

PRESS RELEASE
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**Measures against the Manipulation of Tenders for
Repair and Maintenance -
HKIS proposes to establish the Building Repair & Maintenance
Works Authority (樓宇維修工程監管局)**

With the increasing public awareness of the importance of building maintenance and the implementation of the Mandatory Building Inspection Scheme (MBIS) and Mandatory Window Inspection Scheme (MWIS) in 2012, there have been growing numbers of maintenance and repair works in recent years. However, complaints about and disputes over the manipulation of tenders for repair and maintenance works in private buildings have also aroused wide public concern. In fact, building owners suffer from unreasonably high repair costs, substantial variation works after the contracts have been awarded, substandard consultancy services, poor work quality, threats, etc. This proves that some of the practitioners, including building consultants and contractors, have become out of control.

The root causes of these problems include, but are not limited to:

- (1) A lack of centralized authority to govern the practitioners;
- (2) Majority of building owners are unfamiliar with the construction industry and have a lack of knowledge on building maintenance and repair works;
- (3) Difficulties by building owners in selecting competent building consultants and contractors;
- (4) A lack of bench-marking on the quality of services / works in the industry.

The public can only search for the names of Authorized Person (AP), Registered Structural Engineer (RSE), and Registered Inspector (RI) in a personal capacity under the Building Department's website. However, it is not a normal trade practice to appoint an AP/RI directly to manage repair and maintenance work. Instead, a consultancy firm that offers AP/RI services is hired to manage the works. The current legislative framework does not regulate consultancy firms and it is not uncommon to find a freelance AP serving for more than one firm at the same time. Similar to the rules for the building contractors, there are no mandatory requirements or contractor registration system for building contractors who carry out repair and maintenance works. Neither, can the general public easily find out their backgrounds and competencies.

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The Government has played an inactive role in offering guidance to the public on the selection of consultants and contractors. Therefore, building owners, most of whom are laymen, cannot look to it for advice on how to appoint competent building professionals and contractors to carry out repair and maintenance works which can have significant financial repercussions to the owners. Quasi-government organizations, such as the Hong Kong Housing Society and Urban Renewal Authority, are supposed to offer technical assistance on repair and maintenance works to the public, but the depth and quality of their assistance vary. There is limitation on the assistance offered by these quasi-government organizations as they work in the capacity of a third party to offer advisory comments instead of imposing mandatory requirements for the operation of the repair and maintenance work contracts.

The Government should consider empowering a body to control and monitor the repair and maintenance practitioners in the industry under the legislative framework. The Hong Kong Institute of Surveyors suggests establishing a **Building Repair & Maintenance Works Authority (樓宇維修工程監管局)** for multi-ownership properties. The roles and duties of the Authority should be three-fold:-

1. Monitoring the services of trade practitioners, including maintaining registers of qualified building consultancy practices and contractors;
2. Setting up a necessary practice framework to encourage good professional practices in the industry; and
3. Collaborating with other Government Departments to promote positive building care culture in Hong Kong.

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About the Hong Kong Institute of Surveyors

Established in 1984, The Hong Kong Institute of Surveyors is the only professional organization representing the surveying profession in Hong Kong. As of 1 August 2014, the number of members reached 8,927, of which 6,049 were corporate members. The Institute's work includes setting standards for professional services and performance, establishing codes of ethics, determining requirements for admission as professional surveyors, access and award the professional qualification, and advance members' professional knowledge, technical and services standards through continuing professional development.

The Institute has an important consultative role in government policy making and on issues affecting the profession. We have advised the Government on issues such as unauthorized building works, building safety campaign, problems of property management, town planning and development strategies, construction quality and housing problems. We are working on amendments to standard forms of building contract and have issued guidance notes on floor area measurement methods.

For more details, please refer to HKIS website: <http://www.hkis.org.hk>.

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