

監管局訪問北京 推動專業交流

EAA's visit to Beijing to promote professional exchange



統戰部樓志豪副部長
(前排左六) 與代表
團合攝

Mr Lou Zhihao (6th left, front row), Vice Minister of the United Front Work Department of the CPC Central Committee, with the delegation

由地產代理監管局（監管局）與地產代理業界代表組成的訪問團，於3月30日至4月1日期間前往北京，與內地多個相關機構的領導會面和交流經驗。

A delegation from the Estate Agents Authority (EAA) and representatives of the estate agency trade visited Beijing from 30 March to 1 April to meet and exchange views with officials from a number of mainland authorities.





代表團在住房和城鄉建設部前留影
The delegation at the Ministry of Housing and Urban-Rural Development

訪問團由監管局主席潘國濂先生率領，拜訪了國家住房和城鄉建設部、商務部、中共中央統戰部和國務院港澳事務辦公室，了解國情，並且介紹香港房地產中介服務業的規管和發展。訪問團也跟中國房地產估價師及房地產經紀人學會代表見面。



國務院港澳事務辦公室交流司向斌副司長（右一）與代表團交流意見。
Mr Xiang Bin (1st right), Deputy Director-General of the Department of Exchange and Cooperation, Hong Kong and Macao Affairs Office of the State Council, exchanges views with the delegation.



住房和城鄉建設部住宅與房地產業司姜萬榮副司長（右三）會見代表團。
Mr Jiang Wanrong (3rd right), Deputy Director-General of the Department of Housing & Real Estate Industry, Ministry of Housing and Urban-Rural Development, meets with the delegation.

The delegation, led by EAA Chairman Mr Steven Poon, visited the Ministry of Housing and Urban-Rural Development, the Ministry of Commerce, the United Front Work Department of the CPC Central Committee, and the Hong Kong and Macao Affairs Office of the State Council. Through the meetings, the delegation learnt of the mainland's latest developments and briefed the officials on the regulation and development of the estate agency trade



監管局主席潘國濂先生（左）致送紀念品予商務部台港澳司唐煒司長。
Chairman Mr Steven Poon (left) gives a souvenir to Mr Tang Wei, Director General of the Department of Taiwan, Hong Kong & Macao Affairs, Ministry of Commerce.

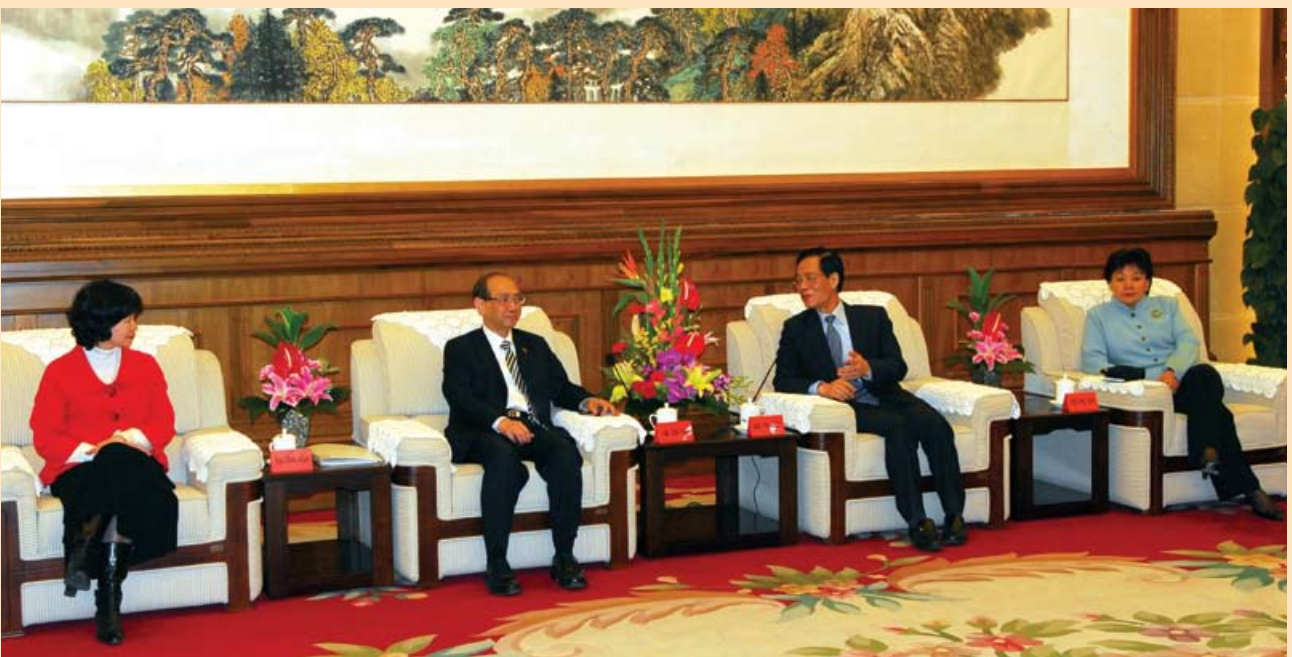
in Hong Kong. The delegation also had discussions with the China Institute of Real Estate Appraisers and Agents.

The delegation also met with the Beijing Municipal Construction Committee, and visited a property development in Beijing.

代表團也拜訪了北京市建設委員會，並參觀北京的房地產發展新項目。

訪京團共有30多人，包括12名監管局董事局成員，以及來自七個地產代理業商會的16名代表，計有香港地產代理專業協會、香港地產代理商總會、地產代理聯會有限公司、香港專業地產顧問商會、新界地產代理商總會、地產代理管理協會及地產代理（從業員）總公會。

The delegation included 12 EAA board members and 16 representatives from various estate agency trade associations, including the Society of Hong Kong Real Estate Agents Ltd., the Hong Kong Real Estate Agencies General Association, the Property Agencies Association Ltd., the Hong Kong Chamber of Professional Property Consultants Ltd., the New Territories Estate Agency Association Ltd., the Estate Agents Management Association Ltd. and the Estate Agent Association.



統戰部樓志豪副部長（右二）向代表團介紹統戰部的工作。
Mr Lou Zhihao (2nd right), Vice Minister of the United Front Work Department of the CPC Central Committee, explains the work of the department to the delegation.



北京市建設委員會苗樂如副主任與代表團於房地產發展項目前合攝
Mr Miao Leru (6th right), Vice-director of the Beijing Construction Committee, with the delegation in front of a property development in Beijing

潘國濂主席表示，此行使團員對國家的最新發展有了更深的認識，同時亦讓內地同業更加了解香港房地產代理業的規管和發展情況。長遠而言，這次訪問有助推動兩地的房地產中介服務業的發展。他期望香港地產代理業日後有更多機會與內地分享經驗。

潘國濂特別感謝中央人民政府駐香港特別行政區聯絡辦事處的協助，令是次訪京得以順利進行。

Chairman Mr Poon said the visit enabled participants to obtain a deeper understanding of the latest developments on the mainland, and at the same time enhanced their mainland counterparts' understanding of the regulation and development of the estate agency trade in Hong Kong. He added that in the long run, the visit would contribute to promoting the development of the estate agency trade on the mainland and in Hong Kong. He said he looked forward to further opportunities for the trade to share its experience with the mainland.

Mr Poon also expressed his gratitude to the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region for their assistance throughout the trip.

首個新入職地產代理課程

First introductory course for estate agency practitioners

監管局於2008年3月底推出首個「新入職地產代理課程」，總參與人次超過800。

「新入職地產代理課程」為持續專業進修計劃之活動，課程對象是領牌不足兩年的新入職從業員，旨在提高他們的執業技巧和法律知識。

監管局專業發展委員會主席曾煥平說：「我們希望，這個有系統和密集式的培訓課程，可以鞏固和擴闊學員的執業和法律知識。監管局會定期舉辦這個入職課程，相信長遠來說，這會有助提升業界的整體水準，並減少違規情況。」

新課程內容涵蓋法律及實務課題，包括《地產代理條例》及其附屬法例、監管局的《操守守則》；土地查冊；物業轉易、租務法及代理法；投訴個案、紀律研訊程序及案例選輯；「一手」住宅樓盤銷售事宜；填寫標準文件須注意之事項，以及打擊清洗黑錢及防止賄賂的措施。

The EAA held the first “Introduction to Estate Agency Practice” course in late March, attracting a total enrolment of more than 800 estate agency practitioners.

The course was an activity under the Continuing Professional Development (CPD) Scheme. Targeting new licensees who have held a licence for less than two years, it sought to enhance new practitioners’ professional skills and legal knowledge.

Chairman of the Professional Development Committee Mr Joseph Tsang said, “We hope this intensive and structured training course has broadened the practical and legal knowledge of participants. We will run the course again on a regular basis and believe this will, in the long run, enhance the overall standards of the trade and help reduce breaches of the law.”

The course covered law and practice issues, such as the Estate Agents Ordinance and its subsidiary legislation, the EAA’s Code of Ethics, land-search interpretation, conveyancing law, tenancy law, agency law, complaint cases, procedures and selected cases of inquiry hearings, the sale of first-hand residential properties, legally prescribed forms, and anti-money laundering and corruption-prevention measures.

The four-day course comprised eight three-hour sessions for a total of 24 hours. Some practitioners participated in all eight sessions. Participants will be awarded three core CPD points for attending each session. Upon



整個課程為期四天，共八節，每節三小時，合共24小時。部分從業員上了全部八節課堂。學員每出席一節，可以獲得三個核心學分。從業員若於出席第一個課節後的一年內完成全部八節課堂，可獲監管局頒發「新入職地產代理課程證書」。

監管局也計劃於今年稍後時間，為分行經理舉辦類似的密集培訓課程。詳情將稍後公布。

successful completion of all eight sessions within one year, practitioners will be awarded a Certificate for Introduction to Estate Agency Practice.

The EAA also plans to organise similar intensive training courses for branch managers later this year. Details will be announced in due course.

學員心聲 Feedback from participants

「新入職地產代理課程」獲得不少學員的好評。

劉兆緯：

「此次講座對新入職的地產代理/營業員十分有幫助。例如有關附屬法例[須要]注意[的地方]，將有助於實戰時減低出錯的機會。講者們個個都是專業級水平，面對觀眾們任何刁鑽問題也能輕鬆解答。分享的例子亦生動，台上台下皆互動，令人獲益良多，若再辦想多聽一次。」

林漢光：

「能免費參加新入職課程，很開心。數月來工作上的疑問，在導師的講解、學員的提問中，有了較清楚的領會。新學員能參加這一系列的正規課程，對基本但重要的工作守則及理解，非常重要。」

The course received some very favourable comments from participants.

Mr Lau Siu-wai

“The course has been very helpful to new estate agents/salespersons, in particular, drawing their attention to the [key points of] subsidiary legislation. This will help minimise the chance of our making mistakes. All the speakers were very professional and could answer all types of difficult questions from the audience. The examples cited were very interesting and there was good interaction between the audience and the speakers. I would love to join the course again.” (translated from Chinese)

Mr Lam Hon-kwong

“I am glad that I could join this free introductory course. Through the instructors’ lectures and participants’ questions, I now have a clearer picture of many issues, of which I had doubts before. It is very important for new practitioners to join the course, as it will help them get a better understanding of some very basic but vital issues.” (translated from Chinese)

不應安排物業出租為色情場所

Arranging for the renting of premises for use as vice establishments prohibited

地產管理局新任執行總監黃維豐先生提醒地產代理從業員，協助賣淫集團租賃或買賣物業作色情場所之用，可能須要負上刑事責任，並遭受監管局紀律處分。

今年4月初，警方在一次掃黃行動中拘捕一名地產代理，懷疑該名代理協助賣淫集團租用物業作色情場所之用。

黃先生表示，根據《刑事罪行條例》，任何處所的業主或租客或其代理人如將單位出租，而知道單位將用作經營賣淫場所，乃刑事罪行。該業主/租客/代理人將要負上刑責，一經定罪，最高可被判監禁七年，而法庭可同時判令將有關單位封閉六個月。

地產代理從業員有責任保障客人的利益。假如從業員蓄意安排將客人的單位出租作色情場所，而客人並不知道單位會被這樣使用，有關從業員便違背了對客人的責任。如果客人因此蒙受損失，該從業員可能需要負上支付賠償的責任，例如客人在單位封閉期間所損失的租金。

再者，未有保障客人利益的從業員亦違反了監管局《操守守則》第3.4.1段：「作為代理或受委託為代理的地產代理和營業員，應保障和促進客戶的利益、按照地產代理協議執行客戶的指示，並對交易各方公平公正」。

The EAA's new Director of Operations Mr Anthony Wong reminds estate agency practitioners that assisting vice syndicates to rent, purchase or sell properties used as vice establishments is a criminal offence, and the EAA may take disciplinary action against practitioners engaged in such activities.

In April this year, the Police arrested an estate agent who had allegedly arranged the rental of premises to a vice syndicate for use as vice establishments.

Mr Wong stated that under the Crimes Ordinance, it is a criminal offence for the owner or tenant of any premises, or his agent, to let the premises with the knowledge that they are to be kept as a vice establishment. The offender shall be liable on conviction to imprisonment up to seven years. Meanwhile, the court may issue a closure order to close the premises in question for six months.

An estate agency practitioner owes his client the duty to protect his interests. If an estate agent willfully arranges for his client's premises to be let out for use as a vice establishment, without the client knowing that the premises will be so used, the agent will have breached his duty. If the client suffers damage as a result, the estate agent may be liable to pay damages to his client: e.g. loss of rent during the period of closure of the premises.

Furthermore, a practitioner who fails to protect his client's interest would have failed to comply with paragraph 3.4.1 of the Code of Ethics issued by the EAA, which stipulates that, "Estate agents and salespersons, in engaging and accepting an appointment as an agent, should protect and promote the interests of their clients, carry out the instructions of their clients in accordance with the estate agency agreement, and act in an impartial and just manner to all parties involved in the transaction."

另外，從業員在從事地產代理工作時觸犯了刑事罪行，亦違反了《操守守則》第3.1.1段的要求：「從業員在執業時必須避免從事可能觸犯法律的活動。」

黃先生表示：「監管局不會容許任何影響地產代理行業聲譽的違法行為。我們除了會密切留意該案件的進展，還會加強與警方聯絡和溝通，以打擊從業員協助賣淫集團租售物業的活動。」

他又補充說，監管局巡查地產代理商舖時，如發現有從業員可能涉嫌協助賣淫集團租賃或買賣物業，會將有關個案轉交警方。

In addition, a practitioner who has committed a criminal offence in the course of his estate agency work would have failed to comply with paragraph 3.1.1 of the Code of Ethics, which requires practitioners to refrain from activities during their practice which may infringe the law.

Mr Wong said, "The EAA does not allow any illegal acts which will impinge on the reputation of the trade. While closely monitoring the development of the case, the EAA will also strengthen its liaison mechanism with the Police to stop practitioners' assisting vice syndicates to rent or sell properties."

Mr Wong added that if the EAA, during its compliance inspections in estate agency shops, discovers any case in which practitioners may be involved in assisting vice syndicates to rent, purchase or sell properties for use as vice establishments, the case will be passed to the Police.

新任執行總監黃維豐先生

New Director of Operations Mr Anthony Wong

黃維豐先生於2008年3月17日加入監管局，出任執行總監一職。黃先生在香港警務處工作達30年之久，是一位資深的執法人員。履新前，黃先生是沙田區高級警司。

任職警隊期間，黃維豐先生曾經參與多項大型活動的保安工作，包括2005年的世貿部長級會議及2007年的奧運馬術預賽等；而由他處理的複雜的投訴個案更是多不勝數。2005年，黃先生獲行政長官頒發香港警察榮譽獎章。



Mr Anthony Wong joined the EAA on 17 March 2008 as the new Director of Operations. Mr Wong is highly experienced in law enforcement. He worked in the Hong Kong Police for the last 30 years, and was the Senior Superintendent of the Shatin District prior to joining the EAA.

Mr Wong was involved in the policing of numerous large-scale activities and events, such as the Ministerial Conference of the World Trade Organization in 2005 and the Olympic equestrian test event in 2007, and handled numerous complex complaint cases. He was awarded the Police Meritorious Service Medal by the Chief Executive in 2005.

地產代理必須查冊

Agents must conduct land searches

監管局提醒地產代理從業員，在簽訂物業臨時買賣合約前進行土地查冊，是從業員必須履行的首要責任。

從業員必須保障及促進客戶的利益。法例規定，他們有責任進行土地查冊，以確定物業的擁有權以及物業有否產權負擔等；並須要將土地查冊的文本交予客戶參考。沒有進行土地查冊或將有關文本交予客戶可能帶來嚴重的後果，或導致客戶蒙受金錢損失。

監管局接獲的投訴中，不少涉及從業員沒有進行土地查冊或沒有將查冊文本交予客戶。2007年，監管局紀律委員會召開紀律研訊的210宗個案中，有49宗涉及此類違規事項，涉案的從業員因而遭受不同的紀律處分，包括罰款和訓誡等。

監管局非常關注這類違規個案。《地產代理條例》清楚列明，為物業進行土地查冊是地產代理最基本兼且必要的責任。法例已實施多年，從業員應該嚴格遵守有關規定。

監管局職員在巡查地產代理商舖或進行調查工作時，不時也會要求從業員出示他們所處理的物業的土地查冊文本。從業員應交出有關文件，不得無理拖延。

另外，監管局亦呼籲消費者在委託地產代理從業員處理物業時，與從業員簽訂地產代理協議。地產代理協議列明委託的形式（單邊/雙邊代理、獨家/非獨家代理）、佣金數額、協議的有效期等細則，是具有法律約束力

The EAA reminds estate agency practitioners that conducting a land search for a property immediately before an agreement for sale and purchase is one of their most important duties.

Practitioners should protect and promote the interests of their clients. They have a statutory duty to carry out a land search to ascertain the ownership of, and encumbrances against, a property, and to provide a copy of the land search to their clients. Failing to do so could have serious ramifications and might lead to their clients' suffering financial loss.

Failing to conduct land searches or provide a copy to the purchaser client is a common type of complaint received by the EAA. In 2007, 49 of the 210 cases heard by the EAA Disciplinary Committee involved such breaches, resulting in disciplinary sanctions ranging from fines to admonishments being imposed on the practitioners.

The EAA takes a very serious view of this type of non-compliance. Conducting a land search is a very basic and vital duty of an estate agent, as stipulated in the Estate Agents Ordinance. The law has been in force for many years, and practitioners should strictly adhere to it.

EAA staff, when carrying out inspection and investigation work, often request practitioners to produce a copy of the land searches for the properties they have handled. Practitioners are expected to produce the documents without unreasonable delay.

Separately, the EAA encourages consumers to sign estate agency agreements with estate agents upon appointing them to handle properties. An estate agency agreement is a legally binding document that specifies terms such as the mode of appointment (single/dual agency, exclusive/non-exclusive agency),

的文件。由於雙方的權利和責任均清楚列明，雙方的利益自然受到更大的保障。

今年3至4月期間，監管局安排在100輛公共巴士的座椅背上張貼廣告，呼籲消費者簽訂地產代理協議。

the amount of commission and the validity period of the agreement. By signing the agreement, which clearly states the rights and responsibilities of both parties, the interests of both parties can be better protected.

In March and April, the EAA posted an advertisement on the seat backs of 100 buses, encouraging consumers to sign estate agency agreements.



監管局製作表格供從業員舉報可疑交易 New form for reporting suspicious transactions

由於物業交易往往涉及龐大的金額，不法之徒可能利用物業交易清洗黑錢。監管局呼籲從業員配合特區政府打擊清洗黑錢的措施，舉報可疑的物業交易。

為方便從業員舉報可疑交易，監管局已製作了專用的舉報表格，指示從業員怎樣向警方提供有關的可疑交易資料。倘若從業員發現可疑的物業交易活動，只須填妥表格，按指示傳真或郵寄至聯合財富情報組即可。

從業員快將可以從監管局網頁下載此表格使用。

Since property transactions often involve large sums of money, criminals may use them to launder money obtained illegally. The EAA urges practitioners to support the anti-money-laundering initiatives taken by the Government, and report suspicious property transactions to the authorities.

In order to facilitate practitioners' reporting of suspicious transactions, the EAA has prepared a report form which informs practitioners about how to provide details of suspicious transactions to the Police. Practitioners who come across suspicious property transactions are encouraged to simply complete the form and fax or mail it to the Joint Financial Intelligence Unit.

The form will be available on the EAA website soon for practitioners to download.



葉劉淑儀女士分析香港經濟發展

Mrs Regina Ip analyses Hong Kong's economic development

滙賢智庫理事會主席葉劉淑儀女士應監管局邀請，於3月12日舉行的持續專業進修計劃專業領袖講座系列，以「香港經濟發展新方向」為題，發表演講。超過500名從業員出席是次講座，反應熱烈。

葉太引述北京清華大學兩位學者—杜祖基和曾國屏一的著作說，香港的優勢正在減弱。昔日，內地倚重香港的知識、經驗和專業才能，協助內地發展；現在，內地人已開始不斷累積這些技術和經驗。葉太認為，香港應加強發展創意產業，為本港經濟開創更多「新亮點」，而真正成功的創意產業必須結合科技、設計和人文關懷。

在答問環節中，葉太和從業員交流意見，暢論中央政府的「大部制」、香港的房屋政策、樓市、創新科技，以至其他關於香港經濟發展的多個議題，氣氛熱烈。

On 12 March, Mrs Regina Ip, Chairperson of the Board of Governors of the Savantas Policy Institute, delivered the latest seminar in the Distinguished Speaker Series of the EAA's Continuing Professional Development Scheme, entitled "New Direction for Hong Kong's Development". The seminar was well received by over 500 participants.

Mrs Ip, quoting the work of Du Zuji and Zeng Guoping, two academics from Tsinghua University, Beijing, said Hong Kong's advantage was weakening, pointing out that in the past, the mainland relied on Hong Kong's knowledge, experience and expertise to help its development, whereas now mainlanders were accumulating these skills themselves. Mrs Ip stressed that Hong Kong should strengthen its creative industries to create more "bright spots" in the economy, arguing that a successful creative industry should be strong in technology and design, and should also care about the community.

In the question and answer session, Mrs Ip exchanged views with practitioners on a variety of topics, including the Central Government's "super ministries", Hong Kong's housing policies, the property market, technology, and other issues concerning Hong Kong's economic development.



活動剪影

Events and activities



新加坡國家發展部長馬寶山先生（右）率領代表團訪問監管局，主席潘國濂先生（左）致送紀念品。

Chairman Mr Steven Poon (left) presents a souvenir to Mr Mah Bow Tan (right), Minister for National Development of Singapore, who led a Singaporean delegation to visit the EAA.



EAA
地產代理監管局
ESTATE AGENTS AUTHORITY



著名財經評論員陳永陸先生為持續專業進修計劃主持講座。
Renowned financial commentator Mr Chan Wing-luk hosts a CPD seminar.



主席潘國濂先生（右四）與由H.E. Sultan Betti Bin Mugrin（左四）率領的杜拜政府官員代表團交流規管地產代理業的經驗。
Chairman Mr Steven Poon (4th right) shares the EAA's regulatory experience with government officials from Dubai, led by H.E. Sultan Betti Bin Mugrin (4th left), Director General of the Dubai Land Department.



主席潘國濂先生（中）、副主席廖譚婉瓊女士（左）和行政總裁陳佩珊女士向傳媒介紹監管局2008年的工作重點。
Chairman Mr Steven Poon (centre), Vice-chairman Mrs Amy Liu and CEO Ms Sandy Chan brief the media on EAA's major initiatives in 2008.



監管局接待由澳門特區政府房屋局局長鄭國明先生（左四）率領的代表團，交流規管地產代理業的經驗。
The EAA receives a delegation led by Mr Chiang Coc Meng (4th left), President of the Housing Bureau of the Macao SAR Government.

香港聯合財富情報組梁敬雄高級督察向地產代理從業員講解如何打擊清洗黑錢。
Detective Senior Inspector Eddie Leung of the Joint Financial Intelligence Unit delivers a talk on anti-money laundering measures.



監管局參與香港貿易發展局舉辦的「教育及職業博覽」。
The EAA participates in the Education & Careers Expo organised by the Hong Kong Trade Development Council.



監管局出席立法會房屋事務委員會會議，向議員匯報監管局的工作。
The EAA attends a meeting of the Panel on Housing of the Legislative Council to report the work of EAA to legislators.

統計數字 Statistics

牌照數目 (於2008年3月31日計算)
Number of licences (as at 31/3/2008)



營業詳情說明書數目 (於2008年3月31日計算)
Number of statements of particulars of business (SPOBs) (as at 31/3/2008)



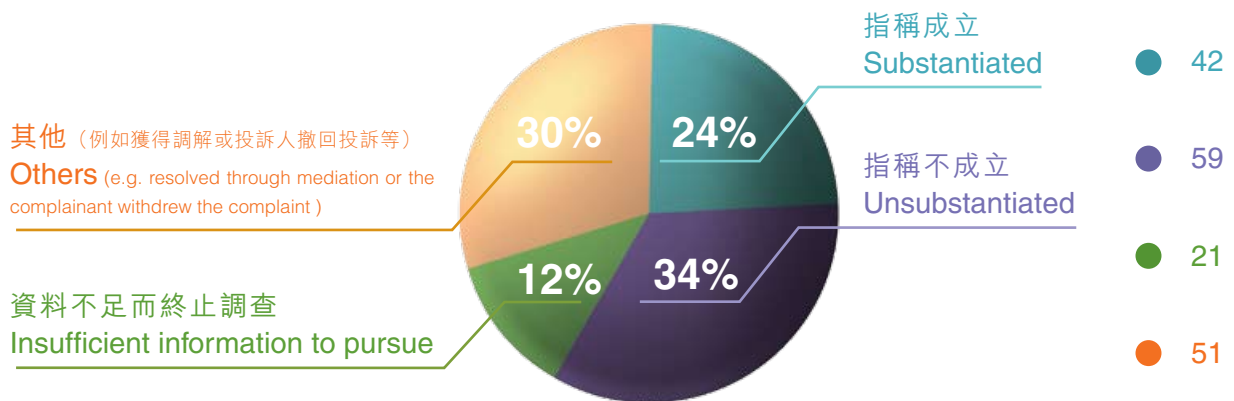
*由1,538間有限公司經營 Operated by 1,538 company licensees

投訴及破產個案 (2008年1月1日至3月31日)
Complaints and bankruptcy cases (1/1/2008 - 31/3/2008)



已處理的投訴個案結果
Results of completed complaint cases

個案數目
No. of cases



總數 Total **173***

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

於2008年1月至3月，監管局共處理了25宗破產個案。
From January to March 2008, EAA completed 25 bankruptcy cases.

巡查 (2008年1月1日至3月31日)

Compliance inspections (1/1/2008 – 31/3/2008)

214

一手樓盤巡查次數

Number of compliance inspections at first-sale sites

98

代理商舖巡查次數

Number of compliance inspections at agency shops

11*

成立的違規個案

Number of substantiated non-compliance cases

237

於巡查一手樓盤時發出口頭勸喻的次數

Verbal advice issued during first-sale inspections

總數

Total

312

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

紀律處分
Disciplinary actions

被暫時吊銷的牌照數目

3

Number of licences suspended

被撤銷的牌照數目

0

Number of licences revoked

考試及考試日期
Examination and date

參加人數

No. of candidates

合格率

Pass rate

地產代理資格考試，2008年2月21日

Estate Agents Qualifying Examination, 21 February 2008

447
41.8%

營業員資格考試，2008年2月21日

Salespersons Qualifying Examination, 22 February 2008

606
15.3%

紀律處分 Disciplinary actions (1/1/2008 – 31/3/2008)

監管局紀律委員會根據《地產代理條例》第30(1)條對下述持牌人行使了紀律制裁權：

The Disciplinary Committee of EAA has exercised its disciplinary powers under section 30(1) of the Estate Agents Ordinance against the following licensees:

持牌人 (牌照號碼) Licensee (Licence no.)	所判處分 Disciplinary actions	有關事項 Matters concerned
銀馬投資有限公司以長城物業代理經營 Amases Investment Limited trading as Great Wall Property Agency (C-008308)	譴責及罰款 Reprimand and fine	違反《常規規例》第9(1)條 Breach of section 9(1) of the Practice Regulation
陳珮怡* Chan Pui Yee (S-052487)	譴責、暫時吊銷牌照(12/4/2008 - 18/4/2008)及在牌照上附加條件 Reprimand, suspension of licence (12/4/2008 – 18/4/2008) and attachment of a condition to licence	違反《常規規例》第10(b)條 Breach of section 10(b) of the Practice Regulation
鄭耀強* Cheng Yiu Keung (S-088138)	訓誡及在牌照上附加條件 Admonishment and attachment of a condition to licence	沒有遵守《條例》第21(2)(c)條 Failure to comply with section 21(2)(c) of the EAO
錢詩麗** Chin Sze Lai Esther (S-172059)	暫時吊銷牌照 (5/4/2008 - 4/5/2008) 及在牌照上附加條件 Suspension of licence (5/4/2008 – 4/5/2008) and attachment of conditions to licence	沒有遵守《條例》第21(2)(c)條 Failure to comply with section 21(2)(c) of the EAO
馮耀輝* Fung Yiu Fai Ricky (E-058202)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	違反《常規規例》第10(b)條 Breach of section 10(b) of the Practice Regulation
盈豐地產代理有限公司 Grand Hill Properties Agency Limited (C-015351)	訓誡 Admonishment	違反《發牌規例》第14(1)(c)條 Breach of section 14(1)(c) of the Licensing Regulation
永昌行物業代理有限公司(前稱肇禧物業顧問有限公司) Grand Legend Property Agency Limited (previously known as Charming Bright Property Consultants Limited) (C-026841)	譴責 Reprimand	違反《常規規例》第6(1)條 Breach of section 6(1) of the Practice Regulation
韓曙光* Hon Chu Kwong (S-199187)	譴責及在牌照上附加條件 Reprimand and attachment of conditions to licence	違反《常規規例》第3(2)(a)條 Breach of section 3(2)(a) of the Practice Regulation
郭婉芬* Kwok Yuen Fun Winnie (E-079429)	訓誡及在牌照上附加條件 Admonishment and attachment of a condition to licence	違反《常規規例》第13(4)條 Breach of section 13(4) of the Practice Regulation

持牌人 (牌照號碼) Licensee (<i>Licence no.</i>)	所判處分 Disciplinary actions	有關事項 Matters concerned
黎潔明 Lai Kit Ming Gloria (<i>E-171567</i>)	罰款 Fine	沒有遵守《條例》第19(1)(c)條 Failure to comply with section 19(1)(c) of the EAO
黎德發* Lai Tak Fat (<i>E-063459</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	違反《常規規例》第13(1)條和第13(4)條 Breach of section 13(1) and 13(4) of the Practice Regulation
林泉以至富地產代理公司經營 Lam Chuen trading as Top One Property Agency Co (<i>E-062025</i>)	譴責及罰款 Reprimand and fine	違反《常規規例》第9(1)條和第9(2)條 Breach of section 9(1) and 9(2) of the Practice Regulation
林漢豪* Lam Hon Ho (<i>S-214873</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	沒有遵守《操守守則》第3.2.1段 Failure to comply with paragraph 3.2.1 of the Code of Ethics
林泳以永恆地產發展公司經營* Lam Wing trading as Forever Property Development Company (<i>E-017254</i>)	譴責、罰款及在牌照上附加條件 Reprimand, fine and attachment of a condition to licence	違反《常規規例》第9(1)條、《發牌規例》第14(1)(b)條和第14(1)(c)條 Breach of section 9(1) of the Practice Regulation, and section 14(1)(b) and 14(1)(c) of the Licensing Regulation
林燕明以宜居地產代理公司經營 Lam Yin Ming trading as E-House Property Agency Co. (<i>E-218267</i>)	譴責及罰款 Reprimand and fine	違反《條例》第36(1)(a)(i)條 Breach of section 36(1)(a)(i) of the EAO
領域物業有限公司 Landscape Real Estate Services Limited (<i>C-018688</i>)	譴責及罰款 Reprimand and fine	違反《常規規例》第6(1)條和第9(2)條 Breach of sections 6(1) and 9(2) of the Practice Regulation
李鳳儀以永盛地產經營 Lee Fung Yee trading as 永盛地產 (<i>E-142925</i>)	譴責及罰款 Reprimand and fine	違反《發牌規例》第10(1)條 Breach of section 10(1) of the Licensing Regulation
連文珍* Lin Man Chun (<i>E-082610</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	違反《常規規例》第6(1)條 Breach of section 6(1) of the Practice Regulation
美聯物業代理有限公司 Midland Realty International Limited (<i>C-000982</i>)	譴責及罰款 Reprimand and fine	違反《常規規例》第9(1)條和第9(2)條 Breach of section 9(1) and 9(2) of the Practice Regulation
美聯物業代理有限公司 Midland Realty International Limited (<i>C-000982</i>)	譴責 Reprimand	違反《常規規例》第3(2)(c)條 Breach of section 3(2)(c) of the Practice Regulation

持牌人 (牌照號碼) Licensee (<i>Licence no.</i>)	所判處分 Disciplinary actions	有關事項 Matters concerned
伍卓賢* Ng Cheuk Yin (<i>S-199612</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	違反《常規規例》第13(4)條 Breach of section 13(4) of the Practice Regulation
吳美容 Ng Mei Yung (<i>S-053804</i>)	譴責 Reprimand	沒有遵守《操守守則》第3.3.1段和第3.4.1段 Failure to comply with paragraphs 3.3.1 and 3.4.1 of the Code of Ethics
顏筱蓉* Ngan Siu Yung (<i>E-137044</i>)	暫時吊銷牌照 (15/3/2008 - 21/3/2008) 及在牌照上附加條件 Suspension of licence (15/3/2008 – 21/3/2008) and attachment of conditions to licence	被法庭裁定違反《盜竊罪條例》(第210章)第9條罪名成立 Convicted of an offence under section 9 of the Theft Ordinance, Cap. 210
龐秀群以怡佳公司經營* Pong Sau Kwan trading as Yee Kai Company (<i>E-134333</i>)	譴責、罰款及在牌照上附加條件 Reprimand, fine and attachment of a condition to licence	違反《常規規例》第9(1)條和《條例》第36(1)(a)(i)條 Breach of section 9(1) of the Practice Regulation and section 36(1)(a)(i) of the EAO
冼雪燕* Sin Suet Yin (<i>S-038856</i>)	譴責及在牌照上附加條件 Reprimand and attachment of conditions to licence	沒有遵守《操守守則》第3.2.1段及第3.4.1段 Failure to comply with paragraphs 3.2.1 and 3.4.1 of the Code of Ethics
鄧龍以新昌地產代理公司經營* Tang Lung trading as Sun Chong Property Agency Co (<i>E-165214</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	沒有遵守《操守守則》第3.1.1段 Failure to comply with paragraph 3.1.1 of the Code of Ethics
鄧友祺* Tang Yau Kay Danny (<i>S-138232</i>)	譴責及在牌照上附加條件 Reprimand and attachment of conditions to licence	違反《常規規例》第13(4)條、沒有遵守《操守守則》第3.2.1段和第3.2.2段 Breach of section 13(4) of the Practice Regulation; failure to comply with paragraphs 3.2.1 and 3.2.2 of the Code of Ethics
董偉權* Tung Wai Kuen (<i>S-160137</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	沒有遵守《操守守則》第3.2.1段 Failure to comply with paragraph 3.2.1 of the Code of Ethics
尤坤 Yau Kwan (<i>S-085901</i>)	訓誡 Admonishment	違反《常規規例》第10(c)條 Breach of section 10(c) of the Practice Regulation
邱惠芳* Yau Wai Fong (<i>E-009518</i>)	譴責及在牌照上附加條件 Reprimand and attachment of a condition to licence	違反《常規規例》第13(4)條 Breach of section 13(4) of the Practice Regulation

持牌人 (牌照號碼) Licensee (<i>Licence no.</i>)	所判處分 Disciplinary actions	有關事項 Matters concerned
葉玲 Yip Ling Connie (<i>E-035968</i>)	譴責 Reprimand	違反《發牌規例》第14(1)(b)條和 《常規規例》第6(2)條 Breach of section 14(1)(b) of the Licensing Regulation and section 6(2) of the Practice Regulation
葉文慧* Yip Man Wai (<i>S-162161</i>)	訓誡及在牌照上附加條件 Admonishment and attachment of a condition to licence	違反《常規規例》第10(b)條 Breach of section 10(b) of the Practice Regulation
余智榮 Yu Chi Wing (<i>E-082580</i>)	譴責及罰款 Reprimand and fine	違反《常規規例》第3(2)(a)條和 《發牌規例》第10(1)條 Breach of section 3(2)(a) of the Practice Regulation and section 10(1) of the Licensing Regulation

註 Notes

附有 * 之個案已刊於政府憲報 (2008年第8期至2008年第19期) , 另加 # 標記者為已就紀律委員會之裁決向運輸及房屋局局長提出上訴之持牌人。有關詳情, 可登入政府憲報網頁 (www.gld.gov.hk/egazette) 參閱。Cases marked with an asterisk have been published in the Gazette (nos. 8/2008 to 19/2008), while those with a # are cases where licensees have lodged appeals with the Secretary for Transport and Housing against the decisions of the Disciplinary Committee. For details, please refer to the Gazette (website: www.gld.gov.hk/egazette).

上訴結果截至2008年4月30日。

Appeal results are up-to-date as of 30 April 2008.

凡例 Legend

《條例》－《地產代理條例》

《常規規例》－《地產代理常規(一般責任及香港住宅物業)規例》

《發牌規例》－《地產代理(發牌)規例》

EAO – Estate Agents Ordinance

Practice Regulation - Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation

Licensing Regulation – Estate Agents (Licensing) Regulation

《成交與誠信》

Integrity in Estate Agency Transactions

監管局總調查經理黃麟昌先生與廉政公署首席廉政教育主任廖莉莉女士在2月1日召開的記者會上，介紹由監管局聯同廉政公署出版的《成交與誠信》。這本小冊子闡釋《防止賄賂條例》的規定，以及有關法例與地產代理業操守的關係；同時也透過多個案例分析，提高從業員的防貪意識，並加強他們對防貪措施及監管局的《操守守則》的認識。



On 1 February, EAA Chief Investigation Manager Mr Eric Wong and Independent Commission Against Corruption Regional Officer Ms Rita Liaw held a press briefing on the release of the joint publication *Integrity in Estate Agency Transactions*.

The booklet explains the provisions of the Prevention of Bribery Ordinance and the relationship between the relevant laws and estate agency trade. Citing a number of cases, it also seeks to raise practitioners' awareness of corruption prevention practices and the EAA's Code of Ethics.

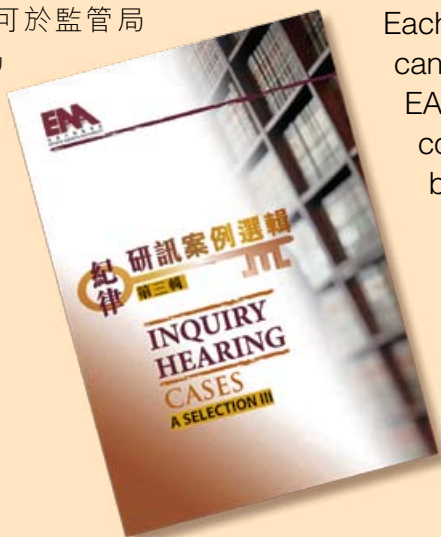
監管局推出《紀律研訊案例選輯—第三輯》

EAA releases Inquiry Hearing Cases – A Selection III

新一輯《紀律研訊案例選輯—第三輯》已經出版，共收錄了過去三年合共20宗紀律研訊個案。監管局出版該專輯，旨在加強從業員對法例要求的認識，和推動依法執業的風氣。

Inquiry Hearing Cases – A Selection III, which contains the latest collection of 20 inquiry hearing cases heard in the past three years, has been published. Just as the previous two collections, the new publication seeks to enhance practitioners' understanding of the relevant laws and promote compliance.

各持牌地產代理或營業員可於監管局辦事處，或於出席監管局舉辦的培訓課程時，免費領取《紀律研訊案例選輯—第三輯》一冊。新的案例選輯已經上載到監管局網頁。



Each licensed estate agent or salesperson can obtain a free copy of the booklet at the EAA's office or when they attend training courses organised by the EAA. The new booklet has also been uploaded to the EAA website.