

ESTATE AGENTS ORDINANCE (Chapter 511)

Pursuant to section 30 of the Estate Agents Ordinance, it is hereby notified that the Disciplinary Committee of Estate Agents Authority has exercised the following disciplinary power against the following licensee:—

<i>Licence No.</i>	E-027260
<i>Name of Licensee</i>	CHAN Yam Fung Eddie
<i>Matter Concerned</i>	The licensee:— <ol style="list-style-type: none"><li>(i) failed to ensure that the representative signing on behalf of an absent party had obtained written authorization from the latter before arranging for the representative to sign a provisional agreement for sale and purchase ('PASP') with respect to certain properties ('the Properties'); and</li><li>(ii) in handling the sale and purchase transaction of the Properties, failed to explain a clause in the PASP correctly or in full detail prior to arranging for the representative of the transacting party to sign the PASP of the Properties.</li></ol>
<i>Date of Decision</i>	30 March 2023
<i>Decision on Disciplinary Power Exercised</i>	<ol style="list-style-type: none"><li>1. In respect of the aforesaid matter (i):—<ol style="list-style-type: none"><li>(a) The licensee is reprimanded; and</li><li>(b) A condition is attached to the licensee's licence requiring the licensee to attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 12 points recognised by the Estate Agents Authority within 12 months, and at least 3 points of which shall be acquired from seminars or lectures on the Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars subject.</li></ol></li><li>2. In respect of the aforesaid matter (ii):—<ol style="list-style-type: none"><li>(a) The licensee is reprimanded;</li><li>(b) The licensee is fined HK\$5,000; and</li><li>(c) A condition is attached to the licensee's licence requiring the licensee to attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 12 points recognised by the Estate Agents Authority within 12 months, and at least 3 points of which shall be acquired from seminars or lectures on the Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars subject.</li></ol></li></ol>

With regard to paragraphs 1(b) and 2(c) above, the condition being attached to the licence concerned of the licensee is as follows:—

'The above-named licensee shall, during the period of 24 months from 17 April 2023 to 16 April 2025, attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 24 points recognised by the Estate Agents Authority, and at least 6 points of which shall be acquired from seminars or lectures on the Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars subject.'