

1. 該名人士或其代名人；或
2. 該名人士的親屬（指配偶、父母、子女、兄弟或姊妹）或該等親屬的代名人；或
3. 該名人士所屬的地產代理公司或該地產代理公司的任何僱員／大股東／合夥人／董事。

如有利益的話，地產代理須在有關協議中申報詳情。

此外，根據《操守守則》第3.6.1段及第3.6.2段，地產代理和營業員應避免就本身有利益的物業提供服務。同時，在有可能／潛在利益衝突的情況下（例如同時代表賣家和買家），營業員必須向客戶表明是雙邊代理，以及向各方詳盡披露因該物業而獲得的金錢或其他實質利益。

1. him or his nominee; or
2. his specified relative (meaning his spouse, parent, child, brother or sister), or any nominee of his specified relative; or
3. the estate agency or any employee/substantial shareholder/partner/director of the estate agency.

Particulars of such interests (if any) must be specified in the schedule to the agreement.

Furthermore, under Paragraphs 3.6.1 and 3.6.2 of the Code of Ethics, estate agents and salespersons should avoid accepting an appointment involving a property in which they have a beneficial interest and they shall, in the event of possible or potential conflict of interest such as dual agency, disclose to their clients that they are acting for both sides. Any pecuniary or other beneficial interests in relation to the property shall be disclosed fully to all parties concerned.

新指引 New practice circular

資訊保安以妥善儲存資料

information security for privacy protection

發生連串互聯網個人資料外洩事故後，資訊保安已成為社會關注的焦點。監管局促請從業員，採取適當的資訊保安措施。

地產代理管理層要考慮有關本身業務可能涉及的資訊保安風險，訂定恰當的政策和程序，以減低相關風險。

如從業員未有採取措施確保資訊安全，而導致其客戶個人資料外洩，則該從業員可能違反《個人資料（私隱）條例》。此外，未有採取妥善的保安措施確保資訊安全，可能被視為未有建立管理業務的妥善制度，因此可能構成違反《地產代理常規（一般責任及香港住宅物業）規例》第15條，並可能引致監管局採取紀律行動。

Information security has become a major issue of concern following a series of incidents involving leakage of personal data on the Internet. EAA urges practitioners to take necessary information security measures to protect data privacy.

Management of estate agencies should put in place risk-based policies and procedures to reduce information security risks arising from their estate agency work.

If a practitioner is found to have failed to put in place measures to safeguard information security and such failure results in a leak of his clients' personal data, he may be in breach of the Personal Data (Privacy) Ordinance. In addition, failure to put in place proper security measures to safeguard information security may be seen as not having established a proper system to manage a business and may therefore amount to a breach of section 15 of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation, giving rise to disciplinary action by the Authority.