

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:—

Licence No. E-135224

Name of Licensee PANG Kwan Wai

Matter Concerned The licensee (i) failed to ensure that the representative signing on behalf of the absent party had obtained written authorization from the latter before arranging for the representative to sign the provisional agreement for sale and purchase; (ii) (Same as above); and (iii) breached section 13(4) of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation.

Date of Decision 25 August 2016

Decision on Disciplinary Power Exercised 1. In respect of the aforesaid matter (i):—

- (a) The licensee is reprimanded; and
- (b) A condition is attached to the licensee's licence requiring the licensee to acquire 12 points from core subjects under the Continuing Professional Development Scheme of the Estate Agents Authority within 12 months, and one of the core subjects must be on Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars ('the said core subject') and the points acquired from the said core subject shall not include those acquired under e-Quiz or web-based distance learning.

2. In respect of the aforesaid matter (ii):—

- (a) The licensee is reprimanded; and
- (b) A condition is attached to the licensee's licence requiring the licensee to acquire 12 points from core subjects under the Continuing Professional Development Scheme of the Estate Agents Authority within 12 months, and one of the core subjects must be on Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars ('the said core subject') and the points acquired from the said core subject shall not include those acquired under e-Quiz or web-based distance learning.

3. In respect of the aforesaid matter (iii):—

- (a) The licensee is reprimanded;
- (b) The licensee is fined HK\$3,000; and
- (c) A condition is attached to the licensee's licence requiring the licensee to acquire 12 points from core subjects under the Continuing Professional Development Scheme of the Estate Agents Authority within 12 months, and one of the core subjects must be on land search ('the said core subject') and the points acquired from the said core subject shall not include those acquired under e-Quiz or web-based distance learning.

Having regard to the principle of totality, the Disciplinary Committee decided that, in respect of paragraphs 1(b), 2(b) and 3(c) above, the licensee is required to acquire a total of 24 points from core subjects (one of which must be on Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars, and another core subject must be on land search) under the Continuing Professional Development Scheme of the Estate Agents Authority within 24 months, and the following condition is attached to the licence concerned of the licensee:—

‘The above-named licensee shall, during the 24 months from 12 September 2016 to 11 September 2018, acquire 24 points from core subjects under the Continuing Professional Development Scheme of the Estate Agents Authority. One of the core subjects must be on Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars, and another core subject must be on land search (‘the said two core subjects’) and the points acquired from the said two core subjects shall not include those acquired under e-Quiz or web-based distance learning.’

7 October 2016

Estate Agents Authority