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From the Editor

編者話

Surveyors advocacy is the theme of this issue of the **Surveyors Times**.

As previously reported, the General Council positions ourselves for a more dynamic image of the surveyors, by proactively commenting on and participating in various issues that are of public interest and concern. Our new Council was pleased to have a very useful meeting with Mrs. Rita Lau, the Permanent Secretary for Housing, Planning and Lands, on 1 March to exchange views on many topical issues including land supply, building maintenance, urban renewal, the Institute's new proposals for a Building Affairs Tribunal, Central-Wanchai Reclamation, and the West Kowloon Cultural District (WKCD) (page 5).

In previous issues, we reported on HKIS' submissions to the Government on WKCD. Our voice was eventually heard. On 16 March, an exclusive session was reserved for the LegCo members and Government decision makers to consider HKIS' presentation on PPP and possible options for proceeding with this much controversial project. Our President TT Cheung and Dr. Paul Ho attended. There will be a series of follow-up meetings with LegCo and government officials. We will keep readers closely informed.

Several months ago, the Editorial Board made a decision to centralize the announcement of CPD/PQSL events in the form of "centre pages" in the **Surveyors Times** and effectively discontinue the practice of issuing loose flyer sheets. It was expected that the new system would give the **Surveyors Times** a more professional, neat-and-tidy look, allow quicker access to information, and provide a dossier of the Institute's CPD and training efforts. However, as it turned out, readers were so used to the old system that, for a while after the introduction of the new system, no flyers in the mailing package meant no CPD/PQSL events. The new system also meant tighter deadlines for the event organizers and our Administration Office. While the registration numbers for the recent CPD/PQSL events have risen again, an indication of readers starting to respond to the new system, we are monitoring readers' feedback carefully. A reader has written to warn that we are losing our audience and ask that the new system be reviewed (Letter to the Editor, page 13). The Editorial Board takes comments from our readers very seriously and looks forward to continuous feedback from all.

Speaking of readers' feedback, Mr. Kenneth Chan, past President of the Institute, gave some personal thoughts on how Hong Kzzong should position ourselves vis-a-vis our long-time competitor, Shanghai (Letter to the Editor, page 14). Food for thought for all. The comments are particularly timely in the light of the increasingly close co-operation with our counterparts in the Mainland and the imminent reciprocity agreement with the China Engineering Cost Association (QS Chairman's Report, page 19).

Francis Leung



Surveyors Advocacy



I always wonder why there are only 28 days in February. Not a bad idea to some people as it is the festive month to celebrate the year of the Rooster and only work half of the month, have a break with the family or a golf outing with friends. But losing 2 days is more than I can afford, bearing in mind the long list of assignments on my desk, and the tight schedule of meetings, and functions. I need to carefully schedule my time for a number of no less important spring receptions, luncheons and dinners. More importantly, I need to schedule my intake of food ... and fat.

The General Council at its meeting on 17 February 2005 endorsed the new operating structure of the Institute to facilitate the Institute to respond to the changing needs of members and the society. I trust this will result in better efficiency and transparency of our work. As the membership of the Institute grows, there is a need to strengthen the Administrative Office to support the operation of the Institute. We need more quality staff to join and support us. At Institute level, we now have an Administrative Committee to support the Honorary Secretary and a Finance Committee to support the Honorary Treasurer. We also have set up a Members Welfare Committee to look after the general welfare of our members. One of the most important set up would be the Local Affairs Committee to allow general membership to participate in the affairs affecting Hong Kong such as the West Kowloon Cultural Development project, the Central Harbour Reclamation, Lantau Island Concept Development Plan, the Sustainable Environmental Development, etc.

The General Council also endorsed that professional development should be left to the respective divisional councils to handle. To this end, I have encouraged divisions to update and produce the various professional standards and to publish more books and literature on local

practice for education purposes. The Executive Committee members are committed to working harder than ever by meeting twice a month to allow more time to discuss the various issues relating to education, membership and professional development as these set the ground stone for the sustainability of our Institute.

Our WKCD Working Group under the Local Affairs Group of HKIS has prepared a submission, as endorsed by the Council, to the Legco on 31 January 2005. Our submission, which basically referred to international experience where a sound "business case", together with a Public Sector Comparator, shall be fully addressed. Our submission attracted attention from Government officials, Legco councilors and the media. At time of writing, the Government is yet to decide the course of action after the expiry of the public consultation period. We are meeting with the relevant bodies to express our views on the subject and hope to see this important project materialized soon.

On 18 February 2005, the Institute organized a press meeting by inviting six experienced GP surveyors to express their views on the land auction in Kowloon Bay. This new initiative is to allow a platform where fellow surveyors can exchange views on the subject and is welcomed by the media. The result of the land auction revealed that there is a need for the government to reserve more land for application as there is clear evidence that developers' money cannot re-invest into the property market and thus improve the high employment rate in the local construction industry.

On 21 February 2005, I represented HKIS to officiate the inauguration ceremony of the Hong Kong Council of Volunteering. HKIS is one of the founding member organizations of the HKCOV. We have always

encouraged members to participate in volunteering work besides their professional arena. The establishment of the Council would enable a more structured programme to be launched to achieve synergy amongst members.

Lastly, I ask you the same old question: **Have you been connected with the Institute by email at your preferred address?** According to our record, there are only 40% of our members connected. Please update your email address via e2005@hkis.org.hk. Your co-operation is appreciated.

TT Cheung President

測量之聲



我

一直奇怪二月為何只有28天？很多人會覺得實在棒極了，在差不多半個月的春節假期裏，除了慶祝新年以外，大概還可以與家人一起休假或者與知己去打打高爾夫球。可是，我則寧願多要兩天去處理案頭上纍纍的工作，頻繁的會議和宴會。特別是要小心處理數不盡的春茗，一個不小心，就可能因為吃太多而影響健康！

理事會在2005年2月17日通過了香港測量師學會的新營運架構，目的在使學會更能貼近社會以至會員的要求；我相信這個新體系會帶來更明顯的效益及透明度。當會員人數不斷增加時，學會是非常需要一個強而有力的秘書處來處理及支援不同的課題；我們需要強化優秀員工力量。新成立的「行政委員會」及「財政委員會」將會協助義務秘書及義務司庫更有效地去處理他們的工作。我們同時成立了「會員福利委員會」去專注學會會員的福利。而新架構裡其中一個最重要的改革是「本地事宜委員會」的誕生，它期待著會員們的投入及參與，對不同的民生課題，例如：西九龍文娛藝術區發展項目、中環填海計劃、大嶼山發展概念計劃、環境及社會持續發展等等，共同作出討論和建議。

理事會亦同意專業課題的發展應該讓個別組別承擔。因此，我鼓勵各組別積極訂立自身專業準則，爭取發佈及出版相關的刊物，以求達到教育的目標。「執行委員會」各會員則盡心竭力，每兩星期開會一次，增加時間專注教育、會籍和專業發展等事項，務求學會能持續增長。

「本地事宜委員會」所屬的「西九龍文娛藝術區發展項目關注小組」於2005年1月31日向特區立法會作出了建

議。在建議裏，香港測量師學會強調了從國際經驗所領略到「商務方案」及「總成本參照」之重要性，我們建議政府重新謹慎考慮。該建議不但獲得政府、立法會甚至是傳媒的注意。到現在為止，特區政府在盤算著後諮詢期的應對辦法，學會將盡快跟個別團體會面，表達我們對課題的看法並衷心希望西九龍文娛藝術區發展項目所帶來的問題能夠圓滿解決。

在2005年2月18日，學會舉行了一個有關賣地前瞻的新聞發佈會，邀請了6位產業測量師齊集論賣地，各人對即將舉行的九龍灣地皮拍賣熱烈分享和發表意見。此論壇模式提供了業內人士發表意見的一個基本點，更可喜的是傳媒對此論壇模式反應非常滿意。是次賣地結果同時指出政府必須檢討勾地政策，如果發展商因為高地價而卻步，則建造業就業機會景況實在不樂觀。

香港義務工作議會的成立典禮在2005年2月21日舉行，香港測量師學會作為創會會員之一，我因此代表學會出席了典禮。學會一直非常重視並鼓勵會員參加義務工作，我期望香港義務工作議會的成立能提供一個更有規模和結構性的義工服務計劃，讓各人的貢獻變得更極具意義。

最後，請容許我再問一遍：咱們在電子郵件管道上聯繫好沒有？自從年初以來，只有大概百分之四十的會員已經聯繫上了，請盡快把您的電子郵件地址通過 e2005@hkis.org.hk 轉告秘書處，謝謝合作。

張達棠 會長

HKIS Ex Com members met with Rita Lau, Permanent Secretary for HPLB



The meeting covered topics to have included: land supply; mandatory building maintenance; urban renewal; town planning and public facilities; building affairs tribunal; Central/Wanchai reclamation; registered professional surveyors and the West Kowloon Cultural District.

Executive Committee members met with Mrs Rita Lau, Permanent Secretary, Ms Olivia Nip and Ms Au King-chi, Deputy Secretaries of the for the Housing, Planning & Lands Bureau on 1 March. Representing the Institute were: President, TT Cheung; Vice President, Raymond Chan; Honorary Secretary, Francis Leung; Building Surveying Division Council Chairman, Edwin Tang; Land Surveying Division Council Chairman, Dominic Siu; Planning & Development Division Council Chairman, Edwin Tsang and Quantity Surveying Division Council Vice Chairman, Dr Paul Ho.



10 March 2005

Mrs Rita Lau
Permanent Secretary for the Housing, Planning and Lands
Housing, Planning and Lands Bureau
The Government of the Hong Kong Special Administrative Region
18/F, Murray Building, Garden Road
Hong Kong

Dear *Rita*,

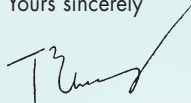
Thank you for taking time from your busy schedule to meet with the new council of the HKIS on 1 March 2005. I am particularly grateful for the personal attention that you gave to a wide range of topics. Through the frank and open discussions with you, King-chi and Olivia, we have a better understanding of the Government's views and positions on issues that are of concern to the general public and that undoubtedly have a great impact on the development of the surveying profession.

To allow our respective offices to follow up on the various subjects that we covered, may I summarize the salient points as follows:

1. Land Supply – HKIS considers that the Application List is an effective means to meet the current market demand for lands. The system will be better received if the time for listing a target site for sale by auction can be shortened. On the question of transparency, we are glad to see that in the Application List announced on 4 March, there is information pertaining to locations, site areas, and estimated available dates. We are also glad that, with regard to premium negotiation for land exchange and renewal, your office is looking into ways of speeding up the process.
2. Mandatory Building Maintenance – HKIS supports the Government's initiatives with regard to mandatory building maintenance. There is a consensus between the Government and HKIS for a need to co-ordinate and rationalize the various schemes currently managed by the Government, URA and the Housing Society. HKIS will continue our effort of educating and raising public awareness on this important subject. We are working on a standard form of contract for maintenance works, taking into consideration your suggestions for a schedule of prices / rates and indices for common work items and materials.
3. Urban Renewal – We are pleased to note the firm commitment by the Government towards urban renewal. Yet, the challenges ahead are huge. Amongst them is the percentage of owners' agreement before compulsory sales can be triggered. We note the Government's unenviable position of having to balance rule of laws, personal freedom, and community needs. However, there must be some ways of introducing flexibility into the system. We discussed the undesirable, yet not uncommon, scenario of resuming a six-storey building.
4. Town Planning and Public Facilities – The disparity between electoral and district accountabilities has imposed considerable constraints on consultation and implementation of public policies. While it may fall outside the jurisdiction of your office and indeed our Institute, this is a valid issue which must be carefully taken into account in town planning, resources allocation and provision of public facilities.
5. Building Affairs Tribunal – We are glad that our preliminary proposals of BAT have received the Government's very positive response. In our follow-up meetings with Olivia and her team, we will provide more details on the technical side, with reference to the surveyors' expertise in building surveying, facility management, procurement and dispute resolution.
6. Central – Wan Chai Reclamation – HKIS supports the proposed construction of a by-pass between Central and Wan Chai for the purpose of easing traffic congestion in Central. However, reclamation must be kept to the absolute minimum. Our Local Affairs Committee is looking into some technical aspects. We will write to you further when we have an opportunity of consulting our members.
7. Registered Professional Surveyors – While from a policy angle we will be following this up with Mr. YC Lo, Permanent Secretary for Environment, Transport and Works on this subject, I feel it is important that the Government, which is instrumental to the enactment of the Surveyors Registration Ordinance, should support the application of the Ordinance by recognizing the uniqueness of services offered by Registered Professional Surveyors. Indeed, following CEPA and the signing of agreements with the Mainland on reciprocal recognition of qualifications, there is a need for aligning the registration and licence-to-practice systems of the Mainland and the HKSAR.
8. West Kowloon Cultural District – I thank you for your assurances regarding transparency and removal of subjectivity in procedures. These in fact have been the key words in our various submissions to your office and the LegCo. We have never doubted the Government's intentions of providing good, value-for-money facilities. Nor have we understated the difficulties that the Government faced, particularly during times of financial hardship a few years ago when the project was first proposed. However, as Public Private Partnerships (PPP) is a relatively new topic in the HKSAR, there is a pressing need for the Industry to build up a knowledge-base and devise models and strategies to suit the local context. To this end, there is much HKIS can offer, through our overseas counterparts and local experts in valuation, land management, procurement, contractual arrangement and facility management. We have made some preliminary proposals for proceeding with WKCD with some modifications to address the public concerns, in particular with regard to competitive tension, risk allocation and transparency. In the longer run, we consider that there is a need for the Government to re-define the roles and duties of LegCo and the Town Planning Board for facilities to be procured through PPP.

Now that positive dialogues have been opened up, I look forward to close cooperation and continuous discussions between your Bureau and the HKIS.

Yours sincerely



T T Cheung
President (2004-05)

HKIS participated in Education and Careers Expo 2005



The Education and Careers Expo 2005 was held from 19 to 22 February 2005 at Hall 5 of the Hong Kong Convention & Exhibition Centre. Please watch out for a more detailed report in the next issue.

HKIS supports FSD Third-party Certification



The Institute has given the Fire Services Department a nod on the proposed Third-party Consultation and further stated that third party certifiers should better be individuals instead of an organization and the accreditation of third party certifiers should be done directly by the FSD.

Erratum

The email address quoted in the President's Message (Jan 2005 issue, page 3; Feb 2005 issue, page 3) for updating membership details should read e2005@hkis.org.hk. We apologize for any inconvenience caused.

更正

本刊 1 月號第 3 頁及 2 月號第 3 頁會長的話一文提及的電郵地址，實為「e2005@hkis.org.hk」之誤。不便之處，敬請原諒。

Harbour-front Enhancement



The Court of Final Appeal handed down its judgment in January 2004 in respect of the judicial review on the Draft Wanchai North OZP (S/h25/1). The presumption against reclamation specified in the Protection of the Harbour Ordinance can

only be rebutted by establishing an overriding public need for reclamation. Government wishes to engage the public for ideas on achieving a socially, environmentally and economically sustainable harbour-front at Wanchai and adjoining areas; to consolidate the relevant ideas as input to the planning and engineering review on the Wanchai Development Phase II project (WDII Review); to evaluate and build consensus on the Conceptual Plan and Master Plan to be developed under the WDII Review which will form the basis for the draft Outline Zoning Plan (OZP) and draft Recommended Outline Development Plan (RODP).

At the envisioning stage, the key issues are: Protection of Harbour Ordinance, trunk road, existing harbour front, connection with hinterland, environmental considerations, engineering considerations and existing harbour facilities. If you have any views on the subject, please contact the Local Affairs Committee on 2526 3679 or email: linda@hkis.org.hk

Building management workshop on how to handle water seepage problems



The Home Affairs Department's Building Management Resource Centre (New Territories East) organized a workshop on 24 February on handling water seepage problems in private buildings at the Resource Centre in Shatin. Speakers at the workshop included representatives from the Hong Kong Institute of Surveyors. For more information, please visit www.buildingmgt.gov.hk.

TT Cheung becomes patron of the Surveying Society

TT Cheung, president of the HKIS, has been invited to become the patron of the Surveying Society (session 2005–2006).

Kenneth Chan elected Council Chairman of PGBC

Kenneth Chan, 2002–2003 President of the HKIS, has been elected Council Chairman of the Professional Green Building Council (PGBC).

KK Chan heads HKIS Dispute Resolution Committee

Chan Ka-kui is to lead the Institute's Dispute Resolution Committee for a two year term expiring at the HKIS AGM in 2006. The Dispute Resolution Committee maintains lists of arbitrators, mediators and experts apart from its prime responsibility in training up dispute resolution expertise by way of continuing professional development courses.

Anthony Houghton becomes HKIS Honorary Legal Advisor

Mr Anthony Kenneth Houghton has been appointed Honorary Legal Advisor of the HKIS until 28 February 2006. A chartered surveyor, a member of the Bar in England and Wales and in Hong Kong, as well as a Chartered Arbitrator and Fellow of the Hong Kong Institute of Arbitrators, Houghton has been in practice as a barrister in Hong Kong in the Des Voeux Chambers since 1989 encompassing general commercial litigation with a particular emphasis on construction litigation and arbitration. Advisory work and contract drafting has also formed part of this practice.

The Honorary Legal Advisor also writes for the Asian Dispute Review, the Hong Kong Surveyor and the Construction Law Journal and speaks frequently to academic and professional conferences worldwide.

Professor KW Chau heads HKIS Research Committee and Journal Editorial Board

Professor KW Chau, Chair Professor of the Department of Real Estate and Construction, University of Hong Kong, Pokfulam Road, Hong Kong has been appointed Chairman of the HKIS Research Committee and Chairman & Editor-in-Chief of the Hong Kong Surveyor Editorial Board for a term of 2 years expiring at the HKIS AGM in 2006

The Research Committee is a link between the industry and academic fields of the profession whereas the Hong Kong Surveyor is an academic-refereed bi-lingual prime source journal on surveying disciplines.

LSD Open Discussion Forum on Relationship between HKIS/RICS

The HKIS had a meeting with the RICS on 12 January 2005 (a report appeared on page 13 of the January 2005 issue of the Surveyors Times), and subsequent to that, the Land Surveying Division had an Open Discussion Forum on 31 January 2005 which covered:

- Briefing on the progress of RICS offering membership to ICES members in Hong Kong
- Review the HKIS/RICS relationship with respect to the reciprocal agreement signed in 1988 and to assess the need for revision of the agreement in light of the prevailing situation
- Make recommendations to the General Council on actions to be taken with regard to RICS/ICES membership status and the RICS further offering memberships to other local and overseas institutions in Hong Kong.

The HKIS and the RICS signed a co-operation agreement in 1988 whereby membership reciprocity and educational arrangements between the two institutions were laid down. The RICS implemented a globalization plan and launched the RICS Hong Kong Chapter in 2004 and subsequently started to offer institutional merger or membership reciprocity to other local and overseas institutions in Hong Kong. Over 100 LCES Hong Kong branch members from both its QS and LS divisions were able to obtain RICS membership within a very short period of time.

Open discussion on the proposed formation of a new property and facility management division



In connection with the proposed formation of a new property and facility management division; an EGM has been scheduled for Monday 18 April 2005 on the matter. For enquiries, please call the Secretariat on 2526 3679.

Michael Price, Chairman of the Property & Facility Management Forum, has said at an open discussion forum held on 23 February, that there have been many changes in the last two decades in the industry whilst the Institute's basic structure remains unchanged. There is a need to address changes in both members and market needs, already in the property and facility management area, there are groups such as IFMA, HKIFM, HKIH, RICS, Corenet, HKIPPM, operating says Price. The following is an extract from the discussions at the Forum.

Why is a New Division necessary

- To provide a proper focus within HKIS to deal with PFM issues
- To cater for market driven changes and to highlight surveyors' expertise in PFM area such that surveyors will be able to explore and exploit opportunities especially in China
- To achieve proper status for dialogue with government bodies, to raise public profile and have proper reciprocal recognition arrangement with other organisation
- It is a strategic move that will make the HKIS work better for the future, and better service its members working in this area

Why not leave Property Management in the existing Divisional Structure

The practitioners consist not just of GP Surveyor, but of BS and other surveyors also. Property and Facility

Management belongs to the whole Institute and not a particular part of it. The existing divisions already have many facets to deal with eg. Valuation, Estate Agency, Planning, Land Administration, Sales & Marketing, etc. The Institute realizes the need to better focus in this vital and dynamic area.

Is Cross divisional membership possible in HKIS

The constitution of HKIS was changed in 2003 to allow multiple divisional membership. You do not have to give up any existing memberships.

What's the entry criteria of joining this new Division

A standard declaration and application form will be designed and circulated to all corporate members inviting entry. Subject to the General Council's approval, the acceptance criteria will be surveyors who are working or have worked in the area. The experience need not be current and there is no time bar to the entry. Essentially no examination will be required for corporate members.

What's the reason of joining this new Division if the other Divisional members are still able to practice property and facility management

A more prominent status will be provided by a new and distinctive Division rather than a Forum. It does not mean that members of the other Divisions are unable to practice in these areas but a new Division will possess a collective views from the Institute as a whole for providing a more professional property and facility management expertise, that is easily understood by the community/market.



What preparation has been made for divisional formation

Draft rules and regulations, APC, membership criteria are already prepared. There is an action plan to take care of other issues such as CPD, after divisional formation.

How many members will need to be present at the EGM for a quorum? Will proxy be allowed

According to the Constitution, there should be a minimum of one hundred corporate members present for a quorum.

Voting by proxy is permitted. At least 75% of the votes, including those from the members present in person and by proxy, is required for a valid resolution to be passed. Can proxy be sent by fax

For members resident in the HKSAR, the Proxy Form must be returned by post or by hand. Photocopy of the Proxy Form, bearing member's original signature, is acceptable. For members with registered residential address outside the HKSAR, the Proxy Form may be returned by fax (852-28684612) or e-mail (memdept@hkis.org.hk).

HKIS lodges PSDAS Application for

Promotion of Best Professional Practices on Public Private Partnership Projects

The HKIS has submitted an application for funding from the HKSARG Professional Services Development Assistance Scheme (PSDAS) on Promotion of Best Professional Practices for Public Private Partnerships (PPPs) Projects. The overall objective of the proposed project is to introduce and promote best professional practices for public private partnership projects in Hong Kong mainly through the development of a suitable PPP model for local property and infrastructure development projects and the organization of a series of workshops and seminars for local professional surveyors, construction and infrastructure related professional.

For a copy of the pamphlet developed by the HKIS in 2004 on PPP, please call the Secretariat on 2526 3679 or email: linda@hkis.org.hk

Useful links:

Efficiency Unit, HKSAR Government
(www.info.gov.hk/edu/index.html)

Partnerships UK

(www.partnershipsuk.org.uk)

The Canadian Council for Public Private Partnership
(www.pppcouncil.ca)

The National Council for Public
Private Partnership

(www.ncpp.org)

Victoria Partnerships

(www.partnerships.vic.gov.au)



Hong Kong Land Boundary Survey Future Development and Career Aspects

Monday 11 May 2005

6:00pm – 7:50pm (Speech Section), Room No. TU201, PolyU

8:00pm – 9:30pm (Dinner Section, Optional), Four Seasons Chinese Restaurant, PolyU

For enquiries, please call

Conrad Tang on 2766 5963 or email: lstang@polyu.edu.hk

HKIS is founding member of the Hong Kong Council of Volunteering



The inauguration ceremony of the HKCOV was held on 21 February 2005 and was officiated by Mrs Liz Burns, World President, International Association for Volunteer Effort; the Archbishop, Bishop, Chairmen and Presidents of the Council member organizations. The HKIS was represented by the President, TT Cheung and HKIS representative to the HKCOV, Sunny Chan, Chairman of the JO 2002–2003.

HKCOV is one of the Joint Association Committees of Agency for Volunteer Service (AVS) and aims to: (i) advise on the promotion & development of volunteerism in HK, (ii) consider measures conducive to a favourable environment of volunteering and (iii) To review the international development of volunteering and participation in such development by the HKSAR.

HKCOV members include: Agency for Volunteer Service – Mr LEE JP, OBE, JP (Chairman); Association of Hong Kong Nursing Staff – Ms CHIU Rafia; Catholic Diocese

of Hong Kong – Mr NG Anthony; Committee on Home-School Cooperation – Dr CHEUNG Kwok-wah; Hong Kong Dental Association – Dr FOK Ka-hang Tony; Hong Kong Institute of Architects



– Mr KWAN K L Joseph, MH; Hong Kong Institute of Certified Public Accountants – Mr LIU Kennedy; Hong Kong Institute of Surveyors – Mr CHAN Chi-ho, Sunny; Hong Kong Institution of Engineers – Mr POON L T, Otto, BBS, OBE; Hong Kong Medical

Association – Dr LO Wing-lok, JP; Hong Kong Sheng Kung Hui – Reverend KWONG Paul; International Chamber of Commerce (Hong Kong, China) – Mr LEUNG O F, JP; Law Society of Hong Kong – Mr IP Shing-hing and Professor KUAN Hsin-chi.

In 2005, the HKCOV will be running major events to include: (i) HK Volunteer Award, (ii) 10th IAVE Asia-Pacific Regional Volunteer Conference and, (iii) Professional Volunteer Service Recognition Programme.

If you have any queries, please call the Institute's representative Sunny Chan on 2526 3679 or email: sunny.chan@hld.com.

Council members took Secretariat staff to luncheon



To celebrate the year of the Rooster, members of the Council took Secretariat staff to a dim sum lunch in the Chinese restaurant downstairs of the Jardine House. It has been a time when all present loosen their cummerbund to enjoy the special of the day – shrimp dumplings!



會長參與市建局抽籤會



市區重建局為了肯定評估「七年樓價」的過程是公平、公正、具透明度和客觀的，因此制訂了一套改良的方案。方案內容之一，是採用抽籤的方式，從符合專業經驗資格並有興趣向市區重建局提供專業服務的估價顧問公司名單中，抽取七間專業估價顧問公司，為即將開展的大角咀洋松街／松樹街及杉樹街／晏架街重建項目，提供假設重置單位尺價的獨立專業評估。香港測量師學會會長張達棠，連同油尖旺區議會主席陳文佑及油尖旺區議會議員秦寶山於 2 月 22 日參與了抽籤會。



CONGRATULATIONS

TO THE FOLLOWING WHO WERE ELECTED AS HKIS MEMBER ON 17 FEBRUARY 2005

FELLOW (1)

GP DIVISION

CHEUNG HOI TAT PETER
(REINSTATEMENT)

MEMBERS (84)

BS DIVISION

FUNG HING FAI
HUI CHI WANG
LAU KIM FUNG
YAN TIK PANG

GP DIVISION

AU KIN KEUNG
CHAN CHING MAN
CHAN KA YIU
CHAN KIN MING
CHAN KWOK LEUNG LAWRENCE
CHAN PAK WAI
CHAN PUI WAH
CHAN SHING TAK
CHAN YAT LUN
CHEUNG LAI FONG
CHEUNG NGAI CHING
CHEUNG WAI KWAN
CHEUNG WAI LUN
CHEW WAI WAH CANNY

CHONG WING YEE FIONA
FANG TSZ TO
HAU YAT SING
HO KA WAI
HO YEE MAN
KWAN KIT YING
KWAN YUEN LING
LAI JOE YEE JULIANA
LAU FOR ON KENNY
LAW WAI CHEONG
LEE HO WANG
LEUNG MAN WAI SALLY
LEUNG YUEN KIU CONNIE
LI LO MING IRENE
LO KING HEI ALVIN
MAK SIU MING
MAK WAI SHING
MOK WAI HAI
NG SHING LUN
PANG SIU FAI
TAM SIK CHAM
TSE LAI PING
WONG SHUI YUNG PHYLLIS
WONG SIU WAI

CHAN CHUI NA
CHAN CHUN KEUNG
CHAN OI WAI
CHAN YEE YAN
CHEUNG CHEUK YAN
CHEUNG KAR YEE
CHEUNG KING CHUNG
CHONG HOK CHING
HO WING KIT
KAN YUEN YI
LAI SZE MAN
LAM MO KOK
LAM SO WAI
LAU ANNE MEE KAY
LAW BING JOR
LAW WAI MAN
LEE PO LUNG
LEE YUE PAK
LEONG SIO KEONG
LEUNG CHIT HANG
LEUNG LAI HAN
LEUNG LAI MAN
MOK WAI YIU BRENDA
NG CHEUCK LAM EDDIE
NG PUI KEUNG
PAK HON KEUNG
SHEA CHEUK YU

QS DIVISION

CHAN CHI WO SAMUEL

CHONG WING YEE FIONA
FANG TSZ TO
HAU YAT SING
HO KA WAI
HO YEE MAN
KWAN KIT YING
KWAN YUEN LING
LAI JOE YEE JULIANA
LAU FOR ON KENNY
LAW WAI CHEONG
LEE HO WANG
LEUNG MAN WAI SALLY
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NG SHING LUN
PANG SIU FAI
TAM SIK CHAM
TSE LAI PING
WONG SHUI YUNG PHYLLIS
WONG SIU WAI

TAM YEE CHUNG
TSE PUI PING
TSE WAI SUEN
TSUI NGAI KEUNG
TURNER, NICHOLAS SINCLAIR
WAN TEDMAN
WONG KING MAN
WONG LOK SZE
WONG SHING WAI
WONG WAI YEE MINNIE
WONG YIM KUK
WOO MAN KI
YEUNG PAN
YUE MIU YIN

TECHNICAL ASSOCIATE (1)

LS DIVISION

HO KAM FUK

RESIGNATION (5)

HO SUK KIU
LAI KAI KUEN
LEE HON YIN
TANG WING YEE
WONG SAI HUNG

HKIS conducted CPD events in Shenzhen



The General Practice Division conducted two CPD events in Shenzhen in January 2005. Immediate past chairman of the JO, Tony Wan and another GPD member Tse Wai Leung gave talks on premium assessment in Hong Kong and valuation of special properties respectively.

HKIS appoints representatives at SAA Executive Council

The Institute is to be represented by Kenny Suen, Wong Chung Hang, Francis Ng, Stephen Liu in the Executive Council the Surveyors Alliance Asia (SAA) formed in November last year for a term of three years till 2008.

The SAA aims at the promotion of the best surveying practice in the region and dialogue between member

organizations; the fostering of research appropriate to the better understanding of building and property practice in the region; the rendering of assistant to members working in the region and to promote the recognition of academic qualifications stipulated by relevant courses in universities in members' countries.

LETTER TO THE EDITOR

來函

Too much colour for the profession

Dear Sir

I refer to the recent publications of Surveyors Times and have the feeling that the editing and graphic design works are getting less and less professional. There are so many colours but they have not been used in a coordinated manner AND for a purpose that would give readers an impression of confusion. I'm afraid I have to say that this is an example of COLOUR ABUSE. We need colours in surveying life, but overdose does not help either.

By the way, I do not find the current arrangement for announcement of the CPD/PQSL events functional or anything better than the traditional flyers system, not to mention the poorly edited typeset and layout. We are losing our audiences.

PLEASE DO SOMETHING.

(name supplied)

A tale of two modern cities

Dear Sir

Shanghai – Hong Kong

In the not too distant past, Hong Kong was just a fishing village with certain commercial activities with Shanghai and southern China. Hong Kong was a bustling city at that time but couldn't compare with Shanghai.

The liberation of China in 1949 completely changed the fate of Hong Kong. In those years, loads of textile machineries were shipped to Hong Kong and landed at Kowloon City.

Entrepreneurs from Shanghai set up their operations immediately in made-shift factories to recommence production from the displacement from the Mainland.

These brought about the age of Shanghaiese dominance in local economy in the fields of textile, construction, tailoring, barbers, etc. These had become the main thrust of economic development in the territories.

I still remember in my childhood age that anything good must have come from Shanghai. Shanghai plaster, Shanghai tailors, and Shanghai barbers were household names. I was once told that the height of development of Shanghai in the twenties to the forties had never been matched by the development of Hong Kong even into the nineties.

In those days, textile entrepreneurs would have the Russians as their bodyguards and they moved in armoured vehicles. These migrants of expertise had provided some of the fundamentals for Hong Kong to be developed into a world-class city.

In the last half century, Hong Kong has become so successful that it was envied by many other nations. What do we have to offer to the modernization of China and for

China to play a pivotal role in the world stage? Hong Kong is essentially an unmatched free economy with professional development being one of its underpinning pillars.

We have much to offer to the Mainland. Let's stand united to do so.

Hong Kong – Shanghai

Professionals from Hong Kong are not forced politically to enter the Mainland market but rather the opportunities. We have acquired world-class management experience and skills that could fuel the development in the Mainland especially, Shanghai.

With the 2010 World Expo in view, many infra-structural and commercial developments would need the participation of high calibre professional to help to realize. The intended recognition by the Shanghai Municipal Authority of the construction professionals for practice there is a point in view.

Human resource is a scarce resource. Long-term training cannot meet the immediate short-term demand and economic development need. The only way is to import. The professionals from Hong Kong have much more to offer in this regard and they are in fact so doing.

Many of the modern commercial buildings along Huihai Road and Nanjing Road were designed, project managed, constructed, marketed and property managed by professionals from Hong Kong. I hope that Hong Kong can become a household name amongst government, developers and professionals in Shanghai when expertise in field of handling developments for the prosperity there. Basing upon our previous track record and our continuous strive for excellence, I am also confident that we can assist in turning Shanghai into a world class city too.

We are just doing this the second and better round.

Kenneth CHAN Jor Kin

Building Surveying Division Chairman's Message



Edwin Tang
BSD Council Chairman

Government Policy on Building Maintenance and Management

The government is preparing to launch the second stage public consultation on Mandatory Building Inspection later. The Working Group on the proposed Building Affairs Tribunal has been entrusted to work out proposal for submission to the Housing, Planning and Lands Bureau (HPLB). BSD Council would like to submit our proposal on the subject at an early stage and hope that the HPLB may take our views into consideration before finalising the consultation document. HKIS has held a meeting with Mrs. Rita LAU, the Permanent Secretary (Planning and Lands) on 1 March 2005 and she welcomed our initiatives.

Reciprocal Recognition of Professional Qualification with the Supervision Engineers in Mainland

Representatives from the China Association of Engineering Consultants (CAEC) 中國建設監理協會 will visit us on 16 to 18 March 2005 to familiarize with BS professional practices in HKSAR. There will be a Discussion Forum on 17 March 2005 so that members can meet the delegates and know more about the practice of supervision engineers in Mainland China. We regret for the rush, which is due to late confirmation of the visit.

Building Affairs Tribunal (BAT)

The Working Group has fine-tuned our proposal for further consideration and discussion with the HPLB. We are planning to meet them again in mid March. Then, we intend to call up the other professionals (HKIA, HKIE, HKIH) to join further discussion. It is best to package the proposal as something agreed by fellow professionals to start with before public consultation. HPLB agreed in principle with this approach and proposed to invite Home Affairs Department to join future meetings as well.

World Organization of Building Officials (WOBO) Conference in HKSAR in 19 November 2005

The coming WOBO Governors Meeting will be held in HKSAR on 18 November 2005. HKIS, being a WOBO

member, will host the meeting followed by a conference on 19 November 2005. More details will be announced later.

Building Surveyor Club

The introduction of the HKIS Welfare Committee would let you enjoy plenty of members' privilege and the "Building Surveyor Club" will extend this concept. In addition to supporting the Welfare Committee, the Club also aims at enhancing the social life and health of our members.

To enhance our cohesion and to provide a chatty platform for surveyor friends at all grades, the Club will organize monthly light buffet gathering (HK\$100 per head) at TST area. You may find details in the Surveyor Times or our website. We are planning to organize such event in certain day of a month so that members can easily remember. Please come to have a chat! Healthy professional surveyor is also our target. Various kind of sports team such as soccer, basketball, badminton, will also be organized. Your support and participation is very much appreciated. If you are interest in joining the "吃喝玩樂 Building Surveyor Club", you may contact our convenor Mr. Horace Lam at 9322 4213. Let us join together to widen our welfare benefit and enhance the surveyor team spirit!

Get Wired

and stay tuned for e-alerts

please update your email address

whenever necessary via

e2005@hkis.ort.hk

or call the Secretariat on

2526 3679

General Practice Division Chairman's Message



Yu Kam Hung
GPD Council Chairman

Business Valuation (Convenor: Mr KK Chiu)

The panel works continuously with other professional institutions in the Business Valuation Forum and represents the interest of our profession. Requirements for the future qualification of practitioners in Business Valuation are under discussion in the forum.

CPD and Internal Communication (Convenor: Mr Ronald Cheung)

In view of members' interest in different areas of our profession, the panel will organise CPD events that focus on fundamental knowledge of different topics, such as compensation in land resumption.

Government Practice and Local Affairs (Convenor: Mr CK Lau)

The panel is working closely with the Lands Department on various topics, such as tree felling, premium assessment, lease modification, etc. A research study in cooperation with the Hong Kong Polytechnic University is in progress. The panel has also issued a paper for the Legislative Council on the WKCD.

International Affairs (Convenor: Ms Monita Leung)

A visit to Japan is being planned and is scheduled for late-March.

I.T. Support (Convenor: Mr Andrew Fung)

The panel is working on the development of the GPD website.

Public Relations (Convenor: Mr Daniel Mak)

Communication with some private and public bodies has been improved through a series of luncheons. The panel now proposes inviting some professional firms that work closely with the GP profession, such as accounting firms, to similar events in the future.

Professional Development (Convenor: Ms Serena Lau)

The panel conducted a survey on the development directions of our industry last year and the results were reported to the GPD Council by Ms. Serena Lau. The panel will conduct the survey again to obtain members' views and allow the Council to respond to their needs. The results of this year's survey will be used as a reference to compare members' satisfaction in different areas.

Property Management (Convenor: Mr W L Mak)

The proposed formation of a new division is an issue that is important to the Institute and Council will try to list members' major concerns in the hope that they will have a better understanding of the idea and implications of forming a new division.

Sales and Lettings (Convenor: Mr Ronald Cheung)

The new working group for the "Best Property Marketing Award" has been formed and preparation work will start in March.

Technical Associates (Convenor: Dr Lawrence Poon)

The panel will look into the Rules and Regulations to see if there is any need to make amendments for Technical Associates' membership.

Valuation Standard (Convenor: Mr Lawrence Pang)

Since the introduction of the new Property Valuation Standards, members have expressed their concerns about the changes and their impact on the current valuation practice, as reflected by their active participation in the CPD event titled "An Introduction to the HKIS Valuation Standards on Properties" on 25 February 2005.

The GPD Council has become increasingly busy and we need more help. If you are available to assist, please call me on (+852) 2820 2932. We welcome any comments and/or suggestions about our work and practice.

Land Surveying Division

Chairman's Message



Dominic Siu
LSD Council Chairman

Kung Hei Fat Choy!

Participation of LSD in organizing Local/International Conferences in 2005

I am very pleased that in the year 2005 LSD has ample opportunities to organize local/international conferences. LSD members are very fortunate to have so many Land Surveying related conferences to be held in Hong Kong within the same year.

Date	Conference/Symposium	Location
7-9 Oct 05	The 4 th Beijing Hong Kong Macau Survey and Mapping Conference (第四屆京港澳測繪技術交流會)	Macau
Nov 2005	The 8th Across the strait GIS Conference (第八屆海峽兩岸城市地理資源系統學術論壇會議)	CU Hong Kong
Nov 2005	International Symposium on GPS/GNSS (Annual Conference)	HKPolyU Hong Kong
Oct/Nov 2005	HKIS/HKIA/HKIE Joint Conference	Hong Kong

Organizing Committee meetings for both GIS and GPS/GNSS Annual conference will be held in March. Information concerning the conferences will be uploaded to the LSD website once available.

These conferences definitely help bringing latest update on state of the art technology to surveying applications and provide opportunities for local Land Surveying professionals to share their experience with fellow surveyors in neighboring cities and countries around the world.

Proposed Degree Courses in HKPolyU FT BSc (Hons) in Geometrics with specialisms in Land Surveying and Geo-information Technology

The Department of Land Surveying and Geo-Informatics

of HKPolyU is seeking views of professionals in the industry on the FT BSc (Hons) in Geometrics with specialisms in Land Surveying and Geo-information Technology to be accredited by HKIS. Some of our respectable members have already expressed their views on the Programme Title during one of the consultation processes in the Validating Panel Meeting. A follow-up meeting with Prof CHEN Yong-qi (Head of Department of LSGI) and Dr. Esmond MOK (Chairman of Programme Development Committee) will be held in March to express our concerns on various subjects to be taught in the programme e.g. cadastral survey, practical field scheme, surveyors in society etc. For students taking Geo-information Technology (Geo-IT) Stream, they may have the opportunity of taking a Double-Degree route in the 4th year to obtain another BSc Degree in Computing. Although I am quite concern about the future supply of Land Surveying graduates as it will be reduced to 25 each year, the provision of a new breed of graduates with Degree in Geo-informatics and computing is very encouraging as it will fill the gap in the GIS field with properly trained Geo-IT personnel.

MSc in Geographical Information System (GIS)

HKPolyU jointly with Peking University is planning to organize a two year MSc Degree course in GIS. The programme is to be offered at Shenzhen Graduate School of Peking University.

The programme aims to offer servicing professionals in Mainland China an opportunity for continuous education, so as to upgrade their qualifications and skills.

Academic and Vocational qualifications for Admission to Technical Membership

The General Council Meeting on 17 February 2005 approved a list of additional academic and vocational qualifications for admission as Technical Associates in LSD. Letters to Technical membership applicants will be sent out shortly.

Wishing you all good health and a successful and prosperous year of the Rooster!

Quantity Surveying Division Chairman's Message



Sam Cheng
QSD Council Chairman

On 4 March, 71 of our members received their diploma from the President. 28 out of the 71 are QS members. I could see it is a milestone of their life, after many years of study and hard work, they acquired the professional qualification. No doubt it was a precious moment for the newly qualified members to remember and share the joy with their close friends and families as it was never easy to pass both the written assessment of the APC as well as the interview. This is also a professional recognition of the abilities and the technical competence of our newly qualified members. For those who attempted the APC but were not able to get through should not be downhearted. We were finding way to help them. We are encouraging senior members to conduct workshops or seminars to facilitate candidate better prepared for the APC. In addition, The QSD council is looking for alternative ways to conduct APC, which would help increase the passing rate as well as the technical competence of our members. Our Vice-chairman, Dr, Paul Ho is going to prepare a paper on the APC reform shortly.

I would also like to thank our council members who had been working very hard this month and achieve good progress on the following tasks:



Launch of New Conditions of Contract

The HKIS has formed a Joint Contract Working Group (JCWG) with HKIA and HKICM to administer and arrange the launch of the New Forms of Contract. The JCWG has arranged the formal launching ceremony of the New Forms of Contract to be held on 11 April 05 at 6:00 pm at Pacific Conference Centre. It is our honour to have our Financial Secretary, Mr. Henry Tang to attend the ceremony.

Reciprocity Agreement between HKIS and CECA

Under the RA, HKIS applicants will be required to attend

a designated training course to be conducted in written Chinese and spoken Putonghua to acquaint themselves with the relevant PRC laws and regulations and cost engineering practice in the Mainland and then attend a professional interview to be conducted in Putonghua for assessing their technical knowledge pertaining to Registered Cost Engineers conducted by a panel of Mainland assessors. After satisfying the assessment, HKIS applicants will be given a Certificate of Registered Cost Engineers (RCE) which will allow them to practice in the Mainland. Similarly, training and assessment based on Hong Kong practices will be offered to CECA applicants to become HKIS members.

The current draft RA is based on one HKIS member to one CECA member for 200 applicants on each side.

An invitation letter to senior members was issued on 26 Feb. 05 calling for assessors to assist in the implementation of the RA. The response was very good. We received far more applicants than we could accommodate. I would like to take this opportunity to thank those senior members for their support.

We were planning the signing of the RA in late March 05. However, due to some technical reasons, the approval from the Ministry of Personnel had not been given and the RA would not likely be signed in March. In this connection, our President, Mr. TT Cheung had written to ETWB asking them for assistance. TT, Spencer Kwan and I had planned to visit Beijing with representative from ETWB to meet the leading officials of the relevant Ministries to agree on further actions.

New Standard Method of Measurement (SMM4)

A letter was issued to the members of the SMM Drafting Committees to invite them to approve the printing draft of the new SMM. The SMM Drafting Committees Meeting would be reconvened on 18th March 05. I had closely liaised with Mr Ken Goodbourn, the Chairman of the Drafting Committees to tidy up some loose ends of the printing draft and I hope there would be consensus and that the SMM4 could be published and available for preparing Bills of Quantities very soon.

Property & Facility Management Forum Chairman's Message



Michael Price
P&FM Forum Chairman

Members will now be aware of the fact that an EGM has been set for Monday, 18 April 2005 to vote on the issue of the formation of a separate Property & Facility Management Division with the HKIS. The Forum Council, in particular, Angel Kam has been working tirelessly with this aim, over the 12 months. We now have documents in hand, which lay out clear proposals in respect of a Property and Facility Management APC, divisional membership criteria, and the proposed rules and regulations of the proposed division. In other words, we are ready to go.

Our vision is to be the best Property and Facility Management professionals, in contributing to the continuous success of Hong Kong. Amongst our goals will be to be regarded as the most professional voice in property management, facility management, corporate real estate, and asset management. We will be seeking to enhance the profile and status of surveyors at every opportunity in this extremely important market segment. We will provide the property and facility



management focus for the Institute, working closely and strongly with all other divisions.

It is vital that all members vote YES on 18 April. If you are working in Property, Facility or Asset Management, this is for you. If you manage Shopping Centres, Offices, Industrial Space, Educational Premises, Residential – this is for you.

On the CPD front, we have held a number of useful events, organized by Gary Yeung of Shui On Management Limited. These have included a site visit to Langham Place and a briefing by Alex Lam of CoreNet, on corporate real estate issues. There will be more in the coming months. We will be looking to improve delivery of useful and practical CPD functions.

There was also a lively open forum on the 23 February 2005, resulted in 44 out of some 50 participants voting clearly and positively for the formation of a new Property & Facility Management Division. This is the first change in the HKIS structure in 21 years.

See you on 18 April 2005!

Junior Organization Chairman's Message



Lesly Lam
JO Chairman

In action with full power

My best wishes to you and your family for the Chinese New Year. I hope this year of the Rooster brings to you all happiness and a great sense of fulfillment.

Looking back, last month has been a momentous month for JO again. We organized a great CPD trip to Shenzhen “深圳商場及百貨業考察一天團”. It is indeed our honour to have been received by the Managing Directors of all 3 Shopping Malls visited. These achievements are matters of great pride and satisfaction to all JO CPD convenors/committees, and have only been made possible because of your commitment and support throughout. All JO committees members in Action with Full Power, please

kindly visit our web site for details. http://www.hkis.org.hk/hkis/html_jo_about_memberlist_details.jsp?group_id=10

Let us continue to display the JO spirit in striving for excellence and rising to challenges as we have always done. Let us be more assertive in building our coherence in the JO growth plan. Please do join JO. I am confident we can count on your continued support and commitment to achieve greater heights in the years ahead.

My email and ICQ are leslylam@hkis.org.hk and 2145098 respectively.

Once again, wishing you a very happy year of the Rooster!

CPD: Assessment, Mitigation and Management of Risks in Construction Projects (CPD/JO/2005015) *Reminder*

Guest Speaker Mr. T. T. Cheung, FHKIS, FRICS, President of the HKIS, Immediate Past Chairman of the PAQS (Pacific Association of Quantity Surveyors), Council Member of China Cost Engineering Council, Director of ICEC (International Cost Engineering Council)

Date, Time & Venue 2 April, 2005 (Saturday)
2:00 pm – 5:00 pm
SLC, HKIS

Details In this seminar, Mr. Cheung will define, analyse the risks in construction projects and how to mitigate and manage them. Besides, the relationship between risk and insurance would be explored.

In this seminar, Mr. Cheung will illustrate:
(1) Risks exist throughout the whole construction process: both of employers and contractors should be conscious of risks all the time and should manage it at the outset.

(2) A cost control mechanism should be provided by proper contractual arrangement and also implemented during the construction stage.

(3) Risk management should be undertaken by experienced management staff in order to achieve a successful outcome.

Language Conducted in Cantonese supplemented with English

Fee HK\$100 per person

Registration Please complete and return the Standard Reservation Form to HKIS together with payment. In the event of over-subscription, priority will be given to the Probationer and Student Members and/or placed in draw.

CPD: Domestic Waste Recovery Practice – A Comparison Study Between Hong Kong and Shanghai (CPD/BS/2005019) *Reminder*

Guest Speaker Mr. Anthony W.K.Fok, Senior Environmental Protection Officer, Business Facilitation Office Environmental Protection Department

Date, Time & Venue 7 April, 2005 (Thursday)
7:00 pm – 8:30 pm
SLC, HKIS

Details For many years, we were asked to support and carry out domestic waste recovery activities in Hong Kong in order to reduce the burden on the landfills. We should now be very familiar with the recovery of the three main categories of waste, namely paper, aluminium and plastic. Last year, the Government conducted a pilot trial to test the feasibility of separating the domestic waste into dry and wet categories as a new approach to make waste recycling easier and simpler. This year, the Government is also launching an improved waste recovery scheme to encourage the source recovery of a greater variety of waste. It is an unarguable fact that the growth of waste is always associated with the growth of population and economy. We have to tackle the problem not only for the benefit of us, but also for the benefit of our future generations. It is expected that a good domestic waste recovery practice can be established and yet we understand the mindset of the public has to change for the success of implementation of the waste recovery system.

Mr. Fok will share with us the evolution and development of the domestic waste recovery practice in Hong Kong. The experience of Mr. Fok is not limited to the territory, he was among the first batch of Hong Kong Government officials appointed to work in the Shanghai Government in 2002 under the Staff Exchange Scheme. During his appointment in Shanghai, he accumulated a lot of experience on how Shanghai managed their waste. Fok will explain and compare the domestic waste recovery practice between these two places in the talk.

Language Cantonese

Fee HK\$100 per person

Registration Please complete and return the Standard Reservation Form to HKIS before 30 March 2005 together with payment. In the event of over-subscription, priority will be given to the Building Surveying Division Members and/or placed in draw.

CPD/PQSL CPD/PQSL CPD/PQSL

CPD/PQSL CPD/PQSL CPD/PQSL

CPD/PQSL CPD/PQSL

**CPD: The 3D Presentation System
(CPD/JO/2005024)***Reminder***Guest Speaker** Mr. Herbert Lee**Date, Time
& Venue** 11 April, 2005 (Monday)
7:00 pm – 8:30 pm
SLC, HKIS**Details** Few of us like to stand up and talk in front of audiences. We're nervous. We worry about saying something wrong. We're afraid we won't sound good. Or look all right. We're concerned that people might not listen to. Or maybe they won't believe us. Maybe they won't remember what we say.

And it seems like a lot of work to get ready to give a speech. Worst of all, just the thought of giving a speech makes you nervous!

Now you can put all these worries to rest ... once and for all.

That's what the 3D Presentation System workshop is all about ... to give you some of the skills, techniques and strategies that will make your next presentation an occasion; one that will leave your audience spellbound and asking for more!

This jam packed 40 minute workshop is based on over 20 years of field-testing by a working professional speaker.

You'll learn the secrets of:

- How to eliminate your fear of public speaking ... forever
- How to use the 3D Presentation System to create and deliver perfect presentations everytime
- Professional platform speaking tips and techniques that improve your delivery skills dramatically!
- ... and much much more

Mr. Herbert Lee is a world-class, award-winning speaker. With over 20 years experience giving workshops and seminars, Herbert has conducted workshops for multi-national companies including BP Asia, HSBC, KPMG, GE Medical Systems, Standard Chartered Bank and many others. He has also trained and coached CEO's, senior executives, public relations professionals

and politicians in the fine art of public speaking. His research into the presentation skills spans 20 years and his personal library on presentation skills includes over 200 volumes. He has written numerous articles on public speaking and has written 4 books on presentation skills. His latest book, *The 3D Presentation System*, compresses his 20+ years as a working professional into a compact resource. He likes to create programs that are entertaining and useful; but more importantly, easy to use and with immediate results for participants.

Herbert had joined Toastmasters International in November 1980 in Canada. He won the club, area, & district speech competitions. He participated at the regional finals in 1981. In 1983, he won both the interclub and humorous interclub speech competitions in Hong Kong. In January 2005, Herbert completed a 24 hour continuous speech.

Language English**Fee** HK\$100 per person**Registration** Please complete and return the Standard Reservation Form to HKIS before 6 April 2005 together with payment. In the event of over-subscription, priority will be given to the Probationers and Student Members and/or placed in draw.**CPD: Electronic Laser Positioning System for TBM Tunnelling in Hong Kong and Overseas (CPD/LS/2005018)** *Reminder***Guest Speaker** Mr. Gordon Ferrier, Director of Engineering Surveys Limited**Date, Time
& Venue** 12 April, 2005 (Tuesday)
6:45 pm – 8:00 pm
SLC, HKIS**Details** Tunnelling and especially tunnel boring has had a particular fascination for engineers and contractors alike. The use of tunnel boring has increased through the last two decades to the extent that more and more tunnel projects are begun each year by new and used TBMs worldwide.

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In Hong Kong, the tunnel projects includes Castle Peak Tunnel, Hong Kong Electric's Second Cable Tunnel, Tolo Harbour Effluent Export Scheme, the Master Sewerage Scheme, Hong Kong's Route 3 Expressway, Sheung Shui to Lok Ma Chau Spurline, etc.

Mr. Gordon Ferrier is the land surveyor experts in using the electronic laser positioning system for TBM tunnelling projects by providing a way of measuring the precise position of the TBM at any time – especially during the course of an advance, and presenting these the results to the engineer in a clear, concise manner allowing him to take the necessary corrective measures. In this seminar, Mr. Ferrier will introduce us the system and share his experiences of tunnelling projects in Hong Kong and overseas.

Language English

Fee HK\$100 per person

Registration Please complete and return the Standard Reservation Form to HKIS before 6 April 2005 together with payment. In the event of over-subscription, priority will be given to the Land Surveying Division Members and/or placed in draw.

CPD: China's Property Boom or Bubble?
(CPD/JO/2005025)

Reminder

Guest Speaker Mr. Chi Lo

Date, Time & Venue 15 April, 2005 (Friday)
7:00 pm – 8:30 pm
SLC, HKIS

Details Mr. Chi Lo, a former chief economist at HSBC and Stand Chartered Bank, is the author of two books:
When Asia Meets China in the New Millennium? – published by Pearson Prentice Hall in 2003, & É the Misunderstood China? – published by Pearson Prentice Hall, 2004.

Chi was enlisted in the International Who's Who Professionals in 2000. He has over 15 years of international research experience in economics, financial markets

and public policy & standards development.

His experience includes international research firms, investment banks, government treasury and securities regulatory bodies in America, England and Asia.

He has published research work in international periodicals and newspapers, and appeared as commentator on international news agencies, and speaker at international seminars, including the Asian Development Bank and International Monetary Fund.

In this CPD talk, Chi is going to address:

- Economic fundamentals behind the current up-cycle in the property market
- Is there a property bubble in China?
- How serious is speculation?
- Shanghai's property market – fundamentals vs speculation

Language English

Fee HK\$100 per person

Registration Please complete and return the Standard Reservation Form to HKIS before 6 April 2005 together with payment. In the event of over-subscription, priority will be given to the Probationers and Student Members and/or placed in draw.

CPD: Professional Indemnity Insurance and CAR (CPD/JO/2005028)

Guest Speakers Craig Shepherd, Partner, Construction and Arbitration Group
Kenneth Mach, Senior Associate
Herbert Smith

Date, Time & Venue Tuesday, 26 April 2005
7:00 pm – 8:30 pm
SLC, HKIS

Details Herbert Smith and the presenters

Herbert Smith is a leading and full-service international law firm with a 1,100-lawyer network across Europe and Asia.

Craig Shepherd heads the construction and arbitration group in Hong Kong. He advises

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on front-end construction procurement and represents clients as counsel in domestic and international arbitrations arising out of international commercial transactions.

He has drafted and negotiated contracts for a wide range of major infrastructure facilities in Asia including many power projects. He has worked on projects procured traditionally, on an EPC/turnkey basis and under project finance structures.

Craig also advises on tendering procedures and international procurement rules (including WTO) and drafts ancillary documentation such as collateral warranties, direct agreements, bridge agreements, bonds and guarantees.

Kenneth Mach is a senior associate of Herbert Smith's Hong Kong office. He has advised on adjudications, mediations, domestic and international arbitrations and High Court proceedings.

He has acted on behalf of the Government of Hong Kong SAR, utility companies, companies listed on the Hong Kong and Dow Jones stock exchanges, private clients, architects and engineers in relation to significant projects, including landfills, expressways, residential and commercial developments, and buildings at and infrastructure for Chek Lap Kok International Airport.

The seminar will cover the following areas:
 (i) key features of insurance policies;
 (ii) key legal issues related to insurance and, in particular, PI and CAR insurance; and
 (iii) practical points when choosing or entering a policy of insurance.

There will also be a discussion on a workshop problem prepared by the presenters.

Language	English
Fee	HK\$100 per person
Deadline	13 April 2005
Priority	Probationers and students Members

CPD: The Impact of Property Insurance and Liabilities on Building Owners (CPD/P&MForum/2005017)

Reminder

Guest Speakers Mr Kamson Lam, Managing Director of Trans-Pacific Insurance Brokers Ltd. (TIB)
 Mr. Christopher Yu, Director of TIB
 Miss Julie Ho, General Manager of TIB

Date, Time & Venue 27 April, 2005 (Wednesday)
 7:00 pm – 8:30 pm
 SLC, HKIS

Details About ten years ago, a canopy at a restaurant in Albert House in Aberdeen collapsed and a number of people were killed and injured. Now the flat owners in the building have been required to pay \$25 million in compensation, i.e. about \$200,000 each. The case fully exposes the loopholes in the system governing the management of old buildings and lack of the knowledge of how to insure the properties in against any liabilities toward the individual owners. The guest speakers will share their experience and draw our awareness of the Property Insurance, Third Parties Liabilities, Contractor All Risks, etc.

Mr. Kamson Lam is the Managing Director of TIB who has over 25 valuable years of experience and specializes in Contractor's All Risks Insurance and Employer's Liability Insurance. Before joining TIB, Kamson was Director of several local Broking firms such as Hanford & Potential, Dynamic, CIS and Grande Insurance Brokers. Kamson is also the Director of the Hong Kong Chamber of Insurance Intermediaries and has an active role in the Insurance Industry. Mr Christopher Yu joined TIB in 1996 as Director and has been in the Insurance Industry for more than 20 years, both working for Insurance Companies and also major Broker Firms. He specializes in SME policy design especially for Group Medical, Individual Accident and Health, Life, MPF, ORSO and other Voluntary Schemes. Miss Julie Ho was also one of the founders of Trans-Pacific Insurance and is General Manager of TIB. Julie is a Chartered Insurance Practitioner and Associate Member of the Chartered Institute of Insurance. Before, joining TIB, Julie was underwriter for Inchcape Insurance

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Services. Julie specializes in General Insurance such as Property, Casualty, Marine Cargo, D & O and Professional Indemnity.

Language Talk to be conducted in both Cantonese and English

Fee HK\$100 per person

Registration Please complete and return the Standard Reservation Form to HKIS before 13 April 2005 together with payment. In the event of over-subscription, priority will be given on a "first-come-first-serve" basis.

CPD: The History of Rates in Hong Kong (CPD/JO/2005027)

Reminder

Guest Speaker Mr. Kenneth T.W. Pang, JP, FHKIS, FRICS, RPS(GP), MPA (Harvard), Commissioner of Rating and Valuation, Hong Kong SAR Government, Hong Kong

Date, Time & Venue 28 April, 2005 (Thursday)
7:00 pm – 8:30 pm
SLC, HKIS

Details Property rates in Hong Kong dated back to 1845 when the first "Police Rate" was levied to finance the police force, hence the Chinese name "差餉". Over the past 160 years, the rating system has undergone substantial changes and developments.

Mr Kenneth Pang, Commissioner of Rating and Valuation, will present a talk on the history and origin of rates, the significant changes over the years, and the recent developments of the administration, assessment and collection of rates. In a nutshell, Mr Pang will take us through the historic journey of rates in Hong Kong.

Mr. Pang was appointed the Commissioner of Rating and Valuation in February 1999 after completing a tour of duty as the Hong Kong Commissioner for Economic and Trade Affairs to the United States of America in Washington D.C. from 1996 to 1999 straddling Hong Kong's return to China in 1997.

Mr. Pang joined the Rating and Valuation Department of the Hong Kong Government in 1967, was qualified as a Chartered

Surveyor in 1970 and rose to the rank of Deputy Commissioner in 1989. In 1993, he was appointed the Land Registrar and took the helm of the restructured Land Registry which was the first Trading Fund Government Department operating on a self-financing basis.

Having successfully established the Land Registry as a financially-autonomous entity, Mr. Pang moved on in 1996 to serve in the United States of America as the Hong Kong Commissioner for Economic and Trade Affairs. He was Hong Kong's most senior government representative in North America before and after the 1997 Handover.

Following his return to the Rating and Valuation Department in early 1999 to serve as the Commissioner, Kenneth directed the implementation of the new policy of conducting General Revaluation of Rates and Government Rent on an annual basis, instead of a 3-yearly cycle, from 1999 onwards. He is committed to promoting the application of information technology and advanced computerization in the field of rating, valuation and property information services. His department has launched a number of e-government initiatives to deliver public services via electronic means on an "anywhere, anytime" basis.

Mr. Kenneth Pang is an Official Justice of the Peace, a Fellow of both the Hong Kong Institute of Surveyors and the Royal Institution of Chartered Surveyors, and a Registered Professional Surveyor (General Practice). He is a graduate of the Harvard University, USA and holds a Master Degree in Public Administration. In 2001, he received the Outstanding PolyU Alumni Award of the Hong Kong Polytechnic University.

Language English

Fee HK\$100 per person

Registration Please complete and return the Standard Reservation Form to HKIS before 14 April 2005 together with payment. In the event of over-subscription, priority will be given to the Probationers and Student Members and/or placed in draw.

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**CPD: Being a Real Estate Writer
(CPD/JO/2005026)**

Guest Speaker Mr. Stephen Chung
BS BBIg(HKU) MS(MIT) MRICS MHKIS
MAACE PQS RPQ-QS F.PFM NAREIT
Managing Director, Zeppelin Real Estate
Analysis Limited
Director of Assets, Zeppelin Property
Development Consultants Limited

**Date, Time
& Venue** Thursday, 5 May 2005
7:00 pm – 8:30 pm
SLC, HKIS

Details Stephen has been a real estate writer for a number of years, and his articles and analyses have been / are published in various media and websites, including the Hong Kong Economic Journal, China Daily, centanet.com, e-finet.com, the HKIS Journal, PM Network Magazine, and the like. He has also created and developed his company's website www.real-estate-tech.com through which real estate ideas are shared with interested parties.

Stephen has a background in quantity surveying, project management, and brokerage, and has been involved in real estate development, investment, and asset management in Hong Kong / China, Asia and North America. More recently, his focus has turned to real estate analysis and investment strategy. Stephen hopes to share his experience as a real estate writer with members.

Language English (plus Chinese where applicable)

Fee HK\$100 per person

Deadline 28 April 2005

Priority Probationers and Student Members

**CPD: Foreign Investment in Asian Real Estate - Obstacles and Opportunities
(CPD/JO/2005031)**

Guest Speaker Mr. Andrew Moore
– MHKIS, MRICS, Pamfleet (HK) Limited

**Date, Time
& Venue** Tuesday, 10 May 2005
7:00 pm – 8:30 pm
SLC, HKIS

Details Pamfleet is an independent group of companies providing real estate investment and development advisory services throughout Asia, formed in November 2000.

In 2003, Pamfleet was involved in the acquisition of a 400,000 sq.ft office called Vicwood Plaza in Sheung Wan for HK\$842.8 million with Morgan Stanley Real Estate Fund, both as an investor and local operating partner.

In 2004, Pamfleet being the lead manager for the consortium comprising Morgan Stanley Real Estate Fund and Pioneer Global Group Ltd successfully bid for the holding company that owns in excess of HK\$2 billion of retail and office assets (Paliburg Plaza, a 24 storey office building in Causeway Bay (217,000 sq. ft.) and Kowloon City Plaza (640,000 sq. ft.)). Pamfleet serves as local operating partner of the project.

Mr. Andrew Moore has been heavily involved in property investment and asset management. In this talk, he will share his experience in their recent acquisitions, in the context of "foreign investment in Asian real estate – obstacles and opportunities"

Language English

Fee HK\$100 per person

Deadline 26 April 2005

Priority Probationers and Student Members

**CPD: Innovation in Construction
– Robotics, Pre-fabrication and Space
Architecture (CPD/QS/2005029)**

Guest Speaker A Scott Howe, BUS(Utah), M Arch(Utah), MS (Mich), PhD(Mich), NCARB, AIAA, Assistant Professor, Department of Architecture, University of Hong Kong

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CPD/PQSL CPD/PQSL

Date, Time & Venue

Thursday, 12 May 2005
7:00 pm – 9:00 pm
SLC, HKIS

Details

Dr. Howe is an Assistant Professor in the Department of Architecture, HKU, where he is teaching design studio and computer media as well as doing research on Kit-of-Parts Theory and automated constructions. He is one of the committee members on the American Institute of Aeronautics and Astronautics (AIAA) Design Engineering Technical Committee (DETC) Aerospace Architecture subcommittee, establishing policy, design principles and working on various NASA projects. He has spoken in many seminars regarding construction robotics and construction systems used by various contractors in Japan.

In this talk, he would talk to us about the latest construction robotics and construction systems being used in Japan, as well as his latest research projects full of innovation ideas. Definitely this talk would inspire the surveyors of the latest trend of construction technology.

Language

English

Fee

HK\$100 per person

Deadline

28 April 2005

Priority

Quantity Surveying Members

CPD: Mobilising your Facilities Management Workforce (CPD/P&FMForum/2005013)

Reminder

Guest Speaker

Mr. Antony Lee, MBA (Hong Kong University of Science and Technology), BSc (Hon) in Electrical Engineering (University of Michigan, USA), Certified Information Systems Security Professional (CISSP) by ISC2

Date, Time & Venue

Thursday, 19 May 2005
7:00 pm – 8:30 pm
SLC, HKIS

Details

In the highly competitive service industries, quicker response to client is key to success. Challenge is to lower operation cost by increasing field force productivity. The promising advancement of wireless

communication technologies and mobile devices makes it easy for mobile workforce to access service details in real-time. Service organizations can leverage the high mobile data bandwidth offered by 2.75G, 3G or WIFI connections. From the clients' perspectives, they will experience quicker service response to emergencies and receive more accurate service status information.

Mr. Antony Lee will illustrate the details by the Anyware Service System developed by Richwap in order to show the benefits for the entire facilities management operation. The Anyware Service product family enables enterprises (mainly Property Management Companies, Building Services Companies, Facilities Vendors like elevator or air-conditioning companies, and Electrical and Mechanical "E&M" Contractors) to manage their workforce remotely via mobile devices. The initial project of Anyware Service has been granted the Mobile Multimedia Communication Design Award by the Hong Kong Institution of Engineers. Subsequently, the Innovation and Technology Commission approved funding for the productisation of Anyware Service, the project has been completed in 2004. The University of Hong Kong plays an advisory role in providing leading-edge mobile technologies while industry partners provide professional opinions from users' perspective guiding the entire development.

Language

English

Fee

HK\$100 per person

Deadline

5 May 2005

Priority

A first-come-first-served basis

CPD: Hong Kong and PRC Construction Law (CPD/QS/2005032)

Guest Speaker

Mr. Gilbert Kwok, FHKIS, LLB (English law), LLB (Chinese law), Immediate Past Chairman of the Quantity Surveying Division, HKIS, Partner and Head of the Construction Group of Li & Partners

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CPD/PQSL CPD/PQSL

Date, Time & Venue

Thursday, 9 June 2005
7:00 pm – 8:30 pm
SLC, HKIS

Details

Gilbert Kwok is a chartered surveyor and a qualified Hong Kong lawyer. He has extensive experience in drafting and advising on construction contracts, consultancy agreements and other relevant contracts relating to a wide range of construction projects in Hong Kong, Macau and PRC. He has also acted on behalf of employers, contractors and consultants in various construction litigations and arbitrations. He has given lectures in various cities of China including Chongqing, Harbin, Beijing, Tianjin and Guangzhou on various construction and development related subjects.

In this seminar, Mr Kwok will share his experience with us in both the non-contentious (contract drafting) side of his practice and his dispute resolution practice. He will also provide us with an update on current construction issues and cases. This is a seminar that should not be missed.

Language

Presentation in Cantonese (with English/Chinese Handout)

Fee

HK\$100 per person

Deadline

26 May 2005

Priority

Quantity Surveying Members

***PQSL: Latent Defects of Building
(CPD/JO/2005021)***

Reminder

Guest Speaker

Ms. Jo Lau, MHKIS, RPS (BS)

Date, Time & Venue

8 April, 2005 (Friday)
7:00 pm – 8:30 pm
SLC, HKIS

Language

Conducted in Cantonese supplemented with English

Fee

HK\$70 per person

Deadline

1 April 2005

Priority

Probationers and student members

***PQSL: Leasing Strategy for a New
Shopping Centre (CPD/JO/2005022)***

Reminder

Guest Speaker

Mr. Martin Leung, BSc(Hons), MRICS, MHKIS, AISC, Project Manager of Kai Shing (REA) Ltd. (Subsidiary of Sun Hung Kai Properties Ltd.)

Date, Time & Venue

14 April, 2005 (Thursday)
7:00 pm – 8:30 pm
SLC, HKIS

Language

Conducted in Cantonese supplemented with English

Fee

HK\$70 per person

Deadline

7 April 2005

Priority

Probationers and student members

***PQSL: Insight into Roads (Works, Use
and Compensation) Ordinance (Cap.
370) (CPD/JO/2005023)***

Reminder

Guest Speaker

Mr. Loi Wai Chuen, Peter, MRICS, MHKIS, RPS(GP), Chartered Surveyor of Chartersince Surveyors Limited

Date, Time & Venue

21 April, 2005 (Thursday)
7:00 pm – 8:30 pm
SLC, HKIS

Language

Conducted in Cantonese supplemented with English

Fee

HK\$70 per person

Deadline

14 April 2005

Priority

Probationers and student members.

Access – compensation and assessment – part 2



Lawrence H.C. Pang
FRICS FHKIS AACI MBA
MSc (Finance) CFA

The Valuation Issues

Assuming, for the meanwhile, a claimant is entitled to compensation under the Railways Ordinance, the next step appears to be conducting an analysis to quantify the loss, if any, due to the works involved. In *Berwell*, the Lands Tribunal has confirmed that compensation would be payable for temporary disturbance during the course of construction works. In this regard, a valuer might have to determine the performance of the claimant's business if there were no construction and the difference (loss) in net profit when compared with what actually happened.

Like what is encountered in other valuation exercise, the hypothetical situation presents the most difficult problem. In the absence of other reliable information, it appears that the performance of the claimant's business immediately prior to the construction would provide the best predictor of its expected performance if the construction did not take place. However, the analysis would become more problematic if the period of loss involves months instead of a whole year of business. In respect of the latter, the yearly figures, even if they were unaudited, would likely be supported by the particulars filed to the Inland Revenue and the assessment of profits tax.¹ But there would not be any similar counter-check on the monthly figures which indeed could be more easily manipulated. Of course, the accrual basis of accounting allows wide discretion in booking an income or expense especially on a month-to-month time frame. Booking an income or expense a few days earlier or later would significantly affect the monthly picture of a business particularly when the business performance is supposed to be seasonal. But even accounting on the cash basis cannot resolve the problem because payments (in or out) of themselves tend to be fluctuating on a monthly basis and do not enjoy the evening out process when compared with a yearly situation.

In addition, the analysis would be complicated by the change of business or economic environment unrelated to the construction works. The outbreak of SARS between March and June 2003, for instance, would create a precipitous drop in business that could not be anticipated from the historic records but this had nothing

to do with the construction of the railways extension. Similarly, the entry or outgoing of a new competitor during the period should be accounted for and there would be other factors like weather, the shift of the Chinese New Year holidays because of the difference between the Gregorian and Lunar calendars or even slips in inventory control that might affect the analysed result. It is necessary to establish that the loss, if any, was caused by **(t)he closure of, or extinction, modification or restriction of a private right in respect of, a road or part of a road under section 22 of this Ordinance, so that access to any land is adversely affected.**

In respect of the analysis of the historic records, there might also be argument for choosing an earlier period prior to construction so that it would not be influenced by the prospect of construction or any pre-construction activity in the vicinity. However, if physical interference of the access is only the real issue instead of the aesthetical or environmental ones, it appears the period chosen could not be much earlier so as to exclude the loss of amenities the compensation for which was disallowed by the House of Lords in the *Wildtree Hotels* case. This seems to refute the application of the *Pointe Gourde* principle which applies only to assess compensation for the adverse effects of compulsory acquisition², whereas in the present case, the assessment is for the adverse impact of the access being affected. Anyway, applying the *Pointe Gourde* principle to disregard the effect of the **scheme** but before the access was adversely affected would be tantamount to awarding compensation to the claimant that is not intended by the Ordinance in the first place.

Similarly, there might be dispute over the date or period of the affected business coming back to **the normal**. Otherwise, the actual accounts immediately after the removal of the construction works can be used to discern the trend of the affected business during the construction. Such an analysis might also help to isolate what caused the change and attribute the change to the railway works.³

Regression Analysis

Attempting to by-pass some of the problems mentioned above, it has been suggested that the technique of

regression analysis be used to predict the value of one (dependent) variable by reference to the known value of another (independent variable). Certainly, the basic premise of this technique is the two values are highly correlated or one is capable of being explained by the other. This is basically a simple linear regression analysis when it is concerned with one independent variable. When two or more independent variables are adopted to predict the value of a dependent variable, this is termed multiple regression analysis.

In fact, the attempt of using single linear regression analysis was first put forward in *Secretary for the New Territories v. Lee Pui Leung* [1980-82] CPR 473 in dealing with pedestrian flow. The Lands Tribunal rejected the approach on the grounds that:

- (a) no evidence had been placed before the Tribunal to suggest that this form of analysis had yet been generally accepted by professional valuers, and
- (b) there was other evidence to which more conventional and well tested valuation methods could be applied.

Later, the Lands Tribunal held similar views in *Pak Hop Restaurant Ltd. v. Director of Public Works* (1982) HKDCLR 16 when multiple regression analysis was used to evaluate compensation for loss of profits under the Mass Transit Railway (Land Resumption and Related Provisions) Ordinance (Cap. 276).

In spite of the above, regression analysis is now frequently used particularly in business analysis and valuations.

In *Bayview Builders Supply (1972) Ltd. v. Minister of Transportation and Highways* (1996) 59 LCR. 263, the expert on behalf of the Respondent chose not to use a historical averaging method, because in his view it would not provide the level of precision that a regression analysis would provide. He noted that between 1986 and 1990, Bayview's sales increased each year from between 5.4% and 19.8%, which he appeared to view as too large a range to be helpful in an averaging scenario. He therefore used a linear regression method to calculate what Bayview's sales would have been but for the construction and works. He used Bayview's data from the period April 1984 to April 1990, and also from September 1984 to April 1990 because these periods yielded the highest correlation coefficients and therefore, in his opinion, the most accurate predictions. He used data from Bayview's monthly, rather than quarterly sales, in order to provide

more data points for the computer-based regression analysis program. The resulting analysis was that the estimated sales figures did not intersect with the actual sales figures.

Although the British Columbia Expropriation Compensation Board⁴ agreed the use of a regression analysis might be a more sophisticated, and therefore a more reliable, method of analyzing the lost sales, it found the expert's explanation of the program and his use of it to be somewhat confusing. For example, the expert testified that he had added a **seasonality** factor into the mix when the first results were too unreliable, but he could not explain in any detail what this was or how it affected the results. In addition, the Board found that the failure to consider the 1980s recession, the local housing starts, or the population growth in the area, made the program a less reliable tool for analyzing this particular situation. Eventually, the Board agreed with Bayview's counsel's contention that it did not make sense to use data derived in part from a period of recession to predict sales in a very buoyant economy. Also, the result which the program produced projected the short-term loss past the time when the Respondent contended the loss ended. For these reasons, the Board did not find the results of this program useful.

In the rehearing of part of the compensation claim⁵, this time, the expert on behalf of the claimant constructed a regression model to determine Bayview's projected sales based on the relationship of its sales to both housing starts and to the value of building permits for the period between fiscal 1984 and fiscal 1990. While the British Columbia Expropriation Compensation Board remarked that the models were only approximations of reality, it was satisfied that the expert's use of an average of the projected sales derived from these two models provides a reasonable estimate of the projected sales.

In *Pay Less Gas Co. (1972) Ltd. and Shell Canada Products Limited v. Minister of Transportation and Highways* (2001) 74 LCR 81, the expert on behalf of the Respondent used regression analysis to project gasoline sales. Although this was strongly criticized by Pay Less on the basis of the weak correlation coefficient it produced, the British Columbia Expropriation Compensation Board approved its use to estimate maintainable gasoline volumes for the purpose of factoring them into the calculation of goodwill value on the winding up of the business. The Board remarked this was a somewhat different exercise than attempting to measure specific sales losses over a defined interim period for the purpose of factoring them into an estimate of business loss.

In *Sam Sangha and Can-Am Building Supply Ltd. v. City of Surrey* (2003) 81 LCR 93, the expert for the claimants found that the correlation between Can-Am annual sales and annual industry-wide data over the period 1994 through 2001 was 0.57 or 0.61, depending on whether the analysis was done on fiscal year end or calendar year end. He stated that this low correlation indicated that the two sets of data were not strongly correlated. A regression analysis produced an adjusted R-squared value⁶ of 0.22 and 0.27, which was low enough he said to imply little or no relationship between the two data sets. Nevertheless, the British Columbia Expropriation Compensation Board took into account a lag between the two sets of figures and concluded that Can-Am was entitled to nominal damages for the loss of some potential customers.

As evidenced from the above, while the use of the regression analysis has become more common, the court may not accept its utility at face value because of the generality in the industry-wide nature of the independent variable(s) and the number of sophisticated adjustments that may be required to prevent statistical distortion. More importantly, if the more conventional analysis can be performed, the Court would very likely prefer it to the sophisticated ones mostly because of the ease of understanding.

Conclusion

It is manifest that every person who occupies land immediately adjoining a highway has a private right of access to the highway from the land. But in the case of public works being carried out close to and immediately in front of a property in the absence of any land taken, it might still be a moot point that whether the land owner or occupier can claim compensation. At least this is the present situation despite the many authorities quoted in this article when claims are still being pursued under Item 4 of Part II of the Schedule to the Railways Ordinance (Cap. 519).

Even if the legal hurdle can be passed, the determination or assessment of compensation during the period of public works construction will present a greater problem. Centre to the analysis is the dates of the **before and after valuation** and whether reliable business data are available. The valuer needs a full understanding of the business and needs to undertake a complete review of the economic and business environment in which the business operates during the relevant period. The task is to project how the business would have performed if

the public works had not taken place. This will be particularly difficult if certain factors excluded from compensation by law should be identified.

- 1 In *Yim Fat Fong v. Wong Kim Hung and Wing Fai Electrical Suppliers Limited*, HCPI1173/1996, at p. 21, the Court was of the view that "... the claim must be based on the proving material. It would be wholly wrong to go behind the figures disclosed to the Inland Revenue."
- 2 In Barry Denyer-Green's "Compulsory Purchase and Compensation", 6th Edition, the author suggests the normal rules of compensation for compulsory acquisition do not apply to assessment for compensation when no land is taken under injurious affection.
- 3 In *Spoletini v. City of Calgary* (1984) 31 L.C.R. 346, the Alberta Land Compensation Board stated "the time period should be no longer than is necessary to establish such impact, because with the affluxion of time, the valuation becomes more difficult to make"
- 4 Starting from October 2004, jurisdiction over compensation-related matters would be moved from the Expropriation Compensation Board to the BC Supreme Court
- 5 (2001) 75 LCR 95
- 6 R-squared value, which is called the coefficient of determination, tends to measure the percentage by which the dependent variable is explicable by the independent variable. Generally, it is the main measure of the goodness of fit.

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Retrospective Delay Analysis – Rubbish In – Rubbish Out?



John B Molloy
LLB(Hons), BSc(Hons),
FHKIS, FRICS, FInstCES,
MAE, MCIArb, RPS(QS)

There was a time when Architects and Engineers assessed extensions of time by reference to their understanding of the project and their general experience of the construction process. A variation adding one manhole would be issued. The Contractor would write claiming seven days extension of time. The Architect or Engineer would consider the matter, would conclude that a delay was caused to the works but that the Contractor had (predictably) overstated the extent of the delay. The Architect or Engineer would then grant an extension of time of five days which the Contractor would invariably accept.

Nowadays, even for simple delays like the above example, Architects or Engineers require that the Contractor produce a programme showing the critical path and how it was affected by the additional manhole and the impact on completion of the Works before an extension of time is granted.

This situation has arisen since the advent of sophisticated computer based planning techniques which assist in the identification of the cause of critical delay to a project and, in the more advanced cases, assist in the computation of claims for lost productivity.

The use of such techniques was first promulgated by Contractors eager to prove their entitlements but has now been equally used up by Architects and Engineers similarly eager to disprove the Contractor's entitlement.

Indeed now programming and planning engineers have turned to specialize in these techniques and a new profession of **delay analysts** has arisen.

Whilst the use of such delay analysis techniques is now common in construction claims, it is in arbitration and litigation where it has really become important with Contractors employing expert delay analysts to carry out detailed retrospective delay analysis and Employers employing similar experts to challenge the analysis. In retrospective delay analysis the project is re-constructed from the beginning to the end to identify the causes of the delays to the progress of the works. Such analysis often involves a **window** or 'snapshot' technique whereby the

base programme is updated at particular intervals to show the impact of delays at the time that they occurred and the effect that such delays had on the critical path for the works.

These techniques are undoubtedly beneficial in supporting (and indeed defending) claims for extensions of time, however the results that such analysis produces can not always be accepted at face value. Whilst the computer software is clearly very sophisticated, the analysis is only as good as the information put into it!

The recent case of **Skanska Construction UK Limited v Egger (Barony) Limited TCC 30 July 2004** is a good example of this principle and shows the pitfalls of accepting the results of a retrospective delay analysis without proper examination of the base information. Egger entered into a contract with Skanska for the design and construction of a factory to produce chipboard and other timber products to be built in East Ayrshire in Scotland. Skanska were responsible for design development, management and construction of the factory for a guaranteed maximum price of £ 12 million.

The works proved to be very difficult with many claims arising from Skanska and their sub-contractors such that by completion, Skanska was making claims for a further £ 12 million relating to what it argued were extras to the contract. There was also a counterclaim by Egger for more than £ 4 million.

The disputes went to court where after a decision of the Court of Appeal on liability the matter went for a separate trial to hear evidence concerning quantum. The hearing on quantum included the evidence of two expert delay analysts who provided evidence on the delay suffered by some of Skanska's subcontractors which led to loss and expense claims which Skanska sought to pass on to Egger.

In the course of his judgment Judge Wilcox made several comments on the evidence of the delay analysis experts, and in particular on the evidence of the expert employed by Egger who was a person of considerable renown within the construction industry.

The expert employed by Skanska was a planning consultant

originally employed by Skanska during the project and later retained by them as an expert. This is interesting, because last month I wrote about the recent moves in the courts to accept evidence from employees of the companies in dispute, which would at one time have been considered to be a conflict of interest. Here the Judge considered the expert's knowledge of the actual events that occurred during the works an advantage and he was further impressed by how accessible his evidence was to the court. It was in an easy to understand series of charts and the Judge was most impressed by the expert for being objective, meticulous as to detail and, importantly, not hide-bound by theory when demonstrable fact collided with computer program logic.

However it appears that the judge was not of the same view when considering Egger's delay analyst. Judge Wilcox was extremely critical of the evidence for a number of reasons:

- Firstly the judge found the delay analyst's report too complicated and not accessible to the court. The report had been prepared by the delay analyst and a team of assistants and was several hundred pages long with appendices containing over 240 charts, and it was clear that the judge had difficulty in understanding them. On the basis that the role of an expert is to assist the tribunal in understanding complex technical matters this was clearly a serious error.
- Secondly the Judge was very concerned about the quality of the information which was entered into the delay analysis programme. He commented that the report had largely been based upon factual matters provided third hand, from employees of Egger, and that such information had not been tested or examined by the delay analyst before it was entered into the programme. The Judge gave an example to the delay analyst of information concerning a crane base that had

been made available to him which contradicted the information the delay analyst had included in his report. The Judge commented that this showed that no matter how impeccable the logic of the computer programme the information it produced would be flawed if the information inserted was wrong.

- Thirdly and finally the Judge was also clearly irritated by the attitude of Egger's delay analyst on a number of counts. In the first instance, despite the Judge showing him the crane base information which contradicted the information that he had included in his report the expert refused to consider changing his view whereby the Judge commented that it was surprising that the expert was not exercising sufficient intellectual rigour to admit the possibility of doubt. In the second instance the judge commented that the expert had lacked a balanced approach and he gave the example of the delay analyst's method of dealing with concurrent delays. Egger's expert had taken the view that where there was a delay event that Skanska did not claim to be the responsibility of Egger; he had assumed without further investigation that Skanska was accepting liability for the event. Judge Wilcox described this as applying the logic of Humpty Dumpty – ***it is so because I say it is so!***

After comments such as these it is not surprising that the Judge found strongly in favour of the evidence provided by the expert of Skanska.

The conclusion however is clear. Whilst sophisticated computer delay analysis techniques are a valuable tool for proving delay, they are solely dependant upon the delay analyst's selection of facts and interpretive judgment of them. The results of the analysis are only as good as the data put in, or more simply – if you put rubbish in, you will get rubbish out!

Secondary Residential Market in 2004

Thomas Li
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Midland Surveyors Ltd.

2004 has been a good year for the secondary residential market. Despite some ebbs and flows, second hand flats have enjoyed a capital appreciation of about 30% since its market's recovery in late 2003.

Looking at 2005, the picture still appears rosy. In the preceding year the secondary market has enjoyed some positive signs but, conversely, some negative aspects which may cool off the steam.

Positive Signs

Reduction in unsold primary units

At the end of 2003, there were 22,591 primary (new) residential units unsold. At the end of 2004, the figure stood at 8,944, a drop of 60%. As the number of unsold primary units decreases, the demand for housing has been, and will continue to be, unleashed into the secondary market.

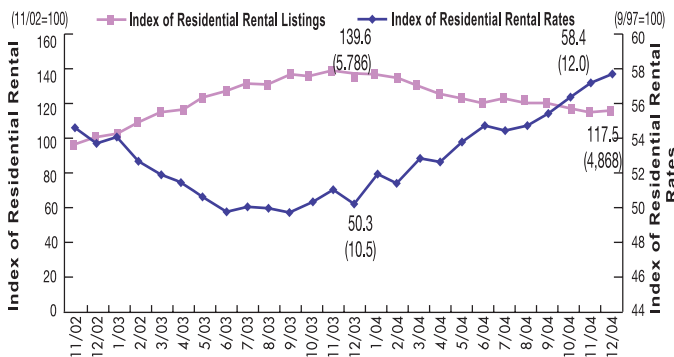
Reduction in the number of Rental Units

As seen from Chart 1 below, the number of rental listing in 100 residential estates covering 288,739 units has dropped from 5,786 in December 2003 to 4,868 one year later, a drop of 16%. The less number of units available for renting means that the owners take an optimistic view to sell off, rather than rent out, their units with vacant possession to capture the capital appreciation in a rising market.

Increase in Rental Rates

The average rental level for secondary units has risen from HK\$10.5 per sq.ft. at the end of 2003 to HK\$ 12.0 per sq. ft. at the end of 2004, a rise of 14%. Please see Chart 1 below.

Chart 1 Index of Residential Rental Listings & Residential Rental Rates

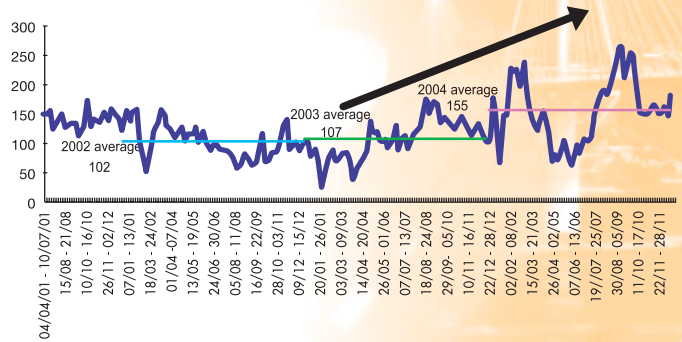


N.B.: The rental listing index is based on secondary listing information at 100 residential estates involving 288,739 units.

Transactions in major estates

A tremendous increase in the number of transactions has been recorded among 35 major residential estates over the past two years. The weekly average at the end of 2002 was 102, rising moderately to 107 at the end of 2003, then substantially to 155 ending 2004. Please see Chart 2 below.

Chart 2 Weekly Transactions in 35 Major Estates



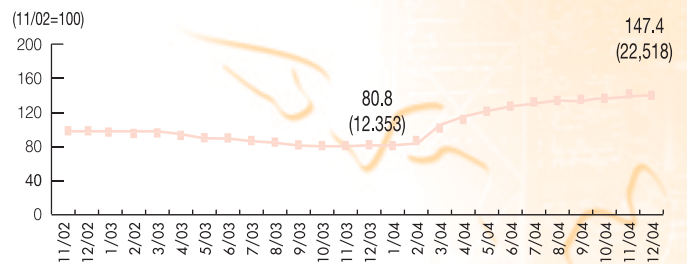
Negative Aspects

Impressive though the above statistics certainly are, there are reservations whether the secondary market can maintain its momentum:

Supply of Secondary Flats

The number of units put up for sale has increased from 12,353 at the end of 2003 to 22,518 at the end of 2004, a rise of 80%. Please see Chart 3 below. It is now estimated that, 78,000 secondary units out of a total of 1,007,000 private housing stock (7.8%) are offered for sale in the market. The surge in supply will inevitably lower prices unless, of course, a fresh impetus in demand materializes.

Chart 3 Midland Realty's Supply of Secondary Flats Overview



N.B.: The above is based on secondary listing information at 100 residential estates involving 288,739 units.

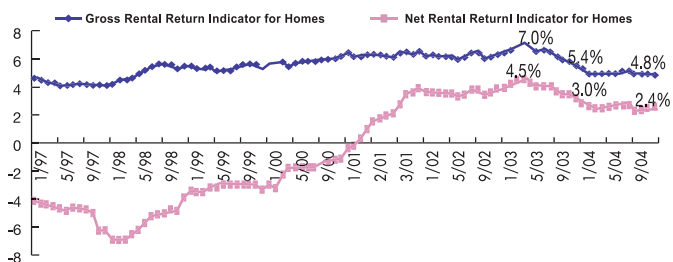
Affordability Ratio for Secondary Homes

In the wake of rise in home prices, the percentage of mortgage payment as a percentage of household income has increased correspondingly. It was 16.2% at the beginning of 2003, climbing to 26.4 % as of December 2004. Any increase in interest rates, which seems likely in the coming months, will push up the affordability ratio, with a possible dampening effect on buyers sentiment.

Decreasing Rental Return

In 2004, house prices have risen faster than rents. Rental return for secondary flats has decreased from 7% in early 2003 to 5.4% in late 2003, further down to 4.8% at the end of 2004. Meanwhile, the **net** rental return, i.e. rental return after deducting mortgage repayment, has fallen from 4.5% to 3% to 2.4% in the corresponding period. If interest rates start to rise, meaning higher mortgage repayments, the **net** rental return will drop further. Please see Chart 4 below.

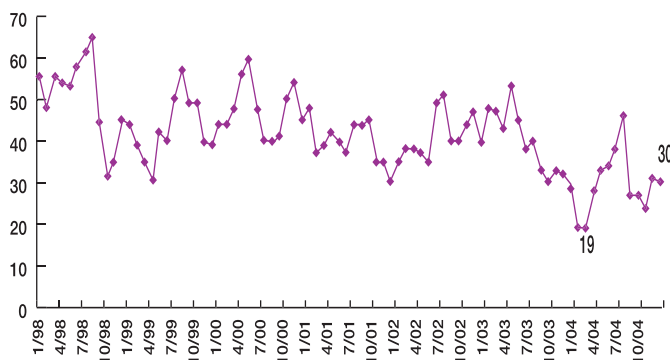
Chart 4 Gross Rental Return Indicator and Net Rental Return Indicator for Homes



Rental activity

As seen from Chart 5 below, rental activities in the market has increased, reflecting a higher tendency for home-seekers to rent.

Chart 5 Rental Activity Indicator



N.B.: This rental activity index is based on Midland Realty's monthly rental transaction ratio. The cut-off date for data in the last month is December 28, 2004.

Future Prospect

On balance, the negative factors will likely mitigate some of the recent upward momentum of the secondary flats. The residential market on the whole, however, could still enjoy more transactions and higher prices, albeit at a slower pace.

Chart Source: Midland Realty Research Department

Contra Proferentem

When drafting contract documents, whether it be general conditions of contract or supporting technical documentation such as preliminaries and particular specifications, it is always important to give words clear and unambiguous meaning. This is particularly important where one party seeks to restrict the rights of another party (e.g. by forfeiture or exemption clauses), or provisions where the courts have typically taken a cautionary approach (e.g. extensions of time and liquidated damages provisions).

In such circumstances, where there are ambiguities or discrepancies, the courts will generally take a very strict view and invoke the rule of **contra proferentem**. The rule comes from the latin maxim **verba chartarum fortius accipiuntur contra proferentem** – the words, or written documents, are construed forcibly against the party offering them and is best explained in Keating on Contracts (Seventh Edition) as follows:



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"If there is an ambiguity in a document which all the other methods of construction have failed to resolve so that there are two alternative meanings to certain words the courts may construe the words against the party seeking to rely on them and give effect to the meaning most favourable to the other party."

Much therefore turns on the party who puts forward the relevant clause or description relied upon. Equally, the nature of the clause or description will play a large part in whether the courts invoke the **contra proferentem** rule.

The Contra Proferentem Rule and Provisions for Liquidated Damages

An example of the use of the rule can be found in the English Court of Appeal case of **Peak Construction (Liverpool) Ltd v McKinney Foundations Ltd** (1970) where McKinney entered into a nominated subcontract with Peak

to design and construct piles for some flats. The employer was the Liverpool Corporation. A discovery of defective piles led to the suspension of the building works for some 58 weeks and a claim by Peak against McKinney for liquidated damages for the whole of the period of delay.

However, whilst part of the 58 week stoppage was due to McKinney's breach of the subcontract (i.e. the defective piles), an inordinate part of it was due to the Corporation's own delay, including a delay in instructing an independent engineer to report on the piling defects (about 6 weeks delay) and then delay in accepting the findings of the engineer (about 9 weeks delay).

The contract was the Corporation's own written form and gave rise to the following comments from Salmon LJ:-

"The form of contract has been criticised during the course of the argument - and not without justification. Indeed, if a prize were to be offered for the form of contract which contained the most one-sided, obscurely and ineptly drafted clauses in the United Kingdom, the claim of this contract could hardly be ignored, even if the RIBA form of contract was among the competitors."

Clause 22 provided that time was of the essence on the part of the contractor and that the Corporation were entitled to deduct liquidated damages if the contractor failed to carry out and complete the works within the time for completion.

The Court of Appeal had this to say about clause 22:

"Clause 22 of the contract only contemplated a failure to complete on time due to the fault of the contractor and where, as here, the failure to complete a contract within the specified time was due to the fault of both the employer (the Corporation) and the contractor, the clause did not bite. An employer could not insist on compliance with a condition if it was partly his own fault it was not fulfilled, and unless the contract expressed a contrary intention, the employer was left to recover such damages as he could prove flowed from the contractor's breach."

This is sometimes known as the **act of prevention** principle which provides that an employer that causes a so called **act of prevention** that causes all or part of the delay to completion should not be allowed to recover liquidated damages in respect of that delay. This principle is derived from one of the cornerstones of equity that no one should benefit from his own wrong.

However, the **act of prevention** principle does not come into force where the contract provides that extensions of time will be granted for delays caused by the employer. In this case, the Corporation's clause 23 provided that the time for completion could be extended by the architect if, by reason of additions to the works, or **in consequence of ... unavoidable circumstances** the contractor had, in the opinion of the architect, been unduly delayed. The Court of Appeal's interpretation of **unavoidable circumstances** was that it could only apply to delays caused by the contractor and which were outwith the Contractor's direct control. The Court also ruled that the term did not cover delays caused by the Corporation. Therefore, there was no provision in that contract for extending time to compensate the Contractor for delays caused by the Corporation.

The Court of Appeal, therefore, went on to invoke the contra proferentem rule with respect to clause 23 and held:

"Liquidated damages and extension of time clauses in printed forms of contract must be construed strictly contra proferentem, and if the employer wished to recover liquidated damages for failure by the contractor to complete on time despite the fact that some of the delay was due to the employer's own fault, the extension of time clause should provide, expressly or by necessary inference, for an extension on account of such fault or breach on the part of the employer. There was no provision in clause 23 of this contract and in any event no extension of time by the architect. Accordingly, there was no date under the contract from which the liability to pay liquidated damages could be measured and none could be recovered."

Standard Forms of Contract

What though is the position with standard forms of contracts, such as the HKIA standard form of contract, that are negotiated at arms length between bodies representing the interests of employers and contractors?

It would seem likely from the earlier English case of **Tersons Ltd v Stevenage Development Corporation** (1963) that the contra proferentem rule will not necessarily apply to such contracts. Pearson LJ expressed the following view:

"In my view the maxim has little, if any, application in this case. The General Conditions of Contract are not a partisan document or an imposed standard contract as that phrase is sometimes used. It was not drawn up

by one party in its own interest and imposed on the other party. It is a general form, evidently in common use, and prepared and revised jointly by several representative bodies including the Federation of Civil Engineering Contractors. It would naturally be incorporated in a contract of this kind, and should have the same meaning whether the one party or the other happens to have made the first mention of it in the negotiations."

However, where the standard form is subsequently amended by one of the parties so that the amended provisions no longer reflects the standard form

negotiated by the bodies representing the interests of employers and contractors, then the **contra proferentem** rule could probably apply.

Conclusions

Where one party seeks to deprive the other party of its rights at law, or where the nature of the provision creates an inequitable result, then the party drafting the provision should use very clear words for the provision to be enforceable. If clear words are not used, the provision will be construed, by the courts or dispute tribunal, against the person putting forward and relying upon the provision.

內地和香港解決建築合同糾紛的方法 有甚麼不同 - 第一部



Gilbert Kwok
Immediate Past Chairman
QS Division

為了

迎接本地測量師在國內工作的不斷開展，本文嘗試探討內地建築合同和糾紛解決的方法和香港的有什麼不同。

建築合同

A 准據法

國內 如果是國內的本地工程，沒有法律規定，准許建築合同的准據法是外國的法律。

如果建築合同是涉外的，根據我國《合同法》第126條及《民法通則》第145條的規定，合同的當事人可以選擇處理合同爭議所適用的法律。

至於涉外關係的定義，根據我國最高人民法院1988年《關於貫徹執行〈中華人民共和國民法通則〉若干問題的意見（試行）》第178條的規定：凡民事關係的一方或雙方當事人是外國人、無國籍人、外國法人的；民事關係的標的物在外國領域內的；生、變更或者消滅民事權利義務關係的法律事實發生在外國的，均涉外民事關係。

所以，即使是外資工程，但如果建築合同雙方是國內的法人，該份合同便應該不是涉外，處理合同爭議所適用的法律便可能不能選擇外國的法律。

香港 香港沒有法律規定合同的准據法。如果是外國投資者的工程，即使合同雙方是本地成立的公司，也可以選擇外國的法律作標準據法，完全符合了契約自由原則的精神。

B 法律

國內 根據以上的分析，即使是外國投資者的項目，建築合同的准據法一般都是國內法。因此，在起草合同時，要注意合同條款是否和國內的法律、法規或規範有沖突。

和建築有關的法律主要有以下三部：—

1. 建築法《中華人民共和國建築法》（以下簡稱《建築法》）在1998年3月1日起施行。

《建築法》除了第15條簡單的說明發包單位和承包單位要依法訂立書面合同外，其它條款主要是關於建築工程的質量和安全的規定，對草擬建築合同關係不大。

2. 合同法《中華人民共和國合同法》（以下簡稱《合同法》）在1999年10月1日起施行。

《合同法》所規範的是平等主體之間設立、變更、終止民事權利義務關係的協議（《合同法》第2條）。合同關係的內容是合同當事人享有的權利即債權和承擔的義務即債務。

《合同法》第十六章是關於建設工程合同的規定。

3. 投標法《中華人民共和國招標投標法》（以下簡稱《投標法》）在2000年1月1日起施行。

所謂招標投標，是在市場經濟條件下進行的工程建設、貨物買賣、財產出租等的經濟活動的一種競爭形式和交易方式，是引入競爭機制訂立合同的一種法律形式。

《投標法》主要是關於工程建設項目招投標的法律規定。雖然《投標法》第 46 條規定招標人和中標人應當自中標通知書發出之日起 30 天內，按照招標文件和中標人的投標文件訂立書面合同，但《投標法》沒有條款規定合同內容，所以該法對草擬建築合同沒有很大的關係。

有些學者認為，工程建設活動，涉及的法律還包括經濟、行政、民事等多方面的經濟法律關係。因此，他們認為要留意經濟法、民法、行政法、民事法、民事訴訟法及仲裁法等。本人認為這些法律或法規對起草建築合同雖然有影響，但影響不大，尤其是行政法。

上述法律中，除了《合同法》，有真正影響的可能只是民事訴訟法和仲裁法，在草擬糾紛解決條款時，要注意條款所設立的糾紛解決方法是否合法和有效。

國內法律對建築合同形式或重要條款有下述規定

訂立合同的形式

《合同法》第 270 條規定，工程施工合同應當採用書面的形式。根據《合同法》第 11 條的規定，書面形式是指合同書、信件和數據電文（包括電報、電傳、傳真、電子數據交換和電子郵件）等可以有形地表現所載內容的形式。這種對施工合同的特別要求（按《合同法》第 10 條的規定，一般合同可以是口頭合同），可能是由於工程合同的標的金額大和內容複雜所引起。

訂立工程合同的要件

《合同法》第 13 條規定，當事人訂立合同，採取要約、承諾方式。這和普通法的要求有分別。根據普通法的要求，除了要約和承諾，合同雙方都要付出代價（consideration），才可以要求對方履行合同。

訴訟時效/合同的簽訂

根據我國《民法通則》第 135 條的規定，向人民法院請求保護民事權利的時效期兩年，法律另有規定的除外。

《民法通則》第 136 條是關於短期訴訟時效，應該不適用於建築合同的糾紛。

上述的兩年的訴訟時效，不會因合同的簽訂方式不同而有所改變。另外，訴訟時效可以中斷，是指在時效進行中，因《民法通則》第 140 條的法定事由（起訴、當事人一方提出主張、義務人同意義務）的發生，阻礙時效進行，致使已經進行的時效期限全部歸於無效，等中斷時效事由消除後，其訴訟時效期間重新計算。

違約金

國內的違約金種類應包括：

(a) 懲罰性違約金

關於這種違約金，債務人除須支付違約金外，其它因債之關係所應負的一切責任，都不會受影響。即債權人除了違約金外，還可以請求債務履行或不履行所生的損害賠償。

(b) 賠償性違約金

這種違約金，是債權人預先估計的損害賠償總額。

《合同法》第 114 條規定的違約金，屬於賠償性違約金，但是不等於否定懲罰性違約金的存在。

《合同法》的違約金和普通法不同的地方，是第 114 條的違約金，如果低於造成損失的，或過分高於造成損失的，當事人可以請求人民法院或者仲裁機構予以增加或多少。

雖然有學者認為，如果雙方的交涉能力相當，比如在兩個商人之間，對其約定的違約金條款便不宜過多干預。但由於《合同法》有這種改變違約金數目的機制，在承包合同中的違約金條款便可能不能發揮它原有的功用：簡化損失賠償舉證和計算的困難。

香港 香港沒有建築法，也沒有合同法。

香港的私人投資項目也沒有國內建築法所要求的資質證書等的安排。但香港的政府工程有類似的安排，將承包商按其公司的規模和能力分等級，等級高的，可以承包的政府工程的金額也可以較大。草擬私人投資項目合同要注意的是普通法的規定。

香港法律，對建築合同形式或重要條款有下述規定

訂立合同的形式

香港法律是沒有對施工合同的形式有任何的規定。而且，口頭的、書面的建築合同都可以。

訂立合同的要件

根據普通法的要求，一份施工合同需要具備以下四個要件才會有效：

(a) 要約 (b) 承諾 (c) 代價 (d) 雙方的意願是希望合同有約束力。要約和承諾跟《合同法》第 13 條的規定差不多。

另外，合同的一方要付出代價才可以要求對方履行承諾。建築合同應該沒有這方面的問題。一般來說，發包方的代價是工程費，而承包方的代價是建築工程。

關於雙方的意願這一點，由於建築合同是商業合同，一般情況下法庭都會假設雙方願意合同有約束力。

訴訟時效/合同的簽訂

建築合同的訴訟時效主要看合同的簽訂方式。

如果是一般的簽訂，訴訟時效為六年。

如果合同是用契約（deed）的形式簽訂，訴訟時效為 12 年。

跟國內的規定不同，這六年和十二年的訴訟時效不會因合同的一方向另一方提出索賠要求而延長。

違約金

根據普通法，違約金只能是賠償性的，懲罰性違約金沒有效力。

普通法對於違約金還有以下的規定：

- (a) 如果要有效力，違約金一定是一個在合同訂立時的真實的損失估算
- (b) 違約金條款如果生效，被違約方只能要求違約方按違約金條款來賠償，即使真正的損失超過違約金
- (c) 就算違約方的真正損失低於違約金，一般來說，被違約方也可以要求違約方支付按違約金條款所規定的賠償

C 標準合同

由於草擬一份建築合同需要時間（一般需要數月），為了縮短草擬的時間，各國發包單位一般的做法，是以一份標準合同的藍本，再配合了有關工程而起草的特別條款。

國內

本地建設 國家建設部和國家工商行政管理局在 1999 年 12 月 24 日推出了新版的《建設工程施工合同（GF-99-0201）》示範文本。

該示範文本適用於土木工程、各類公用建築、民用住宅、工業廠房、交通設施及綫路管道施工和設備安裝。

該示範文本應該是根據 FIDIC（見下文）的舊版而編寫的。

另外，國家建設部和國家工商行政管理局也有一系列的其他工程示范文本，包括：建築裝飾工程施工合同（GF-96-0205）、水利水電土建工程施工合同條件（GF-2000-0208）。

外國投資建設

外國投資的工程一般采用該國的標準合同。有以下幾種：

(a) FIDIC – FIDIC是“國際諮詢工程師聯合會”的縮寫。

1999年9月FIDIC出版了4份主要的標準合同：

- (i) 《土木工程施工合同條件》
- (ii) 《工程設備與設計-建造合同條件》
- (iii) 《電氣與機械工程合同條件》
- (iv) 《EPC交鑰匙合同條件》

以上的標準合同都有正式的中文翻譯本。

這些合同文本不僅被 FIDIC 成員國廣泛采用，而且世界銀行、亞洲開發銀行等金融機構也要求在其貸款建設的土木工程項目中使用以該文本為基礎編制的合同條件。

(b) JCT – JCT是英國“聯合合同委員會”的縮寫。

它有一系列的標準合同，包括一般的總包和指定分包合同、設計建造合同、管理合同（Management Contract）等。

(c) AIA – AIA是“美國建築師協會”的縮寫。

它有一系列的標準合同，包括一般的總包和分包合同、設計建造合同和管理合同等。

香港

私人投資 香港現時的標準合同文本是JCT1963年的總包和指定分包標準合同版本。很多香港在國內的投資，也是用JCT63年版本的中文翻譯本，另加特別條款。

政府工程 政府工程的標準合同主要有兩大類：

(a) 建築署

建築署有一系列的標準合同，包括一般的總包和指定分包合同、設計建造合同等。

(b) 房屋署

房屋署有一系列的標準合同，包括一般的總包和指定分包合同、設計建造合同等。

九廣鐵路 為了新的鐵路的興建，九廣鐵路聘請了建築律師草擬了自己的一系列標準合同。

D 合同談判

上面1C段中說過，發包單位的建築合同一般是採用標準合同，另加特別條款。

在草擬特別條款時，業主一般都會加進有利於自己的條款，這些條款可能要求承包商承擔的風險遠超於承包的價格。

因此，一般謹慎的承包商，在簽訂合約前，都會聘請建築律師和業主談判，要求修訂合同的條款，以便減低承包的風險。

Consolidated views in a representative capacity of the HKIS SURVEYORS ADVOCACY

SURVEYORS ADVOCACY

Building Management & Maintenance

Sustainable Development

Hong Kong 2030

Kai Tak Planning Review

WKCD

We want your opinion on these topics and emerging ones. Please call the Local Affairs Committee on 2526 3679 or email: linda@hkis.org.hk on how you may participate.

Innovative Tendering and Negotiation Strategies and Tactics

Kenneth Chan
QSD CPD Sub-committee

In the evening of 19 January 2005, Mr. Johnson So, Senior Project Manager of Central Waterfront Property Project Management Co. Ltd., was invited to give us a seminar. Johnson firstly described different types of tendering methods used nowadays. He moved on to introduce the formation of tender strategy. He illustrated two innovative tendering strategies, which are **Bidding Oriented** and **Market Oriented**. Johnson then advised some other factors which we should consider carefully during the tender stage, such as current government policies, company/competitors' strength, marketing positions in



bidding, special conditions of contract, LD requirements, provisional items, provisional sums and provisional quantities and contingencies, etc.

Johnson has also introduced an **8-steps & 4 phrases** approach. The 8 steps are: preparation, argument, signaling, proposing, packaging, bargaining, closing and agreeing whereas the 4 phrases are prepare, debate, propose and bargain. He concluded that a smoother negotiation and a **win-win** situation could be resulted if both parties are willing to narrow their gap between **Entry Price** and **Exit Price**. Many thanks to Johnson for his invaluable time and effort in conducting such an interesting talk.

Corporate Real Estate – Vision 2010

Staff Reporter

In the early 1990's, Corporate Real Estate 2000 (an IDRC Research Project) created a powerful new vision for the corporate real estate industry. Since then, the business environment has changed a lot. On 1 February 2005, Alex Lam, Vice President of Global Learning Asia, CoreNet Global talked about how globalization is no longer a concept but a reality and tried exploring Vision 2010. Outsourcing is no longer a fad but a strategic business practice. The web is no longer a toy but a business tool to support global enterprises. Now in the doorsteps of the 21st Century, an exciting new vision is emerging in a networked world. Alex believed that the subtle but steady advance towards the networked world is one of the most significant long-term trends in business. It has profound impacts on corporate real estate, the service provider industry and the CRE professionals.



Alex received his Bachelor of Architecture degree from McGill University (1967) and a Master

of Theological Studies from Ontario Theological Seminary (1995). He is a Certified EQ-i



Administrator with Multi-Health Systems Inc.(MHS) in Toronto (2000) on emotional intelligence in workplace performance. He has taught at The University of Hong Kong, The Polytechnic University of Hong Kong, The University of Manitoba and Ryerson Polytechnic University, professional memberships to include IFMA, ISFE, ASHRAE, RAIC, NFPA, ASIS, Society of Human Resource Management & the Strategic Leadership Forum.

LSGI Career Talk 2005

Sam Yeung
LSGISS



Land Surveying and Geo-informatics Students' Society (LSGISS) organized a career talk for students on 4 February 2005 at the Hong Kong Polytechnic University. It was our honour to have Mr. Lesly Lam and Ms. Sandra Au as the main speakers on the career in land surveying and GIS fields. The speakers shared information

on the latest development in the profession. There were also another 5 guest speakers participating in the session. The guests answered questions from students who all appreciated very much the experiences. The students said they would look forward to attending similar seminars in the future.



Collateral Warranties, Guarantees and Bonds

In the construction industry, collateral warranties, guarantee and bonds are agreements commonly used for protecting the Employers' interests. In the APC exam of QS Division, questions related to these agreements are usually set in the question paper. However, not only probationers preparing for APC exam are interested in understanding their nature, our qualified professional members from different divisions are also eager to have a better grip of these agreements as they often encounter them in daily practice.



It is our pleasure to have a PQSL event delivered by Mr. Keith Wong on 17 February on "Collateral warranties, guarantees and bonds". Keith is both a practicing qualified solicitor, a

professional member of HKIS and immediate past Treasurer of the JO Council.

Keith started the talk by explaining the nature of collateral warranties and guarantees. He pointed out that they are often used in the construction industry to create a contractual relationship otherwise would not exist, e.g. between Employer and Sub-Contractor. These agreements allow the

Employer to pursue their interests for the defective completed works against the Sub-Contractor. In accordance with contract law principle, there is no consideration on the Employer's side. Therefore the warranty or guarantee is set out as a deed, which is an agreement under seal.

He then moved to the nature of performance bond. Performance bond is a contract of guarantee to protect the Employer's against the Main Contractor's default towards the project. A copy of sample performance bond was distributed in the talk to demonstrate to the audience the key elements of a bond.



The surety (financial institutions like bank or insurance co.), the debtor (the Main Contractor) and the beneficiary (the

Employer) are the three parties to this contract of guarantee. Under a performance



Kwok Kei YUNG,
JO Co-opted Member
Edited by Joseph Chong,
JO Committee Member

bond, a joint and several obligation is both owed by the surety and the debtor to the beneficiary. Payment of a bonded sum, usually maximum 10% of the contract sum, will be paid to the beneficiary by the surety upon the default of the Main Contractor as stipulated in the clauses of performance bond.

As explained by Keith, there are two kinds of performance bond, namely conditional bond and on-demand bond. The main difference between the above two is the extent of surety's and debtor's liabilities towards the beneficiary: for on-demand bond, the surety is liable to pay the beneficiary the bonded sum when the demand is made in

the manner provided for in the bond, usually a notice served by the beneficiary and without any need to prove the breach of the underlying building contract or the damage. For conditional bond, a greater restriction is imposed on the beneficiary by the surety. He is only liable to pay the beneficiary on the proof of both the breach of the underlying contract and the loss occasioned by the breach.

This impressive PQSL event was concluded by Keith with the topics of the discharge of bond and the right of the surety. This PQSL event with fruitful content was closed by a big applause from all the attendees.

Members' Privilege

All holders of the HKIS and Shanghai Commercial Bank (上海商業銀行) co-brand gold or platinum credit card can now enjoy

Cosmos Bookstore 天地圖書

15% discount on books and 10% on stationery purchases (except fix priced and special priced items) in the Cosmos Bookstore on 32 Johnston Road, Wanchai and 96 Nathan Road, Tsimshatsui till 31 December 2005. Inquiries please call 2866 1677.

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NEC Plasma 42VP4 at HK\$26,500 (include pair of side mount speaker, wall mount or table top stand installation, one year warranty); LG Plasma TR-42PX10 at HK\$24,800 (include build-in speaker, tuner, wall mount or table top stand installation, one year warranty) and NEC VT460K Projector at HK\$9,800 (two years warranty) till 31 July 2005. Inquiries, please call 2590 0299 or visit www.i-control.com.hk

Note :

No liability of any kind will be borne by the HKIS. All business transactions made under the membership benefits of HKIS are strictly between the merchant and HKIS members. The HKIS will not be involved in any complaints made by any party in any business transaction. All inquiries should be made to the merchant directly. For general information, please call the Members' Welfare Committee on 2526 3679 or email: linda@hkis.org.hk

Union Hospital (沙田仁安醫院) – Medical Check-up Plan

Plan	Male	Female
Physical Examination & Medical History (Weight, height, blood pressure & pulse)	X	X
Medical Report with Comment and Two Doctor Consultations	X	X
Chest X-ray	X	X
Electrocardiogram	X	X
Kidney Function: Urea, Creatinine	X	X
Liver Function: SGPT(ALT), SGOT(AST)	X	X
Complete Blood Count	X	X
ESR	X	X
Diabetic Screen: Fasting Glucose	X	X
Rheumatology Screen : Uric Acid, RA Factor	X	X
Lipid Profile: Total Cholesterol, Triglycerides	X	X
Cancer Screening: CEA (colon)	X	X
Thyroid Screening: T4	X	X
Urine Test: Urinalysis	X	X
Occult Blood	X	X
Prostate Specific Antigen	X	
Pap Smear		X
Vitalography : Lung Function Test (Computerized report included)	X	X

Original Price :	\$4,360	\$4,220
Privilege Offer to HKIS Member :	\$2,710	\$2,570

Valid till 30 June 2005. Up to 20% discount offered to additional test(s) performed together with the package on the same check-up day. Booking and Enquiry : 2608 3170 (Health Maintenance Centre)

Getting to know the council**理事專輯**

Emily Ling
(Editorial Board - JO Representative)
Karen Kong, Vincent Lim & Sylvia Mok
(JO Committee)

Raymond Chan, Vice President**Why did you choose the surveying profession and how did you develop your career path?**

After I finished the Higher Diploma in [General Practice Surveying] in The Hong Kong Polytechnic, I worked for HSBC as a Valuation Assistant for a year and soon found that I was more interested in Building Surveying probably because the professional registration system at that time was quite flexible since exemption from Part 1 of APC was granted for graduates with Higher Diploma in Building Surveying and General Practice Surveying.

Did you encounter any difficulties in making this decision?

Yes. It has been definitely more difficult for a general practice surveying graduate to accomplish this profession than building surveying graduates. I had to start from scratch on building structure and construction technology. Even though there were so many difficulties, I thought through carefully and decided to overcome them anyway. It was a big change, determination and confidence was needed. You cannot just let go your mind.

As you have been a lecturer in the Polytechnic University for five years, what do you expect the Surveying course trend to be like?

This is a typical question of Depth Vs Breadth. To a certain extent, the provision of education is demand-driven. There has been a dynamic change in university courses to meet market needs; professional knowledge never has a clear delineation anyway. There are always areas overlapping. Personally, I favour general courses in the first year to provide a broader view of the profession before concentrating into a particular stream. The introduction of sandwich courses is a possible way to enrich students' experience in handling actual work situations. From an employer, I believe sandwich course students have a higher competitive edge among other fresh graduates upon graduation.

On the other hand, there is much general knowledge

needed in each division. Therefore, an integrated course is suitable. If there is a placement year before the final year, students would get to know more about their personal interest and the practical business market requirements.

How do you feel about the around 40% passing rate of our APC for potential BS candidates?

Generally I am not satisfied with the figure. I think the rate is relatively low. There should be more fresh qualified professionals, not only in BS but in the other streams as well. A healthy growth in membership is important for a professional body. In fact, it is one of the areas that our councillors are working on. (Hopefully there will be a higher passing rate in the coming APCs !!!)

You have been the Chairman of BSD council for several years. What are the targets you want to achieve?

The public is not clear on the job nature of surveyors, they are linked to valuers or land surveyors. People do not understand the difference between the divisions, especially Building Surveying and Quantity Surveying. First, we [HKIS] should promote our image. If the mass media ever want any professional opinion, they know they should come to the HKIS.

Second, our mission is to improve the market recognition of surveyors. For example, Building Surveyors had played an important role when we were affected by SARS.

Building Surveyors have offered the public an explanation on the relationship between the drainage system and virus transmission, which helped to enhance the drainage system in the buildings subsequently.

Third, we will speed up the reciprocity agreement with professional counterparts in Mainland China, general practice surveying has done it. This will benefit the career of young surveying professionals and provides our services to where the market needs.

You have given your views in a series episode of a TV programme. Do you intend to deliver more knowledge and judgment to the public?

The series has been organized by Building Surveying Division of HKIS and The TV Station. The general public does not have much direct contact with building surveying in their daily life, quite different from general practice surveying. Besides offering more informed knowledge to the audience, this programme aims to promote the surveying profession to the public.

Can you share with us what has driven you to become an active member in HKIS?

There are several objectives I would like to achieve as a

council member in HKIS. Firstly, I do feel HKIS deserves a higher degree of publicity in the society. From the infliction of SARS, it shows that HKIS can do more to promote its professional image. Frankly, there is hardly any institution in a better position than HKIS to promote the health and safety of buildings and real estate development in Hong Kong. Secondly, Mainland urges the integration of professional practices across the border. HKIS takes a leading role in facilitating such a merger in the surveying profession. Thirdly, I would like to lead young people to join our profession. Only with the constant incoming of new blood can an organisation grow stronger and stronger. Lastly, as an independent professional organisation, HKIS can educate the public and contribute to the society in as many ways as it can. The introduction of the building affairs tribunal and the Omandatory maintenance scheme are some examples of members' hard work.

Can you share your feelings on your voluntary work over the years? Is there any secret in your successful performance?

Good fortune and hardworking are the components of the success. After years of voluntary work, interpersonal skill is still the most crucial factor, because we do not have any control over fortune, however, we can improve our interpersonal skills which will take us a long way.

Women in Surveying

測量半邊天

Amy Lau - Turning frustration into gratification

Where did you obtain your degree in surveying?

I graduated from the University of Hong Kong and was among the first batch of graduates in general surveying (combining GP, BS and QS into one single undergraduate degree).

Did you get any scholarship during your study in the University?

Yes, from HKIS and RICS. Thanks for their encouragement.

Why did you choose this profession?

It is the HKIS pamphlet. Whilst nearly all of my colleagues

targeted engineering as their future career, I could not make up my mind despite the university prospectus had been read over and over again. I forgot when and from whom I was given a 3-folded A-4 size pamphlet issued by the HKIS. The pamphlet really amazed me and so did the surveying profession as described in it. I then started off my study and career in surveying.

How did you get started with the surveying career? What were your first experience as a surveyor? What is your career path? How did you get to this stage of your career?

I first worked in the then Buildings Ordinance Office (now the Buildings Department) as building surveying graduate.



Kelvin Ng
JO Committee

After one year of training in building surveying, I changed to the general practice surveying and started working in a real estate development company owned by the Bank of China and other Mainland China related organizations. I was qualified as general practice surveyor the second year I joined the company. The 4 years I worked in that company are crucial in my whole career life as I was given considerable exposure to wide varieties of professional works, from land acquisition works to sales and marketing. Although the projects were not of mega scale, I was intensively involved in every stages of the development process primarily because of the scale of the company and I was fortunate enough to be trusted much more than I deserved. These 4 years also reminds me of a frantic scene in 1992 when I had a second-round job-interview by the management of the company. Putonghua was not that common in Hong Kong as it is and I had never been trained on it. I could not really remember details of the interview except the way I acted like a dumb in front of the Putonghua-speaking assistant director and how frightening being incapable to understand any of his words including the salary he offered me. This frantic experience, though has become funny part of my memory, reminds me the need to be well-equipped at all times.



After leaving the company, I joined the then Land Development Corporation (now Urban Renewal Authority) primarily on acquisition on the Tsuen Wan 7-Street Project and have worked

there for 6 months. I later joined Lands Department and have been working as an estate surveyor since mid-1997.

How do you feel being an Estate Surveyor working in government?

It is challenging being an Estate Surveyor in Lands Department. The job nature is interesting as it covers a wide range of professional works. Nonetheless, there is also frustrating part of it. It is so frustrating being involved in internal-dissipating type of works, like time-consuming and energy-exhausting arguments between Government departments in demarcating responsibilities on fairly generic type of tasks. Also because of this, I am particularly gratified to have cooperative counterparts from other

departments working with me (and I am so glad that I currently have few such counterparts).

What are your responsibilities? Describe a typical day?

I am currently working in the district lands office of the Lands Department dealing with wide spectrum of land administration works as my other colleagues in the district lands office do. My daily works range from typical tasks (like processing land grant, lease modification, short term tenancy, waiver and certificate of compliance) to handling increasingly demanding requests from the general public, answering enquiries from other Government departments on matters relating to land status and land grant conditions, processing tree felling application and landscaping proposal. The list can never be exhaustive. I would say it is truly demanding and challenging, both mentally and physically.

After several years of working in the industry, What are the essential personal skills for the success in career?

Nothing more important than common sense. Surveyors, in many contexts, do not work in isolation but rather work in collaboration with other professionals and also non-professionals. Although professional knowledge has an important role to play, I would consider common sense is far more important than anything else at the end of the day. The ability to analyse from others perspectives (for instance, counterparts or clients) is also important.

What do you do in your spare time?

My favorite changes from time to time and the current one is yoga. It is not just physical exercise but trains one's spiritual mind. Golf is also my favorite (though I am never good at) but I cannot afford playing as frequently as I used to be because it is too demanding in terms of time. It has to be compromised for yoga for the time being.

Do you have any particular interest?

Everything related to wine. Besides sharing experience with other wine lovers, I also like visiting wine cellars and browsing wine related website. Wine can get people of different age and background together and suitable amount can make people more expressive. Perhaps, HKIS may consider organizing more wine-related social events to enhance coherence among members and as another informal channel in collecting members' opinions.

Date	Event	Organiser	Location	
2005				
April	16 – 21	FIG Working Week 2005 and XXVIII General Assembly	FIG	Cairo, Egypt
	18	HKIS EGM	HKIS	SLC, HKIS
May	28 – 1	Value Management for Design & Construction Methodology & Application	HKIS/City U of Hong Kong	Island Pacific Hotel, HKSAR
	31	Sustainability/LEED & Life Cycle Costing	HKIS/City U of Hong Kong	SLC, HKIS
June	2 – 3	Why re-invent the wheel	HKIS/HKIVM	HKECC, HKSAR
	4	An interactive session: function analysis	HKIS/City U of HK	Island Pacific Hotel, HKSAR
September	27 – 29	9 th PAQS Congress 2005	PAQS/CECA	Dalian, PRC
	(tentative)	Hebei-Hong Kong Week	HKTDC	Hebei, PRC
	6 – 8	MOC Conference	ETWB & MOC	Xian, PRC
	7 – 9	第四屆京港澳測繪技術交流會	HKIS LSD	Macau SAR
	27 – 29	The 2005 World Sustainable Building Conference	Japanese Ministry of Land, Infrastructure and Transport (MLIT)	Tokyo, Japan
(tentative)	HKIS Annual Conference	HKIS	Hong Kong SAR	
October	16 – 22	International Property Valuation Conference and FIG Commission 9 Working Week	HKIS/CIREA/FIG	Beijing, PRC
	(tentative)	HKIA, HKIE and HKIS Joint Conference	HKIA, HKIE & HKIS	Hong Kong SAR
November	18	HKIS Annual Dinner 2005	HKIS	Hong Kong SAR
	18	WOBO Annual Meeting	World Organization of Building Officials (WOBO)/HKIS	Hong Kong SAR
	19	WOBO/BSO Conference 2005	World Organization of Building Officials (WOBO)/HKIS BSO	Hong Kong SAR
(tentative)	第八屆兩岸城市地理資訊系統學術論壇會議	CUHK/HKIS (LSD)	Hong Kong SAR	
December		HKIS Annual General Meeting	HKIS	Hong Kong SAR
2006				
July	(tentative)	Quality Building Award 2006	HKIS	Hong Kong SAR
October	15 – 20	FIG XXIII Congress and XXIX General Assembly	FIG	Munich, Germany
2007				
July	2 – 7 Jul	FIG Working Week 2007 and XXX General Assembly	FIG/HKIS	Hong Kong SAR

For further details, please contact the HKIS office on 2526 3679 or visit www.hkis.org.hk
NB: SLC = Surveyors Learning Centre, 811 Jardine House, 1 Connaught Place, Central, Hong Kong

青年組深圳商場及百貨業考察團

青年 組「深圳商場及百貨業考察團」已於2月26日順利舉行，代表團一行70多人獲「茂業百貨」總經理，「萬象城」租務總監及「金光華場」總經理接待和講解，學員都不勝感激。

代表團除了得到深圳業界熱烈歡迎以外，深圳媒體及香港「資本」雜誌更派員除行採訪，極為難得。

其間，香港測量師學會學員踴躍發問；普通話水準日益進步，可見一斑。有關國內商場零售業探討請留意本刊4月號。



Raymond Cheng
JO Committee

