of Licensees (as at 31/3/2017)



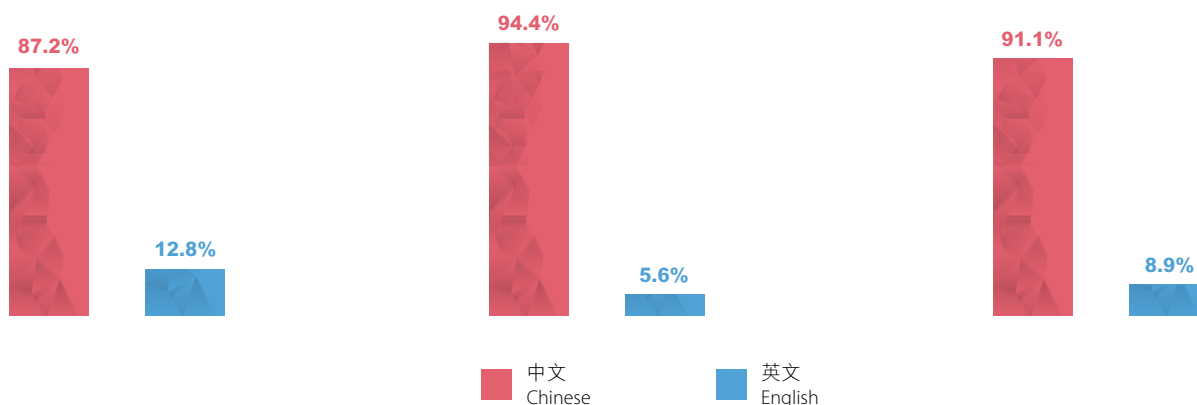
持牌人所選擇的通訊語言（截至 2017 年 3 月 31 日）

Licensees' Choice of Language in Communication (as at 31/3/2017)

地產代理（個人）牌照持有人  
Holders of estate agent's licence  
(individual)

營業員牌照持有人  
Holders of salesperson's licence

整體  
Overall



## 地產代理業務的經營概況

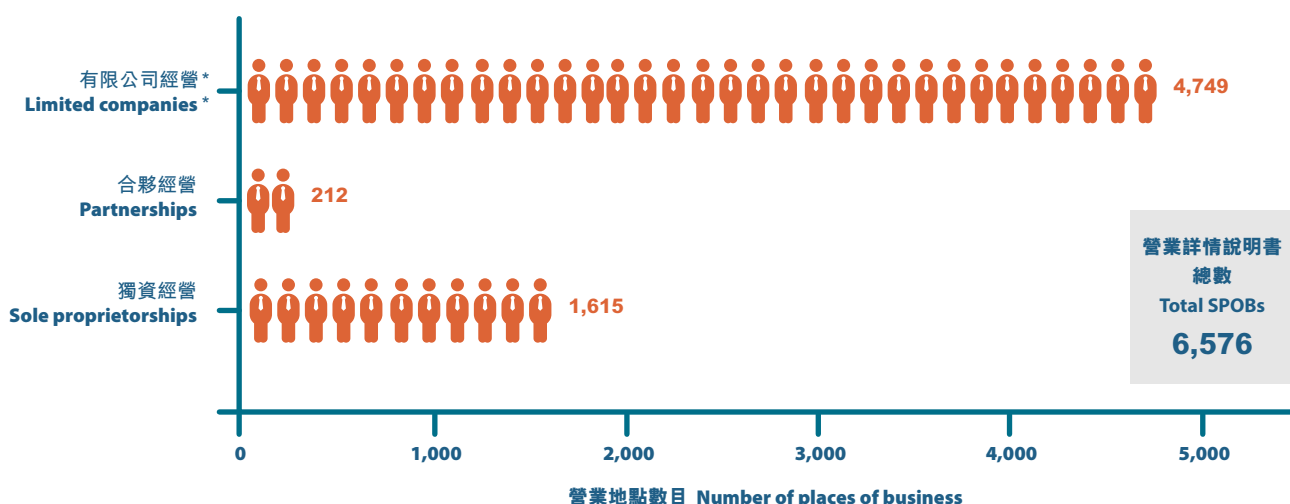
大多數地產代理屬於小規模的經營者。截至2017年3月31日，94.7%的經營者只開設一間店舖，而同時經營五間店舖或以上的只佔少於1%。

## Operations of Estate Agency Businesses

Most of the estate agents are small scale operators. As at 31 March 2017, 94.7% of agencies operated as single-shop businesses and less than 1% had five or more shops.

### 代理業務的經營模式（截至2017年3月31日）

#### Mode of Operation (as at 31/3/2017)



\* 由3,414個公司持牌人經營

\* Operated by 3,414 company licensees

### 代理業務的規模（截至2017年3月31日）

#### Size of Operation (as at 31/3/2017)

| 店舖數目<br>Number of shops      | 1     | 2   | 3  | 4 | 5-10 | 11-20 | 21-30 | >30 |
|------------------------------|-------|-----|----|---|------|-------|-------|-----|
| 有限公司經營<br>Limited companies  | 3,203 | 141 | 35 | 8 | 19   | 2     | 1     | 5   |
| 合夥經營<br>Partnerships         | 188   | 7   | 2  | 1 | 0    | 0     | 0     | 0   |
| 獨資經營<br>Sole proprietorships | 1,498 | 41  | 7  | 0 | 2    | 0     | 0     | 0   |

# 地產代理專業之路

## The Road to the Estate Agency Profession

### 不符合發牌條件

牌照申請人必須符合所有發牌條件方可獲發牌照，否則監管局將拒絕其牌照申請。即使已獲發牌照，如持牌人不再符合繼續持有牌照的資格，其牌照亦可能被撤銷。

年內，監管局基於不同原因拒絕了118宗牌照申請，包括申請人未能符合學歷的要求，或不被視為「適當人選」被獲發給或持有或繼續持有牌照。本年度，監管局牌照委員會共撤銷了29個牌照，原因是有關持牌人不再符合發牌條件。

### Failure to Meet the Licensing Requirements

To be granted a licence, a licence applicant must have fulfilled all the licensing requirements, failing which his/her licence application will be refused by the EAA. Even if a licence has been granted, a licensee's licence may be revoked if he/she is no longer eligible to continue to hold a licence.

In the year under review, 118 applications were refused for different reasons, such as applicants not having the required educational qualifications or not being considered "fit and proper" persons to be granted, or hold or continue to hold a licence. During the year, a total of 29 licences were revoked by the Licensing Committee because the relevant licensees no longer met the licensing requirements.

### 牌照委員會向持牌人採取的行動

#### Actions Taken Against Licensees by the Licensing Committee

| 行動類別 Types of Actions                        | 2014/15 | 2015/16 | 2016/17 |
|--|---------|---------|---------|
| 在牌照上附加條件 Attachment of conditions to licence | 123     | 123     | 104     |
| 暫時吊銷牌照 Suspension of licence                 | 0       | 0       | 1       |
| 撤銷牌照 Revocation of licence                   | 45      | 56      | 29      |

本年度，監管局共批出3,549個新申領的個人牌照，較上年度增加8.3%。

During the year, the EAA granted 3,549 new individual licences, an increase of 8.3% compared to that of the previous year.



### 網上牌照續期申請

自2016年5月4日起，所有已於監管局網頁註冊電子服務帳戶(e-service)之個人牌

### Online Renewal of Licence Application

With effect from 4 May 2016, individual licensees who have registered an e-service account at the EAA's website may submit

照持有人，可於網上遞交續牌申請。個人持牌人於網上填寫申請表及於網上付款後，透過電子方式向監管局遞交其續牌申請，而該申請將自動處理。成功遞交網上申請後，系統將分別向申請人的手機號碼及電郵地址發送短訊和電郵通知。對個人持牌人來說，此項新服務令續牌申請手續更為簡單方便。在2016年5月4日至2017年3月31日期間，經網上遞交的申請總數達5,268份。

## 內地與香港地產代理專業資格互認計劃

為推動中港兩地的地產代理從業員的專業交流，以及促進兩地行業的長遠發展，監管局與中國房地產估價師與房地產經紀人學會（「中房學」）於2010年11月3日簽訂為期5年的協議，落實內地與香港地產代理專業資格互認計劃的基本安排。根據協議，在五年的協議期內，雙方分別推薦特定數額的合資格地產代理，參加由對方專門開設的培訓課程及考試。完成上述課程並順利通過考試後，獲推薦人士可申請中房學註冊證書或監管局牌照。

在協議安排下，截至2017年3月31日，共有143名香港地產代理持有由中房學頒發的註冊證書，另有13名內地地產代理持有由監管局批出的牌照。

自2015年6月起，監管局和中房學就探討延長互認計劃的可能性展開了連串對話與討論。透過雙方的共同努力，待內地有關機構就內地地產代理專業登記安排的相關立法及執行細則落實後，該計劃將有機會得以延續。

their licence renewal applications online. By completing an online application form and making an online payment, an individual licensee may submit to the EAA electronically his/her licence renewal application which will then be processed automatically. Upon successful submission of an online application, an SMS and email notification will be sent to the applicant's mobile phone number and email address respectively. The launch of this new service has made renewal applications a lot easier and convenient for individual licensees. A total of 5,268 applications were submitted online between 4 May 2016 to 31 March 2017.

## Scheme on Mutual Recognition of Professional Qualifications of Estate Agents in the Mainland and Hong Kong

With a view to boosting professional exchanges between estate agency practitioners in the Mainland and Hong Kong and the long-term development of the trade of both sides, the EAA and the China Institute of Real Estate Appraisers and Agents ("CIREA") signed a 5-year agreement on 3 November 2010 to lay down the foundation for the mutual recognition of professional qualifications of estate agents in the Mainland and Hong Kong. Under the provision of the agreement, both sides will each nominate a certain number of qualified estate agents to participate in a specially-designed training course and examination organised by the other party within the 5-year agreement period. Upon completion of the said course and successfully passing the examination, the nominees could apply for the CIREA registration certificate or the EAA licence.

As at 31 March 2017, 143 Hong Kong estate agents held a registration certificate issued by the CIREA and 13 Mainland estate agents held an estate agent's licence issued by the EAA, both pursuant to the arrangement.

To explore the possibility of extending the mutual recognition scheme, the EAA has held frequent dialogues and discussions with the CIREA since June 2015. Through the joint efforts of both parties, the scheme might be renewed after the Mainland authorities finalise the relevant legislation and implementation details on the registration arrangement for the estate agency profession in the Mainland.





維護專業水平  
Upholding the  
Professional Standard





# 維護專業水平

## Upholding the Professional Standard

### 操守與守則

根據《地產代理條例》成立的監管局，獲賦予權力規管及管制地產代理及營業員的執業，透過採取其認為適當或需要的行動，以促使地產代理及營業員行事持正及稱職，或維持或提高他們的地位。地產代理及營業員必須遵守《地產代理條例》及其附屬法例，特別是關於香港住宅物業的《地產代理常規(一般責任及香港住宅物業)規例》，以及監管局發出的《操守守則》及執業通告。

### 法律事務

監管局不時檢視業界的執業手法並發出執業通告，並提供指引予業界依循，指明監管局認為屬於持牌人在其執業過程中應當遵從的專業操守及執業手法標準。年內，監管局共發出了三份執業通告。

有鑑於公眾關注地產代理在一手住宅物業銷售地點進行推廣活動時的秩序，尤其關注是否有非持牌人士參與該等活動，以及為了改善地產代理在參與該等活動時的秩序和操守，監管局發出了一份新的執業通告，就有關一手樓盤銷售地點秩序的不同範疇列出詳細指引。為協助業界遵守此執業通告的有關要求，相關的「問與答」及表格範本已載於監管局網頁，供業界參考。

針對關於有騙徒假冒業主騙取近三百萬元訂金的新聞報導，監管局發出一份有關「核實賣方的身分」的執業通告，提醒持牌人在處理物業交易時核實賣方身分的重要性，並為持牌人就防範類似欺詐行為而應採取的預防措施提供額外指

### Ethics and Regulations

The EAA established under the Estate Agents Ordinance (“EAO”) is empowered to, inter alia, regulate and control the practice of estate agents and salespersons and to take such actions as the EAA considers appropriate or necessary to promote integrity and competence amongst, or maintain or enhance the status of, estate agents and salespersons. Estate agents and salespersons must comply with the EAO and its subsidiary legislation, including in particular the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation in respect of Hong Kong residential properties. They should also comply with the *Code of Ethics* and the practice circulars issued by the EAA.

### Legal Services

The EAA reviews the practices of the trade from time to time and issues practice circulars to provide guidelines and directives specifying any conduct or practice which the EAA considers is a professional standard that ought to be followed by licensees in the course of their practice. In the year, three circulars were issued.

In light of the increasing public concern about the order of estate agents engaging in promotional activities at the sale sites of first-hand residential properties, particularly whether any unlicensed persons are hired to participate in such activities, and with a view to improving the order and conduct of estate agents when participating in such activities, the EAA issued a fresh practice circular setting out detailed guidelines on various areas concerning the order of promotional activities at first-sale sites. To assist the trade to comply with the requirements of the practice circular, a set of relevant “Questions and Answers” and sample forms were provided at the EAA website for the trade’s reference.

In response to news report about a fraudster impersonating a flat owner and swindling a deposit of nearly three million dollars, the EAA issued a practice circular on “Verifying the Identity of Vendors” to remind licensees of the importance to verify the identity of vendors when handling property transactions and to provide additional guidelines for licensees on the precautionary steps to

引。例如，在安排雙方簽訂臨時買賣協議之前，持牌人須以書面形式建議客戶安排律師行託管所有訂金，並告知客戶不託管訂金的風險。倘若雙方決定不託管訂金而繼續進行交易，持牌人應取得買方的書面確認，證明買方已知悉有關建議。在此情況下，持牌人亦應取得有關物業最近一份轉讓契的副本，以確定賣方現時出示的身分證明文件種類和號碼與最近一份轉讓契中所記錄的物業業主的身分證明文件種類和號碼是否相同。倘若在核實賣方身分時有任何可疑情況，應建議客戶尋求法律意見。

此外，監管局亦發出了一份關於「遵守《競爭條例》」的執業通告，提醒持牌人在從事地產代理業務時，必須遵守由2015年12月14日起全面實施的《競爭條例》（第619章）中所適用的條文。

## 投訴與執法

### 處理投訴與查詢

在2016/17年度，監管局共開立477宗投訴，較2015/16年度的339宗增加了41%。投訴數字急增，主要是涉及本地住宅物業以外之物業的投訴有所上升。2016/17年度，在477宗的投訴中，有154宗涉及本地住宅物業以外的物業，而在2015/16年度此類投訴只有60宗，該等投訴包括涉及商場舖位和非本地物業銷售的個案。出現這個現象可能是由於市場對本地非住宅物業及海外物業的需求大增，以致在本地二手住宅市場不活躍的情況下，愈來愈多地產代理參與此類物業交易所導致。此外，涉及一手住宅物業銷售的投訴亦有上升，由2015/16年度的52宗增加至2016/17年度的74宗。

be taken on the prevention of similar fraudulent acts. For example, licensees are required to advise their clients in writing to arrange for the stakeholding of all deposits by a firm of solicitors, before arranging for the parties to enter into the provisional agreement for sale and purchase and the risk of not doing so. If the parties decide to proceed with the transaction without arranging for the stakeholding of the deposit, licensees should obtain a written acknowledgement from the purchaser that such advice has been given. In such a case, licensees should also obtain a copy of the last assignment to ascertain whether the type and number of the identification document as presented by the vendor and that of the owner of the property recorded in the last assignment are the same, and to advise the clients to seek legal advice if there are any suspicious circumstances in verifying the vendor's identity.

In addition, the EAA also issued a practice circular on "Compliance with the Competition Ordinance" to remind licensees that they must comply with the applicable competition rules when carrying out their estate agency businesses in light of the full implementation of the Competition Ordinance (Cap. 619) as from 14 December 2015.

## Complaints and Enforcement

### Complaints and Enquiries Handling

In 2016/17, the EAA opened files on a total of 477 complaints, an increase of 41% from 339 complaints in 2015/16. The upsurge was mainly due to the increase in complaints related to properties other than local residential properties. In 2016/17, out of the 477 complaints, 154 were related to properties other than local residential properties while there were only 60 such complaints in 2015/16. These complaints included cases involving the sale of retail units of shopping malls and non-local properties. The situation might be attributed to an upsurge of demand for local non-residential properties and overseas properties such that more and more estate agents were participating in these types of property transactions amid the stagnant local second-hand residential market. In addition, the complaints concerning the sale of first-hand residential properties were also on the rise, from 52 cases in 2015/16 to 74 cases in 2016/17. The most common

## 維護專業水平

## Upholding the Professional Standard

投訴部於年內處理了5,421宗涉及地產代理執業事宜的查詢及已採取相應的跟進行動。

The Section handled 5,421 enquiries on estate agency practices in 2016/17 and took follow-up actions in response to those enquiries.



涉及一手住宅物業最常見的投訴包括發出違規廣告、未能兌現回贈承諾及提供具誤導性的按揭資料。

為應對瞬息萬變的營商環境以及應付複雜而又涉及法律事宜的違規個案不斷增加，投訴部在2016/17年度進行了架構重組。在新架構下，成立了特別職務組，專門處理與本地住宅物業以外的物業有關的投訴，另有三個小組負責處理涉及本地住宅物業特定類別交易的投訴。新的安排旨在充分利用人力資源、簡化投訴處理程序以及提升員工處理特定的違規個案所需的專門知識，從而提高投訴調查的質素及個案處理的效率。

除了處理投訴個案，監管局亦於2016/17年度處理了5,421宗涉及地產代理執業事宜的查詢及已採取相應的跟進行動。

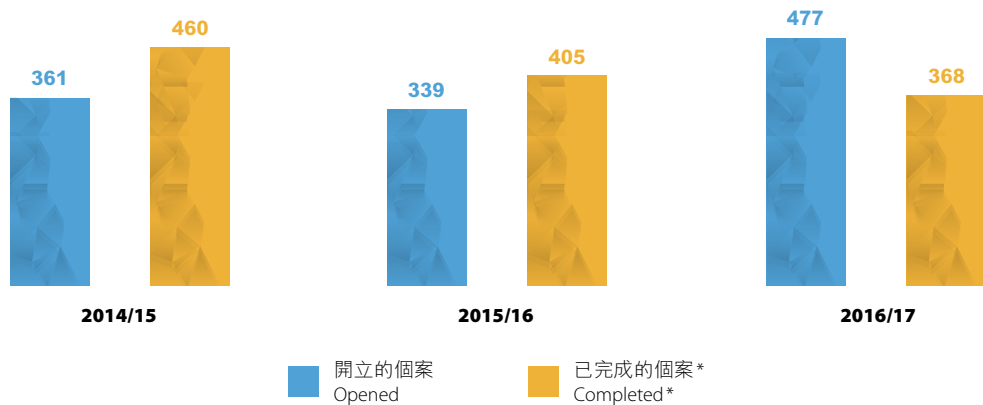
complaints related to first-hand residential properties included the issuance of non-compliant advertisements, failure to honour rebate promises and provision of misleading mortgage information.

To cope with the rapidly changing business environment and the exponential growth in the number of sophisticated non-compliant cases involving legal issues, the Complaints Section underwent a re-structuring exercise in 2016/17. Under the new structure, a Special Assignment Team was set up to exclusively deal with complaints related to properties other than local residential properties. Three other small teams are tasked to handle complaints related to specific types of transactions of local residential properties. The aim of the new arrangement is to maximise manpower resources, streamline the complaints handling process, and develop staff expertise in dealing with specific types of non-compliances, thereby enhancing the quality of complaint investigation and case handling efficiency.

Apart from complaints, the EAA also handled 5,421 enquiries on estate agency practices in 2016/17 and took follow-up actions in response to those enquiries.



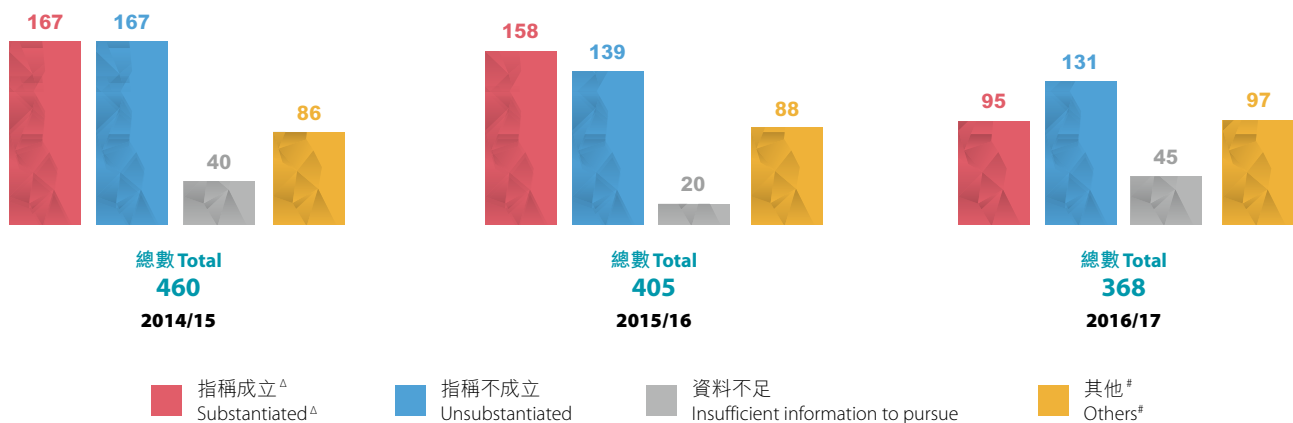
## 投訴個案 Complaint Cases



\* 年內完成的個案部分為往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及執行部處理的表面證據不成立的個案。

\* Some cases completed in a year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.

## 已完成的投訴個案結果\* Results of Cases Completed\*



\* 年內完成的個案部分為往年接獲的個案，當中包括表面證據成立並轉介予紀律委員會處理的個案，以及由投訴部及執行部處理的表面證據不成立的個案。

\* Some cases completed in a year were brought forward from previous years. The figures include prima facie cases referred to and dealt with by the Disciplinary Committee and non-prima facie cases disposed of by the Complaints and Enforcement Sections.

<sup>Δ</sup> 如個案中所涉及任何一項指稱被分類為「指稱成立」，該已完成處理的個案即會被歸類為「指稱成立」。

<sup>Δ</sup> A completed case will be classified as "Substantiated" if any of the allegations involved therein has been concluded as "Substantiated".

<sup>#</sup> 包括擱置調查、取消投訴和因其他原因而終止的個案。

<sup>#</sup> Includes cases which were curtailed, withdrawn or closed due to other reasons.

# 維護專業水平

## Upholding the Professional Standard

### 巡查及調查

過去一年，監管局繼續進行其規管工作，包括主動巡查經營地產代理業務的不同地點及一手樓盤銷售地點，並監察網上平台、網上廣告及印刷廣告。持續的執法行動旨在提升地產代理業的專業和操守，以及確保有關地產代理工作由持有牌照的人士進行。在不斷轉變的營商環境中，監管局將繼續檢討和優化執法策略及規管措施，以提高其規管成效。

2016/17年度，監管局加強執法力度，以確保持牌人於一手住宅物業的樓盤銷售地點進行推廣活動時保持良好秩序。監管局不時定期巡查一手樓盤銷售地點，以監察及跟進地產代理公司是否遵循有關一手樓盤銷售的執業指引，恰當地監督其持牌及非持牌員工在一手樓盤銷售地點的活動。

### Compliance Inspections and Investigations

In the past year, the EAA continued to exercise its regulatory functions by conducting proactive compliance checks at various places of estate agency business and first-sale sites. Online portals, as well as online and printed advertisements were also monitored. The continuous enforcement actions taken by the EAA aimed to raise the professional and ethical standards of the estate agency trade while at the same time, ensured that estate agency work was being carried out by licensed persons. In an ever-changing operating environment, the EAA will continue to review and refine the enforcement strategy and regulatory measures to enhance the effectiveness of its regulatory functions.

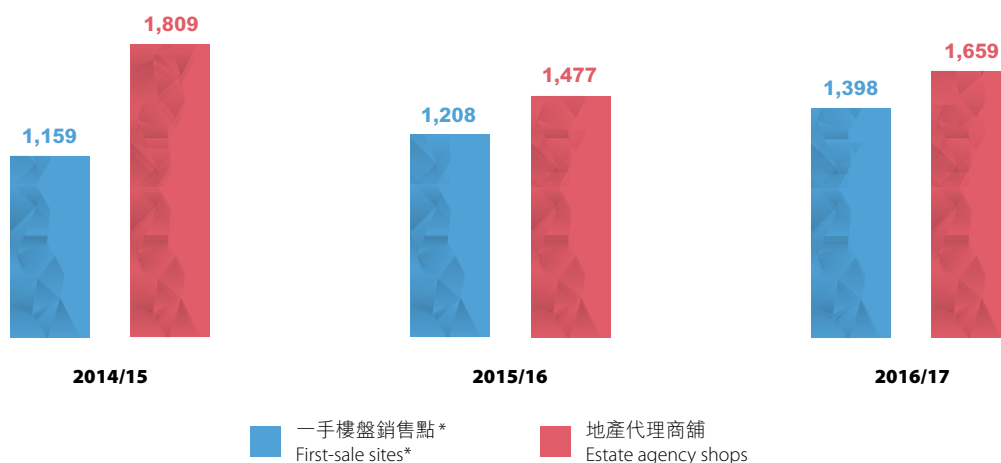
In 2016/17, much enforcement effort was made to ensuring the good order of licensees in the conduct of promotional activities in relation to the first sale of residential properties. Regular inspections on these first-sale venues were conducted to see if the estate agency companies had abided by the practice circular guidelines on properly supervising the activities of both licensed and non-licensed staff at the first-sale sites.

### 巡查行動

#### Compliance Inspections

##### 巡查次數

##### Number of Inspections



\* 包括樓盤所在處、樓盤銷售處及其附近。

\* Include development sites, sales offices and vicinity areas.

年內，監管局共進行了3,057次巡查，當中1,398次是巡查一手樓盤銷售地點，其餘1,659次則是巡查地產代理商舖。期內，局方亦就網上廣告進行了668次抽查，並就網上物業平台進行了392次抽查。

In the year, a total of 3,057 compliance inspections were conducted, of which 1,398 were at first-sale sites and 1,659 at estate agency shops. 668 spot checks on online advertisements and 392 on online property portals were also carried out during the period.

在進行有關巡查和抽查後，監管局共開立了71宗個案進行調查，當中有14宗在巡查一手樓盤銷售地點時發現，19宗在巡查地產代理商舖時發現，34宗則為網上及報章的抽查個案，另有4宗涉及其他性質。而發布虛假或誤導性的廣告、未經賣方書面同意發布廣告，以及未管有物業資料，均屬於巡查及抽查期間最常發現的違規行為。

Subsequent to these inspections and spot checks, 71 enforcement cases were opened, of which 14 cases arose from first-sale inspections, 19 from estate agency shop visits, 34 cases from online and newspaper patrols and 4 cases of a miscellaneous nature. False or misleading advertisements, advertising without vendors' written consents, and failing to possess property information were the most common non-compliances detected from these inspections and spot checks.

## 執行個案

### Enforcement Cases

| 個案數目<br>Number of Cases | 2014/15 | 2015/16 | 2016/17 |
|-------------------------|---------|---------|---------|
| 開立的個案<br>Opened         | 59      | 78      | 71      |

在申請牌照或續牌時，倘若作出虛假或具誤導性的聲明或提供虛假或具誤導性的資料，均屬違法行為。在2016/17年度，監管局調查了60宗涉嫌在申請牌照或續牌時作出虛假聲明或提供虛假文件的個案。

It is an offence to make false or misleading statement or furnish false or misleading information when making applications for the grant or renewal of licences. In 2016/17, investigations were conducted into 60 licence applications in which the applicants were suspected of making false statements or providing false documents in the licence application or licence renewal process.

# 維護專業水平

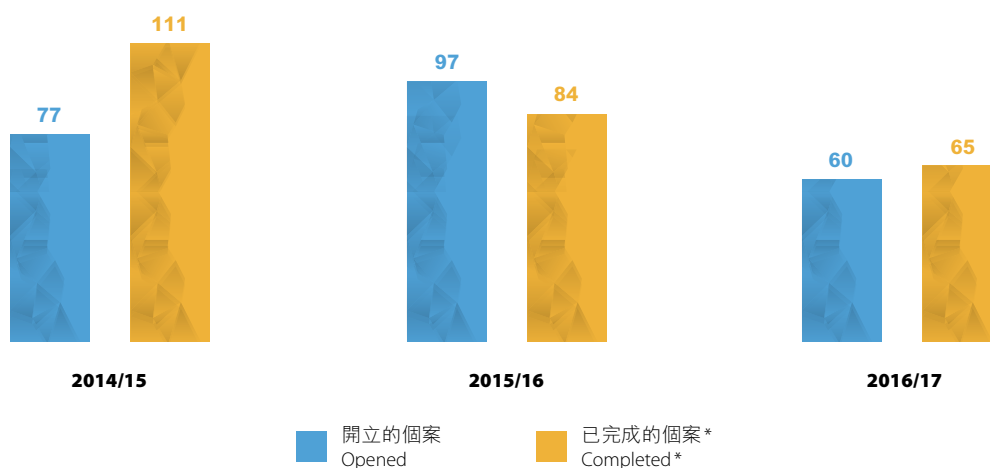
## Upholding the Professional Standard

對涉嫌在申請牌照或續牌時作出虛假聲明或提供虛假文件的持牌人／牌照申請人的調查

Investigations into Licensees/Licence Applicants who were suspected of Making False Statements or Providing False Documents in the Licence Application or Renewal Process

個案數目

Number of Cases



\* 年內完成的個案部分為往年接獲的個案。

\* Some cases completed in a year were brought forward from previous years.

## 紀律行動

### 紀律研訊

紀律委員會是根據《地產代理條例》成立的常設委員會，主要負責調查監管局行政總裁接獲的投訴及提出的呈述。

當行政總裁有理由相信任何持牌人沒有遵守《地產代理條例》及／或其附屬法例；或沒有資格持有或繼續持有牌照；或沒有遵守附加於其牌照上的任何指明的條件，行政總裁可向紀律委員會提出呈述，以決定是否就該個案進行研訊。

## Disciplinary Actions

### Inquiry Hearings

The Disciplinary Committee, a standing committee established under the EAO, is primarily responsible for inquiring into complaints received and submissions by the EAA's Chief Executive Officer ("CEO").

Where the CEO has reasons to believe that a licensee has failed to comply with the EAO and/or its subsidiary legislation; or is not eligible to hold or continue to hold a licence; or has failed to comply with a specified condition attached to his licence, the CEO shall make a submission to the Disciplinary Committee for consideration if an inquiry hearing should be conducted.

經研訊後，倘若紀律委員會認為有關的投訴或呈述成立，監管局可行使紀律制裁權，當中包括訓誡或譴責有關持牌人，將條件附加於有關牌照上或更改附加於該牌照上的條件，暫時吊銷或撤銷其牌照，判處罰款以及作出支付費用的命令。

在2016/17年度，紀律委員會共判決了187宗個案，其中185宗(佔98.9%)的指稱成立。結果，共有190名持牌人被紀律處分，其中103名為個人持牌人<sup>1</sup>，87名為公司持牌人。

同期，紀律委員會暫時吊銷了24個牌照，吊銷期由七天至六個月不等。被處分的持牌人涉及作出違反專業操守的行為，例如作出誤導性陳述、未有保障和促進客戶的利益，以及沒有盡量小心和盡一切應盡的努力。

另外，共有132名持牌人被罰款，金額由500元至100,000元不等。

If an inquiry hearing is conducted and the Disciplinary Committee is satisfied that the complaint or submission is well-founded, the EAA may exercise disciplinary powers including admonishing or reprimanding the licensee concerned, attaching/varying a specified condition attached to his/her licence, suspending/revoking his/her licence, imposing a fine and making a costs order.

In 2016/17, the Disciplinary Committee adjudicated 187 cases, of which 185 were substantiated (i.e. 98.9%). As a result, a total of 190 licensees were disciplined, among whom 103 were individual licensees<sup>1</sup> and 87 company licensees.

During the same period, 24 licences were suspended for periods ranging from seven days to six months. Licensees disciplined were found to have been engaged in unprofessional conduct such as making misrepresentations, failing to protect and promote the interests of their clients, or failing to exercise due care and due diligence.

In addition, a total of 132 licensees were fined, with the fines ranging from \$500 to \$100,000.



模擬紀律研訊圖片。

A staged inquiry hearing.

<sup>1</sup> 包括地產代理公司的獨資經營者／合夥人。

<sup>1</sup> Including sole-proprietors and partners of estate agency firms.



## 維護專業水平

## Upholding the Professional Standard

### 公布研訊的裁決理由

為提高透明度，監管局自2017年2月起於局方的網站上公布紀律委員會所進行的研訊的裁決理由。

公布裁決理由不僅能讓地產代理業界進一步了解監管局的紀律裁決，還讓持牌人對如何遵守《地產代理條例》及／或其附屬法例有更深入的理解，以避免日後出現類似的投訴。此外，公布監管局採取的規管行動及其背後原因，亦有助維持公眾對監管局擔任規管角色的信心。

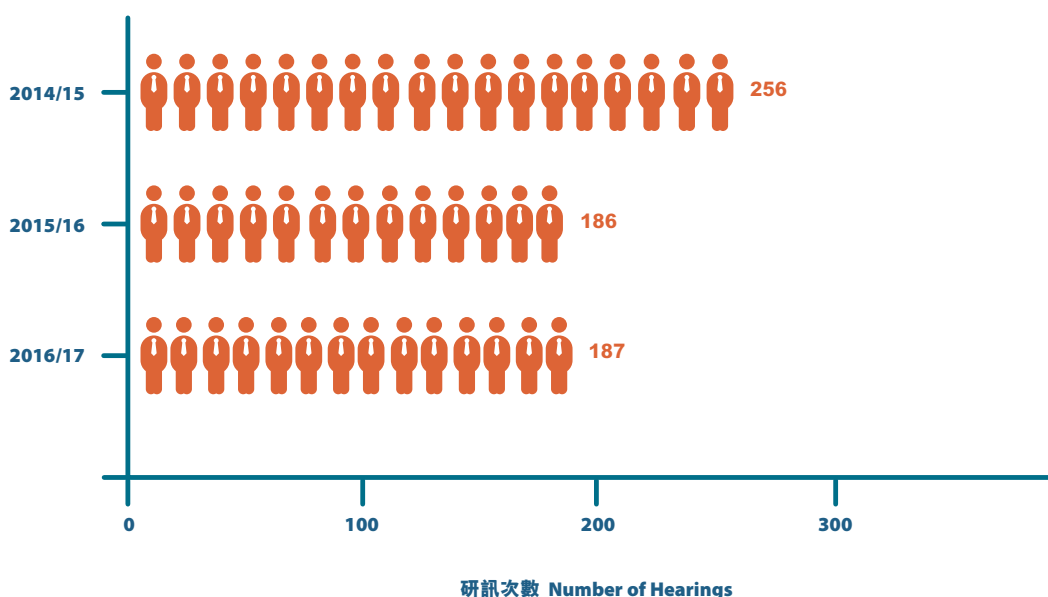
### Publication of Reasons for the Decisions of Inquiry Hearings

For achieving greater transparency, the EAA has since February 2017 published on its website the reasons for the decisions of the inquiry hearings conducted by the Disciplinary Committee.

The publication of the reasons for the decisions enables the estate agency trade to have a better understanding of the EAA's disciplinary decisions. It also gives licensees an opportunity to learn about how to comply with the EAO and/or its subsidiary legislation so that similar complaints may be prevented in the future. Moreover, by demonstrating what regulatory action is being or has been taken and the reasons behind it, public confidence in the regulatory role of the EAA can also be maintained.

### 已舉行並作出裁決的紀律研訊次數

### Number of Inquiry Hearings with Decision Handed Down



| 2016/17 年度常見違規事項 *   | 指稱宗數                  |
|--|-----------------------|
| Common Types of Non-compliance in 2016/17*   | Number of allegations |
| 1. 發出虛假或誤導性廣告；未獲賣方事先書面同意而發出廣告；發出違反賣方指示的廣告<br>Issuing a false or misleading advertisement; advertising without vendor's prior written consent; advertising in contravention of vendor's instruction   | 44                    |
| 2. 未有與客戶訂立地產代理協議<br>Failure to enter into an estate agency agreement with clients  | 22                    |
| 3. 向客戶提供錯誤的物業或交易資料；未有查核提供予客戶的物業或交易資料的準確性<br>Providing wrong property or transaction information to clients; failure to verify the accuracy of property or transaction information provided to clients  | 19                    |
| 4. 未獲業主書面同意而在物業上張貼海報／廣告板；未獲許可而在公共場所張貼廣告<br>Affixing an advertisement poster/board on a property without the owner's written consent; affixing an advertising bill in public place without the requisite permission   | 18                    |
| 5. 在廣告提供有關物業的實用面積時未有遵守監管局發出的指引<br>Failure to comply with the guidelines issued by the EAA when providing the saleable area of the property concerned in the advertisement  | 15                    |
| 6. 提供／提出提供貸款予一手樓盤的準買家<br>Offering / making a loan to a prospective purchaser of a first-hand property  | 14                    |
| 7. 未有履行向客戶作出的現金回贈承諾及／或以書面形式列明有關承諾<br>Failure to give and / or set out in writing the cash rebate as promised to clients  | 14                    |
| 8. 未有於聘用或停止聘用營業員後 31 天內向監管局發出書面通知<br>Failure to notify the EAA in writing within 31 days of the employment or cessation of employment of a salesperson   | 11                    |
| 9. 未有確保代表簽署臨時買賣協議／租約／臨時租約／地產代理協議的人士已獲賣方／出租方或買方／租客正式授權<br>Failure to ensure that the signatory was duly authorised by the vendor / lessor or purchaser / tenant to sign the provisional agreement for sale and purchase / tenancy agreement / provisional tenancy agreement / estate agency agreement | 10                    |
| 10. 有關向客戶索取佣金的違規行為，例如聘用收數公司及使用騷擾方式追討佣金時未有遵守監管局的通告<br>Breaches relating to demand of commission from clients such as failure to comply with the EAA circulars when engaging a debt collector and using harassing means to chase for commission  | 10                    |

\* 部分紀律研訊個案或涉及超過一項違規事宜。

\* There might be more than one type of non-compliances in some inquiry hearing cases.

# 維護專業水平

## Upholding the Professional Standard

| 向持牌人或前持牌人採取的行動*   | 2014/15         | 2015/16         | 2016/17         |
|---|-----------------|-----------------|-----------------|
| Actions Taken Against Licensees or Former Licensees*                      |                 |                 |                 |
| 有關的持牌人或前持牌人人數<br>Number of licensees or former licensees involved         | 423             | 368             | 324             |
| 行動性質 <sup>1</sup><br>Type of actions <sup>1</sup>                         |                 |                 |                 |
| 訓誡／譴責<br>Admonishment/reprimand   | 255             | 193             | 192             |
| 罰款<br>Fine  | 179             | 123             | 132             |
| 在牌照上附加條件 <sup>2</sup><br>Attachment of conditions to licence <sup>2</sup> | 238             | 223             | 177             |
| 暫時吊銷牌照<br>Suspension of licence   | 10              | 22              | 25              |
| 撤銷牌照<br>Revocation of licence   | 45 <sup>Δ</sup> | 56 <sup>Δ</sup> | 29 <sup>Δ</sup> |

\* 以上行動是根據《地產代理條例》的權力而作出的判決。當中有部份可能不屬於紀律性質。部份是往年展開調查的個案。

<sup>1</sup> 在部分個案中，會對同一持牌人或前持牌人採取超過一項行動。

<sup>2</sup> 部分條件於批出牌照時附加，其餘則隨後附加。

<sup>Δ</sup> 這些撤銷牌照的個案均由牌照委員會裁定，理由是持牌人不再符合相關的發牌條件。

\* These actions were taken pursuant to powers under the EAO. Some actions may be disciplinary in nature and others not. Some cases were carried over from previous years.

<sup>1</sup> In some cases more than one action was imposed on the same licensee or former licensee.

<sup>2</sup> Some conditions were attached upon the granting of licences and others attached thereafter.

<sup>Δ</sup> These cases were decided by the Licensing Committee on the ground that the licensees concerned no longer met the relevant licensing requirements.

## 專業發展

監管局自2005年起以自願參與形式推行持續專業進修計劃，旨在提升地產代理從業員的專業水平以及讓他們掌握最新的專業知識。透過持續專業進修計劃，監管局致力在地產代理業界營造追求學習及進修的文化，藉以提高從業員的水平，加強公眾對業界的信心。

### 持續專業進修計劃

在持續專業進修計劃下，監管局鼓勵地產代理從業員參加不同學習模式的活動，例如講座、研討會、學術資格課程及網上遙距學習活動等，以取得持續專業進修學分。一般而言，每參與一小時的學習活動，將可獲得一個學分。在為期12個月的進修時段內取得至少12個持續專業進修學分的持牌人，將被視為達到持續專業進修計劃的學分要求，並可獲頒發持續專業進修計劃嘉許獎章。自2013年10月1日的持續專業進修時段開始計算，連續三個及五個持續專業進修時段達到計劃的學分要求的持牌人，將分別獲頒發持續專業進修計劃優越嘉許獎章銀章（「銀章」）及持續專業進修計劃優越嘉許獎章金章（「金章」）。

年內，427名持牌人（第一批銀章得獎者）於截至2014、2015及2016年9月30日止的持續專業進修時段，連續達到該進修計劃的學分要求並獲頒發銀章予以佩戴，以表揚其努力學習的成果。

除個人持牌人會獲頒發持續專業進修計劃優越嘉許獎章外，如地產代理商舖有80%或以上的持牌僱員（包括分行經理）達到該計劃的學分要求，亦可獲頒發地產代理商舖專業進修嘉許獎章。

## Professional Development

Aimed at furthering the competence of the estate agency trade practitioners and keeping their professional knowledge up to date, a Continuing Professional Development (“CPD”) Scheme has been implemented since 2005 on a voluntary basis. Through the CPD Scheme, the EAA strives to build amongst the estate agency trade a culture of a quest for learning and development, which helps raise the standards of the practitioners and thus strengthen public confidence in the trade.

### Continuing Professional Development Scheme

Under the CPD Scheme, estate agency trade practitioners are encouraged to take part in activities of different learning modes, such as seminars, lectures, award-bearing courses and web-based distance learning, etc., to earn CPD points. Generally, one CPD point is awarded for each contact hour of learning activity. Licensees who earn not less than 12 CPD points in a 12-month CPD period are considered to have achieved the CPD attainment target and will be awarded the CPD Attainment Symbol. With effect from the CPD period commencing 1 October 2013, licensees who have achieved their CPD attainment targets for three and five consecutive CPD periods will also be awarded the Silver Premium CPD Attainment Symbol (“Silver Symbol”) and Gold Premium CPD Attainment Symbol (“Gold Symbol”) respectively.

During the year, 427 licensees (being the first batch of the Silver Symbol awardees) who achieved the CPD attainment target consecutively in the CPD periods ended 30 September 2014, 2015 and 2016, were awarded a silver badge for their wearing as recognition of their learning efforts.

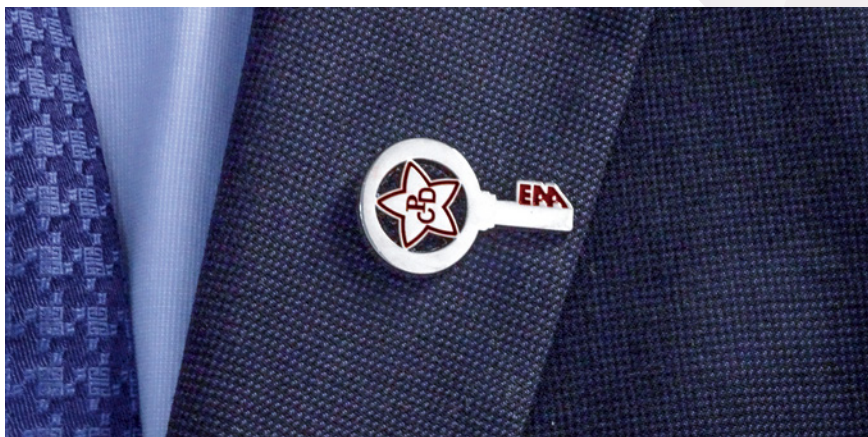
In addition to the Premium CPD Attainment Symbols which are presented to individual licensees, holders of Statement of Particulars of Business (“SPOB”) with 80% or more of their licensed employees (including the branch manager) having achieved the CPD attainment target will be presented with the CPD Mark for Estate Agencies.

# 維護專業水平

## Upholding the Professional Standard

年內，427名持牌人獲頒發銀章予以佩戴，以表揚其努力學習的成果。

During the year, 427 licensees were awarded a silver badge for their wearing as recognition of their learning efforts.



### 成就

#### Achievement

### 獎勵

#### Award

在一個進修時段達到持續專業進修計劃的學分要求的持牌人\*  
Licensees achieving CPD attainment target for one CPD period\*

持續專業進修計劃嘉許獎章  
CPD Attainment Symbol

在連續三個進修時段達到持續專業進修計劃的學分要求的持牌人  
(自2013年10月1日起的進修時段開始計算)  
Licensees achieving CPD attainment target for three consecutive CPD periods  
(with effect from the CPD period commencing 1 October 2013)

持續專業進修計劃優越嘉許獎章  
— 銀章  
Silver Premium CPD Attainment  
Symbol – ("Silver Symbol")

在連續五個進修時段達到持續專業進修計劃的學分要求的持牌人  
(自2013年10月1日起的進修時段開始計算)  
Licensees achieving CPD attainment target for five consecutive CPD periods  
(with effect from the CPD period commencing 1 October 2013)

持續專業進修計劃優越嘉許獎章  
— 金章  
Gold Premium CPD Attainment  
Symbol – ("Gold Symbol")

有80%或以上持牌僱員(包括分行經理)達到持續專業進修計劃的  
學分要求的營業詳情說明書持有人  
Holders of SPOB with 80% or more of licensed employees (including the  
branch manager) having achieved the CPD attainment target

地產代理商舖專業進修嘉許獎章  
CPD Mark for Estate Agencies

\* 每個持續專業進修時段為期12個月，由每年10月1日起至翌年9月30日止。

\* Each CPD period shall be a 12-month period commencing 1 October each year and ending on 30 September the following year.

### 持續專業進修活動的統計數字

年內，各主辦機構(包括監管局當局、地產代理業界及來自教育機構與專業團體的其他主辦機構)合共舉辦了434場持續專業進修活動，吸引26,552人次參加，共取得52,763個持續專業進修學分。在434場活動中，111場(佔活動總數的26%)由監管局舉辦，參與人次為15,747人(約佔總參與人次的59%)。

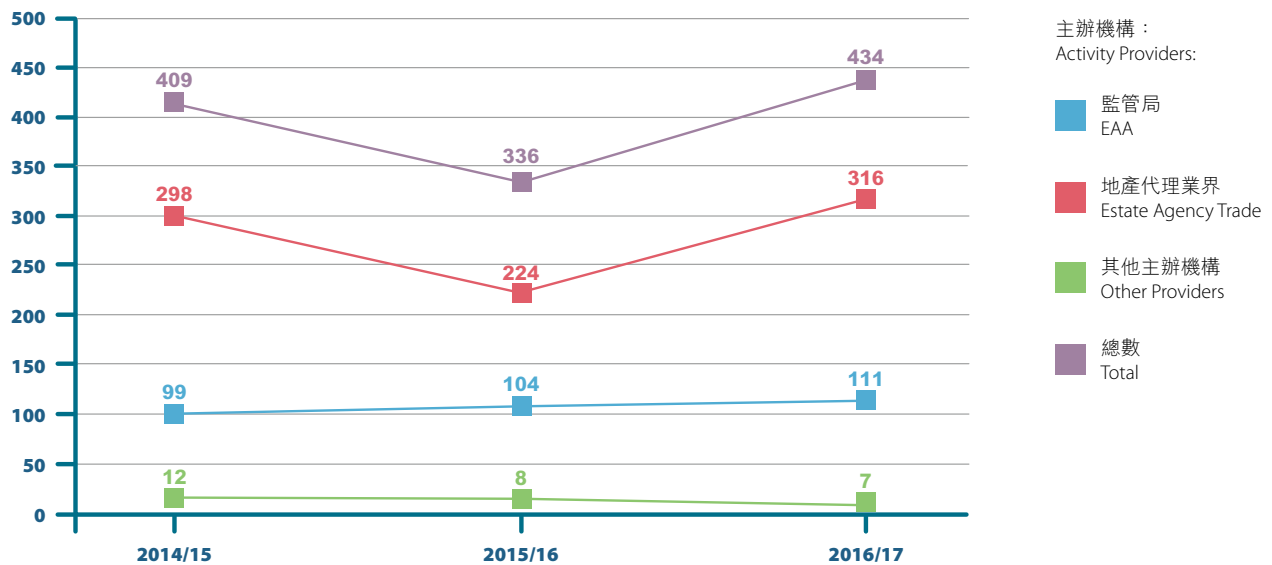
### Statistics of CPD Activities

During the year, 434 CPD activities were organised by various activity providers, including the EAA itself, the estate agency trade and other activity providers from educational institutions and professional bodies. In total, there were 26,552 enrolments with 52,763 CPD points attained. Among the 434 activities, 111 (26% of the total number of activities) were organised by the EAA with 15,747 enrolments (about 59% of total enrolments).

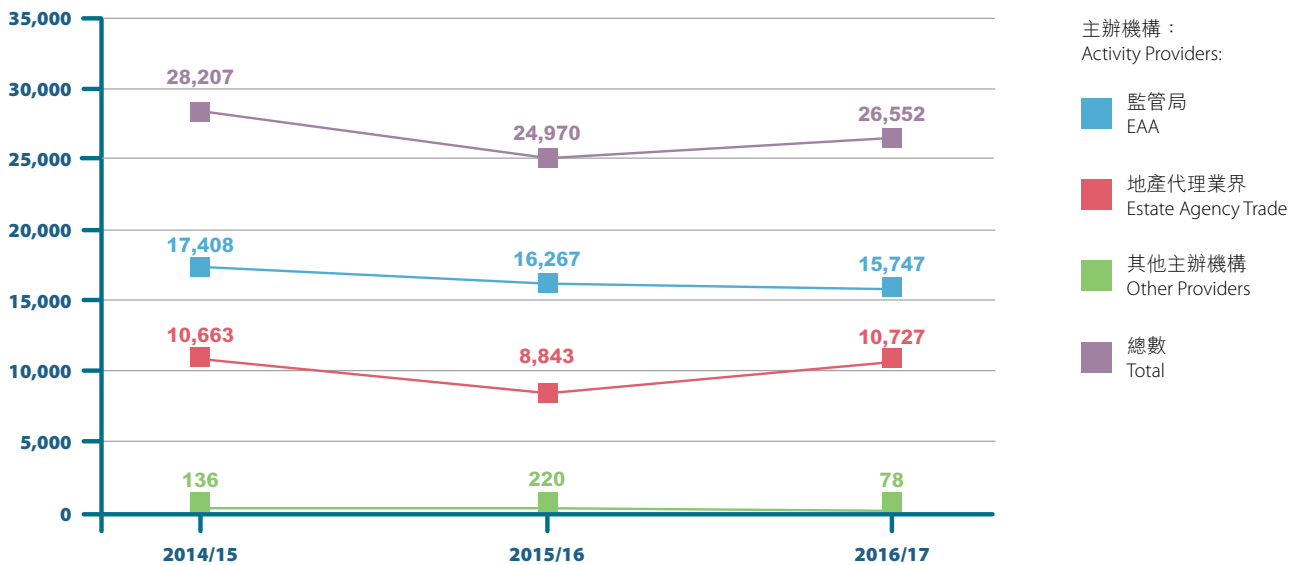


## 過往三年的持續專業進修活動 CPD Activities in the Past Three Years

活動數目  
Number of Activities



參與人次  
Number of Enrolments



# 維護專業水平

## Upholding the Professional Standard

局方邀請專業團體及監管機構的代表向地產代理從業員主講講座。

Representatives of professional associations and regulatory bodies are invited to give talks to the estate agency practitioners.



### 監管局舉辦之持續專業進修活動摘要

#### 地產代理監管局實務證書課程

為使持牌人掌握地產代理有效執業所需的實用及法律知識，監管局推出了全新的結構性課程，名為「地產代理監管局實務證書課程」。年內，監管局就結構性課程舉辦了10個課程，吸引1,339人次參加。所提供的課程以地產代理工作流程為主，讓參加者掌握有關恰當執業的實務知識。全新設計的課程及互動活動加強了參加者對物業交易之法律及監管要求的了解，這對他們的日常工作至為重要。此外，講師生動的講解使學習更富趣味和有效。鑑於參加者反應良好，監管局將定期為持牌人提供此結構性課程。

### Highlights of CPD Activities Organised by the EAA

#### EAA's Certificate Programme in Practice

To equip the licensees with necessary practical and legal knowledge for effective estate agency practices, the EAA developed a new structured programme titled "EAA's Certificate Programme in Practice". During the year, 10 classes of the structured programme were held and they attracted 1,339 enrolments. The delivery of the programme was oriented towards estate agents' workflow, which equipped participants with practical knowledge for proper practice. The newly designed classes and interactive exercises enhanced the participants' understanding of legal and regulatory requirements of property transactions, which is of vital importance to their daily work. Moreover, the instructors' lively and vivid presentations and explanations made the learning more interesting and effective. In light of the positive responses from the participants, the structured programme will be offered to the licensees on a regular basis.

## 專業團體及監管機構代表主講的講座

為使監管局所提供的持續專業進修活動更多元化，監管局邀請專業團體及監管機構的代表向地產代理從業員主講講座。年內，監管局與多個專業團體及監管機構合作舉辦了35場持續專業進修活動，包括特許公認會計師公會、競爭事務委員會、平等機會委員會、香港綠色建築議會、入境事務處、香港營造師學會、香港測量師學會、地政總署、香港按揭證券有限公司、個人資料私隱專員公署、香港警務處、英國皇家特許測量師學會，以及證券及期貨事務監察委員會。據觀察所得，持牌人在追求其他學科或其他專業範疇上的知識有所提高。

## 提升專業操守的持續專業進修活動

為加強持牌人對誠信及專業操守的重視性，監管局與廉政公署、保安局禁毒處及聯合財富情報組合辦了多場持續專業進修活動。年內，局方合共舉行了七場活動，以提醒持牌人注意打擊洗黑錢、防止賄賂、妥善管治及有效內部監控的相關法例。

## 網上學習

除面授的持續專業進修活動外，持牌人亦可選擇隨時隨地參與網上持續專業進修活動，為他們提供另一個學習渠道以增進其執業知識。年內，監管局在「網上學習活動」的平台上新增了四個網上學習活動。從監管局網上學習活動的參與人次佔所有監管局持續專業進修活動參與人次的比例來看，愈來愈多持牌人視網上學習活動為另一選擇。

## Talks Given by Representatives of Professional Associations and Regulatory Bodies

In order to enrich the EAA's CPD offerings, representatives of professional associations and regulatory bodies were invited to give talks to the estate agency practitioners. During the year, 35 CPD activities were organised in collaboration with various professional associations and regulatory bodies namely: Association of Chartered Certified Accountants; Competition Commission; Equal Opportunities Commission; The Hong Kong Green Building Council; Immigration Department; the Hong Kong Institute of Construction Managers; The Hong Kong Institute of Surveyors; the Lands Department; The Hong Kong Mortgage Corporation Limited; Office of the Privacy Commissioner for Personal Data; The Hong Kong Police Force; Royal Institution of Chartered Surveyors; and Securities and Futures Commission. It has been observed that the licensees' quest for knowledge of other disciplines or other professions has been intensifying.

## CPD Activities for Promotion of Professional Ethics

To highlight the importance of integrity and ethical practices to the licensees, CPD activities were jointly organised by the EAA, the Independent Commission Against Corruption, the Narcotics Division of the Security Bureau and the Joint Financial Intelligence Unit. During the year, seven activities were held to draw licensees' attention to legislations in relation to anti-money laundering, corruption prevention, proper governance and effective internal control.

## e-Learning

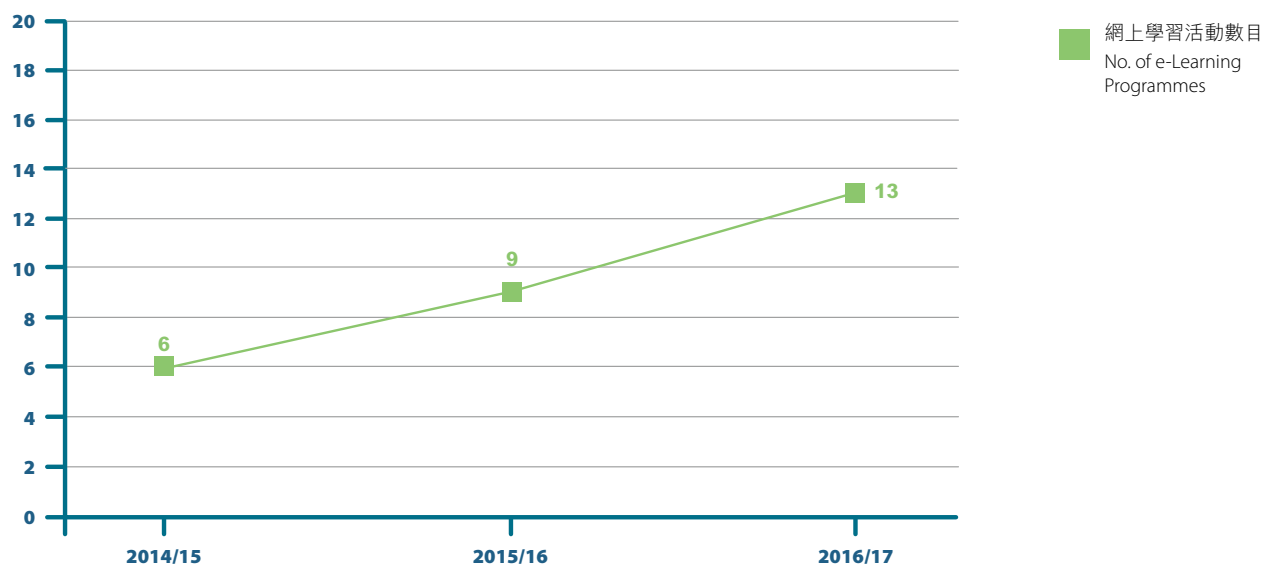
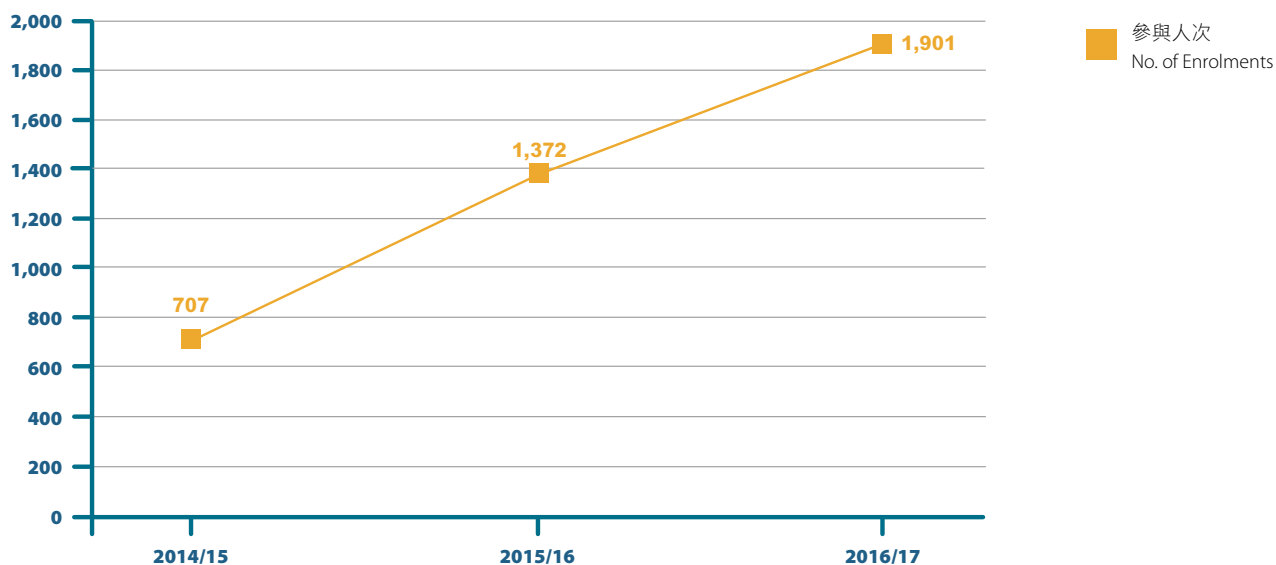
In addition to face-to-face CPD activities, the licensees are provided a learning alternative by undertaking online CPD activities at anytime and anywhere to enhance their competence for effective practices. During the year, the EAA added four new e-Learning programmes to its e-Learning platform. As from the number of enrolments of EAA's e-Learning programmes as a percentage of the total number of enrolments of all EAA's CPD activities, it is shown that the licensee's reliance of e-Learning as an alternative of face-to-face CPD activities has been growing.

# 維護專業水平

## Upholding the Professional Standard

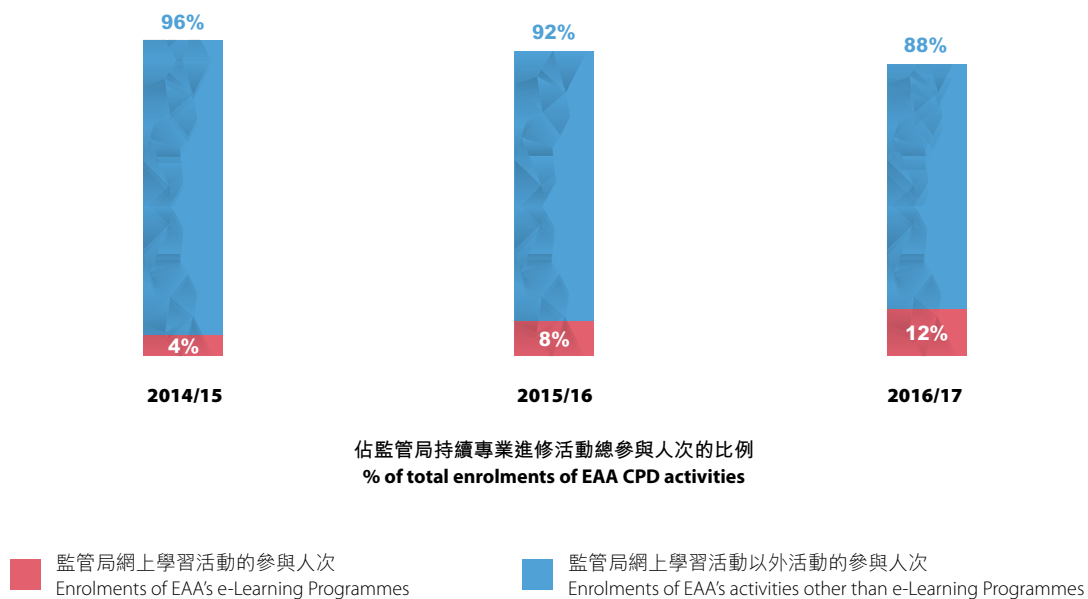
監管局網上學習活動的參與人次

Number of Enrolments of EAA's e-Learning Programmes



## 監管局網上學習活動的參與人次佔所有監管局持續專業進修活動參與人次的比例

### Number of Enrolments of EAA's e-Learning Programmes as a Percentage of Enrolments of All EAA's CPD Activities



## 活動後申請獲承認為持續專業進修活動

過往，主辦機構在舉辦其培訓活動前須事先向監管局作出申請，以獲局方承認為持續專業進修計劃下的活動。為鼓勵主辦機構舉辦更多培訓活動及更具彈性，自2016年10月1日起，主辦機構可就已舉辦的活動向監管局提交認可申請成為持續專業進修活動。換言之，主辦機構今後可於活動舉行前或後向局方申請成為持續專業進修計劃的活動。該新措施深受主辦機構歡迎，局方在年內共收到11項的相關申請。

## Post-event Applications for Recognition of Activities under the CPD Scheme

In the past, activity providers need to make applications to the EAA prior to their training activities for recognition of the activities under the CPD Scheme. To encourage the activity providers to organise more training activities which are recognised under the CPD Scheme and offer the activity providers more flexibilities in arranging CPD activities which are topical in nature, with effect from 1 October 2016, post-event applications for recognition of CPD activities are also allowed i.e. applications for recognition of activities under the CPD Scheme can now be made before or after the activities are held. This new initiative was well received by the activity providers and 11 post-event applications for recognition of CPD activities were made during the year.





# 聯繫社群

## Reaching out to the Community





# 聯繫社群

## Reaching out to the Community

### 消費者教育

監管局致力促進消費者教育以協助其保障自身權益。在2016/17年度，監管局繼續透過不同的溝通渠道及平台，向公眾發放全面的物業交易資訊。

為提高公眾對物業交易的認知及相關知識，監管局分別於2016年9月和2017年3月就公眾關心的熱門議題舉辦了兩場公開講座。監管局在首場關於「住宅物業開門七件事」的公開講座中，分享了物業市場趨勢、「產權負擔」的定義及「用途限制」等實用資訊，以及委託地產代理時須

### Consumer Education

The EAA attaches great importance to promoting consumer related knowledge to enable consumers to protect their own interests. In 2016/17, the EAA continued to deliver to the public comprehensive information on property transactions across multiple communication channels and platforms.

To raise public awareness and knowledge of property transactions, the EAA organised two public education seminars on topical issues in September 2016 and March 2017 respectively. In the first public seminar on "Key Information of Residential Properties", practical information such as property market trends, the definition of "Encumbrances" and "User Restrictions", and important points-to-note when appointing estate agents were shared. In the



監管局分別於2016年9月及2017年3月舉辦兩場公開講座，兩場講座均反應熱烈。

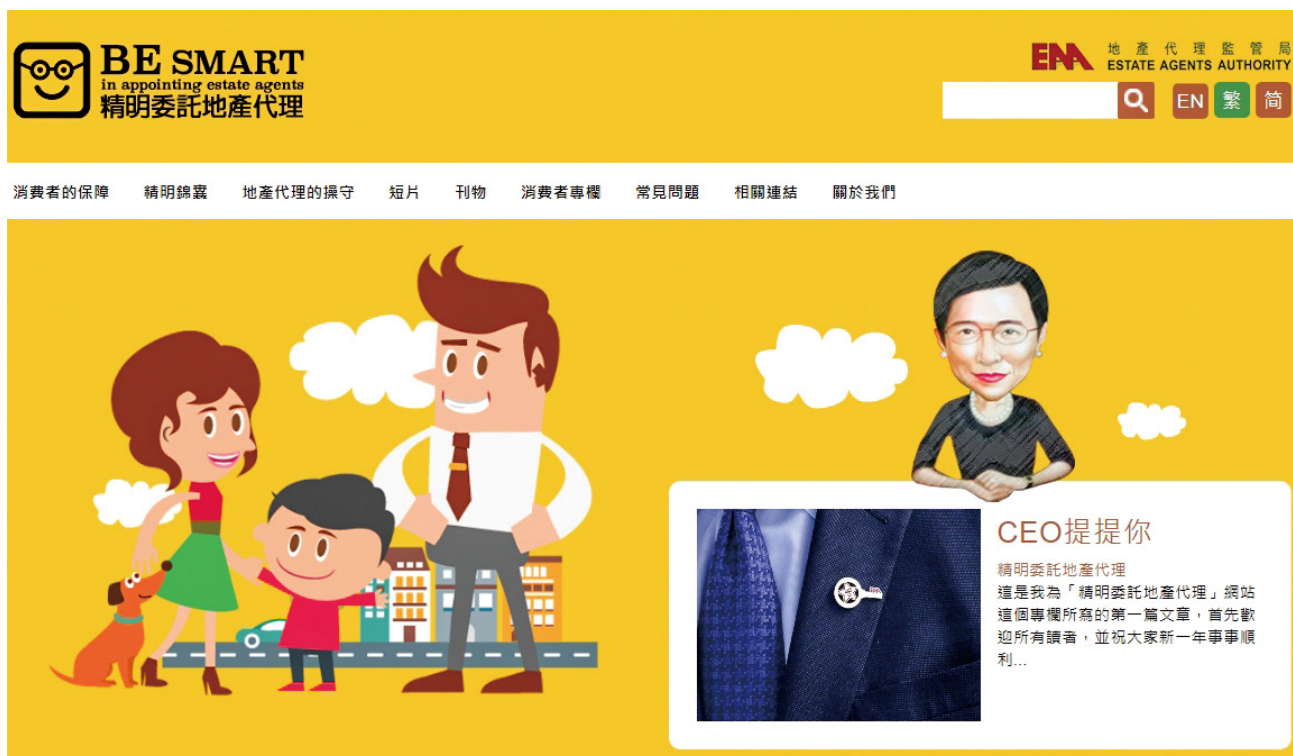
The EAA organised two public seminars in September 2016 and March 2017 respectively, both received an overwhelming response from the audience.

注意的重要事項。至於另一場名為「置業按揭精明眼」的講座中，監管局則講解有關審批住宅物業按揭時所考慮的因素及物業估值標準等有用資訊，兩場講座均反應熱烈。

2017年2月，監管局推出全新消費者教育網站「精明委託地產代理」，內容包括「CEO提提你」、「精明錦囊」、互動遊戲以及監管局製作的多個消費者教育短片和刊物等，旨在透過有趣的互動平台向消費者提供有用資訊。

second seminar titled “Smart Tips on Mortgage Application”, useful information such as factors affecting mortgage approval for residential properties and criteria of property valuation was delivered. Both seminars received an overwhelming response from the public.

With the aim of providing useful information to consumers through an interesting and interactive platform, the EAA launched a brand new consumer education portal “Be Smart in Appointing Estate Agents” in February 2017. A wealth of topics or sections such as “CEO’s Tips”, “Smart Advice”, interactive games, and various consumer education videos and publications produced by the EAA were presented.



監管局推出全新消費者教育網站，旨在透過互動平台向消費者提供有用資訊。

The EAA launches a brand new consumer education portal to provide useful information to consumers through an interactive platform.



## 聯繫社群

## Reaching out to the Community

除全新的消費者教育網站外，鑑於2016年曾發生有關騙徒於物業交易過程中假冒業主身分以騙取買家訂金的事件，監管局遂於2017年2月推出新一輪題為「訂金交託律師行、樓宇買賣風險降」的電視宣傳短片及電台宣傳聲帶，旨在提醒大眾安排將所有訂金託管於律師行，以減低所涉及的風險。有關電視宣傳短片除了在主要電視台及廣播頻道播放外，亦上載於監管局網站及YouTube頻道讓公眾瀏覽。相關的宣傳刊物亦已派發給所有地產代理商舖。

此外，監管局分別於2016年7月和2017年1月出版了兩本名為「住宅物業開門七件事」和「委託地產代理須知」的全新消費者小冊子。兩本小冊子經特別設計為口袋尺寸及採用磁石封面及封底。此等刊物可於監管局辦事處及民政事務總署轄下的20個民政諮詢中心索取。

As well as the new consumer education website, the EAA also launched a new round of TV and radio Announcement in the Public Interest (API) titled "Lower the risk in property transactions; place all deposits at a law firm for stakeholding" in February 2017. In view of the incidents of fraudsters impersonating flat owners to swindle deposits paid by purchasers in property transactions in 2016, the EAA produced this API reminding the public to arrange for the stakeholding of all deposits by a firm of solicitors to lower the risks involved. The new API was broadcast on major TV and radio channels, and was available on the EAA's website and YouTube for the public to view. Related promotional materials were also distributed to all estate agency shops.

Furthermore, the EAA published two new consumer pamphlets on "Key Information of Residential Properties" and "Notes on Appointing Estate Agents" in July 2016 and January 2017 respectively. The two pocket-sized pamphlets were specially designed with magnetic covers. The publications are available for collection at the EAA office and all 20 Home Affairs Enquiry Centres operated by the Home Affairs Department.



監管局推出全新的電視宣傳短片，提醒公眾託管訂金的重要性。

The EAA launches a new API which is about the importance of stakeholding.



## 傳媒關係

監管局視傳媒為局方與公眾溝通的重要夥伴，一直與傳媒保持緊密聯繫，以發布有關局方的工作及舉措。年內，監管局共發出了14篇新聞稿，舉辦了三次新聞發布會，並獲傳媒廣泛報導。監管局主席、行政總裁及行政部門高層管理人員亦接受了主要印刷及電子傳媒合共15次專訪。監管局透過舉辦各種傳媒聚會，包括與傳媒高層舉行午餐會及與前線記者舉行農曆新年聚會等，與傳媒保持密切聯繫。

為透過大眾媒體進一步推廣消費者相關資訊，監管局經常在媒體專欄撰寫有關物業交易及有關地產代理服務的文章。在2016/17年度，監管局在四份報章或網站合共發表41篇文章，當中有16篇發表於《英文虎報》，12篇發表於《星島日報》地產網站及其地產版，九篇發表於信報財經新聞網站，而四篇則發表於免費報章《am730》。

## 與業界、政府及專業組織的聯繫

與主要持份者及業界代表維持良好關係，以獲得他們對監管局工作的理解及支持至為重要。為與地產代理業界保持定期對話及雙向溝通，監管局於2016/17年度與主要業界商會代表舉行了四次聯絡會議。透過這些會議，監管局就新的政策建議諮詢商會代表，並討論共同關注的事項。業界亦可於會上了解草擬中的執業通告的要點，而監管局亦會澄清及考慮業界就實施情況提出的關切和意見。

## Media Relations

Considering the media as an important communication partner between the EAA and the public, the EAA always keeps a close connection with the media to publicise its work and initiatives. In the year under review, the EAA issued 14 press releases, hosted three press conferences and gained wide media coverage. A total of 15 feature interviews with the EAA Chairman, the CEO and the senior management in major print and electronic media were also arranged. By organising a number of media gatherings, including luncheons with media heads and the Chinese New Year gathering with frontline journalists, the EAA maintained cordial relationships with the media.

To further promote consumer related information through mass media channels, the EAA regularly contributes articles on timely topics relating to property transactions and expected services of estate agents to the media. In 2016/17, the EAA contributed a total of 41 articles to four print or online columns, namely, 16 to *The Standard*, 12 to the property magazine and website of *Sing Tao Daily*, nine to *Hong Kong Economic Journal* website, and four in the free newspaper *am730*.

## Liaisons with the Trade, the Government and Professional Bodies

Maintaining a good rapport with key stakeholders and trade representatives is essential in order to gain their understanding and support for the work of the EAA. As a regular dialogue and two-way exchange with the estate agency trade, the EAA hosted four liaison meetings with the representatives of major trade associations in 2016/17. At these meetings, issues of mutual concern were discussed and the trade representatives were consulted on the EAA's new initiatives. Moreover, the trade was briefed on the salient points of the draft practice circulars at the meetings, with their views and concerns on the implementation clarified and noted for further consideration.

## 聯繫社群

## Reaching out to the Community

監管局在不同地區舉辦聚焦小組會議，與前線地產代理直接對話。

Focus group meetings are held in various districts as a direct dialogue with frontline practitioners.



與此同時，監管局亦與各區的持牌人舉辦聚焦小組會議，以保持與前線從業員直接對話。會上，監管局邀請從業員分享他們所遇到的實務問題，藉以協助監管局為業界制定切實可行的政策、指引及措施。在2016/17年度，監管局分別於長沙灣、荃灣及西區舉辦了三次聚焦小組會議，三次會議均反應良好。

監管局不時透過發出持牌人的信函、電郵、手機短訊、或透過監管局網站發布特別通告，提醒業界注意有關地產代理執業的規定或政府推行的新措施。年內，監管局共發出了19次有關提示或通知。此外，監管局亦出版了四期持牌人通訊《專業天地》，好讓持牌人知悉本局的最新規管措施及活動。公眾人士亦可於監管局索取該通訊或於監管局網站瀏覽電子版本。

In the meantime, the EAA also organised focus group meetings with licensees in various districts in order to maintain direct dialogue with frontline practitioners. At these meetings, the EAA invited practitioners to share practice issues they encountered, which helped the EAA to formulate practical policies, guidelines and measures for the trade. In 2016/17, a total of three such meetings were held in Cheung Sha Wan, Tsuen Wan and Western District, all with positive feedback.

From time to time, the EAA issues letters or reminders to licensees in the form of email or SMS, or publishes special notices on the EAA's website to alert the trade to certain requirements relating to the estate agency practice or new measures introduced by the Government. In the year under review, a total of 19 such reminders or notices were issued. In addition, four issues of the EAA's newsletter for licensees, *Horizons*, were published to keep licensees abreast of the EAA's new regulatory measures and latest activities. Members of the public could also collect a copy of the newsletter at the EAA office or read the e-version through the EAA website.

此外，監管局與香港境外的不同專業團體或業界組織舉行交流會議，以推廣監管局的形象和工作。年內，監管局接待了五個分別來自青海省工商行政管理局、法律教育基金內地及香港法律學生交流團、中國房地產估價師與房地產經紀人學會、廣東省機構編制委員會辦公室的代表團，以及杜拜房地產協會代表團。會面中，各方分享見解及規管經驗。他們對監管局的角色、職能，以及香港地產代理行業的規管制度非常感興趣。

過去20年，監管局一直致力提升業界的專業水平。為進一步推動地產代理業的專業化及表揚優秀從業員的成就，監管局舉辦「傑出地產代理獎」作為成立20周年紀念的開幕活動。一系列精彩活動（包括微電影比賽及周年慶典）亦緊接於2017年推出，以慶祝監管局成立20周年。

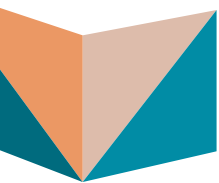
In addition, the EAA had exchange meetings with different professional or trade bodies outside Hong Kong, which helped promote the image and the work of the EAA. During the year, the EAA received five delegations from the Qinghai Province Administration, a Mainland and Hong Kong law student delegation from the Legal Education Fund, the China Institute of Real Estate Appraisers and Agents, the Office of Government Set-up Committee of Guangdong Province and the Dubai Real Estate Institute respectively. Views and regulatory experiences were exchanged and shared during the meetings. Participating guests showed a great interest in learning the role and functions of the EAA and the regulatory system of the estate agency trade in Hong Kong.

Over the past 20 years, continuous effort has been made by the EAA on improving the professional standard of the trade. In further promoting the professionalism of the estate agency industry and recognising the achievement of outstanding practitioners, the EAA launched the “Outstanding Estate Agent Award” as the kick-off event of its 20<sup>th</sup> anniversary of establishment. A number of fabulous events such as a micro-movie competition and an anniversary reception will also be rolled out in 2017 to celebrate the EAA’s 20<sup>th</sup> birthday.

監管局接待來自廣東省機構編制委員會辦公室的代表團，向他們介紹本局的主要職能。

The EAA receives a delegation from the Office of Government Set-up Committee of Guangdong Province to introduce the key functions of the EAA.





# 獨立核數師報告

## Independent Auditor's Report

致地產代理監管局全體成員

(根據《地產代理條例》於香港成立)

TO THE MEMBERS OF ESTATE AGENTS AUTHORITY

地產代理監管局

(established in Hong Kong pursuant to the Estate Agents Ordinance)

### 意見

本核數師(以下簡稱「我們」)已審計列載於第104至127頁地產代理監管局(以下簡稱「監管局」)的財務報表，此財務報表包括於2017年3月31日的財務狀況表與截至該日止年度之收支結算表、儲備變動表及現金流量表，以及財務報表附註(包括主要會計政策概要)。

我們認為，上述財務報表已根據香港會計師公會頒佈的《香港財務報告準則》真實而公平地反映監管局於2017年3月31日的財務狀況，及監管局截至該日止年度的財政表現及現金流量，並已遵守《地產代理條例》妥為編製。

### Opinion

We have audited the financial statements of Estate Agents Authority set out on pages 104 to 127, which comprise the statement of financial position as at 31 March 2017, and the statement of income and expenditure, statement of movements in reserves and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of Estate Agents Authority as at 31 March 2017, and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA") and have been properly prepared in compliance with the Estate Agents Ordinance.

### 意見的基礎

我們已根據香港會計師公會頒佈的《香港審計準則》進行審計。我們在該等準則下承擔的責任已於本報告的「核數師就審計財務報表須承擔的責任」部分中進一步闡述。根據香港會計師公會頒佈的《專業會計師道德守則》(以下簡稱「守則」)，我們獨立於監管局，並已根據守則履行其他道德責任。我們相信，我們所獲得的審計憑證能充足和適當地為我們之意見提供基礎。

### Basis for Opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSAs") issued by the HKICPA. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of Estate Agents Authority in accordance with the HKICPA's Code of Ethics for Professional Accountants ("the Code"), and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



## 其他信息

監管局須對其他信息負責。其他信息包括年報內所載的信息，但不包括財務報表及當中的核數師報告。

我們對財務報表的意見並不涵蓋其他信息，我們亦不對此等其他信息發表任何形式的鑒證結論。

就我們對財務報表的審計，我們的責任是細閱其他信息，並在此過程中考慮其他信息與財務報表或與我們在審計過程中所知悉的情況是否存在重大不相符或似乎存在其他重大錯誤陳述。基於我們已執行的工作，如果我們認為該等其他信息存在重大錯誤陳述，我們須報告該事實。在這方面，我們沒有任何報告。

## 監管局須就財務報表承擔的責任

監管局須負責根據香港會計師公會頒佈的《香港財務報告準則》及《地產代理條例》，編製真實而公平的財務報表，及落實其認為編製財務報表所必要之內部監控，以使財務報表不存在由於欺詐或錯誤而導致之重大錯誤陳述。

在編制財務報表時，監管局須負責評估其持續經營的能力，並披露與持續經營有關的事項(如適用)。除非監管局擬將監管局清盤或停止營運，或除此之外並無其他實際可行的辦法，否則須採用持續經營會計基礎。

監管局須負責監督其財務報告流程。

## Other Information

Estate Agents Authority is responsible for the other information. The other information comprises the information included in the annual report, but does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

## Estate Agents Authority's Responsibility for the Financial Statements

Estate Agents Authority is responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and the Estate Agents Ordinance, and for such internal control as Estate Agents Authority determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, Estate Agents Authority is responsible for assessing its ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Estate Agents Authority either intends to liquidate Estate Agents Authority or to cease operations, or has no realistic alternative but to do so.

Estate Agents Authority is responsible for overseeing its financial reporting process.



# 獨立核數師報告

## Independent Auditor's Report

### 核數師就審計財務報表須承擔的責任

我們的目標是對財務報表整體是否不存在由於欺詐或錯誤而導致的重大錯誤陳述取得合理保證，並出具包括我們意見的核數師報告。我們根據《地產代理條例》第12條僅向作為一家機構的監管局出具核數師報告，除此之外核數師報告別無其他目的。我們不會就本報告的內容向任何其他人士負上任何責任或承擔任何法律責任。合理保證是高水準的保證，但按照《香港審計準則》進行的審計並不保證總能發現所存在的重大錯誤陳述。錯誤陳述可由欺詐或錯誤引起，如果按合理預期該等錯誤陳述或會個別或總體影響財務報表使用者倚賴此等財務報表所作的經濟決策，則被視作重大錯誤陳述。

在根據《香港審計準則》進行審計的過程中，我們運用專業判斷並保持專業懷疑態度。我們亦：

- 識別及評估因欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審計程序以應對此等風險，以及獲取充足及適當的審計憑證，作為我們意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、失實陳述，或凌駕於內部監控之上，因此，未能發現因欺詐導致出現重大錯誤陳述的風險，高於未能發現因錯誤導致出現重大錯誤陳述的風險。
- 了解與審計相關的內部監控，以設計適當的審計程序，但目的並非對監管局內部監控的有效性發表意見。

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion solely to you, as a body, in accordance with section 12 of the Estate Agents Ordinance, and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSA's will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with HKSA's, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Estate Agents Authority's internal control.

- 評估監管局所採用的會計政策的適當性以及作出會計估計及相關披露的合理性。
- 對監管局採用持續經營會計基礎的適當性作出結論，並根據所獲取的審計憑證，確認是否存在與可能導致對監管局持續經營能力產生重大疑慮的事項或情況相關之重大不確定性。如果我們認為存在重大不確定性，則有必要在核數師報告中提請使用者注意財務報表中的相關披露，或如有關披露不充分，則修改我們的意見。我們的結論乃基於截至核數師報告之日止所取得的審計憑證。然而，未來事項或情況或可能導致監管局不再持續經營業務。
- 評估財務報表的整體列報方式、結構及內容（包括披露），以及財務報表是否公平反映相關交易及事項。
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by Estate Agents Authority.
- Conclude on the appropriateness of Estate Agents Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Estate Agent Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause Estate Agents Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

除其他事項外，我們與監管局就審計的計劃範圍和時間安排及重大審計發現（包括我們在審計期間識別的內部監控之任何重大缺陷）進行溝通。

We communicate with Estate Agents Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

**德勤 • 關黃陳方會計師行**

執業會計師

香港

2017年7月25日

**Deloitte Touche Tohmatsu**

Certified Public Accountants

Hong Kong

25 July 2017

# 財務報表

## Financial Statements

### 收支結算表

截至2017年3月31日止年度

### Statement of Income and Expenditure

For the year ended 31 March 2017

|                |   | 附註<br>Notes | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|----------------|---|-------------|--------------------|--------------------|
| 收入             | Income  |             |                    |                    |
| 牌照費            | Licence fees  | 5           | 75,528,912         | 75,199,402         |
| 考試費            | Examination fees  | 6           | 6,191,900          | 6,497,094          |
| 利息收入           | Interest income   |             | 1,821,442          | 1,536,236          |
|                |   |             | <b>83,542,254</b>  | 83,232,732         |
| 支出             | Expenditure   |             |                    |                    |
| 核數師酬金          | Auditor's remuneration  |             | 69,000             | 69,000             |
| 公眾教育開支         | Community education expenses                                    |             | 2,066,662          | 1,470,748          |
| 投訴、調查及紀律研訊的支出  | Complaints, investigation and disciplinary proceedings expenses |             | 141,309            | 153,524            |
| 中港代理資格互認計劃支出   | CEPA scheme expenses  |             | –                  | 4,539              |
| 折舊             | Depreciation  | 8           | 2,502,241          | 1,785,168          |
| 器材維修保養及通訊費用    | Equipment maintenance and communication expenses                |             | 1,475,579          | 1,152,421          |
| 地產代理證支出        | Estate agent card expenses                                      |             | 97,389             | 116,700            |
| 保險費            | Insurance   |             | 1,104,952          | 1,085,365          |
| 汽車營運支出         | Motor vehicle operating expenses                                |             | 195,064            | 162,789            |
| 辦公室及相關開支       | Office accommodation and related expenses                       |             | 2,616,520          | 2,479,374          |
| 經營租賃租金 – 土地及樓宇 | Operating lease rentals in respect of land and buildings        |             | 9,097,586          | 8,361,952          |
| 郵費             | Postage   |             | 295,327            | 308,173            |
| 印刷及文具          | Printing and stationery   |             | 408,368            | 493,330            |
| 專業服務費用         | Professional service fees                                       |             | 34,000             | 100,000            |
| 公共關係及聯絡費       | Public relations and liaison                                    |             | 37,873             | 24,214             |
| 宣傳及廣告          | Publicity and advertising                                       |             | 70,000             | 80,000             |
| 員工成本           | Staff costs   |             |                    |                    |
| - 薪金及津貼        | - wages, salaries and allowances                                |             | 49,827,444         | 48,346,062         |
| - 強制性公積金供款     | - contributions to mandatory provident fund scheme              |             | 1,401,910          | 1,371,968          |
| 考試服務費          | Service fees for examinations                                   |             | 4,532,218          | 4,635,853          |
| 培訓活動開支         | Training activity expenses                                      |             | 689,023            | 591,405            |
| 其他開支           | Other expenses  |             | 477,252            | 495,463            |
|                |   |             | <b>77,139,717</b>  | 73,288,048         |
| 年內盈餘及其他全面收益總額  | Surplus and total comprehensive income for the year             |             | <b>6,402,537</b>   | 9,944,684          |

## 財務狀況表

於2017年3月31日

## Statement of Financial Position

At 31 March 2017

|              |                                       | 附註<br>Notes | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|--------------|---------------------------------------|-------------|--------------------|--------------------|
| 非流動資產        | Non-current assets                    |             |                    |                    |
| 物業、器材及設備     | Property, plant and equipment         | 8           | <b>4,409,909</b>   | 6,768,350          |
| 流動資產         | Current assets                        |             |                    |                    |
| 應收賬款、預付款項及按金 | Debtors, prepayments and deposits     |             | <b>3,775,077</b>   | 3,307,142          |
| 定期存款         | Time deposits                         | 9           | <b>87,225,399</b>  | 83,605,068         |
| 銀行結餘及現金      | Bank balances and cash                | 9           | <b>147,932,054</b> | 142,227,217        |
|              |                                       |             | <b>238,932,530</b> | 229,139,427        |
| 流動負債         | Current liabilities                   |             |                    |                    |
| 應付賬款及應計項目    | Creditors and accruals                |             | <b>10,949,365</b>  | 12,676,750         |
| 遞延收入         | Deferred income                       | 10          | <b>57,878,462</b>  | 55,256,496         |
| 已收牌照申請款項     | Licence application fees received     | 11          | <b>4,924,651</b>   | 4,787,107          |
|              |                                       |             | <b>73,752,478</b>  | 72,720,353         |
| 流動資產淨值       | Net current assets                    |             | <b>165,180,052</b> | 156,419,074        |
| 總資產減流動負債     | Total assets less current liabilities |             | <b>169,589,961</b> | 163,187,424        |
| 儲備           | Reserves                              |             | <b>169,589,961</b> | 163,187,424        |

載於第104至127頁之財務報表於2017年7月25日獲地產代理監管局全體成員批准及授權刊發，並由以下代表簽署：

The financial statements on pages 104 to 127 were approved and authorised for issue by the members of Estate Agents Authority on 25 July 2017 and are signed on their behalf by:

梁永祥  
主席

韓婉萍  
行政總裁

William LEUNG Wing-cheung  
Chairman

Ruby HON  
Chief Executive Officer

# 財務報表

## Financial Statements

### 儲備變動表

截至2017年3月31日止年度

### Statement of Movements in Reserves

For the year ended 31 March 2017

|                           |                                      | 資本<br>項目基金<br>Capital<br>project fund<br>港元<br>HK\$ | 累積儲備<br>Cumulative<br>fund<br>港元<br>HK\$ | 總計<br>Total<br>港元<br>HK\$ |
|---------------------------|--------------------------------------|---|--|---------------------------|
| 於2015年4月1日                | At 1 April 2015                      | 104,233,170   | 49,009,570                               | 153,242,740               |
| 年內盈餘                      | Surplus for the year                 | –   | 9,944,684                                | 9,944,684                 |
| 轉撥至資本項目基金                 | Transfer to capital project fund     | 7,652,620   | (7,652,620)                              | –                         |
| 於2016年3月31日及<br>2016年4月1日 | At 31 March 2016 and<br>1 April 2016 | 111,885,790   | 51,301,634                               | 163,187,424               |
| 年內盈餘                      | Surplus for the year                 | –   | 6,402,537                                | 6,402,537                 |
| 轉撥至資本項目基金                 | Transfer to capital project fund     | 3,706,369   | (3,706,369)                              | –                         |
| 於2017年3月31日               | At 31 March 2017                     | 115,592,159   | 53,997,802                               | 169,589,961               |

資本項目基金為用以支付發展經地產代理監管局（以下簡稱「監管局」）核准的資本項目成本。監管局每年會酌情自累積儲備中轉撥款項至資本項目基金，或由資本項目基金轉撥款項至累積儲備。

於2017年3月31日，資本項目基金結餘包括預留作日後可能購置永久辦公室的款項115,592,159港元（2016年：105,700,790港元）。

Capital project fund caters for the cost of capital projects, as approved by Estate Agents Authority (“EAA”). Transfers will be made from the cumulative fund to the capital project fund or from the capital project fund to the cumulative fund at the discretion of EAA.

Capital project fund balance at 31 March 2017 included an amount of HK\$115,592,159 (2016: HK\$105,700,790) which represents funds for the possible acquisition of permanent office accommodation in future.



## 現金流量表

截至2017年3月31日止年度

## Statement of Cash Flows

For the year ended 31 March 2017

|                 |  | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|-----------------|--|--------------------|--------------------|
| <b>營運活動</b>     | <b>OPERATING ACTIVITIES</b>                              |                    |                    |
| 年內盈餘            | Surplus for the year                                     | <b>6,402,537</b>   | 9,944,684          |
| 就下列各項作出調整：      | Adjustments for:   |                    |                    |
| 利息收入            | Interest income  | <b>(1,821,442)</b> | (1,536,236)        |
| 折舊              | Depreciation   | <b>2,502,241</b>   | 1,785,168          |
| 營運資金變動前之營運現金流量  | Operating cash flows before movements in working capital | <b>7,083,336</b>   | 10,193,616         |
| 應收賬款、預付款項及按金增加  | Increase in debtors, prepayments and deposits            | <b>(268,086)</b>   | (242,175)          |
| 應付賬款及應計項目(減少)增加 | (Decrease) increase in creditors and accruals            | <b>(1,727,385)</b> | 3,738,007          |
| 遞延收入增加          | Increase in deferred income                              | <b>2,621,966</b>   | 525,270            |
| 已收牌照申請款項增加      | Increase in licence applications received                | <b>137,544</b>     | 763,176            |
| 營運活動所得現金淨額      | NET CASH FROM OPERATING ACTIVITIES                       | <b>7,847,375</b>   | 14,977,894         |
| <b>投資活動</b>     | <b>INVESTING ACTIVITIES</b>                              |                    |                    |
| 存置定期存款          | Placement of time deposits                               | <b>(3,620,331)</b> | (7,450,947)        |
| 購置物業、器材及設備      | Purchase of property, plant and equipment                | <b>(143,800)</b>   | (3,980,639)        |
| 已收利息            | Interest received  | <b>1,621,593</b>   | 1,353,455          |
| 投資活動所用現金淨額      | NET CASH USED IN INVESTING ACTIVITIES                    | <b>(2,142,538)</b> | (10,078,131)       |
| 現金及現金等值物增加淨額    | NET INCREASE IN CASH AND CASH EQUIVALENTS                | <b>5,704,837</b>   | 4,899,763          |
| 年初的現金及現金等值物     | CASH AND CASH EQUIVALENTS AT THE BEGINNING OF THE YEAR   | <b>142,227,217</b> | 137,327,454        |
| 年終的現金及現金等值物     | CASH AND CASH EQUIVALENTS AT THE END OF THE YEAR         | <b>147,932,054</b> | 142,227,217        |
| 現金及現金等值物結餘分析：   | ANALYSIS OF BALANCES OF CASH AND CASH EQUIVALENTS:       |                    |                    |
| 銀行結餘及現金         | Bank balances and cash                                   | <b>147,932,054</b> | 142,227,217        |

# 財務報表

## Financial Statements

### 財務報表附註

截至2017年3月31日止年度

### Notes to the Financial Statements

For the year ended 31 March 2017

#### 1. 一般資料

地產代理監管局(「監管局」)根據於1997年5月29日頒佈的《地產代理條例》成立。其主要職能為促進地產代理的專業操守，提高從業員的專業水平，及簽發地產代理牌照。監管局的註冊辦事處及主要營業地點為香港灣仔皇后大道東合和中心48樓。

本財務報表以港元呈列，而港元同樣為監管局的功能貨幣。

本年度，監管局修訂了財務報表的術語，特別是「損益及其他全面收益表」更名為「收支結算表」。除上述變動外，該修訂並不會對財務業績構成任何影響。監管局的管理層認為，新術語更適合用於描述監管局作為法定機構的財務資料。

#### 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)

於本年度，監管局已首次應用下列由香港會計師公會(「香港會計師公會」)頒佈之香港財務報告準則之修訂：

#### 1. General

EAA was established with the principal functions of promoting integrity and competence of estate agents and issuing estate agents' licences under the Estate Agents Ordinance dated 29 May 1997 (date of enactment). The address of the registered office and principal place of business of EAA is 48th Floor, Hopewell Centre, Queen's Road East, Hong Kong.

The financial statements are presented in Hong Kong dollar, which is the same as the functional currency of EAA.

In the current year, EAA has made an amendment to the terminology of the financial statements, in particular "statement of profit or loss and other comprehensive income" is renamed to "statement of income and expenditure". Other than the above mentioned change, the amendment does not result in any impact on the financial results. Management of EAA is of the view that the new terminology would be more appropriate to describe EAA's financial information as a statutory body.

#### 2. Application of New and Amendments to Hong Kong Financial Reporting Standards ("HKFRSs")

In the current year, EAA has applied, for the first time, the following amendments to HKFRSs issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA"):

## 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

香港會計準則第1號之修訂  
Amendments to HKAS 1

香港會計準則第16號及  
香港會計準則第38號之修訂  
Amendments to HKAS 16 and  
HKAS 38

香港會計準則第16號及  
香港會計準則第41號之修訂  
Amendments to HKAS 16 and  
HKAS 41

香港會計準則第27號之修訂  
Amendments to HKAS 27

香港財務報告準則第10號、香港  
財務報告準則第12號及香港會計  
準則第28號之修訂  
Amendments to HKFRS 10,  
HKFRS 12 and HKAS 28

香港財務報告準則第11號之修訂  
Amendments to HKFRS 11

香港財務報告準則之修訂  
Amendments to HKFRSs

於本年度應用此等香港財務報告準則之修訂對於本年度及過往年度之財務表現及狀況及／或對該等財務報表所載之披露資料並無重大影響。

## 2. Application of New and Amendments to Hong Kong Financial Reporting Standards ("HKFRSs") (Continued)

披露計劃  
Disclosure Initiative

澄清折舊及攤銷之可接受方式

Clarification of Acceptable Methods of Depreciation and Amortisation

農業：生產性植物

Agriculture: Bearer Plants

獨立財務報表之權益法  
Equity Method in Separate Financial Statements

投資實體：應用綜合入帳之例外情況

Investment Entities: Applying the Consolidation Exception

收購合營業務權益之會計處理  
Accounting for Acquisitions of Interests in Joint Operations

香港財務報告準則二零一二年至二零一四年週期之  
年度改進  
Annual Improvements to HKFRSs 2012-2014 Cycle

The application of the above amendments to HKFRSs in the current year has had no material effect on the financial performance and positions for the current and prior years and/or on the disclosures set out in the financial statements.

# 財務報表

## Financial Statements

### 2. 應用新訂及經修訂之香港財務報告準則（「香港財務報告準則」）（續）

監管局並無提早應用下列已頒佈但尚未生效之新訂及經修訂香港財務報告準則：

香港財務報告準則第9號  
HKFRS 9

香港財務報告準則第15號  
HKFRS 15

香港財務報告準則第16號  
HKFRS 16

香港（國際財務報告詮釋委員會）  
— 詮釋第22號  
HK(IFRIC) – Int 22

香港財務報告準則第2號之修訂  
Amendments to HKFRS 2

香港財務報告準則第4號之修訂  
Amendments to HKFRS 4

香港財務報告準則第10號及  
香港會計準則第28號之修訂  
Amendments to HKFRS 10 and  
HKAS 28

香港會計準則第7號之修訂  
Amendments to HKAS 7

### 2. Application of New and Amendments to Hong Kong Financial Reporting Standards (“HKFRSs”) (Continued)

EAA has not early applied the following new and amendments to HKFRSs that have been issued but are not yet effective:

金融工具<sup>1</sup>  
Financial Instruments<sup>1</sup>

客戶合約收入<sup>1</sup>  
Revenue from Contracts with Customers and the related  
Amendments<sup>1</sup>

租賃<sup>2</sup>  
Leases<sup>2</sup>

外幣交易及預付代價<sup>1</sup>  
Foreign Currency Transactions and Advance Consideration<sup>1</sup>

分類與衡量股權基礎給付交易<sup>1</sup>  
Classification and Measurement of Share-based Payment  
Transactions<sup>1</sup>

與香港財務報告準則第4號保險合約一併應用的香港財務  
報告準則第9號金融工具<sup>1</sup>  
Applying HKFRS 9 Financial Instruments with HKFRS 4  
Insurance Contracts<sup>1</sup>

投資者與其聯營公司或合營公司之間的資產銷售或  
注資<sup>3</sup>  
Sale or Contribution of Assets between an Investor and  
its Associate or Joint Venture<sup>3</sup>

披露計劃<sup>4</sup>  
Disclosure Initiative<sup>4</sup>

## 2. 應用新訂及經修訂之香港財務報告準則(「香港財務報告準則」)(續)

香港會計準則第12號之修訂  
Amendments to HKAS 12

香港會計準則第40號之修訂  
Amendments to HKAS 40

香港財務報告準則之修訂  
Amendments to HKFRSs

<sup>1</sup> 於2018年1月1日或之後開始之年度期間生效

<sup>2</sup> 於2019年1月1日或之後開始之年度期間生效

<sup>3</sup> 於待定日期或之後開始之年度期間生效

<sup>4</sup> 於2017年1月1日或之後開始之年度期間生效

<sup>5</sup> 於2017年1月1日或2018年1月1日(如適用)或之後開始之年度期間生效

監管局管理層現正就應用新訂及經修訂之香港財務報告準則之潛在影響作出評估，並預期此舉將不會對監管局的業績及財務狀況造成重大影響。

## 3. 主要會計政策

本財務報表按歷史成本法及根據香港會計師公會頒佈的《香港財務報告準則》及《地產代理條例》編製。

歷史成本一般以交換貨品及服務時給予代價的公平值為基準。主要採用的會計政策如下：

## 2. Application of New and Amendments to Hong Kong Financial Reporting Standards ("HKFRSs") (Continued)

就未實現虧損確認遞延稅項資產<sup>4</sup>  
Recognition of Deferred Tax Assets for Unrealised Losses<sup>4</sup>

投資物業轉讓<sup>1</sup>  
Transfers of Investment Property<sup>1</sup>

香港財務報告準則二零一四至二零一六年週期之年度改進<sup>5</sup>  
Annual Improvements to HKFRSs 2014-2016 Cycle<sup>5</sup>

<sup>1</sup> Effective for annual periods beginning on or after 1 January 2018

<sup>2</sup> Effective for annual periods beginning on or after 1 January 2019

<sup>3</sup> Effective for annual periods beginning on or after a date to be determined

<sup>4</sup> Effective for annual periods beginning on or after 1 January 2017

<sup>5</sup> Effective for annual periods beginning on or after 1 January 2017 or 1 January 2018, as appropriate

Management of EAA is in the process of assessing the potential impact and anticipates that the application of the new and revised HKFRSs will have no material impact on the results and the financial position of EAA.

## 3. Significant Accounting Policies

The financial statements have been prepared under the historical cost basis and in accordance with Hong Kong Financial Reporting Standards issued by the HKICPA and the Estate Agents Ordinance.

Historical cost is generally based on the fair value of the consideration given in exchange for goods and services. The significant accounting policies adopted are as follows:



# 財務報表

## Financial Statements

### 3. 主要會計政策 (續)

#### 收入確認

牌照收入乃根據牌照年期以直線法確認。

考試收入乃根據考試日期確認。

金融資產的利息收入於有關經濟利益將可能流入監管局及收入金額能予可靠計量時確認。利息收入乃按時間基準計算，並參考尚餘本金額及適用之實際利率（即透過將該項金融資產估計年期預計之未來現金收入折讓至該項資產於初次確認時之賬面淨值之息率）。

#### 物業、器材及設備

物業、器材及設備乃按成本減其後累計折舊及累計減值虧損（如有）於財務狀況表列賬。

物業、器材及設備折舊乃按其估計可使用年期，以直線法撇銷其成本減剩餘價值。估計可使用年期，剩餘價值及折舊方法於各報告期終時檢討，並會考慮到未來估計任何變動的影響。

物業、器材及設備項目於出售後或預期持續使用該資產將不會產生未來經濟利益時終止確認。出售或報銷物業、器材及設備時所產生之任何收益或虧損，按出售所得款項與該資產賬面值之差額釐定，並於收支結算表內確認。

### 3. Significant Accounting Policies (Continued)

#### Revenue recognition

Income from issuing licences is recognised on a straight-line basis over the life of the licence.

Income from examinations is recognised on the date of the examination.

Interest income from a financial asset is recognised when it is probable that economic benefits will flow into EAA and the amount of income can be measured reliably. Interest income is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable, which is the rate that exactly discounts the estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount on initial recognition.

#### Property, plant and equipment

Property, plant and equipment are stated in the statement of financial position at cost less subsequent accumulated depreciation and subsequent accumulated impairment losses, if any.

Depreciation is recognised so as to write off the cost of items of property, plant and equipment less their residual values over their estimated useful lives, using the straight-line method. The estimated useful lives, residual values and depreciation method are reviewed at the end of each reporting period, with the effect of any changes in estimate accounted for on a prospective basis.

An item of property, plant and equipment is derecognised upon disposal or when no future economic benefits are expected to arise from the continued use of the asset. Any gain or loss arising on the disposal or retirement of an item of property, plant and equipment is determined as the difference between the sales proceeds and the carrying amount of the asset and is recognised in the statement of income and expenditure.

### 3. 主要會計政策 (續)

#### 有形資產之減值

於報告期末，監管局會審閱其有形資產之賬面值，以釐定有否任何顯示該等資產已出現減值虧損的跡象。倘有任何有關跡象出現，將會估計有關資產之可收回金額，以釐定減值虧損(如有)之程度。當無法估計個別資產之可收回金額時，監管局會估計該資產所屬現金產生單位之可收回金額。倘可確定合理及一致之分配基準，企業資產亦會被分配至個別之現金產生單位，否則會被分配至可合理及一致之分配基準而識別之最小現金產生單位組別中。

可收回金額為公平價值減銷售成本與使用價值兩者之較高者。於評估使用價值時，估計未來現金流量乃使用稅前貼現率折現至其現值，該貼現率反映現時市場對貨幣時間值之評估，及估計未來現金流量未經調整的資產之獨有風險。

倘資產(或現金產生單位)之可收回金額估計低於賬面值，則會將該項資產(或現金產生單位)之賬面值減至其可收回金額。減值虧損即時於收支結算表內確認。

倘減值虧損其後撥回，則該資產之賬面值將增加至經修訂的估計可收回金額，惟增加後的賬面值不得超過倘以往年度並無就該項資產(或現金產生單位)確認減值虧損而應有的賬面值。減值虧損撥回即時確認為收入。

### 3. Significant Accounting Policies (Continued)

#### Impairment of tangible assets

At the end of the reporting period, EAA reviews the carrying amounts of its tangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss, if any. When it is not possible to estimate the recoverable amount of an individual asset, EAA estimates the recoverable amount of the cash-generating unit to which the asset belongs. Where a reasonable and consistent basis of allocation can be identified, corporate assets are also allocated to individual cash-generating units, or otherwise they are allocated to the smallest group of cash-generating units for which a reasonable and consistent allocation basis can be identified.

Recoverable amount is the higher of fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset for which the estimates of future cash flows have not been adjusted.

If the recoverable amount of an asset (or a cash-generating unit) is estimated to be less than its carrying amount, the carrying amount of the asset (or a cash-generating unit) is reduced to its recoverable amount. An impairment loss is recognised immediately in the statement of income and expenditure.

Where an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, but so that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset (or a cash-generating unit) in prior years. A reversal of an impairment loss is recognised as income immediately.

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## Financial Statements

### 3. 主要會計政策 (續)

#### 金融工具

當監管局成為工具合約條文的訂約方時，確認金融資產及金融負債。金融資產及金融負債初步按公平價值計量。因收購或發行金融資產及金融負債而直接產生交易成本，於首次確認時於該項金融資產或金融負債的公平價值中計入或扣除（視適用情況而定）。

#### 金融資產

監管局的金融資產主要為貸款及應收款項。分類視乎金融資產的性質及目的，於初步確認時釐定。所有定期方式購買或銷售的金融資產以交易日期作基準確認及取消確認。定期方式購買或銷售指要求按規則或市場慣例所定的時間規範內將資產運抵的金融資產買賣。

#### 實際利率法

實際利息法為計算金融資產於有關期間攤銷成本以及分配利息收入之方法。實際利率指將金融資產於整個預計可使用年期或較短期間內（倘適用）的估計未來現金收入（包括屬於實際利率不可分割部份的所有已付或已收費及點數、交易成本及其他溢價或折讓）剛好貼現為初步確認時賬面淨值的利率。

利息收入按實際利息基準確認。

### 3. Significant Accounting Policies (Continued)

#### Financial instruments

Financial assets and financial liabilities are recognised on the statement of financial position when EAA becomes a party to the contractual provisions of the instrument. Financial assets and financial liabilities are initially measured at fair value. Transaction costs that are directly attributable to the acquisition or issue of financial assets and financial liabilities are added to or deducted from the fair value of the financial assets or financial liabilities, as appropriate, on initial recognition.

#### Financial assets

EAA's financial assets are classified as loan and receivables. The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. All regular way purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace.

#### Effective interest method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts (including all fees and points paid or received that form an integral part of the effective interest rate, transaction costs and other premiums or discounts) through the expected life of the financial asset, or, where appropriate, a shorter period to the net carrying amount on initial recognition.

Interest income is recognised on an effective interest basis.

### 3. 主要會計政策 (續)

#### 貸款及應收款項

貸款及應收款項為具有固定或可釐定付款之非衍生金融資產，該等資產於活躍市場上並無報價。初次確認後，貸款及應收款項（包括應收賬款、定期存款以及銀行結餘）乃使用實際利息法按攤銷成本減任何減值計算（見下文金融資產減值之會計政策）。

#### 金融資產減值

金融資產於報告期末評定是否有減值跡象。當有客觀證據顯示金融資產之估計未來現金流量因於初步確認該金融資產後發生之一項或多項事件而受到影響時，該金融資產視為已減值。

減值的客觀證據可包括：

- 發行人或交易對方有重大財政困難；或
- 違反合約，如未能繳付或延遲償還利息或本金；或
- 借款人有可能面臨破產或財務重組；或
- 因財政困難而導致該金融資產失去活躍市場。

### 3. Significant Accounting Policies (Continued)

#### Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. Subsequent to initial recognition, loans and receivables (including debtors, time deposits and bank and cash balances) are carried at amortised cost using the effective interest method, less any impairment losses (see accounting policy on impairment of financial assets below).

#### Impairment of financial assets

Financial assets are assessed for indicators of impairment at the end of the reporting period. Financial assets are considered to be impaired where there is objective evidence that, as a result of one or more events that occurred after the initial recognition of the financial asset, the estimated future cash flows of the financial assets have been affected.

Objective evidence of impairment could include:

- significant financial difficulty of the issuer or counterparty; or
- breach of contract, such as default or delinquency in interest or principal payments; or
- it becoming probable that the borrower will enter bankruptcy or financial re-organisation; or
- disappearance of an active market for that financial asset because of financial difficulties.

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### 3. 主要會計政策 (續)

若干類別之金融資產(如應收賬款)而言,不會單獨作出減值之資產會匯集一併評估減值。應收款項組合出現減值之客觀證據包括監管局過往收款記錄、組合內超過平均信貸期的延遲付款數目增加、地區經濟狀況出現明顯變動導致應收賬款未能償還。

關於按攤銷成本入賬的金融資產,減值虧損確認為資產賬面值與按金融資產原實際利率對估計未來現金流量貼現後的現值兩者之間的差額。

所有金融資產之減值虧損會直接自金融資產之賬面值扣減,惟應收賬款則除外,其賬面值會透過撥備賬作出扣減。當應收賬款視為不可收回時,其將於撥備賬內撇銷。於其後收回的已撇銷款項將計入收支結算表。

就按攤銷成本計量之金融資產而言,倘於其後期間其減值虧損之金額減少,而該減少可以客觀地與確認減值虧損後發生之一項事件有關,則先前已確認之減值虧損透過收支結算表撥回,惟該資產撥回減值虧損當日之賬面值,不得超過該資產於未確認減值時之已攤銷成本。

### 3. Significant Accounting Policies (Continued)

For certain categories of financial asset, such as debtors, assets that are assessed not to be impaired individually are, subsequently, assessed for impairment on a collective basis. Objective evidence of impairment for a portfolio of receivables could include EAA's past experience of collecting payments, an increase in the number of delayed payments in the portfolio past the average credit period, and observable changes in local economic conditions that correlate with default on receivables.

For financial assets carried at amortised cost, the amount of the impairment loss recognised is the difference between the asset's carrying amount and the present value of the estimated future cash flows discounted at the financial asset's original effective interest rate.

The carrying amount of the financial asset is reduced by the impairment loss directly for all financial assets with the exception of debtors, where the carrying amount is reduced through the use of an allowance account. When a debtor is considered uncollectible, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited to the statement of income and expenditure.

For financial assets measured at amortised cost, if, in a subsequent period, the amount of impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment losses was recognised, the previously recognised impairment loss is reversed through the statement of income and expenditure to the extent that the carrying amount of the asset at the date the impairment is reversed does not exceed what the amortised cost would have been had the impairment not been recognised.



### 3. 主要會計政策 (續)

#### 金融負債

監管局發行之金融負債乃根據所訂立合約安排之內容及金融負債之定義分類。

#### 實際利息法

實際利息法為計算金融負債於有關期間之攤銷成本以及分配利息支出之方法。實際利率指將金融負債於預計可使用年期或較短期間內(視適用情況而定)的估計未來現金付款(包括組成實際利率、交易成本及其他溢價或折讓不可分割部份已付或已收之所有費用及點數)剛好貼現為初步確認時賬面淨值的利率。

#### 金融負債

金融負債(包括應付賬款及應計項目)乃其後以按實際利息法按攤銷成本計量。

#### 終止確認

監管局僅於資產現金流量之合約權利屆滿時，或將金融資產及資產所有權之絕大部份風險及回報轉讓予另一實體時終止確認金融資產。倘監管局並無轉讓亦無保留所有權之絕大部分風險及回報，而繼續控制已轉讓資產，則監管局會按其持續參與程度繼續確認資產及相關負債。倘監管局保留已轉讓金融資產所有權之絕大部分風險及回報，則監管局繼續確認該金融資產，亦會就已收取之所得款項確認已抵押借貸。

### 3. Significant Accounting Policies (Continued)

#### Financial liabilities

Financial liabilities are classified in accordance with the substance of the contractual arrangements entered into and the definition of a financial liability.

#### Effective interest method

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments (including all fees and points paid on received that form an integral part of the effective interest rate, transaction costs and other premiums or discounts) through the expected life of the financial liability, or, where appropriate, a shorter period to the net carrying amount on initial recognition.

#### Financial liabilities

Financial liabilities (including creditors and accruals) are subsequently measured at amortised cost, using the effective interest method.

#### Derecognition

EAA derecognises a financial asset only when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another entity. If EAA neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, EAA continues to recognise the asset to the extent of its continuing involvement and recognises an associated liability. If EAA retains substantially all the risks and rewards of ownership of a transferred financial asset, EAA continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

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### 3. 主要會計政策 (續)

完全終止確認金融資產時，該資產之賬面值與已收及應收代價總和及已於其他全面收益當中確認之累計收益或虧損間之差額乃於收支結算表中確認。

僅於監管局的責任解除、取消或屆滿時，方終止確認金融負債。終止確認的金融負債賬面值與已付及應付代價之差額於收支結算表中確認。

#### 租賃

經營租賃款項，按租賃年期以直線法確認為開支，惟有另一項有系統性之基準更能反映消耗，租賃資產所產生之經濟效益之時間模式則作別論。

倘於訂立經營租賃時可以獲得租賃優惠，則有關優惠確認為負債。優惠總利益以直線法確認為租金開支減少，另一項有系統性之基準更能反映消耗租賃資產所產生之經濟效益之時間模式則作別論。

#### 僱員福利

##### 僱員可享年假權利

僱員可享年假之權利在其符合資格享有時確認。

就截至結算日止因僱員已提供服務而產生之估計年假責任已作出撥備。

### 3. Significant Accounting Policies (Continued)

On derecognition of a financial asset in its entirety, the difference between the asset's carrying amount and the sum of the consideration received and receivable and the cumulative gain or loss that had been recognised in other comprehensive income is recognised in the statement of income and expenditure.

EAA derecognises financial liabilities when, and only when, EAA's obligations are discharged, cancelled or expire. The difference between the carrying amount of the financial liability derecognised and the consideration paid and payable is recognised in the statement of income and expenditure.

#### Leasing

Operating lease payments are recognised as an expense on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

In the event that lease incentives are received to enter into operating leases, such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

#### Employee benefits

##### Employee leave entitlements

Employee entitlements to annual leave are recognised when they accrue to employees.

A provision is made for the estimated liability for annual leave as a result of services rendered by employees up to the end of the reporting period.

#### 僱員福利 – 公積金責任

監管局在香港設立一項強制性公積金計劃(「強積金計劃」)。強積金計劃的資產分開存放在由信託人管理的基金內。監管局及其僱員每月均須繳付相等於僱員有關收入5%之供款，上限為1,500港元(2016年：1,500港元)。監管局就強積金計劃所作供款於作出供款時確認為開支。

#### Employee benefits – provident fund obligations

EAA operates a mandatory provident fund scheme ("MPF scheme") in Hong Kong. The assets of the MPF scheme are held in a separate trustee – administered fund. Both EAA and the employees are required to contribute 5% of the employee's relevant income up to a maximum of HK\$1,500 (2016: HK\$1,500) per employee per month. EAA's contributions to the MPF scheme are expensed as incurred.

### 4. 關鍵會計判斷及估計不確定因素之主要來源

於應用監管局之會計政策時(已於附註3詳述)，管理層作出下列對財務報表所確認之金額具有最重大影響之關鍵判斷。

#### 應收賬款之呆壞賬撥備

應收賬款初次確認乃按公平價值計算，其後則按實際利息法以攤銷成本計算。倘有客觀證據顯示該資產出現減值，則就估計不可收回金額計算之適當撥備於收支結算表內確認。

決定個別撥備時，監管局認為已實施周詳程序以監控此項風險。釐定是否需要作出呆壞賬撥備時，監管局已考慮賬齡狀況、可收回之可能性及估計貼現未來現金流量。特定撥備僅就不大可能收回之應收款項而作出。倘若此等賬款轉壞，導致其還款能力減退，則可能須作出撥備。

### 4. Critical Accounting Judgment and Key Sources of Estimation Uncertainty

In the process of applying EAA's accounting policies, which are described in note 3, management had made the following judgments that have the most significant effect on the amounts recognised in the financial statements.

#### Allowances for bad and doubtful debts of debtors

Debtors are measured at initial recognition at fair value, and are subsequently measured at amortised cost using the effective interest method. Appropriate allowances for estimated irrecoverable amounts are recognised in the statement of income and expenditure when there is objective evidence that the asset is impaired.

In determining individual allowances, EAA has considered that detailed procedures have been in place to monitor this risk. In determining whether allowance for bad and doubtful debts is required, EAA takes into consideration the aging status, the likelihood of collection and the estimated discounted future cash flows. Specific allowance is made for debtors that are unlikely to be collected. If the financial conditions of these debtors were to deteriorate, resulting in an impairment of their ability to make payments, allowances may be required.

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### 5. 牌照費

### 5. Licence Fees

|        |                    | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|--------|--------------------|--------------------|--------------------|
| 牌照費總收入 | Total licence fees | <b>75,528,912</b>  | 75,199,402         |

### 6. 考試費

### 6. Examination Fees

|              |   | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|--------------|---|--------------------|--------------------|
| 地產代理及營業員資格考試 | Estate agents and salespersons<br>qualifying examinations | <b>6,191,900</b>   | 6,497,094          |

### 7. 稅項

### 7. Taxation

根據《稅務條例》第87條，監管局獲豁免繳納香港利得稅。

EAA is exempt from Hong Kong Profits Tax under section 87 of the Inland Revenue Ordinance.

## 8. 物業及器材

## 8. Property, Plant and Equipment

|                   |                         | 租賃物業裝修<br>Leasehold<br>improvements | 汽車<br>Motor<br>vehicles | 傢俬及裝置<br>Furniture<br>and fixtures | 設備<br>Equipment | 合計<br>Total |
|-------------------|-------------------------|-------------------------------------|-------------------------|------------------------------------|-----------------|-------------|
|                   |                         | 港元<br>HK\$                          | 港元<br>HK\$              | 港元<br>HK\$                         | 港元<br>HK\$      | 港元<br>HK\$  |
| <b>成本</b>         | <b>COST</b>             |                                     |                         |                                    |                 |             |
| 於 2015 年 4 月 1 日  | At 1 April 2015         | 4,565,453                           | 557,264                 | 1,767,907                          | 10,897,967      | 17,788,591  |
| 添置                | Additions               | 14,400                              | –                       | –                                  | 6,351,726       | 6,366,126   |
| 註銷                | Disposals               | –                                   | –                       | –                                  | (19,210)        | (19,210)    |
| 於 2016 年 3 月 31 日 | At 31 March 2016        | 4,579,853                           | 557,264                 | 1,767,907                          | 17,230,483      | 24,135,507  |
| 添置                | Additions               | 18,900                              | –                       | 2,180                              | 122,720         | 143,800     |
| 於 2017 年 3 月 31 日 | At 31 March 2017        | 4,598,753                           | 557,264                 | 1,770,087                          | 17,353,203      | 24,279,307  |
| <b>折舊</b>         | <b>DEPRECIATION</b>     |                                     |                         |                                    |                 |             |
| 於 2015 年 4 月 1 日  | At 1 April 2015         | 4,350,157                           | 555,508                 | 1,627,823                          | 9,067,711       | 15,601,199  |
| 年內撥備              | Provided for the year   | 216,169                             | 1,756                   | 54,874                             | 1,512,369       | 1,785,168   |
| 撇銷                | Eliminated on disposals | –                                   | –                       | –                                  | (19,210)        | (19,210)    |
| 於 2016 年 3 月 31 日 | At 31 March 2016        | 4,566,326                           | 557,264                 | 1,682,697                          | 10,560,870      | 17,367,157  |
| 年內撥備              | Provided for the year   | 7,036                               | –                       | 48,852                             | 2,446,353       | 2,502,241   |
| 於 2017 年 3 月 31 日 | At 31 March 2017        | 4,573,362                           | 557,264                 | 1,731,549                          | 13,007,223      | 19,869,398  |
| <b>賬面值</b>        | <b>NET BOOK VALUES</b>  |                                     |                         |                                    |                 |             |
| 於 2017 年 3 月 31 日 | At 31 March 2017        | 25,391                              | –                       | 38,538                             | 4,345,980       | 4,409,909   |
| 於 2016 年 3 月 31 日 | At 31 March 2016        | 13,527                              | –                       | 85,210                             | 6,669,613       | 6,768,350   |



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### 8. 物業及器材 (續)

物業、器材及設備折舊乃按其估計使用年期以直線法按以下年率撇銷其成本：

|        |                       |
|--------|-----------------------|
| 租賃物業裝修 | 20% 或按租賃年期<br>(倘少於五年) |
| 汽車     | 30%                   |
| 傢俬及裝置  | 20%                   |
| 設備     | 20% 至 30%             |

### 9. 銀行結餘及現金及定期存款

銀行結餘及現金包括監管局持有之現金及餘下到期日為11至59日，按當時市場年利率介乎0.01%至0.96%(2016年：介乎0.01%至0.85%)計算之短期銀行存款。

定期存款包括餘下到期日為138至159日，按當時市場年利率為0.98%至1.15%(2016年：介乎0.65%至0.70%)計算之短期銀行存款。

監管局認為該等資產之賬面值與其公平價值相若。

### 8. Property, Plant and Equipment (Continued)

Depreciation is recognised to write off the cost of items of property, plant and equipment over their estimated useful lives, using the straight-line method, at the following rates per annum:

|                        |   |
|------------------------|---|
| Leasehold improvements | 20% or over the period of the lease term if it is less than 5 years |
| Motor vehicles         | 30%   |
| Furniture and fixtures | 20%   |
| Equipment              | 20% to 30%  |

### 9. Bank Balances and Cash and Time Deposits

Bank balances and cash comprise cash held by EAA and short-term bank deposits with remaining tenure of 11 to 59 days at prevailing market interest rates ranging from 0.01% to 0.96% per annum (2016: 0.01% to 0.85% per annum).

Time deposits comprise short-term bank deposits with remaining tenure of 138 to 159 days at prevailing market interest rates being 0.98% to 1.15% per annum (2016: 0.65% to 0.70% per annum).

EAA considers that the carrying amounts of these assets approximate their fair values.

## 10. 遞延收入

遞延收入乃指地產代理為牌照有效期繳交之牌照費，按監管局的收入確認政策作遞延處理。

## 10. Deferred Income

Deferred income represents licence fees received from estate agents for a validity period, which are deferred according to EAA's income recognition policy.

## 11. 已收牌照申請款項

該等款項乃指地產代理連同牌照申請一併繳交之款項，其牌照申請並於結算日仍在處理中。

## 11. Licence Application Fees Received

These represent amounts paid by estate agents applying for the licences which were still being processed but not yet approved at the end of the reporting period.

## 12. 資本承擔

## 12. Capital Commitments

|                   |   | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|-------------------|---|--------------------|--------------------|
| 就購置物業、器材及設備之資本開支： | Capital expenditure in respect of the acquisition of property, plant and equipment: |                    |                    |
| – 已訂約但未在財務報表中撥備   | – contracted but not provided for in the financial statements                       | –                  | 746,000            |

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### 13. 經營租賃承擔

於結算日，監管局就租用樓宇之不可撤銷之經營租賃，於下列期間之未來最低租賃款項承擔如下：

|                |                                       | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|----------------|---------------------------------------|--------------------|--------------------|
| 一年內            | Within one year                       | <b>9,423,600</b>   | 8,023,824          |
| 第二至第五年（包括首尾兩年） | In the second to fifth year inclusive | <b>5,465,680</b>   | 12,704,388         |
|                |                                       | <b>14,889,280</b>  | 20,728,212         |

經營租賃款項乃監管局就其辦公室物業應付之租金。租賃及租金平均每三年（2016：三年）議定一次。

### 13. Operating Lease Commitments

At the end of the reporting period, EAA had commitments for future minimum lease payments under non-cancellable operating leases in respect of rented premises which fall due as follows:

Operating lease payments represent rentals payable by EAA for certain of its office premises. Leases are negotiated for and rentals are fixed for an average term of three years (2016: three years).

### 14. 資本風險管理

監管局的資本主要是來自其成立以來所累積的盈餘。其資本管理的目的是要確保監管局能持續經營，以提升地產代理的專業操守及專業水平。

監管局定期檢討並管理其資本架構，以確保監管局有充足的資金以作營運及資本需求。監管局對產生的盈餘實行零攤派政策。盈餘均轉入資本項目基金，以預留作日後可能購置永久辦公室的款項。

地產代理每年須向監管局繳付牌照費。監管局定期檢討增加牌照費的需要，以確保妥善切合營運需求。

### 14. Capital Risk Management

EAA's capital comprises primarily the fund accumulated since its establishment, and its objective when managing the capital is to ensure that EAA will be able to continue as a going concern so that it can continue to promote integrity and competence of estate agents.

EAA regularly reviews and manages its capital to ensure adequacy for both the operational and capital needs. EAA operates a zero distribution policy with regard to surpluses generated. Surpluses are transferred to the capital project fund for the possible acquisition of permanent office accommodation in future.

EAA charges an annual licence fees on the estate agent. EAA regularly reviews the need to increase licence fees to ensure operational needs are fully covered.

## 15. 金融工具

## 15. Financial Instruments

## a. 金融工具類別

## a. Categories of financial instruments

|                                     |   | 2017<br>港元<br>HK\$ | 2016<br>港元<br>HK\$ |
|-------------------------------------|---|--------------------|--------------------|
| <b>金融資產：</b><br>貸款及應收款項（包括現金及現金等值物） | <b>Financial assets:</b><br>Loans and receivables (including cash and cash equivalents) | <b>238,444,918</b> | 228,740,296        |
| <b>金融負債：</b><br>攤銷成本                | <b>Financial liabilities:</b><br>Amortised costs  | <b>10,394,592</b>  | 11,745,031         |

## b. 金融風險管理目標及政策

## b. Financial risk management objectives and policies

監管局之主要金融工具包括應收賬款、定期存款、銀行結餘、現金及應付賬款。該等金融工具詳情於各自附註披露。該等金融工具之相關風險包括市場風險（包括利率風險）、信貸風險及流動資金風險。如何減輕該等風險的政策載於下文。管理層管理及監控該等風險，以確保可及時及有效地實施適當措施。

EAA's major financial instruments include debtors, time deposits, bank balances and cash and creditors. Details of the financial instruments are disclosed in respective notes. The risks associated with these financial instruments include market risk (including interest rate risk), credit risk and liquidity risk. The policies on how to mitigate these risks are set out below. The management manages and monitors these exposures to ensure that appropriate measures are implemented in timely and effective manner.

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### 15. 物業及器材 (續)

#### 市場風險

##### 現金流量利率風險

監管局因計息金融資產利率變動的影響而面對現金流量利率風險。計息金融資產主要為銀行結餘，全屬短期性質。因此，未來任何利率變動將不會對監管局之業績造成重大影響。

#### 信貸風險

信貸風險指交易對手予未能履行合約責任而引致監管局蒙受財務損失之風險。監管局會持續監控及審核因對手而面對之信貸風險。

為了儘量減低信貸風險，監管局於每個結算日就應收款項之可收回金額進行檢討，以確保對不可收回金額充分計算減值損失。就此而言，監管局認為其信貸風險已大幅降低。

定期存款及流動資金之信貸風險不大，原因是交易對手為具良好聲譽之銀行。

#### 流動資金風險

監管局管理層對流動資金風險負有最終管理責任，彼等已就監管局之短期、中期及長期資金及流動資金管理規定建立適當之流動資金風險管理框架。監管局管理層透過維持足夠儲備以及持續監察預測及實際現金流量，以管理流動資金風險。

### 15. Financial Instruments (Continued)

#### Market risk

##### Cash flow interest rate risk

EAA is exposed to cash flow interest rate risk through the impact of rate changes on interest bearing financial assets. Interest bearing financial assets are mainly balances with banks which are all short term in nature. Therefore, any future variation in interest rates will not have a significant impact on the results of EAA.

#### Credit risk

Credit risk refers to the risk that the counterparty will default on its contractual obligations resulting in financial loss to EAA. EAA's exposure of its counterparties are continuously monitored, received and approved.

In order to minimise the credit risk, EAA reviews the recoverable amount of the receivables at the end of each reporting period to ensure that adequate impairment losses are made for irrecoverable amounts. In this regard, EAA considers that EAA's credit risk is significantly reduced.

The credit risk on time deposits and liquid funds is limited because the counterparties are banks with good reputation.

#### Liquidity risk

Ultimate responsibility for liquidity risk management rests with the management of EAA, which has built an appropriate liquidity risk management framework for the management of EAA's short, medium and long-term funding and liquidity management requirements. The management of EAA manages liquidity risk by maintaining adequate reserves and continuously monitors the forecast and actual cash flows.



## 15. 物業及器材 (續)

下表載列監管局非衍生金融負債之餘下合約到期日。該表乃根據監管局可被要求支付金融負債之最早日期編製，以反映金融負債之未貼現現金流量。

## 15. Financial Instruments (Continued)

The following table details EAA's remaining contractual maturity for its non-derivative financial liabilities on the agreed repayment terms. The table has been drawn up based on the undiscounted cash flows of financial liabilities based on the earliest date on which EAA can be required to pay.

|               |             | 加權平均<br>實際利率<br>Weighted<br>average effective<br>interest rate | 0 至 30 天<br>0 - 30 days | 31 至 60 天<br>31 - 60 days | 未貼現現金<br>流量總額<br>Total<br>undiscounted<br>cash flows | 賬面值<br>Carrying<br>amount |
|---------------|-------------|--|-------------------------|---------------------------|--|---------------------------|
|               |             | %  | 港元<br>HK\$              | 港元<br>HK\$                | 港元<br>HK\$   | 港元<br>HK\$                |
| <b>2017 年</b> | <b>2017</b> |  |                         |                           |  |                           |
| 應付賬款          | Creditors   | –  | 9,991,885               | 402,707                   | 10,394,592   | 10,394,592                |
| <b>2016 年</b> | <b>2016</b> |  |                         |                           |  |                           |
| 應付賬款          | Creditors   | –  | 10,686,567              | 1,058,464                 | 11,745,031   | 11,745,031                |

## c. 公平價值

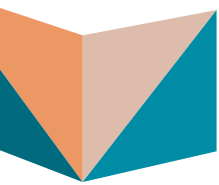
金融資產及金融負債之公平價值，按貼現現金流量分析普遍採納之定價模式釐定。

監管局認為，於財務報表按攤銷成本入賬的金融資產及金融負債之賬面值與其公平價值相約。

## c. Fair values

The fair values of financial assets and financial liabilities are determined in accordance with generally accepted pricing models based on discounted cash flow analysis.

EAA considers that the carrying amounts of financial assets and financial liabilities recorded at amortised cost in the financial statements approximate their corresponding fair values.



# 附錄一：監管局常設委員會與專責小組

## Appendix I: Standing Committees and Working Panel of the EAA

### 財務及策略發展委員會

### Finance and Strategic Development Committee

#### 職權範圍：

#### Terms of Reference:

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. 審核重要的財政議題—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。
  3. 監督人力資源管理事宜，並審視及批核編制架構和重組安排、人力規劃，以及人力資源政策和程序的制訂。
  4. 研究重要的人力資源管理議題—尤其其薪酬架構、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。
  5. 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。
  6. 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。
1. To consider strategic issues of long-term significance, in preparation for consideration by the Board.
  2. 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.
  3. To oversee human resources management and to review and approve establishment structure, reorganisation, manpower planning and development of human resources policies and procedures.
  4. 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 Chief Executive Officer and Directors), and to make recommendations to the Board for consideration.
  5. At the direction of the Chairman, to review and evaluate the performance of the Chief Executive Officer 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 performance-linked awards, and to make recommendations to the Board for consideration.
  6. To review and endorse the annual work plan and budget prepared by the Administration and to recommend the same to the Board for consideration.

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| <p>7. 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。</p> <p>8. 留意業界及公眾人士對監管局的規例及政策的反應，並據此向監管局董事局及／或有關委員會建議適當對策。</p> <p>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。</p> <p>10. 執行由監管局董事局授權處理的工作。</p> <p>11. 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。</p> | <p>7. To devise guidelines for and make recommendations to the Board on the investment of the EAA monies.</p> <p>8. To monitor trade and community response to the EAA regulations and policies and, on such basis, recommend appropriate actions to the Board and/or the standing committees for consideration.</p> <p>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.</p> <p>10. To perform such other tasks as the Board may from time to time delegate.</p> <p>11. 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.</p> |
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**成員：**

**Membership:**

主席： 梁永祥SBS太平紳士

Chairman: Mr William LEUNG Wing-cheung, SBS, JP

成員： 張國鈞議員太平紳士

Members: The Hon Horace CHEUNG Kwok-kwan, JP

廖玉玲太平紳士

Ms Elaine LIU Yuk-ling, JP

羅孔君太平紳士

Ms Jane Curzon LO, JP

黃鳳嫻女士

Ms Gilly WONG Fung-han

余惠偉太平紳士

Mr YU Wai-wai, 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 his representative

# 附錄一：監管局常設委員會與專責小組

## Appendix I: Standing Committees and Working Panel of the EAA

### 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。

### Disciplinary Committee

#### Terms of Reference:

1. To draw up guidelines and procedures to ensure consistency and fairness in handling disciplinary cases.
2. To receive, consider and inquire into complaints as mentioned in section 29(1) of the Estate Agents Ordinance (EAO) and submissions by the Chief Executive Officer 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.
7. 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.

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| <p>8. 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。</p> <p>9. 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。</p> | <p>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.</p> <p>9. 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.</p> |
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| 成員：   |          | Membership:              |                               |
|-------|----------|--------------------------|-------------------------------|
| 主席：   | 廖玉玲太平紳士  | Chairman:                | Ms Elaine LIU Yuk-ling, JP    |
| 成員：   | 張呂寶兒太平紳士 | Members:                 | Mrs Peggy CHEUNG Po-yee, JP   |
|       | 藍德業資深大律師 |                          | Mr Douglas LAM Tak-yip, SC    |
|       | 羅孔君太平紳士  |                          | Ms Jane Curzon LO, JP         |
|       | 吳啟民先生    |                          | Mr NG Kai-man                 |
|       | 司徒惠貞女士   |                          | Ms Anna SETO Wai-ching        |
|       | 謝順禮先生    |                          | Mr Calvin TSE Shun-lai        |
|       | 汪敦敬博士，MH |                          | Dr Lawrance WONG Dun-king, MH |
|       | 黃光耀先生    |                          | Mr Ricky WONG Kwong-yiu       |
|       | 黃偉雄先生，MH |                          | Mr Addy WONG Wai-hung, MH     |
|       | 余雅芳女士    |                          | Ms Avon YUE Nga-fong          |
| 委任成員： | 張麗珍女士    | Board-appointed Members: | Ms Winnie CHEUNG Lai-chun     |
|       | 江玉歡女士    |                          | Ms Doreen KONG Yuk-foon       |
|       | 郭昶先生     |                          | Mr Anthony KWOK Chong         |
|       | 黎斯維先生    |                          | Mr Alex LAI Sze-wai           |
|       | 李曉華女士    |                          | Ms Sylvia LEE                 |
|       | 廖志明先生    |                          | Mr LIU Chi-ming               |
|       | 葉慕貞女士    |                          | Ms Jessica YIP Mo-ching       |



# 附錄一：監管局常設委員會與專責小組

## Appendix I: Standing Committees and Working Panel of the EAA

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

### Licensing Committee

#### Terms of Reference:

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.
3. 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 Estate Agents Ordinance and section 9 of the Estate Agents (Licensing) Regulation.
6. To set policies relating to licensing matters.
7. To review and make recommendation 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.

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| <p>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。</p> <p>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。</p> | <p>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.</p> <p>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.</p> |
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| 成員：   |                 | Membership:              |   |
|-------|-----------------|--------------------------|---|
| 主席：   | 羅孔君太平紳士         | Chairman:                | Ms Jane Curzon LO, JP   |
| 成員：   | 鄒廣榮教授           | Members:                 | Professor CHAU Kwong-wing   |
|       | 張呂寶兒太平紳士        |                          | Mrs Peggy CHEUNG Po-yee, JP                                       |
|       | 凌潔心女士           |                          | Ms Imma LING Kit-sum  |
|       | 謝順禮先生           |                          | Mr Calvin TSE Shun-lai  |
|       | 謝小玲女士           |                          | Ms Phoebe TSE Siu-ling  |
|       | 黃光耀先生           |                          | Mr Ricky WONG Kwong-yiu   |
|       | 黃偉雄先生，MH        |                          | Mr Addy WONG Wai-hung, MH   |
|       | 余雅芳女士           |                          | Ms Avon YUE Nga-fong  |
| 委任成員： | 廖志明先生           | Board-appointed Members: | Mr LIU Chi-ming   |
|       | 蕭亮鴻測量師          |                          | Sr Keith SIU Leung-hung   |
|       | 張玉雲女士（消費者委員會代表） |                          | Representative of the Consumer Council – Ms Winnie CHEUNG Yuk-wan |

# 附錄一：監管局常設委員會與專責小組

## Appendix I: Standing Committees and Working Panel of the EAA

### 執業及考試委員會

### Practice and Examination Committee

#### 職權範圍：

#### Terms of Reference:

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。
  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。
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 recommendation on the regulations under the Estate Agents Ordinance (EAO) relating to the practice and operation of estate agents.
  3. 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.
  7. 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.
  8. To review and determine the pass marks and commendation marks for the qualifying examinations and, where appropriate, those for each part thereof.

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| <p>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。</p> <p>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。</p> | <p>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.</p> <p>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.</p> |
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| 成員：   |                          | Membership:                 |  |
|-------|--------------------------|-----------------------------|--|
| 主席：   | 張國鈞議員太平紳士                | Chairman:                   | The Hon Horace CHEUNG Kwok-kwan, JP  |
| 副主席：  | 黃鳳嫻女士                    | Vice-Chairman:              | Ms Gilly WONG Fung-han   |
| 成員：   | 鄧廣榮教授                    | Members:                    | Professor CHAU Kwong-wing  |
|       | 張呂寶兒太平紳士                 |                             | Mrs Peggy CHEUNG Po-yee, JP  |
|       | 藍德業資深大律師                 |                             | Mr Douglas LAM Tak-yip, SC   |
|       | 凌潔心女士                    |                             | Ms Imma LING Kit-sum   |
|       | 吳啟民先生                    |                             | Mr NG Kai-man  |
|       | 司徒惠貞女士                   |                             | Ms Anna SETO Wai-ching   |
|       | 蕭澤宇 BBS 太平紳士             |                             | Mr Simon SIU Chak-yu, BBS, JP  |
|       | 謝順禮先生                    |                             | Mr Calvin TSE Shun-lai   |
|       | 謝小玲女士                    |                             | Ms Phoebe TSE Siu-ling   |
|       | 汪敦敬博士，MH                 |                             | Dr Lawrance WONG Dun-king, MH  |
|       | 黃光耀先生                    |                             | Mr Ricky WONG Kwong-yiu  |
|       | 黃偉雄先生，MH                 |                             | Mr Addy WONG Wai-hung, MH  |
|       | 運輸及房屋局常任秘書長<br>(房屋) 或其代表 |                             | Permanent Secretary for Transport and<br>Housing (Housing) or his representative |
| 委任成員： | 陳永傑先生                    | Board-appointed<br>Members: | Mr Louis CHAN Wing-kit   |
|       | 李志成先生                    |                             | Mr Richard LEE Chi-shing   |
|       | 李景亮先生                    |                             | Mr LEE King-leong  |

# 附錄一：監管局常設委員會與專責小組

## Appendix I: Standing Committees and Working Panel of the EAA

### 專業發展委員會

#### 職權範圍：

1. 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. 訂立分配核心及非核心科目活動的指引；
  - 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。

### Professional Development Committee

#### Terms of Reference:

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 core and non-core 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.



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| <p>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。</p> <p>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。</p> | <p>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.</p> <p>5. 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.</p> |
|---|---|

| 成員：   |                         | Membership:              |   |
|-------|-------------------------|--------------------------|---|
| 主席：   | 余惠偉太平紳士                 | Chairman:                | Mr YU Wai-wai, JP   |
| 成員：   | 藍德業資深大律師                | Members:                 | Mr Douglas LAM Tak-yip, SC  |
|       | 凌潔心女士                   |                          | Ms Imma LING Kit-sum  |
|       | 吳啟民先生                   |                          | Mr NG Kai-man   |
|       | 司徒惠貞女士                  |                          | Ms Anna SETO Wai-ching  |
|       | 蕭澤宇 BBS 太平紳士            |                          | Mr Simon SIU Chak-yu, BBS, JP   |
|       | 謝小玲女士                   |                          | Ms Phoebe TSE Siu-ling  |
|       | 汪敦敬博士，MH                |                          | Dr Lawrance WONG Dun-king, MH   |
|       | 運輸及房屋局常任秘書長<br>(房屋)或其代表 |                          | Permanent Secretary for Transport and Housing (Housing) or his representative |
| 委任成員： | 葉國雄先生                   | Board-appointed Members: | Mr Ivan IP Kwok-hung  |
|       | 郭昶先生                    |                          | Mr Anthony KWOK Chong   |
|       | 鄺子文博士                   |                          | Dr KWONG Tsz-man  |
|       | 袁海星博士                   |                          | Dr Horace YUEN Hoi-sing   |
|       | 梁劍衡先生<br>(職業訓練局代表)      |                          | Representative of Vocational Training Council – Mr Leslie LEUNG Kim-hang      |

# 附錄一：監管局常設委員會與專責小組

## Appendix I: Standing Committees and Working Panel of the EAA

### 第28條調查小組<sup>1</sup>

#### 職權範圍：

1. 就如何選取需要根據《地產代理條例》第28條展開調查的個案制定指引和程序。
2. 監督根據《地產代理條例》第28條進行的調查，確保調查工作符合法例規定。
3. 接受和考慮監管局行政部門就其認為有需要根據《地產代理條例》第28條進行調查的懷疑或涉嫌違反或沒有遵守《地產代理條例》的規定或其他條文的個案所呈交的報告和建議。
4. 根據《地產代理條例》第28條委任調查員，展開小組認為有需要的調查及執行其認為有需要的職務。
5. 接受和考慮根據《地產代理條例》第28條小組委任的調查員所提交的報告和建議。
6. 如調查員建議小組該考慮行使《地產代理條例》第30條所訂明的紀律處分的權力，則將有關個案轉交紀律委員會處理。
7. 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。

<sup>1</sup> 不屬常設委員會，僅在需要時召開會議

### Section 28 Investigation Panel<sup>1</sup>

#### Terms of Reference:

1. To formulate guidelines for and procedures on the selection of cases for investigation under section 28 of the Estate Agents Ordinance (EAO).
2. To oversee the conduct of investigation under section 28 of the EAO to ensure its full compliance.
3. To receive and consider reports and recommendations from the EAA Administration on suspected or alleged cases of breaches or non-compliance of a requirement(s) or other provision(s) of the EAO warranting investigation under section 28 of the EAO.
4. To appoint investigator(s) under section 28 of the EAO to conduct such investigation and carry out such duties as the Panel considers necessary.
5. To receive and consider the reports and recommendations from the investigator appointed by the Panel under section 28 of the EAO.
6. Where the investigator recommends to the Panel that the exercise of disciplinary powers under section 30 of the EAO should be considered, to refer the case to the Disciplinary Committee for its consideration.
7. To set up a task force as may from time to time be directed by the Panel Chairman, comprising any member(s) of the Panel, to carry out such tasks as the Panel Chairman may assign; to deliberate on the findings of the task force; and to make recommendations to the Board for approval as appropriate.

<sup>1</sup> Not a standing committee, meet as and when needed.

- |  |  |
|--|--|
| <p>8. 如認為需要，就行使《地產代理條例》第28條所訂明的監管局職能和權力獲取法律及／或專業意見或服務。</p> | <p>8. To obtain legal and/or expert advice or service relating to the exercise of the EAA's functions and powers as prescribed by section 28 of the EAO as and when the Panel considers necessary.</p> |
| <p>9. 行使及執行《地產代理條例》第28條所訂明的監管局職能和權力。</p>                   | <p>9. To exercise and perform any and such of the EAA's functions and powers as prescribed by section 28 of the EAO.</p>   |

| 成員： |              | Membership: |                               |
|-----|--------------|-------------|-------------------------------|
| 主席： | 蕭澤宇 BBS 太平紳士 | Chairman:   | Mr Simon SIU Chak-yu, BBS, JP |
| 成員： | 鄒廣榮教授        | Members:    | Professor CHAU Kwong-wing     |
|     | 余惠偉 太平紳士     |             | Mr YU Wai-wai, JP             |

## 附錄二：2016/17 年度行政部門服務達標率

### Appendix II: Achievement of the Administration's Performance Standards 2016/17

| 查詢 Enquiries                 |  |                                  |   |                |
|------------------------------|--|----------------------------------|---|----------------|
| 服務類別<br>Service type         |  | 指標<br>Standard                   |   | 達標率<br>Results |
| 回覆查詢                         | Response to enquiries  |                                  |   |                |
| 電話查詢<br>(留言訊息)               | Telephone enquiries<br>(voice mail messages)                         | 一個工作天內 <sup>1</sup>              | Within one working day <sup>1</sup>                         | 100%           |
| 書面查詢                         | Written enquiries  | 七個工作天內 <sup>2</sup>              | Within seven working days <sup>2</sup>                      | 100%           |
| 資格考試 Qualifying Examinations |  |                                  |   |                |
| 服務類別<br>Service type         |  | 指標<br>Standard                   |   | 達標率<br>Results |
| 發出成績<br>通知單 <sup>3</sup>     | Issue result slips <sup>3</sup>                                      | 考試後的 14 個<br>工作天內                | Within 14 working days<br>after the examination             | 100%           |
| 牌照 Licensing                 |  |                                  |   |                |
| 服務類別<br>Service type         |  | 指標<br>Standard                   |   | 達標率<br>Results |
| 處理新牌照<br>申請                  | Process new licence<br>applications                                  | 收到新申請後的<br>10 個工作天內 <sup>4</sup> | Within 10 working days for<br>new applications <sup>4</sup> | 99.78%         |
| 處理續牌<br>申請                   | Process renewal licence<br>applications                              | 收到續牌申請後<br>的 20 個工作天內            | Within 20 working days for<br>renewal applications          | 99.99%         |
| 退款予不獲發<br>牌照或取消牌照<br>申請的申請人  | Refund of application fees<br>for rejected/cancelled<br>applications | 10 個工作天內 <sup>5</sup>            | Within 10 working days <sup>5</sup>                         | 100%           |

<sup>1</sup> 監管局的工作天為星期一至五。

<sup>2</sup> 收到查詢後下一個工作天開始計算。

<sup>3</sup> 監管局委託香港考試及評核局舉辦資格考試。考試的成績通知單由香港考試及評核局發出。

<sup>4</sup> 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／營業詳情說明書（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。

<sup>5</sup> 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。

<sup>1</sup> The EAA's working days are from Monday to Friday.

<sup>2</sup> From the next working day following receipt of the enquiry.

<sup>3</sup> Issued by the Hong Kong Examinations and Assessment Authority, authorised by the EAA to administer the examinations.

<sup>4</sup> From the next 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 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.

<sup>5</sup> From the next day after an application is cancelled or rejected; for bankruptcy cases, from the next day following the receipt of instructions from the Official Receiver's Office or the trustee-in-bankruptcy.

| 投訴及執法 Complaints and Enforcement   |  |                |                              |                |
|--|--|----------------|------------------------------|----------------|
| 服務類別<br>Service type   |  | 指標<br>Standard |                              | 達標率<br>Results |
| 確認收到投訴人的書面投訴   | Acknowledge receipt of written complaints  | 五個工作天內         | Within five 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       | 100%           |
| 行動部完成調查違規個案<br>Complete investigation of non-compliance cases by the Operations Division |  |                |                              |                |
| 快速個案<br>(紀律處分新計劃下，不牽涉證人並只涉及八項指明違規事項的個案)  | Fast Track Cases<br>(Cases involving no witnesses and concerning allegation(s) of the Eight Specified Breaches only) | 三個月內           | Within three calendar months | 100%           |
| 普通個案<br>(非快速個案並只涉及不多於兩項指稱的個案)  | Normal Cases<br>(Cases other than Fast Track Cases concerning not more than two allegations)                         | 六個月內           | Within six calendar months   | 100%           |
| 複雜個案<br>(除快速個案及普通個案以外的個案)  | Complex Cases<br>(Cases other than Fast track cases and Normal Cases)  | 九個月內           | Within nine calendar months  | 97.32%         |
| 通知投訴人調查結果  | Notify complainants of the outcome of the case   | 10 個工作天內       | Within 10 working days       | 100%           |
| 通知被投訴人(持牌人)調查結果  | Notify complainees (licensees) of the outcome of the case  | 10 個工作天內       | Within 10 working days       | 100%           |



## 附錄二：2016/17 年度行政部門服務達標率

### Appendix II: Achievement of the Administration's Performance Standards 2016/17

| 紀律研訊 Disciplinary Proceedings |   |                    |   |                |
|-------------------------------|---|--------------------|---|----------------|
| 服務類別<br>Service type          |   | 指標<br>Standard     |   | 達標率<br>Results |
| 舉行首次<br>紀律研訊                  | Conduct the first disciplinary<br>inquiry hearing of a case | 完成調查後的<br>90 個工作天內 | Within 90 working days after<br>completion of investigation | 99.47%         |

| 持續專業進修計劃 Continuing Professional Development (CPD) |  |                |                        |                |
|--|--|----------------|------------------------|----------------|
| 服務類別<br>Service type                               |  | 指標<br>Standard |                        | 達標率<br>Results |
| 完成處理持續專<br>業進修活動認可<br>的申請                          | Process applications for<br>endorsement of CPD activities            | 20 個工作天內       | Within 20 working days | 100%           |
| 發出「出席證書」<br>予參加監管局舉<br>辦的持續專業進<br>修活動的持牌人          | Issue certificates of attendance<br>for EAA-organised CPD activities | 30 個工作天內       | Within 30 working days | 100%           |





## 地產代理監管局

香港灣仔皇后大道東183號合和中心48樓

## Estate Agents Authority

48/F, Hopewell Centre, 183 Queen's Road East

Wanchai, Hong Kong



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