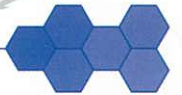


測 量 師 導 報

# SURVEYING

VOLUME 7 ISSUE 7, JULY 1998

## *Message from the President*



In our previous issue, I had reported the progress made by your Council. I am pleased to report more.

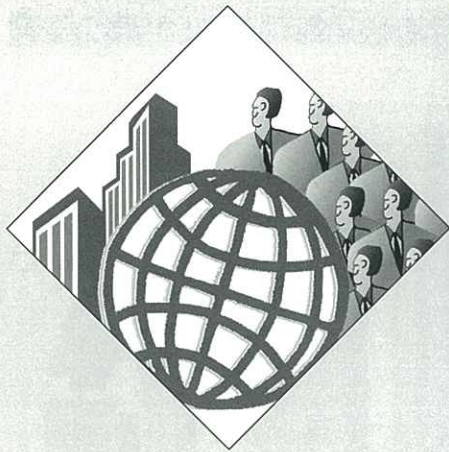
### Association Agreement

Firstly, the Association Agreement between HKIS and RICS. Former President of RICS, Mr Peter McKendrick and the present President, Mr Richard Lay, had visited Hong Kong. They had had talks with us to resolve the interests of RICS members in Hong Kong after the dissolution of the RICS (Hong Kong Branch) and the roles and functions of HKIS. We maintained that HKIS must stand as an independent identity and the only Institute representing Hong Kong. Your President together with the Hon Secretary, Hon Treasurer, will meet the RICS President and his team in Brighton, UK, on 23rd July 1998, for the final stages of this agreement.

### Fig XXI Congress

Your President will lead a strong delegation to attend the XXI FIG Congress in Brighton, UK, from 19th to 25th July 1998. Your former chairman of the General Practice Division, Mr Stephen Yip, has been nominated to take the Vice-Chair of Commission 9, Valuation and Management of Real Estate from 1998 to 2002. This will put HKIS in the international scene and promote our corporate image internationally. We hope HKIS can host the 24th FIG Congress in 2010. The theme is that we must promote our professional service internationally in order that our members can expand their business and development globally. 





SURVEYING is the newsletter of the HKIS. It is distributed to members, students and friends of the surveying profession free of charge. Anyone wishing to receive a copy may contact the office of the Institute.

#### HKIS EXECUTIVE COMMITTEE 1997/98

President	T. N. Wong - 黃天元 FHKIS, FRICS, RPS (LS)
Senior Vice-President	Samson Wong - 黃山 FHKIS, FRICS, ACIArb, AP, RPS (BS)
Junior Vice-President	S. C. Liu - 廖勝昌 MBA, FHKIS, FRICS
Honorary Secretary	Winnie Shiu - 蕭慧儀 AHKIS, ARICS
Honorary Treasurer	Graham Heath - 許富賢 FHKIS, FRICS
Chairman, Board of Education	Barnabas H. K. Chung - 鍾鴻鈞 M.Sc. Sc, FRICS, FHKIS, FBEng, FFB, FRSH, MIMgt, ACIArb, Gov WOB, AP, RPS (BS)
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Chairman, Land Surveying Division	K. L. Mok - 莫景良 FHKIS, FRICS
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GPD rep.	Melissa Pang
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QSD rep.	Rowson Lee
JO rep.	David Wan

#### Editorial Contributions

Surveying encourages article queries and submissions. Article submissions should include both hard (printed) copy and a diskette in Word format. Contributions should reach the editor at the office of the Institute before the 10th of each month.

#### Information & Contents

No part of this newsletter may be reproduced without the permission of the Institute. Contents of the newsletter do not necessarily reflect the views or opinions of the Hong Kong Institute of Surveyors and no liability is accepted in relation thereto.

#### Advertising

All advertisements and small ads are welcome. SURVEYING is reaching over 5,000 readers. For detailed information & advertising rates, please contact Ms Margaret Yung of the Secretariat office at 25263679 OR Mr. Charles Yiu of Corporate Culture at 2802 6949.



#### The Hong Kong Institute of Surveyors

Suite 510, Jardine House, Central, Hong Kong.  
Tel: 2526 3679 Fax: 2868 4612  
<http://www.hkis.org.hk>

## Reply letter to Mr Ludwig C Y Hon

By the President

It is very encouraging to see members being very interested in the views expressed in the newsletter. I am very happy to reply to Mr Hon's letter.

Performance is judged by both one's effort, as well as fluency and clarity of expression in whatever language one wishes to use. Proficiency and ability in any language is as important as proficiency and ability in professional works.

There may be special requirements for proficiency in local language on a regional basis, but on the international scene I do think our members must be proficient and conversant with English.

It is our intention to promote our profession starting from secondary school, because students start to plan for their careers in the last year of secondary school.

As far as APC supervisions are concerned, I have full confidence that every supervisor has passed sufficient post qualification experience. I do believe that any APC supervisor who volunteer to do so, have taken sufficient time and effort to train and supervise the graduates' work in a

professional manner. I have trust and confidence in them in carrying out their duty as supervisors because they follow the rules as set out in the APC framework. The Board of Education has been set up by the Institute to oversee this structured training scheme and to ensure that this is carried out in a professional standard and manner.

As far as CPD is concerned, HKIS has now imposed compulsory CPD. Every corporate member of the Institute must attain 20 CPD hours every year. A CPD committee has been set up to deal with this. I agree with your suggestion that there should be more Q & A time allocated for the audience. Also there should be more factual cases which reflect the true experience of the speakers.

Recent statistics have shown that members are very active in participating in CPD events. Also, all CPD events are over-subscribed and some topics have been run twice because of popular demand. This active participation and good response has proved that the quality of CPD must be good and interesting. To all the CPD speakers, may I congratulate you on doing a good duty as professional surveyors. Well done and keep it up!



# Letter to the Editor

(cc Mr T N Wong, President of HKIS)

Having read the Education and Professional Standard - Message from the President" in the Surveying, Volume 7, Issue 3, March 1998", I do appreciate very much that the President pointed out several important issues and also agree that we must address these problems seriously".

However, I have the following comments/advice in accordance to the points raised by the President.

## 1 English Proficiency

The President advised that intensive English language training must be implemented in ALL secondary schools. This is an international language and is not merely a language for surveying".

Undoubtedly, surveyors should be encouraged to strengthen their English language skills so as to enhance both their performance and career path. However, I DO NOT agree that professionals who possess good English language skill is equal to good and competent ones and vice versa.

In the company that I am working at, many of the colleagues speak good and write good English but are not performing their tasks well, while those Chinese who are less fluent in English are attaining very high standards in their work. Thus, it is not quite correct to stress only on the English language skill and ignore all the other abilities which a successful and competent professional should possess, eg good working attitude.

Further, please do not under-estimate the importance of Chinese, as well as Mandarin training in Hong Kong. Nobody denies that nowadays China is

one of the potential markets for construction, including surveying, in the whole world. Although English is an international language, you can communicate with approximately 1.3 billion people in the Mainland China if you can speak and write Mandarin/Chinese, thus increasing the opportunities to work in China. Let us start today and work towards the future.

## 2 The Brightest Students

The President advised that the "Career masters should be invited to promote the surveying profession amongst their brightest students to ensure ONLY the best would join our profession".

This idea sounds great, though seems a bit confusing. How can the Institute define who are the group of "brightest/best" students? By using their positions in the class? Focus on internal examination's results or also look at the open examinations? Looking at the performance of English subjects ONLY? Hear the advice from the principals and teachers? Or the Institute will form a study group to do the research and find out the "best" students in EACH secondary school and then do the promotion?

## 3 APC Supervisors

The President stressed that "APC supervisors must themselves possess sufficient post qualification experience

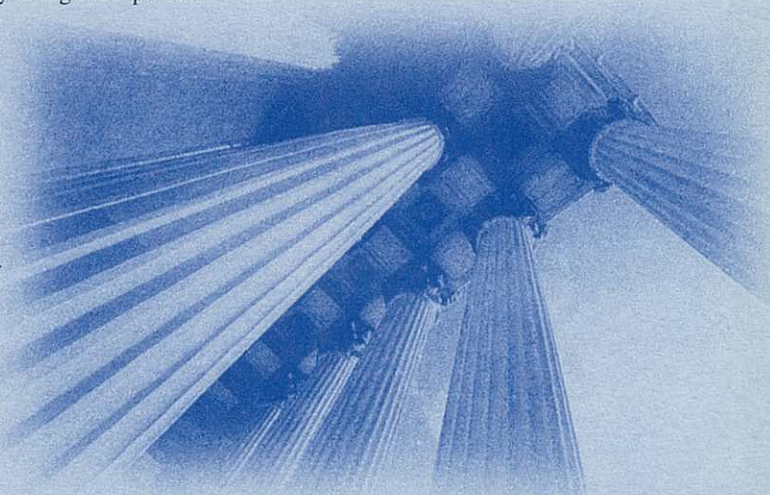
..... supervisors must report back to the divisional APC personnel ..... on a regular basis".

I strongly support the President's suggestion. However, the real situation should better be understood.

Firstly, the Institute cannot control who will be the supervisor of each graduate. It is not uncommon that the first priority for most of the companies in Hong Kong is making profit, rather than training the graduates since this is not their prime concerns. In order to rectify this, the Institute should better pass the message to the Employers that they should appreciate the training up process. For instance, stress to the Employers about the importance of sharpening up the graduates/surveyors in their companies and that well trained graduates/

surveyors are invaluable assets of the companies etc.

Secondly, I am afraid the checking/reporting system as required by the Institute is far from satisfaction. This is because the Institute has been very inactive to ensure that the graduate is properly guided and trained, is supported



# Letter to the Editor

(cc Mr T N Wong, President of HKIS)

by the supervisor, and is undergoing a thorough coverage of required experience, all of which are essential to equip the graduate to sit for the Assessment of Professional Competence.

Hence, the role(s) of the supervisor should not be just signing up the diaries for the graduate, but also providing a structured training scheme with careful and professional guidance. Comments, suggested improvements, etc should also form part of the advice by the Institute to the supervisors as well, so as to ensure that the supervisor is doing his job.

In order to encourage better and more responsible contributions from the supervisors, credit may be granted to those well performed supervisors eg in the form of a Diploma or free admission to 1-2 CPD events.

## 4 CPD Workshops and Seminars

In order to increase the CPD programme's practicality, the following points may be useful:-

- (i) Seminars should not only be technical and academic, but also be practical.
- (ii) More communication between the audience and the speakers, eg having longer Question and Answer

sessions, as well as encouraging questions by the audience (some students/surveyors might be more ready to raise questions in their own native language and translation can be provided to assist).

- (iii) Interesting and relevant topics are prepared and delivered by students/surveyors, followed up by a considerable long Question and Answer session. In this way, the students/surveyors can have the opportunity to prepare and write a report/speech, as well as the chance to practise in delivering a speech in front of the public. Some senior members can also be invited to provide assistance in the Q & A session.

- (iv) Sharing of experience on some onerous and unique local and/or overseas projects or services, eg Project Management projects, Design and Build Contracts, interesting Claims, Arbitration and Litigation cases, KCRC East Rail, Chek Lap Kok Airport, etc.

- (v) Organising some debate sessions, to discuss some hot and recent local issues relating to our professions, so that we can learn the "for" and "against" thoughts during the debate (just like the debate forum organised by the HKIS a few years ago, relating to the suitability of HKIS representing the surveyors in Hong Kong, instead of RICS, Hong Kong Branch).

Ludwig C Y Hon  
ARICS, AHKIS, AAIQS, RPS(QS)



# NEWS FROM THE SECRETARIAT

## Notice of Change in Personal Particulars

If you have moved house, been promoted, changed your job, have a new contact telephone or fax number, please send us a written notice, preferably using our enclosed prescribed form, to our Membership Department for the attention of Miss Connie Chiu, Assistant Manager.

The Institute maintains a Members Register with information about your name, membership and your employment, which is accessible by interested business parties, general public as well as government departments and other agencies. Please do inform us of any changes in your personal particulars to allow us to keep in touch with you.

## Surveyors Lunch - 16th July 1998

This year's first Surveyors Lunch was held at the Sheraton Hong Kong Hotel on 16th July 1998. The Institute had the honour of having Dr Hank Townsend, Chief Executive Officer of the Airport Authority as the guest speaker. Dr Townsend provided the audience with background information of the new Hong Kong International Airport and some of the reasons leading to the debacle found in the new airport, and gave an updated brief on the improvement made to the very moment.

The lunch was attended by more than fifty members and their guests and was hosted by

Mr Samson Wong, our Senior Vice-President, in the absence of our President who was attending the FIG XXI Congress in Brighton, UK.

## Australian Property Institute - Change of Name

The former Australian Institute of Valuers and Land Economists (AIVLE), had at their Annual General Meeting on 22nd May 1998, voted for a change of name to the **Australian Property Institute** as part of a strategic change to reposition their Institute for the 21st Century. The change has also done away with the two membership streams, Valuers and Land Economists, and introduced one Membership of the Australian Property Institute.



(From Left to right Dr Townsend and Senior Vice President, Mr. Samson Wong)



**Deadline for Membership Applications - 15 September 1998.  
Membership Meeting on 30 October 1998 for General Council's  
approval on 10 November 1998.**

## BSD APC FINAL ASSESSMENT AUTUMN 1998

Please be reminded that all applications must be submitted to the HKIS Secretariat no later than 5:30pm, 31 August 1998.

**LATE APPLICATIONS WILL NOT BE ACCEPTED.**

# NEWS FROM THE SECRETARIAT

## CONGRATULATIONS TO THE FOLLOWING MEMBERS WHO WERE ELECTED ON 11 JUNE 1998:-

### ASSOCIATES

#### BS DIVISION

AU YEUNG HO WAI  
CHAN KAM WA  
CHAN LAI HUNG  
CHAN MIU LING  
CHAN WAI MING  
CHEUNG WING KWONG  
CHOI PING HUNG  
CHOW WAI MAN  
CLEARY FRANCIS MARTIN  
DAVIES ROGER MURRAY  
DY WAI FUNG  
FOK KWAI CHUEN  
HO CHEE YIN  
HO FUK KWONG  
HO KAR WING  
HO TZE YUNG  
HUI CHOI WAH  
HUNG MAN KIT  
KAY SIU HUNG  
KO KIU KIN  
KO KWAN TOU  
KU SIU PING  
KWOK HEUNG WING  
KWOK KIN MAN  
KWOK KING SING, CHRISTOPHER  
LAI CHEUNG HIN  
LAI KA LUEN, LAWRENCE  
LAM HO CHEUNG, DOMINIC  
LAM KIT LEUNG, ERIC  
LEE CHI KEUNG  
LEE HON TAT  
LEE KIN YEE  
LEUNG YEE MING  
LI CHI WA  
LI KWOK WAH  
MAN KWOK WAI  
OR YIU CHUNG

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PAN YAT CHONG  
SIT KIN FAI  
SIU WAI MING, PATRICK  
TANG YUK TIM  
TO KAM FAI  
TONG PING TAT  
TSE CHI MING  
TSE KAM MING  
WAN KA CHEUNG  
WONG KWOK MING  
WONG MAN HONG  
WONG SHING, ALAN  
YEUNG MAN KAI  
YIP WING HONG  
YIP YIN YUNG  
YUEN TAK ON, ANDREW

16  
53

#### GP DIVISION

CADMAN ANNA FRANCESCA  
CHAN KAM PING  
CHAN WAI KEE  
CHEUNG CHAN PIU  
CHEUNG KIN HUNG, GRACE  
CHEUNG KING TAT  
CHOI KUOC PENG, EDWARD  
CHU KAM FAI  
CHUNG KIN MING  
CHUNG MEI KONG  
CHUNG YUEN MEI  
CROCKFORD BRIAN JOHN  
FEATHERSTONE PAUL RICHLEY  
FU KA TAI, FREDERICK  
FUNG NGA WAI  
FUNG SING TAK, PATRICK  
KWOK TZE PONG  
KWOK WAI FAI, KELVIN  
LAI HON KWAN, CHERRIE  
LAM KWOK CHI, TOMMY  
LAM SAU WAI  
LAW YUK NGOR

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LEE CHE KEUNG  
LEE KAM SANG  
LENG YEN THEAN  
LEUNG SHUK MAN, GRACE  
LEUNG WAI MING  
LI CHI CHEONG, MARKUS  
MOCK WAI HO  
NG CHIN WAN  
NG HWEE CHER  
NG KING WAI  
NG SIU CHING, JANET  
ROSS GRAHAM MARTIN  
SIU LEUNG HUNG  
SO KWONG SANG  
SULLIVAN ANDREW MICHAEL  
TONG KING CHUNG  
TSOI TUNG  
WAN WAI MING  
WATTON RICHARD JOHN VAUGHAN  
WICKHAM ROBIN  
WONG HO FAI  
WONG KIN BONG  
WONG KIT LUN  
YENG WA HUNG  
YU MEI FUN, VIVIAN  
YUNG DAK HUNG

26  
48

#### LS DIVISION

AU YAT WAH  
CHAN CHI WA  
CHAN KAI HONG  
CHAN KWONG CHAU, LAWRENCE  
CHAN KWONG CHING  
KWONG SAI HUNG  
LAI LIT KI  
LEUNG HO MING  
NG PO FAT  
TANG HONG WAI  
WONG KAN WAH  
WONG KUN YUNG

12

WU SUI LEUNG  
YEUNG CHEUK MAN, DANNY

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**QS DIVISION**

BROWN TIMOTHY CHARLES  
CHAN CHI WAI  
CHAN CHUNG WING  
CHAN KWOK WAI  
CHAN SIU YIN  
CHAN WAI KIU  
CHANG CHI HO  
CHENG LING  
CHENG PO KEI  
CHENG SIU HUNG  
CHEUNG HAU FUNG  
CHEUNG KAI TAK  
CHEUNG KIT  
CHEUNG SHEUNG TUNG  
CHEUNG SIU KIN  
CHEUNG WA KING  
CHEUNG YING HUNG, FRANCIS  
CHEUNG YIU CHEONG  
CHEUNG YU LUN  
CHIN SAU WAN, VICKY  
CHIU WAI YIN  
CHOW JAK CHEE  
CHOW SIU MAN  
CHOW YAN MING  
CHOY KA FAI  
CHU FU SUN  
CHUI WING CHUEN  
CHUNG KA WAI  
CHUNG SAI KWONG  
FOK CHING YIN, AMELIA  
FONG KA MAN  
FUNG YAM YIM  
HO SIN YEE  
HO TAK ON  
HO TSZ LEUNG  
HON SEE LOONG

36

JAN SHIU CHEONG, HARRY  
JE YUK LIN, CHERYL  
KAM CHUN WANG  
KWAN CHAK KEI  
KWOK CHI KO  
KWOK CHUN KWONG  
LAI SIU HUNG  
LAM CHIU SHING  
LAM LAI MAN  
LAM SHUET LING  
LAM SHUK WAH  
LAM YIU SANG  
LAU CHI KWONG  
LAU CHEUN YIU  
LAU WAI SHING  
LAW SAI YEUNG  
LEE CHI CHUNG  
LEE YIN TAT  
LEE YIU LEUNG  
LEUNG CHEUK KIT  
LEUNG CHI KEUNG  
LEUNG LAI LING  
LEUNG TAK LUN  
LEUNG TAK ON  
LEUNG WAI KIT  
LI KAR YIN  
LI WAI HUNG  
LIN MO SANG  
LUI CHI WANG  
LUK PANG KEI  
MA SIU WA  
MAN CHI FAI  
MOK KAI MAN  
PANG YIU MING, ELLIS  
POON CHI MING  
NG SHIU TONG, THOMAS  
RAWLING BRIAN EDWARD  
RITCHIE JANE  
SHIU KA CHUN, DEREK  
SO CHI KWONG, HARRIS  
SO SIU CHEONG

41

SUEN FU WA  
SZETO YEE WO  
TANG WING KWOK  
TO WU FAT  
TONG WO CHUNG  
TSE CHI MAN  
TSE HOK LIN  
TSUI WING HUNG  
WAN CHUI LING, SHIRLEY  
WONG KWOK KEUNG  
WONG LAI PING  
WONG MIU LAN  
WOO CHI TONG  
YIP CHE CHAN  
YIP JENNIFER  
YU FUNG FUNG  
YU PO KING, LINDA

17  

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**FELLOWS**

CHAN CHOI HING (QS)  
DWYER PAUL ANTHONY (GP)  
NG KAM SHING, THOMAS (BS)  
PANG SHIU KEE (GP)  
POON SZE NGOK (GP)  
ROWLEY CHRISTOPHER D RAYMOND (GP)  
SMITH DAVID NIGEL ADRIAN (GP)  
TAM BING MAN, DENNY (GP)  
WALKER BRUCE D J (GP)  
WEST RICHARD MILNS ROSS (GP)  
YEUNG KIN FAI (LS)  
YUNG KIT YING, CYNTHIA (GP)

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# GOVERNMENT CIRCULARS

The following are available for inspection at the Secretariat Office:-

## Buildings Department

### Practice Note for Authorized Persons and Registered Structural Engineers

- PNAP 224 - Superstructure Works
- Measures for Public Safety

## Lands Department

### Legal Advisory and Conveyancing Office Circular Memorandum

- No. 32 Enquiries made in connection with title requisitions in property conveyancing

### Practice Note for Authorised Persons, Surveyors and Solicitors

- APSS 2/98 - Applications for Land Exchanges and Modifications of Lease Conditions
- Land Registry Trading Fund

## Planning Department

### Practice Notes for Professional Persons

- PN No. 1/98 Planning Information and Technical Administration (PITA) Unit

## Works Bureau

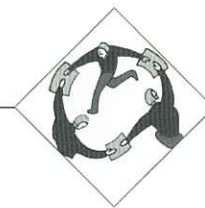
- WBTC No. 8/98 Memorandum of Agreement and General Conditions of Employment of Engineering and Associated Consultants (1997 Edition)

## Works Bureau and Planning, Environment & Lands Bureau

- WBTC No. 9/98 Natural Disaster Emergency Organisation
- PELBTC No. 5/98 Responsibilities of the Works Bureau and the Planning Environment & Lands Bureau Groups of Departments
- WBTC No. 11/98 Aircraft Crash & Salvage
- PELBTC No. 7/98 Responsibilities of the Works Bureau and the Planning Environment & Lands Bureau Groups of Departments



# JUNIOR ORGANISATION



## NEWS FROM THE JUNIOR ORGANISATION

By Andy Wong, Chairman

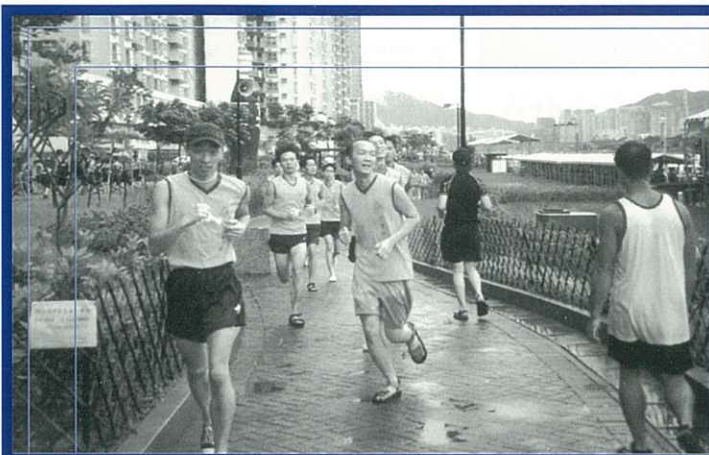
### Dragon Boat Race 1998 at Shing Mun River

The Dragon Boat Race 1998, which is an annual event organised by the Hong Kong Tourist Association, was held on 27th June 1998 at Shing Mun River, Shatin. The Hong Kong Institute of Surveyors faced a great challenge this year, as we had to compete with nine other professional institutes to obtain the championship. However, our Surveyors were not afraid of the challenge. After a series of harsh training, a powerful and energetic surveyors dragon boat team was born.

The race started with the group competition first. Our team contested with four other teams in order to gain the right to the final competition. Bang! After a gun fire, our boat travelled along the river as fast as a missile. We beat the other four boats and came first place in the group competition. Although our team came sixth place in the final competition, it was a great improvement when compared with our past record.

I would like to express my thankfulness to the event organiser, Mr. Leo Lee, and all those team members who have contributed so much effort on this event.

Well done !!





## News From The Land Surveying Division

### Chinese Society of Geodesy, Photogrammetry and Cartography

By K.L. Mok, Chairman

The General Council has endorsed the proposal for the Land Surveying Division, representing HKIS, in joining the Chinese Society of Geodesy, Photogrammetry and Cartography (中國測繪學會) as the Corporate Member (團體會員). The Society has also informed us that HKIS will be welcome.

The reports given by Mr. CHAN Hak, DD/SM of Lands Department on "The Development of GIS in Hong Kong" and by Mr. K.L. Mok, Chairman/ LSD of HKIS on "The Hong Kong System on Registration of Professional and Practising Professionals" in the First Conference of Corporate Members of the CSGPC were published in the CSGPC News Issue No. 126.

### Questionnaire on Land Survey Ordinance

By the Working Group on Land Survey Legislation

A working group was set up in 1997 to investigate the Land Survey Ordinance (LSO) as regards to the effects and possibilities of expanding its areas of interest. A questionnaire was sent to all LS Division members. The results of the questionnaire are:

1. The number of respondents were 38, of which 10 were ALS's, 13 worked in DSO and 6 were in CEO, others were unknown.
2. Due to the small number of respondents, questions where there is not an overwhelming basis should not be considered definitive.

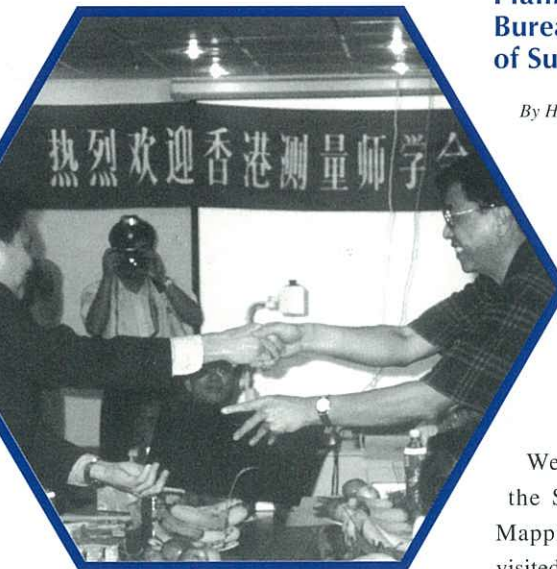
A summary of the results are as follows (using Sections defined in the questionnaire):-

#### A. Service

- \* The LSO has brought benefits to the community, however the public does not know of the benefits, HKIS should use advertising to relay the benefits to them.
- \* The LSO will improve the records systems and whilst the "deposited within 7 days" does not work, the system could be improved if all boundary plans were deposited with the DSO.

#### B. Costs

- \* Due to the lack of knowledge of LSO, there is always haggling and fee cutting.



- \* Whilst there are adequate returns now, any further fee cutting may make it uneconomical.
- \* If all plans were required to be deposited with DSO, an increase of about 40% would occur.

#### C. Time

- \* Complaints about the time taken are

received with the average time taken for a simple division being 16 days.

- \* Some delays occur due to Searching requirements and Draughting requirements.

#### D. Profession

- \* The LSO has improved the image of the profession with the controls set-up in the Code of Practice now considered adequate.

A full list of questions and results is available by contacting Mr. Jacky TULL (Secretary of the Working Group) on fax no. 2890 1759

### A Visit to the Shenzhen Municipal Planning & Land Administration Bureau and the Shenzhen Institute of Surveying & Mapping

By Helen Chan, Hon. Secretary

The Land Surveying Division organised a trip to Shenzhen on 26th June 1998, to visit the Shenzhen Municipal Planning & Land Administration Bureau and had a meeting with the Shenzhen Institute of Surveying & Mapping.

We were greeted by the senior members of the Shenzhen Institute of Surveying & Mapping at the railway station. We first visited a new well-planned residential district. Everyone was impressed by its architectural design and the low-density residential development, which symbolised the high quality living in Shenzhen.

After lunch, we were led to the Shenzhen Municipal Planning & Land Administration Bureau. The Deputy Director, Mr. Li Jia Lin (李加林), welcomed us and the meeting started. The Honorary Secretary of the

# LAND SURVEYING




Shenzhen Institute of Surveying & Mapping, Mr. Xiao Jian Ye (肖建葉), introduced the history of the Institute. The Institute was formed on 7th May 1997, and is now one year old. At present, the Institute consists of Secretariat, Land Information System Committee, Engineering Surveying Committee and Cadastral Surveying Committee. The Institute has 150 individual members, 7 group members and 20 communication members at its formation. The Institute had organised several activities related to Land Information System, GPS Survey and Engineering Survey. The membership of the Institute would be further increased due to the rapid development of surveying industry in Shenzhen.

The Senior Engineer, Ms. Ru Min (茹敏), of the Shenzhen Cadastral Survey Team introduced the daily surveying works of the

Team including setting out of lot boundary, production of drawings, preparation of plan attached to property certificate, measuring the saleable area, checking the built-up area and final survey. As the property market is becoming very active in Shenzhen nowadays, the workload of the Shenzhen Cadastral Survey Team is very heavy.

We also had a chance to learn about the city planning and survey control system. The Senior Architect, Mr. Li Ming (李明), of the Shenzhen Municipal Planning & Land Administration Bureau briefly introduced the city planning of the Shenzhen Central Zone. Dr. Wang Ai Chao (王愛朝) also gave a talk on the development of GPS network in Shenzhen.

Following the speech by our Chairman, Mr. K.L. Mok, this valuable and successful trip came to an end.

A copy of notes on "Introduction of Cadastral Surveying in Shenzhen" (Chinese version) is now available. Members who are interested please contact Miss Lo Hoi Yin on 2309 5085 direct, on or before 30th August 1998, for a fax copy. 





## BUILDING SURVEYING

### News from the Building Surveying Division

By Kenneth J K Chan, Chairman

#### Advisory Committee on Barrier Free Access (ACBFA)

We have nominated Mr Wai Chan to be a member of the Advisory Committee who will in turn be nominated, together with the A.P. nominated by HKIA, by the Building Sub-Committee to the Committee as alternate members. The Terms of Reference of the Committee is:

"In relation to plans submitted for a new building or for alteration or addition to an existing building, the Committee is to offer advice to the Building Authority as to whether reasonable access will be provided in the building for people with disabilities. In arriving at such an advice, the Committee should consider the following:

- the standards and requirements for Building (Planning) Regulation 72, the Design Manual Barrier Free Access 1997 and any other relevant statutory provisions;
- whether it is practicable to provide such access within the curtilage of the building, bearing in mind the physical location and immediate environs of the buildings, and
- whether providing such access would impose unjustifiable hardship on the person seeking approval or any other person".

#### Professional Building Surveying Consultants Association of Hong Kong (PBSCA) [香港專業建築測量顧問公會]

In their meeting on 24th June 1998, Professional Building Surveyors in private practice approved the Article and Memorandum of Association for the "Professional Building Surveying Consultants Association of Hong Kong, Limited". Four firms, namely: Multiple Surveyors Limited, David C. Lee Surveyors Limited, L.C. Surveyors Limited and First Pacific Davis (H.K.) Limited were elected to be the subscribers of the Association. Thirteen (13) firms had responded formally to join the Association as founding members. We look forward to the formation of the Association.

#### BOWL

The next Briefing Over Weekend Lunch is being organized for 15th August 1998. A couple of our senior members in private practice will be invited to share their experience in starting their own practices in Building Surveying. 



## GENERAL PRACTICE

### News from the General Practice Division

by Tony Tse, Chairman


#### 1. Contracting Out Premium Assessments for HOS/PSPS Flats

Your Council members met with representatives of the Housing Department on 20 June 1998 to further discuss the matter. At the meeting we expressed our view regarding the criteria for selecting appropriate firm undertaking the work. Matters concerning size, years of practice of the valuation firm, experience and past performance of valuation staff and the firm, term of contract and level of fees, conflict of interest and performance monitoring system were also discussed. We requested that the opportunity to tender for the valuation works should be opened to as many valuation surveyors firms as possible.

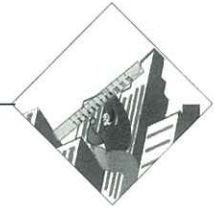
#### 2. Assessment of Professional Competence

By now, the April APC results should have already been distributed to the candidates concerned. Amongst the 35 candidates who took part, 8 were rated satisfactory, representing a passing rate of approximately 23% (31% in 1997). In the April Assessment, we conducted the written assessment in a new format and the following are the major observations from the Assessors:-

- i) insufficient insight into site development  
e.g. impractical development proposal / assumptions;
- ii) presentation / writing skills was poor and most are not up to the standard required of a professional GP surveyor;
- iii) answers were not carefully planned or the questions were not directly addressed.

It is believed quite a number of weaknesses are attributable to inadequate professional training or exposure and your Council will explore possible ways to assist candidates to improve such identified weak areas. 

# QUANTITY SURVEYING



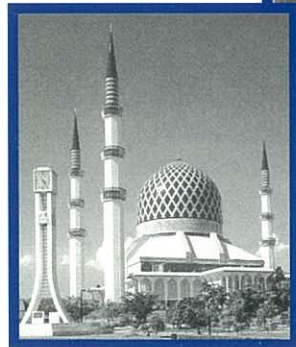
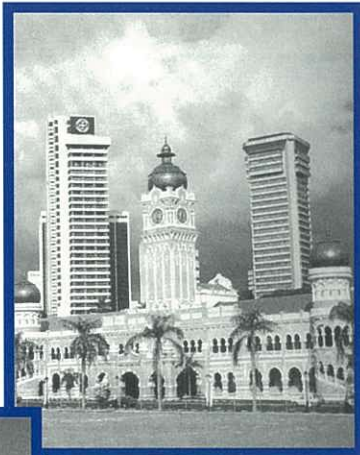
## News from the Quantity Surveying Division

By Eric Chung, Chairman

The month of July was relatively quiet. However there are still a few matters worth reporting under this column.

### Working Group on SST

In the discussion of the dissolution of the RICS Hong Kong Branch ("the Branch"), the RICS and the Institute recognised the need to maintain the interests of the local technician members of the RICS i.e. members of the Society of Surveying Technicians ("MSST") following the dissolution. Most of the



cross-divisions working group to report on the ways of achieving this purpose. The QSD has nominated Mr Alex Ho, who is currently the Hon. Treasurer, on this working group. Members views are welcome.

### PAQS Annual Conference

The annual conference of the Pacific Association of Quantity Surveyors ("PAQS") was held on 23rd and 24th June 1998 in New Zealand, and the QSD

council member, Miss Ellen Lau, attended the annual conference on behalf the Institute. The proposal to adopt a set of common competency standards by all member organisations did not carry. Members however found it more practical and acceptable to use the proposed competency standards (based on AIQS's) as a framework or guideline

leaving the member organisations with freedom to deviate to suit local training and practice requirements.

The next annual conference will be held in Malaysia, followed by Australia in the year of 2,000. It will then be Hong Kong's turn to host the annual conference in the year of 2001.

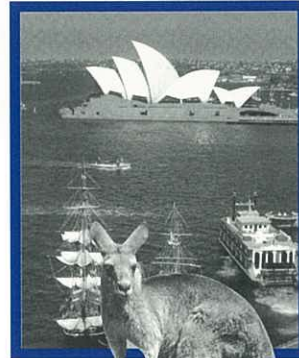
### APC Assessors

The Institute's inaugural APC will be held on 14th and 15th September 1998. There will be a record of over 500 candidates taking part.

The quality of assessors is a vital part to the success of the APC system as the qualifying examination for those who have put years of effort and hard work in what is now generally perceived as probably the most rapidly expanding profession in the construction industry. The QSD and myself in particular wish to use this column to appeal to the senior members to allocate some of your leisure time to participate in this meaningful event. Invitation letters will be despatched very shortly.

### Authority of the Institute to nominate arbitrators

Following the dissolution of the RICS Hong Kong Branch, it became impossible for the Branch to continue to provide the service of appointing



arbitrators by the Branch Chairman jointly with the President of The Hong Kong Institute of Architects as provided in the 1986 or earlier edition of the Standard Form of Building Contract.

The President of the Institute however is willing to make such appointments in place of the

Branch Chairman if and only if the parties expressly agree to give him/ her such appointment authority.

The 1997 edition has amended Clause 35 to substitute the President of the Institute for the Branch Chairman in such capacity.

### Newsletter

The Executive Committee has decided to move forward to issuing a Surveying Journal, probably on a quarterly basis. Both the Surveying Journal and the Newsletter need quality technical articles. Members are encouraged to send to the Editorial Board articles of current interest in general quantity surveying or specialist areas such as hints for potential expert witness in arbitration or in court room.

### CPD Events

The CPD Events in the pipe line are :-

Subject	Date	Speaker
Land Joint Ventures	3/8/98	Mr E J Davison Partner, Kao, Lee and Yip Solicitors.





The Department of Building and Real Estate will be offering 4 courses of Structured Learning/CPD programme. These courses are organized by Mr. K.C. Wong, Department of Building & Real Estate.

### Valuation Series (Course Code: 4128)

**Mr. Pang Ho Chuen, Lawrence, FRICS, FHKIS, AACI**

Course content will include:

- Resumption & Valuation in Hong Kong
- Disputes on discount rates in Business loss claims & personal injury compensation

Date : October 3-17, 1998, Saturdays

Time : 2:30 pm - 5:30 pm

Venue : To be announced

Medium : English

Fee : \$800 per participant

- Remarks : 1. Closing date for applications is September 12, 1998.  
2. Designed for HKIS APC candidates & practitioners; solicitors & accountants

### Computerised Construction Process Management (Course Code: 4130)

**Dr. Wong Kam Din, Andy, PhD, HKIE, MCIQB, MAPM**

Course content will include;

- Review construction practices in Hong Kong
- Date flow in construction process
- Use of computer systems in information control, material control, progress control & quality assurance

Dates : November 14 - 28, 1998, Saturdays

Time : 2:30 pm - 5:30 pm

Venue : To be announced

Medium : English

Fee : \$800 per participant

- Remarks : 1. Closing date for applications is October 24, 1998.  
2. Designed for HKIS APC candidates & practitioners; construction professionals

### Construction & Real Estate Law Update Series (Course Code: 4129)

**Mr. Paul Kent, LLB, LLM  
Mr. Edwin Chan, BA, MA LLB, PgDip, MBEng,  
ACI Arb, HKIA, AP(1)**

Course content will include;

- Building management law
- The roles of experts in litigation
- Construction contract dispute

Dates : October 24 - November 7, 1998, Saturdays

Time : 2:30 pm - 5:30 pm

Venue : To be announced

Medium : English

Fee : \$800 per participant

- Remarks : 1. Closing date for applications is October 3, 1998.  
2. Designed for HKIS APC candidates & practitioners; legal, construction & real estate professionals.

### Development Application & Approval (Course Code: 4131)

**Mr. B.S. Tang, BSoSc, MSc, MBA, MRTPI, MHKIP  
Mr. Edwin Chan, BA, MA, LLB, HKIA, AP(1)  
Mr. Raymond Cheng, MSc, FRICS, FHKIS  
MR. Tsui Ho, BSc, FRICS, FHKIS**

Course content will include:

- Town planning applications
- Professional practice of authorized person
- Development application & approval workshops

Dates : December 5, 1998 - January 16, 1999  
(except 26/12/98 & 2/1/99) Saturdays

Time : 2:30 pm - 5:30 pm

Venue : To be announced

Medium : English

Fee : \$1,400 per participant

- Remarks : 1. Closing date for applications is November 14, 1998.  
3. Designed for HKIS APC candidates & practitioners.

Course information and application form can be obtained:

- (1) by sending a postage-paid (HK\$1.30) self-addressed envelope to the **Centre for PACE, Room BC311, Core B, The Hong Kong Polytechnic University, Hung Hom, Kowloon** (please specify the course code);
- (2) via fax at our 24-hour hotline: 2766 6666.

For enquiries, Please call tel. no. 2766 5388 during office hours.

## Global Claims - The current position

By John B Molloy, LLB(Hons), BSc(Hons), FHKIS, FRICS, ACI Arb, Managing Director, James R Knowles (Hong Kong) Limited

The correct manner of presenting a claim is to link the cause with the effect. For example, if the Architect varies the Works by instructing the construction of an additional pile (cause) the date for completion of the Work may, as a consequence, be delayed by 4 weeks (effect). However this is not always easy, especially when the claim is a disruption claim rather than a prolongation claim.

To counter such difficulties, contractors have, in recent times, attempted to short cut the need to link cause and effect by use of the global claim.

A **global claim** is a claim where the plaintiff does not seek to attribute loss to specific breaches of contract, but rather alleges a composite loss as a result of all the alleged breaches. The composite loss is then often prepared as a **total cost claim**, i.e. a claim where the quantification of loss is achieved by subtracting the tender cost of the works from the final cost.



The justification for such claims came from two legal cases. Firstly, in *J Crosby and Sons Ltd v. Portland Urban and*

*District Council* (1977) 5 BLR 121, the arbitrator said:

*"The delay and disorganisation which ultimately resulted was cumulative and attributable to the combined effect of all these*

*matters. It is therefore impracticable, if not impossible, to assess the additional expense caused by delay and disorganisation due to any one of these matters in isolation from the other matters".*

and secondly in *London Borough of Merton v. Stanley Hugh Leach* (1985) 32 BLR 51 Vinelott J said:

*"The loss or expense attributable to each head of claim cannot in reality be separated".*

These two cases caused a proliferation of global claims as contractors the world over argued that the events which occurred on their contract were so complicated as to make it impracticable, if not impossible, to assess the additional expense caused by delay and disorganisation due to any one of the events in isolation from the other events.

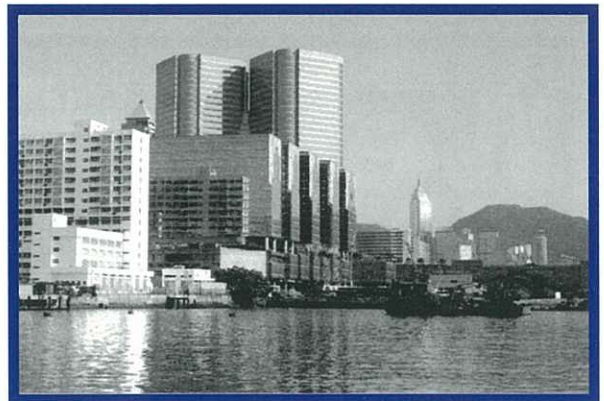
This position worried employers because the problem with global claims is that they actually prove nothing. Whilst the contractor may be able to provide a list of numerous events which may have caused disruption to his works, the global claim does not prove what the effects of such disruptive events really was to the works. There can be many reasons why a contractor's final costs are more than his tendered costs, he may simply have tendered too low in the first place, but a global claim makes the huge assumption that all the additional time and costs were caused by the disruptive events.

Employer's therefore breathed a sigh of relief following the Hong Kong case of *Wharf Properties Ltd and Another v. Eric*

*Cumine Associates and Others*, (1991) 52 BLR 1. In this case the Privy Council struck out the case of the plaintiff who made no attempt to link the cause with the effect in respect of a claim by the Employer against his Architect for failure properly to manage, control, co-ordinate, supervise and administer the work of the contractors as a result of which the project was delayed.

Employers have since used this case as justification for totally rejecting any claims based on a global approach.

However, comments of judges in a variety of cases since *Wharf*, seem to suggest that the courts did not intend *Wharf* to dictate that



there can never be situations where a global claim is acceptable.

Recently in the case of *Bernhard's Rugby Landscapes Ltd. v Stockley Park Consortium Ltd.* (QBD 1997) (82 BLR 81), the court considered all the major cases concerning global claims and as a result have produced a good summary of the current position:


\* Whilst a court will approach a global claim or a total cost claim with caution, such claims are not necessarily bad and in some circumstances it may be the only way in which a plaintiff can establish its loss.

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- \* A global claim is permissible where it is impractical to disentangle that part of the loss attributable to each head of claim, and the situation has not been brought about by delay or other conduct on the part of the plaintiff. In such circumstances the court infers that the defendant's breaches caused the extra cost or cost overrun and the causal nexus was inferred rather than demonstrated.
- \* The power of the court to strike out is very limited and should only be used where the claim is so evidently untenable that it would be a waste of resources for this to be demonstrated only after a trial, or where the pleading is likely to prejudice, embarrass or delay the fair trial of the action.

- \* The question whether a pleading in any given case based upon a global claim, a total costs claim or some variant of this, is likely to or may prejudice, embarrass or delay the fair trial of the action must depend upon an examination of the pleading itself and the claim which it makes.
- \* The fundamental concern of the court is that the dispute between the parties should be determined expeditiously and economically and, above all, fairly, and whilst a plaintiff is entitled to present its claim as it thinks fit, on the other hand a defendant is entitled to know the case which it has to meet with as much certainty and particularity as is reasonable, having regard to the

circumstances and to the nature of the acts themselves by which the damage is done *Ratcliffe v Evans [1892] 2QB 524*.

It appears therefore that a global claim may still be acceptable, but only in situations where it is impractical to disentangle that part of the loss attributable to each head of claim, and most importantly only in a situation where the party making the claim has not caused some of the delay and/or additional expenditure to be incurred itself. Therefore if a contractor has suffered a variety of delaying events, some caused by the employer and some by himself, a global claim will not be acceptable. 

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## MANAGER, VALUATION

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- University degree in Surveying or related disciplines, with RICS/HKIS or equivalent professional qualifications
- Minimum 8 years' experience in property valuation, with at least 4 years at managerial level
- Good knowledge of Hong Kong property market
- Excellent analytical, presentation and people skills
- High proficiency in both English and Chinese

We offer excellent career prospects to the right candidates. Salary will be commensurate with qualifications and experience. Our attractive fringe benefits include:

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- Non-contributory retirement scheme
- 24 working days' annual leave
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Applicants who are not contacted within one month may consider their applications unsuccessful.

All information provided by applicants will be treated in strict confidence and used only for recruitment purposes. Applicants may be considered for other suitable positions within the Bank and its related companies over a one-year period, after which their personal data will be destroyed.



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