



2025

《第一階段強制性
持續專業進修計劃》
你問我答

Q&A of the Phase I of
Mandatory CPD Scheme



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《第一階段強制性持續專業進修計劃》你問我答

Q&A of the Phase I of Mandatory CPD Scheme

為鼓勵持牌人自我增值，秉持終身學習的精神，第一階段的強制性持續專業進修計劃（簡稱「第一階段強制計劃」）已於2025年1月1日（「實施日期」）推行。

計劃對象為實施日期後加入地產代理行業的新持牌人，有關人士須在其牌照到期前滿足強制性持續專業進修條件才能申請執照續期。在本期《專業天地》中，我們將解答在「第一階段強制計劃」中持牌人的常見問題。

With the aim of encouraging licensees to continuously improve themselves and uphold the spirit of lifelong learning, Phase I of the Mandatory CPD Scheme ("Phase I Mandatory Scheme") was launched on January 1, 2025 (the "Implementation Date").

Target Licensees for the Phase I Mandatory Scheme are the fresh entrants who join the estate agency trade after the Implementation Date. These individuals must fulfil the Mandatory CPD condition before they are eligible to apply for licence renewal prior to the expiration of their licences. In this issue of Horizons, we will address common questions regarding the Phase I Mandatory Scheme for licensees.



問題1：

哪些人不納入第一階段強制計劃內？

回答1：

- (a) 於實施日期當日持有有效營業員牌照或地產代理（個人）牌照，並根據《地產代理（發牌）規例》（「發牌規例」）第7條，繼續持有有效牌照的持牌人；
- (b) 於實施日期當日並未持有有效牌照，但根據《發牌規例》第7條獲得牌照的前牌照持有人（例如：在其先前的牌照失效後的24個月內重投地產行業之前持牌人）；
- (c) 於實施日期當日並未持有有效牌照，但於實施日期前舉行的資格考試取得合格成績，並在實施日期後取得牌照的人士；及
- (d) 上述（a）分段所提及的營業員牌照持牌人及（b）分段所提及的前持牌人，其後透過實施日期後舉行的地產代理資格考試取得之合格成績取得地產代理（個人）牌照。

Question 1:

What kind of persons can be exempted from the Phase I Mandatory Scheme?

Answer 1:

- (a) Licensees who hold a valid salesperson's licence or estate agent's (individual) licence as at the Implementation Date and continue to hold a valid licence in accordance with Section 7 of the Estate Agents (Licensing) Regulation ("Licensing Regulation");
- (b) Former licensees who do not hold a valid licence as at the Implementation Date but obtain a licence in accordance with Section 7 of the Licensing Regulation (e.g. former licensees re-entering the trade within 24 months after the lapse of their former licence);
- (c) Individuals who do not hold a valid licence as at the Implementation Date but use the passing result of a qualifying examination held before the Implementation Date to obtain a licence after the Implementation Date; and
- (d) Licensees who hold a valid salesperson's licence referred to in subparagraphs (a) and former licensees referred to in subparagraph (b) above who use the passing result of the Estate Agents Qualifying Examination held after the Implementation Date to obtain an estate agent's (individual) licence.



問題2：

若牌照有效期不是12個月或24個月，持續專業進修學分要求是多少？

回答2：

持續專業進修學分要求會根據下表按比例計算：

剩餘的牌照有效期 Validity period of licence remaining	持續專業進修學分要求* CPD Point Requirement*
少於12個月 Less than 12 months	[剩餘日數 ÷ 365]x4 [No. of days remaining ÷ 365] x 4 ⁺
多於12個月但少於24個月 More than 12 months but less than 24 months	[剩餘日數 ÷ 730]x8 [No. of days remaining ÷ 730] x 8 ⁺

*上調至最接近的0.5或整數

⁺一般而言，學分要求為每一周年4個學分

例如：

持牌人被授予6個月的地產代理（個人）牌照，生效日期為2025年10月1日。

- 牌照時段:01.10.2025—31.03.2026（6個月）
- 強制進修時段：01.10.2025—31.03.2026（6個月）
- 持續專業進修學分要求：2個持續專業進修學分[(182日 ÷ 365日) x 4]

問題3：

持牌人可以透過哪些活動模式取得持續專業進修學分以滿足要求？

回答3：

持牌人可通過由地產代理監管局、政府或法定機構、獲得認可的培訓機構以及廣泛認受的專業協會舉辦旨在提升持牌人整體表現及與地產代理行業高度相關的持續專業進修活動取得學分。

而活動模式可包括網絡研討會、講座、網上個案研習、網上遙距學習、擔任義務工作、教授或舉辦獲承認的持續專業進修活動等。

Question 2:

What is the CPD Point Requirement if the validity period of the granted licence is not a 12-month or 24-month licence?

Answer 2:

The CPD Point Requirement will be prorated according to the table below:

*Round up to the nearest 0.5 or integer

⁺Generally, 4 CPD points for every anniversary

For examples:

A Target Licensee granted with a 6-month estate agent's (individual) licence which takes effect on 1 October 2025

- Licence Period: 01.10.2025 – 31.03.2026 (6 months)
- CPD Condition Period: 01.10.2025 – 31.03.2026 (6 months)
- CPD Point Requirement: 2 CPD points [(182 days ÷ 365 days) x 4]

Question 3:

What kind of CPD Activities can target Licensee undertake in order to fulfill the mandatory CPD requirement?

Answer 3:

Target Licensee can earn CPD points through a variety of activities which aim at enhancing the general performance of licensees and are highly relevant to the estate agency trade with activity modes including webinars, seminars, e-quizzes, web-based distance learning, participation in Pro bono work, teaching or conducting recognized CPD activities, etc.

CPD activities may be organized by the EAA, the Government or statutory bodies, endorsed training institutions and widely recognized professional associations.

**問題4：**

若目標持牌人參加的活動於活動後才補回申請認可成第一階段強制計劃下及/或合資格授予持續專業進修學分之活動，取得的學分會被認可嗎？

回答4：

目標持牌人在考慮參與活動後才申請認可成第一階段強制計劃下及/或合資格授予持續專業進修學分之活動時，持牌人應格外謹慎。由於相關批准或認可須時（不少於一個月），而監管局亦沒有義務在持牌人的牌照到期前就所申請的持續專業進修學分給予任何批准或認可。

如發生此情況，其牌照申請可能會被延遲，甚至因持牌人未能證明已完成持續專業進修的學分要求而被拒絕。為免產生疑問，在目標持牌人提交續牌申請後，即使相關活動在隨後獲得監管局認可並被授予持續專業進修學分，該等學分不得用以追溯為已履行其強制性持續專業進修條件。

Question 4:

Will the CPD points be recognized if the Target Licensee engages in post-event activities?

Answer 4:

Target Licensees should exercise great caution when considering to enroll in post-event activities where application for endorsement of an activity to be recognised under the Phase I Mandatory Scheme and/ or the CPD points to be awarded are made after the activity, as relevant endorsement or recognition takes time (not less than one month) and the EAA is not obliged to grant any endorsement or recognition or the CPD points applied for before expiry of a Target Licensee's licence or at all.

Should this happen, their licence applications may be delayed or even refused due to the licensees' failure to prove that they have complied with the CPD Point Requirement within their CPD Condition Period. For avoidance of doubt, even if a post-event activity is subsequently endorsed by the EAA and CPD points are awarded, a Target Licensee cannot claim these CPD points retroactively for fulfilment of his/her Mandatory CPD Condition after he/she submits an application for licence renewal to the EAA.

監管局董事局歡迎新任成員

The EAA Board welcomes new members

香港特區政府委任五位新任監管局董事局成員，任期由2024年11月1日起生效。五位監管局董事局新成員包括：何應富先生、葉文祺先生、樂晗寧女士、吳恩沛女士及鄧寶善教授MH。

新成員由香港特別行政區行政長官委任，任期由2024年11月1日至2026年10月31日。

監管局董事局現有正、副主席各一名及18名來自社會上不同界別的一般成員。

自2024年11月1日起生效的監管局成員名單如下：

The HKSAR Government has announced the appointment of five new EAA Board members effective from 1 November 2024. The five new EAA Board members include Mr Francis HO Ying-foo, Mr Ryan IP Man-ki, Miss LOK Hom-ning, Miss Amber NG Yan-pui and Professor TANG Bo-sin, MH.

The new members have been appointed by the Chief Executive of the Hong Kong Special Administrative Region and their term of office is from 1 November 2024 to 31 October 2026.

The EAA Board now consists of a Chairman, a Vice-chairman and 18 ordinary members from various sectors in the community.

Members of the EAA with effect from 1 November 2024 are as follows:

主席：	Chairman:
蕭澤宇先生BBS，JP	Mr Simon SIU Chak-yu, BBS, JP
副主席：	Vice-Chairman:
羅孔君女士BBS，JP	Ms Jane Curzon LO, BBS, JP
普通成員：	Ordinary Members:
張天任資深大律師	Mr Jonathan CHANG Tien-yin, SC
鄭定寧工程師	Ir Albert CHENG Ting-ning
趙錦權先生	Mr CHIU Kam-kuen
周偉信教授	Professor CHOW Wai-shun
朱雅儀女士	Ms Irene CHU Ngar-yee
何超平先生	Mr Dennis HO Chiu-ping
何應富先生	Mr Francis HO Ying-foo
葉文祺先生	Mr Ryan IP Man-ki
樂晗寧女士	Miss LOK Hom-ning
吳恩沛女士	Miss Amber NG Yan-pui
潘達恒先生	Mr Jacob POON Tat-hang
鄧寶善教授MH	Professor TANG Bo-sin, MH
蔡志忠先生	Mr Raymond TSOI Chi-chung
黃河先生	Mr Kevin WONG Ho
黃奕鑑先生SBS，MH，JP	Mr Michael WONG Yick-kam, SBS, MH, JP
胡慶業先生	Mr Eric WOO Hing-yip
余智榮先生MH	Mr YU Chi-wing, MH
房屋局常任秘書長或其代表	Permanent Secretary for Housing or her representative



蕭澤宇先生BBS，JP（右）與戴敏娜女士（左）。

Mr Simon SIU Chak-yu, BBS, JP (right) and Ms Meena DATWANI (left).

監管局新一屆董事局於2024年11月26日舉行首次會議，並委任五個常設委員會的主席，以監督監管局不同範疇的工作。

監管局並於同日舉辦午宴，以歡迎新任成員以及歡送卸任成員：戴敏娜女士、許智文教授MH，JP、黃永光先生SBS，JP以及黃鳳嫻女士。



蕭澤宇先生BBS，JP（左）與許智文教授MH，JP（右）。

Mr Simon SIU Chak-yu, BBS, JP (left) and Professor Eddie HUI Chi-man, MH, JP (right).

監管局歡迎新任行政總裁 The EAA welcomes the new CEO

監管局歡迎梁松泰先生於2025年1月1日起，接替韓婉萍女士出任監管局新任行政總裁一職。

梁先生於1985年加入政府政務職系，曾在不同政策局及部門工作，直至2022年退休時為社會福利署署長。梁先生透過公開招聘程序獲聘。

在梁先生的帶領下，監管局將繼續推動業界行事持正、具備專業能力，以及鼓勵行業培訓，提升從業員的水平和地位。

監管局新任行政總裁梁松泰先生已於2025年1月1日上任。

Mr Gordon LEUNG Chung-tai, the new CEO of the EAA, has been on board since 1 January 2025.



The EAA welcomes Mr Gordon LEUNG Chung-tai, to succeed Ms Ruby HON, as the new Chief Executive Officer ("CEO") of the EAA, effective from 1 January 2025.

Mr LEUNG joined the Administrative Service of the Government in 1985 and worked in various Bureaux and Departments before retiring from the civil service in 2022 as Director of Social Welfare. Mr LEUNG was selected through an open recruitment exercise.

The EAA, under Mr LEUNG's leadership, will continue to promote integrity and competence within the industry, and facilitate training for estate agency practitioners to enhance their standards and status.

有關「委託持牌地產代理購買境外樓花」的新宣傳片

New API about appointing licensed estate agents when purchasing uncompleted properties situated outside Hong Kong

近年對於購買香港境外樓花的關注持續，特別是因為有些境外樓花是經由未有領牌人士銷售。有鑒於此，監管局繼續致力提醒公眾購買境外樓花的風險，並鼓勵消費者委託持牌地產代理以加強保障。

In recent years, concerns over purchasing uncompleted properties outside Hong Kong (“UPOH”) continues, especially as some UPOH offered for sale in Hong Kong are handled by unlicensed persons. Hence, the EAA remains dedicated to reminding the public of the risks associated with purchasing UPOH, as well as encouraging consumers to appoint licensed estate agents for enhanced protection.



在2024年12月，監管局推出了一段新的相關宣傳短片，在本地免費及收費的電視和電台播放，為期一年。

此外，這段宣傳片還透過不同戶外廣告渠道進行推廣，例如在港鐵車廂電視及其流動應用程式

In December 2024, the EAA launched a related new public interest announcement (“API”) which airs on local free and paid TV and radio channels for a year.

Moreover, the TV API was also promoted through different outdoor advertising channels. For example, it was promoted on the MTR in-train

式宣傳，也在商業及住宅樓宇的升降機大堂電視屏幕上播放。同時，監管局亦在西區海底隧道入口附近的兩個大型廣告牌上作出宣傳。此外，局方亦在Youtube、MyTV Super 流動應用程式及谷歌多媒體聯播網投放廣告，進行了相關宣傳。

TV network and via the MTR mobile app, shown on lift lobby TV screens in commercial and residential buildings. Two billboard advertisements were also placed at the entrance of the Western Harbour Crossing. In addition, the TV API was also promoted on YouTube, MyTV Super, and via Google Display Network in December 2024.



即上<http://outsideHK.eaa.org.hk>，瞭解更多與新宣傳片及境外樓花有關的資訊。

For more information about the new API and UPOH, please visit: <http://outsideHK.eaa.org.hk>

監管局職員獲頒「2024申訴專員嘉許獎」 EAA staff received "The Ombudsman's Awards 2024"

監管局兩位職員獲頒發「2024申訴專員嘉許獎—公職人員獎」，以表揚他們在處理市民大眾的查詢時展現的專業表現和積極態度。

申訴專員嘉許獎頒獎典禮於2024年10月31日舉行，牌照部劉麗媚女士及專業發展部吳燕兒女士分別獲頒發「公職人員獎」。她們以積極的態度服務市民，贏得了肯定和讚賞。

Two EAA staff members received "The Ombudsman's Awards 2024" for "Officers of Public Organisations" in recognition of their professionalism and positive attitude in handling enquiries from the general public.

The Ombudsman's Awards Presentation Ceremony was held on 31 October 2024. Ms May LAU from the Licensing Section and Ms Joanne NG from the Professional Development Section received an individual award respectively. They earned the recognition and commendation by adopting a positive attitude to serve the public.



劉麗媚女士（左）、服務及專業發展總監王頌恩先生（中）及吳燕兒女士（右）出席申訴專員嘉許獎頒獎典禮。

Ms May LAU (left), Director of Services and Professional Development Mr Ivan WONG (middle) and Ms Joanne NG (right) attend the Presentation Ceremony of The Ombudsman's Awards.

監管局2023/24年報經已出版 EAA published Annual Report 2023/24



監管局2023/24年報經已出版。監管局於每一個財政年度均製作年報作為與公眾溝通的主要渠道之一。2023/24年報概述了監管局規管地產代理業界執業的主要工作，及截至2024年3月31日財政年度的財務回顧。

該年報亦記錄了監管局於2023/24年度的工作，包括把關、執法、推動業界提升專業水平及加強消費者教育。電子書版本已上載至監管局網站。



The EAA Annual Report 2023/24 has been published. The EAA produces the Annual Report every fiscal year as one of the major tools to communicate with the general public. The Annual Report 2023/24 summarises the EAA's work in regulating the practice of the industry and its financial statement for the fiscal year ended 31 March 2024.

The Annual Report also records the EAA's work in 2023/24, including gatekeeping, enforcement, enhancing the professional standard of the trade and strengthening the consumer education towards the public. The e-book version is now available at the EAA's website.

成都市房地產經紀協會及廣州市廣房中協 房地產發展研究中心代表團

Delegation of Chengdu Real Estate Broker Trade Association and Guangzhou Association of Real Estate Agents

監管局簡介了局方的工作，及有關香港地產代理發牌和監管制度的詳細資訊。The EAA shared an overview of the EAA's work, and the licensing and regulatory regime for estate agents in Hong Kong at the briefing.



監管局於2024年11月7日和8日接待了來自成都市房地產經紀協會和廣州市廣房中協房地產發展研究中心的代表團。

代表團訪港期間，團員旁聽了一場紀律研訊，並出席了監管局安排的簡報會。簡報會上，代表團得以深入了解監管局的工作，及有關香港地產代理發牌和監管制度的詳細資訊。

此外，代表團還拜訪了數間地產代理公司和一個一手樓盤銷售處，以了解地產代理的日常運作。

The EAA received a delegation from the Chengdu Real Estate Broker Trade Association and the Guangzhou Association of Real Estate Agents on 7 and 8 November 2024.

During their visit, the delegates observed an inquiry hearing and attended a briefing session arranged by the EAA. At the briefing, they received an insightful overview of the EAA's work, along with detailed information on the licensing and regulatory regime for estate agents in Hong Kong.

In addition, the delegation visited several estate agency companies and a first-sale site to learn more about the daily operations of estate agents.

持續專業進修活動 — 新執業通告 (編號24-01(CR)) — 良好及有效的競爭做法(1) - 收取佣金及提供優惠

CPD Activity – New EAA Practice Circular (No. 24-01 (CR)) – Good and Effective Competition Practices (1) – Charging of Commission and Offering of Incentives

為提高業界專業水平及促進行業內公平競爭，監管局於2024年8月5日發出一份新執業通告(編號24-01(CR))，就持牌人在物業買賣及租賃交易中收取佣金、以及在銷售一手住宅物業時向買方提供優惠這兩方面採取良好及有效的競爭做法提供進一步的指引。新執業通告已於2024年11月1日起生效。

為協助持牌人了解新執業通告的規定，監管局分別於2024年9月24日及10月4日舉辦了兩場以英文及中文講解的「新執業通告—良好及有效的競爭做法(1)—收取佣金及提供優惠(通告編號24-01(CR))」的網絡研討會。

席間，監管局代表向持牌人詳細講解新執業通告的內容及規定。除此之外，監管局亦就此新執業通告推出相關的「網上學習活動」。詳情請瀏覽監管局網頁：<https://www.eaa.org.hk/zh-hk/CPD-Scheme/e-Learning-programmes>

To enhance the professionalism of the trade and advocate fair competition within the industry, the EAA issued a new Practice Circular (No. 24-01(CR)) (“Circular”) on 5 August 2024 to provide additional guidance on good and effective competition practices to be adopted by licensees in relation to the charging of commission for transactions of sale and purchase and letting of properties, as well as offering of incentives to purchasers in the sale of first hand residential properties. The new Circular took effect on 1 November 2024.

In order to assist licensees in grasping the requirements of the new Circular, the EAA has launched two CPD webinars in English and Chinese on 24 September and 4 October 2024 respectively, entitled “New EAA Practice Circular (No. 24-01 (CR)) – Good and Effective Competition Practices (1) – Charging of Commission and Offering of Incentives”.

During the webinars, representative from the EAA clearly elucidated to licensees the contents and requirements of the new Circular. Additionally, the EAA has launched relevant e-Learning programmes pertaining to this new Circular. For further information, please visit the EAA website: <https://www.eaa.org.hk/en-us/CPD-Scheme/e-Learning-programmes>

新執業通告的網絡研討會

良好及有效的競爭做法(1) –
收取佣金及提供優惠

通告編號24-01(CR)

EAA 地產代理監管局
ESTATE AGENTS AUTHORITY

**執業通告 – 通告編號24-01(CR) –
良好及有效的競爭做法(1) –
收取佣金及提供優惠
(預錄版本)**

講者：
容慧敏女士
地產代理監管局
法律顧問

(內容乃取材自地產代理監管局於2024年10月4日舉辦的《新執業通告 –
良好及有效的競爭做法(1) – 收取佣金及提供優惠 (通告編號24-01(CR))》網絡研討會)

EAA 地產代理監管局
ESTATE AGENTS AUTHORITY

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

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

雖然持牌人在銷售一手住宅樓盤的秩序普遍良好，但監管局偶爾亦會接獲零星有關地產代理銷售一手住宅樓盤秩序的投訴，希望各持牌人多加留意，保持秩序井然。

監管局最近接獲香港鐵路有限公司（「港鐵」）投訴，指有地產代理在銷售一手住宅樓盤時，在港鐵站出入口派發宣傳單張，滋擾乘客。港鐵最終根據《香港鐵路附例》向有關人士發出警告通知書。

此外，食物環境衛生署亦向監管局指出，有地產代理涉嫌於公眾地方擺放一手住宅樓盤廣告牌，阻礙公眾，有持牌人曾遭該署票控及罰款。

監管局正跟進上述兩宗個案，並藉此提醒持牌人，在進行一手住宅樓盤銷售的推廣活動時，緊記必須符合執業通告（編號18-03(CR)）的指引。其中包括，持牌人不得在港鐵站（包括車站出入口及入閘範圍內）進行任何生意招攬活動、攔截途人或派發單張。事實上，根據《香港鐵路附例》第32條，除非獲得港鐵公司書面特准，否則任何人不得在鐵路處所任何部分派發任何書籍、單張或其他印刷品，違者最高可被判罰款5,000元。

此外，持牌人亦不得在任何公眾地方擺放廣告牌，因該等物件會對行人及其他道路使用者造成不便。根據《簡易程序治罪條例》第4A條，任何人士無合法權力或解釋而陳列或留下任何物品，而這些物品可能對在公眾地方的人士或車輛造成阻礙、不便或危害者，可處最高罰款25,000元或監禁三個月。

除上述的定罪外，監管局亦會向被證實違反上述執業通告（編號18-03(CR)）內的指引的持牌人作出紀律處分。

Although the order of licensees in selling first-hand residential properties is generally good, the EAA occasionally receives sporadic complaints about the order of estate agents in selling those properties. We hope that all licensees will pay more attention and maintain good order.

The EAA recently received a complaint lodged by the Mass Transit Railway Corporation Limited ("MTRC") against an estate agent, who distributed promotional leaflets at the entrances and exits of MTR stations while selling first-hand residential properties, causing nuisance to passengers. The MTRC issued a warning notice to the person concerned under the Mass Transit Railway By-laws.

In addition, the Food and Environmental Hygiene Department ("FEHD") also pointed out to the EAA that some estate agents were suspected of placing signboards in public places obstructing the public. A licensee was fined by the FEHD.

The EAA is following up on the two cases mentioned above, and would like to remind licensees that when conducting promotional activities for the sale of first-hand residential properties, they must comply with the guidelines set out in the Practice Circular (No. 18-03(CR)). These include that licensees are not allowed to conduct any business soliciting activities, intercept passersby, or distribute leaflets at MTR stations (including station entrances, exits and the paid areas). In fact, under Section 32 of the MTR By-laws, no person shall, unless authorised in writing by the MTRC, distribute any book, leaflet or other printed matter on any part of railway premises. The maximum penalty is a fine of \$5,000.

Furthermore, licensees are also prohibited from placing advertising boards in any public places as such items may cause inconvenience to pedestrians and other road users. According to Section 4A of the Summary Offences Ordinance, any person who without lawful authority or excuse sets out or leaves anything which may obstruct, inconvenience or endanger any person or vehicle in a public place shall be liable to a maximum fine of \$25,000 or to imprisonment for three months.

In addition to the aforementioned convictions, the EAA will also take disciplinary action against licensees who are found to have breached the guidelines in the above-mentioned Practice Circular (No. 18-03(CR)).



刑事個案 Criminal case

提供虛假或誤導性資料以申請牌照 Provision of false or misleading information in licence application

引言

《地產代理條例》（《條例》）55(1)(d)訂明，任何人無合理辯解而在申請批給營業員牌照或牌照續期方面，作出任何在要項上是虛假或具誤導性的陳述或提供任何在要項上是虛假或具誤導性的資料，即屬犯罪。有關罪行，一經循公訴程序定罪，可處第6級罰款及/或監禁一年；如循簡易程序定罪，可處第5級罰款及/或監禁六個月。

Introduction

According to Section 55(1)(d) of the Estate Agents Ordinance (“EAO”), a person, without reasonable excuse, makes any statement or furnishes any information, which is false or misleading in a material particular, in connection, with any application for the grant or renewal of a salesperson’s licence, commits an offence. The offence is punishable on conviction upon indictment by a fine at level six and/or imprisonment for one year or on summary conviction by a fine at level five and/or imprisonment for six months.

事件經過

監管局收到一宗營業員牌照的申請，局方在審批過程中懷疑申請人提交虛假學歷證明。由於表面證據顯示申請人的學歷證明屬虛假文書，違反《條例》第55(1)(d)的規定，局方遂將事件轉介警方跟進。

Incident

The EAA received an application for the grant of a salesperson’s licence, however the EAA suspected that the applicant had submitted false academic qualifications during the vetting process. As the prima facie evidence had shown that the applicant’s academic qualification was a false instrument, which was in breach of section 55(1)(d) of the EAO, the matter had been referred to the Police for follow up action.

結果

警方完成調查後，案件交由裁判法院審理。結果，法院裁定該牌照申請人在申請批給營業員牌照或牌照續期方面，作出任何在要項上是虛假或具誤導性的陳述或提供任何在要項上是虛假或具誤導性的資料的罪名成立，判處其監禁九星期。

如牌照申請人在監管局裁定其個案當日起計的前五年內曾因干犯《條例》下所訂的任何罪行並已就此被判處監禁（不論是否緩刑），其牌照申請一般會被拒絕。

Result

Upon the completion of the investigation by the Police, the case was taken to the Magistrates' Court. As a result, the licence applicant was convicted for the charge of "making statement or furnishing information, which is false or misleading in a material particular, in connection with any application for the grant or renewal of a salesperson's licence" and was sentenced to imprisonment for nine weeks.

If a licence applicant was, within a period of five years prior to the date when his/her case is being determined by the EAA, convicted of any offence under the EAO and in respect of which he/she has been sentenced to imprisonment (whether suspended or not), his/her licence application will normally be refused.



郭德亮測量師
香港房地產代理業聯會榮譽主席
Mr Tony Kwok, MRICS
Honorary Chairman, Hong Kong
Property Agencies Association

■ 業界意見 Comment from the trade

使用虛假文件的後果很嚴重，違反個人誠信，對地產代理來說，誠信尤其重要，加上近年來使用虛假文件行騙的案件增加，相信這次的判決具足夠阻嚇作用，亦可以引起社會對使用虛假文件所帶來的後果的關注。今時今日，公眾若要繼續進修並不困難，政府亦有提供進修資助給公眾，因此實在不應為符合領取牌照的學歷要求而以身試法。

Using false documents could bring serious consequences and it is an act against personal integrity, which is an important quality of estate agents. As the number of fraud cases involving the use of false documents has increased in recent years, I believe that the sentence this time will have a sufficient deterrent effect and will also raise public awareness on the consequences of using false documents.

Nowadays, it is not difficult for the public to pursue continuing education, which the Government also supports by providing continuing education subsidies. Therefore, there is no reason for the public to break the law in order to meet the educational requirements for obtaining a licence.

紀律研訊個案 Disciplinary hearing case

未有遵守盡職審查的指引 Failure to comply with due diligence guidelines

引言

為符合《打擊洗錢及恐怖分子資金籌集條例》的要求，監管局發出有關遵守反洗錢及反恐怖分子資金籌集規定的指引的執業通告（編號18-01(CR)），要求地產代理在與買賣物業的客戶建立業務關係之前，必須進行盡職審查。違反通告內的指引有機會被監管局紀律處分。

Introduction

In order to comply with the requirements of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance, the EAA issued a Practice Circular on Compliance of Anti-Money Laundering and Counter-Terrorist Financing Requirements (No. 18-01(CR)) and requires estate agents to conduct customer due diligence before establishing any business relationship with their clients in relation to the sale and purchase of properties. Failing to comply with the guidelines of the Circular may be subject to disciplinary action by the EAA.

事件經過

監管局抽查一間獨資經營的地產代理公司，要求其提供某段時期內由其促成的物業成交文件及紀錄。局方發現該地產代理在處理一宗物業交易時，沒有在與買方客戶於簽訂物業的臨時買賣協議前為該客戶進行並完成盡職審查程序，文件顯示該地產代理亦未有在相關的身分核實表格中填寫第2部分的客戶地址、第5部分「風險評級」及第6部分「證明」。

Incident

The EAA conducted a random inspection of a sole proprietorship operated by an estate agent, requesting the provision of documents and records related to property transactions facilitated by the estate agent during a specified period. Upon investigation, the EAA discovered that the estate agent failed to conduct and complete due diligence process for the purchaser client prior to signing of the Preliminary Agreement for Sale and Purchase. In addition, the estate agent also failed to fill in the client's address in Section 2, Section 5 "Risk Assessment" and Section 6 "Certification" of the identity verification form.

結果

個案交由監管局紀律委員會審理。委員會認為，該地產代理未有遵守執業通告（編號18-01(CR)）內有關盡職審查的指引，因而違反了《操守守則》第3.2.1段。

考慮到個案的性質及該地產代理的違規紀錄，委員會決定譴責該地產代理，並於其牌照上附加條件，包括須於12個月內完成監管局的持續專業進修計劃下的「合規及有效管理」類別的講座或研討會並取得12個學分，而當中有六個學分須包括參加地產代理條例、其附屬法例、《操守守則》及執業通告科目的講座或研討會。

Result

The case was presented to the EAA Disciplinary Committee. The Committee was of the view that the estate agent failed to comply with the guidelines on due diligence set out in Practice Circular (No. 18-01(CR)) and thus failed to comply with the paragraph 3.2.1 of the *Code of Ethics*.

Having considered the nature and gravity of the case, as well as the disciplinary record of the estate agent, the Committee decided to reprimand the estate agent and impose conditions on his licence. The conditions include the requirement to obtain a total of 12 points through attending seminars or workshops in "Compliance and Effective Management" category of the Continuing Professional Development Scheme within 12 months, of these, six points must be obtained by attending seminars or workshops on Estate Agents Ordinance, its subsidiary legislation, the *Code of Ethics* and Practice Circulars.



蔡志忠先生
香港專業地產顧問商會榮譽會長
Mr Raymond TSOI Chi-chung
Honourable President of Hong Kong
Chamber of Professional Property
Consultants

■ 業界意見 Comment from the trade

近年社會上多了洗黑錢的個案，地產代理業界在處理交易前也必須更加謹慎小心，做好盡職審查，以免違反監管局的指引。地產代理應該定時參與持續進修課程，以了解更多有關監管局的指引詳情。

In recent years the number of money laundering cases have been increasing in society. The estate agency trade must be more cautious and exercise due diligence before handling transactions, in order to avoid breaching the EAA's guidelines. Estate agents should participate in continuing professional development activities regularly to have a better understanding of the EAA's guidelines.

反洗錢

為加深持牌人對反洗錢及反恐怖分子資金籌集（「反洗錢」）議題的認知，我們會在《專業天地》這個「反洗錢專區」為大家提供有關反洗錢的不同資訊及最新消息。

To enhance licensees' knowledge on the subject of anti-money laundering ("AML") and counter-terrorist financing ("CTF"), we will provide various information and updates about AML in the "AML Corner".



根據《打擊洗錢及恐怖分子資金籌集條例》，地產代理必須就涉及為客戶買賣地產的交易時，在建立任何業務關係之前執行盡職審查措施。他們必須根據可靠及獨立來源的數據、資料或文件（例如香港身份證、護照或旅遊證件）識別及核實客戶（及其任何實益擁有人）的身份，並備存其身份證明文件的正本或副本作為紀錄。

私隱專員公署於2024年8月更新了資料單張《身份證號碼與你的私隱》向市民提供更清晰的指引，以不同情境說明如何在市民的日常生活中適當處理其香港身份證號碼及副本。該單張不僅供市民參考，持牌人在收集客戶的香港身分證副本時也可活用該單張。

其中張內列出第8條常見問題對持牌人向客戶索取香港身分證副本時向客戶作出解釋十分實用。該問題的答案述明銀行、保險公司，及指定非金融業人士，包括但不限於地產代理，在提供服務前，可以及須為證明該等機構已遵守《打擊洗錢及恐怖分子資金籌集條例》附表2第2及3條的規定，向客戶收集香港身分證副本。不過，該等機構應在客戶的香港身分證副本上加上「副本」的字眼。

持牌人可參考該單張以了解更多資料：



Under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance, estate agents must carry out customer due diligence measures before establishing a business relationship in a transaction concerning the buying or selling of real estate for a client. They must identify and verify the client's identity (as well as the identity of any beneficial owner in relation to the client) on the basis of data, information or documents from reliable and independent source (e.g. Hong Kong identity ("HKID") Card, passport, or travel document), and they must keep the original or copy thereof for record.

The Office of the Privacy Commissioner for Personal Data revised its leaflet "Your Identity Card Number and Your Privacy" in August 2024, providing clearer guidance to members of public on the appropriate handling of their HKID Card numbers and copies in different scenarios in their daily lives. The leaflet is not only for the public's reference but licensees can also make use of the leaflet when they collect their clients' HKID Card copy.

Q8 of the frequently-asked-questions in the leaflet could be particularly useful for licensees to explain to their clients when asking for their clients' HKID Card copy. The answer to that question in the leaflet explains that banks, insurance companies and Designated Non-Financial Businesses and Professions, including but not limited to estate agencies, can and are required to, before provision of services, collect a copy of their clients' HKID Card as proof that they have carried out the customer due diligence measures as stipulated under sections 2 and 3 of Schedule 2 to the Anti-Money Laundering and Counter-Terrorist Financing Ordinance. However, the word "copy" should be marked on the copy of their clients' HKID Card.

Licensees may refer to the leaflet for more information:



在《專業天地》內，我們會解答持牌人的一些常見提問。

In *Horizons*, we will answer questions commonly asked by licensees.



? 根據執業通告（編號(24-01(CR)) 第11段，若地產代理公司提供優惠，持牌人須將其提供予準買家的優惠以書面形式告知準買家。這是否指：若地產代理公司提供的優惠不是以書面形式作出，地產代理公司便不用兌現其所作出的承諾？

? According to paragraph 11 of the Practice Circular No. (24-01 (CR)) issued by the EAA, should incentives be offered by estate agency companies, licensees are required to inform prospective purchasers and set out in writing the incentives that are offered to them. Does it mean that an estate agency company needs not honour its promise if the incentives offered by it was not reduced in writing?

... 否。

地產代理公司會否向準買家提供優惠屬其自身的商業決定。若地產代理公司提供優惠，便必須兌現其所承諾的優惠，不論有關承諾是以口頭還是書面形式作出，以及在何時作出。

地產代理公司未能兌現其向買方作出有關優惠的承諾是不專業的，違規持牌人如被證實曾向買方作出有關優惠的承諾，而有關的承諾（不論以口頭還是書面形式作出）並沒有兌現，可能會受到監管局的紀律處分。

... No.

It is the estate agency companies' own commercial decision whether or not to offer incentives to prospective purchasers. If incentives were offered by estate agency companies, they must honour their promise of incentives, irrespective of whether the promise was made verbally or in writing and regardless of when it was made.

Failure of estate agency companies to honour their promise of incentives made to purchasers is unprofessional. Non-compliant licensees who fail to honour their promise of incentives to purchasers, if proven to have been made to purchasers, whether verbally or in writing, may be subject to disciplinary action by the EAA.



監管局即將推出的持續專業進修計劃活動

Upcoming CPD activities offered by EAA

講座

日期 (月/年) Date (Month/Year)	課程名稱 Course title	學分 CPD Points	語言 Language	類別 Category
2/2025	自製長糧 精彩起飛	1.5	廣東話	全面提升發展

網絡研討會

日期 (月/年) Date (Month/Year)	課程名稱 Course title	學分 CPD Points	語言 Language	類別 Category
3/2025	Racial Equality and Estate Agency Work	2	English	Compliance and Effective Management

詳情請瀏覽《持續專業進修計劃》的網頁：

Please visit the webpage of the CPD Scheme for details:



其他活動

個人資料私隱專員公署主辦活動

條例簡介講座（以視像形式進行）

日期	時間	語言	課程費用
11/2/2025	15:00-16:30	廣東話	免費
13/3/2025			

請瀏覽個人資料私隱專員公署網頁了解詳情及登記。

查詢電郵：training@pcpd.org.hk

查詢電話：2877 7147（梁小姐）

15/11/2024

監管局規管及法律總監梁德麗女士在2024中國房地產經紀年會上演講。

The EAA Director of Regulatory Affairs & General Counsel, Ms Juliet LEUNG, speaks at the China Institute of Real Estate Appraisers and Agents Annual Conference 2024.



22/11/2024, 9/12/2024



監管局分別在大窩口及油塘舉辦與前線持牌人交流的聚焦小組會議。

The EAA holds focus group meetings with frontline licensees in Tai Wo Hau and Yau Tong District respectively.

12/12/2024

監管局與業界主要代表舉行聯絡會議，討論多個議題。香港金融管理局及大型銀行業界代表亦有出席會議，向地產代理業界介紹未來將會推行的二手物業交易新支付安排。

The EAA holds a liaison meeting with the representatives of major trade associations and various issues are discussed.

Representatives from the Hong Kong Monetary Authority and major banks also attend the meeting and introduce to the trade the new payment system for second-hand properties that will be adopted in the future.



3 / 2012

監管局舉辦巡迴展覽，以提升消費者教育及大眾對監管局的認識。

The EAA organises roving exhibitions to enhance consumer education and to raise public awareness towards the EAA.



3 / 2017

監管局舉辦「置業按揭精明眼」公開講座。

The EAA holds a public seminar on "Smart Tips on Mortgage Application".



11 / 2018

監管局為地產代理業界代表在財務行動特別組織進行相互評估前進行模擬練習。

The EAA conducts a mock training session for the estate agency trade representatives before the mutual evaluation to be conducted by the Financial Action Task Force.



考試 Examination

營業員資格考試 (電腦應考模式) Salespersons Qualifying Examination (Computer-based)



參加人數 No. of candidates 合格率 Pass rate

考試日期 Examination date 9/2024

187 **46.5%**

營業員資格考試 (筆試應考模式) Salespersons Qualifying Examination (Paper-based)



參加人數 No. of candidates 合格率 Pass rate

考試日期 Examination date 11/2024

453 **34.4%**

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



參加人數 No. of candidates 合格率 Pass rate

考試日期 Examination date 11/2024

678 **23%**

牌照數目 (截至2024年11月30日) Number of licences (As at 30/11/2024)

營業員牌照 Salesperson's Licence



20,646

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



17,871

個人牌照總和 Total no. of Individual Licences



38,517

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



3,987

營業詳情說明書 (截至2024年11月30日) Number of statements of particulars of business (As at 30/11/2024)

合夥經營 Partnerships



158

獨資經營 Sole proprietorships



1,409

有限公司 Limited companies



5,184

總數 Total



6,751

活躍持牌人 Active Licensees

63.9%



截至2024年11月，活躍持牌人¹的百份比約為63.9%。
The estimated percentage of licensees who are active¹ as at end of November 2024: 63.9%.

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

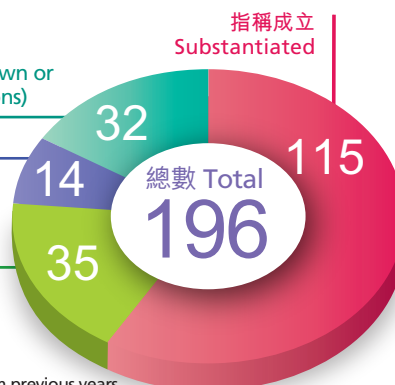
已處理的投訴個案結果* (2024年1月至11月) Results of completed complaint cases* (January to November 2024)



其他(例如投訴人撤回投訴或
因其他原因而終止調查)
Others (include cases withdrawn or
closed because of other reasons)

資料不足
Insufficient information
to pursue

指稱不成立
Unsubstantiated



* 部分是往年接獲的個案
Some cases were carried over from previous years

開立的投訴個案宗數 (2024年1月至11月)
Number of complaint cases opened
(January to November 2024)

151



巡查次數 (2024年1月至11月)
Number of compliance inspections
(January to November 2024)



一手樓盤銷售點
First-sale sites

531

地產代理商舖
Estate agency shops

1,105

網上物業廣告
Online property advertisements

1,331

巡查發現主動調查的個案 (2024年1月至11月)
Number of cases arising from self-initiated investigations during inspections
(January to November 2024)

主動調查的個案
Cases arising from self-initiated investigations

93

主動調查而指稱成立的個案*
Cases completed from self-initiated investigations and were substantiated*

68

* 部分是往年展開調查的個案
Some cases were carried over from previous years



向持牌人或前持牌人採取的行動*

(2024年1月至11月)
Actions taken against licensees or ex-licensees* (January to November 2024)

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



294

行動
Actions Taken



訓誡/譴責
Admonishment/ reprimand

203

罰款
Fine

156

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

140

暫時吊銷牌照
Suspension

18

撤銷牌照
Revocation


45[#]

* 以上行動是根據《地產代理條例》所賦予的權力而採取的。當中部分行動屬紀律性質，其他則是由牌照委員會裁定的，包括在批出牌照時在牌照上附加條件。部分是往年接獲的個案。
These actions were taken pursuant to powers under the Estate Agents Ordinance. Some actions were disciplinary in nature whereas others were decided by the Licensing Committee which actions included the attachment of conditions to licences upon issuance. Some cases were carried over from previous years.

這些個案由牌照委員會裁定。理由是持牌人不再符合相關發牌條件。
These cases were decided by the Licensing Committee on the ground that the licensees concerned no longer met the relevant licensing requirements.



EAA 地產代理監管局
ESTATE AGENTS AUTHORITY

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