

測 量 師 導 報

SURVEYING

VOLUME 7 ISSUE 1, JANUARY, 1998

T N WONG ELECTED HKIS PRESIDENT 1997-98



T N Wong (黃天元) came from Sabah, Malaysia, to Hong Kong in 1972 and worked as a Survey Officer (Engineering) in Maunsell Consultants Asia Ltd dealing with major infrastructure works. He earned a BSc (Hons) in Land Surveying Sciences in the UK in 1979. He rejoined Maunsell in 1982 and qualified as ARICS in 1984 and became FHKIS in 1986. As a Land Surveyor he was involved in the management, supervision and coordination of ensuring the correct emplacement of all designed data from the working drawings to the ground in four major New Town Developments and two Airport Core Program Projects.

T N has been actively involved in institutional works. He was President of the then HKILS (1987-88) before its amalgamation with HKIS in 1989. He led Hong Kong surveyors to participate in the South East Asia Survey Congress, held in Bali, Indonesia in 1988 and Kuala Lumpur, Malaysia in 1991. From 1991-92 and 1993-94, as Chairman of LSD, he led Land Surveying Delegates to Chengdu to

attend The Exchange of Academic and Technological Advancement of Surveying and Photogrammetry between China and Taiwan in 1992. He led surveyors of all four divisions to visit Guangdong Land Bureau in 1993; and Wuhan University of Surveying and a visit to the Three Gorges in 1994. As Junior Vice President he organized HKIS's visit to Singapore and Malaysia in 1996, during which he participated in the discussion of establishing a reciprocity agreement with the Singapore Institute of Surveyors and Valuers. When he was Senior Vice President, he arranged for HKIS's visit to Beijing and Shanghai in October 1997.

He strongly believes that HKIS must promote its professional image both locally and internationally; HKIS should encourage relevant Government Departments, Government Agencies such as MTRC, KCRC, Airport Authority, Housing Authority; major developers, consultants and contractors to employ members of Hong Kong Institute of Surveyors who have

registered as Registered Professional Surveyors to work and supervise projects having a contract value of over HK\$100 million. Local universities are providing accredited surveying courses and there are ample supply of professional surveyors to serve the engineering and construction as well as the property and development industries. T N feels that professional surveyors have made a good contribution towards the successful development of Hong Kong and towards the rapid development of Southern and Coastal Regions of China.

As one of the three HKIS's members serving in the TDC's Professional Service Advisory Committee he emphasizes that since Hong Kong has changed from a manufacturing base to service base, TDC must promote Hong Kong's Professional Services collectively. Hong Kong has had good experience in the building of New Towns, Infra-structural and Transportation Systems, New Airport, Container Terminals, Housing Schemes and Commercial Complexes. All these projects involve the professional expertise of accountants, architects, bankers, builders, consultants, contractors, engineers, financiers, planners and most importantly surveyors.





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

HKIS EXECUTIVE COMMITTEE 1997/98

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SECRETARIAT Secretary-General	Eddie S K Lai - 黎兆堅 BSc, AHKIS, ARICS

Editorial Contributions

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

Information & Contents

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

Advertising

All advertisements and small ads are welcome. SURVEYING is reaching over 4,500 readers. For detailed information & advertising rates, please contact Ms Margaret Yung of the Secretariat office at 25263679 OR Mr. Charles Yiu of Corporate Culture at 2802 6949.

The Hong Kong Institute of Surveyors

1934 Swire House, Chater Road, Central, Hong Kong.
Tel: 2526 3679 Fax: 2868 4612
<http://www.hkis.org.hk>



Message from the President

1. The new HKIS Council 1997-98

President: Mr. T. N. WONG
Senior Vice President: Mr. SAMSON WONG
Junior Vice President: Mr. S. C. LIU
Hon Secretary: Ms. WINNIE SHIU
Hon Treasurer: Mr. GRAHAM HEATH

2. **Administrative Office:** We need a replacement for our administration office. Swire House will be pulled down and redeveloped. We need to move very soon, perhaps in the early part of 1998. Samson Wong, the organizer of our Five Year Plan Working Group, is working hard in getting premises to house our administrative staff without whom the Institute will find it very hard to function and Members' interest and welfare will not be efficiently served.

3. **International Profile:** In order to raise our international profile and promote our members' professional expertise and service, HKIS needs to:-

- Organize surveying conferences in Hong Kong; and
- Conduct more technical and professional service promotional tours, especially to developing countries in Asia, where we can help member firms to promote our profession and expand their business.

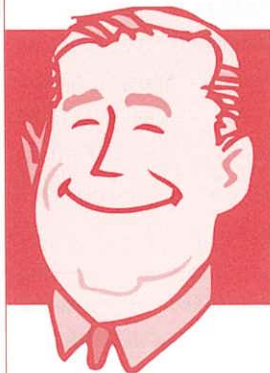
As we are members of FIG (Federation of International Surveyors), PAQS (Pacific Association of Quantity Surveyors), ISPRS (International Society for Photogrammetry and Remote Sensing) and SEASC (South East Asian Survey Congress), our fellow professional surveyors can expand their business by participating in conferences organized by these international surveying institutions.

4. **Publicity:** Setting up a publicity team consisting of a spokesman and/or spokeswoman in each discipline, taking up and

responding to the Government and public issues instantly, if not spontaneously, on television, radio, newspapers and other publications which command a big readership. We need to have our members participating in Consumer Council discussions on topics relating to land values, quality and maintenance of building, accuracy in measurement of usable area, and related consumer issues. To give career and technical talks to students in secondary schools and universities about the surveying profession.

5. **CPD:** With the disbandment of the RICS, Hong Kong Branch, HKIS is implementing compulsory CPD. We will establish a CPD Panel together with the collaboration of divisional CPD Convenors to oversee and organize CPD events and talks to members. Members can also give talks, write and publish articles thus sharing their valuable experiences with other members. We hope to hold inter-professional seminars so as to broaden our members' views and knowledge.

6. **Reciprocity Agreements:** The Institution of Surveyors, Australia has expressed interest in entering into a reciprocity with the HKIS after learning about the successful reciprocity agreement between HKIS and the Singapore Institute of Surveyors and Valuers. We are at the moment working on the reciprocity agreement with The New Zealand Institute of Surveyors.



7. **Cooperation:** I look forward to working with the incoming council and divisional chairmen. We

hope to serve and satisfy members' needs and to achieve the Institute's objective. Let us work together for a better tomorrow.

NEWS FROM THE SECRETARIAT

Membership of The Hong Kong Institute Of Surveyors

Application For Corporate Membership

Applicants for corporate membership (i.e. FHKIS and AHKIS) of the Institute could:-

EITHER

i be [Under Bye-Law 2.2.3 and Bye-Law 2.2.5] by virtue of the applicants' holding corporate membership of other recognized professional bodies of equal status (e.g. RICS, AIVLE, NZIV, SISV etc.);

OR

ii be [Under Bye-Law 2.2.6] by way of passing the Institute's qualifying examinations or the Institute's recognized qualifying examinations or holding cognate degrees or diplomas of equal status to the aforesaid qualifying examinations AND passing the Test (or Assessment) of Professional Competence thus operated by the Institute.

As stated in Paragraph 1 of the RICS/HKIS Reciprocity Agreement dated 15th May 1991, "...a corporate member (Professional Associate or Fellow) of the RICS in good standing, may be elected as an Associate member of the HKIS..."; and as stated in Paragraph 4 thereof, the said Agreement does not apply to any member of the RICS and the HKIS who has been elected to membership of either body through a reciprocity agreement with other professional bodies. Accordingly and with immediate effect, applicants applying for HKIS corporate membership under Bye-Law 2.2.3 or Bye-Law 2.2.5 shall be required to provide better particularized details with respect to his/her means of obtaining the RICS membership status. Further, applications for direct admission to the grade of Fellows membership will, as detailed separately hereafter, NOT be considered.

By virtue of the HKIS/RICS Affiliation Agreement effected from 1st September 1997, candidates undergoing and passing the Assessment of Professional Competence thus administered out of and on behalf of the RICS by the HKIS shall, subject to the HKIS Membership Bye-Laws, be admitted as "Associate" of the HKIS.

Application For Fellow Membership

After an observation period of almost a year, admission to the grade of "Fellow" membership by "achievement" has been developed and recently endorsed by the General Council. Applicants will be required to submit further and better particularized details to illustrate his/her suitability for the grade of Fellow membership, namely as follows:-

i **post-qualification professional experience** (e.g. employment history, work projects, etc.);

ii **managerial responsibilities** (mainly over the immediate past 7 to 10 years in managing people, finance, information and/or projects);

iii **professional development** (e.g. acquisition of new knowledge and/or new skill through post-graduate courses and/or CPD events);

iv **contribution to the surveying professional and/or the Institute** (e.g. acting as council members of the Institute/Division/Working Groups and/or as representative of HKIS or RICS (HKB) in Government consultative committees);

v **other information** which the applicant may wish to submit for consideration of his/her application

Due to the more stringent vetting/processing procedures which are required, the entire application procedure will take a nominal of 2 to 3 months to complete before a formal recommendation could be submitted to General Council for final decision.

Meanwhile and according to Paragraph 1 of the RICS/HKIS Reciprocity Agreement dated 15th May 1991, the General Council has decided that with immediate effect non-HKIS members applying for direct admission to the grade of Fellow membership will not be considered. Applicants holding corporate membership (i.e. fellow or professional associate grades) of other recognized professional bodies of equal status (e.g. RICS, AIVLE, SISV, NZIV) must initially apply for HKIS membership under the grade of "Associate" (i.e. AHKIS). Subsequent transfer to the grade of "Fellow" (i.e. FHKIS) shall be subject to a minimum of 1 year of HKIS corporate membership AND satisfying the "Fellowship by Achievement" criteria.

NEWS FROM THE SECRETARIAT

Re-admission or Reinstatement of Membership

Based on recommendations made by the Education and Membership Committee, the General Council has decided to enforce the following provisions of the Bye-Laws, namely:-

- a) members resigning from the Institute (under Bye-Law 2.4.1) and members being expunged from the Institute (under Bye-Law 8.4.2) shall (under Bye-Law 2.6.1) be required to return his/her diploma or certificate of membership to the Institute for cancellation;
- b) resigned/expunged members shall, upon application for membership re-admission (under Bye-Law 2.5.1) or membership re-instatement (under Bye-Law 8.4.3) be required to retain his/her previous membership number; BUT the "date" of membership re-admission or reinstatement shall be specified thereon the to-be-reissued diploma or certificate of membership.

For administrative reasons, the above procedures shall take immediate effect; and shall be made applicable for lapse of membership exceeding 12 months.

Members are reminded to check and to settle any outstanding subscription fee(s) in order to avoid his/her name being expunged from the Institute's Membership Register.

Student Membership - Two Classes (Class "A" and "B")

Under Clause 6.4 of the HKIS Constitution, all Students thus admitted to the Institute are to be attached to the Junior Organization (and not to the respective Divisions); and shall, according to Clause 5.2 of the HKIS Constitution, not be at liberty to represent themselves as members of the Institute.

For administrative reasons, registration of Student Members have, since June/July 1997, been further categorized into two classes, namely:-

Student Class "A"

For college students or persons who are undergoing approved courses or studies leading to academic qualifications of equal status to the Institute's recognized qualifying examinations; and

Student Class "B"

For graduates/holders of the aforesaid degree or diploma holders and who are intending to commence the APC under the relevant divisional discipline of professional training.

Such categorization of Student Membership registration shall be maintained until the HKIS Constitution/Bye-Laws have both been duly amended to incorporate and/or reflect the aforesaid differentiations between "college students" and "graduates with recognized degree/diploma".

Meanwhile, Student Class "B" members would need to apply separately to the concerned Divisional Educational Committee (or APC Committee) for commencement of the professional training according to the relevant Rules and Guides thus administered separately by the various Divisions.



NEWS FROM THE SECRETARIAT

DATES FOR YOUR DIARY

16/2/1998

HKIS JO CPD

Time: 7 pm

Speaker: Mr. L C Lam, Manager, Building Management Dept., ESF

Topic: Revitalise Your Building Maintenance Function to Gain a Competitive Edge

Venue: Chiang Chen Studio Theatre, Core A, HKPU

Cost: \$100 per person

Booking: Through Surveyors Services Ltd.

20/2/1998

BSD Spring Dinner

Time: 5 pm

Venue: Treasure Inn Restaurant, TST, Kowloon

Cost: \$500 per person

Booking: Through Surveyors Services Ltd.

25/2/1998

HKIS QSD CPD

Time: 6 pm

Speaker: Mr. John B Molloy, Director, James R Knowles (HK) Ltd.

Topic: The Major Contractual Difficulties in HK Govt. Contracts

Venue: Rm 408, HKCEC, Wan Chai

Cost: \$130 per person

Booking: Through Surveyors Services Ltd.

19-22/2/1998

EDUCATION AND CAREERS EXPO 1998

Exhibitors comprise a variety of professional institutions including the HKIS

Venue: HKCEC, Wanchai, Hong Kong

Cost: Free admission

RELEASED!

HKIS CORPORATE VIDEO

This latest PR tool from your Institute has now been released. Each of these video tapes, in PAL format, is dubbed in English, Cantonese and Putonghua with a running time of approximately six minutes for each version. The tape can be borrowed from the Secretariat (subject to normal lending conditions) and is also available for sale at \$80 a copy. The video is most suitable for all professional surveying practices as well as for educational establishments when staging presentations. Please contact the Secretariat for details.

The video has been produced with generous sponsorship of the following companies and individuals. A big thank you from the Institute to:-

A A Property Services Ltd.	Propertywise Surveyors Ltd.
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Albert So Surveyors Ltd.	Samson Wong & Associates Pty Consultants Ltd.
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Davis Langdon & Seah	Wellgo Archdecor Consultancy Ltd.
First Pacific Davies (Holdings) Ltd.	Mr. W K Chang
FMD Talents Surveyors Ltd.	Mr. CHAN Ka Kui
Jetland Surveyors Ltd.	Mr. CHAN Kwok Kuen, Kevin
Jones Lang Wootton Ltd.	Mr. CHOW Wai Yin
Landscape Surveyors Ltd.	Mr. J R Dobbing
Levett & Bailey	Mr. LAI Hon Kit
Newfoundworld Ltd.	Mr. MOK King Leung
Northcroft Hong Kong Ltd.	

HKIS MASTERCARD GOLD CARD



An Agreement Signing Ceremony was conducted by the President, Mr. T N Wong, together with the Director and Deputy General Manager of Shanghai Commercial Bank Ltd. (SCB), Mr. Ernesto Ng, at the Mandarin Hotel, on 14th January 1998.

The new HKIS Affinity Credit Card, with SCB being the issuing bank, will target the entire membership of the HKIS. The card features a large scale map of the entire HKSAR territory together with the distinctive logo of the Institute.

Cardholders will enjoy a series of benefits including waiver of joining

fee, perpetual annual fee waiver and a generous gift redemption programme. In addition, new applicants will also receive specially designed HKIS souvenirs, upon successful application of the card, with compliments of the issuing bank.

The SCB has agreed to offer contribution to the HKIS at a rate of 0.38% of the cardholder's total purchase volume. Monies received by the HKIS will be utilised towards the development of institutional activities.

The card will be officially launched after the Chinese New Year and members are encouraged to apply for the card by way of an application form shortly to be despatched by the Secretariat.

GOVERNMENT CIRCULARS

The following are available for inspection at the Secretariat Office.

Buildings Department

Practice Note for Authorised Persons and Registered Structural Engineers

PN 79	Computer Programs for Use in Structural and Geotechnical Designs
PN 115	Legislation and Publications Affecting the Building Industry
PN 173	Safe Design and Construction of Cantilevered Projecting Structures
PN 201	Telecommunications and Broadcasting equipment (TBE) Room
PN 219	Lighting and Ventilation for Bathrooms in Domestic Buildings

Practice Note for Registered Contractors

PN 27	Safe Design and Construction of Cantilevered Projecting Structures
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Subscription of Practice Notes

The Buildings Dept (BD) issues from time to time practice notice notes to authorised Persons (AP), Registered Structural Engineers (RSE) and Registered Contractors (RC) to elaborate on the policies, procedures and interpretations, and for guidance relating to the administration of the Buildings Ordinance, allied regulations and codes of practices. These notes are issued free of charge to APs, RSEs and Rcs.

Members of the public may also obtain copies of the practice notes at \$6.10 per copy from the office of BD on 12/F to 18/F Pioneer Centre, 750 Nathan Road, Kowloon.

BD have introduced a subscription system where members of the public can apply to receive mailed copies of practice notes when issued or updated. Upon receipt of a deposit of \$1,000 the BD will forward the notes to the person and debit the cost against the deposit. *For details of how to apply, please contact the BD at tel. No. 2626 1200 or fax no. 2840 0451.*

Lands Department

Legal Advisory and Conveyancing Office LACO

Circular No. 27	Fees charged for services delivered by LACO
Circular No. 28	Approval of Deeds of Mutual Covenant

Planning Department

Plans and Documents available for Public Inspection at the Planning Information and Technical Administration (PITA) Unit - Index.
Practice Note for Professional Persons
PN No. 1/97 Measures and Departmental Performance Pledges to Speed Up Development Approval Process

Office of the Water Authority

WSD Circular Letter 2/97	Licensing of Plumbers
WSD Circular Letter 3/97	Helping Business Programme - Authorising Private Developers to Undertake Water Supply Connection Works

Works Bureau

Circular No. 18/97	General Holidays
Circular No. 20/97	Display of Slope Registration Number of Site by Maintenance Department

Environmental Protection Dept

PN 3/97 A Revised Streamlined Approach for Vetting of Drainage Plans Referred to EPD for Comments

All ProPECC Practice Notes can be downloaded from their World Wide Web homepage at <http://www.info.gov.hk/epd>.

PN 3/97 is also available from the Secretariat Office or make a request by sending an A5 stamped and self addressed envelope, postage \$2.10.

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LAND SURVEYING

NEWS FROM THE LAND SURVEYING DIVISION

Annual Report 1997 from LSDEC

By L F Kwan, APC Secretary

The APC Scheme

Complementary to the replacement of the TPC scheme by the APC scheme, the LSDEC issued the Rules and Guides to APC in September 1997. The LSDEC is now reviewing this document. The revised version will hopefully be ready for implementation by the year 1999.

The number of applications to enter the APC scored its record high of 27 in 1997, making the total number of approved APC applications reach 35. In view of the situation, the LSDEC had already nominated more members to participate in the Divisional Panel of Assessors.

Three APC candidates submitted their work diaries and written presentations for final assessment in 1997. Two of them passed the APC in full, with the remaining one required to acquire 2 more months of professional experience.

Thanks are given to the following assessors for their contribution and hard work in connection with the assessments:-

Mr AU YEUNG Ping-kwong
Mr MAN Wing-kan
Mr MOK King-leung
Mr Jacky TULL
Mr WONG Chung-hang
Mr Ian F WOOTTEN

Examination for Overseas Professional Land Surveyors

The Assessment Panel had conducted a Professional Interview for the candidate re-sitting the Examination for Overseas Professional Land Surveyor. The result will be announced in due course. The composition of the Assessment Panel was as follows:-

Mr NG Tak-cheong	(Chairman)
Mr CHAN Hon-kwan, Henry	(Member)
Mr KWAN Lam-fat	(Member)
Mr Jacky TULL	(Member)

Volunteer External APC Supervisor

The LSDEC is very pleased to have Mr TSOI Cheong-wai joining our pool of volunteer external supervisors. Mr Tsoi is now providing the necessary supervision and guidance to one of our APC candidates whose previous supervisor has just retired.

LSD AGM 1997

by K L Mok, Chairman

The AGM was held on 11th December 1997 at the Exhibition and Convention Centre. The new Divisional Council is formed with 7 new entrants and 5 old faces, as follows:

New LSD Council 1997-1998

Chairman	K L MOK
Vice Chairman	Jacky TULL
Hon. Secretary	Helen CHAN
Hon. Treasurer	Ted CHAN
Ex-officio	Andrew LAU
Members	T H CHAN Henry CHAN Yvonne CHEU Esmond MOK Lionel TANG Y M TAU W F YIK
J O Representative	C H AU
Student Representative	Rina TSOI

The first divisional council meeting was held on 18th December 1997 at which the following members were elected as Chairman/Convenors of the various service units.

LSD Services Units

Div. Secretariat	Helen CHAN
Current Affairs & Public Relation	T H CHAN
Social Function & Communication Unit	W F YIK
Mainland & International Affairs	Ted CHAN
Education & CPD	Esmond MOK
Scale of Charges	Henry CHAN
Legislation Affairs	K L MOK
Student Affairs	Y M TAU

LAND SURVEYING



NEWS FROM THE LAND SURVEYING DIVISION

The work ahead for 1997/98 LSD Council

In the first divisional council meeting, members agreed to make full strength to finalise the issues carried over from the last council. They are as follows:-

- * The HKIS Land Surveying Division Regulations
- * The Land Boundary Survey Regulations
- * Review and Revision of the Scale of Charges (Land Surveying)

Members also agreed to improve the following council services :

- * Better communication with and better service to the members
- * Consultation service to student members
- * More active in public affairs
- * Closer contact with counterparts in Mainland and overseas
- * Set up standing committees to cater land surveying legislation affairs.

The Council will finalise the working plans in the next divisional council meeting and would like to call assistance from all members. Any member interested in joining us to service the division, please contact **Helen CHAN** on **2541 4155**.

Stop Press

Those RICS (LSD) members and student members who have not yet joined HKIS, please join your local Institute. I will write to you soon.

It has been confirmed by PGLS, Lands Department that SMO will only accept the Land Boundary Survey Plan accompanied by the relevant Survey Record Plan as well as the survey report which are submitted by Authorised Land Surveyor or Registered Professional Surveyor (Land Surveying) with effect from 1st January 1998.

LSD 1997 ANNUAL DINNER

by Yvonne CHEU

The LSD Annual Dinner was successfully held on 5th December 1997 at Yat Tung Heen Restaurant, which attracted 132 members and guests. Following the opening speech by the Chairman, Mr. Andrew Lau, on the latest divisional news and the prospective development in land surveying profession, the eight course Chinese meal commenced. The President of the Institute, Mr P C Lau, as the honourable guest also gave a speech. The council led by the Chairman then proposed a toast to all members and guests. The highlight of the dinner came with the fun games and the lucky draw. All participants enjoyed themselves very much.

Special thanks should be given to the Annual Dinner Committee for organising such a successful function. Also the division council would like to express their gratitude to the presidents, chairmen, members of SSL and the following companies who gave their support to our annual dinner by donating gifts for the lucky draw:-

Autodesk Far East Ltd, Bentley Systems HK Ltd., E&S Land Data Management Consultants Ltd and Hongkong Telecom.





QUANTITY SURVEYING

NEWS FROM THE QUANTITY SURVEYING DIVISION

By Eric Chung, Chairman

The long-awaited Year of 1997 has come and gone. On behalf of the Committee I wish you all a better and rewarding year.

APC 1997

There were some 400 candidates taking the APC in September. At the time of writing, the moderation process was underway. The Secretariat aims to notify candidates of their results by mid January. Those who are required to attend a professional interview will also be notified at the same time as others, and their results are expected to be ready before the lunar new year holidays.

TPC 1998

The HKIS will hold its own TPC alone for the first time in September 1998. We are certainly not taking a retrograde step in form or in substance. The old name looks set to be revived primarily due to the terminology used in the HKIS Constitution. Some changes are expected, though the exact scope are yet to be finalized. The multiple-choice portion may disappear. The TPC Sub-Committee is putting the final touch on the Rules and Guidelines, which when approved by both the HKIS and the RICS, will replace the existing one. The RICS's endorsement will be required for the purpose of authorizing the HKIS to confer the Chartered Surveyor status under the affiliation agreement between the HKIS and the RICS, as part of the dissolution arrangement. Candidates should note this column or the Secretariat's News in the near future for announcement on matters concerning the TPC.

SMM

The drafting process has quickened (now we are in the Carpenter and Joinery Section) since the introduction by the SMM Committee of some changes to the quorum - a reduction in the size of the quorum and the creation of an additional member to both sides. This means a vacancy is open to those who are interested in participating in this meaningful and honourable exercise. Fellows with substantial experience in BQ production and/or supervising measurement work are welcome. Please send your CV, marked for the attention of SMM Committee, to the Secretariat Office. Those engaged by the statutory bodies such as the Housing Department, MTRC, LDC, etc. also qualify to serve on the Professional QS side.

JUNIOR ORGANISATION

NEW YEAR HIKING

Date : 8th February 1998 (Sunday)

Time : 9:30am

Meeting place: Hang Seng Bank, Wong Tai Sin MTR Station

Journey: Tse Wan Shan → Lion Rock → Amah Rock

→ Hin Keng Estate
(about 3 to 4 hours)

Fee: Nil

Please contact **Ms Conita Mak** at 2526 3679 or **Mr Nathan Lee** at 2868 0888 for registration.

Note:

- All participants are reminded to take care of their own safety and belongings. The JO will not be liable for any personal injury, damage, lost of belongings during the event.



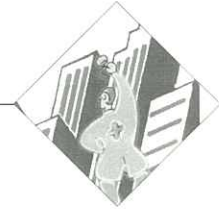
- The event will be cancelled without prior notice if weather conditions are poor or if the typhoon signal is hoisted.

ATTENTION

We would like to draw your attention to a printing error on page 13 of the previous issue of "Surveying" (November/December 1997).

The General Practice Division, APC-Final Assessment Autumn 1997, list of assessors should read "Mr Roger Nissim of Sun Hung Kai Properties" and not of South China Strategic Ltd. We apologise for the error.

BUILDING SURVEYING



NEWS FOR THE BUILDING SURVEYING DIVISION

By Kenneth J K Chan, Chairman

Assessment of Professional Competence

The 1997 final assessment for TPC/APC candidates was successfully completed on 27 November, and 2, 3 & 4 December for the task, assessment and interview. 124 candidates took part in the practical task and 60 passed. The passing rate is 48.3% which is an improvement from last year. 65 candidates presented themselves for the final assessment in respect of their Written Submission and Professional Interview. 36 of these candidates passed the assessment. This accounts for a passing rate of 55.4%. Again, this is an improvement. These passes converge at the generation of 37 new qualified Building Surveyors (29 AHKIS and 22 ARICS with 14 obtaining both qualifications).

Hong Kong Laws on the Internet

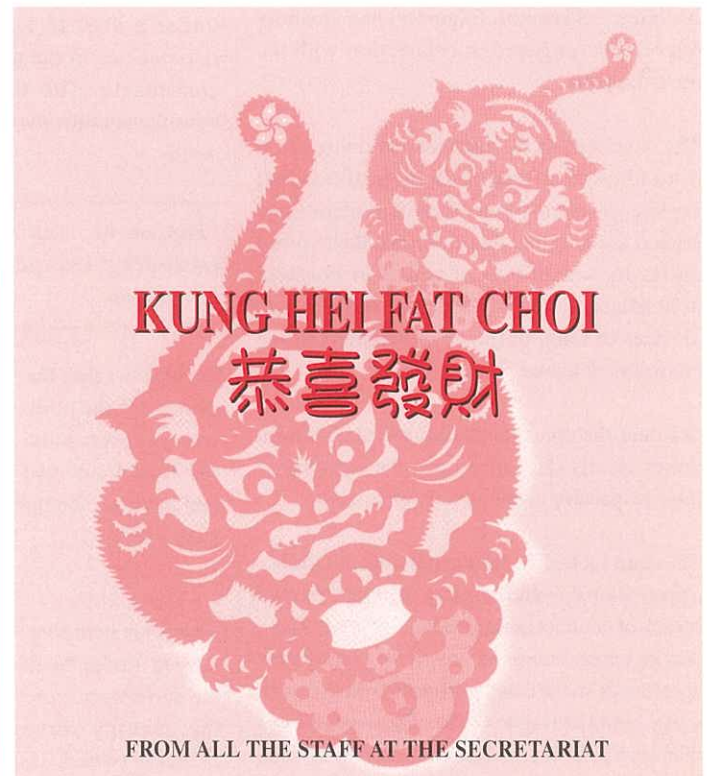
The Statutory Laws of Hong Kong and a selection of constitutional documents were put on the Internet in both English and Chinese at <http://www.justice.gov.hk> under the 'Bilingual Laws Information System'. Current amendment of parts of the Laws will be annotated by a 'Pencil' mark on the day they are amended and the text will be updated in three weeks. Suggestions are being made to the Buildings Department to put Codes of Practice and Practice Notes on the Internet. Do you have other suggestions?

RICS/BS National Briefing Weekend 2-5 April 1998

I have received an invitation from the RICS BS Divisional President Mr Trevor Mole to chair one of the sessions during the National Briefing Weekend 3-5 April 1998 to be held in Nottingham, UK. Interested members who happen to be in U.K. at that time and wish to join the annual event of our counterpart in U.K. should contact me for further arrangements.

Graduates' Enhanced Training Scheme (GETS)

A recent review of the membership structure and employment profile of building surveyors in Hong Kong revealed that some 70 graduate building surveyors are being employed in organizations without qualified building surveyors. This means that these graduates are not directly supervised by professional building surveyors, even if they can enroll onto the APC with external supervisors. I think the division (we qualified building surveyors) has a general obligation to make sure that all building surveying graduates are provided with supervised training, and their getting qualified are not unnecessarily prolonged because of the shortfall in obtaining supervised experience and training in a professional manner. Graduates working directly under qualified professional building surveyors are being taken care of by their supervisors. The Division is currently looking into the mechanism, the method and frequency of providing coached training by experienced professional building surveyors in professional practice. These graduates shall be put under a working environment in one of the many fields of practice of building surveying. They will be supervised to undertake assignments, with the emphasis of professionalism in practice. Watch out for more details.



The following is the first of many articles on legal and contractual matters which are of interest to Surveyors to be featured in "Surveying" on a regular basis. The articles have been kindly contributed by Mr John B Molloy, LLB (Hons), BSC (Hons), FHKIS, FRICS, ACI Arb, Director of James R Knowles (Hong Kong) Ltd.

You are being watched.....

The interesting case of **Chesham Properties Ltd v Bucknall Austin Project Management Services Ltd and Others (1996) 82 BLR 92** is the first to consider whether a professional engaged in connection with a construction project is obliged to inform his employer about deficiencies in the performance of his own services or those of the other members of the professional team.

The case arose from a contract to develop a site known as Royal Court House in Cadogan Place, London SW1. The plaintiff was the property developer and the defendants were all the members of the developer's team of professional advisers (The Project Manager, Architects, Structural Engineers and Quantity Surveyors) engaged in connection with the development.

The developer in its statement of claim, made a number of allegations of professional negligence against each of its consultants, and argued to the effect that the consultants owed duties to inform him of actual or possible deficiencies in the performance of their own services or those of the other members of the consultancy team.

Whether the consultants did indeed owe such duties clearly depended upon the wording of their respective consultancy agreements.

The court looked first at the question of whether a professional is under a duty to report his own breach of contract or duty to his employer. There was no express terms in any of the consultancy agreements so the court considered whether such a term could be implied. The consultants argued that such a term could not be implied as such have the effect of making their professional

indemnity insurance invalid because it was a term of such policies that any admission of culpability or fault on the part of the consultant would render the policy invalid. For their part the developers relied on a shipping case (**Stag Line Ltd v Tyne Shiprepair Group Ltd (The Zinnia) [1984] 2 Lloyd's Rep 211**) in which such a duty had been found where the fault on the part of a professional had endangered life. Whilst the courts considered that such a principle could be held to apply in a construction case, particularly in the case of defective work which may subsequently endanger life, they considered that this was not such a case and found that under these circumstances none of the consultants owed a duty to report their own deficiencies to the Employer.

With regard to the second question, i.e. whether the consultants owed a duty to inform the employer of the deficiencies of others, the court found as follows:

i) The Project Manager

The court held that the project manager **was** under a duty to advise the developer of deficiencies in the performance of the other consultants. This was not only because the consultancy agreement contained the following words,

"implement ... all monitoring procedures including the performance of ... all consultants"

but also because the judge considered that one reason for the project manager's engagement was to observe and report upon the work of the consultants and even if the above words had not been included he would have implied such a term.

ii) The Architect

The court held that the architect **was** under a duty to advise the developer of deficiencies in the performance of the structural engineer and the quantity surveyor but not the project manager (who had not been appointed when the Architect as employed). The court

considered the consultancy agreement (with reference to an RIBA Booklet detailing standard architects terms of employment) and concluded that such was within the normal duties of an Architect.

iii) The Structural Engineer

The court held that the structural engineer **was not** under a duty to advise the developer of deficiencies in the performance of any of the other consultants. The consultancy agreement contained no indication of such a duty and the court concluded that it was outside the normal terms of reference of a structural engineer.

iv) The Quantity Surveyor

Similarly the court held that the quantity surveyor **was not** under a duty to advise the developer of deficiencies in the performance of any of the other consultants. There was no written consultancy agreement but the court concluded that such a duty was outside the normal terms of reference of a quantity surveyor. This is perhaps surprising because deficiencies in the performance of the other consultants could have major cost implications for a quantity surveyor's client.

So, an important case for all professionals working in the construction industry. All members of the consultancy team may have a duty to report on their own deficiencies if there is a danger to life as a result of their negligence, and architects and those who act as project managers have a duty to report on the deficiencies of the other members of the team.

Such will hardly encourage good team spirit amongst a projects professionals if the team members feel the others are watching over their shoulders and reporting surreptitiously to the employer on their deficiencies in performance, be they real or imagined !