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 THE HONG KONG INSTITUTE OF
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香港測量師學會
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同心展關懷

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香港測量師學會

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- HKIS Silver Jubilee Birthday Party on 26 April 2009

The GPD Council will hold an APC workshop entitled "Property Development in Hong Kong - Professionals in Practice" on 11 July 2009 to help probationers to enhance and update their knowledge.

The BSD Council has set criteria for listing and delisting of building surveying firms in their website. The BSD Council will study the use of expert determination to settle disputes on building maintenance and management related matters. In order to attract more secondary students to study building surveying programmes, the BSD Council have set up a scholarship for secondary school students.

The BSD and QSD Councils jointly launched a new standard form of contract entitled "Standard Form of Contract for Decoration, Repair and Maintenance Works" on 7 May 2009. This new standard form is applicable to minor repair and maintenance works with contract price up to HK\$400,000. The QSD Council reached an agreement with China Engineering Cost Association (CECA) to arrange the second registration in June.

The PDD Council welcomes papers to be presented in the 5th Cross Strait Four Land Academic Conference on Land organised by the People's University of Beijing on 1-3 July 2009 in Kunming.

The Guangdong Property Management Association visited the PFMD Council on 23 April 2009. Both Institutes shared their experience and professional examination arrangements in property and facility management areas.

The YSG has co-organised some APC series for probationers in conjunction with the BSD, GPD, LSD and QSD. The YSG will also organise a mingle party with the Young Members Committee of Hong Kong Institute of Certified Public Accountants and the Hong Kong Institution of Engineers on 12 June 2009.

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編者話

產業測量組將於2009年7月11日舉辦「香港的物業發展—專業實踐」專業評談試工作坊，向見習學員講解相關知識。

建築測量組制訂了守則，以刊登或刪除於組別網頁內的建築測量公司名單。建築測量組亦會研究讓專家處理樓宇維修及管理的相關糾紛。為鼓勵更多中學生選擇就讀建築測量課程，建築測量組已為中學生設立獎學金計劃。

建築測量組及工料測量組於2009年5月7日聯合推出「裝飾、維修及保養工程標準合約」。標準合約適用於金額不多於港幣400,000元的小型維修工程。工料測量組亦已與中國建設工程造價管理協會達成協議，於6月份安排第二批造價工程師的註冊申請程序。

規劃及發展組歡迎會員於2009年7月1日至3日於昆明舉行的「第五屆兩岸四地土地學術研討會」中發表文章。

物業設施管理組的代表於2009年4月23日接見了廣州物業管理協會代表，雙方互就兩地專業考試的安排交換意見和經驗。

青年組聯同學會其他組別，為見習學員舉辦一系列專業評核試的工作坊。青年組亦聯同香港會計師公會及香港工程師學會的青年委員會於2009年6月12日舉辦聯誼派對。

何學強博士
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The following is a speech given by President Francis Leung at the HKIS Diploma Presentation on 22 May 2009

Distinguished guests, fellow members, ladies and gentlemen:

On behalf of the Hong Kong Institute of Surveyors, I welcome you all to tonight's Diploma Presentation Ceremony. I have prepared a speech, but in the relaxing atmosphere now built up after chatting with so many of you before the start of the Ceremony, I don't think I should read from my script.

Instead, I will speak around a few topics that I managed to pick up from the conversations with some new members, and share with you my experience. I have jotted them down. Please therefore bear with me if my speech will appear a bit disjointed.

First of all, I congratulate all of you who will receive your diplomas tonight. It is of course a day for you to celebrate your achievement. I would like to tell you that I feel equally excited. To have the opportunity to witness your success and present the diplomas to you is a great honour for me indeed.

The fact that I have the privilege of being your President does not mean I am any wiser or any more able than you. Yes, I might have been the mentor of some of you a few years ago when you were a student. I might have been the examiner on the interview board when you attended the APC interview. That was then. Today, after you have received your Diploma,



I cannot claim to be any superior than any of you, if "superior" is the right word. You and I enjoy the same "qualified professional surveyor" status.

If you insist, there is one difference: I am on the downhill, age-wise and contribution-wise, and you are on the uphill, with a brighter future ahead of you. Looking back your past 20, 30 years, the HKIS qualification might be one of your most important achievements. I hope looking ahead your next 20, 30 years down the road, you will see the HKIS qualification not as "the achievement" but "the springboard" for you to scale higher grounds.

To those who are qualified in your first attempt at APC, my heartfelt congratulations to you for a job really well done. To those succeeding only after more than one attempt, from your position now as a qualified member, I hope you will see the need for the Institute to uphold the highest quality of our members, even to the extent of having previously erred on the side of caution, for which I am quite ready to apologize.

In the early days when I studied management, some 15 to 20 years ago, the term "paradigm shift" was quite popularly used. I am not sure whether the term now means as much to you as it did to me, but I would like to share with you the following changes in focus of attention at various stages of academic and career advancement.

When you start out as a student, you **learn**. You are at the receiving end of education, taking in as much knowledge as possible.

In university education, the focus is shifted to **analysis**. It's no good to just take what you receive for granted. You doubt and challenge them, and accept only what you think is correct.

The real challenges only come after tonight, after you have attained your professional qualification. The real challenges are your ability to **generate solutions** based on what you have learned and the alternatives that you have considered, and be ready to be **responsible for the results and consequences**. Your ability to generate solutions, and your readiness to say you are responsible for them, in my opinion, are the key attributes that determine your development in the next 20, 30 years, your future as a qualified surveyor.

As to the next “paradigm shift”, you will find your responsibility becoming heavier. You are responsible for what you say and what you do, no longer just as an individual. You are responsible for them as a surveyor, representing our profession. Only one month ago on 26 April, the Institute celebrated its 25th Anniversary. As you will see the 25th Anniversary Logo on the backdrop behind me, our motto is “Building our Community, Contributing our Professionalism”. I call upon everyone to bear this in mind. Think not only of yourself, but also our profession, and our responsibility towards society.

The next question is how you can contribute. We are a multi-disciplinary Institute with expertise in General Practice, Building Surveying, Land Surveying, Property and Facility Management, Planning Development, and Quantity Surveying. While our skills are diversified, we

stay united as one Institute. The Institute works closely with the Government and many related organisations on many subjects touching



on planning, real estate, construction and facilities management and having a bearing on society. Cross-fertilization of our skills and speaking with one single voice are paramount to our success. As new members, I would like you to reach out, not only to other disciplines of surveying, but also to other professions with a view to building our community and contributing our professionalism. Straddling the various Divisions is our YSG, Young Surveyors Group. All new members below 40 years old will have already received relevant details about the activities that you may be interested to join and the services that you may wish to provide. You are welcome to talk to our YSG Chairman, Mr Joseph Chong.

I cannot fail to mention the adverse effects of the Global Financial Crisis. 2009 is definitely not the best year for you to become a qualified surveyor. The immediate effect is that a newly qualified should not expect a substantial pay rise, unlike what your seniors did in previous years. Job security is also a concern. At HKIS, we have set up a committee to look into ways of helping members through the Financial Tsunami, such as setting up a job market page and asking employers to

sign up charters of no redundancy.

I am afraid that is as much as I would like to say for tonight, as I understand the Diploma Presentation is officially due to begin. Because of the large number of members receiving diplomas, I am advised that the presentation will last for some 45 minutes, and dinner will not be served until after then!



I would like to close by once again welcoming all new members. I cannot over-emphasize the need for nurturing a sense of belonging to our big family. I would like to share my feelings and leave you with the following questions:

- Do you feel distressed when you hear bad news about surveyors, e.g. in February, when two of our members were sentenced to imprisonment on account of offences of dishonesty?
- Do you feel angry when you hear bad words and read unfair and unjustified reports about surveyors?
- Do you feel happy when you see positive coverage of surveyors in the media, and the respect that we surveyors command in society?

Thank you very much.

Francis Leung
President



香港測量師學會會長梁立基於會員證書頒授典禮中致辭 2009年5月22日

各位嘉賓、各位會員：

我代表香港測量師學會，歡迎大家來到今晚的會員證書頒授典禮。我原本準備了講稿，但於典禮開始之前與大部份會員傾談後，已經建立了輕鬆的氣氛，我想之前準備的講稿已不再適用。但由於這原故，我的說話可能有點零碎，請大家見諒。

我打算與大家分享一下剛才與部份新會員閒談的內容，以及我的個人經驗。

首先，我衷心祝賀大家獲頒授會員證書。今晚是值得慶祝的日子，我的心情與你們同樣興奮，我亦十分榮幸能向各位頒發證書，見證各位的成就。

事實上，我雖然選為學會會長，但並不表示比會員聰敏或能幹。也許若干年前我曾當過某些會員的導師，又或者曾經作為專業面試的考官，但這些已成過去。今天，各位接過會員證書後，我不能再說優於大家，因為我們大家都同樣獲得了「專業測量師」資格。

如果要堅持我與大家有所不同的話，只可說不論年紀和貢獻，我正在走下坡；而在座各位的新會員正往上走，對未來充滿憧憬。回顧你們過去的20至30年，獲取測量師學會的專業資格可說是人生的一項重要成就。我希望於未來的20至30年，你們對測量師學會的專業資格不再以「成就」來形容，而是個人發展的一個「台階」。

對於一次過通過專業考試的學員，我衷心祝賀你們所付出的努力；對於經過重考的學員，今天能成為正式會員，我希望你們明白到學會需要維持會員的專業水平，因此評核時有時或過於嚴苛，我希望你們諒解。

大約15至20年前當我修讀管理學時，「思維轉換」的理念十分流行。我不知道這個用辭現今是否依然普遍，但我想與你們分享一下學術和事業發展於不同階段的轉變。

當你作為一個學生，是在學習階段，接受教育，汲取知識。

當接受大學教育，你集中於分析，不再單是接收訊息，而是對訊息產生疑問、反覆思考，尋求正確答案。

但真正要面對的，是大家於獲取專業資格後出現的種種挑戰。真正的挑戰是你如何運用專業知識來解決問題的能力、你可曾考慮的方案，以及隨時準備對後果負上責任。在我來說，解決方案的能力、個人的責任感，將會是大家於未來20至30年作為一個成功專業測量師的主要關鍵。

於「思維轉換」的另一階段，你會發覺到個人的責任比以往沉重。你將要對自己所說及所做的負責，既作為測量師，亦代表測量專業。於4月26日，學會慶祝了成立25周年，而在我背後佈景版的25周年標誌上，寫上了學會的訓言「測量邁銀禧、專業惠社群」，我希望各位可以謹記這訓言，從今起不只是對個人，而且要對測量專業、及從社會責任方面著想。

另一個問題便是你如何可以對學會作出貢獻。我們是一個多元化的專業學會，當中的專業組別包括產業測量、建築測量、土地測量、物業設施管理、規劃及發展、及工料測量。雖然我們分為六個組別，但它們全屬於學會的框架之下。學會與政府及有關團體經常就規劃、房地產、建築及設施管理等課題作出研究，學會的成功亦建基於不同的專業意見下所歸納出來的整體立場。作為一位新會員，我鼓勵大家向外發展，這不單是於學會的六個組別，而是擴展到其他專業範疇，以建設社會及貢獻專業為目標。另外，測量師學會青年組橫跨了六個組別，所有40歲以下的會員應已收到青年組未來活動的詳細資料，有興趣參與的會員，可與青年組主席莊學正聯絡。

我在此不得不提全球經濟危機對業界的影響。2009年未必是成為專業測量師最合時的一年。最明顯的影響，便是相對以往，獲取專業資格後的薪酬未必有太大升幅；穩定的工作亦不一定受到保障。就此學會已成立委員會，探討如何協助會員渡過金融危機，例如設立招聘網頁、及鼓勵測量師行及僱主簽署不裁員約章。

證書頒發儀式即將開始，今天出席領取證書的會員實在太多，相信頒發所有證書需時約45分鐘，我亦留意到晚宴將於頒發證書後才開始。

我再次多謝各位的光臨。歸納我今晚所說，大家建立對學會的歸屬感至為重要：

- * 於今年2月份兩位測量師因不誠實行為而被判處監禁。當你聽到有關測量師的壞消息時，會否感到不安？
- * 當你聽到對有關測量師不真實或不公平的報導時，會否感到憤怒？
- * 當你看到有關測量師對社會的貢獻及正面評價時，會否感到高興？

以上問題，謹留待大家思考。

多謝各位！

梁立基
會長

Report from HKIS 25th Anniversary Organising Committee

HKIS 25th Anniversary Silver Jubilee Party

A Silver Jubilee Birthday Party was held on 26 April 2009 at the Tai Tam Country Club. Around 180 guests, including those Founding Members, Past Presidents and invited guests, enjoyed a remarkable afternoon.



"Over the past 25 years, we have strived to accomplish ourselves as the leading professional organisation in surveying, real estate and construction in Hong Kong", the President Mr Francis Leung said. "Much credit was due to the founding President, Mr Kan Fook Yee", Mr Leung also said "who had the vision of establishing an institute that would give surveying a local identity, foster its development in the community, and better pursue the interests of the profession and its members."

A full speech of the President was published in the April issue of Surveyors Times.

More photos of the event appear on the back cover page or please visit our website www.hkis.org.hk.

HKIS Silver Jubilee Cup Horse Racing Day

To celebrate the 25th Anniversary, the HKIS presented the HKIS Silver Jubilee Cup to one of the races held at Shatin Racecourse on 9 May 2009 as a one-off event. Over 60 guests and members enjoyed a fun day at the members' box.





The Honourable C Y Leung, Chairman of the 25th Anniversary Organizing Committee and Past President of HKIS presented the HKIS Silver Jubilee Cup to the winning Owner immediately after the race. Mr Francis Leung, President of HKIS, accompanied by Mrs Leung, presented miniatures of the cup to the Trainer and Jockey of the winning horse.

For more photos about the Horse Racing Day, please visit our website www.hkis.org.hk.

Upcoming Events

- The 2009 Annual Conference, with the theme of Surveyors in Urban Regeneration will be held on 26 September 2009 at the Conrad Hong Kong. The Secretary for Development Mrs Carrie Lam will be the keynote speaker. Details to be announced in due course.
- The 2009 Annual Dinner is scheduled to be held in mid-November 2009. Details to be announced in due course.

2009內地與香港建築業論壇 「可持續城市形態： 防災減災與優質建設」

由國家住房和城鄉建設部及香港特別行政區政府發展局合辦的「2009內地與香港建築業論壇」，已於4月8日至10日於四川省成都市香格里拉酒店舉行。論壇於1997年起每年舉辦，迄今已是第十三屆。香港測量師學會、香港規劃師學會及香港園境師學會獲委任為是次論壇籌備委員會的聯合主席，並由香港測量師學會負責團員的報名事宜及聯絡工作。是次論壇參加人數為歷屆之冠，港方報名人數達240人；中方出席論壇的人數約150人，而學會亦因此委派了十多名不同組別會員參與。



團員於4月8日中午甫抵成都機場，便由大會安排的專車接載往成都市香格里拉酒店，並隨即出席了「省道303及臥龍規劃編制《合作安排》簽署儀式」。《合作安排》分別由香港政府發展局局長林鄭月娥、四川省林業廳廳長王平，以及四川省交通廳副廳長鮮雄代表簽署。出席簽署儀式的嘉賓尚包括各政府部門的首長，以及論壇的參加者合共約百餘人。



於8日黃昏，學會會長梁立基及高級副會長葉滿華應邀與四川省人民政府副省長黃彥蓉及其他當地官員作禮節性會面。其餘出席者包括發展局局長林鄭月娥、常任秘書長麥齊光、各政府部門首長、以及各專業團體的代表等。



同日晚上，各團員出席了由國家住房和城鄉建設部安排的晚宴。齊驥副部長並於晚宴上預祝論壇舉辦成功。



論壇於4月9日正式開幕，開幕式分別由國家住房和城鄉建設部副部長齊驥、發展局局長林鄭月娥、四川省人民政府副省長黃彥蓉、以及香港籌備委員會聯合主席香港測量師學會會長梁立基致辭。及後，各嘉賓及團員一同前往拍攝團體大合照留念。



論壇分為三節進行，每一環節均邀得資深學者、官員或專業人士就災後重建和執行的經驗、加強防災、減災能力的建設及規劃作出探討。



論壇第一節的主題為「城市災害的啟示」。嘉賓講者包括唐山市建設局副局長張金池、香港政府土木工程拓展署土木工程處處長陳健碩、香港大學專業進修學院院長李焯芬教授、以及香港大學建築學院院長亮華飛教授。他們分別就唐山市震後恢復建設的情況、香港滑波風險管理的經驗、地震災害的啟示、以及漢旺新景象項目發表講話。



論壇第二節的主題為「城市防災減災」。學會高級副會長葉滿華為港方主持人，講者嘉賓包括甘肅省住房和城鄉建設廳廳長李慧、四川省建設廳總工程師田文、香港工程師學會副會長陳嘉正博士、以及香港機電工程商聯會會長潘樂陶工程師。他們主要圍繞著地震風險、救災的通信系統、防震技術的研究等課題作出探討。





最後一節的主題為「建設優質城市」。內地的講者嘉賓為住房和城鄉建設部工程質量安全監管司陳重、中國城市規劃設計研究院院長李曉江、及中國建築學會秘書長周暢，他們分別為國家城市建設防災減災工作的目標和對策、北川災後重建的實踐、及國家地震災害的城市建築預案研究發表講話；港方的主持人為前屋宇署署長張孝威，講者包括香港規劃師學會會長凌嘉勤、香港建築師學會內地事務部主席譚天放、香港測量師學會前會長黃山、及香港建造商會會長黃天祥。各嘉賓就建造優質城市的生命周期、管理及維護、以及可持續性的發展發表講話。



4月10日早上，大會特別安排團員到訪都江堰市作實地考察，了解當地重建工作的進程、並視察大熊貓園及熊貓疾病控制中心的重建選址。



三節的主題演講後，隨即進行了論壇的閉幕式，並由住房和城鄉建設部計劃財務與外事司司長何興華、及香港政府發展局常任秘書長麥齊光代表作總結。他們均表示，期望藉著此次論壇交流所得到的寶貴經驗，可促進本港與內地建築專業的互動交流，也可使各與會者深入地分享建設優質城市的經驗。



4月9日晚上，香港政府發展局特地安排了晚宴，招待各位嘉賓及參加者。香港政府發展局局長林鄭月娥亦特地感謝業界的的支持及參與，使論壇得以完滿結束。



同日午宴過後，團員乘機回港，結束為期三天的論壇及市內考察活動；而部份團員亦繼續行程，先後到訪德陽市及綿陽市考察香港的援建項目，並於11日回港。

English Summary

2009 Mainland and Hong Kong Construction Industry Forum "Sustainable Urban Form: From Disaster Risk Reduction and Prevention to Quality Construction"

Jointly organised by the Ministry of Housing and Urban-Rural Development and the Development Bureau of HKSAR Government, the Forum was held from 8 to 10 April 2009 at Chengdu. The Mainland and Hong Kong Conference/Forum was first held in 1997 and this is the 13th Forum this year. The HKIS, HKIP and HKILA were appointed co-chairmen of the Organising Committee with the HKIS responsible for registration and liaison. The Forum was well attended by around 240 participants from Hong Kong and around 150 participants from the Mainland. A post forum site visit to Duijiangyuan and a study mission to Deyang, Miangyang and Guangyuan or Wolong were also arranged.

Council members reaching out

30 April 2009

Sub-committee meeting on the Buildings (Minor Works) Regulation organised by Legislative Council
Mr Vincent Ho

5 May 2009

"Happy Hour Gathering" with Mrs Carrie Lam, Secretary for Development Bureau organised by Hon Patrick Lau
Mr Antony Man

5 May 2009

Forum on Revitalisation Scheme organised by Commission for Heritage's Office, Development Bureau
Mr Stephen Yip

6 May 2009

香港專業及資深行政人員協會晚宴
Mr Francis Leung

7 May 2009

Operation Building Bright Launching Ceremony organised by Development Bureau
Mr Francis Leung, Mr Vincent Ho, Dr Paul Ho

8 May 2009

Opening Ceremony of the 31st Asia Pacific Dental Congress organised by the Hong Kong Dental Association
Mr Francis Leung

8 May 2009

Prize Presentation & Exhibition Opening Ceremony of the HKIA Annual Awards 2008 organised by the Hong Kong Institute of Architects
Mr Stephen Yip

13 May 2009

Joint Institutes' Dinner of the HKIA, HKIE, HKILA, HKIP and HKIS organised by HKIS
Mr Francis Leung, Mr Wong Bay, Mr Ben Chong, Mr Lesly Lam

23 May 2009

Prize Presentation Ceremony of 北角汀綜合發展城市設計概念比賽 organised by Eastern District Council
Mr Kenneth Chan

28 May 2009

Eye-dotting Ceremony of the Stanley International Dragon Boat Championships 2009
Mr Francis Leung

Building Surveyors Conference 2009 Preliminary Announcement

- Theme: Building a Green and Sustainable Future
Date: 5 September 2009 (Saturday)
Time: 8.45 am – 4.30 pm
Venue: Harbour Plaza Hong Kong, Whampoa Garden, Hung Hom, Kowloon
Fees: HK\$880 for HKIS Members (including Probationers) Early Bird Rate on or before 31 July 2009
HK\$980 for HKIS Members (including Probationers) / Non-HKIS members
HK\$250 for student members (lunch not included)
Further details to be announced shortly

News from Sports and Recreation Committee

Chairman: Lesly LAM, leslylam@hkis.org.hk

Vice-Chairman: Cyrus Siu, cyrus.siu@gmail.com

Secretary: Carmen WONG, carmen.wkm@gmail.com

Treasurer: Michelle Chung, michellechung@hkis.org.hk

For those members who are interested to participate in various sports, please contact Donna YU at cpd@hkis.org.hk or 2526 3679 for registration.

Joint Professional Table-tennis Tournament 2009

Team Captain: Mr Edwin TSANG / Mr Jim CHUN

It is time for us to practice Table Tennis in order to prepare for the coming Joint Professional Competition scheduled in October or November 2009 (details to be announced later).

Regular practices will be starting from 1 June 2009 (Monday) at Ping Pong Land (乒之館) for 2 hours from 7.15 pm to 9.15 pm on alternate Monday nights.

If you are a table-tennis enthusiast, please do join the HKIS Table Tennis Team.

HKIS Bowling Team - More interested members required!

Team Captain: Mr Kelvin LI

The Joint Professional Bowling Tournament will be held in September 2009 at Olympian City again.

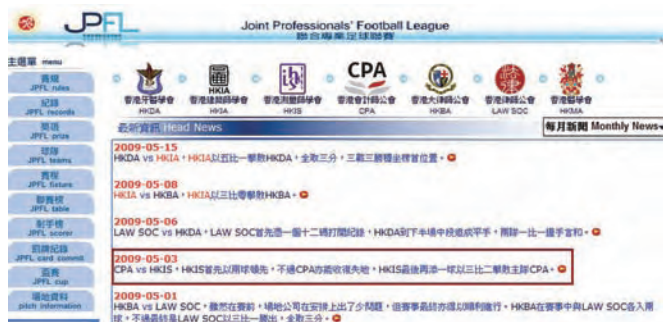
Our bowling team captain would like to appeal for more members to join the bowling team. Ladies are welcomed. If you are a bowling enthusiast, please do join the HKIS Table Tennis Team.



Joint Professional Soccer League 2009

Team Captains: Mr Cyrus SIU / Mr Lesly LAM

We are pleased to report that our soccer team won over the accountants in the first match of the Joint Professional Soccer League 2009 on 3 May 2009. The 2nd match will be held on 22 May 2009 at King's Park Stadium. The details of the Joint Professional Soccer League can be found on the web-page (<http://www.hksla.org/jpfl/mainpage.htm>).



Joint Professional Badminton Tournament 2009

Team Captain: Mr Sunny CHAN and Mr Kim TSUI

The Joint Professional Badminton Tournament is re-scheduled to 30 August 2009 (Sunday) at the Sports Hall of Shatin College. More regular and tough practices have been arranged. If you are a skillful badminton player, please do join the HKIS Badminton Team and win prizes at the coming tournament.



Joint Professional Tennis Tournament 2009

Team Captain: Mr Harry JAN

The Joint Professional Tennis Tournament will be held in August 2009. According to the Tennis Team captain, regular and tough practices have been conducted frequently. The coming practices will be held on 23 May 2009 (Saturday) at 2.00-4.00 pm and 12 June 2009 (Friday) at 6.00-8.00 pm at Sin Fat Road. All teammates are confident in achieving a much better result in the tournament this year.

HKIS Snooker Team - More interested members required!

Team Captain: Mr Willie TANG / Mr Wilson AU YEUNG

The Joint Professional Snooker Tournament will be held on 12 July 2009 (Sunday) at 尖沙咀名將桌球城.

Our Snooker Team has started to practice already. The team captain would like to appeal for more members to join the snooker team. Ladies are welcomed.

Joint Professional Volleyball Tournament 2009

Team Captain: Miss San KWOK / Miss Evangeline CHAN

The first Joint Professional Volleyball Tournament will be held in the second half of this year. A friendly match with the Law Society of Hong Kong was held on 19 May 2009 at Smithfield Indoor Stadium.

HKIS Swimming Team - More swimmers required!

Team Captain: Mr William LAI / Ms Carmen WONG

The Joint Professional Swimming Gala will be held in October 2009. Our Swimming Team captain would like to appeal for more members to join the swimming team to compete for the 4x100m joint professional relay. Ladies are welcomed.

HKIS Singing Team and Surveyors' Band - More singers required!

Team Captain: Ms Michelle CHUNG

The 2nd Joint Professional Singing Competition will be held in September 2009. Our Singing Team captain would like to appeal for more members to join in. Regular practices will be arranged. Moreover, the Sports and Recreation Committee would like to form a Surveyors' Band 測量師樂隊. The band will then be arranged to perform in various HKIS's activities.

If you are skilled on the keyboard, drums, bass, guitar, etc, please do register with Donna YU at cpd@hkis.org.hk or 2526 3679.



Joint Institutes' Dinner

The HKIS hosted a Joint Institutes' Dinner on 13 May 2009 for the five construction related professional organisations including the Hong Kong Institute of Architects, the Hong Kong Institution of Engineers, the Hong Kong Institute of Landscape Architects, the Hong Kong Institute of Planners and the Hong Kong Institute of Surveyors

The Joint Institutes' Dinner is organised on a regular basis as an informal meeting for the office bearers of the respective institutes to meet and discuss matters of common concerns. Topics discussed during the last dinner included the latest development of the Government's Hong Kong Construction Sector 5.12 Reconstruction Joint Conference; unauthorized building structure database; the works of the Registration Boards of the respective institutes; possibility of a joint headquarters; HKTDC's Eco Expo Asia in October and HKTDC's proposed tour to Taiwan for the promotion of infrastructure and real estate.



Call for articles on professional surveying practices

Do you have something about professional surveying practice which can be shared with our members? The Editorial Board would welcome such contributions for publication in Surveyors Times.

Articles can be in English or Chinese and should be submitted in Word format and include the title of the paper and author's details. For articles in Chinese, a summary in English will be required. Submissions must not have been published previously. Publication of article will be at the discretion of the Editorial Board whose decision shall be final.

Articles are to be emailed to editor@hkis.org.hk

HKIS Annual Subscription 2009-2010

The Annual Subscription 2009-2010 and Membership Renewal Form was mailed to all members in April. Members are reminded that if payment of annual subscription is made after 30 June 2009, a surcharge will be charged to cover administrative costs.

If members have not received their Annual Subscription 2009-2010 and Membership Renewal Form, please contact Ms Cindy Tang at 2526 3679 or email a_cdept@hkis.org.hk. For change of correspondence address, please contact Ms Sally Leung at 2526 3679 or email sallyleung@hkis.org.hk

Advertise in Surveyors Times

SURVEYORS TIMES is the official monthly newsletter of the Hong Kong Institute of Surveyors and has a circulation of 7,500 copies. The newsletter reaches all members, government departments, academic institutions, local and overseas professional organisations, public and private sector.

For details of advertising and the rate card, please visit the website www.hkis.org.hk/hkis/html/publication_newsletter.jsp or call Ms Liza Ho at (852) 2526 3679 or email lizaho@hkis.org.hk

Building Surveying Division Chairman's Message



Kenneth Yun BSD Council Chairman

Major topics discussed in the recent Council meetings are summarised below for members' information.

Criteria for listing and delisting of BS firms in BSD website

Listing

The BS firm should fulfill the following requirements:

- (i) The firm must possess a valid Business Registration Certificate in Hong Kong;
- (ii) The firm must be providing professional building surveying consultancy services to the public;
- (iii) Having at least one corporate member of the Hong Kong Institute of Surveyors (the Institute) in the Building Surveying Division, being a director, partner or holding a senior position in the firm; and
- (iv) No director, partner or senior staff of the firm has been convicted of a criminal offence or has been suspended / expelled by the Institute in the past three years.

The Building Surveying Division (BSD) Council has sole discretion to reject, suspend or approve the application and its decision shall be final.

All listed firms shall renew their application on or before 15 January each year by providing their latest information through a prescribed form as decided by the BSD Council.

Any re-application from delisted BS firms shall be considered by the BSD Council as a fresh application.

De-listing

Any listed firms will be removed if:

- (i) They no longer possess a valid Business Registration Certificate in Hong Kong; or
- (ii) The number of corporate members in BSD, the Hong Kong Institute of Surveyors, does not reach the minimum application requirement; or
- (iii) Any director, partner or senior staff of the firm has been convicted of a criminal offence or has been suspended / expelled by the Institute; or
- (iv) Renewal application was not received by the Institute on or before 20 January each year or the next working day if it falls on a Saturday, Sunday or public holiday; and

- (v) Subject to the resolution of the latest BSD Council Meeting.

Proposed Amendment to Air Pollution Control (Volatile Organic Compounds) Regulation

The Government has just gazetted the proposed amendment regulation to Air Pollution Control (Volatile Organic Compounds) Regulation on the following:

- (1) Control of Volatile Organic Compounds Contents in Adhesives and Sealants; and
- (2) Vehicle Refinishing Paints, Marine Paints and Pleasure Craft Paints.

The amendment regulation will be implemented in phases starting from 1 January 2010 as proposed.

Full details of the final amendments can be obtained from http://www.epd.gov.hk/epd/english/environmentinhk/air/prob_solutions/voc_reg.html

Pilot Scheme on Expert Determination to settle disputes on Water Seepage Cases

In the first consultation paper of Mandatory Building Inspection Scheme (MBIS), the Government adopted our proposal to explore the possibility of establishing a new Building Affairs Tribunal in order to settle disputes relating to occupation of building, including water seepage and other building maintenance and management matters.

After the consultation period ended, we were given to understand that the possibility of setting up a new tribunal is diminishing as the Government is promoting alternative means of dispute resolution (ADR), such as mediation and arbitration rather than litigation. In order to pursue our expertise on settling disputes on building maintenance and management related matters, the BSD formed a working group early this year to study on promoting Expert Determination to settle such disputes. The working group is led by Mr Peter Wong with Mr James Pong, Mr Edwin Tang, Mr Gary Yeung, Mr Andrew Lam and Ms Margaret Chan as members. They are now working on a pilot scheme on expert determination to settle disputes

on water seepage cases. If you are interested to join the working group or contribute in this matter, please contact me or the BSD Council members.

BS Conference 2009

The theme of this year's conference is Building a Green and Sustainable Future.

Global warming, diminishing of icebergs, adverse climate, raising of sea levels and excessive CO₂ emissions etc are the terms which are used frequently by many scientists and environmentalists. They seem far from us but are indeed affecting us and our next generation today and the future.

Although we cannot get rid of the threats, we can do something to heal the problem. The BS conference this year will bring us new and green issues in regulations, project planning, technologies, environmental audit and research etc. Are you willing to give healing hands to save our earth? If yes, do remember the date - 5 September 2009 (Saturday). Details of the conference and enrolment will be coming soon.

Scholarship for Secondary Students

In order to attract more secondary students for admission to post secondary Building Surveying Courses, the BSD Council have decided to set up a scholarship for secondary school students with details as follows:

Background

- A building surveying scholarship under the sponsorship of the Building Surveying Division is proposed to be set up for Form 6 students in Hong Kong with a view to motivate them and promote the choice of building surveying as their further study.

Objectives

- To attract the attention of youths on the roles and functions of Building Surveying profession in Hong Kong;
- To promote the professional image of Building Surveyors; and
- To promote planning on careers in building surveying.

The Awards

- A scholarship each with a cash award of HK\$5,000.
- A total of ten awards will be allocated each year.

Eligibility

- Candidates for the scholarship should:
 - (a) Possess a valid Hong Kong Identity Card;

- (b) Have resided in Hong Kong for at least three years;
- (c) Be a full-time Form 6 student at a secondary school; and
- (d) Be recommended by their school principal.

Assessment

- The selection of awardees will be based on the following criteria:
 - (a) Academic achievement;
 - (b) Understanding and knowledge of Building Surveying profession; and
 - (c) Awareness of common building problems in Hong Kong and their social implications.
- Principals of selected schools will be invited to provide nominations. The nominated students will then be required to submit an article on a selected theme. Based on the submitted articles, candidates will be short listed for a casual interview.

Social Event

June is the most suitable month for squid fishing and you may be able to have a great harvest for both fresh squids and new friends. The first social event this year is Squid Fishing at Sai Kung which will be held on 19 June 2009 (Friday). To reduce members' travelling time, a boat will be waiting for you at the Tsimshatsui Ferry Pier at 7:00 p.m. on 19 June 2009. Members are encouraged to join with family members. Please bear in mind that the boat can only accommodate 40 persons. Dig out your fishing rod and join us now. Please visit the BSD website at http://www.hkis.org.hk/hkis/html_bsd/index.jsp or email to cpd@hkis.org.hk for further details.

Spokesman's Corner

Our spokesman was interviewed by several newspapers for promoting the use of the new Standard Form of Contract for Decoration, Repair & Maintenance Works published by HKIS. This new contract form is intended to be used by building owners in carrying out small scale decoration, repair and maintenance works without the engagement of a professional consultant for a value not exceeding HK\$400,000. We wish more proper yet simple contract terms could be adopted by the public with the use of this contract form.

Our spokesman, Vincent Ho had also represented the BSD in attending a Legco sub-committee meeting on the Buildings (Minor Works) Regulation on 30 April 2009. We presented our support to the new legislation and urged the early implementation of this control system so as to ease out the currently complicated submission procedure for those minor building works.

General Practice Division Chairman's Message



Dr Lawrence Poon GPD Council Chairman

Assessment of Professional Competence Workshop

An APC workshop entitled "Property Development in Hong Kong - Professionals in Practice" will be held in the morning of 11 July 2009 to help probationers and students to enhance and update their knowledge in this area from four distinguished practitioners. Dr Andrew Chan, a veteran town planner and the Managing Director of PDI Consultants Ltd, will discuss issues and problems involved in town planning applications. Ms Daisy Wong, Senior Estate Surveyor of the Lands Department, will give an outline of the major aspects of development control under the lease conditions, followed by applications to vary lease conditions to implement planning intention. Mr Andy Leung, an experienced architect and the Managing Director of Ronald Lu & Partners, will share his insight

about the building plan approval process. Mr Eric Ho, Senior Manager of Cheung Kong (Holdings) Ltd and Council Member of the GP Division will provide his side of the story as a practising surveyor. Mr Ho will also review previous APC questions relating to property development.

Mandatory Valuation Standards

On behalf of the GPD Council, I wish to remind members that the HKIS Valuation Standards on Properties (First Edition 2005) and the HKIS Valuation Standards on Trade-related Business Asset and Business Enterprises (First Edition 2004) are mandatory standards that all members have to follow. Moreover, members have to make sure these standards, rather than the ones that have been superseded, are quoted in their valuation reports.

Mandatory CPD

Update your CPD profile record regularly for mandatory checking in future

Go e- for latest CPD news and log sheet

Webmail Login

- 1) Go to www.hkis.org.hk
- 2) Click "Webmail"
- 3) Enter your
 - a) User ID (choose one from: bs, gp, ls, pfm, pd, qs, then your HKIS number)
 - b) Password (the preset password is your birthday in yyyyymmdd; change this by all means when your first log in)

CPD Log Sheet

Record your CPD attendance on a CPD Log sheet on-line:

- 1) Go to www.hkis.org.hk
- 2) Click "Members Corner", then "CPD Profile"
- 3) Enter your Login Name, then Password
 - a) Login Name = HKIS number (e.g. Membership No. 3042, login name is 3042)
 - b) Preset password: see above
- 4) Click "Add Log"
- 5) Submit your event information as requested

Land Surveying Division Chairman's Message



Sung Hon Kwong LSD Council Chairman

Coming CPDs

Arrangements have been made by our CPD convener to visit the nearly completed Stonecutters Bridge on Saturday, 13 June 2009. Stonecutters Bridge is one of the world's longest cable-stayed bridges with two single-pole towers, 290m high and a twin aerodynamic deck. As the Bridge will be opened to the public near the end of this year, this will be our Institute's last opportunity to pay a visit to the site and be briefed by the engineers and surveyors working on the project. I am glad to inform that the places for visiting the Bridge are full and we are sorry that late-comers cannot be entertained.

Another CPD titled "Aerial Survey in Hong Kong" will be delivered on 2 June in the HKIS SLC. Two more CPDs on Digital Mapping in Hong Kong and on the application of LIDAR for July and August are in the pipeline. I hope you have all enjoyed the events organised by your Council. Watch out for further announcements in the Surveyors Times.

Annual Dinner of ICES

I was invited by the Institute of Civil Engineering Surveyors (ICES) to attend their annual dinner held on 9 April 2009 and had a chance to understand the vision and mission of the Institute through the presentation given by their President, Mr Steve Jackson, from the UK. I also discussed with the Chairman and Council members of the ICES Hong Kong Region to see if there were any chances of co-operation between the two institutes. The first step of co-operation could be joint CPD events. I will keep you posted on the development.

CIC guidelines on Site Safety Measures for Working in Hot Weather

The Construction Industry Council has prepared guidelines to provide guidance to contractors on measures that may be taken to protect site personnel working under hot weather. It sets out some good practices that could be readily implemented by contractors during the summer months to enhance the health and safety of site personnel. The full document can be found in the internet through the following link at http://www.hkcic.org/ENG/doc/Publications/Working_in_hot_weather.pdf.

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For reservation, please call the Secretariat on
2526 3679 or email: slcbooking@hkis.org.hk
歡迎預定設施，請電 2526 3679 或
電郵 slcbooking@hkis.org.hk

Summary of HKIS CPD / PQSL Events

12 Jun - 08 Sep 2009

DATE	CODE	EVENT	CPD HOUR(S)	SPEAKERS	RUN BY
12, 17, 24 Jun, 8, 15, 22, 29 July, 1, 8, 15 Aug	2009054	QSD APC Revision Course 2009	2 per lecture	K C Tang, Patrick S Y Chan, Dr. Paul Ho, Stephen Lam and Experienced Practitioners, Academics and APC Assessors	QSD/YSG
15 Jun	2009052	歷史建築的保護和利用	1.5	湯國華教授	BSD
18 Jun	2009044	Elderly Housing - Challenges & Opportunities	1.5	Daniel Lau	GPD
20 Jun	2009047	GPD APC Workshop 2009 Part One	2	Joseph Ho, Clement Lau, Louie Chan	GPD/YSG
23 Jun	2009045	中華智慧與現代管理 — 《六慧管理》導論	1.5	彭泓基	YSG
26 Jun	2009048	Negotiation Skills in Mediation	1.5	Paco Tsang	YSG
30 Jun	2009049	NEC Contract	1.5	Gilbert Kwok, Yeung Man Sing	QSD
21 Jul	2009037	建築合同：損失索償之籌備及追討損失及開支的索償	1.5	黃正言	QSD
27 Jun 18, 25 Jul	2009053	Assessment of Professional Competence (QS) Workshop 2009 - Review of Past Papers	3	Y Ling Lam, Franki Yeung, Arthur Shia, Raymond Kam, K L Wong, K C Chang	QSD
04 Jul	2009059	APC Revision Course on Valuation I	3	Thomas Tang	GPD/YSG
11 Jul	2009061	Property Development in Hong Kong	3	Dr. Andrew Chan, Daisy Wong, Andy Leung, Eric Ho	GPD
14 Jul	2009056	Suspension, termination, and other downturn issues for the Construction Industry Seminar on	1.5	Bernard Ang	YSG
24 Jul	2009060	Health Management in the Workplace	1.5	Dr. Frederick Chan Kwok Wing	PDD
04 Aug	2009057	How to build a cantilever roof structure projecting over the Island Eastern Corridor?	1.5	Ir. Chung Koon Man Paul, Cheung Siu Wah Frankie, Chu Wai Ming Marco	YSG
11 Aug	2009062	21世紀中國建築業管理改革	1.5	余立佐	YSG
27 Aug	2009058	What can a quantity surveyor see in technical specification?	1.5	Shirley C S Ho	YSG
08 Sep	2009050	Civil Justice Reform and Case Law Update	1.5	Gilbert Kwok, Yeung Man Sing	QSD

Details of individual CPD/PQSL events are provided in the Surveyors Times and/or HKIS Website www.hkis.org.hk. Please use the STANDARD REGISTRATION FORM overleaf for registration. For enquiries, please email cpd@hkis.org.hk or call the Secretariat on 2526 3679.

STANDARD RESERVATION FORM

Event Date : _____ Event Code : _____
Event Name : _____

Member details

Surname : _____ Other names : _____

Grade of membership* : F M TA P TT S HKIS No. : _____

Division* : BS GP LS PD PFM QS

Postal address (only to be completed if the address is different from your membership record details):

Tel no. : _____ Fax no. : _____ E-mail : _____

Payment method

I enclose a cheque payable to **"Surveyors Services Ltd"**. Cheque no. _____ Amount HK\$ _____

Please charge my HKIS Titanium MasterCard/Visa Platinum Card (Shanghai Commercial Bank Limited)

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To: Credit Card Service Department

I would like to pay the reservation fee HK\$ _____ to Surveyors Services Limited by charging my HKIS Credit Card account as follows:

Cardholder Name : _____ HKIS No. : _____

Card Number : [] [] [] [] - [] [] [] [] - [] [] [] [] - [] [] [] [] Expiry Date : _____

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Date: _____

Notes

- 1 A separate reservation form is required for each event / application. Photocopies of the form are acceptable.
- 2 Reservations should be returned by post/ by hand to the HKIS office.
- 3 Payment can be made by cheque or by HKIS Credit Card (Shanghai Commercial Bank Ltd./American Express)
- 4 A **separate** cheque or HKIS Credit Card payment instruction form is required for each event / application.
- 5 Reservation by fax, telephone and cash payment is not acceptable.
- 6 For number of seats or priority of allocation of seats, please refer to the individual event details.
- 7 Reservation cannot be confirmed until one week prior to the event.
- 8 An official receipt/ admission ticket, which must be presented at the event, will be returned by post upon confirmation of reservation.
- 9 Incomplete or wrongly completed reservation forms will not be processed.
- 10 In the event a Typhoon Signal No. 8 or above or Black Rainstorm Warning is hoisted, the event will be postponed and a new arrangement will be announced. Should the aforesaid warnings be lowered 4 hours before the event, the event will proceed as normal.
- 11 If you have not received any reply from our Institute within 7 days of the event, you may call HKIS at 2526 3679 to check the progress of your reservation.



CPD/QSD/YSG/2009054

QSD APC Revision Course 2009



Speakers	Mr K C Tang, Mr Patrick S Y Chan, Dr Paul Ho, Mr Stephen Lam and Experienced Practitioners, Academics and APC Assessors		
Date & Venue	7:00 pm – 9:00 pm on week day nights and 2:00 pm – 4:00 pm on Saturdays 12 June, 17 June, 24 June, 8 July, 15 July, 22 July, 29 July, 1 August, 8 August, 15 August 2009 SLC, HKIS		
Details	The purpose of the revision courses is to help QSD probationers to prepare for the APC to be held in September this year. The courses will be delivered in 10 lectures covering the following topics: <ol style="list-style-type: none">1. Cost Estimating and Planning (12 June 2009)2. Tender Documentation (17 June 2009)3. Contractual Arrangements and their Practical Implementation (22 July 2009)4. Tender Analysis, Interview, Award and Contract Documentation (24 June 2009)5. Payment Valuation and Post Contract Cost Monitoring (8 July 2009)6. Variations and Final Account (15 July 2009)7. Liquidated Damages and Extension of Time (29 July 2009)8. Direct Loss and Expense Claims (1 August 2009)9. Dispute Resolution (8 August 2009)10. QS Services and Professional Conduct (15 August 2009)		
Language	Cantonese supplemented by English		
Fee	HK\$100 per person per lecture, HK\$50 for student member HK\$190 per person for advance booking of and payment for any 2 lectures. HK\$360 per person for advance booking of and payment for any 4 lectures. HK\$510 per person for advance booking of and payment for any 6 lectures. HK\$640 per person for advance booking of and payment for all 8 lectures. HK\$750 per person for advance booking of and payment for all 10 lectures. (HK\$20 walk-in surcharge for all pricings listed).		
Deadline	2 weeks prior to the event date	Priority	QSD Probationers and Students

CPD/BSL/2009052

歷史建築的保護和利用

講者	湯國華教授 南理工大學工學博士，廣州大學建築與城市規劃學院教授，廣東省文物保護專家委員會委員（古建築），廣州大學嶺南建築研究所所長		
日期	2009年6月15日（星期一）		
時間	下午7:00時至下午8:30時		
地點	香港中環康樂廣場1號怡和大廈8樓811室測量師研習中心		
內容	<ol style="list-style-type: none">1. 歷史建築的概念和保護利用的對策，包括歷史建築的概念，歷史建築保護的2套體系及目前容易混淆的幾個問題；2. 文物建築的保護與利用，包括文物保護與利用的原則，文物建築保護和利用的成功例子及文物建築保護和利用的失敗例子；3. 歷史建築的保護與更新，包括歷史建築保護與更新的原則，歷史建築保護和更新的成功例子及歷史建築保護和更新的失敗例子。		
語言	廣東話	費用	港幣\$120；港幣\$150 如即場報名人士
		名額	建築組會員優先

CPD/GPD/2009044

Elderly Housing - Challenges & Opportunities

Speaker Mr Daniel Lau, BSocSc MHKIS, MRICS, General Manager (Property Development), Hong Kong Housing Society

Date & Venue 7:00 pm – 8:30 pm Thursday 18 June 2008 SLC, HKIS

Details Being common in many developed cities, purposely- built housing for the elderly is completely new in Hong Kong. This type of product, being an integration of hardware construction and software services, aims to provide a one-stop solution for the elderly, to enable them to enjoy “healthy aging” and “aging in place”. Targeted at the middle income elderly, the 2 pilot projects developed by the Hong Kong Housing Society, Jolly Place and Cheerful Court, were well received in that all the units thereof have been leased out and many eligible elderly are currently on the waiting queue.

Our speaker will share with you the various hurdles that have been gone through in the development of such new housing product, from initial planning, design, land grant, disposal, marketing, to eventual management. These practical experiences should be helpful to the GP surveyors interested in this new housing type with anticipated growing demand in the face of the fast-increasing aging population in Hong Kong.

Language English

Fee HK\$120 per person;

HK\$150 per person for walk-in participants (subject to availability)

Priority GPD members

CPD/GPD/YSG/2009047

GPD APC Workshop 2009 Part One



Speakers Mr. Joseph Ho, Managing Director of LCH (Asia-Pacific) Surveyors Ltd

Mr. Clement Lau, Head of Development & Valuations of Hong Kong Land Ltd

Mr. Louie Chan, General Manager of Canton Property Investment Ltd

Date & Venue 2:00 pm – 6:00 pm Saturday 20 June 2009, at the SLC, HKIS

Details Speakers will give an outline of topics (1) business valuation, (2) landlord & tenant and (3) issues relating to the management of investment properties. There will also be an introduction of asset management as a new area of experience (not applicable to the APC 2009). This workshop is an integral part of the APC Revision Program and candidates who intend to sit for the coming written assessment of the APC are advised to attend.

Language English supplemented with Cantonese

Fee HK\$120

Deadline 15 June 2009

Priority GPD Students & Probationers

CPD/YSG/2009045

中華智慧與現代管理 — 《六慧管理》導論

講者 彭泓基 (雋道)，1973年香港大學理學士，1975年獲香港中文大學MBA學位，現為中華智慧管理學會創會會長、天策市場及顧問有限公司和北京天楚博文公關公司董事長。他也是香港市務學會前會長、院士及顧問、香港城市大學協席教授及市場學系顧問、香港浸會大學商學院名譽院使，北京中國人民大學博士研究生、香港國際武術節名譽會長、並曾任香港政府中央政策組諮詢組員。彭氏曾主管多家著名企業的市場銷售，涉獵不同行業，成績斐然。九十年代獨力拓展中國大陸市場，建立全國網絡，成為香港及國內最成功的企業家之一。近年專心鑽研中華文化、音樂與中華智慧管理學，融合中西文化精粹，創《六慧管理》，卓有貢獻，並勤習太極拳與中華武術，於國際比賽中獲多項金牌及獎譽。

CPD/PQSL EVENTS

日期	2009年6月 23日 (星期二)		
時間	下午7:00時至下午8:30時		
地點	香港中環康樂廣場1號怡和大廈8樓811室測量師研習中心		
內容	<p>講座主要對象為現代的管理層，介紹中華智慧與中國式管理的精粹，配合西方的管理方法，如何適用於香港及國內環境、修己安人、建立有效團隊、凝聚內部資源、增強競爭力、審時度勢、慮定謀略、決勝千里。</p> <p>中華文化博大精深，對宇宙間的自然規律和演化，有極細緻的觀察和深刻的體悟。推天道以明人事，五千年輝煌的歷史，見證著炎黃子孫的成敗得失，對人性的瞭解、如何因勢利導、揣摩人心，凝聚了獨特而深邃的智慧。現代教育以西方理念為主，香港多年來在英國的殖民統治下，不少人對中華文化往往感到陌生。其實中西文化各有其優劣之處，「中學為體，西學為用」，管理者若能瞭解其精妙處，尤其是天地萬物變化的規律、審時度勢、道的體悟和知人之學，於工作上應用，當能事半功倍，成多敗少。此講座內容包括：</p> <ol style="list-style-type: none">(1) 中華智慧的基本概念(2) 中西文化與管理異同(3) 變易與成敗：中華文化大道之源 -- 易經的智慧和應用(4) 儒釋道精義於現代管理的實用舉隅		
語言	廣東話	費用	會員港幣\$100；非會員港幣\$150
截止日期	2009年6月9日	名額	先到先得

CPD/YSG/2009048

Negotiation Skills in Mediation

Jointly organized with Hong Kong Mediation Centre

Speaker	Mr Paco Tsang, BEng(Hons), MSc, CEng, CPEng, MICE, MIEAust, RPE, MHKIE, MCI Arb, MHKICM, MHKIVM		
	Paco is a Chartered Civil Engineer with more than 20 years experience in the field of civil and geotechnical engineering. He has particular expertise in project management, conducting partnering workshop, negotiation and mediation. He is the President of Hong Kong Mediation Centre, a council member of the Hong Kong Institute of Construction Managers and the Hong Kong Institute of Value Management.		
Date & Venue	7:00 pm – 8:30 pm Friday 26 June 2009 SLC, HKIS		
Details	<p>The Objectives of this seminar are:-</p> <ul style="list-style-type: none">• Understand the principles of negotiation/mediation and the benefits of this approach---Professional, Efficient and Cost-effective• Acquire key negotiation/mediation skills (communication , active listening , questioning, reframing , option generating , building rapport, emotion handling, and overcoming impasses) <p>In this seminar, the speaker will cover the following:-</p> <ol style="list-style-type: none">1) Illustrate the process of negotiation/mediation2) Enhancing communication, listening and understanding the needs of parties<ul style="list-style-type: none">• Joint session and caucus• Questioning skills• Reframing skills• Skills of option generation and exploration• Building rapport• Skills on overcoming impasses• Skills on emotion handling3) How to deal with difficult people4) Cases sharing5) Questions and Answer		
Language	Cantonese supplement by English	Fee	HK\$100 for member; HK\$150 for non member (HK\$20 walk-in surcharge for all pricings listed)
Deadline	12 June 2009	Priority	First-come-first-served

CPD/QSD/2009049

NEC Contract

Speakers	A team from the Construction and Engineering Group of Li & Partners led by its partners Gilbert Kwok and Yeung Man Sing Gilbert Kwok, FHKIS, FRICS, LLB (English law), LLB (Chinese law), Past Chairman of the Quantity Surveying Division, HKIS Mr Kwok is a qualified quantity surveyor and a Hong Kong lawyer. He specializes in drafting and advising on construction contracts, consultancy agreements and other relevant contracts relating to a wide range of construction projects in the region including Hong Kong, Macau and the Mainland. He has also acted on behalf of employers, contractors and consultants in various construction litigations and arbitrations. Yeung Man Sing, FHKIS, FRICS, LLM, FCIArb, Chartered Arbitrator, Accredited Mediator and Adjudicator, Past Chairman of the Association of Cost Engineers (HK) Region Mr Yeung is a qualified quantity surveyor and a Hong Kong lawyer. He has extensive construction experience in providing legal and contractual advice to developers, construction professionals and contractors, pre-contract and post contract services including preparation of tenders and contract documents, and also representing parties in resolving Mainland, Hong Kong and Macau construction disputes through litigation, CIETAC and domestic arbitrations. He is on the panel of a number of arbitral appointing bodies and has been appointed as arbitrator and mediator in various disputes. He is a council member of CIArb (EAB) and a member of the Department of Justice Accreditation and Training Sub-group of Mediation.		
Date & Venue	7:00 pm – 8:30 pm Tuesday 30 June 2009 SLC, HKIS		
Synopsis	The Hong Kong government wants to promote the NEC contract. It is now the most widely used contract in UK civil engineering work. This standard form has been endorsed by the UK Office of Government Commerce and recently by the London Olympic Delivery Authority. This seminar will examine this form in details.		
Language	Cantonese with English terms	Fee	HK\$120 for member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)
Deadline	16 June 2009	Priority	QSD Members

CPD/QSD/2009037

建築合同：損失索償之籌備及追討損失及開支的索償

講者	黃正言 Mr Jeffrey Wong - B Construction Management and Economics, PgD(Const Law and Arb), AAIQS, MHKIS, RPS(QS), MCIArb
日期	2009年7月21日 (星期二)
時間	下午7時至8時30分
地點	香港中環康樂廣場1號怡和大廈8樓811室測量師研習中心
內容	黃正言先生現任職為趙志敦·馬田·建造合約顧問有限公司的董事；過往10年參與澳洲及香港的建設項目及合約顧問事宜。他現為客戶提供專業顧問意見，商業及合約策略，申請延長建築期限及成本計算等工作。 內容提要： <ul style="list-style-type: none">• 普通法下索償的權利及合約下追討額外開支的權利• 證明及敘述索償報告的技巧• 提交通知及有關資料的需要• 建築期延長及其它開支的索償• 利潤的損失• 追討利息的不同方法• 計算方法：單息或複息？

CPD/PQSL EVENTS

語言 廣東話
截止日期 2009年7月7日

費用 港幣\$120會員，港幣\$150非會員 (港幣\$20 附加費如即場報名人士)
名額 工料測量組會員優先，先到先得

CPD/QSD/2009053

Assessment of Professional Competence (QS) Workshop 2009 – Review of Past Papers



Speakers
Ms Y Ling Lam, FHKIS, FRICS
Mr Franki Yeung, FHKIS, FRICS
Mr Arthur Shia, MHKIS, MRICS
Mr Raymond Kam, MHKIS, MRICS
Mr K L Wong, MHKIS, MRICS
Mr K C Chang, MHKIS, MRICS

Date & Venue 2:00 - 5:30 pm Saturdays 27 June, 18 July and 25 July 2009 SLC, HKIS

Details The workshop aims to assist candidates to have a better understanding of the techniques in solving the written practical problems of the APC using critical and analytical thinking. It also aims to provide a forum for candidates to know more about the assessors' expectation in assessing candidates' practical experience and professional competence achieved through the written assessment. The workshop will focus on discussing the ways in identifying the key issues in different types of questions and on expected answers from previous papers. Discussions will be held in small groups, each headed by an experienced assessor. Interaction is expected between assessors and candidates. Topics will include both pre- and post contract issues.

The same workshops will be held on three separate occasions. Candidates should register for one workshop only.

Language	Cantonese supplemented by English	Fee	HK\$100.00 per workshop
Deadline	2 weeks prior to the event date	Priority	Probationers of QSD (Places limited to 50 per workshop)

CPD/GPD/YSG/2009059

APC Revision Course on Valuation I



Speaker Mr. Thomas Tang, FHKIS, Senior Director of CB Richard Ellis Hong Kong, Member of Education Committee of General Practice Division
Thomas has over 20 years post-qualification experience in Hong Kong and in the PRC, specialising in valuation, land matters advisory and property sales/letting negotiation.

Date & Venue 2:00 pm – 6:00 pm Saturday 4 July 2009, at the SLC, HKIS

Details The speaker will give an outline of valuation as a mandatory question in the written APC, and will go through the principles behind the various methods of valuation as well as some practical issues for valuation surveyors in practice. This course is an integral part of the APC Revision Program and candidates who intend to sit for the coming APC are advised to attend.

Language	English supplemented with Cantonese	Fee	HK\$120
Deadline	26 June 2009	Priority	GPD Students & Probationers

CPD/GP/2009061

Property Development in Hong Kong



Speakers 1) Dr. Andrew Chan, a veteran town planner and the Managing Director of PDI Consultants Ltd, will discuss issues and problems involved in town planning applications; 2) Ms Daisy Wong, Senior Estate Surveyor of the Lands Department, will give an outline of the major aspects of development control under the lease conditions, followed by applications to vary lease conditions to implement planning intention; 3) Mr. Andy Leung, an experienced architect and the Managing Director of Ronald Lu & Partners, will share his insight about the building plan approval process; 4) Mr Eric Ho, Senior Manager of Cheung Kong (Holdings) Ltd, will provide his side of the story as a practising surveyor. Mr. Ho will also review previous APC questions relating to property development.

Date & Venue 9:00 am - 1:00 pm Saturday 11 July 2009 SLC, HKIS

Details The course will focus on practices and cases that illustrate various issues encountered by practitioners in the development process. The profound professional experiences shared by the speakers should be of great interest to members and probationers. This seminar is an integral part of the APC Revision Program and candidates who intend to sit for the written assessment of the APC 2009 are advised to attend.

Language	English supplemented with Cantonese	Fee	HK\$150
Deadline	3 July 2009	Priority	GPD Students & Probationers

CPD/YSG/2009056

Suspension, Termination, and other downturn issues for the Construction Industry



Speaker Mr Bernard Ang, Construction Partner of Pinsent Masons

Mr Bernard Ang is a Construction Partner of an international law firm, Pinsent Masons.

Bernard's experience spans the power, waste, water and waste water sectors, as well as civil engineering and building projects.

He works primarily on the non-contentious aspects of projects, advising on procurement methods and strategies, and drafting and negotiating project contracts.

Bernard also advises clients in the analysis of project risks, advising on mitigation strategies and the effective management of risks, and on the different methods of project delivery (including BOT, DBOO, design and build, EPC).

Date & Venue 7:00 pm – 8:30 pm Tuesday 14 July 2009 SLC, HKIS

Details The speaker will talk about termination and suspension, two scenarios that will have growing significance with the advent and continuance of the financial crisis. Any procurement strategy for the near future will have to focus on the real likelihood of both termination and suspension, and deal effectively with its occurrence and consequences. The speaker will also give us an insight into the likely shifts in other contract provisions in order for parties to weather the crisis, including contract provisions to lessen the impact of counterparty insolvency, retention of title and vesting clauses, and the use of instruments such as bonds and other forms of securities.

Language	English	Fee	HK\$100 for member; HK\$150 for non member (HK\$20 walk-in surcharge for all pricings listed)
Deadline	6 July 2009	Priority	First-come-first-served

CPD/PDD/2009060

Health Management in the Workplace



New

Speaker Dr. Frederick Chan Kwok Wing

Date & Venue 7:00 pm - 8:45 pm Friday 24 July 2009, Room 815, 8/F., Institute premises, Jardine House, Central

Details Professionals cannot avoid attending business lunches /dinner. But over-eating and lack of exercises often give rise to overweight and diabetes, which may cause high blood pressure heart diseases and vision problems. No matter how hard work you are in acquiring qualifications, CPDs and jobs, ill health may cause troubles in your career path, even at youthful age.

Dr. Frederick Chan Kwok Wing, Specialist in Endocrinology, Diabetes & Metabolism will deliver a talk on how to prevent and control diseases.

The talk will be open to other professional, such as architects, planners, landscape architects etc.

Language Cantonese

Fee HK\$50

Deadline 10 July 2009

Priority First-come-first-served

CPD/YSG/2009057

How to build a cantilever roof structure projecting over the Island Eastern Corridor?



New

Jointly organized with Hong Kong Institute of Construction Managers

Speakers (1) Ir. Chung Koon Man Paul, BSc, MHKIE, MHKICM, C Eng, MIStructE

Paul is a qualified structural engineer and construction manager with over 25 years experience in construction management, who works as Deputy Managing Director of China Resources Construction Company Limited and Managing Director of Redland Precast Concrete Products Limited. He has broad experience in planning, operation and management in local structure and building construction industry and overseas.

He is currently Hon. Secretary of the Hong Kong Institute of Construction Managers, Council Member of Hong Kong Construction Association and Member of Registered Contractor's Disciplinary Board, Buildings Department.

(2) Mr Cheung Siu Wah Frankie

He is a BEng (Hons) degree holder with over 10 years experience in structural engineering and construction management. He is a Project Manager of China Resources Construction Company Limited with sound experience in planning, design and management in temporary facilities and high rise building construction management.

(3) Mr Chu Wai Ming Marco

He is a Hon. Degree holder with over 10 years experience in structural and construction engineering. He is specialized in design, coordination and management in structural steelwork and façade engineering. Marco is the Managing Director of Adequate Project Management and Consultancy Company Limited.

Date & Venue 7:00 pm – 8:30 pm Tuesday 4 August 2009 SLC, HKIS

Details It is one of the most challenging works to erect and dismantle a temporary working steel platform of 18x12 m², situated above ground more than 100 meters and protruded beyond building edge more than 7.5 meters, for construction of a cantilever roof structure with curtain wall and cladding at roof floor projecting over the Island Eastern Corridor. Attention had

to be taken for public safety and structural compliance in particular upon when erection and dismantling of the platform. The available floor working area was only 15x8 m² after the roof floor was constructed and become an obstruction in the lifting operation. The design of the platform was based on reverse thinking approach, i.e. How to dismantle the platform?

Language	Cantonese supplement with English	Fee	HK\$100 for member of HKIS/ HKICM HK\$150 for non-member (HK\$20 walk-in surcharge for all pricings listed)
Deadline	21 July 2009	Priority	First-come-first-served

CPD/YSG/2009062

21世紀中國建築業管理改革

講者 余立佐 中國建築學會會員、中國造價工程師執業資格、中國建築學會工程管理研究分會理事、中國高等院校香港校友會聯合會理事

Mr L C Yu, DMS, PGC(HKLaw), PGC(PMgt), MA(ArbDR), MEng, FCIArb, FHKI Arb, FInstCES, MRICS, MHKIS, MHKIPMC, MCI OB, MCMI, MAPM, AIC, IEng, AMICE, CEnv, RPS(QS), RSO, Chartered Quantity Surveyor, Chartered Builder, Chartered Environmentalist

中國港灣工程有限責任公司 香港代表：振華工程有限公司 董事、人力資源部門經理兼公司法律顧問及總工料測量師，負責中國、香港、臺灣、東南亞、中東及拉美等地區的仲裁及訴訟與工程合同及商務管理工作。三十多年來，在香港及國際工程有廣泛經驗，曾負責許多大型工程項目及公司人力資源管理工作。

日期 2009年8月11日 (星期二)

時間 下午7時至8時30分

地點 香港中環康樂廣場1號怡和大廈8樓811室測量師研習中心

內容 自1978年以來，中國建築業實行了多項改革，制定了一系列新的法規和政策，推動了行業的發展，但是，該行業存在的問題還相當嚴重。如何借借鑒工業發達國家建築業管理的成熟經驗，深化我國建築業管理改革，使之逐漸與國際慣例接軌，適應當代國際建築市場一體化發展的要求已成當務之急。為我國建築業管理制度的深化改革提供理論依據，同濟大學工程管理研究所（以同濟大學建設監埋研究所）受住房和城鄉建設部（當時的建設部）委託對美國、英國、德國、法國、日本、新加坡及香港特別行政區的建築業管理的體制、法制和機制進行了深入系統的研究分析。

從建設部課題“國際建築業管理體制、法制和機制的研究”的研究成果報告中摘要概括介紹（以下*五個方面），對我國建築業管理的思考和建議：

- 1) 政府建設主管部門對建築業管理和任務及其組織結構
- 2) 建築業管理的法規
- 3) 建築市場運行的機制
- 4) 建築產品的生產及生產控制
- 5) 建築市場和建築產品的生產管理的資訊系統

國際建築管理體制、法制、機制和國際建築業的組織〔包括：政府建築設主管部門、專業人士組織（學會）、行業協會、業主、專業人士、承包商和供應商等〕的共性和特點對21世紀中國建築業管理體制、法制、和機制改革所引起的相互關係作用。

語言	廣東話	費用	港幣\$100會員，港幣\$150非會員 (港幣\$20 附加費如即場報名人士)
截止日期	2009年7月28日	名額	先到先得

CPD/YSG/2009058

What can a quantity surveyor see in technical specification?



Speaker Ms Shirley C S Ho, BA(AS), MHKIS, MRICS, MHKIVM (Treasurer), Value Management Facilitator, Construction Specification Institute (Professional Member), LEED-AP

Shirley is the Head of Specification of Aedas Ltd. Shirley Ho is a multi-disciplinary professional in construction industry. With architectural background, she is a chartered quantity surveyor, workshop facilitator, as well as specification writer. Currently she works with Aedas Ltd. to specialize in writing technical specification for architectural projects.

Date & Venue 7:00 pm – 8:30 pm Thursday 27 August 2009 SLC, HKIS

Details Traditionally, technical specification is responsible by architects. Practically, technical specification may be prepared by any construction professional who can apply contractual sense and technical knowledge by way of writing. As experienced writer of contract conditions and preliminaries specification, can you be a technical specification writer?

In this seminar, Shirley will cover the following:-

1. function of technical specification;
2. difference between prescriptive specification and performance specification;
3. knowledge and skills required to prepare technical specification;
4. how to prepare technical specification;
5. common problems & potential disputes

Language	Cantonese supplement with English	Fee	HK\$100 for member; HK\$150 for non-member (HK\$20 walk-in surcharge for all pricings listed)
Deadline	13 August 2009	Priority	First-come-first-served

CPD/QSD/2009050

Civil Justice Reform and Case Law Update

Speakers A team from the Construction and Engineering Group of Li & Partners led by its partners Gilbert Kwok and Yeung Man Sing
Gilbert Kwok, FHKIS, FRICS, LLB (English law), LLB (Chinese law), Past Chairman of the Quantity Surveying Division, HKIS

Mr Kwok is a qualified quantity surveyor and a Hong Kong lawyer. He specializes in drafting and advising on construction contracts, consultancy agreements and other relevant contracts relating to a wide range of construction projects in the region including Hong Kong, Macau and the Mainland. He has also acted on behalf of employers, contractors and consultants in various construction litigations and arbitrations.

Yeung Man Sing, FHKIS, FRICS, LLM, FCIArb, Chartered Arbitrator, Accredited Mediator and Adjudicator, Past Chairman of the Association of Cost Engineers (HK) Region

Mr Yeung is a qualified quantity surveyor and a Hong Kong lawyer. He has extensive construction experience in providing legal and contractual advice to developers, construction professionals and contractors, pre-contract and post contract services including preparation of tenders and contract documents, and also representing parties in resolving Mainland, Hong Kong and Macau construction disputes through litigation, CIETAC and domestic arbitrations. He is on the panel of a number of arbitral appointing bodies and has been appointed as arbitrator and mediator in various disputes. He is a council member of CIArb (EAB) and a member of the Department of Justice Accreditation and Training Sub-group of Mediation.

Date & Venue 7:00 pm – 8:30 pm Tuesday 8 September 2009 SLC, HKIS

Synopsis The Civil Justice Reform which has a significant impact on the Hong Kong litigation system has become effective since 2 April 2009.

This seminar will explain the reform and to update members on some recent construction cases.

Language	Cantonese with English terms	Fee	HK\$120 for member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)
Deadline	25 August 2009	Priority	QSD Members

Planning & Development Division Chairman's Message



Edwin Tsang PDD Council Chairman

Mainland Committee

The 5th Cross Strait Four Land (第五屆“兩岸四地土地學術研討會”) Academic Conference on Land organised by the People's University of Beijing will be held on 1 to 3 July 2009 in Kunming, China. The Institute welcomes papers to be presented at the Conference.

CPD Events

The Division has organised two CPD events. A CPD event on Professional Planning Practice will be held on 3 June 2009 with the Chief Planner of Planning Department as the speaker. A CPD event on Health Management in the Workplace will be held on 24 July 2009 with Dr Frederick

Chan Kwok Wing, a specialist in Endocrinology, Diabetes and Metabolism, as the speaker. This talk is organised in co-operation with the Happy Health Society. For details, please refer to the CPD/PQSL events section of this Surveyors Times.

Membership Development

Membership in the PDD stands at 41 as at 15 May 2009.

Board of Education

The Board of Education will be conducting a meeting on 30 May 2009 with a view to improving the APC/ATC Rules and Guides for all Divisions.



Fast-Track Part-time Degree in Facilities Management / Construction Project Management (University of Central Lancashire, U.K.)

- Holders of Higher Diploma/Higher Certificate in construction related disciplines with relevant working experience are welcome to join our honours degree programmes.
- Holders of Certificate in construction related disciplines or mature applicants (aged over 23) with related working experience may apply to join the higher diploma programme.
- F.5 graduates with a pass in Mathematics, holders of ordinary certificate or applicants with relevant working experience may apply for admission in Diploma programme.

RICS accredited MSc Programmes

BSc (Hons) Facilities Management
(Part-time 15 months) Sept 09
Jan, May 2010

BSc (Hons) Construction Project Management
(Part-time 15 months) Sept 09
Jan, May 2010

Higher Diploma in Building Technology
(Part-time 2 years) Sept 09
Jan, May 2010

Diploma in Professional Studies
(Building Technology) (Part-time 1 year) Sept 09
Jan, May 2010

Applications / Enquiries: 2270 5617, 2270 5611, 2270 5536, 2926 1222
www.hkct.edu.hk

It is a matter of the discretion of individual employers to recognize any qualification to which these courses may lead.

Information Seminars

Date	Time	Venue
17 Jul 09	7:30pm	Level 9, the Metropolis Mall, 6 Metropolis Drive, Hunghom
21 Aug 09	7:30pm	Level 9, the Metropolis Mall, 6 Metropolis Drive, Hunghom

* registration at www.hkct.edu.hk



Property & Facility Management Division Chairman's Message

Kenneth Chan Jor Kin PFMD Council Chairman



Visit by the Guangdong Property Management Association (廣東省物業管理行業協會)

The Guangdong Property Management Association (廣東省物業管理行業協會) visited HKIS on 23 April 2009. The team of more than 20 delegates was led by its President Xu Jian Hua (許建華會長), Vice President Luo Xiao Gan (羅小鋼副會長) and President of Guangzhou Property Management Association, Mr Li Zhuo Zhang. President Xu is also the Vice President of the China Property Management Association (中國物業管理協會副會長). They were received by our Vice Chairman Gary Yeung, Honorary Secretary Dick Kwok, Council Members Dr K W Lam and K S Wong. In the close-to-two-hour discussion, members shared experience and professional examination arrangements in property and facility management areas from the Hong Kong and China perspective. Vice President Luo raised an interest in the HKIS Rules of Conduct and requested a copy for their future reference.



It was noted from President Xu that on the first series of professional examination leading to the China Certified Property Manager (中國物業管理師) qualification, Guangdong Province had produced the biggest group of successful candidates among other provinces in China. The first woman CPM, Ms Huang Hui Xia, the General Manager of Guangzhou Wannin Property Management Co. Ltd, also comes from Guangdong Province and was one of the incumbent visiting team members. It was advised by President Xu that the property management profession of Guangdong Province were indeed the forerunners of implementing professional property management service in China and it would not be surprising if it produces more professional property managers than other regions of China.

As the Association is also a member of the China Property Management Association in Beijing, it will also administer the

professional examination of Certified Property Manager. We had expressed interest on how the professional property and facility management surveyors in Hong Kong may acquire the professional qualification in the Mainland. We also discussed the feasibility of mutual recognition between China Property Management Association and HKIS through the CEPA arrangement. President Xu suggested that mutual recognition may start from Guangdong Province first as this may be easier and more effective considering the close relationship between Hong Kong and Guangdong Province.

As time was short, it was concluded that HKIS would find an opportunity to visit the Association in the near future for more detailed discussions. The visit ended with a tour to our Learning Centre and library facility.

With the kind arrangement of Dick Kwok, the delegates visited StarCrest (星域軒), a luxury residential apartment in Wanchai on 24 April 2009 morning and shared experience with the concierge management there. The group was received by Kenneth Chan, Dick Kwok and Daniel Hui. The tour kicked off with a brief introduction and was followed by a welcome note. The concierge managers at StarCrest gave a detailed explanation of the management of the facilities. Throughout the tour, delegates had shown their enthusiasm in various aspects from the design of the club house to the implementation of green initiatives in the daily management operation. We exchanged our views on issues like preventive maintenance planning, budgeting, greening, etc. We also shared our experience and differences between Hong Kong and Mainland China. But more importantly, we all treasured this opportunity to have a better understanding of our counterpart which will undoubtedly attribute to the further development of our industry in Greater China. The group photo taken at the podium garden showing all the smiling faces is the best demonstration of this fruitful visit.



Quantity Surveying Division Chairman's Message



Daniel Ho QSD Council Chairman

Standard Form of Contract for Decoration, Repair and Maintenance Works (2008, 1st Ed) 裝飾、維修及保養工程標準合約 (2008年第一版)

A standard form of contract titled "Standard Form of Contract for Decoration, Repair and Maintenance Works" was formally launched on 7 May 2009. This form of contract is applicable to minor repair and maintenance works with contract price up to HK\$400,000. It stipulates balanced rights and liabilities between property owners and contractors. A property owner can now use this standard form to formulate the contract with his contractor for carrying out minor repair and maintenance works for his property rather than relying on the quotation submitted by his contractor. This can avoid the situation where the quotation contains terms that are unclear in liabilities or unbalanced in risk sharing. The new form of contract should be able to minimize unnecessary arguments or disputes between both parties.

This new form of contract is attributable to the co-effort of the Building Surveying Division (BSD) and the Quantity Surveying Division (QSD). It was drafted by our ex-Chairman, Dr Paul Ho in conjunction with council members from BSD and QSD, and vetted by lawyers well experienced in construction law. The contract contains provisions to cope with the special features of repair and maintenance works pursuant to the professional advice of the members of BSD.

To cater for large-scale repair and maintenance works, another standard form of contract for repair and maintenance contracts is in the pipeline. Hopefully, this can be launched within this year.

Registration as Cost Engineers in China

This year, one of the main tasks of the Mainland Subcommittee, led by our immediate past Chairman, Mr Stephen Lai, is to arrange the second batch of HKIS members, who possess the necessary qualifications, to register as cost engineers in China.

Mr Lai together with our Vice-Chairman, Mr Antony Man brought us the good news after their visit to the China Engineering Cost Association (中國建設工程造價管理協會) (CECA) at the end of April. An agreement was reached



with CECA to arrange the second registration in June this year. CECA also indicated that another registration would tentatively be held by the end of this year. For those who would like to register later this year rather than in June, they should consider to prepare the required documents at the appropriate time.

Signing the Supplementary Agreement for extending the validity of the Reciprocity Agreement between CECA and HKIS (21-24 June 2009)

The existing Reciprocity Agreement between CECA and HKIS will expire on 25 May 2009. The QSD Mainland Subcommittee is now working with CECA for an extension of the validity of the Reciprocity Agreement by way of a Supplementary Agreement. The signing ceremony will be held on 22 June 2009 in Beijing. The President and I will lead a delegation for the signing ceremony and will also pay visits to various related government departments as well as the Tianjin Engineering Cost Association. Subject to the confirmation of the relevant government officials and parties, the scheduled itinerary is as follows:

Date	Proposed Itinerary
21 June (Sun)	1. Flight from HK to Beijing (afternoon) 2. Meeting with members of HKIS Beijing Forum
22 June (Mon)	1. Visit and meeting with: (a) Ministry of Housing and Urban-Rural Development (MOHURD) (b) Department of Standard and Norm (c) China Engineering Cost Association (CECA) 2. Signing of the Supplementary Agreement
23 June (Tue)	1. From Beijing to Tianjin in the morning (by train) 2. Visit and meeting the counterparts at Tianjin (details to be confirmed) 3. Back to Beijing in the evening (by train)
24 June (Wed)	1. Visit and meeting with: (a) Hong Kong and Macao Affairs Office of the State Council (b) The Office of the Government of the HKSAR in Beijing 2. Flight from Beijing back to HK (afternoon)

QSD members are cordially invited to join the visit by either starting from Hong Kong or meeting in Beijing/Tianjin. Please contact Mr Coody Ko of the HKIS Secretariat Office at (852) 2526 3679 if you are interested.

Young Surveyors Group Chairman's Message



Joseph Chong YSG Committee Chairman

APC series

YSG is going to co-organise some seminars as an APC series for probationers from different divisions including BS, GP, LS and QS, to prepare them well for the coming APCs. Details of the APC series for GP and QS have been confirmed and you can refer to the CPD/PQSL events section in this issue for registration.

Joint Professionals Mingle Party

On 12 June 2009, YSG will jointly organise a mingle party with the Young Members Committee of Hong Kong Institute of Certified Public Accountants and the Hong Kong Institution of Engineers. It will be held in a trendy club called Pi in Central. Our YSG members will have priority to join this event by paying a cost of HK\$180. You can meet new friends who are engineers and accountants at the party. Unlimited drinks and some snacks will be provided from 7.00 to 10.00 pm.

YSG Study Tour

In early October, YSG will hold a 5-day study tour to Kuala Lumpur in Malaysia. We will visit different surveying companies, sites and the office of our allied institute - The Institution of Surveyors, Malaysia (ISM) at Selangor. Please watch out for the flyer in the coming Surveyors Times.

HKIS Diploma Presentation 2009



YSG Committee representatives including Anthony Yu, Alison Lo, Cyrus Siu, Joanna Kwok, Jasmine Kong, Joanmi Li, Jeffrey Wong, Kenny Chan, Linda Lui, Joseph Wong,

Evangeline Chan, Tang Chi Wang and myself had attended the Diploma Presentation held on 22 May 2009. We met some of the 150 newly qualified members of the Institute and shared with them our experience in YSG. www.new.facebook.com/group.php?gid=4654184098 to understand more about us.

香港青年專業人士國情培訓班課程

為增強香港年青測量師對國家政治、規劃、經濟、軍事及外交政策等各方面的瞭解及對珠三角地區經濟及其他發展的認識，本青年組以及中聯辦於2009年5月23-24日在廣州中山大學舉辦香港青年專業人士國情培訓班課程。本會青年組有11位年青會員以及另外22位香港建築師學會，香港園景師學會，香港規劃師學會的青年會員一同參加了這個課程，課題包括：《中國基本政治制度、政府架構及其職能》，《當前國際形勢以及我國外交政策》以及《CEPA主要內容以及香港服務業與內地合作的前景》。本組特此鳴謝中聯辦協調部的贊助及安排，以及吳圓副處長的陪同及聯繫。



Call for helpers

If you are interested in joining YSG, please contact Ms Evangeline Chan, our Honorary Secretary at evangeline@hkis.org.hk. You can also join our Facebook Group at <http://www.new.facebook.com/group.php?gid=4654184098> to understand more about us.



兩地建設工程合同法律實務專欄 內地建築工程違約的賠償損失問題

郭靖華 FHKIS, LLB(Chinese Law)

前兩次專題中我們介紹了內地工程合同的法律體系及其適用方法，以及同位階法的衝突解決方法，這是對內地建設工程合同管理的法律事務最基本框架的勾勒。在此框架下，怎樣運用內地建設工程法律來解決工程建設中發生的問題則至關重要。在建設工程中，任何施工延遲、施工瑕疵都有可能引起有關違約的爭議。如何提前瞭解或者正確估算違約情況下雙方所承擔的責任和風險，是每個項目工程管理人員都應當關注的問題。本專題將著眼於內地建築工程合同中的違約金和損害賠償金問題，在今後的專題中，有關香港法律下的損害賠償金問題也會有所涉及，從而在該問題上為大家提供一個比較性的視野，便於跨境實務的操作。

一、違約金

違約金屬於中國合同法規定的違約責任形式之一。合同法第114條規定：“當事人可以約定一方違約時應當根據違約情況向對方支付一定數額的違約金，也可以約定因違約產生的損失賠償額的計算方法。”由此可見，中國合同法中的違約金是當事人對損害賠償額的預先約定。

二、損害賠償金

損害賠償金是中國法律下違約責任體系的另一責任形式。損害賠償金，可以劃分為懲罰性損害賠償金和補償性損害賠償金。

1. 懲罰性損害賠償金

懲罰性損害賠償金，是作為法律的特例而存在的。內地法律中主要體現在：今年剛剛頒布的食品安全法第96條；合同法第113條第2款提及的《消費者權益保護法》第49條，以及《商品房買賣合同解釋》第8和第9條。當然，由於上述規定均不涉及建設工程合同糾紛，筆者就不贅述。

2. 補償性損害賠償金

除了上述幾種懲罰性損害賠償金是作為法律的特例

而存在的以外，法律中的大多數損害賠償金都是補償性的，建設工程合同所涉及的情況也大多如此。

合同法第113條對損害賠償金的約定為：“當事人一方不履行合同義務或者履行合同義務不符合約定，給對方造成損失的，損失賠償額應當相當於因違約所造成的損失，包括合同履行後可以獲得的利益，但不得超過違反合同一方訂立合同時預見到或者應當預見到的因違反合同可能造成的損失。”

根據上述規定，補償性損害賠償金，通常由兩部分組成，一是實際損失，亦稱直接損失；二是可得利益損失，又稱間接損失。一方面，實際損失的數額，靠訴訟或仲裁中當事人雙方舉證來確定；另一方面，為防止非違約方漫天要價，可得利益損失的賠償在實務中有所限制，即不得超過“違反合同一方訂立合同時預見到或者應當預見到的因違反合同可能造成的損失”。

為了非違約方與違約方權利與義務的平衡，除了上述可得利益損失的限制外，根據誠實信用原則，如果非違約方能夠採取措施防止損失擴大而未採取的，不能就擴大的損失部分獲得賠償。

三、違約金與損害賠償金的運用關係

1. 懲罰性損害賠償金的特殊性

由於懲罰性損害賠償金是作為法律的特例而存在的，因此，但凡出現上述的特例時，均優先適用懲罰性損害賠償金。

2. 違約金與補償性損害賠償金

如上所述，建築工程合同糾紛多數是以補償性損害賠償金的形式而出現的。此時，我們需要考慮的就是，在建築工程合同中如果約定了違約金的金額，而補償性損害賠償金（實際損失與可得利益損失的

總和)與其不一致的情況下,當事人應當如何申請賠償的問題。

首先,違約金與補償性損害賠償金二者不可以併用,只能擇一適用。其次,違約金與補償性損害賠償金不一致時,根據合同法第114條第2款,違約金可以進行相應的調整。這一點也在今年5月13日剛剛施行的《最高人民法院關於適用〈中華人民共和國合同法〉若干問題的解釋(二)》(“解釋二”)第27條得到了進一步確認:“當事人通過反訴或者抗辯的方式,請求人民法院依照合同法第114條第2款的規定調整違約金的,人民法院應予以支持”。

那麼,違約金的調整有哪些情況呢?

第一,如果違約金小於補償性損害賠償金,當事人可以請求人民法院或者仲裁機構予以增加(合同法114條第2款)。這裏需要注意的是,(1)只有當事人提出請求增加違約金時,法院或仲裁機構才會考慮是否增加違約金的問題,也就是說,法院或仲裁機構是不能主動增加違約金的。因此,當建築工程合同糾紛產生時,如果一方當事人發現合同中約定的違約金的金額少於其受到的實際損失和可得利益損失的總和時,其應當特別留意提出增加違約金的要求,否則,其損失將很難得到全部賠償。(2)解釋二第28條特別強調:“增加後的違約金數額以不超過實際損失額為限。增加違約金後,當事人又請求對方賠償損失的,人民法院不予支持”。由此可見,即使違約金可以增加,也受到實際損失的數額限制,也就是說,在當事人要求增加違約金的情況下,增加後的違約金是無法補償當事人的可得利益損失的。在建築工程合同中,由於合同標的都比較大,可得利益的數額也比較大,因此,在當事人約定違約金數額時,應當儘量預計到因為違約而產生的實際損失和可得利益損失,並儘量將違約金的數額約定為涵蓋實際損失和可得利益損失的數額,就防止了之後調整違約金時,可得利益仍然無法得到補償的情況。

第二,當違約金過分高於補償性損害賠償金時,當事人可以請求法院或仲裁機構予以適當減少(合同法第114條第2款)。實務中有幾點需要注意。

- (1) 與上述情況一樣,只有當事人提出請求減少違約金時,法院或仲裁機構才會考慮是否的少違約金的問題。
- (2) 那麼,什麼是“過分高於”呢?解釋二第29條第2款表明,如果違約金超過造成損失的30%,可以認定為“過分高於”。
- (3) 當符合了上述“過分高於”的情況時,法院用何種標準進行裁決呢?合同法採用了“適當”二字。通常情況下,提出減少違約金要求的一方多是違約方,法律既要保護非違約方的利益,又要保證違約方因為違約而支付一個非常不合理的數額。為了保證雙方利益的平衡,法律採用了“適當”的尺度,對違約金的金額進行適當的調整。解釋二第29條對“適當”的尺度進行了進一步解釋:“以實際損失為基礎,兼顧合同的履行情況、當事人的過錯程度以及預期利益等總和因素,根據公平原則和誠實信用原則予以衡量”。也就是說,與違約金低於補償性損害賠償金的情況不同,在這裏當事人的預期利益是法院考慮的範圍。

內地建設工程合同糾紛中的違約金,與香港法律規定的一樣,都是當事人對損失額的預先約定。但是,內地法律並不要求當事人在約定該賠償數額時,該數額是一個合理數額,只要雙方當事人達成一致即可。也正是因為如此,在糾紛發生時,法律賦予了對違約金進行調整的可能性,防止違約金約定時明顯不合理的情況下當事人的利益得不到平衡的情況發生。這一點與香港的法律有明顯的不同,我們還將在之後的專題中提及。

English Summary

Gilbert Kwok, FHKIS, LLB(Chinese Law)

In this article, we are explaining in some detail, under Chinese Law, the two different types of compensation available to an innocent party, namely general damages and liquidated damages, as a result of the default of the other contracting party and the relationship between those two types of compensation.



The Purposes and Practice of Construction Insurance

Joe Lo, Committee Member & CPD Convenor, Young Surveyors Group

The YSG CPD event "The Purposes and Practice of Construction Insurance" was successfully held on 22 April 2009 at the HKIS Surveyors Learning Centre. Mr Adrian King, Senior Consultant of Aon Hong Kong Limited, presented the seminar to some 100 members attending.

The seminar started with an illustration of the relationship between risk and insurance. Adrian explained that insurance was a contract that acts as a risk transferring vehicle. There is no doubt that all parties at risk need to be insured. In construction projects, the stakeholders usually include the employer, project financier, consultants, main contractor and sub-contractors. Under the current practice, only those parties named in the insurance contract will be insured. In the talk, Adrian examined the complexities and pitfalls in different types of insurances. His experience in numerous examples of real case situations and claims were also shared during the seminar.

The talk ended with a conclusion and Q&A session. In the Q&A session, the participants exchanged their views and Adrian gave his opinion on the topic. For details of the presentation, please refer to the HKIS website.



HKSAR Conditions of Contract for Civil Engineering Works - Practical use of Important Clauses and Special Conditions of Contract for Mega Engineering Projects

Kathy Cheung, Vice Chairman of CPD Sub-committee, Quantity Surveying Division

Thanks to Mr David Leung for delivering two CPD seminars for QSD on 23 April and 30 April 2009 with the topics 'HKSAR Conditions of Contract for Civil Engineering Works - practical use of important clauses' and 'Special Conditions of Contract for Mega Engineering Projects' respectively. Mr Leung has about 30 years experience working as a chartered civil engineer for various civil engineering projects. For the first seminar, an introduction was given on the HKSAR Conditions of Contract for Civil Engineering Works with emphasis on the practical use of various important clauses such as extension of time, care of the works and third party liability, works programme, re-rating due to changes in quantities and variation orders.



For the second seminar, an introduction was given on the special conditions of contract for mega projects which were modified from the previous Airport Core Projects Conditions of Contract including various clauses such as works programme, extension of time, liquidated damages and the term stages and key dates. Both seminars were successful with more than 150 participants. The Chairman of QSD CPD Sub-committee, Mr Sunny Chan, presented a souvenir to Mr Leung at the end of both seminars.





‘國內建設工程造價諮詢業及造價工程師執業制度’，‘汶川大地震建築物毀分析及重建思考’，及‘金融海嘯對中國建築業的影響’

Kathy Cheung, Vice Chairman of CPD Sub-committee, Quantity Surveying Division

工料測量組感謝陳廣言教授接受邀請，答允在三月份慷慨提供三次寶貴之學習機會與本會會員。陳教授為造價工程師，仲裁專家，房地產估價及高級工程師。三個持續發展講座包括於3月3日之‘國內建設工程造價諮詢業及造價工程師執業制度’，於3月10日之‘汶川大地震建築物毀分析及重建思考’，及於3月17日之‘金融海嘯對中國建築業的影響’。三個講座圓滿舉行，共超過二百位會員參加。加深對國內建築業及工程造價諮詢業之認識。

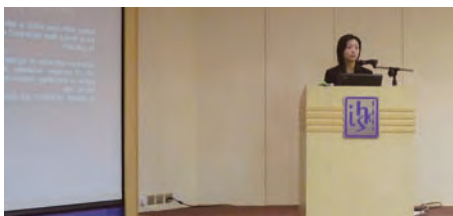


Critical Aspects in Project Planning

Rocky Chan, Committee Member, Young Surveyors Group

The YSG CPD Event 'Critical Aspects in Project Planning' jointly organised with the Association of Project Management (Hong Kong Branch) was successfully held on 18 April 2009. We had the pleasure of Ms Amanda Wong and Mr K H Fok to deliver a valuable presentation/workshop to the participants.

Ms Amanda Wong is a council member of the Association for Project Management (Hong Kong Branch) and currently works as an Associate in Evans & Peck. Mr K H Fok has worked in various positions in Civil and Foundation Engineering for over 20 years, successfully managed more than 50 construction projects, and currently works as a Senior Associate in Evans and Peck.



Amanda presented a comprehensive account of the definition of project management and its application. In essence, she mentioned the importance of the life cycle of a construction project, which involved different stages. The consideration of various objectives in different stages (eg design stage) in a construction project is essential to develop a project plan. In addition, she showed the participants an example of phrase plan for large construction project which is fruitful. Moreover, she mentioned the essentiality of developing a project plan before commencement of the construction work and how to achieve a workable project plan by considering different goals of various stakeholders involved in the construction project. She also emphasized that the project plan should

be presented in a way that all project team members can understand it and should be able to use it.



Mr Fok adopted a completely different approach from the traditional CPD events which were usually presentations. Mr Fok divided the participants into small groups of 5 to 6 people. He then required the participants to discuss various objectives of different stakeholders in different stages of a private sector as well as Government sector construction project. After the discussion, Mr Fok required each participant to give a brief presentation on what their group had discussed. After each presentation Mr Fok further elaborated on how to possibly achieve these goals in a construction project. The result was fruitful. Most of the participants had given a well structured and detailed presentation. It was surprising that some of the presentations were even beyond Mr Fok expectations. Awesome! Moreover, Mr Fok informed the participants that different stakeholders may be involved between the private sector and Government sector construction project. Finally, Mr Fok emphasized the importance to consider various objectives of different stakeholders before development of the project plan for a construction project.

On behalf of the YSG, Mr C W Tang presented a souvenir and expressed sincere thanks to both speakers for their valuable time and effort in conducting such an informative seminar/workshop.

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2009				
Jun	5	QSD Annual Dinner	HKIS QSD	Happy Valley Racecourse, Hong Kong SAR
	22	HKIS General Council Meeting	HKIS	Board Room, HKIS
	25	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	26	Surveyors Happy Hour	HKIS	Library, HKIS
Jul	7	Board of Membership meeting	HKIS	Board Room, HKIS
	23	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	23	HKIS General Council meeting	HKIS	Board Room, HKIS
	31	Surveyors Happy Hour	HKIS	Library, HKIS
Aug	17-19	PAQS 13th Conference	PAQS	Kuala Lumpur, Malaysia
	27	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	28	Surveyors Happy Hour	HKIS	Library, HKIS
Sep	5	BSD Annual Conference	HKIS BSD	Harbour Plaza Hotel, Hong Kong SAR
	22	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	22	HKIS General Council meeting	HKIS	Board Room, HKIS
	25	Surveyors Happy Hour	HKIS	Library, HKIS
	26	HKIS Annual Conference	HKIS	Conrad Hotel, Hong Kong SAR
Oct	19-22	7 th FIG Regional Conference	FIG & VGCR	Sheraton Hotel, Hanoi, Vietnam
	22	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	30	Surveyors Happy Hour	HKIS	Library, HKIS
	31	PFMD Annual Conference	HKIS PFMD	Harbour Plaza Hotel, Hong Kong SAR
Nov	11	Board of Membership meeting	HKIS	Board Room, HKIS
	26	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	26	HKIS General Council meeting	HKIS	Board Room, HKIS
	27	Surveyors Happy Hour	HKIS	Library, HKIS
Dec	11	HKIS Annual General Meeting	HKIS	SLC, HKIS
	18	Surveyors Happy Hour	HKIS	Library, HKIS

For details, please visit www.hkis.org.hk or contact the HKIS office on 2526 3679. Board Room, HKIS = 810 Jardine House, 1 Connaught Place, Central, Hong Kong. Library, HKIS = 801 Jardine House, 1 Connaught Place, Central, Hong Kong. SLC, HKIS = 811 Jardine House, 1 Connaught Place, Central, Hong Kong.



HKIS Silver Jubilee Birthday Party

26 April 2009

