

# SURVEYORS

測量師時代  
**Times**

Vol. 14 • No. 6 • June 2005

hand in hand

戮力同心 相濡以沫

## HKIS 2004-2005 General Council

香港測量師學會2004 – 2005年度理事會

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|-----------------------------|---------------------|
| President 會長                | T T Cheung 張達榮      |
| Senior Vice President 高級副會長 | Wong Chung-hang 黃仲衡 |
| Vice President 副會長          | Raymond Chan 陳旭明    |
| Honorary Secretary 義務秘書     | Francis Leung 梁立基   |
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|-------------------|-----------------|
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| Vice Chairman 副主席 | Alex Wong 黃來發   |
| Council Member 理事 | Kenneth Yun 甄英傑 |

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|-------------|-----------------|

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|-------------------------|------------------|
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Designed and printed by Corporate Press

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The family photo album is a vivid reminder of how fast time flies. Recently I found in the HKIS homepage, under **Publications**, a complete archive of **Surveyors Times**, dating back January 1993, when it was then called **Surveyors** and was a joint publication of the HKIS and the RICS Hong Kong Branch. In March 1993, Bruce Humphrey, the then editor, said *despite many mistakes (and we cannot deny those) we seem to have achieved some measure of goodwill amongst members. Our objective for the next twelve months is no more than to build and develop upon that. To introduce ideas occasionally; to increase content slowly and, we hope, steadily. At the moment, actual publication of this journal costs (excluding admin. time) about four dollars per member per month, after deducting advertising income .... In the December issue of the same year, the editor said: without even considering the political changes of 1997 and all that, I do wonder how recognizable our Institute and Branch will be in another ten years. But, talking to the students, I am confident that the profession will be in safe hands.*

Fast-forward three and a half years, September 1997 reported the closure of the RICS Hong Kong Branch. In November 1998, a co-operation agreement was signed between HKIS and RICS. Fast-forward another two years, January 2000, the new editor **Gilbert Kwok** reported that *the editorial board took great length in discussing the feedback from the members' survey conducted in 1999. Many of the suggestions were reviewed and the editorial board decided to gradually introduce special features in response .... You may have noticed the new look of the newsletter ...* The ensuing years saw continual improvements in editorial style and content of the newsletter.

The **Surveyors Times** continued to develop and mature when the editorial board chairmanship was passed to **Jim Yip** in 2002 and **Bernard Chan** in 2004.

Fast-forward to present, the cost of publishing **Surveyors Times** (again excluding admin. time and deducting advertising income) is just about HK\$7.5 per copy. As our family photo album shows, the **Surveyors Times** has grown and matured a lot, owing to the increase in membership size (and hence admin. support), advance in technology, and the unrelenting efforts of my predecessors. However, measuring our progress against our own past may be misleading and may indeed lead to complacency. We need to assess ourselves in the context of our position and performance in the modern world, against current competitors. In this context, our readers will be best placed to pass judgement on how we are doing. And the current agenda of the editorial board: Editorial Policy; ISSN Registration; Publication in Chinese; New Columns; Classified Advertisements; Plagiarism and Copyrights; and Interfacing with Institute's and Others' Web-sites. We are glad to see many more readers giving comments and suggestions. All these will be carefully considered. On page 22, we have a letter from **Mr Leung Shou-chun** on the publication of anonymous submissions. Mr Leung's comments will be carefully considered in light of the Institute's publication policy.

So we continue building and developing, a bit at a time, not risk-free and admittedly still not error-free.

Francis Leung



# Hand in hand



There were two major breakthroughs in the history of HKIS in May 2005 : the formation of the Property and Facility Management Division (PFM Division) on the 18th and the signing of the Reciprocity Agreement (the RA) with our QS counterpart in China, the China Engineering Cost Association (CECA) on the 24<sup>th</sup> in Beijing.

The formation of the PFM Division would certainly create more business and employment opportunities for our members both in Hong Kong and in the Mainland. I am looking forward to the formation of the PFM Divisional Council and would render necessary support in their initial set up. Members interested in this field are encouraged to join their divisional council for the future of surveyors in this new venture.

The signing of the RA with CECA was an accomplishment of the QS division after almost 10 years collaboration. With the RA, our QS members are able to get the professional cost engineers qualification in the Mainland and enhance the setting up of practices in the Mainland under the CEPA arrangement. The Council will continue to work with all relevant government departments and related organizations with the aim of assisting our GP and QS firms to set up offices in the Mainland.

As a member of the Election Committee representing the Architectural, Surveying and Planning sub-sector in the Chief Executive Election, I have the opportunity to meet

with the CE candidates and expressed the surveyors' views. Based on their available platforms, I have particularly drawn their attention to the following:

- the need for a clear and sustainable urban renewal policy to improve habitability;
- more business and job opportunities for our members in Hong Kong and under the CEPA in the Mainland;
- review the fee bidding policy in consultants' appointment in the government jobs;
- the importance of having constant dialogues with us.

Despite the fact that one year presidency is indeed very short, I am delighted to see the work accomplished by the Council in the past 6 months. June is a very good timing for us to sit back to review the work we have done, and plan for the rest of the Council year. The Executive Committee, together with the Chairmen of the three Boards, were all locked up in a conference room in the Parkview on the Saturday morning of 14 May for a brainstorming session conducted by an external management consultant who was engaged to prepare an independent appraisal of the operation of HKIS last year. The session gave us an opportunity to express our views on different aspects of HKIS ranging from corporate branding, governance, membership, professional development to education and re-education and assist us in mapping out the future direction of our Institute.



Your Council has continued to visit as many members' organizations as possible to meet them face to face to solicit members' views. We have visited members at the Buildings Department, the Housing Department, Lands Department and the Surveying & Mapping Office. We are also hosting the monthly members' happy hours on the last Friday of each

month from 6 to 8 pm in the HKIS library. Those who attended the May happy hour would surely not forget the warmth at the library despite the heavy rain outside. We hope this type of gathering will create different opportunities for members to meet old friends and make new ones. I hope to see you face to face and exchange views on any topics in the months to come.

T T Cheung *President*

## 戮力同心 相濡以沫

5

月18日「物業及設施管理組」的誕生、5月24日與「中國建設工程造價管理協會」於首都北京簽署的工料測量組專業資格互認協議，標誌著五月是學會一個充滿突破而且具重大歷史意義的月份。

「物業及設施管理組」的成立肯定能為特區以至內地會員們帶來不少的就業機會及商機。我期待著「物業及設施管理組」理事會的組成，並一定會盡力配合他們的成立目標；在此，我呼籲對這個專業範疇感興趣的會員積極參與，好讓測量師在這個領域的力量壯大起來。

與「中國建設工程造價管理協會」所簽署有關工料測量組專業資格互認的協議，是工料測量組過去及現在理事會差不多十年漫長歲月努力的成果。這專業資格互認協議的簽訂造就了香港工料測量師接受考核而最終成為內地執業造價工程師的機會，再而應「更緊密經貿安排(CEPA)」目標的具體落實，獨立為內地企業工作。理事會承諾會繼續努力，為產業測量組及工料測量組會員們在內地經營機制的落實到戶作出積極爭取。

作為行政長官選舉委員會「建築、測量及都市規劃界」界別分組的成員，我有機會與行政長官候選人見面並扼要陳述以下各點：

- 需要有明確及持續發展的市區重建政策，改善生活環境；

- 提高測量專業在特區及內地因CEPA應運而生的就業機會及商機；
- 檢討政府委任顧問服務投標政策；
- 與測量專業保持良好溝通。

儘管會長的任期是短短的一年，過去幾個月的工作成果卻帶來一個令人鼓舞的半年總結，教人繼續努力、展望一個豐盛的年度。執行委員會與其他三個委員會的主席在5月14日共聚陽明山莊，大家一起聆聽2004年所聘用的顧問公司代表講述其報告內容。這次聚會目的是一起思考這個客觀評估報告的內容，同時就學會的路向和具體任務譬如學會總體聲名、管治、會藉、持續專業進修、教育以至再教育作出探討；務求為學會走出一條康莊大道。

理事會將會繼續拜訪在特區不同機構服務的會員，我們已與在屋宇署、房屋署，地政署及測繪處的會員會面，希望通過面談去掌握和更妥善地處理會員的訴求。此外，我們又定了每個月最後的一個星期五，六點到八點在學會圖書館舉行測量師歡聚時光；我想很多會員還記得五月杪一個沒有給大雨沖淡洋溢友情的黃昏。我們希望您能抽空蒞臨，新知舊雨、聚首一堂。

張達棠 會長

## HKIS signs another reciprocity agreement



It is expected that the rapid development of the Mainland will bring more opportunities to the construction industry in Hong Kong, while local professionals, with their advanced professional knowledge and international experience, can also contribute to the development of our country, said Lo Yiu-ching JP, Permanent Secretary for the Environment, Transport & works (Works) of the HKSAR Government.

The Institute (Quantity Surveying Division) has signed a reciprocity agreement with the China Engineering Cost Association in Beijing on 24 May 2005. The signing was between the President, TT Cheung and the Director of the China Engineering Cost Association, Madam Zhang Yun-kuan and the ceremony was witnessed by Liu Zhi-feng, Deputy Director of the Ministry of Construction, Central Government and the Permanent Secretary for the Environment, Transport & Works (Works) Lo Yiu-ching, JP of the HKSAR Government.



Founded in July 1990, the China Engineering Cost Association (CECA), under the auspice of the Ministry of Construction of the Central Government, is registered with the Ministry of Civil Affair. One of the missions of the Association is to study the theory and practice problems about the reform of administration institute, the development



policy, the mechanism of market admittance and the regulation of market behaviour of the engineering cost industry as well as probing into the approach to raise the efficiency for public and private investment, to forecast and control the engineering cost, to promote the application of modern management technique and submitting the related suggestion to government agencies. For more on the CECA, please visit [www.ceca.org.cn](http://www.ceca.org.cn).



The Institute (General Practice Division) signed its first reciprocity agreement in 2003 with the China Institute of Real Estates Appraisers. This has, indeed, taken the CEPA one step further in allowing HKSAR professional service providers in entering the Mainland market.

## EGM on formation of property and facility management division



The EGM took place in the Surveyors Learning Centre on 18 May 2005 and four resolutions were put to vote:

**Resolution 1** – Add the following sub-clause to Clause 6.1 of the Constitution: **(f) Property and Facility Management**

**Resolution 2** – If Resolution 1 is carried, insert the following new sub-clause to Bye-Law 3.1.1: **(o) three representatives of the Property and Facility Management Division**; and re-number subsequent sub-clauses to (p) and (q)



**Resolution 3** – insert the following sentence after Bye-Law 3.2.2: **Provided that if a Division is formed under Clause 6.1 of the Constitution after the General Council is elected at an Annual General Meeting, the representatives of the newly formed Division shall be those who are nominated by the Divisional Council of the new Division and approved by the General Council. Notwithstanding Bye-Law 3.1.3, the tenure of the representatives of the new Division shall expire at the same time as the General Council.**; and insert the following sentence after bye-Law 4.2.4: **Provided that if a Division is formed under Clause 6.1 of the Constitution after the General Council is elected at an Annual General Meeting, nomination of representatives by the newly formed Division shall take place as soon as practicable.**

**Resolution 4** – For the sole purposes of formation of the Property and Facility Management Division, and until the following are approved by the General Council: – constitution of the divisional council of the Property and Facility Management Division in accordance with Bye-Law 4.2.1; and regulations of the Property and Facility Management Divisional Council in accordance with Bye-Law 4.2.2, the duties and responsibilities of the Property and Facility Management Division as stipulated in Bye-Law 4.2 shall be assumed by the current Property and Facility Management Forum.

These four resolutions were passed with a majority of votes.

| Resolution<br>議案 | FOR<br>贊成   | AGAINST<br>反對 | ABSTAIN<br>棄權 | VOID<br>無效 | TOTAL<br>總數 |
|------------------|-------------|---------------|---------------|------------|-------------|
| 1                | 621 (92.1%) | 41 (6.1%)     | 11            | 1          | 674         |
| 2                | 611 (90.7%) | 45 (6.7%)     | 17            | 1          | 674         |
| 3                | 623 (92.4%) | 35 (5.2%)     | 15            | 1          | 674         |
| 4                | 621 (92.1%) | 36 (5.3%)     | 16            | 1          | 674         |



## Board of Professional Development looks into certification

Professor Barnabas Chung, chairman of the Board of Professional Development, has recommended to the Ex Com a system of certification of professional specialization and is working out a system in conjunction with divisional feedback. Apparently, such a certification system will help the public to identify expertise readily. An open forum has been planned for 19 July 2005 in the Surveyors Learning Centre.

The Professor adds that the Board is looking into strategic plans on professional development such as mandatory CPD, e-library, on-line CPDs, quality control of CPD, recording of CPD events for members who cannot attend, accreditation and last but not least resources requirement.

## Board of Education gives briefing on mainland courses accreditation

Wong Bay, Chairman of the Board of Education, has told the Ex Com that the Board has a general direction on accreditation of courses. If a mainland degree course is recognized by the HKSAR Government, then the accreditation procedure will be the same as that for a degree awarded by a local university. When a mainland degree course is not one of the recognized universities, the subject course must be accredited first by the Hong Kong Council for Academic Accreditation. To foster closer ties and understanding, the Board also tries to co-ordinate visits to local universities and institutions for all members.

## President speaks at 2nd PPP Asia Summit



The President, TT Cheung, has spoken to the floor on **the potential application of public private partnerships in the construction sector** in the 2nd PPP Asia Summit held at the Hong Kong Convention and Exhibition Centre, 25 – 26 May 2005, saying that in the face of constant demand for quality public facilities and ser-

VICES at times of budgetary constraint, PPP has been adopted as a mode of delivery around the world.

## HKIS office bearers meet with Acting Chief Executive



The President, TT Cheung and the Senior Vice President, Wong Chung-hang have had a meeting with the

Acting Chief Executive, the Hon Donald Tsang on 13 May.

The visit has been arranged by Legislative Councillor, the Hon Patrick Lau representing the Architectural, Surveying and Planning Functional Constituency. At the meeting, the Acting CE has made a re-assurance on government policy to support the development of professional services both in Hong Kong and in the Mainland; he also added that it is Government intention to speed up the pace of approving construction projects under the list of the then Urban Council and Regional Council. To facilitate better communication with professional bodies, meetings between the ASP functional constituency and the Chief Executive, Chief Secretary and Financial Secretary will be institutionalized separately on a regular basis, pledges the Acting CE.

The President, TT Cheung, meanwhile tells the Acting CE that the Institute will focus on urban renewal for the rest of the year including collaboration with government departments, the URA and Housing Society and that the Institute likes to see more dialogues with the Hon Donald Tsang in the future.

Speaking as the keynote speaker, the Acting CE of the HKSAR Government, the Hon Donald Tsang, says that there is growing evidence which confirms PPP works, and most notable is the delivery of high quality facilities and infrastructures as planned, and the delivery of services with greater efficiency and better performance, often at a lower cost.

There is a good understanding on the benefits PPPs can bring and the range of services to which the approach can be applied. These included avoiding the creation of new civil service positions; smoothing Government's cash flow; improving efficiency and quality of services delivery; stimulating the economy; and encouraging private sector

on job creation. The Acting CE concludes that the PPP approach should be used when it is the best option in the prevailing circumstances.

While echoing the potential benefits of PPPs, the President, TT Cheung, points out some potential problems for Government to implement PPPs, including lack of experience in both public and private sectors; resistance to change / accept new partnership culture; inadequate guidance notes for ensuring value for money; immature legislative approval framework and lack of society support.



In order to overcome those problems, the President, suggests that there should be training for staff concerned; experienced consultants appointed to advise on the implementation of PPP projects; Government should establish a high-level unit to promote, support and monitor PPP projects; Government should also formulate clear and detailed guidance notes for each type of PPP projects; and finally review existing Legco's financial approval procedures for PPP projects. The President concludes that if used properly, PPPs will contribute significantly to the local community as it will provide more public construction works; there will be less unemployment particularly in the construction sector coupled by an increase in gross domestic fixed capital formation; and more importantly, society will enjoy more and better public facilities and services at the end of the day.

### Work group to study REDA/HKCA safety partnering programm

The Institute is supportive of this Real Estate Developers Association of Hong Kong initiative; a work group comprising members from the building surveying and quantity surveying divisions will be formed to pursue the matter.

### Samson Wong heads project management committee

Samson Wong, past president of the Institute (1997–1998), is to head the Project Management Committee for a two-year term. The Committee is to enhance the project management skills of HKIS members; promote public acceptance on employing surveyors in project management;

make assessment and to keep a register of **certified project manager** for HKIS members; liaise with professional bodies on the promotion and development of project management as well as conducting research to further knowledge on the subject. The Council expects a half-yearly report from the Committee to ensure that set objectives are met.

### SVP looks into HKIS nominations to external bodies

Wong Chung Hang, the Institute's Senior Vice President, says that the work group has compiled a list of HKIS institutional and divisional representation on external statutory and non-statutory boards, committees, panels and working groups, including those of the mainland and international organizations. The work group is looking into rules and procedures for making a nomination; terms and conditions of accepting an appointment and guidelines for reporting system for Council deliberation.

### VP works on HKIS corporate video

The Institute's Vice President, Raymond Chan, is heading a work group on the production of a new HKIS corporate video; the current version has been serving for quite some time.

### Surveyor cum IT whiz-kid looking into HKIS server

A member surveyor is helping the Admin Office out by looking into the IT infrastructure to include the data server, web server and mail server; apparently, a tender will be called once the specification has been designed, one mandatory step in the global e-village.

### HKIS review admin office structure

A management consultant has been commissioned to conduct a review on the organization structure of the administration office and to develop a staff manual. The review also covers areas to include: a revised organization structure, job specifications under the new structure and administrative staff working relationship with office bearers, divisional councils and the General Council.

## Council debriefed on envisaged HKIS roadmap



Council members heard on 14 May a de-briefing from the management consultant on its findings in the Review Report accepted by the

Institute in December 2004. The report largely covers the future governance of the HKIS in terms of strategic direction; alignment of Divisions, branding and public relations; membership services. No one will deny the importance of

a genuine understanding on the strength, weakness, opportunities and threats that the Institute faces; and certainly, the advocacy role of the surveying profession.



## Surveyors happy hour



**T.G.I.F.** it's time for a break, a time for getting together and a time to belong – over 30 surveyors met in the library for a drink in the evening of 27 May; the thing is it was pouring cats and dogs outside and that did not stop them. What did they talk about? Hadn't a clue, but worth reporting is that it has been a time of hair-down. Want to share the fun? Come to the gathering every last Friday evening of the month, ciao.



## Professional Green Building Council 2005

The PGBC, chaired by Kenneth Chan, past president of the Institute, had its first council meeting on 11 January, the council comprises:

|  |       |                                  |
|--|-------|----------------------------------|
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Secretarial support rests with the HKIS.

### **Is Your Green Building Acceptable to its Occupants?**

**Energy-efficient lighting, and other examples** A presentation was made by Guy R. Newsham, Ph.D., Senior Research Officer, Indoor Environment Research Programme, Institute for Research in Construction of National Research Council Canada on 17 January. Please visit: [www.hkpgbc.org](http://www.hkpgbc.org).

### **Comprehensive Environmental Performance Assessment Scheme and Building Classification Scheme**

Representatives of the Board of Sustainability had a met with BD officials including: Marco Wu, H W Cheung, K M Mo, K K Choy, Dr Hui and Dr K W Yeung on 4 March. Topics discussed were CEPAS and Building Classification Scheme. Apparently, a working group on the implementation of CEPAS would be set up by PCICB, which was not a body representative of the construction industry. A letter was sent to BD afterwards and may be viewed at the Secretariat.

**Building Classification Scheme** BD further advised that it was the intention of government to identify someone to implement a building classification scheme on a non-governmental basis parallel with the possible introduction of a mandatory inspection and maintenance scheme. It is noted that PGBC had written to HPLB in the last round of consultation on Building Management and Maintenance expressing the intention to operate such a scheme. It was recommended

that financial and other assistance be sought for the initial setting up of implementing the scheme. The Council, which met on 8 March, further endorsed PGBC's commitment.

**The Architectural Centre** The Council agreed participation as a co-founder in the establishment of the Architectural Centre initiated by the HKIA. This will be a permanent venue for display of green technology, products, promotion of green concept and knowledge, wider education of professionals and the public. Financial sponsorship would be sought later from interested groups in Hong Kong.

**Bridge2far** As supporter of the **A Bridge2far** ([www.bridge2far.info](http://www.bridge2far.info)) project, the organizer invited members of PGBC wishing to join in July to construct the bridge. The PGBC participants will join the Volunteer Team on site. Please contact K S Wong if you want to participate.



**Informal Gathering with the Hon Advisor** Members of the Council met with the Honorary Advisor, Michael Suen and Advisors, Roger Lai, Bosco Fung, C H Yue, William Kao and H W Cheung over an informal dinner. The purpose was for an update of the activities of the council and discuss issues related to green buildings. We must thank the advisors of their genuine concern about the development of the council and in offering good advice.

**PSDAS Project** A project similar to the successful symposium held in 2004 in Shanghai, this time the Chinese collaborator is South China University of Technology in Guangzhou. The Project Coordinator is Professor Stephen Lau of the University of Hong Kong.

**Sustainable Building 2005** PGBC will be participating in this triennial event from 27 to 29 September 2005 in Tokyo. There will a delegation of over 10 people together with representatives of organizations / developers who had entered into the exhibition of sustainable projects. For more information please see [www.sb05.com](http://www.sb05.com). For enquiry, please contact Jonathan Ho at 2526 3679 or [edudept@hkis.org.hk](mailto:edudept@hkis.org.hk)

學會再簽訂互認協議



有鑒於內地對專業服務的龐大需求，「香港測量師學會」自回歸以來，一直積極與內地有關單位就專業資格互認進行磋商。通過國家和特區政府的大力支持，及後2003年國家與特區政府簽署的「更緊密經貿安排(CEPA)」，資格互認磋商終於取得重大突破。「香港測量師學會」產業測量組與「中國房地產估價師學會」於2003年秋順利完成簽訂互認協議，2004年春首屆專業資格互認補充測試取得圓滿成功。香港與內地合作得到實質性進展，進一步具體落實「更緊密經貿安排(CEPA)」降低本港服務業到內地發展的門檻。

「香港測量師學會」不斷為其他組別專業資格互認繼續進行磋商。在國家建設部、人事部、商務部、國務院港澳辦等部門和香港特區政府環境運輸及工務局的積極推動下，2005年春「香港測量師學會」工料測量組終於與「中國建設工程造價管理協會」達成共識，並於2005年5月24日在北京簽署資格互認協議。

中國建設工程造價管理協會張允寬理事長及香港測量師學會張達棠會長共同簽署了造價工程師與工料測量師資格互認協議。



在獻詞中，國家建設部劉志峰副部長指出兩地在不同專業範疇取得的資格互認豐碩成果是令人鼓舞的。他又指出：內地與香港建設行業專業人士資格互認工作的開展不僅落實了CEPA關於雙方鼓勵專業人員資格的相互承認，推動彼此之間專業技術交流的具體要求，而且為CEPA關於建設領域其他安排的實施奠定了基礎，在香港和內地均產生了積極的影響。在開展互認工作的同時，雙方在行業管理體制、法律法規、經濟合作等方面加強了交流，增進了瞭解和友誼，促進了兩地的合作。兩地經過磋商，在專業人士資格互認方面達成了共識，當天簽署的協議，將進一步加強內地與香港工程造價領域的交流與合作，為更多的香港專業人士來內地發展，參與祖國建設，創造了條件。香港特區專業人員在內地的工作表現不斷得到認同，憑著他們豐富的國際經驗、人才互動，肯定會帶來新景象，面對世界並為國家的強大作出貢獻。同時，他又代表建設部向在資格互認中給予大力支持的有關部門和單位及辛勤工作的兩地有關人員表示誠摯的謝意！



香港特區政府環境運輸及工務局常任秘書長盧耀楨則表示，兩地建造業的專業資格互認，除了加促雙方專業人才的互通、專業技術和經驗的交流以外，還可提高整體專業水準和



促進兩地建造業的發展；隨著內地與香港關於「更緊密經貿安排(CEPA)」逐步落實，兩地業界的合作及交流，將更趨緊密。

國家建設部副部長劉志峰及香港特區政府環境運輸及工務局常任秘書長盧耀楨見證了簽署儀式。其他出席簽署儀式人士包括：國家人事部專業技術人員管理司胡文忠處長、國家商務部台港澳司劉振華調研員、國務院港澳辦公室交流司黃光助理巡視員、建設部人事教育司李秉仁司長、建設部標準定額司陳重司長、建設部城鄉規劃司何興華副司長、建設部外事司鄭淑玲副司長、建設部綜合財務司鄭立均助理巡視員、建設部執業資格註冊中心趙春山副主任、中國建設工程造價管理協會馬桂芝副理事長兼秘書長及香港特區政府環境運輸及工務局吳啟明首席助理秘書長。

香港測量師學會代表團則包括會長張達棠，副會長陳旭明，工料測量組兩位前任主席潘根濃及郭靖華、現任工料測量組主席鄭森興，副主席何學強博士，義務秘書關天智，工料測量組理事及教育委員會副主席郭劍生，工料測量組理事賴旭輝、廖美薇、嚴汝江、胡錫昌、李愉鳴、陳少康、曾可安、黃之偉、嚴少忠、林清錦、聶春月、袁棟坤、盧思穎及謝麗泉，青年組主席林力山及理事莊學正。



香港測量師學會張達棠會長說本次資格互認協議的簽訂對學會來說是一個重要的里程碑。他估計香港特區將有超過五百位工料測量師符合基本條件，可申請考核成為內地執業造價工程師，獨立為內地企業工作。他又承諾學會一定會繼續努力，在資格互認爭取更好的成績。

工料測量組主席鄭森興則表示考核將於本年冬舉行，具體安排正在磋商當中。



## 學會拜訪國務院港澳辦公室



學會代表團於5月23日下午在北京拜訪國務院港澳辦公室，獲得交流部錢力軍司長接待。

會上，出席的學會會員詳盡地指出測量專業在內地取得的工作經驗實在不淺、機遇良多、可是碰到的挑戰也不少。就2003年「更緊密經貿安排(CEPA)」簽訂以來，業界營業執照問題暫時還沒有解決，人事及經營權政策的落實對於兩地專業人員合作並取得成效的重要性毋容置疑，而實實在在的奠定良好基礎實可以說是萬眾期待。



副主席何學強，義務秘書關天智，工料測量組理事暨香港測量師學會教育委員會副主席郭劍生，工料測量組理事胡錫昌、李愉鳴、陳少康、黃之偉、嚴少忠、袁棟坤、謝錫泉和林清錦，香港測量師學會青年組主席林力山及理事莊學正。



在一個多小時的會談裏，錢司長很慎重的聆聽並表示非常重視和關注列席代表提出的疑難；司長又強調了國家是完全掌握專業人

一定會向有關當局反映情況並積極把問題具體處理。

代表團成員包括：香港測量師學會會長張達棠，副會長陳旭明，工料測量組兩位前任主席潘根濃及郭靖華、現任主席鄭森興，

## 2005中國房地產（深圳）論壇

5月2日學會應「深圳市不動產估價學會」的邀請，出席了在深圳舉行的「2005中國房地產（深圳）論壇」；學會由上任會長謝偉銓代表，隨行的還有產業測量組中國事務小組召集人劉詩韻及會員吳英奇。會上，雙方分享了香港房地產市場「調控」的經驗。



## 中國房地產估價師與房地產經紀人學會候選人

產業測量組的趙錦權、林增榮與余錦雄被學會推薦為中國房地產估價師與房地產經紀人學會第二屆理事會候選人並於該會2005年5月11日周年大會通過議程獲選。三位會員均於2004年取得內地房地產估價師的資格。

## SVP recaps meeting SAA and visit to SISV

Wong Chung-hang  
Senior Vice President



As you may recall, the Surveyors Alliance Asia (SAA) has been formed on the Agreement Signing Ceremony held in Hong Kong in November 2004. The three founding partners of the Alliance are the Institution of Surveyors Malaysia (ISM), Singapore Institute of Surveyors and Valuers (SISV) and the Hong Kong Institute of Surveyors HKIS. Since then, the three institutes have begun to increase cooperation in areas of common interests.

The first SAA Executive Council meeting will be held in Kuala Lumpur on 21 June 2005. Our past President, Stephen Liu will attend the meeting as the HKIS representative to the SAA Executive Council. Recently, the three institutes have actually met on a less formal occasion in Singapore at the SISV Annual Dinner held on 20 May. I have represented HKIS at the SISV Annual Dinner.



I have also paid a visit to SISV Office before the SISV Annual Dinner. SISV and HKIS exchanged views on some recent development within the two institutes. SISV has been updated on the formation of the Property and Facility Management Division in HKIS. To strengthen the tie between the two institutes, SISV and HKIS have agreed to exchange publications. HKIS will send the **Surveyors Times** to SISV, including those starting from the beginning of the current council year. The **Surveyors Times** will also be circulated to ISM as part of our communication with the other SAA partners.

The theme of the SISV Annual Dinner 2005 was **Reaching Greater Heights with Flying Colours**. At the SISV Annual Dinner, the SISV Main Council Chairperson Dr Amy Khor has particularly mentioned the formation of the Surveyors Alliance Asia in her welcoming speech. SAA has been recognized as one of the SISV overseas outreaching achievements in Singapore. From now on, SAA will develop in a more aggressive manner. In the following, I would like to make a recapitulation of the SAA aims and mission.

SAA aims at recognizing the importance of the development and growth of local institutes. The purposes of forming the alliance are:

- To strengthen the relationship between the various professional institutes in Asia;
- To promote and upkeep the surveying professionalism and standard;
- To protect the interest of local institutes; and
- To enhance cooperation among SAA partners.

The SAA mission is to fulfill:

- The promotion of the best surveying practice in Asia;
- The promotion of dialogue between SAA partners;
- The encouragement of regional cooperation in the practice of surveying;
- The fostering of research appropriate to the better understanding of building and property practice in Asia;
- The rendering of assistance to members of SAA partners working in other partners' countries / cities;
- The promotion of recognition of academic qualifications of relevant courses in universities in other SAA partners' countries / cities.

The HKIS representatives to the SAA Executive Council are Stephen Liu, Francis Ng, Kenny Suen and Wong Chung-hang. Should you have any views on SAA and alike, please let us know.



## Building Surveying Division Chairman's Message



Edwin Tang  
BSD Council Chairman

### *Mutual Recognition of Professional Qualification with the Supervision Engineers in Mainland*

I have recently received some emails on the appropriateness of entering into mutual recognition agreement with the China Association of Engineering Consultants (CAEC中國建設監理協會). This should be addressed in the Report, which is under preparation, on our Mainland visit in late April this year. With our experience in struggling with RICS on the reciprocity, we share members' concerns. We will consult members upon the drafting up of the framework for the mutual recognition.

To facilitate the promotion of BS services in the Mainland, former BSD Councils had tried to look for similar practice in the Mainland years ago, right before the mutual recognition initiatives agreed between the Central Government and the HKSAR Government. You may recall that there was a CPD in Dec 2003 to introduce the supervision engineering practice in the Mainland. The Councils were aware of the development and positioning of the supervision engineers practice. Current BSD Council realized that it would be

advantageous for BSD to enter into the mutual agreement. More would be deliberated during the debriefing for our visit (details to be announced separately).

### *BSD Publication Panel*

The Panel had held a brainstorming meeting and came up with the following possible publications to benefit young BS and / or the general public:

1. Guideline for the preparation of Building Maintenance Manual and Planned Maintenance for Residential Buildings
2. BS Profession Fact Sheets (Updating)
3. Introductory Leaflets on subjects of Building Maintenance
4. Layman's guide to Floor Areas
5. Guidance notes on Water Seepage
6. Guidance notes for carrying out a building survey
7. Leaflets on Material selections: timber flooring, water pipes, glazing, painting, etc. commonly used in Hong Kong

If you have any contribution (e.g. ready available information) to the publications or would like to participate, please contact Edgar LI at [edgarli@netvigator.com](mailto:edgarli@netvigator.com).

### *BSD buffet dinner event has gained its momentum*

The turn up rate is still low but improving. This social event provides a good opportunity for members and probationers to make new friends, sharing APC experience, exchange working experience, etc. Please do come although a similar HKIS Happy Hour event will be held on the last Friday of every month (started on 27 May 2005), we would keep the buffet dinner as we believe they are complementary to each other for the time being.



### *An Update from the BSD Technical Advisory Panel*

There was a Joint BSC / APSEC Meeting on 13 May 2005 and the following are brief notes of the meeting:—

**Revamping of the Building (Construction) Regulations [B(C)R]** Open for comments for 2 months.

**Draft New Part of the Code of Practice for Means of Access for Firefighting and Rescue (MOA Code) for**

**Emergency Vehicular Access (EVA) – 3<sup>rd</sup> Revision** Spirits and principles in the repealed Circular Letters has lost. Members urged dialogue with FSD.

**Registration of Building Service Engineers (BSE)** A working group was to be set up with the following terms of reference:

- (1) To study and identify the various provisions in the extant Buildings Ordinance (Cap. 123) and subsidiary

legislations (the BO) which may involve building services engineering input;

- (2) To identify and review the role and participation of RPE (BS) and other professionals currently providing the scope of input and /or services in compliance with the provisions of the BO as identified in (1); and
- (3) To assess and review if such services may only be provided by RPE(BS) and, if so, whether the engagement of RPE(BS) should be made mandatory.

**Review of Lighting and Ventilation (L&V) Requirements in Building** Revised paper was being commented by APSEC Members.

**Comprehensive Environmental Performance Assessment Scheme (CEPAS)** The proposed CEPAS was being tested on trial cases and expecting finalization of scheme by end of June 2005.

**PNAP 269 on Fast-track Processing of Alteration and Addition (A&A) Plans for Signboards** This PN was overhauled to cover all signs. Maximum size of 40 m<sup>2</sup> was prescribed. Comment by 2 June 2005.

**Streamlining of Approval Process for Land and Building Developments** Two draft JPN on exemption of voids in duplex flats and houses from gross floor area calculation and alignment of key development parameters were being commented by PlanD and LandsD.

**Review of PNAPs** Working group had already met 3 times and preliminary classification of extant PNAP into administrative, interpretation and advisory had been completed. Some PNs will be deleted and some combined and rewritten.

**Review of the Design and Construction of Hoarding and Covered Walkway** WG presented review report and further simplification of hoarding design was proposed, such as lowering of double deck to 300mm above the first deck, etc.

**Recognition of AMHKIE** Submissions from HKIA and HKIS on recognition of Associate Members as TCP T3 were being considered. There was the issue of alignment of experience requirements.

**Review of Buildings Ordinance and Building Regulations**

**on Sanitary Fittings, Plumbing and Drainage Provisions for Buildings** Draft PNAP on provision of sanitary fittings was being commented by Members. It proposed the change of male to female ratio and provision of sanitary fittings as provided in the consultancy study report. Members urged BD to make clear to front line staff that modifications would be readily given without having to provide further justifications.

**Revised Minor Works (MW) Control System** Finalized list of minor works was being circulated for comment.

**The Proposed Integrated Site Supervision System (ISSS)** The working group on ISSS had further amended the draft TM and CoP which were now ready for submission to LegCo for negative vetting in June 2005.

**Protection of Natural Streams / Rivers from Adverse Impacts arising from Construction Works** ETWB had issued the Technical Circular (TC) on the subject and BD would issue a similar practice note in due course.

**Control on Wet Fixing of External Wall Finishes** A number of reports were received by BD and lots of discussion without conclusion.

**Draft Code of Practice for the Structural Use of Steel (Limit State Approach)** Consultant made a presentation of the draft code which was ready for implementation and the extant code would be phased out in 24 months. Members could still comment by end of May 2005.

**Draft Revised PNAP 30 on Central Processing of Building Plans** This was issued to incorporate known internal guidelines. Others would be made known as appropriate in due course.

**Review of Fire Safety Requirements for Cinema** Certain relaxations were made to the fire safety requirements for cinema, such as independent staircases, width of seatway and projection room, etc. Comment by 2 June 2005.

#### Other Issues

- REDA raised two issues on new interpretation of regulations at OP inspection and testing of drainage. These might involve internal guidelines which should be made known to AP and RSE.
- BD was reminded that issues in AP's discretion should be kept that way.

## General Practice Division Chairman's Message



Yu Kam Hung  
GPD Council Chairman

The General Council has proposed a system of allocating responsible division when handling different affairs as stated in a list of **Concerned Division**. The GPD Council has commented on the list together with supporting reasons.

It is noted that a working group will be formed to review the participation of HKIS and GPD in government committees related to the surveying profession. Daniel Mak is the convener and Lawrence Poon, Andrew Fung and William Wan are members. The working group will report in the next meeting.

### Education and APC (Convener: Mr Simon Wang)

Some recommendations such as **written test only**, **interview only** for the APC system will be reviewed by the panel.

### Business Valuation (Convener: Mr KK Chiu)

The Business Valuation Forum (BVF) between HKIS, HKSF and RICS has been formed. Within the BVF, there will be an advisory board. We shall invite the SFC, universities and professional Institutes to send two nominees from each member Institute to form the board. A press release in July to announce the detail is being discussed.

### CPD and Internal Communication (Convener: Mr Ronald Cheung)

A number of CPD events have been organized.

### Government Practice and Local Affairs (Convener: Mr CK Lau)

- At the liaison meeting with Lands Department was discussed issues on **Simplification of Lease Condition** and **Streamline Lease Modification Procedures**.
- A letter has been sent to Lands Department concerning the **A Book** and premium.
- The matter on **fee scale** is in progress.

### Mainland Affairs (Convener: Ms Serena Lau)

The communication with CREVA and the China Appraisal

Society (CAS) will continue. As nominated by the HKIS, Alex Lam, KK Chiu and Kam-hung Yu have been appointed the Council Members by the CIREA in the AGM on 11 May.

### Membership (Convener: Mr KK Chiu)

Four applications from RICS members have been received. The GPD Council will examine the detail and make a recommendation to the Board of Membership. The issue on membership fees in the case of multiple memberships was discussed in the recent GPD Council meeting. The Council agrees to support the fee structure proposed by the Board of Membership.

### Public Relations (Convener: Mr Daniel Mak)

Members will produce more professional articles for publication.

### Property Management (Convener: Mr W L Mak)

At the EGM rescheduled on 18 May 2005, the result was that a new PFM division would be formed.

### Valuation Practice (Convener: Mr Charles Chan)

- A letter commenting on the consultation paper on REIT has been issued.
- A press conference will be held on 23 June 2005. The mandatory new Property Valuation Standards, Guidance notes on Mortgage Valuation and List of Property Valuers will be announced.
- The formality and operation of the appeal panel on the **List of Property Valuers** application was discussed. The GPD Council has agreed to the following procedures: once the vetting panel receives an appeal, the panel should, within a reasonable time period, pass the appeal to the GPD Council Chairman, acting as a member of the appeal panel. The appeal panel would conduct a meeting to consider the appeal and the result would be passed to the administration office and GPD Council Chairman. A notification letter would then be sent to the applicant by the GPD Council Chairman.

### Valuation Standards (Convenor: Mr Lawrence Pang)

The Mortgage Valuation Guidance Notes has been finalized. A letter to banking associations and the HKMA have been sent to invite comment.

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 on our work and practice.

### CIREA – FIG – HKIS Joint Seminar in Beijing

A seminar with FIG & CIREA is scheduled for 16 to 22 October 2005 and paper for the seminar is invited.

## Land Surveying Division

### Chairman's Message



Dominic Siu  
LSD Council Chairman

As a member of the Advisory Committee of the Dept of LSGI in HK PolyU, I joined their meeting on 26 May chaired by P C Lau, also present were Ir Prof KO Jan-ming, Dean of the Faculty of Construction and Land Use and Prof CHEN Yong-qi, Head of Department of Land Surveying and Geo-informatics. One major issue discussed was the accreditation of the Double-degree programme in BSc (Hons) in Geomatics with specialism in Geo-information Technology (Geo-IT) and BSc(Hons) in Computing by HKIE and HKIS.

### CPD events

Last month was probably the busiest month with matters picking up momentum on all fronts. CPD events have been progressing extremely well and I must thank Ray Leung LSD CPD convenor and his team Maris Lo, Eric Ma and George Leung for their hard work in organising successful CPD events such as: **Deep Bay Link Site Visit, 28 May** and **Hong Kong Land Boundary Survey – Future Development and Career Aspects, 1 June**.

Members of the CPD working group are working enthusiastically on **Bursting Height of Firework of Disney Park** which is believed to be the biggest CPD event of LSD in 2005. CPD participants have a chance to win free tickets to Disney Park which opens in September. Watch out for the event, you may be the winner!

### Seminar on Spatial Information Science and Technology and a round of Golf in Kau Sai Chau

I was invited to the 1<sup>st</sup> Annual Seminar on Spatial Information Science and Technology organised by HK PolyU on 30 May. One of the Guest speakers Prof Paul Cross,

Head of Geomatic Engineering University College London, happened to be my lecturer when I was studying in UK in the 80. His presentation was inspiring and gave an insight to improve real time spatial position determination anywhere in the city on GIS application. Prof Paul Cross is not only an outstanding and renowned academic, he is also a keen golfer with low handicaps. Thanks to Rina Tsoi and Lesley Lam who managed to organise 4 flights, mostly surveyors, to tee-off on both the North course and South course of Kau Sai Chau Golf Course. Prof Cross, the President T T Cheung, T N Wong, past HKIS president and FIG Vice-president and myself were on the same flight. We were lucky to have a round of 18 holes on a sunny day and enjoyed delicious seafood in a restaurant near the Sai Kung Pier afterwards.

### Complaint letter from Technical Grade Applicants

Recently, HKIS has received two complaint letters from TA applicants of LSD and I can appreciate their feelings; it looks ridiculous requiring technicians with 20–30 years of experience joining HKIS as a trainee. The interpretation of existing constitutions on admission of Technical Grade membership is far too stringent and inflexible. As far as I understand, the two complainants probably will meet the requirement of additional 3 more months of experience by the time they read this newsletter. What they need to do is to submit the ATC as soon as possible. It will only be a transitional period of 3–12 months joining the HKIS as a Technical Trainee. I shall liaise with the Chairman of Board of Membership (BoM), LSD representatives to BoM and BoE and bring up this issue in the Excom meeting on 8 June. Hopefully, the need of becoming a technical trainee of the two complainants can be waived.

## Planning & Development Division Chairman's Message



Edwin Tsang  
P&DD Council Chairman

**A** CPD event on Planning Law and Practice in Hong Kong will be held on 22 June in the Surveyors Learning Centre. The lecture will give an overview on planning law and practice in the light of recent changes to cover: plan-making process; planning application system; power and function of the Town Planning Board; enforcement against unauthorized development in rural New Territories.

The notice for commencement of the Town Planning (Amendment) Ordinance 2004 was gazetted on 15 April 2005. Subject to passing by the Legislative Council, the Ordinance will commence on 10 June 2005. All planning and development, GP surveyors, related professionals and probationers are encouraged to attend. The speaker is Ms Fiona Lung of HKIP.

## Property & Facility Management Forum Chairman's Message



Michael Price  
P&FM Forum Chairman

**M**ay I start my report by thanking all HKIS members who have supported the forum in its drive to set up a separate Property and Facility Management Division. This was achieved at the EGM on May 18, when over 92% of the voting members supported formation. Thank you. It is a necessary strategic move for our institute. We are now moving ahead to implement the result, and have identified 3 major areas to work on:-



**Internal Membership Recruitment** the transfer and acceptance of members into the division and the details. It will culminate in our first meeting for election of divisional office bearers in November 2005.

**External Membership Recruitment** meeting with heads of universities to ensure a proper programme for students and graduates is in place by the end of this year.

**External Promotion** promoting, leading by Angel Kam, our Property and Facility Management qualification to both government and private organizations.

It is all our intention to work closely with RICS.

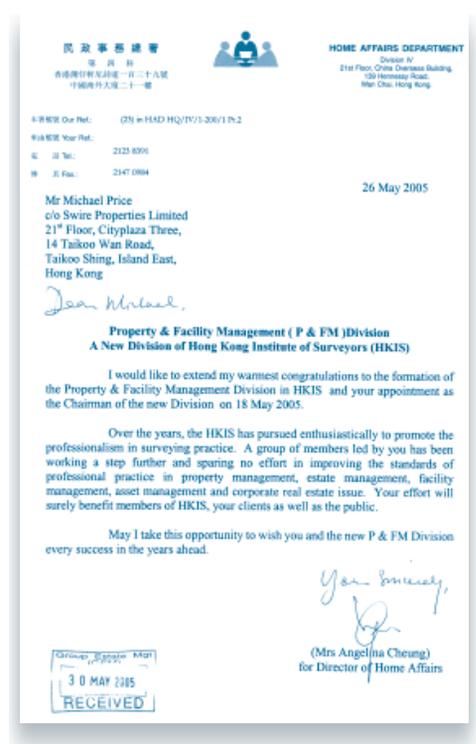
We have received a congratulating letter from the Home Affairs Department, and look forward to improving our relations with them in the near future. Two of our prominent members, Gary Yeung and Dick Kwok,

have raised the profile of the surveyors in Property and Facility Management by appearing on a radio talk show, to help owners with management queries. This is being to assist the Home Affairs Department.

In parallel, our team has been working hard on bringing useful CPD subjects to you, including a well attended talk on **building insurance**, and **mobilizing of facility management workforce**. We will continue with our CPD programme of over the coming months, and look to improving services to members of the division.



A busy time for all and anyone who would like to help, please call Rebecca Tsoi on 2844-4915 or via e-mail: [rebeccatsoi@swireproperties.com](mailto:rebeccatsoi@swireproperties.com).



## Quantity Surveying Division

### Chairman's Message



Sam Cheng  
QSD Council Chairman

Following the inspiring story of the Trojan Horse given by the Hon Secretary, Spencer Kwan last month, as planned, a troop of very bright senior surveyors led by the President, T T Cheung and Vice President, Raymond Chan attended the official signing ceremony of the Reciprocal Agreement between CECA and the HKIS QS Division on 24 May. The ceremony was witnessed by the Deputy Minister of Ministry of Construction, Mr Liu Zhi-feng and the Permanent Secretary of ETWB of HKSAR Joshua Lo and other officials from the governments.

Having signed the RA, we are planning to invite applications from both CECA and HKIS members shortly and to conduct the assessment in Guangzhou around November so that the first troop is in place before end of 2005. The

RA stipulated that the first batch of members through RA should not exceed 200 eligible members from each side. However, if the application is oversubscribed, there would still be chance in the second batch, so members are encouraged to apply for the assessment in the first instance.

At present, we had received over seventy (70) submissions from senior QS members offering themselves to be the assessors to assist in interviewing the candidates recommended from CECA. The submissions are being reviewed by an independent panel and we would notify the findings individually shortly. May I take this opportunity to extend thanks to those who offered the assistance in this process.

After launching the new Standard Form of Building Contracts (SFBC 2005) in April, the Joint Contracts Committee is organizing a series of CPD events in the coming months to offer members some insight on the SFBC.

In addition to the SFBC, the publication of the New Standard Method of Measurement (SMM4) is in the pipeline. The publisher is busy in preparing the draft of final print at the moment. We are planning to publish the SMM4 in July.

136 mm X 98mm

British Council

拼1/4 黑白廣告

**T . G . I . F .**

**surveyors' happy hour  
gathering 6-8 pm  
last Friday of every  
calendar month in the library  
for details, please call the  
Secretariat on 2526 3679**

## Junior Organization Chairman's Message



Lesly Lam  
JO Chairman

### Great Jobs by two Big "Joseph" of HKIS JO Council (傑出青年理事系列 — 兩位偉大的“約瑟”)

#### Joseph CHONG – Professional QS in Construction Industry

On 23 – 24 May, myself and a young committee member, Joseph Chong, joined the HKIS delegation team to Beijing for (1) a goodwill visit to the Hong Kong Macao Affairs Office 港澳辦 and (2) the signing ceremony of the QS reciprocity agreement with the Mainland



Counterpart. The delegation was led by the President – TT Cheung. It is JO honour to meet Mr Qian Li-jun, Director-General of the Department of Exchange &

Co-operation, the Hong Kong Macao Affairs Office and Mr LO Yiu Ching, JP the Permanent Secretary for the ETWB, HKSAR Government. These two important officials fully recognised the impor-



tance of JO for the sustainable success of HKIS. Joseph CHONG, who has been arranging a tremendous amount of useful CPDs and PQSLs for us, has done a **Great Job** in coordinating such a valuable visit.



My email and ICQ are [leslylam@hkis.org.hk](mailto:leslylam@hkis.org.hk) and 2145098 respectively. You can also search me in MSN at [leslylam@netvigator.com](mailto:leslylam@netvigator.com).

#### Joseph WONG – Professional LS in Cadastral and Engineering Aspects

In the April issue, I promised in my Report that our Dragon Boat Team would **show you our stamina**, since we were the earliest dragon practicing since mid-March in Stanley



赤柱的第一條龍. 11 June, Tuen Ng Festival, saw another milestone set for HKIS in the Dragon Boat Competition. In Chinese Men's Club, our Men's team beat 34 teams and came 6th! Actually, six out of the ten teams in the final finished almost the same time. In the Ladies' Plate, our Ladies's team came 4th! Both teams got to the stage for prizes from the honourable guests. It was our first time to join the Ladies' competition. Tremendous appreciation should go to our dearest and handsome coach – Joseph Wong who has done a **Great Job** in training us, keeping our discipline and high team spirit.



Moreover, he and his company also assisted HKIS to use the Global Positioning System in demarcating the racing course in Stanley.



JOSEPH and JOSEPH, thank you very much from the heart of all JO members!

**CPD : Time and Money Claims – Let's Go Back to Basics (CPD/QS/2005041)**

**Guest Speaker** Mr John Battersby, FInstCES, FGIS, FASI, FCIQB, FHKICM, MRICS, MHKIS, FCMI, FCIArb, FHKIArb, MAE, Group Managing Director, BK Asia Pacific Limited

**Date, Time & Venue** Wednesday, 20 July 2005  
7:00 pm – 9:00 pm  
SLC, HKIS

**Details** Mr John Battersby is a Chartered Quantity Surveyor and has worked in the construction industry for 37 years, 22 years of which have been spent working on projects in Hong Kong, China and South East Asia. John has acted as an expert witness several times, both in arbitration and litigation, in respect of additional cost / loss and expense / damages claims, measurement issues, adjustment of rates, valuation of variations and causes and effects of delays to construction works. He has acted both as party appointed and **single joint expert** (or **tribunal expert**). He is a Practising Member of the Academy of Experts and accredited by the Academy as an Expert. He has also been appointed as Arbitrator, Assessor, Mediator and Dispute Resolution Advisor several times.

In the seminar, John will give us his candid views on the assessment of time and money claims and discuss with us various questions such as: What is the real purpose of extension of time clauses in construction contracts? When extension of time is granted to the contractor, does it give him an automatic right to additional payment for prolongation? Is it necessary to prove actual cost when seeking additional payment for disruption or prolongation? Should the Hudson Formula be used in evaluating prolongation of head office overheads? These issues and others will be covered in this seminar.

**Language** English

**Fee** HK\$100 per person

**Deadline** 13 July 2005

**Priority** Quantity Surveying Members

**CPD : Real Estate Investment Trusts (REITs) Valuation (CPD/GP/2005043)**

**Guest Speaker** Mr Kam-hung Yu  
Executive Director, Valuation & Advisory Services, Asia, CB Richard Ellis Limited

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

**Details** Mr Yu will discuss the REITs from a number of perspectives in this CPD event. Apart from introducing the REITs and reasons for bringing REITs to Hong Kong, he will highlight the merits of REITs which make them attractive investment vehicles to investors as well as property owners. He will then discuss the general procedures of preparing the REITs valuation, by drawing the comparisons and differences with traditional property valuation. He will also present the practice of forming REITs in Hong Kong for properties in China. Lastly, the development of REITs in Hong Kong comparing with that in Asia will be mentioned.

Mr Yu is a chartered general practice surveyor with over 24 years property experience in Hong Kong, specializing in valuation of property and business, investment and development site sales and property development.

Mr Yu has a wide scope of experience in valuation and sales market. The types of properties sold by him included, inter alia, whole block offices and residential buildings, shopping centres, projects under construction, development sites and agricultural land. His main experience include land advisory services, portfolio and securitisation valuations, rent review negotiation, litigation, government lease modification application, premium negotiation, site valuations, development site sales, investment sales and property development. Mr Yu is currently Chairman for General Practice Division Council of the Hong Kong Institute of Surveyors (HKIS).

**Language** English

**Fee** HK\$100 per person

**Deadline** 19 July 2005

**Priority** General Practice Members

### CPD : Fibre-Reinforced Polymers (FRP) and their Engineering Applications (CPD/BS/2005053)


 New

**Guest Speakers** Mr Giam Siang Hai, Dip d Ing(ENPC), DEA, MIES, PE(S'pore), CEng  
Dr Wang Jinsong, BEng, PhD, CEng, MICE, MHKIE  
Fyfe (Hong Kong) Ltd.

**Date, Time & Venue** Thursday, 14 July 2005  
6:45 pm – 8:45 pm  
SLC, HKIS

**Details** Building professionals, especially our building surveyors are always looking for solutions for tackling either building maintenance or design problems in relation to the existing buildings. This is not limited to the routine maintenance and concrete repairs, sometimes, strengthening is also required to cope with the change of use or to enhance the performance of under-reinforced elements. Another challenge in relation to the building maintenance problem by our local building surveyors is the delamination of render and wall tiles on external façade.

Good understanding of the latest techniques and repair technology is critical for us to select appropriate solutions for our daily encountered problem. "Fyfe" is a specialist in FRP technology for structural strengthening, their developed system can be used as alternatives to conventional strengthening options such as shotcrete or steel plate bonding. Other than the discussion on the design guidelines for structural strengthening, our guest speakers will introduce structural retrofitting of two historic building projects overseas which may be the most interesting part of this presentation. A novel technique by using tile-holding mechanism for the repairs to tiled / render external façade will be introduced and the advantages over traditional methods of removal and re-patching of the render / tiles will be discussed.

**Language** English and Mandarin

**Fee** HK\$100 per person

**Deadline** 8 July 2005

**Priority** Building Surveying Members

### CPD : Gaining an Insight of Contract Administration to typical Conditions of Contract for Civil Projects (CPD/JO/2005034)

**Guest Speaker** Mr Michael Yu BSc (Hons) MRICS MHKIS  
MinstICES, Deputy Director, Widnell Limited

**Date, Time & Venue** Thursday, 28 July 2005  
7:00 pm – 8:30 pm  
SLC, HKIS

**Details** In recent years, the contract value of civil engineering projects, e.g. bridge, highway and railway projects, dominates in the overall annual construction work in Hong Kong. Knowledge in contract administration for civil projects is becoming an important and crucial topic for QS practitioners, particularly for those who have always been working in building projects.

Mr Michael Yu, a Chartered Quantity Surveyor, holds the position of Deputy Director in Widnell Limited. He has an extensive experience in contract administration work in different civil engineering projects. In this CPD event, Mr Yu will introduce the typical conditions of contract used for civil works in Hong Kong. Based on his extensive experience in contract administration gained in a recent West Rail project, Mr Yu will also present us the key Conditions in the KCRC Form of Contract.

**Language** Cantonese with English supplement

**Fee** HK\$100 per person

**Deadline** 30 June 2005

**Priority** Probationers and Student Members

### CPD: Rehabilitation and Replacement of Water Mains in Hong Kong (CPD/BS/2005052)


 New

**Guest Speaker** Mr Ian Vickridge, Consultant of Black & Veatch  
Hong Kong Limited

**Date, Time & Venue** Tuesday, 9 August 2005  
7:00 pm – 8:30 pm  
SLC, HKIS

**Details**

The Hong Kong Water Supplies Department (WSD) provides fresh water and salt water to its customers through a network of approximately 7280 km of water mains. WSD has been experiencing an increasing number of mains failures that cause inconvenience to customers, and the repair of which is costly and disruptive to traffic, commerce, and the general public. To address these problems, WSD has embarked on an ambitious programme of replacing or rehabilitating approximately 3000 km of water mains in stages in a compressed programme within 20 years and currently accelerates to 15 years. Construction has commenced since 2000 for the first phase of the work and further stages of works will be launched.

The seminar will provide an overview of the pipe condition assessment and trenchless techniques being used for water mains rehabilitation in Hong Kong, highlighting some of the particular problems and constraints encountered and the solutions that are being proposed and implemented. In addition, rehabilitation of large diameter trunk mains which are being carried out at the heavily trafficked Tolo Highway will be included for discussion.

**Language**

English

**Fee**

HK\$100 per person

**Deadline**

2 August 2005

**Priority**

Building Surveying Members

### ***PQSL – A Review on Government Land Sale by Application (PQSL/JO/2005042)***

**Guest Speaker**

Mr Tony T N Chan  
MBA, FRICS, FHKIS, RPS (GP), Executive Director,  
Vigers Appraisal and Consulting Ltd.

**Date, Time & Venue**

Tuesday, 12 July 2005  
7:00 pm – 8:30 pm  
SLC, HKIS

**Details**

The talk will review the Government Land Sale by Application Scheme and show the impact of the land sale result under the scheme on the

property market. Speakers will also comment on the pros and cons of the scheme and will share his view on a better way for the disposal of Government Land Sale.

Mr Tony Chan, with 25 years of professional and business experience, has extensive knowledge of the valuation field and has held senior posts within the Hong Kong Government and major corporations such as HSBC and Midland Realty. Mr Chan, a Fellow member of both the Royal Institution of Chartered Surveyors and the Hong Kong Institute of Surveyors, has gained experience and worked with developers, bankers, media, government bureaus and Departments and trade/ community organizations.

**Language**

Cantonese with English supplement

**Fee**

HK\$70 per person

**Deadline**

5 July 2005

**Priority**

Probationers and Student Members

### ***PQSL – QS Consultancy Practice Sharing – Interim Payment (CPD/JO/2005035)***

**Guest Speaker**

Ms Doris Wong BSc (Surveying) (HKU) MHKIS  
MRICS

**Date, Time & Venue**

Thursday, 21 July 2005  
7:00 pm – 8:30 pm  
SLC, HKIS

**Language**

Cantonese with English supplement

**Fee**

HK\$70 per person

**Deadline**

7 July 2005

**Priority**

Probationers and Student Members

### ***PQSL – History of Land Subdivision in Hong Kong (CPD/JO/2005045)***

**Guest Speaker**

Mr George C Y Leung, B.Surv., MISAust,  
MNZIS, MHKIS, MRICS, RPS(LS), Authorized  
Land Surveyor

**Date, Time  
& Venue**

Thursday, 11 August 2005  
7:00 pm – 8:30 pm  
SLC, HKIS

**Details**

In the past, the subdivision of private land in Hong Kong was carried out by solicitors through the registration of a Deed of Agreement which was accompanied by a memorial describing the land but a plan was not compulsory to be attached with. Although plans were attached to the deed, they were almost produced and then registered without checking the correctness of the original lot or were prepared without any field survey or verification. Further to the enactment of Land Survey Ordinance (Chapter 473), the land subdivision exercises are now governed by the Land Survey Authority. Land boundary plans that are prepared by Authorized Land Surveyors must be attached to the Deeds involving land subdivision for registration.

Mr Leung is an Authorized Land Surveyor of the private land surveying firm, Ted Chan & Associates Ltd. He is now at the final stage of the MEngSc study in the University of New South Wales, Australia. His major study areas are GPS, GIS, Remote sensing, Location Based Service, 3D Laser Scanning as well as the application of GIS techniques in transportation system.

**Language**

Cantonese with English supplement

**Fee**

HK\$70 per person

**Deadline**

4 August 2005

**Priority**

Probationers and Student Members

**PQSL: Land Acquisition for Railway Projects – A Land Surveyor's Perspective (CPD/JO/2005050)**

**New**

**Guest Speaker**

Mr Ken S T Ching, MGIS(HKU), BEng(Hons)

**Date, Time  
& Venue**

(UNSW), MHKIS, MRICS, RPS(LS), MIS(Aust.), MCI Arb., Managing Director, KELand Surveying, Planning & GIS Co. Ltd.

Thursday, 8 September 2005  
7:00 pm - 8:30 pm  
SLC, HKIS

**Details**

To ensure success and to avoid delays in site handover, the land acquisition of a railway project requires the use of proven and effective project management techniques. In this PQSL event, our guest speaker, Mr. Ken Ching will share his experience, from the perspective of a land surveyor, about land acquisition activities for railway projects. The talk will highlight different issues such as, the statutory requirements for resumption and clearance, different forms of compensations, land boundary problems, which have significantly influenced the success of a land acquisition project.

Mr. Ching is a Land Surveyor and has more than 18 years of experience in land surveying, land administration and transport design projects, with experience in Hong Kong and Australia. Apart from an extensive diverse experience in the surveying industry such as cadastral surveying, hydrographic surveying, GPS and engineering surveying, he had been heavily involved in all aspects of land administration works for resumption and clearance in relation to railway projects. Based on his relevant experience gained in different projects, Mr. Ching will also present us the process and difficulties involved in these land acquisition works.

**Language**

Cantonese with English supplement

**Fee**

HK\$70 per person

**Deadline**

1 September 2005

**Priority**

Probationers and Student Members

SLC, HKIS = Surveyors Learning Centre, 811 Jardine House, 1 Connaught Place, Central, Hong Kong. For enquiries, please call 2526 3679.

## ***this is not the way to express an opinion or a complaint***

Dear sir

In the last **Surveyors Times** (Vol 14 No 5, May 2005), I read with dismay the two letters to the Editor. This dismay has nothing to do with the contents of the letters but is directed to the way that both letters are published without names.

I consider that expressing one's opinion or complaint in an anonymous manner is something not conducive with professionalism. This simply indicates a show of irresponsibility and the depriving of others the chance of responding back to the source of the message. If such a style of writing is developed to become the norm, the image of our official journal may be blemished.

I sincerely hope that members will agree with me and discourage people from getting used to this distasteful practice. I must also appeal to you as the Editor to stop entertaining letters of any anonymous origin.

Yours sincerely  
Leung Shou Chuen



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# Members Open Forum on Certification of Professional Specialization

The Open Forum is to solicit members' view on the proposal to introduce a system of certification of professional specialization so that professional members of the Institute may be readily identified by the general public and commissioned for services according to their expertise.

The proposed scheme is to create a quality brand of Certified Surveyors with the appropriate specifications and with market relevance. The designations will hopefully become the Q mark or quality assurance certification of surveying practices, so as to help promote members' specialized endeavours and elevate the Institute's status.

Members are invited to exchange views on the viability of the scheme, the criteria for certification, the appropriate certified designations, the mechanics of certification, and any related issues together with resolutions for any perceived anomalies.

**Date: Tuesday 19 July 2005**

**Time: 6:30 PM to 8:00 PM**

**Venue: Surveyors Learning Centre**

**Convenor:  
Board of Professional Development**

## CONGRATULATIONS

### TO THE FOLLOWING WHO WERE ELECTED AS HKIS MEMBER ON 12 MAY 2005

#### FELLOW (1)

QS DIVISION  
CHEUNG KWOK KIT

#### MEMBERS (65)

BS DIVISION  
LAW CHIN KEUNG  
WONG HO MAN

GP DIVISION  
NG SIU CHING NELSON

LS DIVISION  
SHAM PO FAI  
TANG CHI HO VINCENT

QS DIVISION  
CHAN CHUN YU  
CHAN KIM HO  
CHAN LAI YIN  
CHAN LAP KAY  
CHAN MO YUET  
CHAN SO FAN

CHAN WAI LING  
CHAN YIU WAH CLARENCE  
CHENG MING FAI  
CHENG PAK SHING  
CHIU CHI CHUNG  
CHONG MERVYN MARCO  
CHOW CHEUNG KWONG VINCENT  
FAN CHUN FAI  
FOK YUI KEUNG GARY  
FONG HOI KIT  
FUNG ON LUNG  
HO WAH KWAI  
HUI KAM CHIU  
KAN CHI KWONG JACKY  
KO MAN FAI  
KONG YUET WA KAREN  
LAI FU CHONG  
LAM KA TUNG  
LAU CHUEN YUK  
LEI KUAI CHU  
LEONG KUM WENG  
LEUNG TAI ON  
LEUNG WAI KUEN

LEUNG WAI MAN  
LING HING WAH  
LING WAI SHING  
LIU CHUN YUE  
LO CHEUK MING  
LO CHI HANG  
LO KIN SHUN  
LUI SHU CHEONG  
MAK YING LUN  
MING SIU LING  
NG KWOK KEUNG LEWIS  
PUN MAN KIN ANDY  
PUN WAI CHING  
SHUM HAU TAK  
SO MAN WAH  
SZETO CHI HING PETER  
TAM HOI TAI  
TSANG KWOK KUEN  
TSANG SIU CHEUNG GARY  
WAN KWOK FAI  
WAN WAI WING  
WONG CHUN MAN  
WONG KA PING

WONG KAI HO  
WONG KAI LIM  
WONG WAI KEUNG  
YIP KAR SING  
YIP KIN CHEONG  
YIU PUN CHEONG  
YU CHI FAI  
YUEN SZE WAH

#### RESIGNATION (11)

AU-YEUNG CHI FEI  
CHEUNG LAP FONG ANNA  
KWOK SAU CHU CONNIE  
LO SHEUNG MAN  
MCLEAN JAMES EDWARD OLIVER  
SIU NAI CHEUNG MORRIS  
SO CHI CHUNG  
TANG FU KEUNG  
WHITE JAMES ERNEST  
WONG KA LUN  
WONG KANG POR SAMUEL

## OBITUARY

The Hong Kong Institute of Surveyors is saddened to note that Winifred Mary WHITTAKER, quantity surveyor and a fellow of the HKIS since 1999 passed away on 26 May 2005. We have lost a very warm person whose great professional skills had always been admirable.

**Lucky Draw**

**LSD CPD Event**

# Bursting Height of Fireworks at Hong Kong Disneyland

## Details of Event

**Time : 6:45pm to 8:30pm**

**Date : 30 August 2005**

**Venue : Surveyors Learning Centre, HKIS**

**Fee : \$100 per person**

**Speaker : Mr Frank Fung RPS(LS) MHKIS MRICS**

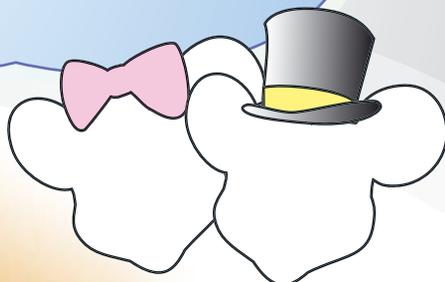
Land Surveyor

Civil Engineering and Development Dept.

**Enquiry :** Rina Tsoi at [rinatsoi@hkis.org.hk](mailto:rinatsoi@hkis.org.hk) or  
Ray Leung at [rayleungkw@yahoo.com.hk](mailto:rayleungkw@yahoo.com.hk)

**Registration :** before 22 August and please use  
Standard Reservation form

**Lucky Draw : 6  
HK Disneyland Entry Tickets**



Firework display is one of the most attractive events in the Disneyland Theme Parks all over the world without any exception for the Disneyland in Hong Kong. As the Hong Kong Disneyland is situated quite close to the main approach of the Hong Kong International Airport, it is one of the major concerns that the firework display shall not affect any normal aviation activities. Moreover, all the firework shells, especially for those not explode in the designed position and height, shall not harm the public when they are back on ground. Frank Fung, Land Surveyor from the Survey Division of Civil Engineering and Development Department, is going to share with us his experience on using land survey technology to measure the bursting height of the fireworks. The methodology and equipment used will also be introduced in this CPD event.

Special thanks to the Sponsors:

Mr TT Cheung (HKIS President)  
Mr LW Lam (HKIS Hon Treasurer)  
Mr Dominic Siu (LSD Chairman)  
Mr Simon Kwok (LSD Vice-Chairman)  
Mr Victor Ng (LSD Hon Treasurer)  
Mr Henry Chan (LSD Spokesman)



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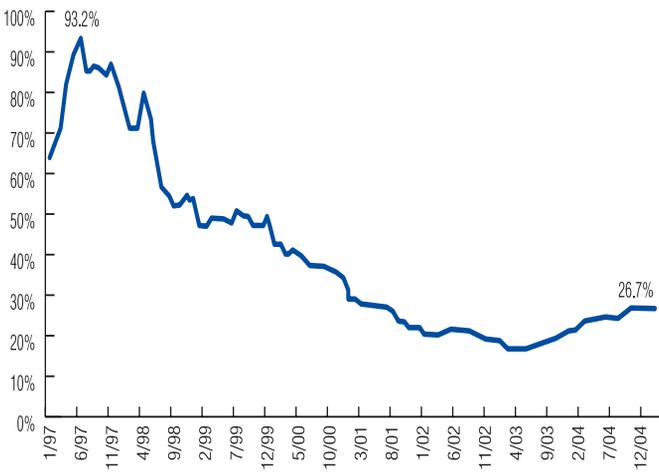
# The spectre of rising interest rates

Thomas Li  
Alvin Lam

**In** 2004, the United States has raised its interest rates six times, totaling 1.5%. Despite the dollar peg, Hong Kong, however, has not followed suit. Now, with capital outflow threatening, Hong Kong could, inevitably, resort to raising its interest rates to stem the drain. So, what will happen to the secondary housing market?

First, let us look at the present affordability ratio. A survey of secondary market transactions in 50 popular estates reveals that it is at a relatively low ratio. At an average price of HK\$ 3,029 per sq.ft., a 500 sq.ft. flat costs about HK\$ 1.51 million. At a 70% mortgage loan repayable over 20 years at a current rate of 2.625% below prime, the mortgagor pays a monthly installment of HK\$ 5,553. Based on the median household income of HK\$ 20,800 for those living in private housing, the affordability ratio is only 26.7%, a huge drop from 93.2% in 1997. See Chart 1 below.

**Chart 1 Housing Affordability Ratio Trend**



At the present level, a few percentage increase is likely to pose more psychological than actual effects. But then it nevertheless creates a negative sentiment in house purchase, particularly among investors. From the above example, an increase of 0.5% in interest rates would add HK\$ 260 to the repayment bill, bringing it to HK\$ 5,813 and moving the affordability ratio to 27.9%. An interest rates increase of 2% would push the affordability ratio to 31.9% and expanding the monthly repayment to HK\$ 6,636, up 19.5% or HK\$ 1,083 more. See table 1 below.

In the eyes of the mortgagor, the extra burden from a rise in

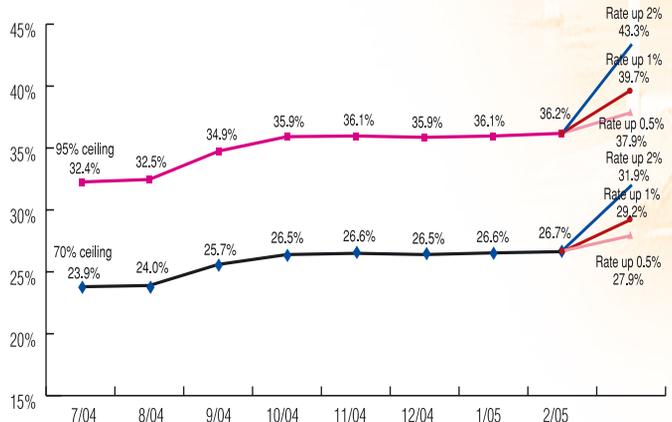
mortgage repayment could only be mitigated by a substantial pay increase. Otherwise, buying sentiment would fall.

**Table 1 Affordability Impact of Salary and Interest Rates Rises**

| Mortgage Rates | Monthly Repayment                  | No Change           | Up 0.25%            | Up 0.5%             | Up 1%               | Up 2%               |
|----------------|------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
|                |                                    | \$5,553             | \$5,683             | \$5,813             | \$6,081             | \$6,636             |
| Pay Rise       | Medium of Private Household Income | Affordability Ratio | Affordability Ratio | Affordability Ratio | Affordability Ratio | Affordability Ratio |
| 0%             | \$20,800                           | 26.7%               | 27.3%               | 27.9%               | 29.2%               | 31.9%               |
| 1%             | \$21,008                           | 26.4%               | 27.1%               | 27.7%               | 28.9%               | 31.6%               |
| 2%             | \$21,216                           | 26.2%               | 26.8%               | 27.4%               | 28.7%               | 31.3%               |
| 3%             | \$21,424                           | 25.9%               | 26.5%               | 27.1%               | 28.4%               | 31.0%               |
| 4%             | \$21,632                           | 25.7%               | 26.3%               | 26.9%               | 28.1%               | 30.7%               |
| 5%             | \$21,840                           | 25.4%               | 26.0%               | 26.6%               | 27.8%               | 30.4%               |
| 10%            | \$22,880                           | 24.3%               | 24.8%               | 25.4%               | 26.6%               | 29.0%               |

Of course, the higher the mortgage loan, the harder hit would be the effect. And it affects those adopting 95% mortgage loans more. Currently their affordability ratio is 36.2%, compared with that of 26.7% for those borrowing 70%. Any increase in interest rates would raise their affordability ratio disproportionately more, as indicated on Chart 2 below.

**Chart 2 Affordability Differential between a Mortgage Ceiling of 70% and 95%**



Other things being equal interest rates hike would act as a detriment to the housing market, however the effect. In this respect the prices of secondary flats would, likely, rise at a milder pace this year.

Source: Midland Realty, Research Department

## Standard Form of Building Contracts 2005

### - clause 25: extension of time (part 2)

Colin B Lee  
FRICS FHKIS FHKICM  
FCIOB MCIArb AHKIArb RPS  
HKIAC-Accredited Mediator  
Dispute Resolution Adviser (ASD List)  
Executive Director  
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#### PART 2

- sub-clause (n) refers to **delay caused by a sub-contractor or supplier nominated by the Architect under clause 29.2(6)** [clause 29.2(6) refers to the Architect refusing to withdraw the sub-contractor's or supplier's name from the tender list and subsequently nominates either which the Contractor has objected to pursuant to Clause 29.2(1)] despite the **Contractor's valid objection, subject to clause 29.2(7)** [clause 29.2(7) provides for the Contractor to apply for an extension of time under this sub-clause 25.1(3) (n) if the Contractor believes that the sub-contractor or supplier nominated under clause 29.2(6) caused delay or disruption to the carrying out of the Works];

In the Fourth Draft, this clause was qualified **provided the Contractor has taken all practicable measures to avoid or reduce the effects of the delay**. This provision is replaced with the reference to clause 29.2(7) in this Sixth Draft.

- sub-clause (o) refers to **delay caused by the nomination of a replacement Nominated Sub-Contractor or Nominated Supplier under clause 29.13** [clause 29.13 refers to re-Nomination] **including any prolongation of the period of the relevant sub-contract or the time for the supply and delivery of materials and goods, provided that the determination of the employment of the original Nominated Sub-Contractor or the termination of the original Nominated Supply Contract was not in the opinion of the Architect a consequence of a breach of contract or other default by the Contractor or any person for whom the Contractor is responsible;**

In the Fourth Draft, both **Named Sub-Contractors and Suppliers** were included in the description; these have been deleted in this Sixth Draft.

Further, previous wording in the Fourth Draft referred to **an increase in the new sub-contract period** which is now replaced with **prolongation of the period of the relevant Sub-Contract**. I am not sure what this means.

In addition, this Sixth Draft has added:-

**not in the opinion of the Architect a consequence of as**

additional wording, as is **any person for whom the Contractor is responsible**, previously **or another sub-contractor**. The effect of these amendments in my opinion introduces added complications, in particular the introduction of the **opinion** of the Architect, which creates subjectivity by the Architect. Further, the introduction of **any person for whom the Contractor is responsible** is a much wider liability than **another sub-contractor**.

- sub-clause (p) refers to **delay caused by a Specialist Contractor;**

Specialist Contractor is defined as **a person, not being a statutory undertaker or utility company as referred to in Clause 6.4(1)** [clause 6.4(1) refers to Statutory Undertakers and Utility Companies].

In the Fourth Draft there was a proviso **except as a result of the failure of the Contractor to carry out his obligation to co-ordinate or superintend the co-ordination of the Works under clause 2.1(1)** [clause 2.1(1) in this Fourth Draft referred to Contractor's Obligations].

This has been deleted in this Sixth Draft.

- sub-clause (q) refers to **delay caused by a statutory undertaker or utility company referred to in clause 6(4)(1)** [clause 6(4)(1) refers to Statutory Undertakers and Utilities Companies] **failing to commence or to carry out its work in due time provided that the Contractor has taken all practicable measures to cause it to commence and to carry out and complete its work on time;**

The difference in this sub-clause is the deletion of the obligation on the Contractor to co-ordinate the Works under clause 2.1(1) similar to sub-clause (p).

- sub-clause (r) **refers to the failure of the Employer to supply or supply on time materials, goods, plant or equipment that he agreed to provide for the Works;**

There is no change in this sub-clause from the Fourth Draft.

- sub-clause (s) refers to **the failure of the Employer to give possession of the Site or, under clause 23.1(2), a part of the Site on the Date for Possession of the Site or the part of**

*the Site stated in the Appendix, or the Employer subsequently depriving the Contractor of the whole or a part of the Site;*

The amendments to this sub-clause are minor and do not merit comment.

- sub-clause (t) *refers to delay to the Works due to time not reasonably foreseen by the Contractor in obtaining approval or consent from a Government department.*

Sub-clause (t) in the Fourth Draft referred to *an instruction to postpone the date for commencement of the whole or any part of the Works. This sub-clause has been deleted in this Sixth Draft and the previous sub-clause (s) re-lettered (t).*

In the previous sub-clause (s), the reference was to *unreasonable delay by the Building Department in giving an approval or a consent.* I can see this revised sub-clause (t) leading to some significant disagreements. How does one determine whether the Contractor should have *reasonably foreseen* that the time *in obtaining approval or consent* was going to lead to a delay to the Works? More so particularly as such submissions are made by the Authorised Person and not the Contractor.

- sub-clause (u) refers to *a special circumstance considered by the Architect as sufficient grounds to fairly entitle the Contractor to an extension of time;* and

There is no change in this sub-clause from the Fourth Draft.

- sub-clause (v) refers to *an act of prevention, a breach of contract or other default by the Employer or any person for whom the Employer is responsible.*

This sub-clause has been revised from the Fourth Draft, but retains the same liability to the Employer.

### Best Endeavours

As in the Fourth Draft, clause 25.1(4)(a) requires that the contractor shall continuously use his *best endeavours* to prevent or mitigate delay to the progress of the Works, however caused, whereas sub-clause (b) requires the Contractor *to do all that may reasonably be required to the Architect's satisfaction* to proceed with the Works.

Previously, I questioned what is meant by *best endeavours* and *to do all that may reasonably be required*. This time the authors have added to sub-clause (a) the following provision:–

*provided that the words **best endeavours** shall not be construed to mean that the Contractor is obliged to spend additional money, without reimbursement under Clause 26 (Clause 26 refers to Delay Recovery Measures), to accelerate the carrying out of the Works to recover delay that the Contractor did not cause.*

Whilst the authors have now clarified what is meant by *best endeavours*, this still leaves the second part of my question unanswered *to do all that may be reasonably required to the Architect's satisfaction*. I am still not sure how the Contractor can meet such an obligation or how the Architect can determine whether the Contractor has taken such measures.

### The Second Notice

There have been some quite substantial amendments to this clause 25.2.

As in the Fourth Draft, Clause 25.2(1) requires the second notice to be issued by the Contractor *as soon as practicable, but in any case within 28 days of giving the first notice*. Previously, the time limit was 60 days.

In addition, the second notice is to include:–

- (a) *substantiation that the listed event is the cause of delay;*
- (b) *particulars of the cause, effect and **length** of the delay to the completion of the Works or a Section beyond the Completion date in sufficient detail to enable the Architect to make a decision under Clause 25.3(1);*

These sub-clauses (a) and (b) are in fact a rehash of the sub-clauses included in the Fourth Draft, the significant change is that in the earlier draft the Contractor was required to ascertain the *actual extent* of the delay. This later draft requires the Contractor merely to state the *length* of the delay. An interesting simplification, but no doubt not so simple in practice.

Further this Sixth Draft introduces a new sub-clause 25.2 (2) which states:

*Where the delay envisaged by the Contractor's first notice of delay commences later than 28 days after the Contractor has given the first notice to the Architect the Contractor shall give the Architect a statement to this effect and shall submit the second notice within 28 days of the commencement of the delay.*

This is another interesting addition to the clause. The reader should remember that the first notice is given for an **event likely to cause delay**. The second notice is to be given within 28 days of the first notice unless the event has a continuing effect. This new provision provides for the circumstance where in fact the event actually occurs some considerable time after the first notice. I can envisage this provision becoming well used by Contractors as well as leading to some heated debates about when the event commenced.

### Interim Particulars

Clause 25.2(3) continues:

Where the listed event has a continuing effect the Contractor shall:

- (a) give the Architect a statement to the effect together with:–
  - (i) substantiation that the listed event is the cause of delay; and
  - (ii) interim particulars including details of the cause and effect and an estimate of the length of the delay to the completion of the Works or a Section beyond the Completion Date.
- (b) *make further submissions to the Architect **at intervals not exceeding 28 days** giving further interim particulars and estimates of the length of the delay until the delay ceases;*
- (c) ***within 14 days after the delay ceasing, submit to the Architect final particulars of the cause, effect and length of the delay to the Works or a Section beyond the Completion Date in sufficient detail to enable the Architect to make a decision under clause 25.3(1).***

Whilst the authors have made substantial revisions to the drafting of this part of sub-clause 25.2(3), the fundamentals remain the same and are not unreasonable, however, the significant factor is that in the Fourth Draft the Contractor was required to make submissions at 42-day intervals; this Sixth Draft gives a period of 28 days for interim submissions, with a further 14 days allowed for final particulars, previously 42 days was allowed.

Further, in the Fourth Draft, these final particulars were to be submitted **at the end of the effects arising from the event**. The Sixth Draft now requires such final particulars to be submitted **after the delay ceases** a significant change in emphasis. I can see numerous disagreements arising

about when the **delay ceases**; arguably this may not be until the certified date of completion.

Another point is that the particulars to be submitted are to be **in sufficient detail to enable the Architect to make a decision under clause 25.3(1)**.

One of the points I made before was the reaction of the Architect to this two-stage process. Even with these shorter time frames, I am still unsure whether the Architect will have the patience (or perhaps the pressure from the Employer) to wait for the second notice. This will require some re-education of both administrators of the Contract and Employers.

### The Architect's Decision

As in the Fourth Draft, in this Sixth Draft, clause 25.3(1) sets out the Architect's obligations to give extensions of time provided that the Architect is satisfied that:–

- (i) the completion of the Works or Section is being or is likely to be delayed beyond the Completion Date.
- (ii) the cause of delay is from the listed events stated by the Contractor in the first and second notices.

However, unlike the Fourth Draft, which required that the Contractor submit both the first and second notice, this Sixth Draft refers only to **after receipt of the Contractor's second notice**.

Again, the Architect has 60 days to give the extension of time and the reason for his decisions, but only after receipt of the particulars submitted with the second notice under either clause 25.2.

Previously, the obligation was **on receipt of the second notice or such further time as may be reasonable subject to the sufficiency of the information submitted with the second notice**.

In the Fourth Draft, clause 25.3(i) provided for the Architect to notify the Contractor that he **considers that it is not fair and reasonable** to fix a later date for completion. The Sixth draft refers to the Architect **decides not** to fix a later date. The new wording is more contentious.

The Sixth Draft also introduces a new sub-clause 25.3(4) which states:–

*If the Contractor fails to submit the notices within the time frame prescribed under clause 25.1 or clause 25.2 but a first notice is nevertheless submitted, the Architect*

*shall, if he is satisfied that the completion of the Works or a Section has been delayed by the listed event stated in the Contractor's first notice, give an extension of time to the Contractor under clause 25.3 to the extent that he is able to on the information available.*

This is an interesting addition to this clause 25.3 and I raise the question as to whether this sub-clause will encourage the Contractor to ignore the time frames required by the first and second notices. Quite possibly, I would suggest. The remainder of this clause 25 is unaltered from the Fourth Draft apart from some minor revisions and my previous comments continue to apply.

## What is a dispute or difference

**Every** time I have traveled back to the United Kingdom in the last fifteen years I seem to have been held up on my journey from Manchester Airport to my family home in Liverpool on the Thelwall Viaduct which carries the M6 motorway across the Manchester ship canal and the River Mersey in Lancashire. The roadworks at the viaduct seem to have been going on forever, and I have often wondered what the problems were, and whether there was a dispute arising from the project.

So I was very interested to read the reports of the recent case of **AMEC Civil Engineering Limited v The Secretary of State for Transport CA 17 March 2005**. Interested not only because I knew the project, but also interested because this decision of the Court of Appeal looked at the question of what is a **dispute or difference** which is capable of being referred to arbitration under the ICE Conditions of Contract, a form of contract very closely related to our local Government Conditions.

Arguments about whether a matter is a **dispute or difference** seem to be arising more often these days particularly in the United Kingdom where the courts have looked at the matter many times with regard to adjudication.

The interesting thing about the AMEC case is that it not only set out the guidelines for determining what qualifies as a **dispute or difference** but that in analyzing the case law on the subject the court considered that decisions regarding adjudication were equally relevant to arbitration under ICE Clause 66 (Government of the HKSAR GCC Clause 86).

In my analysis of the Fourth Draft, one significant point of concern was that the overall duration from the occurrence of the delaying event to establishing an entitlement to an extension of time was some 162 days, i.e. over 5 months.

This Sixth Draft reduces this overall time frame to some 116 days, i.e. 4 months approx., which is at least an improvement which can only benefit both the Contractor and the Employer. An event with a continuing effect will however extend this time frame by a minimum of some 42 days. In conclusion, clause 25 is still somewhat of a convoluted process, but it is much improved from the Fourth Draft, and workable, albeit with certain reservations here and there.



John B Molloy LLB(Hons), BSc(Hons), FHKIS, FRICS, FInstCES, MAE, MCIArb, RPS(QS)  
Managing Director  
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The facts of the case are fairly straightforward. In December 1996 AMEC completed major renovation works to the viaduct. The work included replacing the existing reinforced concrete deck and providing new roller bearings. Five and a half years later in June 2002 some serious structural deficiencies became apparent in the viaduct, and initial investigations indicated that the roller bearings had failed.

Under the Contract AMEC had designed the roller bearings, but the design had subsequently been adopted by the Engineer Pell Frischmann and so they had become part of the Employers design. AMEC's responsibility was thus to supply and install the designed bearings.

It was clear that the defective works were serious and that the costs of remedial works were likely to be extremely substantial, so the Highways Agency commenced an investigation into the failure. AMEC was considered as being primarily responsible because the failure appeared to be in the construction of the bearing as opposed to the design of the bearing, although the Highways Agency also commenced parallel action against the Engineer.

Surprisingly the Highways Agency contract with AMEC was not under seal, but was simple contract. This meant that any action taken had to commence within a limitation period of 6 years from completion of the works. Accordingly time for the Highways Agency to commence action was very tight.

In July 2002 the Highways Agency wrote to AMEC informing

them that there were problems with the roller bearings, and on receipt of this letter AMEC contacted their insurers and the Italian suppliers of the bearings. After a few months of meetings and investigations the Highways Agency wrote to AMEC on 10 December 2002 setting out a formal claim and requested a response as to whether AMEC accepted liability or not by the 10 December 2002.

On 10 December 2002 AMEC responded to the effect that they had not received any details of the investigations carried out by the Highways Agency, which details they had previously requested, and so at that time they were not in a position to comment on liability. The next day on 11 December 2002 the Highways Agency wrote to the Engineer requesting a decision pursuant to GCC Clause 66 (the necessary first step in the arbitration process, i.e. the same as our local GCC Clause 86). This request was made only twelve days before the limitation period was due to expire.

On 18 December 2002 the Engineer gave its decision that on the information available the failure of the bearing was due to the use of defective materials and thus AMEC were responsible. The Highways Agency immediately wrote to AMEC asking them to respond within that same day as to whether they accepted the Engineer's decision. No response was received by the Highways Agency and so the following day they served Notice of Arbitration.

AMEC immediately complained that the arbitration could not validly proceed.

AMEC contended that the Engineer's decision was invalid either because there was no dispute or difference capable of being referred to the Engineer at the relevant time, or because the process by which it was made was unfair because the Engineer had not consulted them before making his decision and also because they felt the Engineer could be biased because he was also facing action from the Highways Agency.

With regard to the first point as to whether a dispute existed the court examined the leading authorities on the matter, principally **Halki Shipping Corporation v Sopex Oils Ltd [1998]**, **Fastrack Contractor Ltd v Morrison Construction Ltd [2002]**, **Sindall Ltd v Solland 15 June 2001**, and **Beck Peppiatt Ltd v Norwest Holst Construction Ltd [2003]**, and set out seven propositions as follows:

1 The word **dispute** which occurs in many arbitration clauses and also in s108 of the Housing Grants Act should be

given its normal meaning. It does not have some special or unusual meaning conferred upon it by lawyers.

- 2 Despite the simple meaning of the word **dispute**, there has been much litigation over the years as to whether or not disputes existed in particular situations. This litigation has not generated any hard-edged legal rules as to what is or is not a dispute. However, the accumulating judicial decisions have produced helpful guidance.
- 3 The mere fact that one party (whom I shall call **the claimant**) notifies the other party (whom I shall call **the respondent**) of a claim does not automatically and immediately give rise to a dispute. It is clear, both as a matter of language and from judicial decisions, that a dispute does not arise unless and until it emerges that the claim is not admitted.
- 4 The circumstances from which it may emerge that a claim is not admitted are Protean (displaying great diversity or variety). For example, there may be an express rejection of the claim. There may be discussions between the parties from which objectively it is to be inferred that the claim is not admitted. The respondent may prevaricate, thus giving rise to the inference that he does not admit the claim. The respondent may simply remain silent for a period of time, thus giving rise to the same inference.
- 5 The period of time for which a respondent may remain silent before a dispute is to be inferred depends heavily upon the facts of the case and the contractual structure. Where the gist of the claim is well known and it is obviously controversial, a very short period of silence may suffice to give rise to this inference. Where the claim is notified to some agent of the respondent who has a legal duty to consider the claim independently and then give a considered response, a longer period of time may be required before it can be inferred that mere silence gives rise to a dispute.
- 6 If the claimant imposes upon the respondent a deadline for responding to the claim, that deadline does not have the automatic effect of curtailing what would otherwise be a reasonable time for responding. On the other hand, a stated deadline and the reasons for its imposition may be relevant factors when the court comes to consider what is a reasonable time for responding.
- 7 If the claim as presented by the claimant is so nebulous and ill-defined that the respondent cannot sensibly respond to it, neither silence by the respondent nor

even an express non-admission is likely to give rise to a dispute for the purposes of arbitration or adjudication.

When these propositions were applied to the present case the court decided that there clearly was a dispute or difference between the Highways Agency and AMEC at the time the request for the Engineer's decision was made. This was principally because AMEC did not expressly accept liability and by their silence it could not be implied AMEC agreed that they were liable for the defects particularly when the huge remedial costs that would likely be incurred was considered.

With regard to the second point, the court similarly dismissed AMEC's claim. The court considered that whilst an Engineer acting under GCC Clause 66 had to act independently and

honestly, he did not have to act in a **quasi-arbitrator** role nor comply with the rules of natural justice, and therefore he did not have to consult the contractor before making his decision. Nor did the fact that the Engineer may have a conflict of interest affect matters. The court considered that the nature of the Engineer's role under the contract was such that conflicts may often arise, but that the Engineer must still perform his duties fairly despite such conflict.

This is an interesting case as arguments over whether a dispute has arisen are becoming more common. The seven propositions set out by the court should therefore be of assistance in determining such point in the future. The case is also interesting because it reaffirms the position of the Engineer in making decisions under the Contract.

## 培育中國房地產機構投資者

中國

房地產市場持續快速增長，為確保持續健康發展，政府出台了一系列戰略決策和調控措施。但同時必須清醒地看到如果和成熟的房地產市場相比，中國房地產市場整體產業還在發展之中：以開發為主、融資管道缺

理和服務、辦公樓分層出售，導致業權分散，管理難以統一，管理和服務品質始終處於低水準，難以提高。

在普通投資者的概念裏，房地產市場等同于房地產開發，是快進快出“短、平、快”投資。在成熟的房地產投資市場，主流是收益性投資，投資者收購持有成熟物業，獲取穩定的租金回報，而不是進行房地產開發。國內房地產投資市場70%的資本源於銀行貸款，只有通過預售快速收回投資。而在成熟市場，房地產投資的資本主要來源並不是銀行。比如美國的房地產金融業很發達，融資種類多，因而實現了房地產的多管道融資。在房地產企業使用資金總額中，銀行貸款只佔15%左右，貸款總額佔銀行資產的比重不到10%。促進中國房地產市場的持續健康發展重要，改善房地產投資市場應對之策就是大力發展由開發商、保險資本、基金、大企業組成的機構投資者。

大力發展機構投資者將給中國房地產投資帶來諸多利益：給眾多資金提供穩定安全的房地產投資管道/工具，分享房地產快速成長的價值；促進市場的穩定發展，抑制不健康的投機和市場波動；專業化管理，提升城市房地產物業的管理和服務品質；提供機構投資者合理安全的推出機制，提高房地產投資的流動性，活躍投資。**機構投資者不發達，是資金缺乏？答案顯然是否定的。**



Jim Yip MRICS MHKIS 中國註冊房地產估價師  
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## 房地產信託200億

在中國房地產投資市場面臨信貸緊縮的情況下，房地產信託2004年獲得了超前的發展。雖然存在諸多問題，也經歷了一系列的整肅，信託行業依然獲得了一年翻一翻的增長。據統計，2004年全年全國房地產信託發行額為111.74億元，與2003年的發行額相比，將近翻了一倍，預計今年發行量將突破200億元。中國房地產投資市場正在面臨大的變局，一個可喜的變化是，2004年10月《信託投資公司房地產信託業務管理暫行辦法》公眾諮詢帶給市場最大的鼓舞，突破了200份的限制，給房地產信託發展提供了廣闊空間。

**新政策帶來的市場變化：**機構投資者更多投資於成熟物業；信託公司積極轉型。中國國際信託投資有限公司成立房地產信託專門部門。2004年12月，福建聯華信託聯信築城房地產金融服務品牌公開亮相。2005年1日，首個准房地產信託基金聯信寶利中國優質房地產投資信託計劃正式登場。

**信託特點：**一是運用靈活。新托資金可以運用於房地產投資。目前房地產信託佔信託業務的75%。二是較高的收益率，吸引市場資金。房地產信託產品以較高的收益率獲得了機構投資者和個人投資者的青睞。目前市場上發行的房地產信託產品期限大多在1至3年之間，預期收益率普遍在4%至6%之間，有的甚至高達8%，以4%計算，其收益水準也分別比銀行存款和國債高出58%和73%。因為中國對金融的高度管制，國際資本的運作有很大限制，信託行業特有的靈活性和廣泛性等諸多優勢由此凸現。

## 保險資金、社保基金和企業年金1400億元

|         | 舊政策        | 新政策                           |
|---------|------------|-------------------------------|
| 投資人數    | 有200份的數量限制 | 可以突破                          |
| “保管人”概念 | 無          | 首次推向市場                        |
| 審批      | 發行備案制      | 增加了核准制                        |
| 管理費     | 無強制要求      | 信託公司和保管人從資金收益中分別收取15%、5%作為管理費 |
| “四證齊全”  | 無強制要求      | 可以用於購買土地及進行開發                 |

在成熟市場，保險資金是房地產基金的主要資金供應者。在中國，有關保險資金運用的政策正在不斷放開：允許直接進入證券投資市場；開放投資海外；成立資產管理公司，進入更多的資產運用領域。其背後：一是資金規模越來越大。按統計，截至去年底，保險業總資產已達11,853.6億元，企業年金已高達300多億元，全國社保基金規模已達1,500億元。保險資金、社保資金和企業年金三項合計規模達到13,653億元。二是因為投資管道的限制，收益低。長期以來國內保險業由於受到《保險法》的限制，投資領域狹窄，主要是存入銀行（64%）和購買政府債券（19%），導致收益率僅在5%左右，和美國10%至12%的收益率相比顯得十分低下，也在很大程度上因此導致了2002年後保險業增長突然減速。三是保險資金需要穩定的回報。保險資金所面臨的賠付壓力和分紅壓力都要求報險資金獲得穩定的回報，要求規模日益龐大-保險資金尋求新的投資管道，房地產投資所帶來

的穩定收益在這方面正好能夠相匹配。在英國，保險資金投資房地產市場的比例在5%至20%之間。按10%計算，國內保險業可以投入房地產的資金達到1400億。同時還有證券基金、資產管理公司和銀行資金。同樣受制於法律的限制，基金業目前主要是證券投資基金，不是投資房地產，在政策允許的情況下，可以進入房地產業。目前城鄉居民金融資產大約15萬億元，其中銀行存款佔比高達75%。單獨計算信託和保險資金，就有1600億元等待投資機會。據測算，當前中2萬億元，並且每年將以不低於15%的速度增長。無疑，發展房地產機構投資者市場正是最適宜的選擇。

### 解決法律瓶頸問題

儘早出台不動產基金法，使准不動產基金成為真正的不動產基金；提供給普通投資者安全穩定的投資工具，有效降低高度積聚的銀行系統風險，促進金融安全和穩定。開放保險資

夠通過直接投資，長期持有獲得穩定回報，有效解決其收益率問題，或借助不動產基金等工具進入房地產投資市場。

### 發揮專業機構作用

專業的在房地產市場的發揮著重要作用，借助專業機構的研究力量、管理技術、產品開發經驗，將能夠在多方面推動國內機構投資者的發展，包括：推動法律法規的完善，如《信託投資公司房地產信託業務管理暫行辦法》諮詢業內專家意見；提升機構投資者的市場研究、產品開發、風險管理，推動機構投資者的發展；推動物業管理水準的提升，促進資產增值。

## 內地增值稅

**增值** 稅是以商品或應稅勞務的增值額為徵稅物件而徵收的一種稅。這種稅制思想最早由美國學者亞當斯在1917年提出，並由德國學者西蒙士在1921年賦予「增值稅」的名稱，但最早實施增值稅制的國家是法國。

由於增值稅有徵收普遍、及時，收入穩定等優點，又能有效地避免重複徵稅，所以很受各國歡迎。目前世界上已有百多個國家開徵增值稅。但因為各國在財政和投資政策上有不同的考慮，所以逐漸形成各種不同類型的增值稅。以課稅基數不同而劃分的增值稅類型有**消費型**、**收入型**和**生產型**。

上述三種增值稅類型都是以銷售商品或提供勞務的收入減去用於生產經營該商品或提供該項勞務所花費的各項材料費用後的餘額作為課稅基數的。它們不同之處是在於扣減固定資產價值方面。**消費型**增值稅允許將納稅期內當期購進的固定



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資產價值從當期的銷售額中一次性全部扣除，**收入型**增值稅只允許在納稅期內減去固定資產當期的折舊，而**生產型**增值稅對於外購的固定資產則不允許作任何扣除。消費型增值稅能完全避免重疊徵稅，鼓勵投資，加速設備更新，但其缺點是取得的財政收入較少。相反，生產型增值稅的優點是取得的財政收入較多，有控制投資規模的作用，但不利於避免重複徵稅。收入型增值稅的優缺點介乎上述兩者之間。內地現時實施生產型增值稅。

### 內地增值稅的發展及遵從原則

內地首先於1979年在機械、機器行業實行增值稅的試點，並於1984年發佈《中華人民共和國增值稅條例（草案）》正式建立增值稅作為內地的一個獨立稅種。隨著市場經濟的發展，上述增值稅條例（草案）已不能適應新形勢發展的需

要。為此，國務院於1993年發佈了《中華人民共和國增值稅暫行條例》，同年財政部亦制定了《中華人民共和國增值稅暫行條例實施細則》，對增值稅制度作出了全國改革。

上述增值稅暫行條例的立法遵循了以下幾項具體原則：一是普遍徵收的原則，即將所有貨物（不動產、無形資產除外）的生產，流通以及加工，修理修配勞務都納入了增值稅的徵收範圍；二是稅收中性的原則，即增值稅對各個行業和各種經濟成份都採取一視同仁的政策，促進公平競爭，以充分發揮市場對資源優化配置的作用；三是簡化的原則，即稅率檔

則，即增值稅對商品生產、批發、零售，以及加工，修理修配環節道道徵稅。

### 內地增值稅內容

內地增值稅的主要內容包括增值稅的納稅人，徵稅範圍，稅率，應納稅額及減免等。

**納稅人** 根據《增值稅暫行條例》第一條的規定，納稅人是指在中華人民共和國境內銷售貨物或者提供加工、修理修配勞務以及進口貨物的單位和個人。它既包括內資，也包括外資。

納稅人又分為一般納稅人和小規模納稅人。一般納稅人是指年應徵增值稅銷售額超過國家規定的小規模納稅人標準的企業和企業性單位，而小規模納稅人是指年銷售額未超過規定的小規模納稅人標準或雖然超過標準，但會計不健全的納稅人。

**徵稅範圍** 增值稅的徵稅範圍為銷售貨物或者提供加工、修理修配勞務以及進口貨物的有償轉讓行為。其中貨物是指有形動產，它包括電力、熱力、氣體在內；加工是指受託加工貨物，即委託方提供原料及主要材料，受託方按照委託方的要求製造貨物並收取加工費的業務；修理修配是指受託對損傷和喪失功能的貨物進行修復，使其恢復原狀和功能的業務。按規定，一些行為也被視為銷售貨物，例如將貨物交付他人代銷，銷售代銷貨物及將自產或委託加工的貨物用於非應稅項目等。另外，一項銷售行為如果既涉及貨物又涉及非應稅勞務，從事貨物的生產、批發或零售的企業、企業性單位及個體經營者也應當視同銷售貨物，交納增值稅。

**稅率** 增值稅的基本稅率為17%。納稅人銷售或者進口下列貨物的則實行13%的稅率，其中包括：糧食、食用植物油；自來水、暖氣、冷氣、熱氣、石油液化氣、天然氣、沼氣、居民用煤炭製品；圖書、報紙、雜誌；飼料、化肥、農藥、農機、農膜；及國務院規定的其他貨物。納稅人出口的貨物稅率為零。小規模納稅人銷售貨物或提供應稅勞務，其通常增值稅的稅率為6%，但在某些規定的情況下，調減為4%。

**應納稅額** 應納稅額的計算具體分為三種情況

- (i) 對一般納稅人而言，應納稅額為當期銷售稅額抵扣當期進項稅額後的餘額。其計算公式為：

$$\text{應納稅額} = \text{當期銷項稅額} - \text{當期進項稅額}$$

其中，銷項稅額是指納稅人銷售貨物或者應稅勞務，按照銷售額和適用稅率計算並向購買方收取的增值稅額。其計算公式為：

$$\text{銷項稅額} = \text{銷售額} \times \text{稅率}$$

銷售額為納稅人銷售貨物或提供應稅勞務向購買方收取的全部價款和價外費用。其中，價外費用是指價外向購買方收取的手續費、補貼、基金、集資費、返還利潤、獎勵費、違約金（延期付款利息）、包裝費、包裝物租金、儲備費、優質費、運輸裝卸費、代收款項、代墊款項及其他各種性質的價外收費，但不包括向購買方收取的銷項稅款、受託加工應徵消費稅的消費品所代收代繳的消費稅及符合一定條件的代墊運輸費。如納稅人銷售貨物或者應稅勞務採用銷售額和銷項稅額合併定價方法的，其銷售額計算公式為：

$$\text{銷售額} = \text{含稅銷售額} \div (1 + \text{稅率})$$

進項稅額則是指納稅人購進貨物或者接受應稅勞務時隨價所支付或者負擔的增值稅額。其內容主要是指從銷售方取得的增值稅專用發票上注明的增值稅額、從海關取予抵扣的進項稅額。

- (ii) 對小規模納稅人銷售貨物或者應稅勞務的，按照銷售額和規定的徵收率（6%或4%）計算應納稅額，不得抵扣進項稅額。其計算公式為：

$$\text{應納稅額} = \text{銷售額} \times \text{徵收率}$$

- (iii) 對納稅人進口貨物，按照組成計稅價格和適用稅率計算應納稅額，不得抵扣任何稅額。其計算公式為：

$$\begin{aligned} \text{組成計稅價格} &= \text{關稅完稅價格} + \text{關稅} + \text{消費稅} \\ \text{應納稅額} &= \text{組成計稅價格} \times \text{稅率} \end{aligned}$$

### 增值稅的減免

的自產農產品；避孕藥品和用具；古舊圖書；直接用於科學研究、科學試驗和教學的進口儀器、設備；外國政府、國際組織無償援助的進口物資和設備；來料加工、來件裝配和補償貿易所需進口的設備；由殘疾人組織直接進口供殘疾人專用的物品；及銷售自己使用過的物品。增值稅的其他免稅、減稅項目由國務院規定。納稅人兼營免稅、減稅項目的，應當單獨核算免稅、減稅項目的銷售額，未單獨核算銷售額的，不得免稅、減稅。納稅人銷售額未達到財政部規定的增值稅起征點的，免征增值稅。

### Variations, provisional and prime cost sums



KK Yung  
JO Co-opted Member

**Variation** work is an inevitable part of a construction project. Valuation of variations is then one of main duties for a QS. Both **Prime Cost** and **Provisional Sums** are amounts included in the Bills of Quantities (BQ) for Nominated Subcontractor and Supplier, and undefined work. Both sums are to be adjusted by a QS.

On 10 March, the JO organized a PQSL event on **Variation, PC Sums and Provisional Sums** at the Surveyors Learning Centre. The guest speaker is a very experienced QS – Mr KC Tang, Director of KC Tang Consultants Limited. For years, Mr Tang has been educating young surveyors, responsible for the APC forum on the HKIS website, answered questions on APC exams and QS practice. Mr Tang has also been an assessor for APC exam for many years.

Mr Tang explained the concept of **Variation Order, and Prime Cost and Provisional Sums** and the rule for valuation

of variations based on clause 11(4) as well as the rule of assessing omitted work based on clause 11(4)(d). If the Main Contractor is involved in direct loss and / or expense due to variations, the Main Contractor can make application to the architect under clause 11(6) to seek for reimbursement. Methods to deal with the discrepancy in or divergence between the different parts of a Contract document were explained in accordance with clause 12(1). The talk was concluded by an illustration of adjustment of **Prime Cost** and **Provisional Sums** in settlement of **Final Account**. To show our appreciation towards Mr Tang, our

JO committee member, Joseph Chong, presented a souvenir to him on behalf of the JO. All attendees gave a big applause to Mr Tang for this educational seminar.



### Latent defects of building

Sylvia Mok & Vincent Lim  
JO Committee Member

**Latent** defects of building is a common and typical issue that a building surveyor must be familiar with, its diagnosis and remedial treatment comprise of both knowledge and experience. On 9 April 2005, Jo Lau, a JO Committee member, shared with us her experience in tackling typical latent defects of buildings in Hong Kong.

An experienced building surveyor, Jo shared with us various problems such as cracks, water seepage and debonded tiles... She further unfolded their source, reasons and preventive measures through both theory and practical case studies. For example, when dealing with a water seepage case at window frame, apart from visual inspection, a hammer test could be conducted at the lower part of the sash frame. A non-hollow sound would imply the existence of water which would serve as one of the causes of problem.

Jo reminded us that latent defects would commonly lead to

dispute as neither clients and contractors would realize that this was due to their fault. Therefore, open up inspection would usually be recommended in order to verify the cause of the problems.

The presentation has attracted BS, GP and QS practitioners. Jo impressed us with her extensive record of common defects found in the building envelope. With Jo's humorous presentation, the seminar successfully drew the full attention of the audience and ended with a large round

of applause. Some members even stayed behind for further discussion with Jo!



## Leasing strategy for a new shopping centre

Jean Cheng  
JO Deputy Secretary

**Further** to the JO successful visit to shopping centres in Shenzhen on 26 February, many members showed interest in shopping centre leasing, especially future development trend as well as the impact of comparable shopping centres in China.

It was our pleasure to have a PQSL event delivered by Martin Leung on 14 April on **Leasing Strategy of a New Shopping Centre**. Martin is a corporate member of the Institute and is currently Hon Secretary of the JO Committee. He is a General Practice Surveyor with comprehensive experience in the planning and leasing stages of new shopping centres in China.



Over 150 members joined the event. Martin firstly gave a brief introduction on different types of shopping centres: metropolitan, regional, district, local and specialty. He used an interesting analogy from conception to child birth when the developer and the tenants work together to create a new shopping centre. Development comes in three main stages, viz. market research, planning and leasing.

According to Martin, when the site was still bare land, a thorough market research should be carried out. **The research material included a SWOT analysis which would compare with competing centres, transport network, catchment area, profile of targeted customers and determine a unique market positioning for the shopping centre.** After

collecting and analyzing results from the research, next came the planning stage and as a project manager, one should exhibit his professionalism by understanding the market, customer needs and use his experience

to coordinate with consultants and professional bodies such as the architect, interior consultant, advertising companies to achieve the objective. Martin also covered special technical requirements for specialty tenants such as cinemas and supermarkets. The design of a shopping centre was unique such as the positioning of the escalators, lifts and size of different trades of shops.



The final part came the leasing stage where Martin emphasized that anchor tenants such as department store, supermarket, food court and cinema were crucial to a new shopping centre as they draw major pedestrian flow; early negotiation and confirmation from them would be

fundamental to success. As special technical requirements for them might be required, it was important to complete the leasing documentation before building completion. Project managers should be familiar with the current market trend because popular trade tenants would help to publicize a shopping centre. During negotiation, Martin said, sound valuation skills to find the market rent would be necessary since currently, turnover rent was quite popular in the market.

Tenancy administration including the various terms and conditions in the tenancy agreement were also highlighted by Martin who shared his practical skills and tactics in negotiating with the tenants in speeding up the leasing deal and suggested that the **3R: renew, relocate and remove** as good solutions for the tenant mix review in a shopping centre. Shopping centre development as explained by Martin is quite different and unique from residential and office development; its core business was to coordinate between developer and tenants. Most members found this seminar very interesting, enjoyable and fruitful because Martin had presented a lot of creative ideas by way of photos and pictures from both local and foreign shopping centres.



## Insight into Roads (Works, Use and Compensation)

Jean Cheng  
JO Hon Secretary

## Ordinance (Cap 370)

**On** 21 April, nearly 90 members attended this JO PQSL seminar presented by Peter Loi, an experienced Chartered Surveyor, who has gained concrete experience as a Senior Land Manager of the KCRC and was involved in compensation claims related to the West Rail Construction. Peter shared with us practical skills and applications of the Ordinance apart from quoting a few special cases and showed us these were handled and their significance. Many thanks to Peter for his invaluable time and effort in conducting his valuable working experience with us.



## 健康小貼士

## 前列腺肥大的診斷和治療 (第一部)

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前列腺又名攝護腺，它位於膀胱出口，包圍著尿道，是男士獨有的器官。它負上協助男士傳宗接代的重責。由於人口老化，加上二次世界大戰後“嬰兒潮”的影響，前列腺疾病有著急劇上升的趨勢。前列腺肥大，又名良性前列腺增生(BPH)，是一種非常普遍的退化性疾病。統計顯示八十歲以上的男士當中約88%的前列腺在顯微鏡下有增生的變化，而50%的人會有臨床上小便阻塞的病徵。良性前列腺增生很少會引致生命危險，但它常常會影響男士和他伴侶的生活質素，故此絕不能忽視。

## 良性前列腺增生的診斷

良性前列腺增生的病徵包括尿頻、尿急、夜尿、尿流細弱、尿流斷續、用力排尿、膀胱餘尿等。此等病徵統稱為「下尿路病徵」(LUTS)，可大致分為刺激性和阻塞性兩類。由於「下尿路病徵」的產生並不一定由前列腺疾病引起，女性也可患有「下尿路病徵」，這也帶出了臨床檢查的重要性。

人的直腸仔細檢查前列腺的大小、硬度、對稱度、平均度、和有否硬塊。與此同時、醫生也可對肛門括約肌和直腸表面作出檢查。這稱為「直腸指檢」(DRE)。這種檢查可令醫生對

確度不足，不能判斷前列腺的阻塞程度或病情深淺。「直腸指檢」另一重要用途便是診斷前列腺癌，假如找到前列腺有硬塊或左右不對稱，便需馬上作出確診的步驟。

由於前列腺增生的病情很難量度，美國泌尿學會(AUA)設計了一套問卷，將前列腺病徵配上分數。整套問卷包含七條問題，評分由零至五分，再加上一條評估生活質素的題目，可

以幫助醫生初診時評估病情的嚴重性，也可作為跟進治療成效的尺度。這問卷現今得到世界各國的認同，被翻譯成多國語言，已正名為「國際前列腺病徵問卷」(IPSS)。

將病人的尿液送到化驗室去，可以驗出有否感染或血尿。將病人的血液化驗，可瞭解腎功能和血球數量有否受影響，此外化驗血中的「前列腺特異抗原」(PSA)也是很重要的。它是一種前列腺獨有的分泌，如病人患有前列腺癌，良性前列腺增生，或急性前列腺炎，他的「前列腺特異抗原」血液濃度通常會上升至高水準。然而「前列腺特異抗原」的血液濃度不能被用來診斷前列腺的病理，因為它們沒有必然的關係。在前列腺癌相當普遍的西方國家裡，他們相當重視國民的前列腺普查，五十歲以上的男士一般都需要每年驗身，包括檢查「前列腺特異抗原」或是「直腸指檢」。如果是高危一族，開始驗身的年齡需降低至四十五歲。

其他有用的檢查包括「尿速測試」(Uroflowmetry)、「膀胱餘尿」(Postvoid residual urine)、「泌尿動態檢查」(Urodynamics)、「泌尿系統超聲波檢查」(Ultrasonography)、「泌尿造影檢查」(Intravenous Urogram)、「膀胱鏡檢查」(Cystoscopy)等，都對複雜病情的診斷有著重大的幫助。



▲ 內視鏡檢查下的前列腺，它的增生造成尿流阻塞。

(本文由仁安醫院提供。文章內容、立場及意見並不代表香港測量師學會)

## Getting to know the council

## 理事專輯

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

## Edwin Tang – BSD Council Chairman

## Memorable working experience



**My** 4 years' secondment to the Housing Department (HD) is unforgettable. Application of the Buildings Ordinance (BO) to Housing Authority (HA) Projects was included as one of the 50 recommendations in the **Quality Housing - Partnering for Change** consultative document in 2000. As a first step, in November 2000, HD established the Independent Checking Unit (ICU) under the Director of Housing to strengthen the independent checking (administrative building control) of HA building projects.

Upon HD's request, Buildings Department (BD) seconded me, together with a Senior Structural Engineer, to assist their establishment of the ICU. We act in an advisory capacity on the BD practices and procedures and particularly in enabling the ICU to keep abreast of changes in regulatory matters.

### Can you share your feelings with us after years of departmental work?

The working experience is unforgettable and challenging. I have opportunities in giving inputs on various issues that are quite unique in the building control regime and in working with HD colleagues playing different roles in the building projects – owner, designer, controlling officer and property manager. Moreover, I had made a lot of friends and experienced another culture through the secondment.

### What do you want to achieve as the Chairman of Building Surveying Division?

This year, focus would be on the Reciprocal Recognition of Professional Qualification with Supervision Engineers in the Mainland and the proposal on Building Affairs Tribunal (BAT). I hope we could finalize the Reciprocity Agreement with the China Association of Engineering Consultants (CAEC) (中國建設監理協會) and get a directive decision from the Government on the BAT proposal by the end of this year.

Apart from this, I hope there could be some publications in the name of BSD or HKIS, both for general public and young professionals. A publication panel has been set up to develop the idea. There should be some leaflets (in series) to facilitate our on-going promotion exercise on preventive building maintenance and maintenance management in society, especially for the young generation. To maintain the status of a professional body, we should set our own standards or guidance notes. It would be a more difficult task due to limited resources. However, we must get it started.

### How do you handle your pressure from work?

Haha...To me, the best way is to get a relief (voice it out) with colleagues during lunch time. Apart from that, I think social time such as working for BSD and HKIS and family time could assist in keeping mental balance.

### So, you still keep your hobby?

Yes. I like badminton and hiking.

**Could you think of something (animal, food or whatever) to represent HKIS? And why?**

I would like to choose the **GIRAFFE**. Giraffes are non-territorial and social animals. They travel in large herds that are not organized in any way. Surveyors of different divisions have their own specialization but we choose to move in a large herd as HKIS. We are also in good relation with other building professionals. The tallness of giraffes also reminds us the importance of foresight and vision.

**Would you still choose building surveying as your career if you were on A-level student?**

Yes definitely. It is because building surveying is an interesting profession. Building surveyors possess all round knowledge about buildings and play different roles throughout the whole life of a building. These two paramount ingredients would benefit our survival especially when our building stocks become aging but the redevelopment cycle become longer.

## RECRUITMENT OF M.C. HKIS ANNUAL DINNER 2005

A golden chance for your face to be recognized by fellow members and VIP guests. We are recruiting 6 Masters of Ceremonies (MCs) for our Annual Dinner to be held on 18 November 2005.

If you want to test your presentation skill, make use of this opportunity. People are watching.

For more information and /  
or to register please contact  
Donna on 2526-3679 at HKIS or  
alternatively email to [cpd@hkis.org.hk](mailto:cpd@hkis.org.hk)

**Raymond Chan** Chairman  
Organising Committee  
HKIS Annual Dinner 2005

## HKIS SINGING CONTEST 2005 (S/200504)

We are going to organize a Singing Contest for our members to demonstrate their talent in an area outside surveying.

## Show Your Talent!

Entries are invited from all our members (whether you are students, probationers, members or fellows). We hope that we can have entries from all age groups.

You can bring your own instrument or just a DV disc for karaoke singing. We shall have a preliminary round in 8 October for entries to be sorted. Four chosen lucky ones will be performing during our Annual Dinner to be held on 18 November 2005 to compete for the championship title.

Fabulous prizes are to be given to the champion, the finalists, and all the entries.

*Come, have fun, and show your potential. Use the CPD Standard Reservation Form for entry application. Sorry, this does not count for CPD hours.*

**Raymond Chan** Chairman  
Organising Committee  
HKIS Annual Dinner 2005

## Hong Kong Island Flag Day on 2 July 2005

Volunteer Services need  
**YOU**

*Do you want to join volunteer services to help the needy and build a caring society?*

*You are sincerely invited to support AVS  
Hong Kong Island Flag Day.*

Agency for Volunteer Service (AVS) endeavours to promote a greater diversity of volunteer services, to develop the best use of volunteer resources for caring the needy and community betterment. YOUR SUPPORT is very important to us. AVS Hong Kong Island Flag Day will be held on Saturday, 2 July 2005. Our target is to raise HK\$700,000 and to recruit 3,000 volunteers.

Established in 1970, AVS is a non-profit organization, registered as a charity dedicated to playing a proactive and pivotal role in building a civil society and caring community through the promotion and development of sustainable volunteerism.

**Please act now.** For any questions, you are most welcome to contact AVS staff, Ms Louisa Chow or Ms Alice Lam at **2527-3825** or browse our website at [www.avs.org.hk](http://www.avs.org.hk).

Women in Surveying

測量半邊天

Rina Tsoi MSc, MRICS, MHKIS, RPS(LS) Honorary Secretary, LSD Council



Kelvin Ng  
JO Committee



Why did you choose land surveying profession?

It was a coincidence I attended the Open Day of RMIT University at Melbourne. Two pictures of performing aerial survey and hydrographic survey attracted my eye sight. It is a profession to assist for discovery the anonymity of sky and ocean, isn't it?

After the completion of surveying degree programme, I understood the importance and contribution of land surveying to the society. It is not merely involved to the observation of sky and ocean, but also our living place, LAND.

What is your role as a committee member of the HKIS?

Being the Land Surveying Division (LSD) Honorary Secretary since 2003, I receive opportunities to experience the liaison work with different parties from local to international organizations; I am also involved in some consultation committees; and work for the matters related to LSD as well.

In 2005, it is my pleasure to be nominated as a member of General Council and Welfare Committee of HKIS.

Do you participate in any other social activities? What are they and why do you join them?

The 21st century – the century of feminism and post modernity – unlocks the mysteries of the feministic movement and requests us to transform ourselves into an activist from a theorist. Joining Hong Kong Jayceetes Junior Chamber, Junior Chamber International and be the Vice President is one of the most effective channels to demonstrate how a lady from the 21st century can contribute to social aesthetics, which is always the perfection of life development.



Artjamming



Painting in action



What are the essential personal skills for the success in your professional career?

I believe it is exactly what David Niven mentioned in his book **The 100 Simple Secrets of Successful People – Learn from Losses**. The setbacks you experience are wonderful opportunities to learn.

**You need to know more than just how talented you are.** You may suffer blows to your self-esteem when we failed. That is why it is so important to know not just how capable you are, but more critically who you are. When events undermine your self-esteem, you must be faithful to yourself that is unquestionable, undeniable. This faith in your integrity and your humanity will assure your survival from any attack based on a failure or even ongoing failures. It will give you something to start as you rebuild your self-esteem.

What do you think about the future prospect in Land Surveying field?

Currently, the work force requirement from Land Surveying field seems to decline in Hong Kong because of rare infrastructure projects commenced and the historical background of Land Surveying field. However, it is always an opportunity in the field for your exploration. Regarding globalization and technological advantages, the application of business practices and processes to take a business or a product global would become the major route. It sounds vacuous but it is true when you can fully implement it internationally by working locally.

Do you have any particular interest?

My name tells:  
R = Reading  
I = Inflorescence  
N = Nice dining  
A = Art

Do you have any books recommended to our members?

**CaiGenTan** 菜根譚  
An Essay on Vegetable Roots by Hong Ying-ming of Tang Dynasty  
**The Art of Thinking** by Allen F. Harrison and Robert M. Bramson



Homeie

2005 painted by Rina Tsoi  
Background is **18th Century**  
2004-05 painted by Rina Tsoi

(Courtesy: artjamming.com)



| Date             | Event       | Organiser  | Location   |                        |
|------------------|-------------|--|--|------------------------|
| <b>2005</b>      |             |  |  |                        |
| <b>June</b>      | 23          | SAA Executive Council Meeting  | Surveyors Alliance Asia (HKIS, SISV and ISM)                   | Kuala Lumpur, Malaysia |
|                  | 23          | Hebei-Hong Kong Week – Infrastructure and Real Estate Services Seminar             | HKSAR Government Beijing Office                                | Hebei, PRC             |
|                  | 27 – 29     | 9 <sup>th</sup> PAQS Congress 2005   | PAQS / CECA  | Dalian, PRC            |
| <b>September</b> | 7 – 9       | 第四屆京港澳測繪技術交流會  | HKIS LSD   | Macau SAR              |
|                  | 20 – 22     | MOC Conference – Construction Economics, Real Estate and Urban Disaster Prevention | ETWB & MOC   | Xian, PRC              |
|                  | 27 – 29     | 2005 World Sustainable Building Conference   | Japanese Ministry of Land, Infrastructure and Transport (MLIT) | Tokyo, Japan           |
| <b>October</b>   | 15          | BSD Annual Conference  | HKIS BSD   | Hong Kong SAR          |
|                  | 16 – 22     | International Property Valuation Conference & FIG Commission 9 Working Week        | HKIS/CIREA/FIG   | Beijing, PRC           |
|                  | 28          | LSD Annual Dinner  | HKIS LSD   | Hong Kong SAR          |
|                  | 30          | IVSC Annual General Meeting  | IVSC   | Brazil                 |
|                  | (tentative) | HKIA, HKIE and HKIS Joint Conference   | HKIA, HKIE & HKIS  | Hong Kong SAR          |
| <b>November</b>  | 18          | HKIS Annual Dinner 2005  | HKIS   | Hong Kong SAR          |
|                  | 19          | WOBO Joint Seminar 2005  | World Organization of Building Officials / HKIS BSD            | 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          |
| <b>December</b>  | 3           | HKIS Annual Conference   | HKIS   | Hong Kong SAR          |
|                  | (tentative) | HKIS Annual General Meeting  | HKIS   | Hong Kong SAR          |
| <b>2006</b>      |             |  |  |                        |
| <b>July</b>      | (tentative) | Quality Building Award 2006  | HKIS   | Hong Kong SAR          |
| <b>October</b>   | 15 – 20     | FIG XXIII Congress and XXIX General Assembly                                       | FIG  | Munich, Germany        |
| <b>2007</b>      |             |  |  |                        |
| <b>May</b>       | 12 – 17     | 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](http://www.hkis.org.hk)

NB: SLC = Surveyors Learning Centre, 811 Jardine House, 1 Connaught Place, Central, Hong Kong



# Interesting Fable in the Regatta – Dragon Boat Championship 2005

A time when surveyors flex their muscles and paddles



Lesly LAM  
JO Chairman  
MSc (LOND),  
MHKIS, MRICS,  
RPS(LS)

**On** 11 June at Stanley Main Beach, organised by the JO, over 70 members from all disciplines, surveying streams of the three universities and the HKIS president – TT Cheung joined this event and gave us all the support we needed. The President and members of the team have been VIP guests at the ribbon-cutting and eye-dotting (點睛掛彩) ceremony; our special thanks to Mr Alson Wong, Chairman of the Stanley Residents Association.

We set another milestone for HKIS in the Dragon Boat Competition; in the Chinese Men’s Club, we beat 34 others and came 6th when all six out of the ten teams in the final race finished almost within fractional difference of a second. In the Ladies’ Plate, we came 4th. Both teams, what they have been dreaming for, actually got on stage to take the trophies from the honourable guests. Let’s recap our glorious moment here and in the next issue of the Surveyors Times. More photos can be viewed at [www.hkis.org.hk/jo](http://www.hkis.org.hk/jo)



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