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# SURVEYORS

測量師時代  
Times

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## Certified Surveyor 認可測量師

THE HONG KONG INSTITUTE OF SURVEYORS  
Extraordinary General Meeting

BALLOT PAPER

Certified Surveyors

YES



THE HONG KONG INSTITUTE OF SURVEYORS  
香港測量師學會  
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香港測量師學會

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### 2 From the Editor 編者話

### 3 President's Message 會長的話

### 7 HKIS News 學會簡訊

- Extraordinary General Meeting - Proposed amendment to the Constitution of HKIS
- Promotion of Best Professional Practices for Public Private Partnerships (PPPs)
- HKIS Young Surveyors Award 2009
- HKIS Annual Conference 2009 - Surveyors in Urban Regeneration
- Letter to the Editor
- Council members reaching out
- News from Sports and Recreation Committee

### 28 Divisional News & Activities 組別簡訊

### 38 Surveying Practice 測量事務

- 兩地建設工程合同法律事務專欄  
NEC標準合同條件概述及運用

### 40 Education 增值空間

- A Quantity Surveyor as a Project Manager - Experience Sharing on Managing Interior Fitting Out Projects
- Aerial Photo Interpretation and Boundary Determination
- Construction life-cycle's execution phase - How to ensure performance under a construction contract

### 41 Member's Privileges 會員優惠

### 42 Calendar of Events 活動日誌

### 43 Back Cover

- HKIS Happy Hour cum Birthday Party & CPD

The BSD Council is tasked with the preparation of HKIS's position papers on a number of public consultations which include the Building Design to Foster a Quality and Sustainable Built Environment, Heritage, Tree Management, Air Quality Objectives Review, mandatory implementation of Building Energy Codes, tree planting/roof-top greening and district cooling system in Kai Tak Development. Members are encouraged to express their views on the respective issues. BS members are invited to join the 3rd Summit Conference to be held in Guangxi in December 2009.

The LSD Council is intending to carry out a research project titled *Evolutionary Process of the Development of Spatial Data Infrastructure (SDI) in Hong Kong - Part I: Top Directive and Policy Support*. The 6<sup>th</sup> Beijing, Hong Kong and Macao Geomatics Conference will be held in Beijing on 12-15 November 2009.

The PDD Council will be organising a number of CPD events to update practitioners and students' knowledge. The Chairman recently attended the BOE visit to the Polytechnic University and recommended them to apply for the HKIS's accreditation of their P&D stream.

The PFMD Council recently attended the World Workplace 2009 organised by the International Facility Management Association. Besides attending the conference and expo, they also participated in a facility visit and understood their strong emphasis on energy efficiency, water efficiency, indoor environment quality and recycling.

The GPD Council has made a good progress on the second batch of membership reciprocity with the China Institute of Real Estate Appraisers and Estate Agents (CIREA). The quota for each institute shall be around 100.

The President of the Pacific Association of Quantity Surveyors, together with the Vice President of the Singapore Institute of Surveyors & Valuers, visited the HKIS in October. The QSD Council held a welcoming function for them. In return, Mr Teoh and Mr Khoo delivered a CPD talk on two topics, viz. "Sustainable Construction The Singapore Perspective" and "Green Costing the Impact on Quantity Surveyors".

Recently, seven applications for cost engineers were approved by the China Engineering Cost Association. More members are expected to become registered cost engineers in the Mainland.

The HKIS General Council, Divisional Councils and Young Surveyors Group will hold its annual general meeting in November or December. Members are invited to participate in the AGMs of the HKIS and their respective Councils.

Dr Paul Ho  
bshkho@cityu.edu.hk

建築測量組正為學會草擬多份公眾諮詢的意見書，包括「優化建築設計締造何持續建築環境」、文物保育、樹木管理、空氣質素檢討、「強制實施建築物能源效益守則」、植樹/綠化屋頂、啟德發展區域供冷系統。現歡迎會員踴躍提供相關意見。建築測量組亦邀請會員出席於2009年12月於廣西南寧舉行的第二屆中國建設監理峰會。

土地測量組將推行研究計劃，名為「空間資料基於香港發展的演進過程—第一階段：大方向及政策支持」。第六屆京港澳測繪技術交流會將於2009年11月12日至15日於北京舉行。

規劃及發展組將舉辦一連串持續專業發展項目，向業界及學生提供最新資訊。規劃及發展組主席最近亦隨教育委員會到訪香港理工大學，並建議大學可將相關課程向學會申請審批為規劃及發展組的相關項目。

物業設施管理組參加了由國際物業設施管理協會舉辦的 World Workplace 2009。隨了出席會議及展覽外，會員亦參觀了不同的設施，了解到能源效益、水力效益、室內環境質素及循環系統的重要。

產業測量組正積極籌備與中國房地產估價師與房地產經紀人學會的第二次資格互認。雙方的互認名額各約100名。

亞太工料測量師聯合會會長及新加坡測量師與估價師學會副會長於10月到訪學會，由學會工料測量組負責安排接待。Mr Teoh 及 Mr Khoo 亦為會員舉行持續專業發展講座，講題分別為「從新加坡角度看可持續的建築」及「綠化成本對工料測量師的影響」。最近，7名工料測量師成功註冊為內地造價工程師，預計將會有更多會員可成功於內地註冊執業。

香港測量師學會、各個組別及青年組將於11月或12月舉行周年大會，希望會員踴躍出席。

何學強博士  
bshkho@cityu.edu.hk



*The following is a speech given by President Francis Leung at the Joint HKIS and RICS Property and Facility Management Conference on 31 October 2009*

The Honourable CY Leung, Distinguished Guests, Fellow Surveyors, Ladies and Gentlemen,

Good Morning.

It gives me great pleasure to have this opportunity to speak on this remarkable occasion, with so many professionals, practitioners, government officials, contractors, academia and students, all gathering here with the common goal of exchanging knowledge and experience on this very timely subject of "Property and Facility Management: A Greater China Perspective".

I am not personally involved in organising this Conference. In fact I feel guilty for standing here taking credit of Mr Alan Wong and his team's good work. Alan is the Chairman of the Conference Organising Committee. He is also the Honorary Treasurer of the Property and Facility Management Division of our Institute. Taking this opportunity, I congratulate the PFM Division in cooperating with the Royal Institution of Chartered Surveyors in making this Conference possible.



The Property and Facility Management Division is the youngest Division of the Hong Kong Institute of Surveyors. It was established in 2005, in response to the growing demand of the industry for the surveyors' specialized services in property and facility management. I remember at that time as the Honorary Secretary, I worked very closely with Mr Michael Price, the Inaugural Chairman, in setting up the Property and Facility Management Division. It was not a smooth sail. At that time, some members were not convinced that there was



a market big enough to justify a separate Division for the Institute. Some members were not entirely clear as to how the Property and Facility Management Division would function and interact with

the other Divisions which had already been providing some services in connection with property and facility management. How would "multiple membership" fit in with the existing HKIS structure? So on and so forth.

But eventually we got a majority vote from members at the EGM, agreeing to set up the Property and Facility Management Division. In the subsequent membership registration, the response from members was overwhelming. The first batch of application from our members for PFM membership exceeded 600. Under the able leadership of Mike Price for the first two years and then Kenneth Chan for the subsequent years up to now, the PFM Division has grown from strength to strength, with many educational, promotional, CPD and training activities. Now, of course, as borne out by today's Conference, the PFM Division has expanded its focus on Greater China. I would therefore congratulate Mike and Kenneth for their vision and leadership.



I was in Hanoi, Vietnam last week, attending an international conference on surveying. The theme of the Conference was "Land Governance and the Environment".



A very substantial part of the presentations by the international speakers was on Sustainable Development. From that it is evident that increasing attention is being paid to improving our built environment through quality design, green procurement, life cycle analysis, life cycle costing, and a structured approach to maintenance and facility management.

When chatting with fellow surveyors and friends from around the world during the Conference, we found that what interested them most were the huge developing and some untouched markets in Mainland China. In this latter respect, there is of course a lot for us in Hong Kong, as China's window to the world, to offer.

As professional surveyors, some of us may claim expertise on some aspects of property and facility management. But I don't think any one of us can claim to be the expert of the whole of this very embracing topic. Many initiatives and issues must be addressed. And in terms of PFM and its applications in the Mainland China, there is a lot of experience, sweet and bitter, to be shared.

I therefore congratulate the Conference Organising Committee for presenting a good selection and a good balance of topics, starting with a keynote speech by our Guest of Honour, the Honourable CY Leung. The next speaker Professor Eddie Hui will then share his overview and opportunities of the property management in Hong

Kong. Dr Johnnie Chan will share his experience in the PM market in the Mainland, from his perspective as a developer. There will be presentations on strategic partnering, strategic capability, value chain and market positioning. These presentations will be from system implementation as well as stakeholders' perspectives. The keynote speech in the afternoon will be delivered by Mr Xu Jian Hua, Vice President of the China Property Management Institute. Mr Xu will speak on the recent trends and development of PFM in the Mainland. Other technical topics will include: facility management and property lifecycle; innovations in PFM; intelligent buildings in Taiwan; opportunity and bottleneck for property management; and housing management in the Mainland.



From what I just briefly highlighted, I think all our members and guests will be assured of very informative, interesting, and thought provoking presentations from our speakers.

Finally, I would like to thank all our sponsors, whose names are separately acknowledged in the proceedings, all our speakers, and the Chairman and members of the

Conference Organising Committee. Their names are also acknowledged in the conference proceedings.

May I wish the Conference every success, and that all our members and guests will have a very enjoyable day.

Thank you very much.

## 香港測量師學會會長梁立基先生於物業設施管理組周年研討會上致辭 2009年10月31日

尊敬的梁振英先生、各位嘉賓、各位會員：

早上好。

我很高興藉著這個機會，與各位專業界人士、政府官員、承辦商、學術界人士和學生，就今天研討會的議題「物業設施管理：透視大中華區的機遇」作出知識交流和經驗分享。

我個人並沒有參與研討會的籌備工作。事實上，我有感到內疚站在這裡，分享黃盛先生和其團隊的努力。黃先生是研討會籌備委員會的主席，亦是學會物業設施管理組的義務司庫。藉此機會，我衷心恭賀物業設施管理組聯同英國皇家特許測量師學會成功籌辦是次研討會。

物業設施管理組是學會最年青的組別。組別成立於 2005 年，以針對測量行業對物業設施管理專業服務方面日益的需求。我還記得當年我作為學會的義務秘書，與物業設施管理組的創組主席彭禮善先生為組別的成立作緊密合作。惟這不是一帆風順的。當年不少會員認為市場的潛力未能足以成立一個獨立的組別。此外，亦有些會員質疑物業設施管理組如何運作及如何與其他組別作互補，況且某些現有的組別已包括物業設施管理的範疇。現行架構中又如何與多重會藉互相融合？如此類推。

但到了召開會員特別大會時，成立物業設施管理組的議案獲得大多數會員投票支持。於期後的會員登記程序，反應更超出預期的理想，首批登記為物業設施管理組會員的人數超過 600 人。於彭禮善先生首兩年及陳佐堅先生期後的領導下，組別的發展日漸成熟，並舉辦了多項教育活動、宣傳及持續專業發展培訓項目。由今天研討會的題目所見，組別已把發展目標集中於大中華區。我在此再次感謝彭先生及陳先生的遠景和領導。

上星期，我於越南河內參加測量業的國際會議，會議主題為土地管理及環境議題。當中大部份講者的演講內容均圍繞「可持續發展」。由此可見，業界漸漸重視以優質設計、綠色採購、生命周期分析及成本、結構保養及設施管理，以改善建築環境。

於會議期間，與一些資深會員及朋友閒談，發覺他們對於內地一些發展中及一些尚未開發的地區感到濃厚興趣。香港作為中國的窗口，對後者實在可以提供不少貢獻。

作為專業測量師，我們可以為物業設施管理的一些議題提出意見，但我相信沒有任何人可以稱自己是這個主題的專家，當中尚有很多倡議項目值得討論。從物業設施管理及其於內地的應用來說，還有很多經驗值得分享。

我在此要感謝籌備委員會安排了一些優秀的演講，先由梁振英先生作主題講話，再由許智文教授與大家分享香港物業管理的機遇；陳志球博士將會從發展商的角度剖析中國物業管理的經驗。其他的演講內容包括策略性合作伙伴、策略能力、價值鏈及市場定位，而這些演講均從系統推行及持份者的角度來探討。下午主題演講將先由中國物業管理行業協會副會長許建華先生發言，許先生將講解國內物業管理服務行業的趨勢。其他較為技術性的講題包括設施管理與物業週期、創意產業設施管理、台灣的智慧型建築、不動產管理的機會與瓶頸、以及內地的樓房管理。

由我剛才所說的重點講題來看，相信研討會內容及嘉賓的演講將非常豐富及有趣。

最後，我亦特別在此感謝各位贊助機構、各位演講嘉賓、籌備委員會主席及成員，它們的名字都已經刊載於會議場刊內。

我預祝今天的會議舉辦成功，亦祝願各位嘉賓及會員渡過一個充實愉快的一天。

謝謝各位。

梁立基  
會長

(以上為譯本，原文以英文發表)

## 物業設施管理：透视大中华区的机遇

## Extraordinary General Meeting Proposed amendment to the Constitution of HKIS

An Extraordinary General Meeting (EGM) will be held on 11 December 2009 for the purpose of considering, and if thought fit, the passing of the proposed amendment to Clause 5.5 of the Constitution of HKIS.

Pursuant to Clause 5.5 of our Constitution, professional members of HKIS may present themselves as Professional Surveyors in addition to the designatory letters FHKIS or MHKIS. In order that professional members may distinguish themselves from Registered Professional Surveyors (RPS) under the Surveyors Registration Ordinance, it is proposed that professional members may also present themselves as "Certified Surveyors" with indication as appropriate their specialization within a Division of the HKIS.

The proposal to amend the description of "Professional Surveyors" to "Certified Surveyors" has been deliberated by the Board of Professional Development since 2005. Open discussion forums have been held and a questionnaire survey has been conducted to seek members' opinions on the proposal. Subsequent to the consultations, the Board of Professional Development has refined the proposal, which has been APPROVED by the General Council for submission to an EGM.

The proposed amendment to Clause 5.5 of the HKIS Constitution is as follows:-

***"A member in the Professional Grade may also present himself as a Certified Surveyor (認可測量師) or specifically as a Certified Surveyor in a particular specialization as may be declared by the Institute from time to time".***

The EGM Notice and accompanying documents have been posted to all Corporate Members. If you have not received the details yet, please contact the Membership Department at 2526 3679 or send an email to memdept@hkis.org.hk. For a copy of the HKIS Constitution, please visit the website at <http://www.hkis.org.hk/hkis/html/constitution.jsp>.

All members are urged to show their support by attending the EGM and voting YES for the resolution on 11 December 2009.

## Promotion of Best Professional Practices for Public Private Partnerships (PPPs)

The captioned Project which is partially funded by the Professional Services Development Assistance Scheme is to introduce and promote best professional practices for public private partnership (PPP) projects in Hong Kong mainly through the development of a suitable PPP model for local property and infrastructure development projects and the organisation of a series of workshops and seminars for local professional surveyors, construction and infrastructure related professionals. Members are invited to visit the HKIS website at <http://www.hkis.org.hk/hkis/html/PPPs.jsp> to view and download the following materials:

Titles		Formats	
1	Development Process of PPPs Projects	PowerPoint presentation	Video
2	The Financial Aspects of PPP Projects	PowerPoint presentation	Video
3	Concession Models for Build Operate Transfer Projects	PowerPoint presentation	Video
4	Public Private Partnerships and Construction: A Recap on Hong Kong	PowerPoint presentation	
5	Common Problems holding back the Development of PPP in Hong Kong	PowerPoint presentation	Video
6	Development of PPPs in China	PowerPoint presentation	
7	Infrastructure meets Business Globally: What to Expect from PFI?	PowerPoint presentation	Video
8	Practical Guide to Public Private Partnership (PPP) Projects	e-Book	

The HKIS would thank the HKSAR Government for its funding support in this project.

(Disclaimer: Any opinions, findings, conclusions or recommendations expressed in these materials do not reflect the views of the Government of the Hong Kong Special Administrative Region or the Vetting Committee for the Professional Services Development Assistance Scheme.)



## HKIS Young Surveyors Award 2009

The HKIS Young Surveyors Award 2009 (YSA), launched in June 2009 is the first award to recognise young HKIS qualified surveyors under the age of 40 who excel and have made significant contribution in the surveying profession. A total of 8 nominations were received.

Assessment of the entries, which is divided into 2 parts - written submission and interview, is based on the nominees' vision and innovation, leadership, motivation, value created for clients, proactive professional learning and most important of all: their contribution to HKIS, the profession and the community.

After the assessment by the Judging and Assessment Panels, the organising sub-committee is pleased to announce the following awardees of the Young Surveyors Award 2009:-

Awardees	Division
Lam Lik Shan, Lesly	LSD
Wan Wai Ming, Tony	GPD
Wong Kin Yan	QSD
Wong Kin Yee, Billy	BSD, PFMD
Wong Yuan Chin, Tzena	QSD

Presentation of award to the awardees will be made during the HKIS Annual Dinner on 17 November 2009.

The organising sub-committee would like to express its appreciation to members of the Judging Panel including:-

Chairman	The Honourable C Y Leung
Vice Chairman	Francis Leung, President
Secretary	Joseph Chong, Chairman of Young Surveyors Group

### Members:

#### Divisional Chairmen:

Kenneth Chan, PFMD  
Daniel Ho, QSD  
Lawrence Poon, GPD  
SUNG Hon Kwong, LSD  
Edwin Tsang, PDD  
Kenneth Yun, BSD

#### Past YSG (JO) Chairmen:

Sunny Chan  
CHAN Yue Chun  
T T Cheung  
David Faulkner  
Phillip Kam  
Stephen Lai  
Victor Lau  
Nathan Lee  
Robin Leung  
Antony Man  
David Wan  
Joseph Wong

#### Fellow Members:

Raymond Chan  
Francis Lam  
LEUNG Shou Chun  
Michael Price  
Kenneth Poon  
YU Kam Hung

## HKIS Annual Conference 2009 Surveyors in Urban Regeneration

The HKIS hosted its annual conference on 26 September 2009 at the Conrad Hong Kong. The theme for the Conference was "Surveyors in Urban Regeneration". We were delighted to have the Honourable Mrs Carrie Lam, Secretary for Development as our guest-of-honour and for being the keynote speaker. The Conference attracted about 180 participants. All members and guests benefited immensely by learning about the initiatives on urban renewal strategies and urban regeneration models shared by the industry professionals and academia. Our thanks to the following speakers for their inspiring and valuable contribution to the success of the Conference:-

### Mr Barry Cheung, JP

*Chairman, Urban Renewal Authority*

### Mrs Ava Ng, JP

*Director of Planning, Planning Department, HKSAR Government*

### Dr LAW Chi Kwong

*Associate Professor, Department of Social Work and Social Administration, University of Hong Kong*

### Dr Mee Kam NG

*Associate Professor, Department of Urban Planning and Design, Faculty of Architecture, University of Hong Kong*

### Mr Lawrence Pang

*Vice Chairman, General Practice Division, HKIS*

### Mr Jack Chan

*Commissioner for Heritage, Commissioner for Heritage's Office, Development Bureau, HKSAR Government*

### Mr MO Kim Ming

*Assistant Director, Buildings Department, HKSAR Government*

### Dr Norihiro Nakai

*Professor of Urban Planning, Department of Social Engineering, Tokyo Institute of Technology*

### Professor HUANG Chien Eil

*Professor of Urban Affairs & Environmental Planning Department, Chinese Culture University*

### Dr LI Ling Hin

*Associate Professor, Department of Real Estate and Construction, University of Hong Kong*

We would also like to thank Professor Anthony Yeh and Mr James Pong for being the moderators of the Q&A sessions.

For more details and photos of the Conference, please visit the HKIS website <http://www.hkis.org.hk>.





## Letter to the Editor

**Chun Kong LAU**  
*MHKIS, MRICS*  
 Head of Valuation Advisory Services  
 Jones Lang LaSalle

23 October 2009

### Managing Risk Exposure in Property Valuations Through Well Documented Instructions

This letter is a response to the article "Thou Shalt Not be Negligent" written by the GPD Chairman and published in August's Surveyors Times ("the Chairman's article"). Following the decision in *Zhuang PP Holdings Limited (formerly known as China United Holdings Limited) and Others v. Vigers Hong Kong Limited and Others*, HCA 1589 of 2003 published in August 2009, the Chairman has kindly reminded members of the mandatory nature of the HKIS Valuation Standards on Properties ("the Valuation Standards") and that an expert witness owed primary duty to assist the Court.

I would like to echo the Chairman's article and share my observations and views in the context of the judgment on how property valuers could better serve their clients and manage risk exposure through well documented written contracts.

I have prepared a brief summary of the valuation practice adopted by the defendant valuer as revealed in the judgment and the valuation report included in the relevant public circular which would help readers understand/appreciate the importance of a written instruction letter. China United Holdings Limited is hereinafter referred to as "the Plaintiff" and Vigers Hong Kong Limited is referred to as "the Valuer".

The Valuer was orally instructed to conduct a valuation for the Property (a basement in a building) for finance purpose on 8 May 1997. The Plaintiff was the instructing party who was then an intending purchaser of the Property. The Valuer made an external inspection on the same date. A valuation letter was issued the

following day on 9 May 1997. The building was under construction then and the occupation permit for the property was issued on 28 August 1997 i.e. more than 3 months later. No land search was made for the purpose of the valuation letter.

A formal valuation report was issued on 12 May 1997 whilst the date of the report and the date of valuation thereof was 9 May 1997 (i.e. the same date as the valuation letter). From the date of oral instruction to the issuance of formal report, the total time frame was five days (including Saturday and Sunday). The format of the valuation report was similar to the model report format as set out in the Guidance Notes on the Valuation of Properties for Mortgage Purposes prepared by the HKIS and the RICS (Hong Kong Branch) (hereinafter referred as the "Guidance Notes"). The Guidance Notes had been effective from 1 January 1997. A second edition was published by the HKIS in 2005.

The valuation report was subsequently incorporated in a public circular dated 26 May 1997 issued by the Plaintiff to its shareholders for the purpose of seeking approval for the purchase of the Property. The Judge concluded that the valuation report set the chain of events in motion including the purchase decision with respect to the Property by the Plaintiff and the loss related thereto.

The Chairman's article has identified various censures made against the Valuer by the Judge. For some of those censures, I have provided some observations thereon. The relevant headings in italics below are the same as they appear in the article.

1. *No land search of the subject property was conducted.* The Judge had noted that the Valuer had not done any land search by the time of preparing the valuation letter. It should be noted that the valuation letter was issued within one day of the oral instruction. Upon the submission of the valuation report, a relevant land search had been made. The Valuation Standards have provided guidance on the handling of valuation letter which is produced prior to the issuance of a valuation report to assist the client for their immediate need. The Valuation Standards also require the letter to contain information in relation to the extent of the valuer's investigations and such information could include whether a land search has been undertaken.

2. *Failure to make on-site inspection of the subject property.* No internal inspection was made for the Property by the Valuer. The Judge had commented that the Valuer should have made an on-site inspection (i.e. go inside the Basement) to verify his valuation in view of the size of the valuation he reached. External inspection of the development had been made by the Valuer on the day of the oral instruction and the same had been stated in the valuation report.

The Guidance Notes had provided guidance on inspection: a visual physical inspection is undertaken of so much of the exterior and interior of the property as is accessible to the valuer without undue difficulty. It is worth noting that the duration of the subject valuation exercise was very short, namely one day for the valuation letter and a total of five days for the valuation report. The property was then under construction and the instructing party was not the owner of the development. These would be relevant considerations for a valuer to take into account in agreeing the scope of services with the instructing party and relevant constraints on investigations could be documented in the written contract. Where the use of the valuation report is for a third party, then the disclosure of relevant constraints in the report would be useful to the user and arguably should be recommended.

3. *No verification of the correctness of the gross area*

*stated by the developer and no information on the saleable area of the subject property was mentioned in the Valuation Report.* Floor area verification and measurement of saleable areas have always been important subjects in valuation practice. Gross floor area/gross area stated by developers would hinge upon the definition adopted by relevant developers and there is no generally accepted definition for the same in the market.

Apart from the model report for financing purpose which has an item of saleable area therein, there is no requirement set out in the Valuation Standards for describing saleable areas. Saleable areas are not always available for non-domestic properties in Hong Kong, whilst for residential properties, such area information can be available from the Rating and Valuation Department. In large-scale properties held for investment purposes, for instance, saleable areas are not readily available and the Valuer would normally rely upon the floor area information provided by clients and/or the developer.

4. *Absence of information about the comparables used for the purpose of preparing the valuation.* The Valuer kept a handwritten list of the comparables with his calculations in files. The Judge considered that though no comparables or analysis were indicated in the model report adopted by the HKIS and the RICS (Hong Kong Branch), the model report is probably for general application and not intended for a valuation of property of substantial value. The Judge opined that including comparable analysis was a profession's standard of good practice in valuing at least commercial properties of substantial value and considered the Valuer had fallen short of standard.

In the market, valuation certificates and short form reports have been widely used in Hong Kong for properties including properties of very substantial values for such purposes including IPO and accounting purposes. The service contract between the valuer and his client could address the levels of details to be included in the report including the market analysis, the setting out of comparables and the analysis thereof.

5. *Generous assumptions were made with reckless regard to the facts.* The Valuer had advised the Court during the hearing that he had made two other assumptions in the course of the valuation - which are the subjects of criticism. However, such assumptions had not been recorded in the valuation report.

The judgment revealed that there had been no written contract between the Plaintiff and the Valuer and thus the instruction was an oral one. It followed that the deliverables of the assignment could not readily be compared with the relevant contracted scope of services and/or judged against the circumstances upon which the instruction was made, including the time and other constraints, if any, imposed upon the Valuer relating to investigations.

In the absence of a detailed written instruction, there could arise a disparity of service delivery expectations between the two parties to the contract, namely the

valuer and the client.

The Valuation Standards have set out detailed guidance for settling valuation instructions. A detailed written contract could set out relevant circumstances upon which the instruction has been taken including constraints on time, confidentiality nature of the assignment, availability of internal inspection, the provision of property information by the instructing party and/or other parties and the related enquiries and/or investigations which in turn help explain why certain course of actions to be made/made in the valuation assignment. For financing reports prepared for regular bank clients, there could be master agreements setting out the service requirements and where no such master agreements are in place, the written confirmation of such instructions coupled with the service custom would serve to define the required scope of services. Should any dispute arise in the future, a detailed written contract would set a good platform to make judgment of the duty of care of the valuer to his client.

## 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. Please email articles to [editor@hkis.org.hk](mailto:editor@hkis.org.hk).

**HKIS**  
**Annual General Meeting 2009**  
**Friday, 11 December 2009**  
**(to be held after the EGM at around 7.00 pm)**  
**HKIS Surveyors Learning Centre**  
**Suite 811, 8/F, Jardine House**  
**Central, Hong Kong**

## Council members reaching out

1 October 2009

National Day Fireworks Display Dinner 60<sup>th</sup> Anniversary of the PRC organised by the Chinese General Chamber of Commerce

Mr Ben Chong

1 October 2009

慶祝中華人民共和國成立60周年香港特區各界人士慶觀禮團由香港特區政府主辦

梁立基先生

5 October 2009

Bills Committee Meeting on Arbitration Bill organised by Legislative Council

Mr Gilbert Kwok, Mr Bernard Wu

7-9 October 2009

International Facility Management Association (IFMA) World Workplace 2009 held in Orlando, USA

Mr Kenneth Chan, Mr Gary Yeung, Mr Dick Kwok

12 October 2009

西九文化區管理局 - 第一階段公眾參與活動

黃比先生，莊永康先生

13 October 2009

Joint Institutes' Presidents' Dinner

Mr Francis Leung

15 October 2009

The Hong Kong Institute of Facility Management Annual Dinner 2009 cum 10<sup>th</sup> Anniversary Celebration

Mr Ben Chong

16 October 2009

「與司·局長有約」晚宴由香港專業及資深行政人員協會

梁立基先生

17 October 2009

The Hong Kong Polytechnic University 15<sup>th</sup> Congregation (Doctoral and Honorary Degrees Conferment)

Mr Ben Chong

17 October 2009

「二零零九國際義工日嘉許禮」義務工作發展局主辦

陳志雄先生，黃健兒先生

19-20 October 2009

香港基建及房地產服務業代青團出訪台灣由香港貿易發展局主辦

葉滿華先生

19-22 October 2009

7<sup>th</sup> FIG Regional Conference organised by FIG & VGCR held in Hanoi, Vietnam

Mr Francis Leung, Mr Sung Hon Kwong, Mr Simon Kwok

27 October 2009

The Institution Charter Launch of the Chartered Institution of Civil Engineering Surveyors (Hong Kong Region)

Mr Francis Leung, Mr Lesly Lam, Mr Sung Hon Kwong, Mr Daniel Ho, Mr Antony Man, Mr Thomas Ho, Mr Gilbert Kwok, Mr Sam Cheng, Mr Evenlyn Kwok, Mr T N Wong

29 October 2009

30<sup>th</sup> Anniversary Dinner of The Hong Kong Institute of Planners

Mr Ben Chong

29 October 2009

Arbitration Bill Meeting of the Department of Justice

Mr Gilbert Kwok, Mr Bernard Wu

## News from Sports and Recreation Committee



**Lesly LAM**  
Chairman of Sports and Recreation Committee

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

### HKIS Sports Night 2009 - All members are welcome!

Beyond the HKIS Annual Dinner, another big event for all members - HKIS Sports Night 2009, will be held on Saturday, 28 November 2009 from 5.00 pm until late at the United Services Recreation Club, 1 Gascoigne Road, King's Park.

Many of our members have been working hard for the glory of the Institute in various Joint Professional Sports Tournaments. Results will be announced in this event. Moreover, different sports teams will give presentations and take the opportunity to recruit more team members. Tickets for the event are HK\$200 for adults and HK\$100 for kids, including food, drinks, sports game and a lucky draw. Each sports teammate will be given a tailor-made HKIS Sports Team windbreaker.



Chairman of the Joint Professional Sports Committee presenting prizes to HKIS members in the Sports Night last year.

### HKIS Bowling Team - Joint Professional Bowling Tournament 2009 Team Captain: Mr Kelvin LI

The Joint Professional Bowling Tournament was successfully held on 11 October 2009 at Olympian City. Our bowling team members got a fruitful reward after several months of tough practice. By only 8 marks behind the 1<sup>st</sup> runner-up, the HKIS bowling team were the 2<sup>nd</sup> runner-up among 5 professional bodies.

Our teammates, Jason Fung (GP) and Rainbow Wan (BS) got the High Game and Ladies' Highest Score respectively.



Jason Fung & Rainbow Wan

Immediate Past President, Mr YU Kam-hung also came to give us mental support.



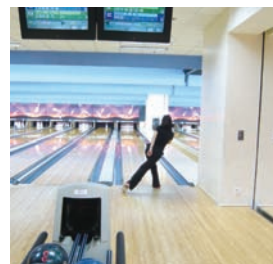
HKIS Bowling teammates: Tzena Wong (QS), Rainbow Wan (BS), Jeffrey Wong (GP), Jason Fung (GP), Stanley Law (QS), Tommy Lam (GP), Donald Chan (LS), Lesly Lam (LS), Kelvin Li (QS) and Michelle Chung (BS)



Also acting as the Vice-chairman of Joint Professional Sports Committee, the Chairman of HKIS Sports and Recreation Committee Mr Lesly Lam presented the 2<sup>nd</sup> runner-up medals to the HKIS Bowling Team.



Group photo of 5 Professional Bodies



You are welcome to join the HKIS Bowling Team.



## HKIS Swimming Team - HKMA Inter-professional 4x50M Free Style Relay

**Team Captain: Mr William LAI / Ms Carmen WONG**

The HKIS Swimming Team joined the HKMA Inter-professional 4x50M Free Style Relay on 11 October 2009. Our team won the 2<sup>nd</sup> runner-up and broke the team's best performance time.



2nd runner-up



Are you ready?



Prize presentation



Teammates: Carmen Wong (GP), William Lai (BS), Calvin Li (QS) and Veronica Tang (QS)

## HKIS Sailing Team - Hong Kong to Macau 10 Year Handover Anniversary Sailing Regatta

**Team Captains: Mr Ben CHONG / Mr YU Kam-hung / Mr Christopher WONG / Mr Lesly LAM**

The HKIS Sailing Team has been successfully formed. They have just returned from the Sailing Competition from HK → Macau → HK from 24 to 26 October 2009. 8 crew members were on board the sailing boat - Xanadu II, to tackle this challenge.



Crew - Arthur Cheung (BS)



Crew - Lesly Lam (LS)



Crew - Joseph Wong (LS)



Crew - William Lai (BS)



HKIS Sailing Team in Macau's Sailing Competition

Salute - Arrival in Macau



Captain Christopher Wong (BS)



Our dearest trainer - Ben Chong (BS)



Successfully finished!

Don't worry if you have never tried. Please contact us for further details and if you are interested to join. Training will be provided.

## HKIS Dragon Boat Team - 60<sup>th</sup> National Day Celebration Dragon Boat Invitation Race

**Team Captains: Mr William LAI / Mr Lesly LAM / Mr Joseph WONG**

The HKIS Dragon Boat team had prepared well to achieve another excellent result. In the 60<sup>th</sup> National Day Celebration Dragon Boat Invitation Race on 4 October 2009 at Shau Kei Wan Typhoon Shelter, the team won the Gold Cup 1<sup>st</sup> runner-up among 16 teams.

You are welcomed to join the HKIS Dragon Boat Team. Training will commence again right after the coming Lunar New Year.

## HKIS Squash Team - Interested members required!

**Team Captain: Miss Tzena WONG / Miss Iris TSANG**

HITTING THE WALL.....If you are interested in ball games and don't have "confined area syndrome", you might be interested in the sport SQUASH.

We are looking for interested/skilled members to form a squash team. All are welcome. Please register with the HKIS office. Captain Tzena and Iris will then contact you shortly.

## HKIS Running Team - Appeal for participation on behalf of the HKIS in the Hong Kong Marathon 2010

**Team Captain: Mr Lesly LAM / Miss Kathy CHEUNG**

Time flies and it is the HK Marathon again. You are cordially invited to join the HKIS Running Team. We will take this opportunity again to arrange the "Joint Professional Marathon Competition". Last year, our BS member - Mr Daniel Pong, won the Champion in the 10km Run with a superb timing of 41min+. For the team competition, we were the 1<sup>st</sup> runner-up among 7 professional bodies.

We are going to extend the joint professional competition from 10km Run to Semi-Marathon and Full Marathon as well. From the results of last year, it is observed that we have a great chance to win in these two newly-added categories, since our best timings for the Semi-Marathon and Full Marathon are 1 hr 55 min and 3 hrs 45 min respectively, which are both very encouraging.



Surveyors in the HK Marathon

## HKIS Basketball Team - More strong players required!

**Team Captain: Mr Arthur CHEUNG**

The Joint Professional Basketball Tournament will be held in January/February 2010 again. Our basketball team captain would like to appeal for more strong players to join the team.



Penalty shoot!

## HKIS Photography Interest Group - Interested members are invited!

**Group Leaders: Mr Arthur CHEUNG / Mr YU Kam-hung / Mr Kim TSUI**

The group leaders of the photography interest group would like to appeal for more interested members to join and share the beautiful photos and photographic knowledge. Tentatively, a few photo-taking sessions and trips are being proposed. Models will be provided if required. In the future, group members will be invited to take photos in various important functions of the Institute.

## HKIS Singing Team cum Surveyors' Band - Joint Professional Singing Competition 2009

**Team Captains: Ms Michelle CHUNG / Mr Kenny CHAN**

The Joint Professional Singing Competition will be held on 1 November 2009 from 1.00 to 6.00 pm at Backstage Restaurant, Central, Hong Kong. Our singing team members have been practicing for months. They show strong determination to win prizes in the tournament.

You are welcome to come and support the HKIS Singing Team.

## HKIS Table Tennis Team - Joint Professional Table Tennis Tournament 2009 *Team Captain: Mr CY JIM / Mr William LAI*

I am pleased to inform that the Joint Professional Table Tennis Tournament will be held on 13 December 2009 with details as follows:

Date: 13 December 2009 (Sunday)

Time: 2.00 - 8.00 pm

Venue: Luen Wo Hui Sports Centre, 3/F, 9 Wo Mun Street, Luen Wo Hui, Fanling, New Territories

Our table tennis team members have been practicing hard for months and show strong determination to win prizes in the tournament.

You are welcome to come and support the HKIS Table Tennis Team.



Table Tennis Team Captain vs Immediate Past President

**Recruitment of players for other teams is still open.  
Look forward to seeing you.**

- HKIS Volleyball Team
- HKIS Tennis Team
- HKIS Snooker Team
- HKIS Skiing and Snowboarding Group
- HKIS Chess Team
- HKIS Dance Interest Group
- HKIS Badminton Team

## Immediate Past President in CENTRAL Rat Race 2009



The Institute has shown its support towards the community by participating in CENTRAL Rat Race 2009, on 11 October 2009. The CENTRAL Rat Race is also a charitable event which raises funds for MINDSET, a registered charitable organisation that supports mental health-related organisations and projects in Hong Kong and Mainland China. This year the event raised HK\$1.33 million.



Immediate Past President, Mr Yu Kam-hung represented the Institute to run in the Big Rat Race, a 0.3km route which started on Chater Road between Alexandra House and Chater House, passed through Statute Square and back to the finish line between Alexandra House and Chater House. Although Mr Yu did not take away any prizes, he was proud to have shared in the excitement and fun-filled event attended by more than 500 participants and 55 teams.



University of Central Lancashire

## BSc (Hons) in Building Surveying (Part-time) awarded by University of Central Lancashire (UK)



School Reg. No.: 572497

### CityEdu Education Centre

The Centre has been delivering three degree programs with the University of Central Lancashire for more than 6 years; including BEng(Hons) Building Services Engineering; MSc in Building Services and BA(Hons) in Global Business Management. At present we have more than 300 adult students studying in our centre. The BSc(Hons) Building Surveying will be our next focus on the professional training for Surveyor.

### Admission

- \* Associate Degree & Higher Diploma graduates with 3 years working experience in Building Surveying or other related Building programs
- \* Higher Certificate graduates with at least 6 years

### Course Features

- \* Face to Face learning, NOT DISTANCE LEARNING, 5 taught modules complete within ONE YEAR, follows by Dissertation, degree award within 16 months
- \* Assignments and examination papers are set and marked by our teaching staff. There are 6 modules to be completed. 3 modules need examination while other 3 modules by assignments
- \* 2 to 3 evening classes per week, teaching materials are available online
- \* The whole course fee is \$HK64,000 in 5 installments, early bird of \$4,000 available for enrolment before Nov. 2009
- \* RICS accredited MSc degrees are available after the degree program for students who want to be member of RICS

1st Intake

EDB registration in progress (251981)

Website: [www.cityedu.com.hk](http://www.cityedu.com.hk) Email: [enquiry@cityedu.com.hk](mailto:enquiry@cityedu.com.hk) Enquiry : 3579 2118 / 2376 1933

Campus: 1/F, Hamilton Commercial Bldg., 558-560 Nathan Rd., Kln. HK

It is a matter of discretion for individual employers to recognize any qualification to which this course may lead.



## HKI Arb Fellowship Assessment Course 15th-17th & 23rd January 2010

The Hong Kong Institute of Arbitrators is offering this intensive weekend course at the HKIAC in Central. The course is designed for practitioners aspiring to the grade of Fellow of the Hong Kong Institute of Arbitrators. Those who successfully complete the course and Award-writing examination may then apply for Fellowship of HKI Arb.

Participants must have some practical experience of arbitration, whether as counsel, expert, or as arbitrator, and be familiar with Hong Kong's Arbitration Ordinance. Participants will receive and be expected to read in advance, a scenario and associated documents which will form the basis of the practical exercises. This is an interactive event, with participants being evaluated on the basis of participation in the discussions and workshops.

The course will be conducted by Louise Barrington, JD, LL.M, FCI Arb, Chartered Arbitrator (2001). She previously taught Arbitration and other subjects at Chinese University and City University of Hong Kong, and directed ICC Asia. Louise has sat as arbitrator on a variety of cases under ICC and UNCITRAL Rules. She is founder and director of the Vis East Moot in Hong Kong.

Fee: HK\$10,000 only. For further information and application form please contact HKIAC (Tel : 2525 2381, Email : [adr@hkiac.org](mailto:adr@hkiac.org)).

# Summary of HKIS CPD / PQSL Events

06 Nov - 02 Dec 2009

DATE	CODE	EVENT	CPD HOUR(S)	SPEAKERS	RUN BY
06 Nov	2009098	Visit to Zhuihai 珠海 and Macau 澳門	6	please refer to page 28	GPD/PDD
10 Nov	2009089	How to Ensure GPR Survey is Useful for Utility Management and Safety	1.5	Dr Margie Chen	LSD
13 Nov	2009102	China Tax and Investment	1.5	Boliveia Cheung, Victor Chong	QSD
16 Nov	2009101	How to minimize the risks of bearing the liabilities (危機處處)	1.5	Christopher Yu	PFM
18 Nov	2009074	Construction life-cycle's completion phase - How to ensure proper termination of a construction contract	1.5	Steven Yip, Dennis Wong	QSD
21 Nov	2009103	GPD APC Series - Seminar for Oral Interview	4	Serena Lau, Louie Chan, Representatives from YSG	GPD/YSG
25 Nov	2009093	Linear City	1.5	Daniel Lam Chun	PDD
28 Nov	2009096	Factory Visit of Eastern Pretech (HK) Limited E_mix Seminar on Renovation System Solutions	3	Dr Chan Chi Yui	YSG
02 Dec	2009104	Introduction of new HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011	2	Dr Daisy Yeung	YSG

## STANDARD RESERVATION FORM

Event Date(s) : \_\_\_\_\_ 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)

Please charge my American Express card

Ref.: [ ]

### To: Credit Card Service Department

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

Cardholder Name : \_\_\_\_\_ HKIS No. : \_\_\_\_\_

Card Number : \_\_\_\_\_ Expiry Date : \_\_\_\_\_ / \_\_\_\_\_

Cardholder's Signature : \_\_\_\_\_ Date : \_\_\_\_\_

**For Bank Use Only**

Approved by :

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 Credit Card (Shanghai Commercial Bank Ltd./American Express)
- 4 A **separate** cheque or 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/GPD/PDD/2009098

### Visit to Zhuhai 珠海 and Macau 澳門

**Date & Venue** 8:00 am - 10:30 pm 6 November 2009 Friday Zhuhai 珠海 & Macau 澳門

**Assemble Place** 8:00 am at the Departure Hall, China Ferry Terminal , 33 Canton Road, Tsim Sha Tsui, Kowloon

**Details** The Itinerary will be as follows : -

#### **A Arrive Zhuhai**

8:30 Departure China Ferry Terminal, Tsim Sha Tsui, Kowloon

9:45 Arrive Zhuhai Pier (or earlier)

10:15 Visit Planning Department, Zhuhai - Discuss Planning of Zhuhai and Heng-quin 橫琴 (and to discuss property development and development opportunities in connection with the completion of the Cross Pearl River Bridge / Tunnel between Zhuhai, Macau & Hong Kong.

12:15 Lunch in Zhuhai

#### **B Arrive Macau (through Heng-quin control point 橫琴)**

2:15 Visit Public Works Officials, Macau (including Planning & Control, Lands Administration, Survey)

4:30 Visit Registration Office, Macau

6:30 Dinner in Macau with Government Officials

8:00 Night Tour in Macau

10:30 Leaves Macau

**Language** Cantonese

**Fee**

HK\$650 for member

(including return craft fare, coach, lunch and dinner)

**Priority** First-come-first-served

## CPD/LSD/2009089

### How to Ensure GPR Survey is Useful for Utility Management and Safety

Joint with LSGI and LSGIAA

**Speaker** Dr. Margie Chen, Senior Geophysicist, EGS (Asia) Limited

Margie studied geophysics as the first degree at the Chengdu University of Technology, then continued at the same university for MPhil programme. She worked as a researcher at the Chinese Academy of Sciences before joining the University of Hong Kong for her PhD study. Her research at HKU concentrated on the applications of geophysics in Hong Kong cases. Now, Margie mainly involves in the daily management of the Geoscientist Division of EGS (Asia) Limited, a land and marine geophysical surveying company, and the research and development of geophysical techniques.

**Date & Venue** 6:30 pm – 8:00 pm Tuesday 10 November 2009 Room HJ305, The Hong Kong Polytechnic University, Hunghom, Kowloon

**Details** In Hong Kong, utilities like cable ducts, gas mains etc. are usually laid underneath our feet. To survey and map the utilities, digging trial pit may be the most straightforward way. However, temporary road closure, traffic diversion and reinstatement of the road are necessary and they would inevitably bring unpleasant impact to the road users. With the benefit brought about by technology, Ground Penetrating Radar (GPR) provides us an alternative method to detect and survey subsurface object in a non-destructive manner.

# CPD/PQSL EVENTS

With worldwide working experiences, Dr. Margie Chen is familiar with various geophysical techniques. Margie has been participating in and supervising many GPR surveys since she joined EGS in year 2002. In this seminar, she will let us realize the principle, the applicability and also the limitation of the use of GPR in respect of a number of her surveying projects.

**Language** English **Fee** HK\$100 per person  
**Priority** First-come-first-served (maximum 40 persons)

## CPD/QSD/2009102

### China Tax and Investment



**Speakers** Miss Bolivia Cheung and Mr Victor Chong

**Date & Venue** 7:00 pm - 8:30 pm Friday 13 November 2009 SLC, HKIS

**Details** Bolivia Cheung has advised multinational clients on various taxation, customs duty and business regulations in respect of business activities in the PRC and cross-border transactions. She has advised on pre-establishment structure planning for overseas property developers to commence their real estate development projects in various cities, including Beijing, Shanghai, Tianjin, Shenyang, Yunnan, Xi'an, Guangzhou and Shenzhen; and post-establishment fund management and profit repatriation strategies for the overseas developers and REIT funds. Bolivia has also assisted in group restructuring for various domestic developers and a substantial number of merger and acquisitions, corporate restructuring engagements for various global property developers and hotel groups. Taxation and business issues include corporate income tax, real estate tax and indirect taxes, foreign exchange control policy and market entry prerequisites and measures.

Victor is specialised in the real estate sector and commercial industry (including hotel), who had significant involvement in various domestic IPO projects and restructuring exercises for real estate groups and natural resource companies in China. He has extensive experiences in advising multinational clients on PRC taxation, foreign exchange control and business matters. His experience includes advice on a number of group M&A restructuring, market entry analysis and defense of the CFC challenge by overseas tax authorities and pre-acquisition due diligence advisory.

It is common for Hong Kong companies to provide services to companies in China. Have you considered the following issues when dealing with your clients in China:

- what are the taxation cost you need to budget in when doing China business
- what are the critical tax terms in the contract so as to speed up collections from China customers
- what are the potential tax and foreign exchange issues you need to face when dealing with China customers
- can you set up a representative office or a subsidiary in China to expand China business

**Language** Cantonese supplemented by English terms **Fee** HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)  
**Priority** QSD Members; First-come-first-served

## CPD/PFM/2009101

### How to minimize the risks of bearing the liabilities (危機處處)



**Speaker** Mr Christopher Yu MH, ChFP, Director of Trans-Pacific Insurance Brokers Ltd.

He joined Trans-Pacific Insurance Brokers Limited in 1996 as Director and he has been in the Insurance Industry for more



# CPD/PQSL EVENTS

than 25 years. He has worked for insurance companies and some major broker firms. He specializes in SME policy design, especially for Group Medical, Individual Accident and Health, Life, MPF, ORSO and other Voluntary Schemes.

Chris is a member of the Insurance Institute of Hong Kong and also leads an active role in the education sector.

**Date & Venue** 7:00 pm - 8:30 pm Monday 16 November 2009 SLC, HKIS

**Details** Chris will focus on some interesting case studies and explain to the members how to minimize the risks of bearing the liabilities. He will also introduce some insurance policies which members will encounter in their daily operation frequently, such as Property Insurance, Public Liabilities Insurance, Professional Indemnity, Incorporated Owner Liability, etc.

**Language** Cantonese supplement with English      **Fee** HK\$100 per person  
**Deadline** 2 November 2009      **Priority** first-come-first-served

## CPD/QSD/2009074

### Construction life-cycle's completion phase - How to ensure proper termination of a construction contract

**Speakers** Mr Steven Yip and Mr Dennis Wong

Steven is the partner of projects, construction and infrastructure group of the law firm Minter Ellison, he has extensive experience for advising construction issues and dispute resolution. He handled a number of major arbitration and litigation proceedings for building and civil engineering works.

Dennis is the senior associate of Minter Ellison. He assisted with a number of arbitration cases, drafting witness statements, conducting discovery, preparing bundles and negotiating settlements.

**Date & Venue** 7:00 pm - 8:30 pm Wednesday 18 November 2009 SLC, HKIS

**Details** In the construction life-cycle's completion phase, the speakers will look at the right of a party to rescind or terminate a contract because of breach by the other either pursuant to the terms and conditions of the contract or under common law. The circumstances giving rise to the right to terminate and the consequences flowing from such termination will be examined. In addition, the speakers will look at the parties' rights and liabilities in relation to suspension of contract.

**Language** Cantonese supplemented by English terms      **Fee** HK\$120 per member; HK\$150 for non-member  
(HK\$20 walk in surcharge for all pricings listed)  
**Priority** QSD Members; first-come-first-served

## CPD/GPD/YSG/2009103

### GPD APC Series - Seminar for Oral Interview



**Speakers** Ms Serena Lau, FHKIS, MRICS, AAPI, MCIREA, Managing Director of RHL Appraisal Ltd.;  
Mr Louie Chan, MHKIS MRICS Barrister-at-law; and  
Representatives from YSG

**Date & Venue** 2:00 pm - 6:00 pm Saturday 21 November 2009 SLC, HKIS

# CPD/PQSL EVENTS

**Details** The seminar will focus on candidates' preparation for the Oral Assessment of the APC. Discussion will cover the requirements from the assessors' point of view and experience of some speakers when they were candidates themselves.

**Language** English supplemented with Cantonese **Fee** HK\$120 per person (additional charge of HK\$20 for walk-in)

**Deadline** 18 November 2009 **Priority** GP Probationers & Students

## CPD/PDD/2009093

### Linear City

**Speaker** Mr Lam Chun Daniel, FHKIS, Past President of HKIS, Former Director, Property of KCRC (2000-2007)

**Date & Venue** 7:00 pm - 8:30 pm Wednesday 25 November 2009 SLC, HKIS

**Details** At the time when Mr. Lam joined the then KCRC in August 2000, he realized that property and railway has a unique and reciprocal relationship that manifest through our urban conditions. There were clearly shortcomings in the conditions traced to the existing model and approach as adopted. The urgency was acknowledged through a commitment to revisit the then business model and operational policies, for improvements that would make the railway business less dependent on subsidization from property. Resources could be reallocated for improvement to quality of life living along the railway line, and conserving resources for our future generations.

Furthermore, Mr. Lam recognized that the conditions for better service and greater success depend on intelligent and adaptive strategic operation in the face of constant changes. These challenges resulted in his commissioning of a collaborative research project called the "Linear City". Dedicated experts from all over the world participated in the research under a common belief that serving Hong Kong better is the way for it to succeed more. The Research was led by the Chinese University of Hong Kong, with participants including the University of Hong Kong, the Hong Kong Polytechnic University and Lingnam University.

The Linear City Research began with the general recognition of the importance of railway as an integral artery of Hong Kong. The research was carried out in five consecutive years, with cooperative effort from the then KCRC staff (participating as one of the teams) and a diversified team of researchers. It articulated the initial recognition leading to deeper insights into the place of railway in the life of the city, as well as the conditions for its success and sustainability.

The pre-requisites for such sustainability are adaptability to changing and emerging conditions in the then KCRC policies and, more importantly, in the government policies and ordinances that shape the Rail Transport operational environment. This environment involves diverse factors and policies vested in various government bodies with divergent, and at times, conflicting priorities although, as a whole, the government has acknowledged the importance of rail transport as a key to a sustainable future for Hong Kong.

The research also led to the conclusion that it is important to devise an instrument that can serve to coordinate the diverse factors and offer a simpler, more effective, model for such operations. The research has developed new directions of its own, and universities are extending it as a thesis program for final year and postgraduate students majoring in the study of "infrastructural urbanism".

**Language** English **Fee** HK\$100 per person

**Deadline** 11 November 2009 **Priority** PDD Members

# CPD/PQSL EVENTS

## CPD/YSG/2009096

### Factory Visit of Eastern Pretech (HK) Limited E\_mix Seminar on Renovation System Solutions

**Speaker** Dr Chan Chi Yui, Senior Development Manager

**Date & Venue** 14:00 pm - 18:30 pm 28 November 2009 (Saturday) No.7 Wang Lok Street, Yuen Long Industrial Estate, Yuen Long, New Territories

**Assembly Place** 13:00 pm at Junction of Somerset Road and Kent Road, Kowloon Tong

**Details** Visit a pioneer local supplier of economical and environmental-friendly dry-mixed plaster and mortar:-  
- Company Introduction  
- E\_Mix Product & System Introduction and Application  
- Factory & Warehouse Tour  
- Laboratory Tour & Product Demonstration

**Language** Cantonese supplemented by English terms **Fee** HK\$100 (including transportation and insurance)

**Deadline** 13 November 2009 **Priority** YSG Members; first-come-first-served (maximum 45)

## CPD/YSG/2009104

### Introduction of new HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011



**Speaker** Dr Daisy Yeung, BSc Quantity Surveying, MSc Project Management, PhD, MRICS, MHKIS, RPS

**Date & Venue** 7:00 pm - 9:00 pm Wednesday 2 December 2009 SLC, HKIS

**Details** The HKIS QS Division is going to launch a 2-year PQSL series starting from 2010. This series aims at providing the attendants with the basic knowledge of the practices in the Surveying Industry. It consists of 19 courses of different topics.  
Daisy is one of the organizers for the new PQSL series from 2010 to 2011. Daisy is experienced in the training and she is going to talk about pattern and details of the PQSLs in this seminar.

**Language** English **Fee** HK\$100 for member of HKIS  
HK\$150 for non-member

**Deadline** 23 November 2009 **Priority** First-come-first-served

# CPD/PQSL EVENTS

## The Hong Kong Institute of Surveyors **Sports Night 2009** Organised by Sports and Recreation Committee



- Time :** 28 November 2009 (Sat) from 5pm until late  
**Venue :** Poolside, United Services Recreation Club, 1 Gascoigne Road, King's Park  
**Event :** Joint Professional Sports Tournaments - Results Announcement & Sports Teams' Presentation  
**Fees :** \$200 (12 or above); \$100 (3-11) includes food, drinks, sports game and lucky draw  
**Dress :** **Sports Wear in 1960s !!**  
**(We'll have a Best Dressed Competition, so please dress according to the theme !!)**

**Family member  
are all welcome!  
PLEASE COME!!**



As a token of thanks for all your effort in year 2009, each team member will receive a HKIS Sports Team windbreaker during the dinner  
Please contact Donna Yu at 2526 3679 or email for registration: cpd@hkis.org.hk



## HKIS Happy Hour cum Birthday Party

**27th November 2009 (Friday)**  
**6:00-8:00 pm**

**Guest Speaker:** Mr Edwin Tsang  
(from Planning & Development Division)

**Topic:** **Maintenance and improvement of health conditions -**  
Western and Traditional Chinese approaches

**CPD Code No. :** CPD/HKIS/2009105

**CPD Hour :** One Hour (7:00 pm - 8:00 pm)

Free of Charge for all Birthday Boys and Girls in the Month of November  
HK\$30 for non-birthday members (payable to "Surveyors Services Ltd.")

## Building Surveying Division Chairman's Message



*Kenneth Yun BSD Council Chairman*

### Public Consultations

It has been a month since our annual function, Building Surveyor's Annual Conference 2009. However, the BSD still had an exciting month as our representatives have actively participated in the consultation paper issued by the Council for Sustainable Development on Building Design to Foster a Quality and Sustainable Built Environment. Thanks to Mr Vincent Ho who has taken up the coordination role to solicit views from the Technical Advisory Panel members of BSD then reflected in the working group. Members may have noticed such consultation as there was wide coverage from the media on it. There were also public consultation sessions in different districts and the Institute had arranged our own discussion forum on 19 September. The Working Group is meanwhile finalizing the paper on behalf of the Institute for submission in late October.

In the Chief Executive's Policy Address, there was wide coverage on Heritage and Tree Management. In view of the commitment by the Government, the Institute has formed two working groups to follow up on these issues. One of them is the Heritage Working Group, which is led by our Past President, Mr Raymond Chan. Three lady building surveyors with relevant experience in heritage aspects, Ms Idi Chan, Ms Grace Cheng and Ms Margaret Chan have kindly agreed to represent the BSD to join the Working Group and work with representatives from other Divisions. The other is the Working Group on Tree Management which will be led by the Honorary Treasurer of the Institute, Mr Lesly Lam. Mr Alan Sin and Mr Andrew Kung will represent the BSD in the Working Group.

Finally, the Institute has appointed BSD and PFMD to prepare a response paper to the public consultation on Air Quality Objectives Review which was also mentioned in the CE's Policy Address. In the consultation paper, sections on strengthening Volatile Organic Compound control, mandatory implementation of Building Energy Codes, tree planting/roof-top greening and district cooling system in Kai Tak Development, are topics closely related to Building Surveyors in Hong Kong. Details about the consultation

can be obtained in EPD's website through the following link: [http://www.epd.gov.hk/epd/english/environmentinhk/air/air\\_quality\\_objectives/air\\_quality\\_objectives.html](http://www.epd.gov.hk/epd/english/environmentinhk/air/air_quality_objectives/air_quality_objectives.html).

Members are encouraged to express their views on the respective issues through our representatives or directly to the working group.

### Annual General Meeting and Annual Dinner of BSD

Our Annual General Meeting is scheduled on 4 December 2009 at the World Trade Centre Club. I believe you have recently received the notice of meeting. By the time you receive this issue of Surveyors Times, the deadline for nomination of office bearers and committee members should have passed. No matter whether there will be a competitive election like last year, you are reminded to attend the Annual General Meeting at 6.30 pm to show support and express views on the work done and work plan for the coming year. Moreover, please stay and join the Annual Dinner after the AGM as I can assure you will definitely have an enjoyable evening like we have in the past years. You are strongly advised to book your seat/table early so that the organising committee can plan ahead.

### 3<sup>rd</sup> China Construction Supervision Summit Conference

The China Association of Engineering Consultants (CAEC) is going to hold its 3<sup>rd</sup> Summit Conference during December 2009 in Guangxi Nanning, China. We have been invited and all BS members having obtained the CAEC qualification are cordially invited to join the event at their own cost. Initial details are as follows:-

Date: 15 December 2009 (Tuesday)  
Venue: Guangxi Nanning, China

More information will be conveyed to interested members upon receipt from the Conference Organiser.

## General Practice Division Chairman's Message



*Dr Lawrence Poon GPD Council Chairman*

### Election of New Council Members

At the close of the nomination period for the election of new Council members of the Division, a total of 20 nominations were received for 20 seats. Since the number of nominees is equal to the number of seats, all nominees are deemed elected with the term of office commencing after reporting at the AGM scheduled for 12 November 2009. The new Council will hold its meeting right after the AGM when the Chairman and other Office Bearers of the GPD Council will be elected amongst the new Council members who are AU Sing Hei Edward, CHAN Chak Sum Jason, CHAN Chiu Kwok Charles, CHAN Hon Kwong Louie, CHAN Kam Ping Karen, CHAN Kwok Kin, CHIU Kam Kuen, CHOY Man Wai Leo, FOK Eugina, HO Chin Choi Joseph, LAM Yam On Jim, LAU Chun Kong, NG Hang

Kwong Francis, NG Ho Kei, PANG Ho Chuen Lawrence, POON Kai Man Simon, TANG Chiu Man Thomas, TSE Wai Hung, WONG Chit Kwong Brian and WAN Wai Ming Tony.

### Membership Reciprocity with the China Institute of Real Estate Appraisers and Estate Agents (CIREA)

I am pleased to report that the working group on the subject issue has made good progress. According to the tentative schedule, the second batch of membership reciprocity shall be arranged before April 2010. A training course will also be arranged for those lacking mainland experience early next year. Initially, the working group has recommended that the quota for each institute shall be similar to that for the first batch i.e. around 100.

## General Practice Division Annual General Meeting 2009

**Thursday, 12 November 2009**

**6.30 pm**

**HKIS Surveyors Learning Centre**

**Suite 811, 8/F, Jardine House**

**Central, Hong Kong**

## Land Surveying Division Chairman's Message



Sung Hon Kwong LSD Council Chairman

### Cadastral Survey Consultative Committee Meeting

Willie Tang, our representative in the Cadastral Survey Consultative Committee, attended the meeting of the Committee on 6 October 2009. In the meeting, he was updated on the progress in the proposed amendments to the Land Survey Ordinance (LSO) as a consequential amendment of the Land Titles (Amendment) Bill. The LegCo Joint Subcommittee on Amendments to Land Titles Ordinance was also held on 7 October 2009. Details of the proposed amendments to the LSO can be viewed at the link <http://www.legco.gov.hk/yr08-09/english/panels/lto/papers/lto1007cb1-2675-3-e.pdf>. The minutes of the LegCo Subcommittee meeting can also be found from the LegCo website. Our Boundary Survey Advisory Committee will monitor the development and will provide our advice to the Government as and when appropriate.

### Research Proposal

A research project titled "Evolutionary Process of the Development of Spatial Data Infrastructure (SDI) in Hong Kong - Part I: Top Directive and Policy Support" was proposed by Conrad Tang, Lesly Lam and Chan Yue-chun. If approved, the research project will be carried out in 2010. As the proposal paper stated, "The research will form a general study of SDI development in Hong Kong. Though the technical and co-ordination issues involved are enormous, the researchers feel obliged to advise that many of our neighbour countries, and many cities in the Mainland, are already far more advanced than us in the setting up and implementation of a standardized infrastructure that allows a diverse community (including utilities companies, private enterprises, government officials and citizens) to access and share spatial data and their attributes (location, installation, life cycle maintenance and replacement), thus facilitating decision making and reducing administrative costs. The Spatial Data Infrastructure should work for the benefit of the community starting from the top directive and policy support, rather than simply becoming

ing a technically imposed solution." If you are also interested in the subject and wish to contribute, you might like to contact the three gentlemen accordingly.

### The 6<sup>th</sup> Beijing, Hong Kong and Macao Geomatics Conference (第六屆京港澳測繪技術交流會)

I wish to inform that the 6<sup>th</sup> Beijing, Hong Kong and Macao (BHM) Geomatics Conference to be held in Beijing has changed its date to 12-15 November 2009. The theme of the 6<sup>th</sup> Conference is "城市信息化測繪技術發展及應用". As this year is also the 50<sup>th</sup> Anniversary of the inauguration of the Institute of the Beijing Survey and Mapping (北京測繪學會), the organiser will also arrange a celebration of the Golden Jubilee of their Institute during the Conference. Other than presentation of technical papers, the organiser will also arrange technical visits to the China National Opera House (中國國家大劇院) and the Olympic Stadium. Hope to see you there.

### 6<sup>th</sup> Across-the-strait Geomatics Conference (第六屆海峽兩岸測繪發展研討會)

The 6<sup>th</sup> Across-the-strait Geomatics Conference is scheduled for October/November 2010 in Macao however the actual date of Conference has not been fixed yet. A preparatory meeting will be held in Beijing during the 6<sup>th</sup> Beijing, Hong Kong and Macao Geomatics Conference. Simon and I will attend this preparatory meeting and we will keep you informed of the development in due course. As you know, the participants of this Conference will include land surveying practitioners from the Mainland, Taiwan, Macao and Hong Kong. It is certainly a big event of the land surveyors in the region and I hope more of our members are prepared to join in this event. After all, land surveying is a fast developing profession and we must maintain our competitive edge by updating our knowledge through attending conferences and meeting friends in the field.

## Land Surveying Division Annual General Meeting 2009

Thursday, 19 November 2009

6.30 pm

HKIS Surveyors Learning Centre

Suite 811, 8/F, Jardine House, Central, Hong Kong

## Planning & Development Division Chairman's Message



Edwin Tsang PDD Council Chairman

### CPD Events

The talk on "The Concept of Planning and Development Control in Hong Kong" held on 22 September 2009 with Mr PY Tam, President of the Hong Kong Institute of Planners as the guest speaker was well received. It gave practitioners and students more updated professional and practical knowledge on how planning control in Hong Kong are dealt with.

Forthcoming CPD events include the following:-

#### (1) Linear City

A talk on Linear City by Past President of HKIS, Mr LAM Chun Daniel, will be held on Wednesday, 25 November 2009 (event code CPD/PDD/2009093).

#### (2) Site Visit to Zhuhai and Macau

A visit to Zhuhai and Macau has been planned on Friday, 6 November 2009. It is a joint function of the GP Division and P&D Division (event code CPD/GPD/PDD/2009098).

For more details of both events, please refer to the CPD/PQSL events section of this Surveyors Times.

### Membership

Membership as at October stands at 52 including 16 Fellows, 31 Members, 4 Probationers and 1 Student.

### Education

#### PolyU visit

The Chairman attended a visit organised by the Board of Education (BOE) to the Faculty of Construction and Land Use of the Hong Kong Polytechnic University on 14 October 2009. During the visit it was learnt that the last BOE visit was back in 2005, prior to the formation of the P&D Divisional Council in 2006. It is a pity that the Faculty is not aware that current students can join the P&D stream because they reckoned the P&D stream has not yet obtained formal accreditation. To rectify the situation, the BRE is recommended to write to the Institute for clarification.

### AGM 2009

The Annual General Meeting of the P&D Division will be held on Wednesday, 2 December 2009. A new Council will be elected for a term of office for two years (2009-2011).

### Happy Hour cum Birthday Party and CPD

The P&D Division will host the Happy Hour function on Friday, 27 November 2009. There will be a CPD talk on "Maintenance and improvement of health conditions - Western and Traditional Chinese approaches" (event code CPD/HKIS/2009/05). For more details, please refer to the CPD/PQSL events section of this Surveyors Times.



# Property & Facility Management Division Chairman's Message



*Kenneth Chan Jor Kin PFMD Council Chairman*

## World Workplace 2009, Orlando, Florida 7-9 October 2009

Gary, Dick and I were in Orlando during 6 to 10 October 2009 attending the World Workplace 2009 organised by the International Facility Management Association. This time I attended the conference and expo as a full guest and I had the opportunity of participation in a facility visit and the keynote speech.



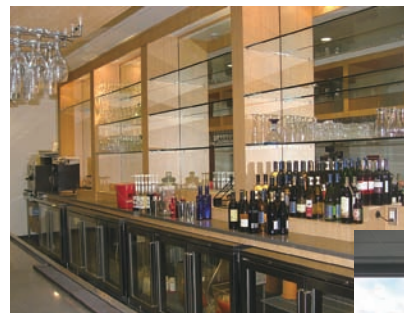
*Facility Tour – Darden Restaurants Support Centre*

This newly completed Headquarters or Support Centre of the Darden Restaurants Corporation is consolidation of the company's operations scattered in 12 locations. The centre is for culinary development. The total floor area of the development is 480,000 sq.ft. which includes a 19,000 sq.ft. data centre, fully equipped kitchen and soda fountain for training and menu and drink development, staff canteen, gym room, offices, etc. Staff have been moving in since September 2009 and it will eventually accommodate 1,400 employees. The development is in three storeys with the objective of no staff having to walk more than one floor. The centre's construction has targeted at the achievement of Gold rating under LEED<sup>1</sup>. Significant achievement was made in the aspects of energy efficiency (16% estimated annual energy savings), water efficiency (estimated annual potable water savings of 1.8mn gallons), indoor environment quality (reduced VOC, controllable HVAC for thermal comfort) and recycling (90% of construction debris being diverted from the landfill and 20% of building materials are recycled components).



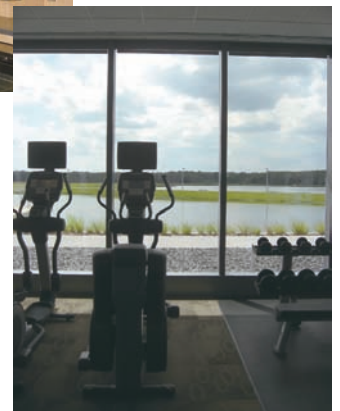
*Internal atrium with natural light*

*Fully equipped kitchen for training and culinary development and new menus*



*Soda fountain for drink development and training of bar tenders*

*Gym room with lake view*



<sup>1</sup> LEED stands for 'Leadership in Energy and Environmental Design' of the US Green Building Council



Staff Canteen



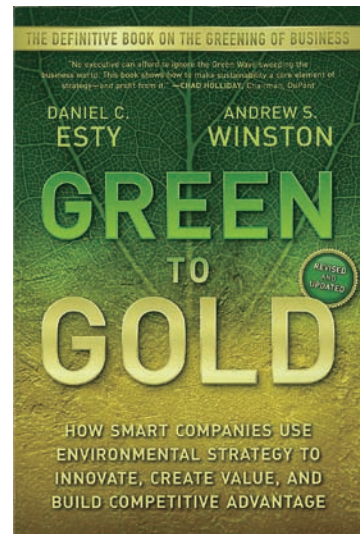
General Office



Manager's Office

to Gold – How smart companies use environmental strategy to innovate, create value, and build competitive advantage”. He has done extensive research into the green operation of many major US corporations. Many of them had carbon emission reduction targets ahead of the US government’s lead. The facility management professionals were heeded to act responsibly as the existing building stocks in the US accounted for 40% of the total fuel consumed, consumed 70% of total electricity generated and 40% of the carbon dioxide emission.

A copy of the book is now kept in the HKIS library for members’ reading.



## Keynote Speech – Andrew Winston

This year’s keynote opening address was delivered by Mr Andrew S Winston, co-author of the book entitled “Green

## Property and Facility Management Annual General Meeting 2009

Monday, 23 November 2009

6.30 pm

HKIS Surveyors Learning Centre

Suite 811, 8/F, Jardine House

Central, Hong Kong

## Quantity Surveying Division Chairman's Message



*Daniel Ho QSD Council Chairman*

### Visit by President of PAQS

The new President of the Pacific Association of Quantity Surveyors (PAQS), Mr TEOH Woon Sin, together with the Vice President of the Singapore Institute of Surveyors & Valuers (SISV), Mr KHOO Sze Boon, paid a visit to our Institute on 22 October 2009.

We held a welcoming function for Mr Teoh and Mr Khoo. It was a simple but warm reception with about 30 attendees including the Senior Vice President of HKIS, Office Bearers of HKIS and representatives of the QSD. In return, Mr Teoh and Mr Khoo delivered a CPD talk on two topics, viz. "Sustainable Construction - The Singapore Perspective" and "Green Costing - the Impact on Quantity Surveyors".

Mr Khoo told us that the Singapore government has been actively promoting the environment sustainability through its Green Building Master Plan. One of the key features of the Green Building Master Plan is the Building & Construction Authority (BCA) Green Mark Scheme which was launched in January 2005 to promote environmental awareness in the construction and real estate sectors. In order to estimate accurately the green cost for any project, one has to know the green building products and technologies (GBTs), the passive and active design considerations, the Green Mark Criteria, and how these GBTs and designs contribute to satisfying the Green Mark Criteria to achieve the desired Green Mark award.

Mr Teoh continued to brief us that BCA also took the initiative to construct the first Zero Energy Building in Singapore as a showcase for the local construction industry to learn and study. Besides consuming zero energy, this building also incorporates the latest state of the art technologies, e.g. stacked assisted solar chimney system and personalised ventilation system, into the building for further test-bedding purpose. Hence, given its technical complexity and as a first zero energy building in Singapore, the process of realising this project has its challenges. Mr Teoh highlighted these challenges and some of the lessons learnt for the construction of this Zero Energy Building.

The recent policy address of the Chief Executive includes environmental industries as one of the six core industries. The new Central Government Complex located at Tamar will incorporate a number of green features. Provision of green initiatives in buildings is definitely the trend in the future. Both Mr Teoh and Mr Khoo gave us some valuable tips on how we should prepare for the trend.



*PAQS Chairman Mr Teoh and SISV Vice President Mr Khoo at the Welcoming Reception*



*Presentation of souvenir to Mr Teoh by QSD Vice Chairman, Mr Antony Man*



*Presentation of souvenir to Mr Khoo by QSD Vice Chairman, Mr Antony Man*



*Group photo with the two guest speakers after the CPD talk*

Dinner Reception



Presentation of souvenir to Mr Teoh by HKIS Senior Vice President, Mr Stephen Yip



Presentation of souvenir to Mr Khoo by HKIS Senior Vice President, Mr Stephen Yip

### Talks in JUPAS Information Days

The quantity surveying profession can only sustain with continuous influx of new young blood. Promotion of quantity surveying to the school leavers is one of the key promotion activities each year.

The JUPAS information days give us golden opportunities for our promotion. The school leavers will have the chance to know about quantity surveying before they make up their mind to apply for their favorite courses in the universities.

This year, I had the opportunity to give a brief introduction of quantity surveying to the school leavers during the JUPAS information days held in the City University of Hong Kong and the University of Hong Kong on 17 October and 24 October 2009 respectively. There was an audience of around 400 students in total. They were briefed about quantity surveying services, job opportunities and the qualifying process. Their response showed their preliminary interest in the profession.



Audience in City University Information Day



Presentation in City University Information Day



Receiving souvenir from Dr Danny Li



Presentation in HKU Information Day



Audience in HKU Information Day

### Registration of Cost Engineers in the Mainland

The China Engineering Cost Association (中國建設工程造價管理協會) (CECA) advised recently that the seven applications for cost engineers in the Mainland were approved. We now have 72 members registered as cost engineers in the Mainland. Our congratulations to the seven new registered cost engineers.

### QSD Annual General Meeting

The Annual General Meeting of the Quantity Surveying Division will be held on Thursday, 3 December 2009 at 6:30 pm in the World Trade Centre Club Hong Kong, 38<sup>th</sup> Floor, World Trade Centre, Causeway Bay, Hong Kong. If you have not yet received the notice of the meeting and the nomination form of office bearers and council members for the year 2009-2010, you should contact the HKIS office.

Your particular attention is drawn to the deadline for nomination. The duly completed and signed nomination form should be returned to the HKIS Secretariat, for the attention of the QSD Honorary Secretary, on or before 5.30 pm, 19 November 2009.

I urge for your valuable support to the QSD by submitting your nomination form and to your participation in the meeting. The Division is yours, and the QSD can only sustain with your support.

### Certified Surveyors

You may have already been notified that an Extraordinary General Meeting will be held on 11 December 2009 to decide on whether to adopt a proposed new designation, "Certified Surveyor", for our members. You may refer to the Chairman's Message in the March 2009 issue of Surveyors Times regarding the views of the council members of QSD on the new designation. Every vote is counted and your presence will be decisive on the result. So, please come and vote.

## Young Surveyors Group Chairman's Message



Joseph Chong YSG Committee Chairman

### BRESS Visit

Representatives from the YSG committee and some HKIS members visited the surveying degree and high diploma students from the Hong Kong Polytechnic University (Poly U) on 14 October 2009, in a careers event organised by the Building and Real Estate Students' Society (BRESS). BRESS is the student body representing Poly U's surveying students (<http://su.polyu.edu.hk/bress/home.html>). About 30 students attended our seminar and the group sharing session afterwards. If I remember correctly, this is the fourth time I have joined the same event.

Representatives from HKIS attending included:-

#### BS

1. Bette Sinn
2. Cyrus Siu
3. William Lai
4. Simon Wong
5. Iris Chau

#### GP

6. Jeffrey Wong
7. David Mui
8. Kason Cheung
9. David So

#### PFM

10. Arthur Cheung

#### QS

11. Anthony Man
12. Joseph Chong

At the beginning of the event, we were greeted by Dr TANG Bo Sin, Associate Head of Department of Building and Real Estate (BRE) in his speech. He mentioned that there has been a close tie between Poly U BRE and HKIS YSG as many of their students participate in our dragon boat team, social events and community service events. Also, many BRE alumni are active in the YSG committee.

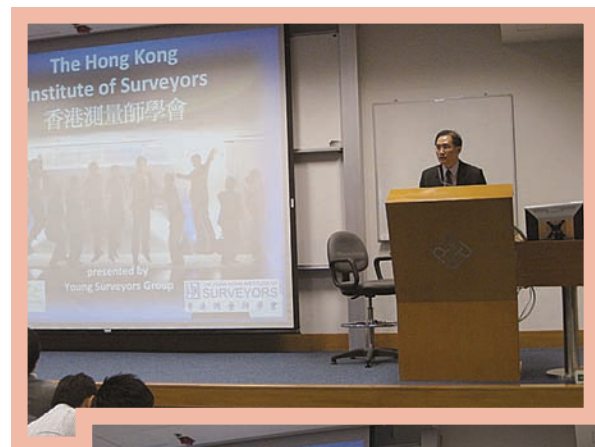
Our HKIS and YSG corporate video was shown to the students and I introduced the history, the divisions and

APC route of HKIS to them. Students were active in asking questions during the Q&A session, including questions on whether property management graduates can become a surveyor, opportunities to work in Mainland China and how higher diploma graduates can become qualified members. We answered their queries and also introduced to them the APC reform which may affect them when they graduate.

All of our representatives received a nice thank you card from BRESS, and on behalf of YSG, I received a crystal souvenir from them.

After the seminar, we divided ourselves into many small groups with members from different divisions and students. We had a nice evening and BRESS committee members had a dinner with us after the event.

I would like to thank BRESS for their arrangement and we look forward to meeting their students next year in the same event.





## **Young Surveyors Group Annual General Meeting 2009**

**Thursday, 3 December 2009**

**6.30 pm**

**HKIS Surveyors Learning Centre**

**Suite 811, 8/F, Jardine House**

**Central, Hong Kong**



## 兩地建設工程合同法律事務專欄 NEC標準合同條件概述及運用

郭靖華 FHKIS, FRICS

在前幾篇文章中，我們已經從幾個方面對兩地的法律進行了比較，接下來我們試從兩地最新使用的標準合同方面進行介紹和比較。NEC (New Engineering Contract, 新工程合同) 合同條件是 ICE (The Institution of Civil Engineers, 英國土木工程師學會) 於 1993 年出台的工程合同範本，最新版本為 2005 年第三版。NEC 合同條件是香港最近從外國新引進的標準合同條件，因此，在本期專欄中，特向大家介紹 NEC 合同條件的基本情況。

### NEC 合同條件的發展

目前，NEC 已成為英國工程界運用最為廣泛的合同範本之一，其被政府部門採納運用，並得到了倫敦 2012 年奧委會的認可。

在香港，近期渠務署在某項工程中採納了 NEC 合同條件，這成為香港在建築工程實踐中採用 NEC 合同條件的先例。

### NEC 合同條件的結構

NEC 合同系列包括：(1) 工程施工合同 (ECC)；(2) 工程施工分包合同 (ECS)；(4) 專業服務合同 (PSC) 以及工程施工簡要合同 (ECSC)。其中，ECC 適用於不同形式的工程項目，在此我們會集中討論該合同條件。

ECC 合同雖然是標準合同，但它比較靈活，可以以不同的形式出現，例如帶分項工程表的標價合同 (Priced contract with activity schedule)，帶工程量清單的標價合同 (Priced contract with bill of quantities) 等 (下述)。

ECC 合同的結構不同於一般的標準建築合同。它包括了：

(1) 9 條核心條款 (所有合同形式都必須有的條款)；

無論項目採用何種合同形式，都必須有核心條款。核心條款包括：總則、承包商的主要責任、工期、測試和缺陷、支付、補償事件、所有權、風險和保險、合同終止等九個部分。

(2) 6 項主要選項條款 (任何合同形式必須且只能選擇一種主要選項)；

根據不同的風險分攤方案及工程款支付的不同方式，業主在準備招標文件時，可根據自身的管理能力和項目的具體情況

選擇不同的合同方式。主要的選項有：

- A. 帶分項工程表的標價合同 (Priced contract with activity schedule)
- B. 帶工程量清單的標價合同 (Priced contract with bill of quantities)
- C. 帶分項工程表的目標合同 (Target contract with activity schedule)
- D. 帶工程量清單的目標合同 (Target contract with bill of quantities)
- E. 成本補償合同 (Cost reimbursable contract)
- F. 管理合同 (Management contract)

(3) 糾紛解決條款 (有兩套糾紛解決條款，但僅在英國使用；如果在英國以外的其他地方使用，可能需要對該條款加以修改)；以及

(4) 次要選項條款 (非必選條款)。

業主在準備招標文件時，可以根據具體情況，任意選擇次要選項：

- A. 為通脹過作出的價格調整
- B. 法律的變化
- C. 如果需要可以選擇多種貨幣
- D. 母公司擔保
- E. 區段竣工
- F. 提前竣工獎金
- G. 延期損害賠償
- H. 夥伴合作
- I. 履約保證



- J. 支付承包商預付款
- K. 承包商在合理的技術和謹慎的限度下，為設計承擔的責任
- L. 保留金
- M. 缺陷履行的損害賠償
- N. 責任限制
- O. 主要履行裁決人
- P. 附加合同條件

### ECC 合同條件的特徵

1. ECC 合同條件旨在通過快速的溝通、常規會議和及時更新的進度表來實現良好管理。
2. 如果承建商能提前完成工作，那麼他可以獲得一定數目的金錢獎勵。
3. ECC 合同條件中的核心條款沒有保留金的規定。當事人可以在選項條款中預定保留金條款。
4. ECC 合同條件所採用的條款採用了一些與其他標準建築工程合約很不同的用語，例如，其將慣用的“Liquidated Damages”表述為“Delay Damages”。
5. 它引入了“早期警告條款 (Early-warning Clause)”。根據該條款，承建商和工程管理人員在意識到任何事件可能導致合約總價格的增加，或完工時間的延遲，或重要日期的延遲，或修復工作的產生，那麼他們應出具一個早期警告，並且應要求參加早期警告會議。該早期警告會議的目的在於，為參加會議的各方提供一個合作的平台，以探討如何避免或減少問題的發生。

### ECC 合同條件的不足

儘管 ECC 合同條件具有靈活、簡明的特徵，並且非常強調溝通、合作和進度管理，但是，它仍然存在著一些需要改進的地方。

第一，ECC 合同條件的核心條款和選項條款，對某些工程而言，可能並非適合。例如，機械和電子工程項目對設備功能的要求比較高，專業術語和複雜的條款可能比較多，所以 ECC 合同條件的非專業術語特點可能不太符合此類工程的要求。在這種情況下，其他標準合同應更為適合。

第二，ECC 合同條件並沒有明確闡述哪些文件被視為合同文件。ECC 並沒有說明投標書、或其他為簽訂合同而達成的協定，是否屬於合同文件。ECC 也沒有說明，投標書或其他為簽訂合同而達成的協定，與規範要求 (Specification)、工程量清單 (Bill of Quantities) 或分項工程表 (Activity Schedule) 之間的關係。所以，在不同的文件之間出現不一致之處時，可能會存在適用上的困難。

第三，儘管如上所述，ECC 強調對進度的管理，但在實踐中，ECC 合同條件的使用者反映，由於多數施工工作是由分包商進行的，而在制定進度時他們還沒有被委任。所以，承建商可能難以控制分包商的施工進度，而使得他們不能夠依照合約的進度完成合約項下的義務。所以，即使 ECC 欲通過加強對進度的管理來促進工程的順利完成，工程也未必能夠完全按照原定的進度計畫實現。

第四，ECC 非常強調對進度的管理，所以對工程進度管理中的很多事項都進行了嚴格的時間限制。例如，它對進度和報價進行修改的要求較為嚴格，這使得工程隊伍在進行施工工作的同時，要做很多關於進度控制的管理工作，包括大量修改進度和報價的工作，參加早期警告會議 (如前所述)，為補償事件做準備等等。這實際上增加了業主和承包商的項目經理和其他管理人員的工作量，使得他們要花很大的精力處理管理上的工作。

第五，如上所述，ECC 合同條件所採用的條款採用一些與其他標準建築工程合約很不同的詞語。因此，法庭案例中已解釋的一般建築合約的用語與 NEC 合同條件的用語不同，這使得當事人在解決工程進行中所出現的糾紛時，或法庭或其他機構在解釋 NEC 合同條件中的用語時可能出現困難。

### 結論

NEC 合同條件雖然試圖建立起一個當事人可以遵循的合同框架，並為實現工程的良好管理以及當事人之間的夥伴關係作出了努力。但在實踐中，如上所述，它仍然具有改進的空間。

### English Summary

*Gilbert Kwok, FHKIS, FRICS*

We have explained in earlier articles a few differences between the construction law and practices of Hong Kong and the mainland China. We will discuss in this article and the next one the latest contract forms introduced into the construction industry of both places. In this article, we will briefly explain the New Engineering Contract, which has been adopted by the Hong Kong Government in a Drainage Services Department project earlier this year.





## A Quantity Surveyor as a Project Manager - Experience Sharing on Managing Interior Fitting Out Projects

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

The YSG CPD event was successfully held on 28 September 2009 at the HKIS Surveyors Learning Centre. The seminar attracted over 70 members to attend. Mr Jimmy Leong who is the Project Manager of Davis Langdon & Seah Hong Kong Ltd gave the speech.

Mr Leong started the seminar by introducing the nature of interior fitting out projects. To a certain extent, all construction projects require a project manager to plan, organise and control the whole process. It is of no exception for interior fitting out projects. The project management starts from the design stage until the project completion. During the talk, Mr

Leong examined how to become a successful project manager. The challenges and strengths of a Quantity Surveyor to act as a project manager were also discussed. At the end of the seminar, the participants exchanged their views on project management and Mr Leong gave his opinions accordingly.

The presentation materials of this event are available and can be downloaded from the HKIS website at [http://www.hkis.org.hk/hkis/html/professional\\_cpd.jsp](http://www.hkis.org.hk/hkis/html/professional_cpd.jsp).



## Aerial Photo Interpretation and Boundary Determination

*Raymond Choi, Council Member, Land Surveying Division*

A joint CPD was held by the HKIS Land Surveying Division, the Department of Land Surveying & Geo-Informatics and the Land Surveying & Geo-Informatics Alumni Association on 30 September 2009. We were pleased to have Dr Conrad Tang, Associate Professor, Department of Land Surveying and Geo-Informatics, Hong Kong Polytechnic University, to present his recent research on the topic "Aerial Photo Interpretation and Boundary Determination".

A single aerial photo records the landscape of a specific place at a particular time. Meanwhile, if we put a series of aerial photos taken at different times together, we are able to identify the change in the topography and the land use pattern. As such, aerial photos are frequently used as evidence in the proof of occupation or existence of boundary features. Dr Conrad Tang first showed how aerial photos were applied

in the consultancy study of the existing land use pattern in the New Development Area Project at the northern New Territories. Then, by making reference to numerous court cases, he demonstrated how land surveyor's interpretation of aerial photos and the resultant boundary determination could get help to substantiate the reliability of the testimony in the court.

This informative CPD was well received by over 50 participants. Although the amber rainfall signal was hoisted that night, we appreciated that the heavy downpour did not diminish the enthusiasm of our members to join the event.



## Construction life-cycle's execution phase - How to ensure performance under a construction contract

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

Thanks to Mr Steven Yip and his colleagues Mr James Yeung, Mr Dennis Wong and Ms Scarlett Cheung for delivering a CPD seminar for QSD on 14 October 2009, with the topic 'Construction life-cycle's execution phase - How to ensure performance under a construction contract'. The seminar was successfully held with around 100 members attending who raised many questions during the Q&A session. Mr Sunny Chan, the Chairman of QSD CPD Sub-committee, presented souvenirs to all the speakers at the end of the seminar. We

look forward to the next CPD seminar by Steven Yip and his colleagues on the topic 'Construction life-cycle's completion phase - How to ensure proper termination of a construction contract' on 18 November.



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Health check-up packages are offered to all HKIS members and their family at a privilege offer of HK\$2,990 for male (original price HK\$4,640) and HK\$3,390 for female (original price HK\$5,205). Plan inclusive of Physical Examination & Medical History (weight, height, blood pressure & pulse); Medical Report & TWO Doctors Consultations; Complete Blood Count; Diabetic Screening (blood sugar level); Lipid Profile (Cholesterol, Triglyceride, HDL & LDL); Hepatitis Profile B (HbsAg & HbsAb); Liver Function Test (ALT, AST); Renal Function Test (urea, creatinine); Thyroid Screening Test (T4); Gout Screening (Uric Acid); Urinalysis; Stool & Occult Blood; Resting ECG; Dental Check-up; Prostrate Specific Antigen, Chest X-Ray and Kidneys, Urethra & Bladder X-Ray for male; Pelvic Examination including Pap Smear and Mammogram/Ultrasound for female. Offer valid until 31 December 2009. For enquiries, please call **2608 3170** or visit [www.union.org](http://www.union.org).

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- (2) From 19 October to 13 December 2009, with each HK\$300 petrol purchase, customer has the option to obtain a HK\$50 Mannings voucher at 20% discount (subject to terms and conditions of Esso).
- (3) Additionally at Esso Homantin station, the same HK\$300 purchase will entitle customers to receive a can of coke or a box of tissues (offer only valid while stock lasts).

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**Note:** The HKIS will not be privy to any contracts between the HKIS members and the agency concerned. We will not be responsible for the administration of or the consequences arising from these contracts, including any personal data that HKIS members may agree to provide to the agency. No liability of any kind will be borne by the HKIS. All business transactions made under the membership benefits of HKIS are strictly between the merchant and HKIS members. The HKIS will not be involved in any complaints made by any party in any business transaction. All enquiries should be made to merchants directly.

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## Welcome to the HKIS Shop

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*Stylish white or black mesh caps with extended peak, perfect for outdoor sun-screening, embroidered with HKIS logo.*

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*A4 folder, crafted from fine leather and made to high standards, beautifully lined and embossed with the HKIS logo.*

- Member Price: HK\$180
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Date	Event	Organiser	Location	
<b>2009</b>				
<b>Nov</b>	11	Board of Membership meeting	HKIS	Board Room, HKIS
	12	GPD Annual General Meeting	HKIS GPD	SLC, HKIS
	17	HKIS Annual Dinner	HKIS	Grand Hyatt Hong Kong, Hong Kong SAR
	19	LSD Annual General Meeting	HKIS LSD	SLC, HKIS
	23	PFMD Annual General Meeting	HKIS PFMD	SLC, HKIS
	26	HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	26	HKIS General Council meeting	HKIS	Board Room, HKIS
	27	Surveyors Happy Hour cum Birthday Party	HKIS	SLC, HKIS
<b>Dec</b>	2	PDD Annual General Meeting	HKIS PDD	Board Room, HKIS
	3	QSD Annual General Meeting	HKIS QSD	World Trade Centre Club, Hong Kong SAR
	3	YSG Annual General Meeting	HKIS YSG	SLC, HKIS
	4	BSD Annual General Meeting	HKIS BSD	World Trade Centre Club, Hong Kong SAR
	11	HKIS Extraordinary General Meeting	HKIS	SLC, HKIS
	11	HKIS Annual General Meeting	HKIS	SLC, HKIS
	18	Surveyors Happy Hour cum Birthday Party	HKIS	SLC, HKIS

For details, please visit [www.hkis.org.hk](http://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.



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# HKIS Happy Hour cum Birthday Party & CPD

6:00 pm to 8:00 pm

HKIS Surveyors Learning Centre



## Special topic/theme each month

Next event will be held on

Friday, 27 November 2009 with a topic on

“Maintenance and improvement of health conditions:  
Western and traditional Chinese approaches”

(event code CPD/HKIS/2009105)



For enquiries, please email [cpd@hkis.org.hk](mailto:cpd@hkis.org.hk) or telephone (852) 2526 3679