



The Hong Kong Institute  
of Surveyors  
香港測量師學會



Institute of Housing  
Hong Kong Branch  
英國屋宇經理學會香港分會



The Royal Institution  
of Chartered Surveyors  
Hong Kong Branch  
皇家特許測量師學會(香港分會)

**REPORT ON THE FORMATION OF  
THE HONG KONG ASSOCIATION OF  
PROPERTY MANAGEMENT COMPANIES**

**SEPTEMBER 1989**



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1. BACKGROUND

In February 1987, the Hong Kong Institute of Surveyors, the Hong Kong Branch of the Institute of Housing and the Hong Kong Branch of the Royal Institution of Chartered Surveyors (the three Institutes) proposed to Government that the Hong Kong Association of Property Management Companies (Association) be established.

In July 1987, the three Institutes formed a Joint Committee on Property Management to oversee the formation of the Association. The Joint Committee reported to the three Institutes in June 1988. This was followed by a period of consultation within the three Institutes and with a group of 18 Property Management Companies (ad hoc group).

This report details the conclusions of the three Institutes.

2. FORMATION OF THE PROPOSED "THE HONG KONG ASSOCIATION OF PROPERTY MANAGEMENT COMPANIES LIMITED"

The two methods by which the Association could be constituted are :-

- (a) Under the Societies' Ordinance (Cap. 151)
- (b) Under the Companies" Ordinance (Cap. 32)

Formation of an Association under the Societies' Ordinance presents some difficulties in that in the event of the Association incurring any debt or committing an offence, office bearers and any person managing or assisting in its affairs may be personally liable within the provisions of the Ordinance.

However, an Association set up under the Companies' Ordinance would be a separate legal entity which could sue or be sued so that office bearers would not be held personally liable for acts of the Association (in the absence of fraud or other criminal offence). It would also have perpetual succession, could hold property and do all other acts and things that bodies corporate may lawfully do.

It is therefore recommended that the Hong Kong Association of Property Management Companies be formed by incorporating it under the Companies' Ordinance with members' liability limited by guarantee. The name "The Hong Kong Association of Property Management Companies Limited" - has been reserved with the Companies Registry.

3. MINIMUM CRITERIA FOR MEMBERSHIP

3.1 Full Membership

The proposed criteria for full membership are :-

(a) Minimum experience in property management

either i) the company has over 2 years experience  
in management of properties in Hong Kong.  
or ii) a principal of the company has over 5 years  
proven property management experience and  
standing to the satisfaction of the  
Association.

(b) Minimum number of properties managed

either i) over 200 residential flats  
or ii) over 3,000 sq. m. commercial space  
or iii) over 10,000 sq. m. industrial space.

(c) Acceptance of the Association's Code of Conduct.

"The Company" shall mean bodies corporate or unincorporate offering property management services in Hong Kong.

"Principal" shall mean the proprietors, partners or executive directors of the company.

It is recognized that the reality of the property management industry in Hong Kong is that it comprises a large number of organizations which may not be associated with any of the three professional Institutes. As the basic aim of the Association would be to improve the standard of property management in Hong Kong, it is felt that membership should be open to companies and firms of all types and sizes provided they are willing to abide by the Association's Objectives and Code of Conduct. It must be recognized that in order to form the Association and set it up on a proper footing, a prerequisite must be its representation of the industry as a whole.

### 3.2 Associate Membership

It is proposed that Associate Membership would be granted to companies who initially may not meet the minimum standards established for Full Membership but nevertheless agree to abide by the Association's Code of Conduct. Associate Members must also be property management companies. Other bodies, such as cleaning companies, security companies and owners' incorporations would not be accepted into the Association. Associate Members would not have voting rights.

### 3.3 The Register

The Association would maintain an up-to-date list of its members which would serve as a Register. The Register is to be divided into categories according to the type of property i.e. residential, commercial or industrial as managed by members of the Association.

Members may apply to be placed on any or all of the categories on acceptance as a member by the Association. A fee will be charged for each category under which they are listed.

The Association would have the power to order the name of any member company to be removed from the Register if the member resigns, ceases to carry on the business of property management or is found to be in breach of the Code of Conduct by the Property Management Council. Copies of the Register would be made available to the appropriate Government Departments and other bodies, e.g. the City and New Territories Administration, the Consumer Council, etc. and would be open for inspection by the public at all reasonable times without charge at the office of the Association.

### 3.4 Steering Committee

The three Institutes will, together with representatives of the ad hoc group of Property Management Companies, form a steering committee to form the Association. The Steering Committee will be responsible for overseeing the formation of the Association and for vetting the inaugural membership of the Association.

## 4. STRUCTURE OF THE ASSOCIATION

### 4.1 Objectives, Code of Conduct

All members would be required to abide by the Association's Objectives, which are set out in the Draft Memorandum of Association at Appendix I.

Member companies would be expected to maintain the highest ethical standard in the conduct of their business. As a precondition to being accepted for membership, they would also be required to undertake to abide by a Code of Conduct established by the Association as set out in Draft at Appendix 2.



#### 4.2 Property Management Council

The Council would be the ultimate controlling body of the Association. It would be empowered to do all things necessary to carry out the objectives of the Association with particular emphasis on determining policy and direction in order to ensure that high quality property management standards are upheld.

It is proposed that the Council be made up of 9 representatives. For an initial period of 3 years, 6 of the members will be elected and 3 will be official. 3 of the elected members shall be subscriber members.

The elected members would be drawn from representatives nominated by Full Members and elected at the Annual General Meeting of the Association.

The following would be invited to nominate their representatives to become official members :-

- (a) The Hong Kong Institute of Surveyors
- (b) The Institute of Housing (Hong Kong Branch)
- (c) The Royal Institution of Chartered Sureyors (Hong Kong Branch)

At the end of the three year period, all members will be elected from representatives nominated by full members, but the Council shall have the power to co-opt three members from the three Institutes.

#### 4.3 Standing Committees

The principal concerns with which the Council would be vested with control are registration, discipline and day-to-day operation. It is suggested that three Committees be delegated the powers to carry out such functions.

##### 4.3.1 Registration Committee

This Committee would deal with all matters relating to the application for membership by vetting and verification of information supplied by prospective members. The Committee should comprise elected members, and for the first three years official members.

##### 4.3.2 Disciplinary Committee

This Committee would deal with matters concerning complaints of malpractice. Matters such as de-registration, re-categorization and appeal would also fall under the jurisdiction of this Committee. This Committee also must preferably comprise elected members, and for the first three years official members.

#### 4.3.3 Executive Committee

This Committee would be the administering body of the Association dealing with its day-to-day operations. One important function of this Committee is to look after the finances of the Association. It is considered that salaried staff would need to be employed. Sub-committees could be formed on an 'ad hoc' basis to deal with specific issues as this Committee thinks fit.

#### 4.4 Specialist Committees

Other Specialist Committees could well be considered in the long run although their functions could initially be handled by the Executive Committee.

##### 4.4.1 Planning and Development Committee

##### 4.4.2 Professional Practice Committee

##### 4.4.3 Editorial Board

Periodic Journal of the Association "The Hong Kong Property Manager" could be considered.

#### 4.5 Fees, Subscriptions

4.5.1 Admission Fee

Until otherwise determined by the Council, the subscribers to the Memorandum of Association and each company subsequently admitted to membership shall pay HK\$2,000 as the admission fee for both Full and Associate Memberships.

4.5.2 Annual Subscription

The annual subscription for Full Membership shall in the first instance be \$2,000 per category of specialization and Associate Membership \$1,000 per category.

4.5.3 Registration Fee

The annual registration fee shall be \$1,000 per category of specialization.

5. SUMMARY AND RECOMMENDATIONS

5.1 The Association should be incorporated under the Companies' Ordinance limited by guarantee and would be called "The Hong Kong Association of Property Management Companies Limited."

- 5.2 Property Management Companies in Hong Kong that have minimum 2 years' experience in the field (or are managed by a principal with over 5 years' proven property management experience and standing to the satisfaction of the Association) and have a minimum portfolio of either 200 residential units, 3,000 sq. m. commercial, or 10,000 sq.m. of industrial space may apply for Full Membership.
- 5.3 Associate Membership would be available to Property Management companies who may not initially meet the minimum standards established for Full Membership.
- 5.4 Both Full and Associate Members would be required to abide by the Objectives and Code of Conduct established by the Association.
- 5.5 The Register of Members would be divided into categories according to the type of property i.e. residential, commercial or industrial as managed by the Association members.

- 5.6 Control of the Association should be vested in a Property Management Council with responsibility for determining policy and direction to ensure high quality of property management standards. The Council should be made up of elected members of the Association and for an initial period of three years. 3 members shall be subscriber members and 3 shall be nominated by the three Insititutes. Administration of the Association should be delegated to Committees.
- 5.7 In the absence of protection from legislation, the power that the Association could exercise over its members would be confined to its Memorandum and Articles of Association, Code of Conduct, Practice Notes and to the common rule of law. As far as the public is concerned, the Association would be able to produce for general reference a list of its member companies. Although the Articles of Association provides for the drawing up of regulations (including disciplinary action) the only effective measure to ensure compliance woud be expulsion of the offending company and deletion of its name from the membership list.
- 5.8 It is important to obtain Government's recognition and active support of the Association.

5.9 It is hoped that in time, membership of the Association would be its own recognition and this would impart in the public's mind a sense of confidence that they could rely on the competence of those companies whose names appear on the membership list.

5.10 It is important to convey to the public the principles on which the Association is founded. The three Institutes have a vital role to play in helping the Association to become established and accepted. For the Association to be viable and credible from the outset, it will require the whole-hearted support of the property management industry, the professional Institutes and Government.

The Companies Ordinance (Chapter 32)

Memorandum

and

Articles of Association

OF

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Incorporated the                      day of                      1988

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A COMPANY NOT FOR PROFIT AND LIMITED BY  
GUARANTEE

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The Companies Ordinance (Cap. 32)

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A COMPANY LIMITED BY GUARANTEE AND NOT  
HAVING A SHARE CAPITAL

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MEMORANDUM OF ASSOCIATION

OF

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1. The name of the Association is
  
2. The registered office of the Association will be situate in Hong Kong.
  
3. The objects for which the Association is established are :-
  - (a) To establish improve and maintain standards for the professional management of land properties and multi-storey buildings in Hong Kong;

- (b) To provide an organisation to represent and advise its members and to make recommendations to or be consulted by the Government or other municipal or professional bodies on matters concerning management of land properties and multi-storey buildings;
- (c) To safeguard the public interest by effective supervision of the membership of the Association and to impose upon members of the Association such disciplinary action as may be considered reasonable and desirable with the intent of attaining and maintaining the stated objects;
- (d) To associate professional management companies for the purposes of cooperation and mutual advantage and consultation;
- (e) To promote the education and training and the professional interests, rights, powers and privileges of its members and their officers and employees;
- (f) To provide for the benefit of members of representative negotiating body in any discussions with the Government or other outside bodies relating to the interests, rights, powers and privileges of the members or other matters of common interests;
- (g) To finance or to engage in legal or other actions or proceedings on behalf of any member or members against any person authority or organisation in circumstances where such actions or proceedings are necessary or desirable to protect the interest of the Association;
- (h) To purchase, take on lease or in exchange, hire or otherwise acquire any movable or immovable property and any rights or privileges which the Association may think necessary or convenient for the purposes for which the Association is formed;
- (i) To sell, let, mortgage, donate, dispose of or turn to account all or any of the property, rights or privileges of the Association;
- (j) To undertake and execute any trusts which may seem to the Association conducive to any of its objects;

- (k) To borrow or raise money for the purposes of the Association on such terms and on such security as may be thought fit;
- (l) To invest the moneys of the Association not immediately required for its purpose in or upon such investments, securities or property as may be thought fit;
- (m) To establish and support or aid in the establishment and support of any charitable or benevolent associations or institutions and to subscribe or guarantee money for charitable or benevolent purposes in any way connected with the purposes of the Association or calculated to further its objects;
- (n) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;
- (o) To do all such other things as are incidental or the Association may think conducive to the attainment of the above objects or any of them.

Provided that :-

- (i) In case the Association shall take or hold any property which may be subject to any trusts, the Association shall only deal with or invest the same in such manner as may be allowed by law, having regard to such trusts;
- (ii) The objects of the Association shall not extend to the regulation of relations between workers and employers or organisations of workers and organisations of employers.
- (iii) The powers set forth in the Seventh Schedule of the Companies Ordinance Cap.32 are hereby excluded.

4. The income and property of the Association, whencesoever derived, shall be applied solely towards the promotion of the objects of the Association as set forth in this Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus, or otherwise howsoever by way of profit, to the Members of the Association.

Provided that nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration to any officer or servant of the Association, or to any member of the Association, in return for any service actually rendered to the

Association, nor prevent the payment of interest at a rate not exceeding 12 per cent per annum or 2 per cent. above the prime rate established by the Hong Kong Association of Bankers whichever is the greater on money lent or reasonable and proper rent for premises demised or let by any member to the Association; but so that:-

- (a) no member of the Council of the Association shall be appointed to any salaried office of the Association or any office of the Association paid by fees; and
- (b) no remuneration or other benefit in money or money's worth shall be given by the Association to any member of the Council of the Association except repayment of out-of-pocket expenses and interest at the rate aforesaid on money lent or reasonable and proper rent for premises demised or let to the Association provided that this paragraph (b) shall not apply to any payment to any company of which a member of the Council may be a member and in which such member of the Council shall not hold more than one-hundredth part of the capital, and neither such Company nor such member of the Council shall be bound to account to the Association in relation to any such payment so made.

5. The liability of the members of the Association is limited.

6. Every member of the Association undertakes to contribute to the assets of the Association, in the event of the same being wound up during the time that it is a member or within one year after it ceased to be a member, for payment of the debts and liabilities of the Association contracted before it ceases to be a member, and of the costs, charges and expenses of winding up the same and for the adjustments of the rights of the contributories amongst themselves, such amount as may be required not exceeding one thousand Hong Kong dollars (HK\$1,000.00).

7. If upon the winding up or dissolution of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other institution or institutions (in each case being an institution which has objects similar to the objects of the Association and which shall prohibit the distribution of its income and property amongst its members to any extent at least as great as is imposed on the Association under or by virtue of Clause 4 hereof) to be

determined by the members of the Association at or before the time of dissolution or, in default thereof, by a Judge of the Supreme Court of Hong Kong having jurisdiction in regard to charitable funds, and if and so far as effect cannot be given to the aforesaid provision, then to some charitable object.

The Companies Ordinance (Chapter 32)

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A COMPANY LIMITED BY GUARANTEE AND NOT  
HAVING A SHARE CAPITAL

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ARTICLES OF ASSOCIATION

OF

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Preliminary

1. For the purpose of registration the Association is declared to consist of an unlimited number of members.

2. These Presents shall be construed with reference to the provisions of the Companies Ordinance (Chapter 32) and terms used in these Presents shall be taken as having the same respective meanings as they have when used in that Ordinance. In these Presents, unless there be something in the subject or context inconsistent therewith :-

"Member" means a member of the Association who has been admitted as a member;

"the Association" means the association registered as

"the Ordinance" means the Companies Ordinance, (Chapter 32 of the Revised Edition);

"these Presents" means and includes these Articles of Association and the rules, regulations and by-laws of the Association from time to time in force;

"Property Manager" means a corporation which is primarily engaged in the business of providing management or consultancy services in relation to the management and maintenance of land properties and multi-storey buildings in Hong Kong;

"the Council" means the members of the Council hereby constituted or such of the members thereof as are present at a meeting of the Council at which a quorum is present and includes any committee of the Council duly constituted for the purposes relevant in the context in which any relevant reference to the Council appears or the members of such committee present at a meeting thereof at which a quorum is present; and the members of the Council shall be treated as Directors for the purposes of the Ordinance;

"the President" means the President of the Association for the time being;

"the Secretary" means the Honorary Secretary of the Association for the time being;

"the Treasurer" means the Honorary Treasurer of the Association for the time being;

"month" means calendar month; and

"in writing" shall include printed, lithographed and typewritten.

Words importing the singular number only shall include the plural, and vice versa.

Words denoting neuter gender shall include the masculine or feminine gender, and vice versa.

Words importing persons shall include corporations.

3. The Association is established for the purposes expressed in the Memorandum of Association.

4. Subject as next provided, membership of the Association shall be confined to persons carrying on business as Property Managers. Provided always that it shall be competent for any duly constituted meeting of the Council at which not less than five members thereof shall be present, by a resolution passed unanimously by the members of the Council present at such meeting, to exempt from the provisions of this Articles any person whom it shall be declared by such resolution desirable to admit to membership.

#### Qualification and Admission of Members

5. The subscribers to the Memorandum of Association and such other members as the Association shall admit to membership in accordance with these Presents shall be Members of the Association.

6. A corporation shall be eligible for admission as and to be a Member if and so long as it possesses the following qualifications, that is to say :-

(a) that it is a Property Manager; and

(b) that it has been duly proposed and seconded on the appropriate form by a Member to which it is known.

7. The appropriate forms for applying for admission to, or for proposing and seconding an application for membership of, the Association as a Member shall be such as shall from time to time be prescribed or approved by the Council and it shall be competent for the Council to alter or add to any such form.

8. A candidate shall be deemed to have applied for admission to the Association when it has completed the appropriate application form and such application has been duly proposed and seconded.

9. Admission to the Association shall be by ballot at a Council meeting. The submission of a candidate's application to a ballot shall be subject to the Council resolving to receive such application. This resolution shall normally be taken at the meeting of the Council which next precedes that at which the ballot is to be taken.



The name of each candidate for membership of the Association, the names of the Members proposing and seconding each such application shall be specified in the notice convening the Council meeting at which the ballot is to take place. The ballot shall be taken in such manner as the Council shall from time to time determine, or, in default of any such determination, in such manner as the chairman of the meeting of the Council at which the ballot is to take place determines. The vote of any of the members of the Council present in person and voting against any candidate shall operate to exclude such candidate from membership of the Association.

10. Each person admitted to membership of the Association shall within seven days after its admission, pay the admission fee and subscription payable to the Association under these Presents and shall arrange for its duly authorised representative to sign the Register of Members of the Association at the registered office of the Association. The admission shall not be deemed to be completed unless and until this Article is complied with.

11. Every Member shall be entitled to a certificate of membership. Such certificate shall remain the property of the Association and shall be surrendered upon termination of membership.

12. Every Member of the Association shall from time to time notify the Secretary a place of business to be registered as its address, and the address from time to time so registered shall for the purposes of the Ordinance and these Presents be deemed its registered address.

13. If a Member of the Association shall fail to notify the Secretary a place of business in Hong Kong under paragraph 12 above it shall not be entitled to receive notice in advance of any of the General Meetings or other proceedings of the Association, and no General Meeting or other proceeding of the Association shall be invalidated by reason of its not having received such notice as aforesaid.

14. Each Member shall, by notice in writing signed by its managing director or other chief executive officer and delivered to the registered office of the Association, authorise such person as it thinks fit to act as its representative at all meetings of the Association and, in the case of a Member, if selected, to act as a member of the Council and the person so

authorised shall be entitled to exercise all the powers on behalf of the Member which he represents as are conferred on such member of the Council pursuant to these Presents.

#### FEEs, SUBSCRIPTIONS AND CALLS

15. The Council may from time to time determine what admission fees (if any) shall be paid upon admission to membership and, with the sanction of a General Meeting, what annual subscriptions (if any) shall be payable by each Member.

16. Until otherwise determined by the Council, the subscribers to the Memorandum of Association and each Member subsequently admitted to membership shall pay to the Association the sum of HK\$ \_\_\_\_\_ as admission fee.

17. Until otherwise determined, the annual subscription to the Association shall be HK\$ \_\_\_\_\_ for each Member.

18. Subscriptions are due and payable immediately upon admission to membership, and thereafter annually on 1st January in each year. In the year of admission, the subscription payable shall be such proportion of the annual amount as the number of complete months of that year which remain unexpired at the time of admission bears to twelve (12).

19. The Council may, with the sanction of a General Meeting, from time to time call upon the Members to contribute funds for the purposes of the Association or any of them, and each member of the Association shall pay every call so made in the manner prescribed by the Council.

20. A call shall be deemed to have been made at the time when the resolution of the Council making the same was passed. Fourteen days' notice of any and every call shall be given specifying the time and place of payment, and to whom such call shall be paid.

#### CESSATION OF MEMBERSHIP

21. (a) Any Member of the Association shall cease to be a Member upon the happening of any of the following events :-

(1) upon its giving to the Association at its

registered office notice in writing that it resigns membership;

- (2) if a winding-up order is made against it or it makes any arrangement or composition with its creditors;
- (3) if it shall cease to be qualified for membership under these Presents;
- (4) upon its being expelled or called upon by the Council to resign;
- (5) upon its name being removed from the Register of Members.

(b) The Council shall have the power by resolution of all the members thereof present and voting (for which purpose any member of the Council who is the representative of the Member of the Association the subject of such resolution shall not be entitled to a vote) to call upon a Member to resign and, upon the refusal of the Member to resign, to expel from membership of the Association any Member who in the opinion of the Council shall have committed a breach of the provisions of these Presents or shall have been guilty of such conduct as shall have rendered it unfit to continue to belong to the Association but no such resolution shall have any operation or effect unless the relevant Member of the Association shall have been given a proper opportunity of submitting for the consideration of the Council any statement or explanation in writing which it may desire and of attending and being heard by the Council at the meeting at which its actions or conduct are to be under consideration.

22. Any Member whose membership ceases for any reason shall nevertheless remain liable to pay to the Association all moneys which at the time when its membership ceased may have been due to the Association from it.

#### GENERAL MEETINGS

23. The Association shall hold a General Meeting in each year as its Annual General Meeting on such date and at such place as may be determined by the Council: provided that every Annual General Meeting shall be held not more than 15 (fifteen) months after the holding of the last preceding Annual General Meeting and provided further that so long as the Association holds its first Annual General Meeting within 18 (eighteen) months of its incorporation it needs not hold it in the year of its incorporation or in the following year.

24. (a) All General Meetings (other than Annual General Meetings) shall be called Extraordinary General Meetings.

(b) The Council may whenever it thinks fit convene an Extraordinary General Meeting and Extraordinary General Meetings shall also be convened on the receipt of a requisition or, in default, may be convened by the requisitionists, pursuant to Section 113 of the Ordinance. Any reasonable expenses incurred by the requisitionists by reason of the failure of the Council duly to convene a meeting shall be repaid to the requisitionists by the Association.

(c) At least 21 (twenty-one) days' notice of every Annual General Meeting and every meeting convened to pass a Special Resolution and at least 14 (fourteen) days' notice (exclusive in every case both of the day on which it is served or deemed to be served and of the day for which it is given) of every other General Meeting, specifying the place, the day and the hour of meeting (and, in the case of special business, the general nature of that business) shall be given in manner hereinafter mentioned to such Members of the Association and other persons (including the Auditors) as are under these Presents or under the Ordinance entitled to receive such notices from the Association; but with the consent of all the Members entitled to receive notices thereof (or of such proportion thereof as is prescribed by the Ordinance in the case of Meetings other than Annual General Meetings) a meeting may be convened by such shorter notice as those Members may think fit.

25. The accidental omission to give notice of a meeting to (or the non-receipt of such notice by) any person entitled to receive notice thereof, shall not invalidate any resolution passed, or proceedings taking place at such meeting.

26. The following kinds of business shall be deemed to be special business :-

- (i) all business transacted at an Extraordinary General Meeting;
- (ii) all business transacted at an Annual General Meeting with the exception of the consideration of the income and expenditure account and balance sheet and the reports of the Council and of the Auditors, the election of the President, the Secretary, the Treasurer and other members of the Council, and the appointment and fixing of the remuneration of the Auditors.

PROCEEDINGS AT GENERAL MEETINGS

27. At every Annual General Meeting the Association shall:-

- (i) consider the accounts and balance sheet of the Association, the report of the Auditors of the Association and reports laid before it by the Council;
- (ii) appoint an Auditor or Auditors in accordance with the provisions of the Ordinance governing such appointments.

28. No business shall be transacted at any General Meeting unless a quorum is present when the meeting proceeds to business. Save as herein otherwise provided, a majority of Members present in person or by proxy shall be a quorum.

29. If, within half an hour from the time appointed for the holding of a General Meeting, a quorum is not present, the Meeting (if convened on the requisition of Members) shall be dissolved. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or at such other place as the Council shall appoint and, if at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the Members present shall be a quorum.

30. The President shall preside as Chairman at every General Meeting but, if there shall be no President or if at any Meeting he shall not be present within 15 (fifteen) minutes after the time appointed for holding the same or he shall be unwilling to preside, the Members present shall choose some member of the Council to preside as Chairman, or if no such member of the Council be present or if all the members of the Council present decline to take the Chair, the Members present shall choose the representative of a Member who shall be present to preside as Chairman.

31. The Chairman of the Meeting may, with the consent of any Meeting at which a quorum is present (and shall if so directed by the Meeting), adjourn a Meeting from time to time, and from place to place, but no business shall be transacted at any adjourned Meeting other than business which might have been transacted at the Meeting from which the adjournment took place. Whenever a Meeting is adjourned for 30 (thirty) days or more, notice of the adjourned Meeting shall be given in the same manner

as of an original Meeting. Save as aforesaid, the Members shall not be entitled to any notice of an adjournment or of the business to be transacted at an adjourned Meeting.

32. At all General Meetings a resolution put to the vote of the Meeting shall be decided on a show of hands of the Members unless a poll is (before or upon the declaration of the result of the show of hands) demanded by the Chairman of the Meeting or by at least 3 (three) Members present in person and entitled to vote and (unless a poll be so demanded) a declaration by the Chairman of the Meeting that a resolution has been carried, or carried unanimously or by a particular majority, or lost, or not carried by a particular majority, and an entry to that effect in the Minute Book of the Association, shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution. The demand for a poll may be withdrawn.

33. Subject to the provisions of paragraph 38, if a poll be demanded in the manner aforesaid, it shall be taken at such time and place, and in such manner, as the Chairman of the Meeting shall direct, and the result of the poll shall be deemed to be the resolution of the Meeting at which the poll was demanded.

34. No poll shall be demanded on the election of a Chairman of a Meeting, or on any question of adjournment.

35. In the case of an equality of votes (whether on a show of hands or on a poll) the Chairman of the Meeting shall be entitled to a second or casting vote.

36. Any Member entitled to be present and vote at a Meeting may submit any resolution to any General Meeting provided that at least 6 (six) weeks before the day appointed for the Meeting he shall have served upon the Association a notice in writing signed by him containing the proposed resolution and stating his intention to submit the same.

37. Upon receipt of any such notice as mentioned in the last preceding Article, the Secretary shall include in the notice of the Meeting notice that such resolution will be proposed.

38. The demand of a poll shall not prevent the continuance of a Meeting for the transaction of any business other than the question on which a poll has been demanded or of any business the

transaction whereof is dependent upon the outcome of any such poll.

#### VOTES OF MEMBERS

39. Every Member shall have one vote. On a show of hands and on a poll, votes of Members may be given by their representatives duly appointed in accordance with paragraph 14 or by proxy.

40. The instrument appointing a proxy shall be under the common seal of the Member or under the hand of an officer or attorney so authorised by the Member concerned.

The instrument appointing a proxy shall be deposited at the registered office of the Association not less than forty-eight hours before the time for holding the Meeting at which the person named in such instrument proposes to vote; but no instrument appointing a proxy shall be valid after the expiration of twelve months from the date of its execution.

41. Every instrument of proxy shall, as nearly as circumstances will admit, be in the form or to the effect following or in such other form as the Council may from time to time determine:-

We, \_\_\_\_\_ of \_\_\_\_\_,  
being a member of \_\_\_\_\_,  
hereby appoint \_\_\_\_\_ of \_\_\_\_\_ or  
failing him \_\_\_\_\_ of \_\_\_\_\_ as  
our proxy for us and on our behalf at the (Annual or  
Extraordinary) General Meeting of the Association to be held  
on the \_\_\_\_\_ day of \_\_\_\_\_ and at any  
adjournment thereof.  
Sealed with the Common Seal/Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 19 \_\_\_\_.

42. Where it is desired to afford Members an opportunity of voting for or against a resolution the instrument appointing a proxy shall, as nearly as circumstances will admit, be in the form or to the effect following or in such other form as the Council may from time to time determine :-

"We \_\_\_\_\_, of \_\_\_\_\_,  
being a Member of \_\_\_\_\_,  
hereby appoint \_\_\_\_\_  
of \_\_\_\_\_  
or failing him \_\_\_\_\_  
of \_\_\_\_\_  
as our proxy for us and on our behalf at the (Annual or  
Extraordinary) General Meeting of the Association to be held  
on the \_\_\_\_\_ day of \_\_\_\_\_ and at any  
adjournment thereof.

Sealed with the Common Seal/Signed this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

This form is to be used \*in favour of the resolution,  
against

Unless otherwise instructed, the proxy will vote as he  
thinks fit.

\*Strike out whichever is not desired".

43. The instrument appointing a proxy shall be deemed to  
confer authority to demand or join in demanding a poll.

44. No person other than a Member duly registered who shall  
have paid every subscription and other sum (if any) which shall  
be due and payable to the Association in respect of its  
membership shall be entitled to be present or to vote on any  
question at any General Meeting.

#### THE COUNCIL

45. The affairs of the Association shall be managed by a  
Council which shall consist of representatives of the Members  
and 3 (three) official members as appointed representatives of  
The Hong Kong Institute of Surveyors, the Institute of Housing  
(Hong Kong Branch) and The Royal Institution of Chartered  
Surveyors (Hong Kong Branch).

46. Not more than 1 (one) representative from any one  
Member shall serve on the Council at any one time.

47. The Council may at any time and from time to time  
appoint up to 2 (two) persons (whether or not any such person is  
the representative of any Member) as additional members of the  
Council. Each such person so appointed shall automatically  
retire at the Annual General Meeting of the Association next  
succeeding his appointment but shall be eligible for further  
appointment under this paragraph, either immediately or at any



Association in General Meeting, subject nevertheless to the provisions of these Presents and of the Ordinance, and to such regulations (being not inconsistent with the aforesaid provisions) as may be prescribed by the Association in General Meeting, but no regulation made by the Association in General Meeting shall invalidate any prior act of the Council which would have been valid if such regulation had not been made.

51. The persons for the time being comprising the Council may act notwithstanding any vacancy in their body Provided always that in case the Council shall at any time be reduced in number to less than 3 (three), it shall be lawful for them to act as the Council for the purpose of filling up vacancies in their body, or of summoning a General Meeting, but not for any other purpose.

52. All moneys, cheques bills and notes belonging to the Association shall be paid to or deposited with the Association's bankers to an account opened in the name of the Association. Cheques on the Association's bankers, until otherwise from time to time resolved upon by the Council, shall be signed by any 2 (two) of the President and the Treasurer or Secretary. The Association's banking account shall be kept with such banker or bankers as the Council shall from time to time determine.

#### DISQUALIFICATION OF MEMBERS OF THE COUNCIL

53. The office of a member of the Council shall be vacated
- (a) If the Member of whom he is the representative ceases to be a Member;
  - (b) If by notice in writing to the Association he resigns his office;
  - (c) If he ceases to represent the Member who appointed him as its representative;
  - (d) If he ceases to hold office by reason of any order made under the Ordinance;
  - (e) If he is removed from office by an Extraordinary Resolution passed at a duly convened General Meeting of the Association.
  - (f) If he fails to attend at least 5 (five) of any 12 (twelve) consecutive Meetings of the Council unless he has obtained from the Council leave of absence owing to absence abroad, illness or other sufficient reason.

time thereafter. Each person so appointed shall be entitled to attend and vote at all meetings of the Council.

48. The persons who have signed the Memorandum of Association on behalf of the subscribers to the Memorandum of Association shall be the first members of the Council and shall be deemed to have been elected thereto on the date on which the Association is incorporated.

#### PRESIDENT, SECRETARY & TREASURER

49. (a) At every Annual General Meeting of the Association, the Association shall elect representatives of the Members to hold each of the following offices of the Association:-

- (1) President of the Association;
- (2) Honorary Secretary of the Association; and
- (3) Honorary Treasurer of the Association,

in each case to hold office until the next Annual General Meeting of the Association Provided that the first such officers shall be elected at the first meeting of the Council from amongst the first members of the Council and shall hold office until the first Annual General Meeting of the Association.

(b) If a casual vacancy arises at any time in any of the aforesaid offices, it shall be filled by the appointment by the Council of one of their number, and the person so appointed shall hold office until his successor shall have been elected at the next Annual General Meeting of the Association.

(c) A retiring President, Secretary or Treasurer shall be eligible for re-election provided that he does not hold the same such office for more than 2 (two) years in succession.

#### POWERS OF THE COUNCIL

50. The Council may exercise all such powers of the Association including the payment of all expenses incurred in promoting and registering the Association and do on behalf of the Association all such acts as may be exercised and done by the Association, and as are not by the provisions of the Ordinance or by these Presents required to be exercised or done by the

ELECTION & ROTATION OF  
MEMBERS OF THE COUNCIL

54. All the members of the Council shall retire annually and shall be eligible for re-election, but no member of the Council who has held the office of President, Secretary or Treasurer for two consecutive years shall be eligible to hold such office again until the expiration of one year from the termination of his term of office.

55. A declaration of the election of all new members of the Council shall be made at the Annual General Meeting and such new members shall take office immediately after such meeting.

56. Not less than 8 (eight) weeks before each Annual General Meeting the Secretary shall send to each Member of the Association a list of the Council and forms of nomination of persons to take the place of those members of the Council retiring at such Annual General Meeting.

57. Every Member may nominate not more than 2 (two) persons (each being a duly authorised representative of a Member) for election as members of the Council and shall enter the nominations on the forms for the purpose sent as mentioned in paragraph 56. Such forms must be signed by the Member nominating and by another Member seconding the nomination and the forms so signed must be delivered to the Secretary not less than 5 (five) weeks before the date of the Annual General Meeting at which the election of the Council is to be declared, together with a statement from the person nominated that he accepts nomination and will serve if elected.

58. The Secretary shall send to each Member a complete list of such nominations on ballot paper forms at least 3 (three) weeks before the date of the Annual General Meeting at which the election is to be declared; and each Member may mark on each ballot paper an "X" against the names of each of the persons for whom he wishes to vote but not exceeding 1 (one) for each Council vacancy to be filled and shall send such ballot papers so marked in a sealed envelope to the Secretary so that the same may be received by the Secretary at least 1 (one) week before the time fixed for such Annual General Meeting. Any ballot paper bearing more or less than the prescribed number of names marked shall be void.

59. The Auditors of the Association shall act as scrutineers, who shall on the morning of and prior to the Annual

General Meeting open the ballot papers and count the votes, and those persons who receive the most votes shall at the Annual General Meeting be declared duly elected to the vacancies to be filled. In the event of an equality of votes the names of such persons as have an equal number of votes shall be submitted to a ballot of the Members present at the Annual General Meeting, and the election shall be determined accordingly and not solely by the casting vote of the Chairman of the Meeting.

60. Any casual vacancy in the Council may be filled by the Council, but the person appointed to fill such vacancy shall retire from office on the date on which the member of the Council, whose place is so filled, would in the ordinary way have retired.

61. Subject to the provisions of paragraph 24 as to the giving of notice of special business, the Association may from time to time in General Meeting increase or reduce the number of members of the Council and make any consequential alterations in the provisions of these Articles as to the manner of election of representatives of members of the Council.

62. In addition and without prejudice to the provisions of the Ordinance, the Association may by Extraordinary Resolution remove any member of the Council before the expiration of his period of office and may by an Ordinary Resolution appoint another person (being a duly authorised representative of a Member) in his stead but any person so appointed shall retain his office so long only as the member in whose place he is appointed would have held the same if he had not been removed.

#### ALTERNATES

63. (a) Each member of the Council shall have the power to appoint any person to be his alternate and may at his discretion remove such alternate. Any appointment or removal of an alternate shall be effected by notice in writing signed by the appointor and delivered to the registered office of the Association or tendered at a meeting of the Council. An alternate shall, if his appointor so requests, be entitled to receive notices of meetings of the Council or of committees of the Council to the same extent as, and in addition to, the member of the Council appointing him and shall be entitled to such extent to attend and vote as a member of the Council at any such meeting at which the member of the Council appointing him is not personally present and generally at such meeting to exercise and discharge all the functions, powers and duties of his appointor

as a member of the Council and for the purposes of the proceedings at such meeting the provisions of these Presents shall apply as if he were a member of the Council.

(b) Every person acting as an alternate shall (except as regards powers to appoint an alternate and remuneration) be subject in all respects to the provisions of these Presents relating to members of the Council and shall alone be responsible to the Association for his acts and defaults and shall not be deemed to be the agent of or for the member of the Council appointing him. An alternate may be paid expenses and shall be entitled to be indemnified by the Association to the same extent, mutatis mutandis, as if he were a member of the Council but shall not be entitled to receive from the Association any fee in his capacity as an alternate.

(c) Every person acting as an alternate shall have one vote for each member of the Council for whom he acts as alternate (in addition to his own vote if he is also a member of the Council). The signature of an alternate to any resolution in writing of the Council shall, unless the notice of his appointment provides to the contrary, be as effective as the signature of his appointor.

(d) An alternate shall ipso facto cease to be an alternate if his appointor ceases for any reason to be a member of the Council provided that, if at any meeting any member of the Council retires but is re-elected at the same meeting, any appointment made by him pursuant to this paragraph which was in force immediately before his retirement shall remain in force as though he had not retired.

#### PROCEEDINGS OF THE COUNCIL

64. (a) The Council may frame such rules for the conduct of its business, including the determination of the place and time of meetings of the Council and for the giving of notice thereof as it thinks fit, subject to the provisions of the Ordinance and of these Presents.

(b) The quorum at meetings of the Council shall be 3 (three) members.

(c) Save as expressly provided in these presents, questions arising at any meeting of the Council shall be determined by a majority of votes.

(d) Voting at meetings of the Council shall be by show of hands and every member of the Council shall have 1 (one) vote; in the event of an equality of votes the Chairman of the Meeting shall have an additional or casting vote.

(e) A member of the Council may, and on the request of a member of the Council or of any 5 (five) Members of the Association the Secretary shall, at any time summon a meeting of the Council by notice served upon the several members of the Council.

(f) A member of the Council will be deemed to have received notice of any Council meeting notwithstanding that he may be absent from Hong Kong at the time when the notice is served.

65. The President shall preside as chairman at every meeting of the Council but, if there shall be no President or if at any meeting he shall not be present within 5 (five) minutes after the time appointed for holding the same or shall be unwilling to preside, the members of the Council present shall choose one of their number to be chairman of the meeting.

66. A meeting of the Council at which a quorum is present shall be competent to exercise all the authorities, powers and discretions by or under the Ordinance or these Presents for the time being vested in the Council generally.

67. (a) Subject to the terms and conditions hereinafter set forth the Council may appoint standing or ad hoc committees to assist in the management of the affairs of the Association. Any such standing or ad hoc committee shall :-

- (i) not be empowered to act other than in a advisory capacity to the Council;
- (ii) in the execution of the powers so delegated conform to its formal terms of reference and to any regulations imposed on it by the Council;
- (iii) conduct its meetings and proceedings in manner provided by these Presents for regulating meetings and proceedings of the Council so far as the same shall not be superseded by any regulations made by the Council as aforesaid.

(b) The composition of any standing or ad hoc committee shall be in the discretion of the Council and for the removal of doubt may include any person whomsoever, whether or not he may be a member of the Council or the representative of any Member.

68. All acts bona fide done by any meeting of the Council or of any committee of the Council or by any person acting as a member of the Council shall (notwithstanding it be afterwards discovered that there was some defect in the appointment or continuance in office of any such member or person acting as aforesaid; or that they or any of them were disqualified) be as valid as if every such person had been duly appointed or had only continued in office and was qualified to be a member of the Council.

69. The Council shall cause proper minutes to be made of all appointments of officers made by the Council and of the proceedings of all Meetings of the Association and of the Council and of committees of the Council and all business transacted at such Meetings, and any such minutes of any Meeting, if purported to be signed by the Chairman of such Meeting or by the Chairman of the next succeeding Meeting, shall be sufficient evidence without any further proof of the facts therein stated.

70. A resolution in writing signed by all members for the time being of the Council or of any committee of the Council who are duly entitled to receive notice of a Meeting of the Council or of such committee shall be as valid and effectual as if it had been passed at a meeting of the Council or of such committee duly convened and constituted.

#### THE SEAL

71. The Council shall provide a Common Seal of the Association and may make provision for the use of the same and for the safe custody thereof. The Seal shall not be affixed to any instrument except by the authority given by resolution of the Council and in the presence of at least 2 (two) members of the Council, one of whom shall be the Secretary, who shall sign every instrument to which the Seal is affixed and in favour of any purchaser or person bona fide dealing with the Association such signatures shall be conclusive evidence of the fact that the Seal has been properly fixed.

#### ACCOUNTS

72. The Council shall cause proper books of account to be kept with respect to:

- (a) all sums of money received and expended by the

Association and the matters in respect of which such receipts and expenditure take place;

- (b) all sales and purchases of goods by the Association;
- (c) the assets and liabilities of the Association.

Proper books shall not be deemed to be kept if there are not kept such books of account as are necessary to give a true and fair view of the state of the affairs of the Association and to explain its transactions and it shall be the duty of the Treasurer to keep or see to the keeping of such books of account and to prepare the annual balance sheet of the Association for the consideration and approval of the Council.

73. The books of account shall be kept at the registered office of the Association or at such other place or places as the Council shall think fit, and shall always be open to the inspection of the members of the Council.

74. The Association in General Meeting may from time to time make reasonable conditions and regulations as to the time and manner of the inspection by the Member of the accounts and books of the Association, or any of them, and subject to such conditions and regulations the accounts and books of the Association shall be open to the inspection of Members at all reasonable times.

75. At the Annual General Meeting in every year the Council shall lay before the Association a proper income and expenditure account for the period since the last preceding account together with a proper balance sheet made up to the same date as the date to which the income and expenditure account is made up. Every such balance sheet shall be accompanied by proper reports of the Council and the Auditors, and copies of such account, balance sheet and reports (all of which shall be framed in accordance with any statutory requirements for the time being in force) and of any other documents required by law to be annexed or attached thereto or to accompany the same shall not less than 21 (twenty-one) clear days before the date of the Meeting be sent to the Auditors and to all other persons entitled to receive notices of General Meetings in the manner in which notices are hereinafter directed to be served. The Auditors' report shall be opened to inspection and be read before the Meeting.



## AUDIT

76. Once at least in every year the accounts of the Association shall be examined and the correctness of the income and expenditure account and balance sheet ascertained by one or more properly qualified Auditor or Auditors.

77. Auditors shall be appointed and their duties regulated in accordance with the Ordinance.

## NOTICES

78. A notice may be served by the Association upon any Member, either personally or by sending it through the post in a prepaid letter, addressed to such Member at its registered address as appearing in the Register of Members.

79. Any Member described in the Register of Members by an address not within Hong Kong, who shall from time to time give the Association an address within Hong Kong at which notices may be served upon it shall be entitled to have notices served upon it at such address, but save as aforesaid, only those Members who are described in the Register of Members by an address within Hong Kong shall be entitled to receive notices from the Association.

80. Any notice, if served by post, shall be deemed to have been served on the day following that on which the letter containing the same is put into the post; and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as a prepaid letter.

## DISSOLUTION

81. Clauses 6 and 7 of the Memorandum of Association of the Association relating to the winding up and dissolution of the Association shall have effect as if the provisions thereof were repeated in these presents.

THE CODE OF CONDUCTINTRODUCTION

1. Members of the Hong Kong Association of Property Management Companies Limited (HKAPMC) [香港物業管理公司協會有限公司] are governed by its Memorandum and Articles of Association and this Code of Conduct, the object of the latter being to promote high professional standards and ethical business practices.
2. This Code represents the minimum standards to which the HKAPMC subscribes; members are advised to read it in conjunction with all relevant Ordinances, any Deeds of Mutual Covenant under which they operate and any related Management Agreements.
3. A member shall be required to answer questions, if so directed by the HKAPMC, concerning his conduct in accordance with the Code. A member is liable to reprimand, suspension or expulsion if his conduct is found to be in contravention of the Code or otherwise inconsistent with the aims of the Association.

PRINCIPLES OF CONDUCT

4. To maintain a high standard of professional practice, members of the Association should observe the following rules :-
  - (a) A member shall faithfully carry out the duties which he undertakes, and shall have proper regard for the interests both of those who commission him and of those who may be expected to use or enjoy his services.
  - (b) A member shall endeavour to contribute through his work to the advancement of good property management.
  - (c) A member should not knowingly undertake any work beyond his resources or beyond his ability to keep to agreed time schedules.
  - (d) A member shall not subcommission work for which he has been commissioned without the agreement of his client, nor without defining the respective responsibilities of all concerned.
  - (e) A member shall not disclose confidential information imparted by actual or potential clients without their express consent.
  - (f) A member shall avoid actions and situations inconsistent with his legal or contractual obligations or likely to raise doubts about his integrity.
  - (g) A member shall not have such an interest in or associated with any business as would or might breach these rules.

- 2 -

- (h) Should a member find that his interests, whether contractual or personal, conflict so as to risk a breach of this code, he shall, as the circumstances may require, either withdraw from the situation, remove the source of conflict, or declare it and obtain the agreement of the parties concerned to the continuance of his engagement.
- (i) A member shall inform his client in advance of the conditions of engagement and the scale of charges, agree with his client that those conditions shall form the basis of his appointment and shall not demand or accept any other payment or consideration for the duties entrusted to him, whether from the client or any other person or entity.
- (j) A member shall not maliciously endeavour to discredit other members of the HKAPMC.
- (k) A member shall not attempt to supplant another member of the HKAPMC.
- (l) A member shall abide by the Practice Notes on professional conduct issued from time to time by the Council of the HKAPMC by resolution at a General Meeting.

5. The HKAPMC upholds the principle of fair play in business and an honourable standard of professional ethics. The framework for a standard of business ethics is provided by Section 9 of the Prevention of Bribery Ordinance.

6. Members of the HKAPMC should ensure that they, as well as their employees, fully understand and comply with these legal provisions.



The Hong Kong Institute  
of Surveyors  
香港測量師學會



Institute of Housing  
Hong Kong Branch  
英國屋宇經理學會香港分會



The Royal Institution  
of Chartered Surveyors  
Hong Kong Branch  
皇家特許測量師學會(香港分會)

**Joint Committee on Property Management**

THE HONG KONG ASSOCIATION OF PROPERTY MANAGEMENT COMPANIES LIMITED

Membership Form for Subscriber Members

Membership Number: _____
Date of Registration: _____

CONFIDENTIAL

PART I

GENERAL INFORMATION

Name of Company (in English) \_\_\_\_\_

(in Chinese) \_\_\_\_\_

Limited

Partnership

Proprietorship

Registered Office Address \_\_\_\_\_

Telephone \_\_\_\_\_ Telex \_\_\_\_\_ Fax \_\_\_\_\_

STAFF DETAILS (Please refer to Explanatory Notes)

Number of Professionally Qualified Staff \_\_\_\_\_

Number of Technically Qualified Staff \_\_\_\_\_

Number of Administrative Staff \_\_\_\_\_

Number of Clerical Staff \_\_\_\_\_

Number of Estate Staff \_\_\_\_\_

CURRENT BUSINESS PORTFOLIO (Please indicate total no of units or gross floor area of each property)

Residential (including where applicable neighbourhood or estate shopping)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Commercial (including commercial buildings, office buildings, shopping centres, fresh produce markets, etc)

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Industrial & Others (may include multi-storey flatted factories, industrial estates, car parks, recreational facilities, etc)

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PART II

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DIRECTORSHIP & FINANCIAL STATUS

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Name of Directors/Proprietor	I D Number	Professional Qualification	Years of Experience in Property Management

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Business Commencement Date \_\_\_\_\_

Business Registration Number \_\_\_\_\_

Incorporation Certificate Number \_\_\_\_\_

Paid-Up Capital \_\_\_\_\_

Banker(s) \_\_\_\_\_

Solicitor \_\_\_\_\_

Accountant \_\_\_\_\_

DECLARATION

I hereby declare that the above information is correct to the best of my knowledge. I understand that if I deliberately give any false statement, the Company shall be removed from the Association immediately even if it has been accepted as a Member. The Company hereby agree to abide by the Association's Code of Practice should this application for membership be accepted.

Date \_\_\_\_\_

Authorized  
Signature \_\_\_\_\_  
for and on behalf of the  
Company

Company Chop

Name of Signatory \_\_\_\_\_  
Position \_\_\_\_\_

## Explanatory Notes

1. All list-counted staff must be of full time employment directly employed by the Applicant/Member Company.

2. The term "Professionally Qualified Staff" shall mean

"Staff who are a fully qualified member of Professional Institutes recognized by the Hong Kong Government such as Architects, Engineers, Surveyors, Housing Managers, etc. or of equal standing as determined by the HKAPMC."

3. The term "Technically Qualified Staff" shall mean

"Staff who has completed proper training from the local Academic Institutes in courses leading to a Professional Diploma, Advance Higher Diploma, Higher Diploma or of similar level of achievement, all to be determined by the HKAPMC. Each of such training course should be of not less than 3 academic years."

Staff without proper academic training but with not less than 5 years of proven managerial experience in the property management field will be, at the sole discretion of the HKAPMC, be considered on individual merits being accountable under this category.

4. The term "Administrative Staff" shall mean

"Staff who are employed to carry out the administrative, accounting and supervisory functions of the Applicant/Member Company."

5. The term "Clerical Staff" shall mean

"Staff who are employed to assist clerically in the routine office operation of the Applicant/Member Company."

6. The term "Estate Staff" shall mean

"Staff who are employed to look after the day to day operation of the properties managed."

7. Each individual staff employed shall only be entitled to one "count" under the various categories listed here-above.

APPENDIX TO LIST COUNTING OF STAFF

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PROFESSIONAL QUALIFIED STAFF

<u>Name</u>	<u>Professional Institutes</u>	<u>Year Qualified</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

TECHNICALLY QUALIFIED STAFF

<u>Name</u>	<u>Institute &amp; Title of Course</u>	<u>Year Graduated</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____