



提升把關
Advances in
Gatekeeping





提升把關

Advances in Gatekeeping



資格考試

作為確保投身地產代理業界的人士具備所需的知識以提供地產代理服務的把關者，獲取在地產代理行業執業牌照的其中一個先決條件就是通過相關的資格考試。監管局目前提供兩類資格考試，分別為：(i) 地產代理資格考試及(ii) 營業員資格考試。

通過地產代理資格考試的考生可申請地產代理(個人)牌照或營業員牌照；而通過營業員資格考試的考生則僅可申請營業員牌照。

2021/22年度的資格考試由職業訓練局高峰進修學院代表監管局舉辦。

資格考試包括兩個部分，其中一部分為獨立試題，另一部分為依據個案分析的試題。考生必須在兩個部分均取得合格成績，方能通過考試。

考試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，包括適用於地產代理業務的法律和常規；第二部分則測試考生將知識應用於實際情景的能力。

Qualifying Examinations

As a gatekeeper to ensure persons entering the trade possess the required knowledge to provide estate agency services, one of the prerequisites for obtaining a licence to practise in the estate agency industry is to pass the relevant qualifying examination. Currently, the EAA offers two types of qualifying examinations, namely: (i) the Estate Agents Qualifying Examination (“EAQE”) and (ii) the Salespersons Qualifying Examination (“SQE”).

A candidate who passes the EAQE may apply for either an estate agent’s licence (individual) or a salesperson’s licence. A candidate who passes the SQE may apply for a salesperson’s licence only.

The qualifying examinations were administered by the Institute of Professional Education And Knowledge (“PEAK”) of the Vocational Training Council (“VTC”) on behalf of the EAA in 2021/22.

The qualifying examinations comprise of two parts – one consisting of stand-alone questions and the other consisting of questions based on case studies. Candidates must pass both parts in order to pass the examination.

Part 1 of the examination is intended to test candidates’ knowledge of various parts of the syllabi of the EAQE and SQE, including the laws and practices applicable to the estate agency practice, while Part 2 is intended to test candidates’ ability to apply the knowledge to practical scenarios.



監管局舉辦資格考試以確保投身地產代理行業的人士具備所需的知識。

Qualifying examinations are organised to ensure that persons entering the trade possess the required knowledge to provide estate agency services



2021/22年度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 held in 2021/22 is set out as follows:

	地產代理資格考試 EAQE	營業員資格考試 SQE
考試場數 Number of Sessions	4場 ¹ 4 sessions ¹	筆試應考模式：5場 ² Paper-based: 5 sessions ² 電腦應考模式：10場 ³ Computer-based: 10 sessions ³
考試時間 Examination Time	3小時 3 hours	2小時30分鐘 2 hours and 30 minutes
試題數目 Number of Questions	第一部分：30條獨立試題 Part 1: 30 stand-alone questions 第二部分：20條試題(依據個案分析) Part 2: 20 questions based on case studies	第一部分：40條獨立試題 Part 1: 40 stand-alone questions 第二部分：10條試題(依據個案分析) Part 2: 10 questions based on case studies
形式 Format	多項選擇題 Multiple-choice questions	
合格分數 Pass Mark	每部分需最少答對60% At least 60% of correct answers in each part	

¹ 2021/22年度原定舉行五場地產代理資格考試，但其中一場因2019冠狀病毒病而取消。

² 2021/22年度原定舉行六場筆試應考模式的營業員資格考試，但其中一場因2019冠狀病毒病而取消。

³ 2021/22年度原定舉行12場電腦應考模式的營業員資格考試，但其中兩場因2019冠狀病毒病而取消。

¹ Five EAQEs were originally scheduled in 2021/22 but one of which was cancelled due to COVID-19.

² Six paper-based SQEs were originally scheduled in 2021/22 but one of which was cancelled due to COVID-19.

³ Twelve computer-based SQEs were originally scheduled in 2021/22 but two of which were cancelled due to COVID-19.

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資格考試的報考及應考人數

在2021/22年度，報考地產代理資格考試的人數為5,691人；報考營業員資格考試的人數則為7,550人，兩者較去年分別增加約33%及約2.1%。

與2020/21年度相比，實際應考地產代理資格考試的人數增加約37%至5,236人，而實際應考營業員資格考試的人數則上升約3.4%至6,556人。

雖然2020/21年度的筆試座位數量及學校考試場地供應繼續因疫情而受影響，但2021/22年度的地產代理資格考試及營業員資格考試的報考及應考人數仍錄得增長，這是由於監管局作出的特殊安排，包括採用商業用場地舉辦筆試，及自2021年10月起將電腦應考模式的營業員資格考試恢復至正常座位數量。

在2021/22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30.7%及30.2%，而2020/21年度兩個考試的合格率則分別為22.5%及37.8%。

Number of registrants and candidates for qualifying examinations

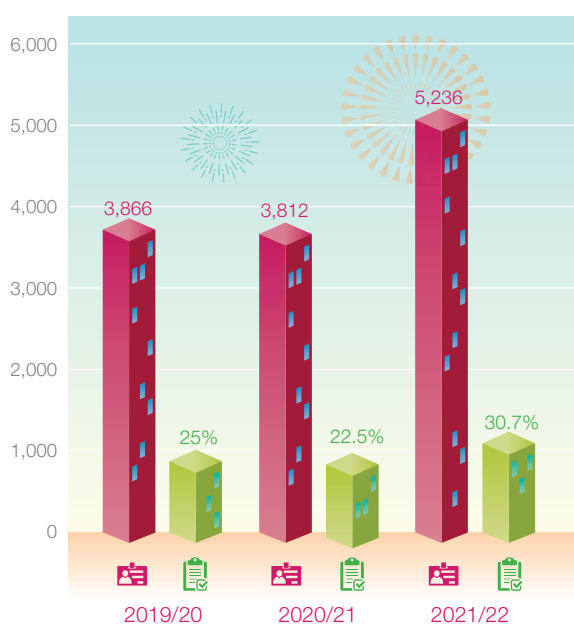
A total of 5,691 persons registered for the EAQEs and a total of 7,550 persons registered for the SQEs held in 2021/22, which represented an increase of about 33% and about 2.1% respectively over those of the previous year.

Compared to that in 2020/21, the number of examination candidates that actually took the EAQE increased by about 37% to 5,236 and in the case of the SQE, it increased by about 3.4% to 6,556.

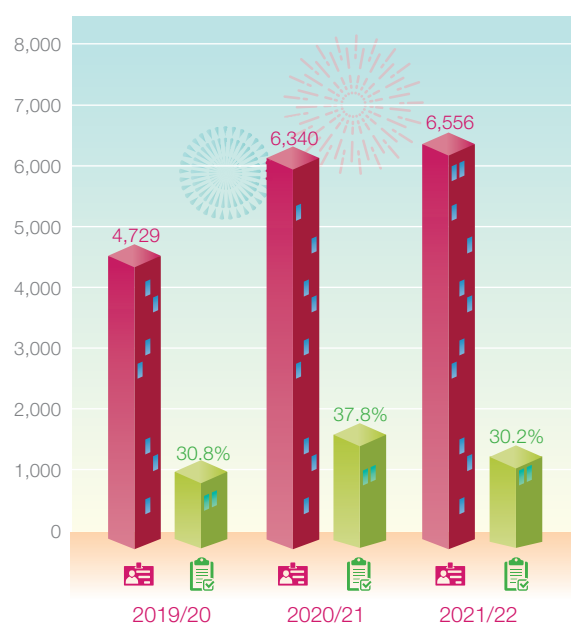
Although seating capacity for paper-based examinations and supply of school-based examination venues continued to be affected in 2020/21 due to COVID-19, the increase in the number of registrants and candidates for the EAQEs and the SQEs in 2021/22 was a result of the special arrangements made by the EAA in relation to booking of commercial venues for paper-based examinations and the resumption of normal seating capacity for computer-based SQEs since October 2021.

In 2021/22, the average pass rates for the EAQE and SQE were 30.7% and 30.2% respectively, as against 22.5% and 37.8% respectively in 2020/21.

地產代理資格考試 Estate Agents Qualifying Examination



營業員資格考試 Sales Person Qualifying Examination



 應考人數
Number of Examination Candidates

 合格率
Pass Rate



因應疫情取消及更改考試事宜

因應2019冠狀病毒病疫情的發展，監管局在2021/22年度合共取消了四場資格考試，其中包括一場地產代理資格考試、一場筆試應考模式的營業員資格考試，以及兩場電腦應考模式的營業員資格考試。

在2021/22年度內，因資格考試被取消而受影響的考生獲全額退還考試費。

修訂部分違反考試規則的罰則水平

經監管局對經常被違反的考試規則的罰則水平進行審視後，對部分違反考試規則的罰則水平作出了修訂，並增加一項新罰則—任何考生因在監管局籌辦的任何考試中涉及不誠實或欺詐行為而被定罪，該考生將被取消有關考試的資格，並且由被定罪日開始禁止報名參加任何監管局其後的資格考試，為期兩年。該等變更已於2022年1月1日後舉辦的考試生效。

應考考生學歷

在2021/22年度，應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33.8%，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41.8%，相對2020/21年度的比率則分別為34.6%及44.5%。一般來說，學歷較高的考生所考取的積分比學歷較低的考生為高。

Cancellation and rescheduling of examinations due to the pandemic

Due to the development of COVID-19, the EAA cancelled a total of four qualifying examinations in 2021/22, which comprised of one EAQE, one paper-based SQE and two computer-based SQEs.

Affected candidates from the cancelled qualifying examinations in 2021/22 received full refund of examination fees.

Revision to the level of penalties for certain breaches of examination regulations

Following the EAA's review of the level of penalties imposed against common breaches of examination rules, revisions were made to the level of penalties for certain breaches of examination rules and a new penalty was added such that any candidate convicted of an offence involving a dishonest or fraudulent act in relation to any examination organised by the EAA would be disqualified from the relevant examination and be prohibited from registering for any subsequent qualifying examination of the EAA for a period of two years from the date of conviction. Such changes have taken effect with respect to examinations scheduled after 1 January 2022.

Educational background of candidates

In 2021/22, the percentage of candidates who took the SQE and who have attained tertiary or above educational level was about 33.8%, and that for the EAQE was about 41.8%, as compared to 34.6% and 44.5% respectively in 2020/21. Generally, candidates with higher educational qualifications scored higher marks than those candidates with lower educational qualifications.

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	學歷 Education Level	2019/20		2020/21		2021/22	
		應考考生 比率 % of candidates	合格率 Pass rate	應考考生 比率 % of candidates	合格率 Pass rate	應考考生 比率 % of candidates	合格率 Pass rate
地產代理 資格考試 EAQE	中五 F.5	26.8%	16.2%	28%	17.1%	30%	25.4%
	中六或中七 F.6 or F.7	8.2%	22.7%	8%	19.7%	8.8%	25%
	大專或以上 Tertiary or above	45.7%	62.1%	44.5%	25.8%	41.8%	35.6%
	資料不詳 Unknown	19.3%	24.5%	19.5%	24.1%	19.4%	31.1%
營業員 資格考試 SQE	中五 F.5	35.9%	27.3%	35.5%	33.3%	34.5%	27.3%
	中六或中七 F.6 or F.7	15.2%	22.6%	15.7%	29.7%	16.4%	26.7%
	大專或以上 Tertiary or above	32.3%	76.4%	34.6%	44.5%	33.8%	33.5%
	資料不詳 Unknown	16.6%	33.7%	14.2%	42%	15.3%	33%

報考人士的職業背景

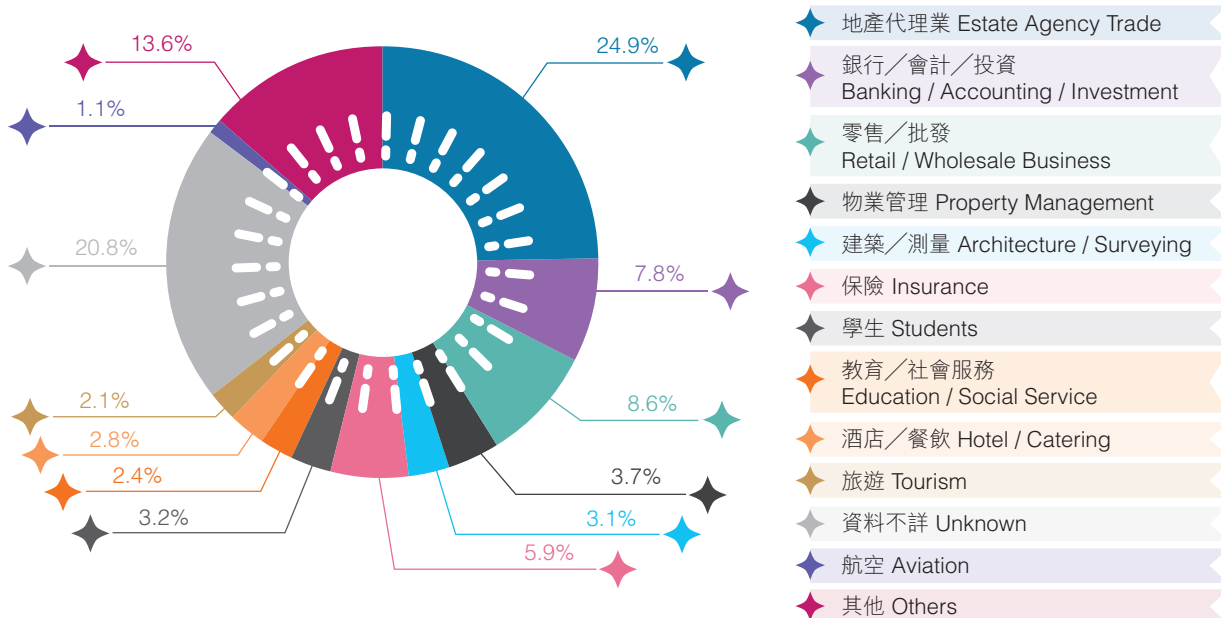
報考資格考試的人士當中不乏學生及來自各行各業的人士，包括零售及批發、銀行、會計、投資及保險。首次參加資格考試的考生則約有44%。

Occupational background of registrants

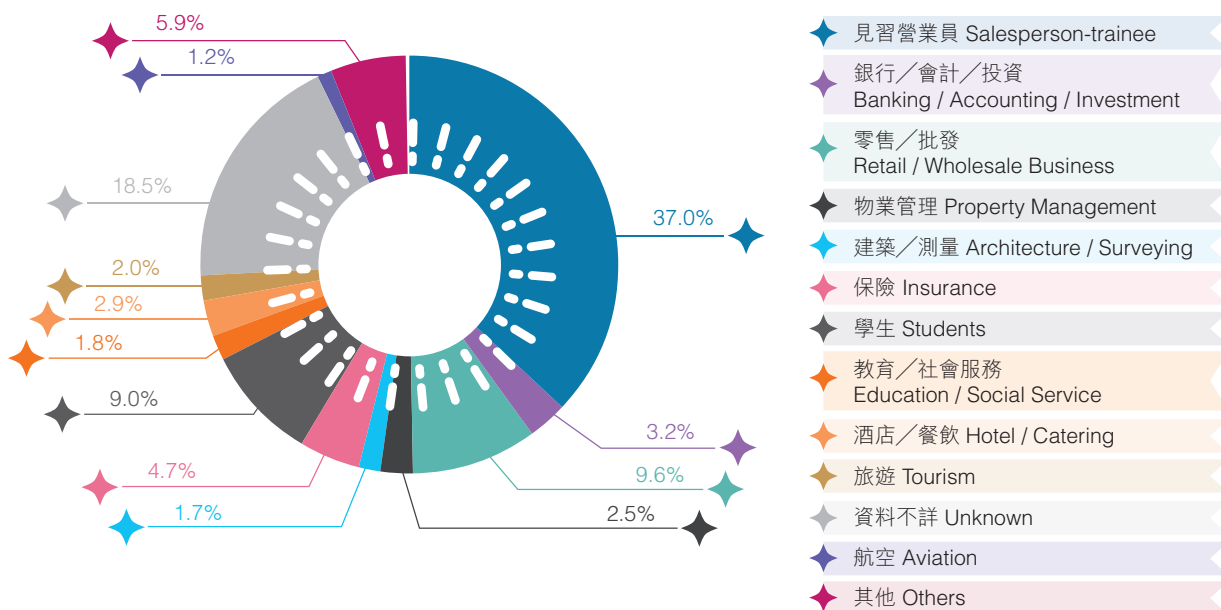
Persons registered for the qualifying examinations included students and people from a wide range of occupational backgrounds, including the retail and wholesale business, banking, accounting, investment and insurance. About 44% of the candidates attempted the examination for the first time.



地產代理資格考試 Estate Agents Qualifying Examination



營業員資格考試 Salespersons Qualifying Examination



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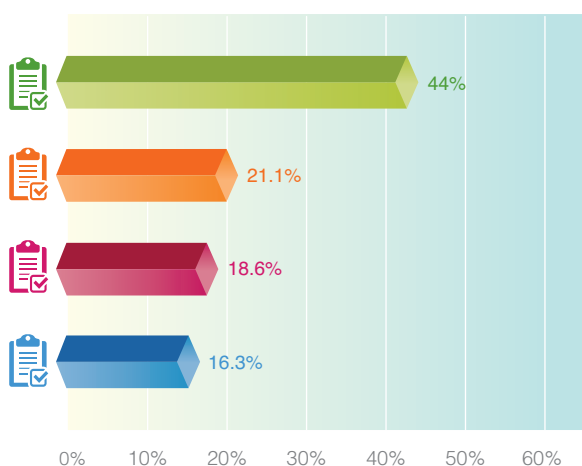
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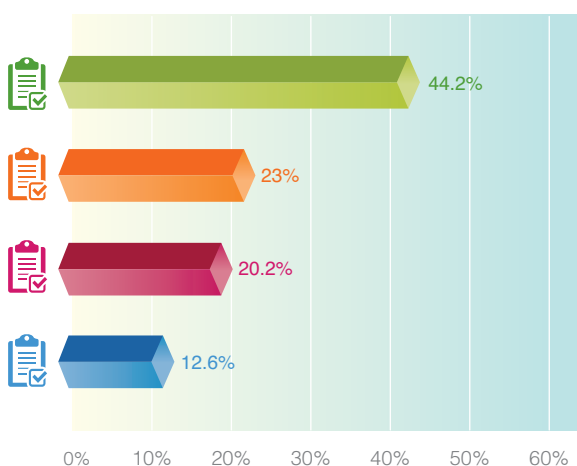
考生參加考試的次數

Number of attempts by candidates at examinations

地產代理資格考試 EAQE



營業員資格考試 SQE



首次應考
First Attempt

第二次應考
Second Attempt

第三次或以上應考
Third Attempt or Above

資料不詳
Unknown

發牌

發牌制度

除《地產代理條例》及其附屬法例規定的某些例外情況外，任何在香港從事地產代理工作的人士，必須持有有效的牌照，否則會觸犯法例。

在發牌制度下，牌照分為兩種，分別為營業員牌照及地產代理牌照。營業員牌照僅會批予個人；而地產代理牌照則可批予個人或公司。

持有營業員牌照的個人只可為持牌地產代理從事地產代理工作，而持有地產代理牌照的個人則可為持牌地產代理從事地產代理工作或以獨資經營者、合夥經營的合夥人或持有地產代理牌照的公司董事身份從事地產代理工作。他亦可被委任為地產代理轄下某一營業地點的經理，負責有效及獨立控制其業務¹。

¹ 《地產代理條例》第38條規定，地產代理轄下的每個營業地點，須由一名經理有效和獨立的控制，而該名經理必須為地產代理(個人)牌照的持有人。

Licensing

Licensing regime

Subject to certain exceptions as stipulated in the Estate Agents Ordinance (“EAO”) and its subsidiary legislation, any person who carries out estate agency work in Hong Kong must hold a valid licence. Failure to do so is an offence.

Under the licensing regime, there are two types of licences, namely, salesperson’s licence and estate agent’s licence. A salesperson’s licence may only be granted to an individual while an estate agent’s licence may be granted either to an individual or a company.

An individual holding a salesperson’s licence may only perform estate agency work for a licensed estate agent, whereas a holder of an estate agent’s licence may perform estate agency work either for a licensed estate agent or in his/her capacity as a sole proprietor, a partner of a partnership, or a director of a company holding an estate agent’s licence. He may also be appointed as a manager of an office of an estate agency business responsible for its effective and separate control¹.

¹ 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 (individual).



地產代理在某個地點以特定營業名稱經營地產代理業務前，必須向監管局申請批予營業詳情說明書。

任何個人必須符合以下要求，方可獲發地產代理牌照或營業員牌照：

- 年滿18歲；
- 完成中學五年級或同等程度的教育；
- 在相關的資格考試中考獲合格成績¹；及
- 被監管局認為是持牌的「適當人選」。

牌照數字

在2021/22年度，持牌人數目持續增加。個人牌照的總數較上年度增加2.4%。截至2022年3月31日，個人牌照的總數為42,016個。在這些持牌人士中，23,035人持有營業員牌照，18,981人持有地產代理(個人)牌照。

公司牌照及營業詳情說明書的數目亦有所增加，分別為3,915個及7,160個，較2021年3月31日分別上升0.7%及1.6%。

在2021/22年度，監管局共批出2,868個新申領的個人牌照，較上年度增加25.1%。

Before operating an estate agency business at a particular place of business using a particular business name, an estate agent is required to apply for a statement of particulars of business (“SPOB”).

To be granted an estate agent’s licence or a salesperson’s licence, an individual must fulfill the following requirements:

- 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 examination¹; and
- having been considered by the EAA a “fit and proper” person.

Licensing figures

In the year of 2021/22, the licensee population continued to expand. The total number of individual licences increased by 2.4% over that of the previous year. As at 31 March 2022, there were 42,016 individual licences. Among these licences, 23,035 were salesperson’s licences and 18,981 were estate agent’s licences (individual).

The number of company licences and SPOBs also increased, respectively to 3,915 and 7,160, representing an increase of 0.7% and 1.6% over those of 31 March 2021.

In 2021/22, 2,868 new individual licences were granted, an increase of 25.1% compared to that of the previous year.



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In 2021/22, 2,868 new individual licences were granted, an increase of 25.1% compared to that of the previous year.

¹ 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。

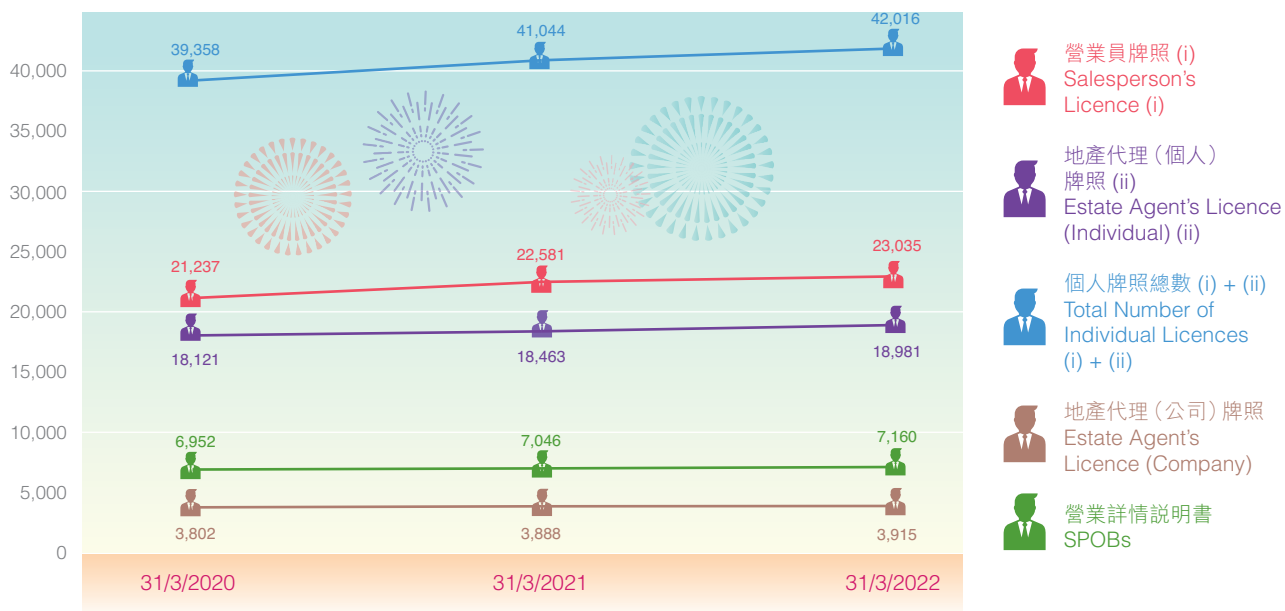
¹ The qualifying examination must have been passed within 12 months immediately before the date of an application for the grant of a licence.

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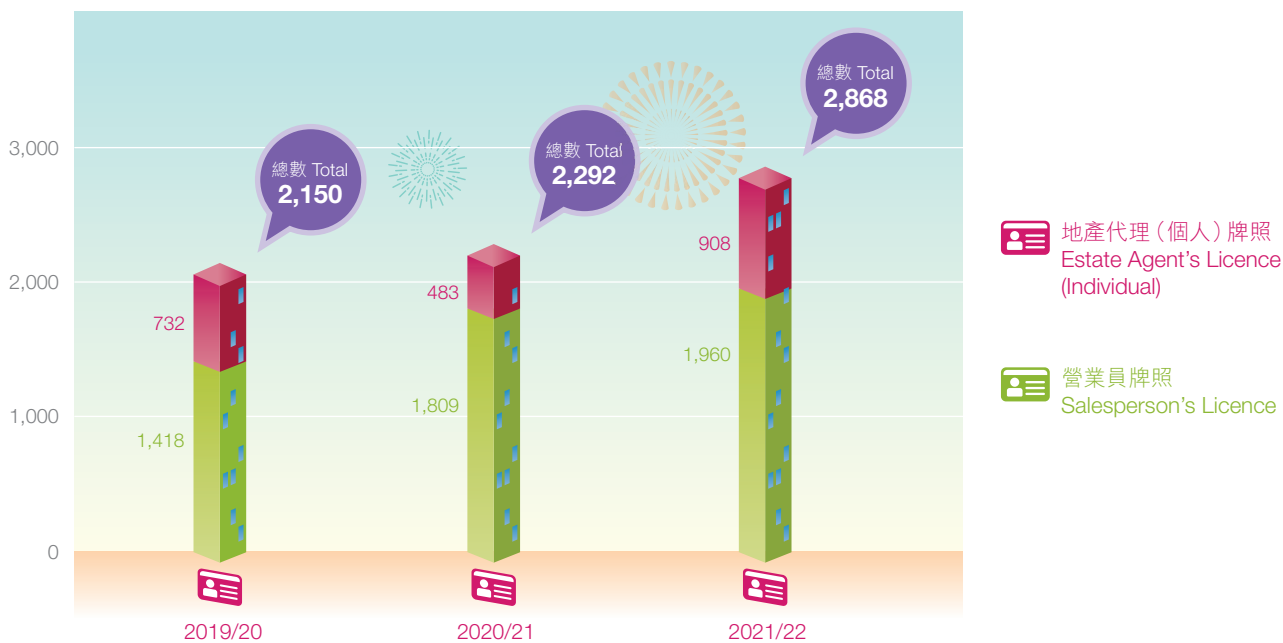
過往三年牌照及營業詳情說明書數目

Number of Licences and SPOBs in the Past Three Years



過往三年新批出的個人牌照數目

New Licences (Individual) Granted in the Past Three Years



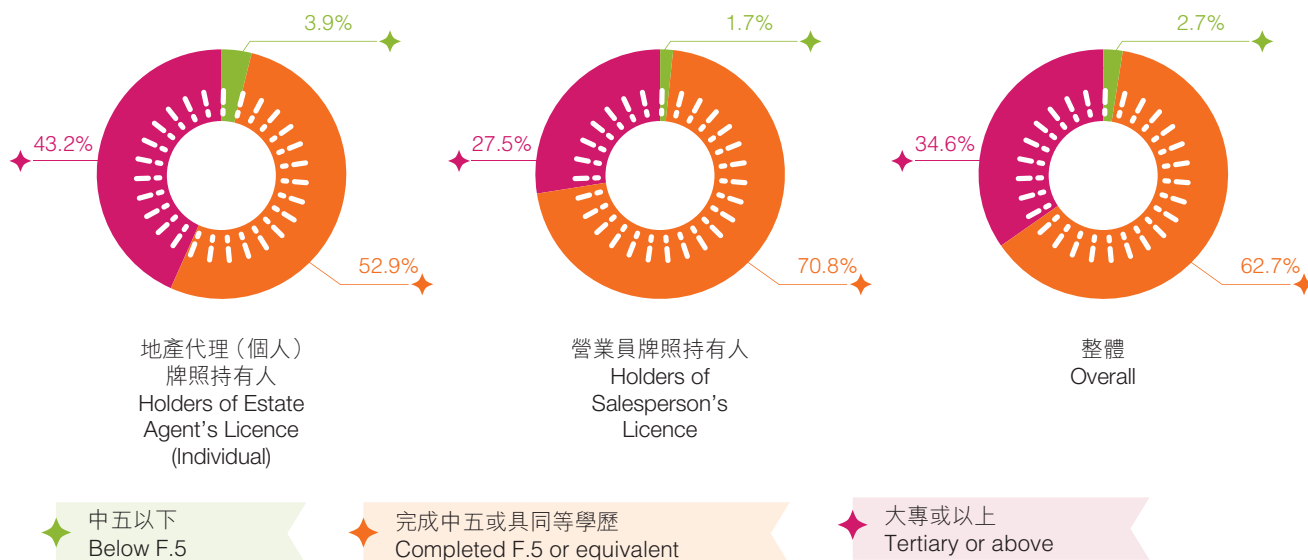


個人持牌人的背景

Background of individual licensees

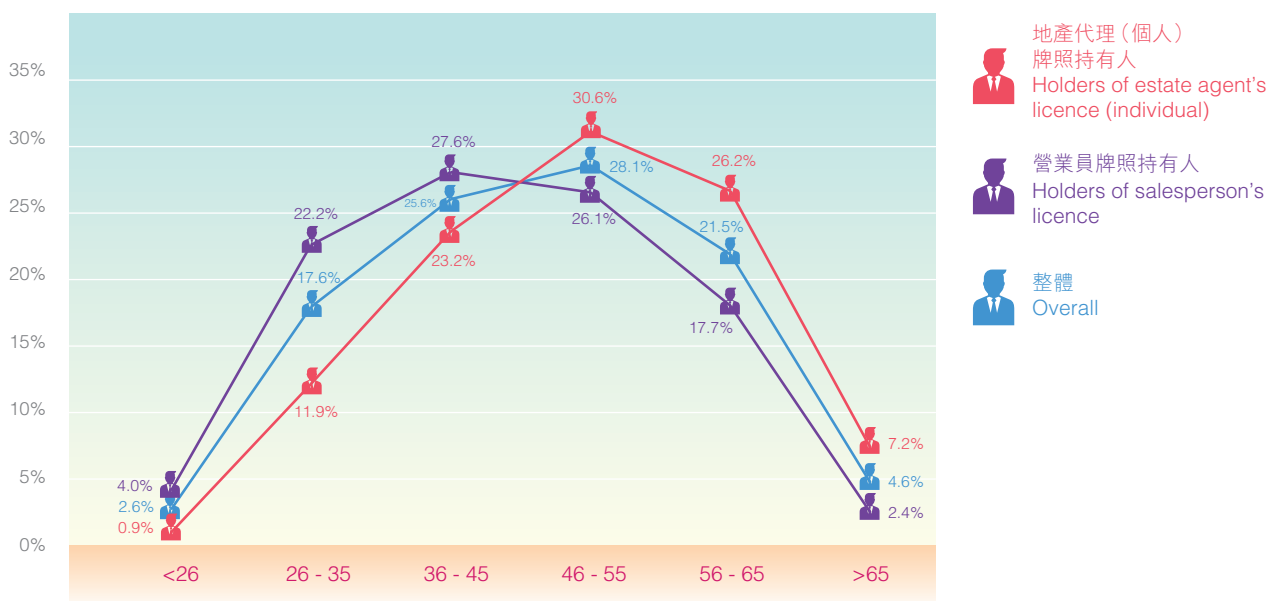
持牌人的學歷水平(截至2022年3月31日)

Educational Level of Licensees (as at 31/3/2022)



持牌人的年齡(截至2022年3月31日)

Age of Licensees (as at 31/3/2022)



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持牌人所選擇的通訊語言(截至2022年3月31日)

Licensees' Choice of Language in Communication (as at 31/3/2022)

	中文 Chinese	英文 English
地產代理(個人)牌照持有人 Holders of estate agent's licence (individual)	88.0%	12.0%
營業員牌照持有人 Holders of salesperson's licence	95.1%	4.9%
整體 Overall	91.9%	8.1%

地產代理業務的經營概況

一如既往，2021/22年度大多數地產代理屬於小規模的經營者。截至2022年3月31日，95.3%的地產代理業務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 business

As usual, most of the estate agencies operated in 2021/22 were small scale operators. As at 31 March 2022, 95.3% of estate agency operators operated as a single shop and less than 1% had five or more shops.

代理業務的經營模式(截至2022年3月31日)

Mode of Operation of Estate Agency Businesses (as at 31/3/2022)

經營者 Operator	店舖數目* Number of shops
有限公司經營* Limited Companies*	5,447
合夥經營 Partnerships	161
獨資經營 Sole Proprietorships	1,552
營業詳情說明書總數 Total SPOBs	7,160

* 由3,915個公司持牌人經營

* Operated by 3,915 Company Licensees

代理業務的規模 (截至2022年3月31日)

Size of Operation of Estate Agency Businesses (as at 31/3/2022)

經營者 Operator	店舖數目* Number of shops*	1	2	3	4	5-10	11-20	21-30	>30
	有限公司經營 Limited companies	3,701	137	37	13	20	2	1	4
合夥經營 Partnerships	144	5	1	1	0	0	0	0	
獨資經營 Sole proprietorships	1,456	37	2	1	2	0	0	0	
小計 Sub-total	5,301	179	40	15	22	2	1	4	

* 即營業詳情說明書

* i.e. SPOBs

不符合發牌條件

牌照申請人必須符合若干發牌條件方可獲發牌照。倘若牌照申請人未能符合任何一項發牌條件，監管局將會拒絕其牌照申請。在2021/22年度，監管局共拒絕了57宗牌照申請，原因包括：申請人未能符合有關的學歷要求，或不被視為獲批牌照的「適當人選」(例如破產或因刑事罪行被定罪)。

即使已獲發牌照，倘若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，監管局牌照委員會共撤銷了32個牌照，原因是有關持牌人不再符合發牌條件。

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	2019/20	2020/21	2021/22
在牌照上附加條件 Attachment of conditions to licence	54	53	87
暫時吊銷牌照 Suspension of licence	0	0	0
撤銷牌照 Revocation of licence	57	36	32

網上申請牌照

已於監管局網站註冊電子服務帳戶的個人持牌人，或牌照失效不多於24個月的前個人牌照持有人，可於網上遞交牌照申請。年內，監管局收到共34,743份個人持牌人或前持牌人的牌照申請，其中有58.6%(即20,372份牌照申請)經網上遞交。

Failure to meet the licensing requirements

A licence applicant must have fulfilled certain requirements in order to be granted a licence. If a licence applicant fails to meet any of the licensing requirements, his/her licence application will be refused. In 2021/22, a total of 57 applications were refused for different reasons, such as applicants were considered not having the required educational qualifications or not being considered "fit and proper" persons to be granted a licence (e.g. bankruptcy or conviction of a criminal offence).

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. During the year, a total of 32 licences were revoked by the Licensing Committee as the relevant licensees no longer met the licensing requirements.

Online application for licences

Individual licensees and former licensees whose individual licences have ceased to be valid for not more than 24 months may submit their licence applications online if they have registered an e-Service account at the EAA's website. During the year, among the 34,743 licence applications received from current and former holders of individual licences, 58.6% (i.e. 20,372 licence applications) were submitted online.