

Surveying **news**

Volume 9 Issue 6,
July 2000



Message from
the President

A HALF YEARLY REVIEW

Mr Francis Ng

Although the property market was relatively quiet in the past few months, HKIS is in full spirit to promote our services and enhance our images. In this issue of the newsletter, I would give a brief report on some major aspects:-

JOINT PROFESSIONAL CENTRE (JPC)

- Thanks to the hard work of Mr. P C Lau, the convenor of the Ten Professional Bodies (TPB), the tenancy agreement in respect of the Joint Professional Centre is about to be signed. Meanwhile, the Hong Kong Productivity Centre has also agreed to take up the management of the JPC.
- Renovation work of the premises is about to get started. It is anticipated that the JPC can be ready for use after the summer holiday. At the same time, Mr. Albert So, our Hon. Secretary, is liaising with other professional bodies so that fund raising campaigns can be conducted at an early date.

EXPO

- HKTDC is considering to have another major exhibition on property services in Beijing in mid-November. The date is likely to clash with our annual dinner to be held on 17th November. GPD is checking if some adjustments can be made so that those who wish to attend both functions will not be unduly affected.

LEGCO ELECTION

- HKIS convened a joint meeting with related professional bodies (HKIA, HKILA and HKIP) on 26th May. Officials from the Constitution Affairs Bureau, ICAC and Registration and Electoral Office also attended and briefed attendees on the arrangements for the forthcoming LegCo election. Important dates for various events are:

Return of nomination form - by 7th June 2000
Election Committee (EC) Subsector Election - on 9th July 2000
LegCo Election - on 10th September 2000

- Members are reminded to vote for the nominee(s) whom we believe can represent the views of the related professional bodies, to serve as a bridge between the Institute(s) and government, and taking our interests in mind at all times.



▲ Group photo of Shenzhen Institute of Real Estate Appraisers (SIREA) Valuation Seminar taken on 25 May 2000.

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Surveying

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.

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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 Hon. Editor at the office of the Institute before the 10th of each month.

Information & Contents

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Advertising

All advertisements and small ads are welcome. SURVEYING is reaching over 5,200 readers. For detailed information and advertising rates, please contact Ms Margaret Yung of the Secretariat office at 2526 3679.



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Monday to Thursday 9:00am - 5:30pm
Friday 9:00am - 5:00pm
Saturday 9:30am - 12:30pm

LIAISON WITH THE SHENZHEN INSTITUTE OF REAL ESTATE APPRAISERS

- A group of 45 members visited Hong Kong on 24th to 26th May. Prior to the start of the seminar, a Memorandum of Understanding was signed by the Shenzhen Chairman, Mr. Li Jialin (李加林) and GPD Chairman, Mr. Tony Tse. Immediately thereafter, speakers gave talks on professional ethics, e-valuation, services provided by GP surveyors etc. Visits to relevant government departments were made on the following day.
- I learnt from Mr. Li that it is their wish to maintain a closer link with their counterparts in Hong Kong. Surely, there will be more contacts, visits and seminars to be made in the months to come.

HOUSING MANAGERS REGISTRATION ORDINANCE

- Although there was no progress on the issues we raised with the Housing Bureau, the Institute is mindful of member's interests in this area of work. At the time of preparing this report, the Committee Chairman has just prepared a draft questionnaire with a view to obtain feedback on member's involvement in property management. Once the survey

result is known, we will consider possible course of action.

COMMITTEES

- There are at the moment 11 Committees each looking after a specific area of work. Some are doing a remarkable job whereas progress on some aspects are not as good as expected. In order that changes (hopefully improvements) can be made, the General Council on 4th May resolved that the tenure of these Committees would come to an end on 31st December 2000. Relevant divisions will in due course be asked to nominate members to the next 2-year term. A chairman shall be elected amongst the new members.

TENURE OF EXISTING ACCOMMODATION

- A working group under the Chairmanship of Mr. Stephen Liu, Senior Vice President, is holding meetings to explore various options. With our present financial situation, I believe we can consider various options.

MEMBERSHIP

- A diploma presentation was held in the evening of 15th May. On that occasion, 1 FHKIS and 24 AHKIS received their diplomas.



Signing of the Memorandum of Understanding by the Chairman of SIREA, Mr Li Jialin (2nd from right) and the Chairman of HKIS General Practice Division, Mr Tony Tse (2nd from left).

As at 31st May 2000, the Institute comprises 2,869 members and 2,415 student members.

MEDIA

- Thanks to the arrangement of the PR Committee, a HKIS 'Meet the Media' session was held on 3rd May 2000. About 20 reporters turned up at the briefing. The work of various divisions was explained and a full list of contact persons was distributed. Furthermore, a 'media training' session was made for the 'spokesmen' on 25th May.

FORTHCOMING EVENTS

DOCUMENTATION

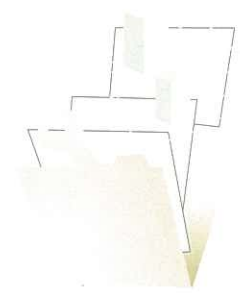
- Guidelines on allocation of funds for overseas visits, enforcement of CPD, etc. are being prepared. Meanwhile, HKIS has sought services to translate the Constitution and Bye-laws and the Rules of Conduct into Chinese.

SEMINAR

- Remin University (中國人民大學) will host a conference on 'Land Laws' at Wuyishan (武夷山) on 21st to 24th July 2000. There will be at least a few delegates from Hong Kong. Members who wish to attend are requested to contact the Secretary General, Mr Gordon Ng, for details.

DRAFT BILL

- Members are reminded that the deadline for sending comments to the Housing Bureau on 'Sales Description of Uncompleted Residential Properties' falls on 7th July 2000 **S**

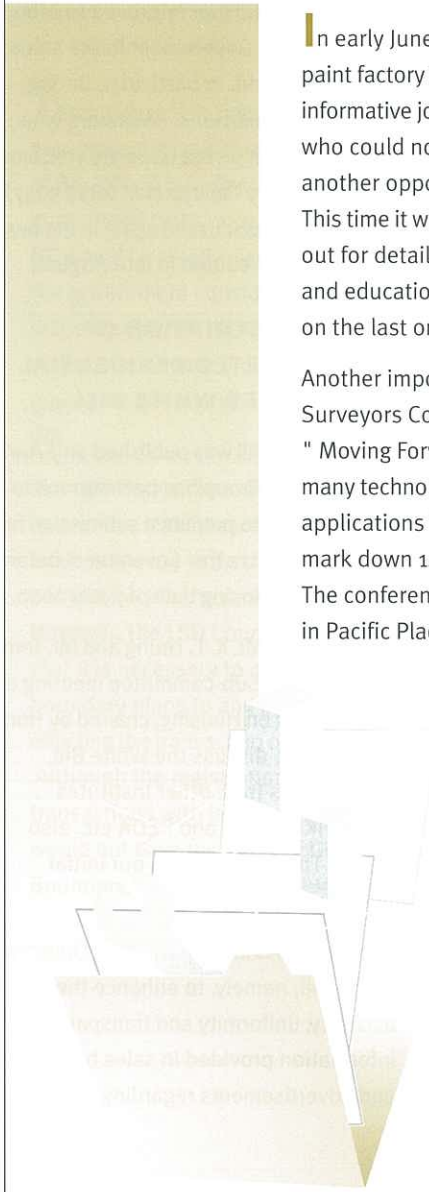


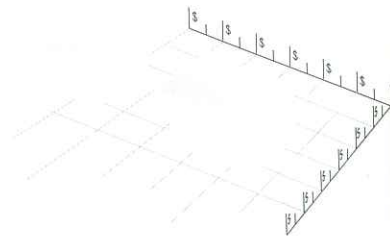
Building Surveying Division

By Nelson HO, Hon. Secretary

In early June, a team of 30 members visited the ICI paint factory in China. It proved to be an enjoyable and informative journey. It is definitely a great loss for those who could not join the visit. Fortunately, we may have another opportunity for a site visit in the near future. This time it will be a visit to a glass factory. Please watch out for details and do not miss out on an interesting and educational journey, particularly if you missed out on the last one.

Another important event for members is the Building Surveyors Conference 2000. The conference, entitled "Moving Forward with New Technologies", will feature many technological advancements and new technology applications in the Building Surveying arena. Please mark down 14 October 2000 (Saturday) in your diary. The conference will be held at the JW Marriott Hotel, in Pacific Place, Admiralty. **S**





GENERAL PRACTICE DIVISION

By Tony Tse, Chairman

1. PROPOSED REQUIREMENT FOR BANK GUARANTEES IN GOVERNMENT LAND TENDERS

Members are asked to comment on the proposal to impose the following requirements in all government land sale tenders :-

- (i) prospective tenderers should submit their tenders with evidence of their ability to discharge their obligations under the Conditions of Sale; and
- (ii) successful tenderers should procure a bank guarantee or a written parent or associated company guarantee for a sum equivalent to the balance of the tender price.

The above proposal was discussed at the Lands Sub-Committee and the Land and Building Advisory Committee ("LBAC") recently and the following are some of the comments raised: -

- (a) A requirement for a parent company or bank guarantee could stifle competition with a potential adverse effect on prices.
- (b) The guarantee requirements would make the formation of joint ventures much more difficult.
- (c) Guarantee requirements could lead to further criticism of Government favouring the larger developers.

At the LBAC meeting, whereas I share the

above concerns, it is suggested that the existing "deposit system" be reviewed to see if it could be further improved to offer better security to Government in the sales of government land, in particular, during fragile market conditions. Members who have any comment on the issue are welcome to write to Mr. Tony Tse (Fax No.: 2893 5937). The issue will be discussed again in the next LBAC meeting scheduled in late August.

2. SALES DESCRIPTION OF UNCOMPLETED RESIDENTIAL PROPERTIES WHITE BILL

The above White Bill was published on 7 April 2000. A Working Group has been formed to study the Bill and to prepare a submission for the HKIS to submit to the Government before the consultation closing date of 7 July 2000.

On 16 May 2000, Mr. K. L. Leung and Mr. Tony Tse attended the Sub-committee meeting of the LegCo Panel on Housing, chaired by Hon. Lee Wing Tat, to discuss the White Bill. Representatives from other Institutes including HKIA, HKIE and REDA etc. also attended. The following are our initial comments: -

- i) The Institute is in support of the Objective of the Bill, namely, to enhance the accuracy, uniformity and transparency of information provided in sales brochures and advertisements regarding the public

sale of local uncompleted residential flats.

- ii) However, there are provisions in the Bill, in particular, the information required under Schedule 1, which need consideration. The bulk of information proposed to be included in the sales brochure may not serve its purpose. Some provisions are difficult to implement.

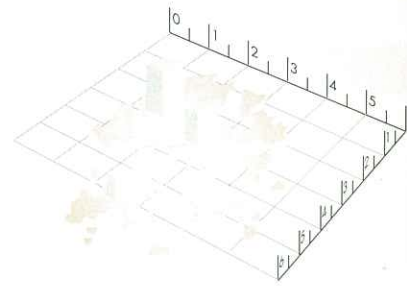
Members will be informed of the Working Group's comments in due course.

3. LAND TITLES BILL - MEETING WITH THE LAND REGISTRY

A briefing meeting for HKIS members on the Land Titles Bill was arranged by the Land Registry on 7 June 2000. Mr. K. L. Leung, Mr. Simon Cheng and Mr. Francis Lau attended the meeting on behalf of GP Division. We are informed that it is the Land Registry's intention to submit the Bill to LegCo in early 2001, and we have requested the Land Registry to consult the HKIS, should a further draft Bill become available.

4. VALUATION 2000 - LAS VEGAS

GP Division has approved the nominations of Ms. Mona Woo and Mr. Alnwick Chan to attend "Valuation 2000", organized by the Appraisal Institute and American Society of Appraisal of the United States, at Las Vegas during the period of 10-13 July 2000. Some



of the workshops to be attended include the following: -

- Determination of Value - What is "Fair"? : A Public Interest Value Program
- Mock Condemnation Trial
- Feng Shui : The Chinese Way of Appraisal
- Business Enterprise Value : Case Studies and Applications
- Land Investment in the 21st Century

5. SHENZHEN INSTITUTE OF REAL ESTATE APPRAISERS

On 25 May 2000, GP Division signed a "Memorandum of Understanding 深圳市不動產估價學會和香港測量師學會產業測量組合作交流備忘錄" with the ShenZhen Institute of Real Estate Appraisers 深圳市不動產估價學會. On the same day, a seminar jointly organized by both Institutes with topics covering the HKIS rules and conduct, main services provided by the GP surveyors, valuation of special properties etc. was held. About 50 members of the ShenZhen Institute of Real Estate Appraisers attended the seminar. On 26 May 2000, we also arranged for the ShenZhen Institute to visit various government departments for a better understanding of the administration and policy relating to property. A proposal of the GP Division to visit the ShenZhen Institute of Real Estate Appraisers later this year is under consideration and members will be informed of the decision in due course. ❏

LAND SURVEYING DIVISION LAND TITLES BILL CONSULTATION

By Wong Chung-hang, Chairman

The Institute has previously advised the government that without the **Guarantee of Boundary** the effectiveness of guaranteed titles under the Land Titles Bill would be greatly discounted. However, the government considered that it is inappropriate for the time being to deal with the boundary problem or to guarantee boundary under the Land Titles Bill.

The LSD Council has discussed the issue twice. The LSD Council reckons that the issue is too big to be practically pursued immediately in the proposed bill. However, the LSD Council still considers that it is necessary to attach land boundary plans to any instruments effecting the transaction of parcels of land. Although the registration of land transactions with land boundary plans would not have the effect of Guarantee of Boundary, it will serve the purpose of

making the land boundary records more definitive. The effect is similar to the statutory provision stipulated under Section 30 of the Land Survey Ordinance for the registration of land subdivisions. The Institute will advise the government to adopt the registration of land boundary plans for transaction of land parcels under the Land Titles Bill in due course.

In connection with this new proposal in the Land Titles Bill, amendment to the Land Survey Ordinance may be required to include the deposit of certified land boundary plans by Authorised Land Surveyors for all transactions of land, whether they are whole lots or sections of lots.

All LSD members are encouraged to give their views on this issue to the LSD Council members. ❏



photo 2



photo 1

FIG COMMISSION 7 ANNUAL MEETING 2000 CADASTRE AND LAND MANAGEMENT HAMBURG, GERMANY

Reported by Conrad Tang

This Annual Meeting which took place between 14 and 19 May 2000 was organized by the German Institution of Surveyors (DVW), the Commission of Cadastre and Land Management (FIG7), and the Office of Geoinformation and Surveying in Hamburg. 38 national delegates or correspondents representing 20 member countries attended the meeting. The group was a nice mix of surveyor generals, land registrars, land administrators, land survey professionals and academics (photo 1).

20 countries/districts have made their reports on the annual updates of cadastral system. The Hong Kong delegate reported on the Land Titles Bill and the proposed corporatization of the Survey and Mapping Office. The Commission officers were looking into the possibility of formal gathering and publicizing of the country reports. The reports would include information on population, area, number of parcels, modes of registration and cadastre.

There were sessions by the three Work Groups in the Commission (photo 2). Discussion and reports were made on the topics:

Work Group 7.1	Reforming Cadastre
Work Group 7.2	Cadastral Systems in Developing Countries
Work Group 7.3	Land Management

Session reports are available on the web site: <http://www.fig7.org.uk/>

The program started on Sunday evening with a reception by the German Institution of Surveyors (DVW). Session meetings, country reports, special issue discussions took three days. There was a day of excursion. The participants were arranged to visit a land consolidation program in a previous East German village near Hamburg and, in the afternoon, a historic town, Luneburg. The visits were reported in a Hamburg newspaper. Commission banquets and dinners were hosted by the local government and professional institutes. Simply you had to drink a lot of German beer and wine, and sing the Commission song.

During the visit to the Department of Geoinformation and Surveying (Amt für Geoinformation und Vermessung), there was a presentation on the tasks and organisation of the department. I was impressed by the advanced development of the Hamburg geoinformation, especially by the mm survey accuracy and the security on the extent of title rights. Of course, the system was also very expensive.

Interested HKIS members are invited to join the Annual Meeting next May in Gavle, Sweden. It has been tentatively set in the third week of May. I am also invited by the Finish delegate to visit the survey

department of Finland. If members are interested to visit the surveying and land registration departments in the North European countries next year, please contact Conrad Tang at Tel : 2766 5963 or Email at Lstang@polyu.edu.hk.

Coming FIG and other surveying conferences are:

21-26 Aug, 2000

Queenstown, New Zealand
2nd Trans Tasman Surveyors Conference

11-15 Sept, 2000

Delft, The Netherlands
22nd Urban and Regional Data Management Symposium

18-21 Sept, 2000

Malta
The Mediterranean Surveyor in the New Millennium

May, 2001

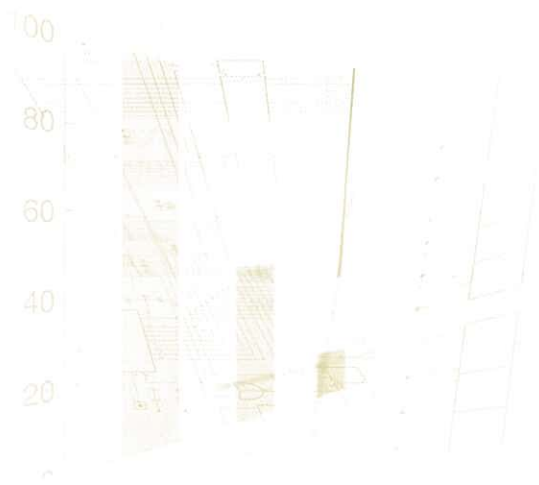
Gavle, Sweden
FIG 7 Annual Meeting

6 - 11 May, 2001

Seoul, Korea
FIG Working Week 2001

19-26 April, 2002

Washington, DC, USA
FIG 2002 XXII Congress



ONE DAY TECHNICAL VISIT TO MACAU

By LAM Lik-shan

The major event of the year, "One Day Technical Visit to Macau", was successfully held on 26th May 2000. More than thirty members came to enjoy a wonderful trip. We were warmly received by the following four Macau organisations: -

1. Cartography and Cadastre General Department (地圖繪製暨地籍局);
2. Property Registry Office (物業登記局);
3. Incinerator Plant and Waste Water Treatment Plant Office (焚化中心暨污水處理站辦公室); and
4. Meteorological and Geophysical Bureau (地球物理暨氣象局).

CARTOGRAPHY AND CADASTRE GENERAL DEPARTMENT (地圖繪製暨地籍局)

Have you ever seen the Macau Grand Prix? The Cartography and Cadastre General Department (DSCC) is located just next to the most famous "Hairpin Bends" of the course. The Director, Mr. TAM Kuong Man, and his senior officials enthusiastically welcomed us upon our arrival.

At the outset, they briefly introduced us to the structure of the DSCC, including the Cartography Department, Cadastre Division,

Administration and Finance Division, and Macao Survey School. Some main services provided by the DSCC are as follows: -

1. Supporting civil construction by providing 3D coordinates of control and trigonometrical points;
2. Supporting judicial purpose, cadastre and registration for Property Registry Office by preparing cadastral plans;
3. Supporting Cartography and Photogrammetry; and
4. Providing training to survey practitioners in Macau.

Some old and new aerial photos were then demonstrated to us. The most indicative features among the photos were the construction of two Macau-Taipa bridges. To some extent, the bridges were the milestones of Macau. Finally, they showed us their newly-developed internet mapping product, "Window to Macau", which aroused our greatest interest in its value-added power to Geographical Information System.



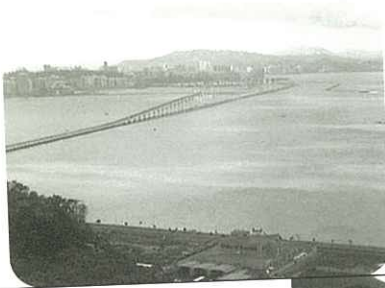
◀ Visit to the Cartography and Cadastre General Department

The Director and the Subdirector of Cartography and Cadastre General Department receiving souvenirs from the chairman, Mr WONG Chung-hang



PROPERTY REGISTRY OFFICE (物業登記局)

Our next stop was the Property Registry Office. One of the senior officials, Ms. LEONG Mei Leng, briefed us about the nature of property registration services and its legal importance, although it was not a mandatory process in Macau. For defining all elements of property, cadastral data such as parishes, streets, door numbers, building names, etc. are required to be registered. For your interest, Macau was divided into seven parishes (堂) area. They are Our Lady Fatima (花地瑪堂), St. Lazarus (望德堂), St. Anthony (花王堂), Cathedral (大堂), St. Lawrence (聖老楞佐堂), St. F. Xavier (聖方濟各堂) and Our Lady Carmo (嘉模聖母堂). Their fully computerized searching services and different kinds of old land records were demonstrated to us while we were given a tour around the office.



◀ Macau-Taipa Bridge



◀ The control room of the Incinerator Plant and Waste Water Treatment Plant Office

▶ Ms. LEONG Mei Leng of the Property Registry Office introducing us to the registration services



INCINERATOR PLANT AND WASTE WATER TREATMENT PLANT OFFICE (焚化中心暨污水處理站辦公室)

Following a delicious lunch, we arrived at the Incinerator Plant and Waste Water Treatment Plant Office. The coordinator, Ms. PUN Pou Leng, and her senior technicians showed us the principle and the operation procedures of the incinerator plant. Its design was highly advanced and environmentally friendly. The generated heat energy could be transformed to electrical energy for self-usage.

METEOROLOGICAL AND GEOPHYSICAL BUREAU (地球物理暨氣象局)

The Meteorological and Geophysical Bureau (SMG) is situated on top of the hill in the eastern part of the Taipa, just near the Macau International Airport. We received a warm welcome from the Director, Mr. FUNG Soi Kun, and his senior officials.

The SMG is running with a network of automatic weather stations, consisting of ten stations located on the strategic points of Macau. The meteorological observations are proceeded as well as the special observations during adverse weather situations. The most advanced computer in

the world was being used to carry out the meteorological analysis and prediction. Moreover, the SMG runs a network of automatic air monitoring stations, which allow the measuring of concentrations of the major pollutants. They were proud to say that the Macau's air quality was far better than that of Hong Kong!

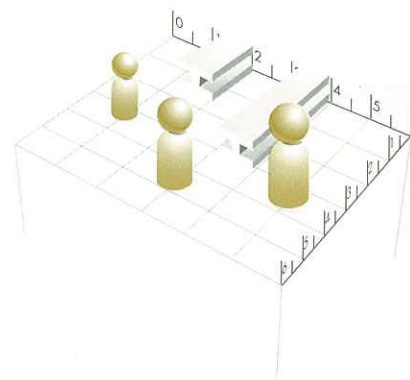
The SMG is a committee member of many international meteorological organizations. Great obligations in sharing both meteorological and geophysical data within the Pearl River Delta were fulfilled to form a Real-Time Automatic Weather Monitoring Network with the Guangdong Regional Meteorological Bureau and the Hong Kong Observatory. Furthermore, the SMG is also working together with the Seismic Centre of Guangdong province to monitor earthquakes, although Macau is not in the frequent seismic zone.

Our chairman, Mr. WONG Chung-hang, kindly gave our special thanks and appreciation to all the four organisations for their excellent arrangement of the visit. As Hong Kong and Macau are in a "Two Region, One System", we do hope that more mutual co-operation on various aspects would be organised accordingly. It is indeed an extremely informative and significant technical visit. We must especially thank Mr. Ted CHAN for coordinating the event. ❏



▶ The Director of Meteorological and Geophysical Bureau receiving souvenirs from the chairman, Mr WONG Chung-hang.

◀ The Subdirector of Meteorological and Geophysical Bureau introducing us to the meteorological observations



QUANTITY SURVEYING DIVISION

By TT Cheung, Chairman

1. APC 2000

The dates of the APC are 23rd and 24th September 2000 at the Hong Kong International Trade and Exhibition Centre, Kowloon Bay. There will be 2 questions set for each day. In this year's paper, there will not be a question especially reserved for civil works. Questions will be as general as possible, such that candidates working for consultants or contractors, building, civil or building services, should be able to provide a reasonably sound submission.

An APC doctor session was held on 10th June 2000 and was well attended by more than 500 candidates. It was a precious opportunity for APC candidates to get together with some assessors of the APC 1999, to share with them the techniques of the assessment. During the session, we also gauged candidates whether the use of computer facilities would benefit them in the test but the response was rather negative. We would appreciate any views in relation to this subject either from the candidates or from the assessors.

2. 2001 INTERNATIONAL CONFERENCE ON PROJECT COST MANAGEMENT, BEIJING

The event is jointly organized by the Standard and Norms Department of the Ministry of Construction, PRC, the China Engineering

Cost Association and HKIS. The date of the conference is scheduled to be held between 25th to 27th May 2001. The themes of the conference are:

- * The future of project cost management in the 21st century;
- * Cost forecasting and control procedures for public sector projects and/or large scale private sector development;
- * Tendering systems and procurement strategies including pricing methods;
- * Roles and functions of project cost management consultants in the construction industry including their education and training;
- * Development of information technology and application of software in project cost management;
- * The impact of WTO membership on the future of project cost management services.

The first call for papers will be issued soon. Submission of abstract is scheduled on 1st September 2000. A web site for the conference has been developed and hyper-linked to HKIS web site. Interested members may surf the web site for more information.

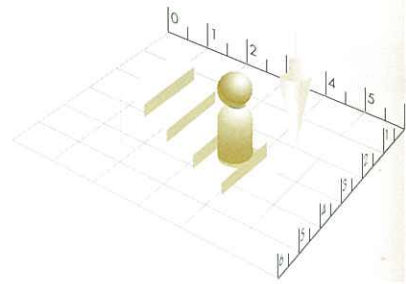
3. INTERNATIONAL COMMITTEE

The 4th PAQS Congress was held in Cairns, Australia in early June 2000. Ms Ellen Lau,

Dr Anita Liu and Dr Derek Drew represented HKIS to attend the Conference and to present 2 papers. The proposal by AIQS on the adoption of a joint university accreditation schemes was not supported by HKIS, SISV and ISM, as we opined that university accreditation should be left to the discretion of member countries taking into consideration member countries' own requirement and needs.

4. INDEPENDENT ROLE OF QS IN INFRASTRUCTURE

Senior members, Messrs. P. C. Lau, Albert Cheung and Kim Berry, together with the Hon. Edward S. T. Ho, met Ms Denise Yue of the Finance Bureau on 15th June 2000, to further our dialogue with the Government for their support of an independent role of QS in infrastructure projects. (An update on the issue can be found in the features column.) ■



◀ Members of the HKIS Team for the Dragon Boat Races 2000 at Shing Mun River

THE JUNIOR ORGANISATION

By Ivan Ng, Hon. Secretary

DRAGON BOAT RACES ON 10 JUNE 2000

Hundreds of paddles were being beaten to propel the dragon boats through the water in the dirty Shing Mun River, which started the Hong Kong International Dragon Boat Races 2000 on 10 June. It is 24 years since the first Hong Kong International Dragon Boat Races was held at the Shau Kei Wan Typhoon Shelter in 1976.

More than 20 members from the Junior Organisation of HKIS had participated in the race for the Professionals' Championship. There were nine teams from different professional bodies participating in this race. Our dragon boat was allocated in lane no. 1, but don't be fooled by the number, it is the farthest from the starting area and faces the riverbank.

We were facing downstream current and since we were in lane no. 1, it was difficult to keep the boat straight due to the propellant force from the adjacent boats and we could hardly hear the starting fire of the gun. Though we were a bit late in starting, due to the above unfavourable reasons, we had not given up and still spent all our effort and concentration throughout the entire race. After the exhausting 500m long race, our team was ranked seventh amongst the nine teams. The same result as last year's.

Although we could not win this year, we had shown great improvement when compared with the first training session. We promise to come back next year.

Special thanks must be given to Justin who spent a lot of effort in co-ordinating the event by being our leader. We may need Justin again to co-ordinate the event next year. What do you think?

CPD - "HOW COMPETITIVE IS THE LAND AUCTION MARKET?"

A CPD event was held on 25 May 2000 at the Hong Kong Convention and Exhibition Centre, and the topic was "How competitive is the land auction market?". The speaker, Dr. Eddie Hui, had presented a very comprehensive topic which had analysed the results for the past land auctions and the strategies of the major developers in building up their land bank, including their performance and behaviour in the land auction market.

The event was well received by a full house. Mr. Hui showed us some statistics about the financial position of the major developers and has correlated the land auction

market with the financial situation of the companies. Through a demonstration via the comparison tables and charts, we could trace back the history of the land auction market and had a deeper understanding of the market.

For those members who could not attend this comprehensive seminar and for those participants who had missed out on some points, please do not worry. Mr. Hui has kindly agreed to summarise the main theme of the seminar and will submit a paper for the next Surveyors' Journal.

Special thanks should be given to Miss Vivian Ho and Mr. Vincent Cheung who had assisted in organising the event and for preparing the presentation materials. ■

Mr. Ivan Ng, Hon Secretary of HKIS JO, presents the souvenir to Dr. Eddie Hui.





LIST OF HKIS MEMBERS EXPUNGED FOR NON-PAYMENT OF SUBSCRIPTIONS 1999/2000

Approval was given by the General Council to expunge the following members for non-payment of subscriptions for the year 1999/2000 with effect from 19th May 2000:-

NAME	DIVISION	HKIS NO.	CLASS
CHUI KAM MING, EDWARD	BS	1431	ASSOCIATE
KIELY, JOHN	BS	1510	FELLOW
CHAN CHUN KIT	BS	80462	STUDENT B
CHAN YUN MING	BS	80631	STUDENT B
LUK YIN LAM, KAREN	BS	81509	STUDENT B
NG CHI HUNG	BS	80386	STUDENT B
NG MAN CHUNG	BS	80551	STUDENT B
NOLAN, ANTHONY	BS	81656	STUDENT B
SANDERS, EDWARD JAMES	BS	81439	STUDENT B
WONG HO WAI	BS	82689	STUDENT B
YEUNG KING CHEUNG	BS	81485	STUDENT B
YU YUN KI	BS	81090	STUDENT B
BINNS, JONATHAN RICHARD	GP	2531	ASSOCIATE
PECK, MICHAEL JOHN	GP	1375	ASSOCIATE
PURDON, CHRISTOPHER JOHN	GP	1880	ASSOCIATE
CHEUNG HOI TAT, PETER	GP	0494	FELLOW
COUCHMAN, ROBERT WILFRED	GP	0638	FELLOW
CHAN TUNG HAI, JOHNNY	GP	82896	STUDENT A
NG YING CHEUNG	GP	82830	STUDENT A
CHAN LOK SZE	GP	81932	STUDENT B
CHAN SEK CHUNG	GP	80873	STUDENT B
CHENG KWOK YIN	GP	81099	STUDENT B
CHO WING FAN	GP	82127	STUDENT B
EWING, CALUM RUTHERFORD	GP	82292	STUDENT B
FUNG LAI YAN, ALAN	GP	81849	STUDENT B
HUNG HING SUM	GP	81389	STUDENT B
JONES, JUSTIN ALISTAIR	GP	82395	STUDENT B
KWOK SUI CHEONG	GP	81960	STUDENT B
LAI MING WAI	GP	82719	STUDENT B
LAU CHI HIN	GP	82756	STUDENT B
LAU HON YUE	GP	82525	STUDENT B
LAU WAI KEI	GP	82903	STUDENT B
LUI YU MAN, TIMOTHY	GP	80612	STUDENT B
NG KOK HUNG	GP	82311	STUDENT B
NG KWAI YUNG	GP	80670	STUDENT B
POON LAI KWAN, JOANNA	GP	82737	STUDENT B
PUN KWOK KEE	GP	80840	STUDENT B
WAN KAM CHI	GP	80982	STUDENT B
WINSTANLEY, THOMAS	GP	81906	STUDENT B

NAME	DIVISION	HKIS NO.	CLASS
WONG WING WAH	GP	82684	STUDENT B
WONG TAK MENG	GP	82010	STUDENT B
YAU YICK KING	GP	82783	STUDENT B
YUEN CHI WAI	GP	82213	STUDENT B
CHENG CHAI CHUEN	LS	0044	FELLOW
SHING CHUN PONG	LS	82487	STUDENT A
NG KING LUN	LS	82655	STUDENT A
LEE HO YIN	LS	81632	STUDENT B
LEE KWOK KWAN	LS	81877	STUDENT B
LIN SHAO LIN	LS	80870	STUDENT B
LIU KIT LING	LS	81934	STUDENT B
PANG YICK CHEUNG	LS	80858	STUDENT B
WILCOX, GILES F. REED	PD	1281	ASSOCIATE
CHEUNG FUNG CHOY, JAYSON	QS	0399	ASSOCIATE
CHEUNG YING HUNG, FRANCIS	QS	2602	ASSOCIATE
NELSON, JOHN	QS	1465	FELLOW
BOYD, DUNCAN JAMES	QS	82765	STUDENT B
CHAN KWOK KAU	QS	80180	STUDENT B
CHAN WING FAN	QS	81976	STUDENT B
CHENG CHUI YEE	QS	82605	STUDENT B
IP KAM CHUEN	QS	82804	STUDENT B
LAM KAI CHEONG	QS	82260	STUDENT B
MCWHINNEY, D.J. FORSYTH	QS	82508	STUDENT B
SONG KAI	QS	82297	STUDENT B
WONG KAM CHEONG	QS	82742	STUDENT B
YAN YAU NAM	QS	81556	STUDENT B
YU CHEUK KIT, KENNETH	QS	82724	STUDENT B
YUNG HOI SZE, IRIS	QS	83186	STUDENT B


TOTAL NO. OF EXPUNGED MEMBERS: 67

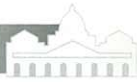
Message from the Secretariat



With reference to the invitation for applications to the HKIS List of Arbitrators (Surveying, March 2000, page 15), the HKIS Executive Committee informs members that the membership requirement of applicants for the List will not be confined to Fellow members only. Associate members having a proven record in arbitration work would be considered for inclusion in the List. The

List of Arbitrators

other requirements remain unchanged and the Executive Committee will welcome further applications. Please send your application with a resume to the President at the Secretariat, Suite 510, Jardine House, Central, Hong Kong. The deadline for application is 31st July 2000. 



LAST MONTH IN LEGCO

*By Hon. Edward S T Ho, SBS, JP, Legislative Councillor,
Representative of Architectural, Surveying and Planning
Functional Constituency*

ALL PARTY CLEAN AIR ALLIANCE

Members would agree that air quality in Hong Kong has been deteriorated to such an extent that some urgent measures have to be taken by the Government. I took the initiative to gather together different political parties in LegCo and some independent members to form an All Party Clean Air Alliance. The idea was to put aside different views between political sectors and present a united set of proposals to the Government to improve air quality, especially measures that can be taken relatively quickly and results which can be achieved relatively quickly also.

As a result of putting our brains together, the Alliance presented 16 proposals to the Government. They are as follows:

1. Increase action against illegal diesel activities
2. Step up enforcement of "On-the-spot" fines for smoky vehicles
3. Increase penalties for smoky vehicles
4. Speed up the legislative procedures against idling engines
5. Introduce Ultra Low Sulphur Diesel (ULSD)
6. Set up tax-free diesel filling station at the border
7. Install particulate-traps for diesel vehicles
8. Replace Non-Euro Standard Medium and Heavy Diesel Goods Vehicles
9. Designate Pedestrian Zones in congested areas
10. Promote the LPG taxi scheme
11. Rationalize bus routes
12. Reduce private vehicle flow
13. Spray water on roads in busy traffic areas
14. Limit loading and unloading of goods to night-time
15. The Government should work closely with the Mainland authorities to fight air pollution problems
16. Set up a high-level commission to address air quality problems.

Proposals were presented to the Chief Executive, Mr. CH Tung on 6 May 2000 and we met with him on 13 May 2000. Mr. Tung has now appointed Mrs. Lily Yam, Secretary for the Environment and Food to head an inter-departmental task force to tackle the air pollution problem. In our meeting with Mr. Tung, I urged him to give his full support to Mrs. Yam as different government bureaux tend to have their own agenda, but quality of our environment should be the top priority. Mr. Tung pledged to give his full support.

Since our proposals, the Government has announced some measures such as the introduction of Ultra Low Sulphur Diesel by the end of this year, the installation of particulate traps starting in September,

increased penalties for smoky vehicles and putting more effort to build liquefied petroleum gas (LPG) stations to speed up the conversion of LPG vehicles. We are expecting a comprehensive response from Mr. Tung to our proposals by the end of June.

URBAN RENEWAL AUTHORITY BILL

The Bills Committee on this bill, which I chaired, is still working hard on the scrutiny of the bill. The more major issues have been: the need for a people-oriented approach to urban redevelopment, rehousing, fair compensation to owners and tenants, appeal mechanism as well as the composition of the Urban Renewal Authority.

TOWN PLANNING BILL

Work on the Town Planning Bill by the Bills Committee has been stopped due to insufficient time before the dissolution of the Legislature by the end of June, since many outstanding and controversial issues still remain.

BUILDING MANAGEMENT (AMENDMENT) BILL 2000

Work on the Building Management (Amendment) Bill 2000 is completed by the Bills Committee. Both the Administration, as well as some LegCo members, has put in their amendments. It is not clear yet, whether all these amendments would be supported by the LegCo members or not. The Administration agreed to put in amendments, which would resolve the problem brought

up by the Real Estate Developers Association of Hong Kong (REDA). The REDA was concerned that only 10% of all the owners were required to convene a meeting to appoint a management committee (MC), to form an owners corporation. This will lead to a conflict with the developer in a multi-phased development. In that situation, though the developer would still own the majority of divided share (since only part of the development has been sold), he can only object by exercising his vote as a majority shareholder. But he cannot prevent the forming of the MC by a small group of people in the first instance.

The Administration's amendments would give the effect that the method for convening an owners meeting to appoint a management committee under the new section 3(3), should be applicable only after an occupation permit of all the buildings in a single development (including multi-phased development) have been issued under the Buildings Ordinance. The Administration's proposal would address the special circumstances of multi-phased development without unduly affecting owners rights and ability to form a Owners Corporation.

BUILDINGS (AMENDMENT) BILL 2000

The Bills Committee of the Buildings (Amendment) Bill 2000 has completed scrutiny of the Bill and the resumption of the second reading will take place on 21 June 2000. The Bill includes six areas:

- (a) provision of floor space for material recovery in new buildings;
- (b) performance review of geotechnical design;
- (c) revised fee structure for the registration of Authorised Persons (AP) and Registered Structural Engineers (RSE);
- (d) building concessions for hotel development;
- (e) provision of access facilities in new buildings for use by telecommunication and broadcasting network operators; and
- (f) a minor amendment to section 40(2AA) of the Ordinance.

The amendment if passed will require owners to provide space and facilities for the separation of refuse and material recovery in new buildings, and the space required will be disregarded from Gross Floor Area calculations. As for fees for registration of APs and RSEs, the good news is that it will be an actual reduction. For APs, the current rate for annual retention fee is \$840. The new rate will be \$815. The amendment also concerns building concessions for hotel development. This is really formalizing concessions, which have been previously granted by the Building Authority.

MA ON SHAN RAIL LINK TO GO AHEAD

The Finance Committee approved a commitment of \$8,500 million under the Capital Investment Fund, for equity injection into the Kowloon-Canton Railway Corporation, to build the Ma On Shan - Tai Wai Rail Link and the KCRC Tsim Sha Tsui Extension.

RAILWAY DEVELOPMENT STRATEGY 2000


This was published in May 2000 for consultation. Some of the priority projects

will be the East Kowloon Line and the Island Line Extensions. A long-term project is a strategic rail link from the Kowloon urban area to the border by means of fast trains, with the whole journey taking only 15 minutes.

SOUTH EAST KOWLOON DEVELOPMENT

The revised masterplan for the S. E. Kowloon Development for a population of 246,000 has been released for consultation. The scheme followed quite closely the proposal put forward jointly by HKIA, HKIS and HKIE. The area of reclamation has been reduced from 299 ha to 123 ha, a significant reduction to be welcomed. We will be looking at the development more in detail later on to ensure that it will be indeed a green city of the next generation.

CONSULTATION PAPER ON THE SALES DESCRIPTIONS OF UNCOMPLETED RESIDENTIAL PROPERTIES

A White Bill of descriptions of uncompleted flats is now out of consultation. Very detailed descriptions for dimensions, amenities, materials and fittings will be required in the future for Sales Brochures of uncompleted flats. For instance, land use and intended land use within a distance of 0.5km must be shown. This has serious implications for multi-phased developments. From a practical point of view, one questions whether future intended land use can be determined; and indeed the severe restrictions placed upon the developer and the architect for flexibility to cope with market condition or design. 



RESIDENTIAL MORTGAGE SURVEY RESULTS FOR MARCH 2000

PROPOSED REQUIREMENT FOR BANK GUARANTEES IN LAND TENDER

"Members had some initial discussions on the proposals of requiring tenderers in all land sale tenders to procure a bank guarantee or a parent company guarantee in respect of the balance of the tender price, and requiring prospective tenderers to provide evidence of their ability to discharge their obligations under the Conditions of Sale," said Professor Yeung Yue-man, Chairman of the Land and Building Advisory Committee (LBAC) on 30 May 2000.

"Some members have expressed concern about the possible impact of the above proposals on prospective tenderers, particularly the smaller developers. Some have suggested the Lands Department may look into the present deposit requirement to see if there is any room for improvement.

"To take the matter forward, the Lands Department will conduct further consultation on the above proposals," Professor Yeung added.

WORKING GROUP ON BUILT QUALITY

At the meeting of the Land and Building Advisory Committee (LBAC) on 30 May 2000, the Committee was briefed on the progress of work of the Working Group on Built Quality under the Buildings Department.

"Members in general welcome the work of the Working Group to enhance the supervision and quality of foundation works and ground investigation works by

setting out more clearly the respective responsibilities of Authorized Person (AP), Registered Structural Engineer (RSE), Registered General Building Contractor (RGBC) and Registered Specialist Contractor (RSC) in these works," Professor Yeung said.

The Working Group has also recommended that ground investigation work be carried out by registered specialist contractors. The professional institutions are supportive of the measures.

The Working Group on Built Quality was formed in December 1999 to work out and recommend measures to improve the supervision and testing of foundation works for private buildings

RESIDENTIAL MORTGAGE SURVEY RESULTS FOR APRIL 2000

New mortgage lending fell in April, according to the HKMA's monthly survey of residential mortgage lending. The amount of gross new loans made in April fell by 6.4% to \$10.1 billion compared with the increase of 8.2% in March. The average size of new loans decreased to \$1.38 million in April from \$1.43 million in March.

New loans approved during the month dropped markedly by 19.6% to \$13 billion from \$16.2 billion in March, largely due to the slowdown in sale activity in the primary market.

Refinancing loans increased in absolute terms for the second month, and accounted for 46.4% of new loans approved in April (32.8% in March). Loans approved during the month but not yet drawn fell by 17.9% to \$10 billion in April from \$12.2 billion in March.

The average loan-to-value ratio of new loans approved fell to 57.5% in April from 58.1% in March. The average contractual life decreased to 199 months from 205 months. Of these loans, 99.2% were related to owner-occupied properties.

On the pricing front, loans granted at below the best lending rate for the whole term of the mortgage accounted for 76.8% of the new loans approved, up from 65.1% in March.

The amount of outstanding mortgage loans grew slightly in April. The annualised rate of growth of outstanding loans was 1.5% in the three months to April, up from 0.2% in March. The average change over the last twelve months fell to 2.6% from 2.8% in March.

The loan delinquency ratio (measured by the ratio of mortgage loans overdue for more than 3 months to total outstanding mortgage loans) increased slightly to 1.18% in April from 1.16% in March.

"The extent of the competition for new mortgage business is illustrated by the fact that over 55% of mortgage loans approved during the month were priced at more than 1.5% below the best lending rate," said Mr. David Carse, Deputy Chief Executive of the HKMA. "So far, relatively low funding costs have helped to compensate for the squeeze on lending margins, but it cannot be assumed that this situation will persist."

Gross loans made for the purchase of properties in Mainland China decreased to \$15 million in April from \$64 million in March. The amount of outstanding loans decreased by \$119 million to \$6.13 billion.

HONG KONG PROPERTY REVIEW 2000

The Rating and Valuation Department has now published the Hong Kong Property Review 2000 which contains statistics on the production and activities in the local property market.

This bilingual publication, priced at \$250 a

copy, is available for sale from 30 May 2000 at the Government Publications Centre, Ground Floor, Low Block, Queensway Government Offices, 66 Queensway, Hong Kong.

Soft copies are also available at the same price from the Department. Orders for soft copies can be made to Mr Chu Chun-hing at 2150 8912.

A number of new tables are incorporated into this edition. These include statistics on the sale of Government-subsidised housing units and the sales transaction volume of all premises by property type.

Further enquiries concerning this publication can be directed to the Department's Technical Secretary (Information), Ms Nancy Hung, at 2150 8807.

PILOT SCHEME FOR WATER-COOLED AIR-CON SYSTEMS

The Government launched on 30 May 2000 a pilot scheme to allow the wider use of fresh water supplies for water-cooled air-conditioning systems in non-domestic developments in six areas. The designated areas are Wan Chai, Mong Kok, Pok Fu Lam, Tai Po Industrial Estate, Yuen Long Industrial Estate and Hung Hom. The pilot scheme would be a very important step forward for energy efficiency in Hong Kong.

The aims of this pilot scheme are:

- to promote energy efficient water-cooled air conditioning systems,
- to assess the impacts to the infrastructures,
- to assess the health and environmental effects, and
- to provide information for a territorial study for the implementation of water-cooled air conditioning systems in Hong Kong.

The pilot scheme, is an initiative by an inter-departmental working group comprising the Works Bureau and the Environment and Food Bureau.

It also included eight departments, namely the Buildings Department, Drainage Services Department, Electrical and Mechanical Services Department, Environmental

Protection Department, Department of Health, Lands Department, Planning Department and Water Supplies Department.

During the scheme, non-domestic building owners can apply fresh water supplies for air-conditioning systems.

The first area is Wan Chai, the area is enclosed by Kennedy Road, Johnston Road and Hennessy Road. The second area is Mong Kok, the area is enclosed by Sai Yeung Choi Street, Argyle Street, Portland Street and Public Square Street. The third area is Pok Fu Lam, the area is west of Pok Fu Lam Road.

The fourth area is Tai Po Industrial Estate. The fifth area is Yuen Long Industrial Estate. The sixth area is Hung Hom, the area is enclosed by Hong Chong Road, Gascoigne Road, Cox's Road and Austin Road.

Water-cooling is more effective and energy efficient than air-cooling in air-conditioning systems. Over the past few years, the Government has been looking into the feasibility of using water-cooled systems in non-domestic developments. Energy savings will be very significant if water-cooling is adopted in air-conditioning systems throughout Hong Kong.

Building owners in the six designated areas are urged to consider taking part in the pilot scheme. All non-domestic developments in those areas, existing or new, may apply to the Water Supplies Department for the approval of water supplies, and send a copy of the application to the Electrical and Mechanical Services Department for vetting of the design and registration of the cooling towers.

Applicants must also submit to the Buildings Department plans on the construction of the supporting framework for approval.

Detailed application procedures and the operation and maintenance requirements are available from the Energy Efficiency Office of the Electrical and Mechanical Services Department on 11/F, 111 Leighton Road, Causeway Bay, Hong Kong. For enquiries, please call 2881 1562.

ONE PRE-SALE CONSENT ISSUED IN MAY

The Lands Department issued one consent for the sale of 40 residential units in an uncompleted development project last month (May).

The project, located in Tai Po, is estimated to be completed in October 2000, a Lands Department spokesman said today (June 7).

One development in Tai Po involving nine commercial units was also issued a pre-sale consent.

Consents to assign were given for 1,418 residential units in two development projects at the Olympic Station and Discovery Bay.

At the end of May, there were 13 applications for pre-sale consent involving a total of 9,492 residential units across the territory. The units are expected to be completed between September 2000 and August 2002. In addition, there were four applications concerning commercial developments.

Applications for consent to assign being processed included three residential projects involving a total of 1,395 units in various districts.

For information on the pre-sale consents, members of the public can call the Lands Department at 2147 5475 or visit its website at www.info.gov.hk/landsd/.

NEW TOWN PLANNING BOARD GUIDELINES PROMULGATED

The Town Planning Board (the Board) endorsed on 9 June a new set of TPB Guidelines for Renewal of Planning Permission and Extension of Time for Compliance with Planning Conditions (TPB PG-No.21) and agreed to revise the Guidelines for Minor Amendments to Approved Development Proposals (TPB PG-No.19A).

"The new TPB Guidelines for Renewal of Planning Permission and Extension of Time for Compliance with Planning Conditions have set out the meaning of commencement of development, general requirements of submission of applications for renewal of planning permission and extension of time for compliance with planning conditions, and

the criteria for assessing such applications. The intention is to promulgate the Board's existing practice in processing such applications in the form of TPB Guidelines for public reference," a spokesman for the Board said.

"Comparing to the existing practice, the administrative time limit for submission of application has been reduced from not less than two months to not less than four weeks before the expiry of the planning permission/compliance period of planning conditions.

"Applications would need to be submitted in a proforma and in the event of late submission after the administrative time limit, a fresh planning application will then be required," the spokesman said.

The spokesman further pointed out that the TPB Guidelines for Minor Amendments to Approved Development Proposals, on the other hand, was first endorsed by the Board in May 1999 with a view to delegating its authority to District Planning Officers for approving minor amendments to previously approved schemes and to expanding the scope of minor amendments to be processed by the Director of Planning under the delegated authority. The revised TPB Guidelines are intended to expand the scope of delegation to District Planning Officers and the Director of Planning for further streamlining the development approval process.

The two sets of Guidelines, together with the proforma, are available for public inspection at the Technical Services Division of the Planning Department at 17th Floor, North Point Government Offices, 333 Java Road, and posted at the Board's web site <http://www.info.gov.hk/tpb/>. Copies are also available free of charge at the Secretariat of the Board at 15th Floor, North Point Government Offices.

BUILDING PLANS APPROVED IN APRIL

The Buildings Department approved 30 building plans in April-8 on Hong Kong Island, 10 in Kowloon and 12 in the New Territories.

The approved plans covered 15 for apartment and apartment/commercial developments, one for commercial developments, six for factory and industrial developments, and eight for community services developments.

In the same month, consent was given for works to start on 13 building projects, which will provide 88,535 square metres of usable domestic floor area and 10,099 square metres of usable non-domestic floor area on completion.

The department also issued 23 occupation permits-6 on Hong Kong Island, 12 in Kowloon and 5 in the New Territories.

Of the buildings certified for occupation, the usable floor areas for domestic and non-domestic uses were 133,048 square metres and 46,158 square metres respectively.

The declared cost of the new buildings completed in April totalled about \$3.891 billion.

In addition, seven demolition consents involving seven buildings and structures were issued.

The department's Control and Enforcement Division received 948 complaints against unauthorised building works in April, and issued 287 removal orders on unauthorised works.

MORE SALE FLATS TRANSFERRED TO RENTAL USE

An additional 16,000 public housing units will be available for rental allocation in the coming four years following the Housing Authority's latest adjustment of its home ownership programmes, including an immediate injection of 6,000 units in the current financial year.

These units, originally earmarked for sale under the Authority's Home Ownership Scheme (HOS), will be transferred to rental flats in view of the prevailing market conditions and community aspirations for clearing the Waiting List for public rental housing (PRH).

Announcing the decision to boost rental supply, the Chairman of the Authority, Dr Rosanna Wong, said the Authority is mindful of the need to focus its assistance to those in genuine need.

"With this transfer and the resultant increase in the supply of rental units, the Authority will be able to further shorten the average waiting time for PRH. The target of reducing PRH waiting time to three years can be achieved by end 2003, two years ahead of the original target," she said.

Rental supply will take up 60% of the Authority's total production in the coming four years to 2003/04, compared with just over 50% before the transfer, she noted.

At the same time, the pre-sale period of the HOS will be shortened. With the partial transfer of 6,000 HOS units to rental use and the pre-sold of 21,000 units, only about 6,000 new units which are due for completion in 2000/01 will be put up for sale after January 2001.

In addition, the Buy-or-Rent Option and Mortgage Subsidy Scheme will be scaled down from 6,000 units to 2,000 Harmony PRH units this year. Eligible applicants will continue to be given mortgage subsidies to buy new HOS/PSPS flats.

The reduction of 16,000 HOS sale flats will be compensated by a corresponding increase in the number of housing loans, subject to market conditions and demand.

In the longer term from 2004/05 onwards, the Authority will adopt flexi-use housing design as its production norm through the use of more Harmony and non-standard designs and joint venture projects. This will give us greater flexibility in future flat disposal when deciding if the newly completed flats should be put up for sale or for rent. While pragmatically adjusting the Authority's sale programme and widening the use of housing loans, we remain committed to providing on average at least 50,000 housing assistance opportunities annually to eligible families through more flexible means. ■



INDEPENDENT QS ROLE IN INFRASTRUCTURE WORKS PROJECTS

By P.C. Lau, Convenor of the Subcommittee on Independent QS in Infrastructure Work

I wish to update members particularly QS's who are probably aware that the HKIS has, in the past few years, been campaigning the Government to introduce an independent QS role in infrastructure works projects, but without success.

Our advocacy is not on whether the Engineer or the QS could do the cost control better, in fact both equally can, but from the perspective of "public accountability", "transparency", "independence", "impartiality" and avoidance of "conflict of interest" because :-

- a) the Engineer (in fact anyone in that capacity) acts as both the "accused" and the "judge" when he decides on a variation claim against him from the contractor. This is conflicting;
- b) though no question on Engineer's impartiality; but being preserved is not enough, it must be seen to be preserved;
- c) no transparency when design, supervision and cost functions are all performed by the same person, the Engineer; public accountability demands transparent segregation of cost assessment from design/supervision;
- d) design and cost are very often conflicting, the latter should therefore be independent of and divorced from the former;
- e) an independent QS would probably better help prevent disputes between the Engineer and Contractor e.g. BQ

measurement stage would sort out any discrepancies, mismatches or incompatibility among design information from different design disciplines e.g. architectural, structural, M & E etc.;

- f) the Engineer undertaking QS work is a waste of society resources as the Engineer and the QS are not being part to their respective best uses.;
- g) given the overall consultancy fee should remain more or less the same, an independent QS would help Government with a better check and balance as in building projects.

To give members an indication of the effort of the Subcommittee, of which I am the Convenor, we have had so far met up with and/or made submissions to the following high ranking government/corporation officials :-

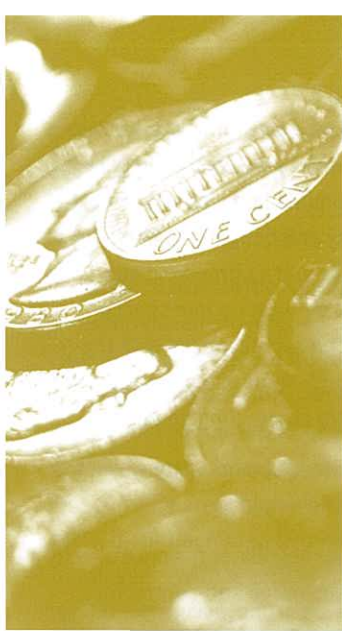
- Secretary for Treasury, Ms Denise Yu on 15th June 2000 and 15th May 1999
- The Hon, Henry Tang Ying Yen, Chairman of Construction Industry Review Committee (CIRC) on 23th May 2000
- Russell Black, D. Avery etc of MTRC on 12th June, 18th January 2000 and 19th November 1999
- Mr. K.Y. Yeung, KCRC Chairman on 12th January 1999
- Mr. C.H. Tung, HKSAR Chief Executive on 4th December 1998
- Mr. H.S. Kwong, immediate Ex. Secretary for Works, on 19th October 1998



▲ Representatives of HKIA, HKIE and HKIS (P.C. Lau on 4th right) meeting with the Hon. Henry Y.Y. Tang (1st left) Chairman of Construction Industry Review Committee

- Mr. Jessie Grove III, Works Bureau's consultant on 12th May 1998

While we have a hard nut to crack we need to continue to keep up with the pressure until it finally cracks as we genuinely believe it would be a "win, win, win" situation for the public, the engineering and the surveying professions. May I take this opportunity to call on members to come forward if you have any empirical information which you believe could help us push the issue forward. ■



"PAY WHEN PAID": A QS'S VIEW

By Eric Chung BSc (Hons)(QS) Dip Law
FHKIS FRICS RPS(QS) Barrister-at-Law
Former Chairman of the Quantity Surveying Division

I read with immense interests Mr. K K Cheung's article on "Pay when Paid", published in the March issue of the HKIS Journal (Vol. 11, Issue 1, March 2000).

Despite a string of local court cases commencing with Hong Kong Teakwood, the absence of a direct authority on the interpretation of clause 11(b) of the current green form has made "pay when paid" the most popular topic in the legal columns of surveyors' journals in the past two decades.

I therefore support entirely Mr Cheung's call for this long overdue controversy to be disposed of once and for all in the upcoming new edition of the Standard Form of Building Contract.

DID WO HING TIE UP THE LOOSE END?

Before this is done, the question remains - is there any consensus among judges and arbitrators over the meaning of clause 11(b)?

Put differently, do we have a direct authority, or anything near? It is suggested that following the decision of Justice Suffiad in Wo Hing Engineering Limited v Pekko Engineers Limited (unreported, No. A561 of 1986), "the judge or Arbitrator should also follow the same approach". This conclusion was reached after a careful review of the relevant judgments of both local and overseas jurisdictions – the U.S., Australia, New Zealand – the excerpts of which were most helpfully set out in Mr Cheung's article.

Cash flow was once aptly described by an eminent judge as "the lifeblood of the

industry". It affects contractors and sub-contractors at all tiers. These parties' respective rights and obligations under typical pay-when-paid provisions therefore are of great practical value.

The only golden rule the author believes in is that every pay-when-paid clause turns on its own wording. This is particularly so for domestic sub-contracts which are often drafted by contractors themselves without making the corresponding amendments to other parts of the contract.

COVERAGE OF THIS ARTICLE – GREEN FORM CLAUSE 11(B)

This article deals with only the green form. With due respect to my long time friend, I remain to be convinced that clause 11(b) will, or should, be interpreted by the court or arbitrators in the same way as Wo Hing.

At this juncture, I must point out two things. Firstly, this quarterly journal is published to offer members a forum to exchange views and knowledge and in doing so to promote standards of the surveying profession.

Article contributors and, more importantly, readers should regard exchanges of differing opinion in that light. Mr Cheung's generosity of giving us a comprehensive legal analysis of the recent development of the law in this area has triggered my own interest to put forward a QS's view to the debate. Secondly, the author does not have the privilege of the full judgments of the cases referred to by Mr Cheung, nor the time or intention of reading them even if provided with them. The views expressed herein are based primarily on the excerpts of the judgments cited in Mr Cheung's article and on the author's

understanding of the subject matter during his earlier professional career as a construction contracts consultant. Readers must therefore read this article with these limitations in mind.

DISTINGUISHING WO HING

Mr Cheung is right in noting that unlike earlier cases (such as Schindler and Hong Kong Teakwood) where the court was concerned with summary judgment or stay of proceedings applications, Wo Hing was a full trial. Unless and until overturned by an appellate court (i.e. either the Court of Appeal or the Final Court of Appeal) the judgment is authority and is binding on the Court of First Instance and all courts below and on arbitrators on "the point" decided.

The next question becomes then : what was the point decided in Wo Hing? It is useful to summarise below the salient facts of Wo Hing:-

1. The case before the court was a dispute between a sub-contractor and a sub-sub-contractor;
2. The question was whether the final balance claimed by the sub-sub-contractor against the sub-contractor was only payable upon the receipt of payment by the sub-contractor from the main contractor;
3. The relevant part provided that "this contract is based on back to back basis including payment." The pay-when-paid clause which the court was asked to interpret therefore is far from being the same as or similar to clause 11(b) of the green form. It was one presumably drafted by the sub-contractor himself.

The case concerned a "domestic" sub-contracting dispute arising from a specifically

drafted sub-contract. The interpretation the court gave therefore should only be regarded as an authority on this particular clause or, at most, on clauses bearing similar wording. The court's ruling can hardly be construed as an authority on clause 11(b) of the green form, the wording of which is very different and which regulates between main contractors and nominated sub-contractors. For readers' ease of reference, clause 11(b) reads:-

"Within fourteen days of the receipt by the Main Contractor of payment from the Employer against any certificate from the Architect the Main Contractor shall notify and pay to the Sub-Contractor the total value certified therein in respect of the Sub-Contract Works....." (emphasis added)

Mr Justice Suffiad appears to have been highly influenced by the New Zealand case of Smith & Smith v. Winstone – a decision of a master (a judicial ranking below a high court judge) in a summary judgment application. The master's remark that it was possible for contracting parties to include in their agreements clear and unambiguous conditions which have to be fulfilled before a contracting party has the right to be paid has contributed nothing new to the law. The crucial question before the master (which also won Mr Justice Suffiad's approval) was whether the pay when paid provision in the sub-sub-contract operated to make the actual receipt of payment by the cladding sub-contractor a condition precedent to his paying the sub-sub-contractor (i.e. a "if" clause), or to merely govern the timing for paying the sub-sub-contractor (i.e. a "when" clause). In arriving at the decision in favour of the sub-contractor, the master was conscious of the fact that the pay when paid provisions was drafted by the cladding contractor. Since he did not regard the relevant provisions sufficiently clear and unambiguous to establish receipt of payment a condition precedent (i.e. a "if" clause), he applied the *contra proferentem* principle against the cladding contractor (i.e. the party drafting the ambiguous provisions).

No doubt the case was correctly decided. The so-called pay when paid provision in fact used very vague wording when describing the

cladding contractor's payment obligation "We will endeavour (this is not to be considered as a guarantee) to pay within 5 days after payment to [the cladding contractor] of monies claimed on behalf of the Sub-Contractor." Applying the *contra proferentem* principle, the master had little difficulties in concluding that the clause was insufficient to make receipt of payment by the cladding contractor a condition precedent. On a proper construction, it was more likely to govern the timing of payment.

The facts of Wo Hing are very similar to those in Smith & Smith. As noted above, the pay when paid provision merely stated "this contract is based on a back to back basis including payment". I cannot see how the court could have held such a provision capable of satisfying the requirements of a "if" clause. In both cases, the dispute was one between a specialist contractor and its sub-contractor (more accurately, a sub-sub-contractor). There was little, if any, contractual nexus between the sub-sub-contractor and the main contractor, let alone between the sub-sub-contractor and the employer. They might not even know the sub-sub-contractor's existence. Why, one would ask, should the sub-sub-contractor be denied payment for work he has done on behalf of the sub-contractor simply because someone up the line with whom he has no contractual nexus has not paid first?

As both Wo Hing and Smith & Smith concerned disputes with a domestic sub-contractor, whatever decided or said are merely *obita dicta* so far as interpretation of the green form is concerned. The most useful dictum is the courts' re-affirmation of their approach to pay-when-paid clauses, that unless they are couched in the clearest and most unambiguous language, the bare argument that payment by the party on the upper tier is a condition precedent to paying the lower tier will unlikely succeed.

THE SPECIAL FEATURES OF NOMINATING SUB-CONTRACTOR

As can be seen from above, the wording of

clause 11(b) of the green form is very different from the pay when paid clauses in Wo Hing and Smith & Smith. Clause 11(b) governs the payment rights and obligations between a main contractor and a nominated sub-contractor. There exist certain special features and contractual nexus with the employer, though short of a privity, unknown to domestic sub-contracting generally.

- (a) the nominated sub-contractor was hand-picked by the employer;
- (b) the employer negotiates the price directly with the nominated sub-contractor;
- (c) save for limited circumstances the main contractor cannot object to the nominated sub-contractor's appointment;
- (d) the employer settles the final account directly with the nominated sub-contractor;
- (e) a mechanism introduced to allow disputes between the nominated sub-contractor and the employer to be resolved via the main contractor (the name-borrowing provision).

GUIDANCE FROM BICKERTON

The main contractor has no concern with the details of a nominated subcontractor's work or his price at the time of tender. Nor does he contract with the employer to undertake the solvency of nominated sub-contractors.

The House of Lords so decided in the leading case of North West Metropolitan Regional Hospital Board v. T A Bickerton & Son Ltd (1970). There, the House of Lords made a number of important observations, which, in the author's view, provide useful guidance on approaching pay-when-paid problems. In that case, the original nominated sub-contractor for the heating system went into liquidation halfway into the contract. Its liquidator refused to perform the remaining sub-contract work. The issues before the final appeal court were whether the employers were under a duty to re-nominate a replacement sub-contractor and, if so, whether he or the main contractor was responsible for the increased costs arising

from the re-nomination. The House of Lords held in favour of the main contractor on both issues. Lord Reid reasoned his judgment in the following famous speech:-

“I must first explain the nature of the contract between the employers and the contractors. The employers put out for tender bills of quantities and drawings. With regard to the greater part of the work the bills were detailed and the contractor filled in the prices. But certain parts of the work were reserved for sub-contractors to be nominated by the employers. With regard to these parts no details were given, and sums known as prime cost sums were inserted by the employers as estimates of what those parts were likely to cost. So the tendering contractor had no concern either with the details of this work or the price to be paid for it. The work was to be part of the contract work and so the contractor's tender was made up of the sums for which it offered to do its part of the work together with the prime cost sums settled by the employers. The employers obtained tenders from specialists, selected by them for the prime cost work, and then, when they had made their contract with the contractor, they instructed the contractor to enter into a contract with the sub-contractor whom they nominated in terms which they dictated, having settled those terms with the nominated sub-contractor. Then, if the sum to be paid to the nominated sub-contractor differed from the estimated prime cost sum, as it almost certainly would, the contractor's contract price for the whole work was adjusted to take account of this difference...

... Subject to a very limited right to object, the principal contractor is bound to enter into a contract with the employer's nominee ...

... No one suggests that the principal contractor has any concern with the prime cost work until it is required to make a contract with a nominated sub-contractor. It would be a clear breach of contract by the employers if their failure to nominate a sub-contractor impeded the contractor in the execution of its own work.” (underlining added)

The most relevant point is Lord Reid's repeated emphasis on the contractor's lack of concern with the nominated sub-

contractor's price, which is firstly negotiated by the employer at the tender stage and finally settled also by him during the final account stage. This being the case, the main contractor shall not be taken as underwriting the nominated sub-contractor's solvency. Thus, Viscount Dilhorne in the same case said:-

“The employers' contention that, on a nominated sub-contractor repudiating its contract, the contractor immediately became liable in damages for the failure to carry out the sub-contract work was strenuously and persistently argued. This would mean that the contractor had entirely underwritten the execution of the sub-contract, that it had guaranteed its performance by a person whom it had had no part in selecting and was liable in damages, which might be very heavy, to the employers which it might be unable to recover from the nominated sub-contractor if that sub-contractor had repudiated owing to bankruptcy or liquidation.”

The main contractor does not in a nominated sub-contracting scheme underwrite to the employer the absolute performance of a nominated sub-contractor and its solvency. Lord Reid and other law lords attributed this decision to their finding that the main contractor has had no part in the nominated sub-contractor's selection and has no concern either with his sub-contract price - which is a matter between him and the employer. By the same token, I think Bickerton can be relied upon to support the proposition that the main contractor does not underwrite to the nominated sub-contractor the employer's performance and solvency. If this analysis is right, the main contractor cannot be taken to guarantee to the nominated sub-contractor the employer's performance in relation to its payment obligation respecting the prime cost work. Unless he himself has been paid, as contemplated by clause 11(b), the main contractor may be unable to recover such prime cost payments from the employer if the employer later becomes bankrupt or insolvent.

THE CONSENSUS AD IDEM APPROACH

Concurring in Lord Reid and others, Viscount Dilhorne opted for an additional reasoning, deducing his decision from an analysis of the parties' probable intention at the time of contract, viz:-

“I think it inherently improbable that any sensible contractor would undertake such an open-ended commitment. I cannot think that that was the intention of the parties at the time the contract was entered into and I do not think that, under this contract, it has done so.”

This provides another angle to interpreting clause 11(b). Applying the consensus ad idem test as Viscount Dilhorne did in Bickerton, clause 11(b) can be argued in favour of main contractors that it would be somewhat inherently improbable that any sensible contractor would undertake such an open-ended commitment to pay the nominated sub-contractor any certified prime cost work once certified by the architect without insisting on having been paid first by the employer.

SET-OFF AND LIQUIDATED DAMAGES

“The situation is clearly very different when the reason of not paying the main contractor the prime cost that has been certified by the architect is the result of a set-off or of levying liquidated damages against the main contractor. The author agrees with Mr Cheung's view in this regard.

CONCLUSION

The author's view on clause 11(b) of the green form is that the words mean what they say. Wo Hing and Smith & Smith are very different cases using very different wording. It is submitted that the observations of Lord Reid and Viscount Dilhorne in Bickerton are illuminating and of persuasive value in interpreting the wording and intent of clause 11(b). ❏



RECENT DEVELOPMENTS IN THE MAINLAND CHINA

The Bidding Law (EFFECTIVE FROM 1 JANUARY 2000)

By Gilbert Kwok and Jacob Lam
QSD, PRC Sub-Committee

INTRODUCTION

Prior to the economic reforms in the People's Republic of China, most projects were undertaken by the State and for the State, there was no need for a bidding law. With the move towards a market economy and the introduction of the tendering system in the PRC in the 1980's, the government has recognised the need to regularise the bidding and tendering process.

SCOPE

The Bidding Law applies to all bidding activities in the PRC. It also sets out when the bidding process applies and the procedure to be used.

The bidding process is mandatory for the following types of projects:

large infrastructure projects;

public facilities projects;

projects funded either partially or fully by the State; and

projects using loans or aid from international institutions or foreign governments.

The Law applies to the site investigation, design, construction and supervision of

construction projects and the purchase of major equipment and materials for the construction of the projects (Article 3).

FORMS OF TENDER

Bidding will take two forms, either public tender or tender by invitation. Public tender will need to be notified by advertisements in newspapers or other means designated by the State (Article 16).

Bidding by invitation will require a minimum of three tenderers (Article 17).

The decision on which form of bidding to be used will be made by the State Council or the relevant local government. They will determine which projects are not suitable for public bidding. The Law does not set out any criteria based on which the decision will be made.

TENDER DOCUMENTS/CONTRACT

If you are involved in preparing tender documents for PRC projects, you have to be familiar with the Bidding Law. There are provisions which are different from common Hong Kong practice. For instance, you cannot specify manufacturers in tender documents (Article 20).

You also have to notice certain time limits imposed by the Bidding Law. You have to allow at least 20 days for tenderers to prepare their tenders (Article 24). Tender addenda have to be provided to tenderers not less than 15 days before the closing date for submitting tenders (Article 23).

While it is common in Hong Kong that a particular contract is signed several months after the relevant tender is accepted, a developer for a PRC project has to sign a written contract with the successful tenderer within 30 days after the tenderer has been advised in writing of the result of the tender (Article 46).

A successful tenderer cannot sub-contract the main part of the contract work to other sub-contractors (Article 48). Any such sub-contract is void (Article 58).

PENALTY

In an attempt to ensure that the Bidding Law is to be complied with, the government has made breaches of the Law subject to administrative penalties (by way of fines) and/or criminal liability. ❧

THE FINAL CHAPTER

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

Last month I promised to report on the Appeal in the case of **Henry Boot Construction Ltd v. Alstom Combined Cycles Ltd**, probably the most important case for quantity surveyors to have come before the courts in the last twenty five years.

In the Surveying Newsletter, Volume 8, Issue 7, which was published in July 1999, I set out the facts of the case, but for ease I will repeat them briefly here.

Alstom employed Henry Boot to carry out some civil engineering works at a power station in Wales in the UK. The power station comprised four combined cycle turbines. Each turbine comprised a Turbine Hall, a Heat Recovery Steam Generator and a Cooling Tower.

During pre-contract negotiations Boot submitted a price of GBP250,880 (which could be broken down to a rate per linear metre) for temporary steel sheet piling to trench excavation in the Turbine Hall area, and this price was incorporated into the contract.

During the course of the works the Engineer issued variation orders instructing temporary steel sheet piling to trench excavation in the Heat Recovery System Generator area and the Cooling Tower area.

The issue was how the additional temporary steel sheet piling was to be valued, and the reason why it became an issue at all was because Boot's price of GBP250,880 had been calculated in error in that it was in reality for both the Turbine Hall and the Heat Recovery Steam Generators, although the contract was clearly entered into on the basis that it was for the Turbine Hall alone. Therefore if the rate in the Bills of Quantities was used to value the variation order, it would produce a very large profit for Boot, because the rate was really twice what it was intended it to be.

Boot of course argued that the additional works must be valued at contract rates regardless of the consequences, whereas the employer argued that a fair valuation should be made thus disregarding the contract rate, because the rate contained an error.

The matter went initially to arbitration, where the arbitrator agreed with the employer that a fair valuation should be made. However Boot appealed on the basis that the arbitrator had misinterpreted clause 52 of the ICE Conditions of Contract which provides the rules for the valuation variations and in particular misinterpreted the words 'so far as may be reasonable' in clause 52(1)(b).

The relevant part of question formulated for the court to decide was:

"Whether it is right not to make a valuation under clause 52(1)(b) of the ICE Conditions 6th Edition (which would otherwise have been based upon a rate or price) on extraneous grounds such as that it was not reasonable to use such a rate or price because it contained or was based upon a mistake or that it was not feasible on the information provided by the contractor to make a valuation based upon the rate or price."

Full details of the judgment of His Honour Judge Humphrey Lloyd QC can be seen in my article in July, but in short he held that the word reasonable referred to the nature of the works being carried out, not the rate itself, and on this basis the Engineer could not avoid the use of a rate because it may be considered high or low or have been based on a mistake.

Before the Court of Appeal, comprising Lord Justice Bedlam, Lord Justice Ward and Lord Lloyd, Alstom argued that it would not be reasonable to use a rate contained in the bill of quantities if the rate were itself unreasonable and that the arbitrator had been correct in rejecting the use of the rates

in the bills of quantities and instead arriving at a fair valuation. They contended therefore that the judge had been incorrect in his decision.

The decision of the Court of Appeal is of great importance, not just because of the principles concerned, but also because the clauses being referred to are almost identical to those in the Hong Kong Government General Conditions of Contract. The decision is summarized below:

* **ICE Clause 55(2)** - "Provided that there shall be no rectification of any error, omission or wrong estimate in any description of rate inserted by the Contractor in the Bills of Quantities." (similar to HK Government GCC Clause 59(3))

The effect of this clause is to make the rates immutable and not subject to correction, and that it bound both parties equally.

* **ICE 52(1)(b)** - "Where works is not of a similar character or is not executed under similar conditionsthe rates and prices in the bill of quantities shall be used as the basis for valuation so far as may be reasonable failing which a fair valuation shall be made." (similar to HK Government GCC Clause 61(c))

The operation of this clause calls for a comparison between the work covered by the variation order and the work priced in the bill of quantities to see whether it is reasonable to use the rate for the works priced in the bills of quantities but it does not enable the engineer to open up or disregard rates on the

grounds that they were inserted by mistake. The clause is concerned with the reasonableness of using the rates and prices in the bills for the works in question and not the reasonableness of those prices or rates themselves:

The arbitrator's rejection of the use of the Contract rate for valuation because he considered it was not reasonable to enlarge the ambit of the mistake, was incorrect because he took into account an irrelevant consideration, i.e. the reasonableness of the rate itself.

* **ICE Clause 52(2)** giving the Engineer power to depart from Contract Rates where the nature or extent of the variation renders the rates unreasonable (similar to HK Government GCC Clause 61 proviso), and ICE Clause 56(2) giving the Engineer power to depart for Contract Rates where a substantial change in quantity of itself renders them unreasonable (similar to HK Government GCC Clause 59(4)(b))

Both these clauses are bound by the same principles.

As Bedlam LJ put it, it is the use of the rates in the changed circumstances brought about by the variation or substantial change in quantities that must be reasonable, not the rates themselves.

* To allow the engineer to open up the rates would be contrary to the principle of competitive tendering, and would have far reaching consequences. If the engineer were free to open up the rates at the request

of one party or the other because they were inserted in the bill of quantities by mistake, it would undermine the basis of competitive tendering, and would create uncertainty in the administration of construction contracts.

* Finally it was considered that the purpose of the conditions was to create certainty, 'to enable the parties to know where they stand' and 'to know with reasonable certainty what the effect of a variation may be'. That certainty should not be undermined by giving the Engineer power to disregard contract rates that he did not consider reasonable.

So the decisions of Judge Lloyd in the original case have been upheld, despite strong dissent from one of the judges in the Court of Appeal. The principles set are very clear and should be of great benefit to both contractors and quantity surveyors/engineers in reducing the number of disputes that arise in the valuation of variations and substantial changes in quantities. ■



LANDMARKS of CHONGQING

(CONTINUED FROM THE LAST ISSUE OF SURVEYING)

By Francis Ng



▲ People Community Hall, Chongqing

XIAOTIANMEN SQUARE (朝天門廣場)

This square is situated at the location where the two rivers meet (Changjiang長江 and Jialingjiang嘉陵江). Work on site started in January 1998 and finished in October, i.e. in 9 months. The total building area amounted to 70,000 sq. metres.

The riverside promenade is an excellent viewing point to see vessels and ferries sailing in/across the two rivers. The floors underneath the square are used for various purposes, e.g. car parking, public transport terminal (transfer station for boat trips), and a large shopping mall.

At grade there is a massive garden where visitors can enjoy both the mountain and river views. At the front of the square, there is a large plaque, with President Jiangjimin's writing '朝天門廣場'.

PEOPLE COMMUNITY HALL (人民大禮堂)

Work on this gigantic structure started in mid 1951 and finished some 2¹/₂ years later. It is a 4-storey building with a total gross floor area of 18,500 sq. metres. The seating capacity amounts to 40,000. The unique

architectural design attracted much international attention. It is one of the outstanding landmarks in Chongqing.

Right in front of this hall, is a massive public open space (named as People's Square人民廣場) which comprises 2.8 ha. At the far end, a small area is set aside for congregation/concert purposes. In the area near to the community hall, there lies the musical fountain with colourful lighting. It is a favourite pastime for residents to spend their evenings here.

OLD TOWN - CHIQIKUO (古鎮磁器口)

Some 20 km from the town centre of Chongqing, there lies a group of historic buildings, which the government intends to preserve. Visitors can take a public bus (重慶客運) Route 220 to Xiapingbei (沙坪壩), light van or a taxi to this ancient village.

A motorable track leads to the long stairway, which runs from a flimsy pier to uphill areas. There is a stone monument erected on site, which marked the location in which a political leader escaped persecution from the opponent (dated back to 18th August 1947).

The stairway leads to a little village, which is lined up with hundreds of stalls on both sides of the main street. Hawkers trade lots of daily commodities, e.g. meat, food, clothing etc. Services like hair cut, shoes shining are also offered.

One peculiar interest is that the village still remains as an unspoiled area where people seem to have a very relaxed life-style. At the far end of the street, there is an ancient temple (寶輪寺) which is under renovation. At the time of visit, Ms Lee Ting (President of the Hong Kong Institute of Landscape Architects), Mr. Vincent Sung (HKIS member) and the writer were the only visitors to this sacred place of worship.

On the way back to town, one can always spend time at the compound of the Chongqing University (entrance fee RMB\$2.00). The Chongqing Construction University is about 300 metres to the west. It is understood that the former university was named as Xinan University (西南大學) during the war time. The university was very popular as quite a number of books were written about school lives at that time. ☞



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Application forms and information on the curriculum may be obtained by the following means:

- (i) download from HKU's Department of Architecture website (go to <http://arch.hku.hk>, click on "Degrees" and followed by "Postgraduate Diploma and Master of Science in Conservation");
- (ii) request in person or in writing from the Academic Services Enquiry Office, Room UG-05, Knowles Building, The University of Hong Kong, Pokfulam Road, Hong Kong (for postal request, please include an A4-size (31 cm x 23 cm) self-addressed stamped (HK\$ 8.20) envelope).

The closing date for the September 2000 intake of PDip(Conservation) and MSc(Conservation) is 1 August 2000. For enquiry please phone (852) 2859 2133 or send a fax to (852) 2559 6484 or e-mail dept@arch.hku.hk.

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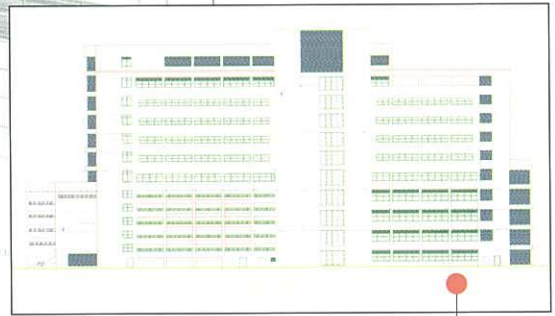
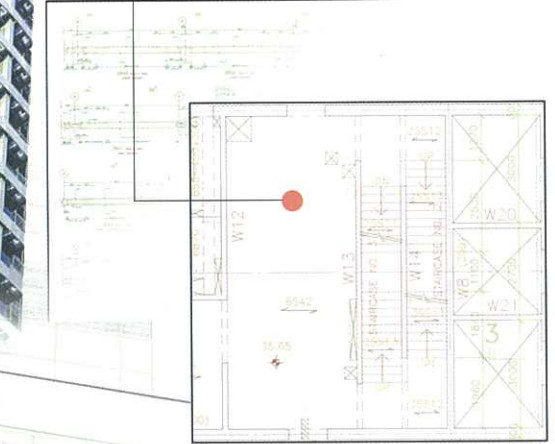
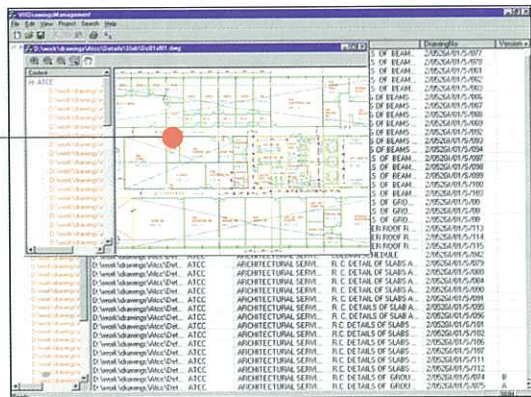
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