

Surveying

news

Volume 9 Issue 8,
September 2000



Message from the President

A PIECE OF MIND - INTER-PERSONAL SKILLS

Mr Francis Ng

As professionals, we are most conversant with various professional/technical aspects. However, there is one major area, which I believe we may occasionally tend to overlook, i.e. inter-personal skills. In this issue of the Newsletter, I wish to make a few points for reference purposes: -

- Patience - Although many people complain about youngsters of being impatient at almost everything, it is my observation that we, being grown up persons, may also have such a deficiency. Some may tend to give a snapshot on a case and jump to a quick decision without giving much thought.
- Arrogance - When discussing with laymen, there is little point to quote word by word of specific clauses in an Ordinance or contract documents. In particular, they may not have the same education background/training.
- Speak clearly, frankly and slowly - This is actually the presentation skill in which all professionals should pick up while in school/service. Say what you want to convey in a straightforward manner and avoid harsh feelings.

Continued on Page 2

IMPORTANT NOTICE

Remember the voting date for the Legislative Council Elections falls on 10 September 2000.

JOINT PROFESSIONAL CENTRE (JPC)

The Foundation Stone-laying Ceremony of the Joint Professional Centre (專業聯合中心) was successfully held on 1st August 2000. The Chief Executive, Mr Tung Chee-hwa, officiated the ceremony and said "I have heard you loud and clear. We will consider all practical proposals to provide more opportunities in Hong Kong to encourage our professional services to grow, to gain experience and to better equip yourselves".



Light switching on ceremony on the JPC model by the Officiating Party (from right, Mr P C Lau, Mr Kenneth Fang, Mr C H Tung, Dr Lau Wah Sum and Hon C Y Leung)



Group photo of the Officiating Party and Presidents/representatives of the Ten Professional Bodies

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Surveying

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

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EDITORIAL CONTRIBUTIONS

Surveying encourages article queries and submissions. Article submissions should include both hard (printed) copy and a diskette in Word format. Contributions should reach the Hon. Editor at the office of the Institute before the 10th of each month.

Information & Contents

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Advertising

All advertisements and small ads are welcome. SURVEYING is reaching over 5,300 readers. For detailed information and advertising rates, please contact Ms Margaret Yung of the Secretariat office at 2526 3679.



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

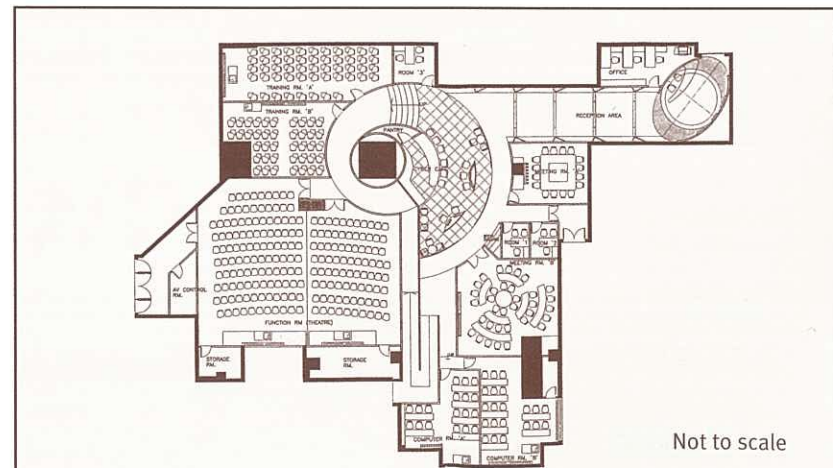
Suite 510, Jardine House, Central, Hong Kong.
Tel: 2526 3679 Fax: 2868 4612
<http://www.hkis.org.hk>

Office Hours:
Monday to Thursday 9:00am - 5:30pm
Friday 9:00am - 5:00pm
Saturday 9:30am - 12:30pm

- Seating arrangement - Never keep your client/counterpart at a distance by asking them to sit at one end of the table. It is very impersonal and high-handed. Key personnel from either side should sit at the mid-parts of a long table.
- Be courteous - No matter under whatsoever circumstances, always keep cool and act politely. Never lose your temper and avoid shouting back. Also, don't put up your feet while an interview or discussion is in progress.
- Be considerate - It must be realized that many people will not tell you directly what they dislike. We must however act reasonably and at least not to such an extent of giving a bad impression to others. In my observation, inconsiderate persons are unlikely to be acceptable. They appear to be unapproachable and it will not be easy to have good communication with others.
- Self Discipline - As educated adults, there should not be a need to remind what are the do's and don'ts. However, after years of work in a similar environment, many people tend to be self-centred and fail to take heed of what others think. It is my experience that some appear to lose control of themselves, so that they keep on shaking their feet incessantly, spin a pen around his fingers or keep on swinging his easy chair.
- Dress - Avoid being under-dressed in meetings. Quite recently, I learnt that a junior staff, dressed in T-shirt and shorts, turned up at a meeting with Bureau chiefs and department heads. It was so awkward. Dress code: neat, tidy and decent.
- Be responsive - Punctuality is important. Avoid passing the buck and show your sincerity to solve the case. Always appear to be ready to help.
- Respect - Failure to respect your client/counterpart is most damaging. Listen to others attentively. Nod your head to show understanding/approval at certain intervals. Constant eye contact is important.
- Trust - To build up mutual trust is important. An appointed professional must keep all the clients' plan in confidence.
- Be open-minded - In our daily contact with others, we will inevitably come across some very reserved individuals. These people never speak their minds, even on some minor matters. Some just keep on fishing for information without revealing their own. There exists some secrecy on their motive thus a great barrier to have effective communication with others.

Remember, the above aspects are some good ingredients, which may help to solve a case in a quicker and more amicable manner. Mere good professional skills may not necessarily ensure that your client/counterpart will rely on you totally. ☑

JPC
Continued from Page 1



Floor plan of JPC
(Unit 1, Ground Floor, The Centre, 99 Queen's Road Central, Hong Kong)

News from the Divisions

Building Surveying Division

Nelson Ho, Hon. Secretary

It seems to be a fairly quiet August. However, a lot of members are busily involved in the BS Conference 2000, to be held on 14 October, 2000. This important annual event of the Building Surveyors, entitled "Moving Forward with New Technologies", will feature many technological advancements and new technology applications in the Building Surveying and construction related context. You are sure to benefit from attending the Conference.

Apart from participating in the Conference yourself, you should inform all your good friends of this event and do not let them miss it. We welcome friends, BS and other professionals to participate in the Conference. To show your support, you can also sponsor the Conference, through the making of an acknowledgement in the conference folder and CDs. For details, please contact Mr Robin Leung of the organising committee or the HKIS office. We look forward to meeting you at the Hotel Marriott in Pacific Place, Admiralty, on the day of the Conference.

Just before the BS Conference, we will be arranging a visit to the Southern Glass Factory in China, in September 2000. Please watch out for details. It will be a popular event, therefore do not miss out.

It has not all been quiet. Our TAP panel have been working hard to comment on various technical issues related to the building industry, such as the review of the Building Ordinance and Regulations, streamlining of procedures related to the process of building plans, and etc.

In the facility management field, it has been quite exciting during the past few months. A

new professional institute, the Hong Kong Institute of Facility Management, was formed. According to this new institute, professionals practising in the facility management field are welcomed to join irrespective of their primary profession. Interested members can visit their website at <http://www.hkifm.org.hk>.

TECHNICAL ADVISORY PANEL

The following brief notes of the LBAC Building Sub-Committee meeting, held on 4 August 2000, on matters discussed, are provided for members' information:

Testing of steel reinforcement

- Paper cutting http://www.mingpaonews.com/20000805/_gma1h.htm
- BD proposed an audit check by a third party.
- Others proposed an assessment of the certifications submitted by suppliers and counter check by the government.
- AP, RSE's role to be reviewed.

Approval of plans

- Seemingly, not much progress despite recent reforms.
- Suggest putting more responsibilities onto the AP, RSE.
- Self-certification of A&A work may be another solution.

Supervision plan

- HKIS views were taken. BD is working on a simplified system.
- Can quality and safety supervision be grouped together?
- A monthly review is necessary on how and whether the plans work?

Preventive maintenance scheme

- Still being dealt with by Ms Helen Yu's "Task Force".

Lift concession

- PNAP for office buildings will be issued in about 4 weeks.

Hotel concession

- PNAP will be issued.

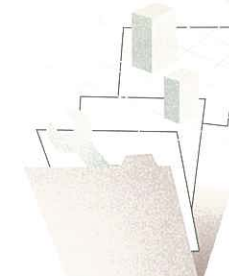
Review of Buildings Ordinance

- A prescriptive regulation (existing) changing into a performance regulation (reform).
- The working relationship between the regulator and the APRSE/contractor.
- Self-certification a solution?
- Change from a design, planning and construction ordinance to a site operation/contracting regulation.
- Is quality of workmen and site supervisors a concern under the Ordinance?
- Is re-engineering necessary?
- BD has appointed Professor Barnabas Chung as consultant, to be assisted by Eric Johnson from the PEL Branch.
- BD also proposed a working group to fast track the review of the Buildings Ordinance, with an anticipation of putting forward a bill to the LegCo in May next year.

Streamlining of procedures

- Anything you can contribute to make the BIU useful?
- BD proposes to set up a panel of expert advisors to assist the BIU.

If you have any views on the above subjects/discussions, please feel free to contact Mr C K Lau. He is the HKIS's representative on the sub-committee. ☑



GENERAL PRACTICE DIVISION

Tony Tse, Chairman

VALUATION 2000 - LAS VEGAS

Ms. Mona Woo and Mr. Alnwick Chan, representing us, attended the Valuation 2000 Conference, organized by the Appraisal Institute and American Society of Appraisal of the United States at Las Vegas, during the period 10-13 July 2000. Below are some of the notes prepared by Mr. Alnwick Chan, sharing with us his observations at the conference:

• CONDEMNATION TRAIL

This is a term used commonly in America, which refers to a compensation claim arising from the resumption of private properties, by the Government. A property being condemned means the property is being resumed for public purpose.

• REAL ESTATE DISCLOSURE REPORT (RED)

Appraisers in America are required to provide critical information for many lending and purchasing decisions. In some of the RED, over 150 items of disclosures are reported on any potential detrimental conditions. In the past, the list of disclosure items has been long and complex. Today, the Internet provides a powerful source for researching volumes of agency database, flood information, natural hazards, satellite maps, etc. Combined with an appraiser's on-site inspection, lenders, buyers and others can now be provided with the most comprehensive disclosure report.

• OUTDOOR ADVERTISING

Outdoor advertising in America is a thriving business and billboard structures are sold in the open market as real property. Appraisal of such billboard is usually based upon a multiple of the gross rent or the Gross Rent Multiplier (GRM). The "Rule of Thumb" used by the outdoor advertising industry is 3 to 7 times the structure's gross income depending on visibility and location. For example, a buyer may indicate that the structure was purchased using a 60 months' multiplier. A structure purchase for \$60,000 with a gross income of \$12,000 indicates a GRM of 5.

Apart from the terminology of GRM, the expression of Gross Income Multiplier (GIM) has become popular, due to the fact that some properties have generated income from non-rental sources. Citing an example wherein the term "income" as opposed to the term "rent" may be derived from a property including parking fees, security deposit retained and income from laundry facilities.

• COOL TOOLS

The American appraisers are increasingly relying on the internet to help and improve their appraisal business process. The following tools are all free and members may wish to visit the following sites for their day to day business, if applicable.

Mail2web.com
eFax.com
HotSend.com
Zoomerang.com

• INTERNATIONAL VALUATION STANDARDS

A CPD event is being organized to introduce the global standards to members of HKIS.

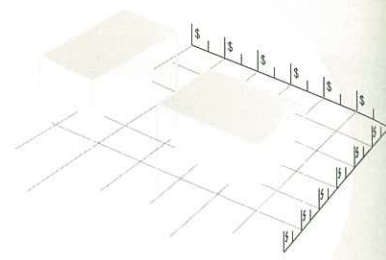
HISTORY OF LAS VEGAS

It would be unfair not to mention the hosting city Las Vegas. It has been reported that in the early 1700s, a young Spanish scout, named Rafael Rivera, was the first European to discover a valley with abundant wild grasses and plentiful water in the middle of a desert. He named it "The Meadows" or "Las Vegas" in Spanish.

The city started flourishing in 1905, when the Union Pacific Railroad made it a refueling point linking Southern California with Salt Lake City. During the Great Depression in the 1930s and the World War II in the 1940s, three things occurred that set Las Vegas on its course as a sprawling, gaming city.

- On 19 March 1931, gambling was legalized in the State of Nevada.
- One month later, Las Vegas issued six gambling licenses.
- Starting in 1931, construction began on the Hoover Dam, which brought many construction workers and spawned the first population and economic boom.

By the early 1940s, the defense industry entered the Valley because of its isolated location and plentiful water and energy supplies. Current large military complexes are the Nellis Air Force Base located in the northeast, and the Basic Management Complex, providers of raw materials, found in the southeastern suburb of Henderson.



HKIS GUIDANCE NOTES FOR SURVEYORS ACTING AS INDEPENDENT EXPERTS IN COMMERCIAL PROPERTY RENT REVIEW

Being a leading profession in valuation it is most important to ensure a high standard of our services. With the assistance of Mr. Gordon Moffoot and Mr. George Doran of Chesterton Petty, and Ms. Hilary Cordell of Baker & McKenzie, together with the Working Group chaired by Mr. K. K. Chiu, our Vice Chairman, the Guidance Notes for Surveyors Acting as Independent Experts in Commercial Property Rent Review has been prepared and approved by the Divisional Council recently. The Notes are in the process of printing and will be available to members soon. Further details to be announced. S

CORRIGENDUM

CPD - "The Red Book, Blue Book and The Global Standards of Valuation"

We apologise that the name of Ms Mona Woo, one of the speakers of the CPD event, has been mis-spelt as "Ms Mono Woo" in the CPD event's circular. However, we believe that all of you members should know her well and are aware of the mistake!

LAND SURVEYING DIVISION

19TH INTERNATIONAL SOCIETY FOR PHOTOGRAMMETRY AND REMOTE SENSING (ISPRS) CONGRESS 16 - 23 JULY 2000, AMSTERDAM, THE NETHERLANDS

Reported by MAN Wing-kan

The ISPRS is a non-government organization (it now has 103 ordinary members) devoted to the development of international cooperation for the advancement of photogrammetry, remote sensing and spatial information sciences and their applications.

The HKIS is an Ordinary Member of ISPRS. I was pleased and honored to represent the HKIS at the 19th ISPRS Congress in Amsterdam. The Congress theme was "Geoinformation for all". There were 1,556 registrants, about 1,000 full papers, and 89 exhibitors occupying over 2000 m² floor space. With a duration of 7 days plus 3 days for Tutorials, Workshops and General Assembly/Welcome Reception, the Congress (Web Site: <http://www.itc.nl/~isprs>) was compact and focused.

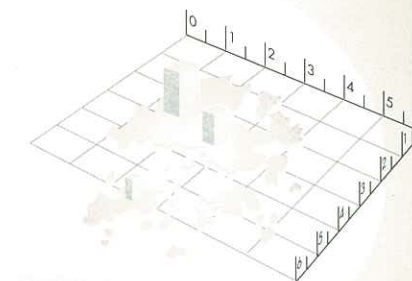
The ISPRS Congress comprised of Inter-technical Commission Sessions, Technical Commission Sessions, Interactive Poster Sessions, Special Sessions, Exhibitor's Showcase Sessions, Add-on Sessions, Exhibition and Technical Tours.

During the Plenary Opening Session, the keynote speaker, Dr. Ismail Serageldin, VP for special programs of the World Bank and three other speakers, J Dangermond, president of ESRI, K. Kasturirangan, director of the Indian Space Research Organization and He Changchui, head of the remote sensing unit at FAO, spoke from their professional angles on the issues of availability, accessibility, benefit, understandability, usefulness and affordability of geoinformation in the years to come.

The General Assembly consisted mostly of house keeping functions:


- A Strategic Plan for the 21st century on the future of ISPRS was presented by the ISPRS President, L.W. Fritz, in the Opening General Assembly and was approved by the delegates.
- Delegations from Beijing, Barcelona and Istanbul made presentations for hosting the 2004 Congress. All emphasised on the extensive support from both government agencies and technical organisations. The Ordinary Members voted, and the Turkish delegation was given the privilege to organise the 2004 Congress in Istanbul.
- New arrangement for the publication of the ISPRS journal.
- Acceptance of new members and changes of Category of Membership.
- Appointment of honorary member.
- Awards announcements and presentations.
- Nomination and approval for members of the Council.
- Nominations, election and approval of Technical Commission Presidents.
- Policy on the expulsion of members who are in default of payment of their Membership subscription fees.
- The Council revealed the new ISPRS logo.

Finally, I wish to express my gratitude to the Deputy Director/Survey & Mapping and the Director, of the Lands Department, HKSAR, for their sponsorship, which allowed me the opportunity to increase my knowledge in digital photogrammetry, gain first hand information from practitioners and an insight through the commercial exhibitors' presentations. S



THE 23RD FIG GENERAL ASSEMBLY, 22-26 MAY 2000, PRAGUE

Reported by Conrad TANG

Hong Kong, PRC, was represented in the General Assembly of the International Federation of Surveyors, held in Prague on 22-26 May 2000, by Messrs Steven Yip and Conrad Tang. The FIG Work Plan 2000 - 2003 was adopted by the General Assembly. The model for the future governance of FIG was agreed, that would make FIG a fully democratic international body. New member associations were adopted from Czech Republic, Colombia, Lebanon and Portugal. Professor Peter Dale was conferred as the Honorary President of FIG. Professor Ian Williamson reported that the UN/FIG Bathurst Declaration on Land Administration for Sustainable Development was adopted and the FIG policy on UN relations was agreed. 



The Chairman of the General Assembly, Vice President Jerome Ives (centre), with the Hong Kong SAR delegates.

A NEW GROUP OF HD STUDENTS ARE GRADUATING!

Dr. Xiaoli Ding


The Department of Land Surveying and Geo-Informatics, Hong Kong Polytechnic University, started a new Higher Diploma (HD) programme, namely the HD in Geomatics, two years ago. The first group of graduates from this new programme have just completed their studies and are ready to serve the geomatics industry in Hong Kong.

The term 'Geomatics' has been adopted internationally to describe the general field of spatial data acquisition, management and utilisation. It integrates and covers the traditional fields of surveying and geographical information systems (GIS).


This brand new credit-based HD programme has two specialized streams of study, Surveying and Geo-Informatics. The Surveying stream provides comprehensive generic education in land surveying while the Geo-Informatics stream prepares graduates for employment in the field of digital mapping and GIS.

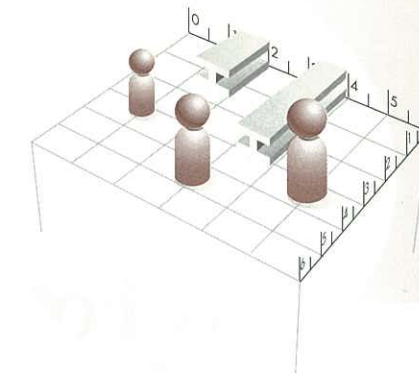
The two specialized streams share the same year one subjects that provide a foundation for the study and a basic understanding of the discipline of geomatics. In the second stage of study, the students who have chosen the Surveying stream start on the more advanced core subjects in the area of land surveying. The study covers, for example, hydrographic surveying, engineering (construction) surveying, cadastral studies and management, satellite positioning, and photogrammetry. The students who have chosen the Geo-Informatics stream, on the other hand, concentrate more in the areas of spatial data acquisition and management. The core

subjects for this specialized stream include data acquisition, spatial data management, cadastral studies and management, geographic information systems, cartography and remote sensing.

Interested parties/potential employers may contact Mr. Steve Lam (telephone: 2766 5964, fax: 2330 2994 or email: slams@polyu.edu.hk), the Student Careers Officer of the Department, or Dr. Xiaoli Ding (telephone: 2766 5965, fax: 2330 2994 or email: lsxding@polyu.edu.hk), Programme Leader, for information on recruiting the new graduates or for general inquiries regarding the Programme. 

CORRECTION

The author of the article "One day technical visit to Macau" (published in "Surveying", July 2000) would like to clarify that, under the heading of Cartography and Cadastre General Department, in the first paragraph, it was actually the Subdirector, Mr. Cheong Sio Hei, Gary, and his senior officials who enthusiastically welcomed the visiting members. And the second photograph actually shows the Subdirector and Chief of Cartography, of Cartography and Cadastre General Department, receiving souvenirs from LSD Chairman, Mr Wong Chung-hang. He sincerely apologises for any misunderstanding caused. 



QUANTITY SURVEYING DIVISION

TT Cheung, Chairman

ELECTRONIC DELIVERY SERVICES (EDS) CONFERENCE

The conference was organized by the Works Bureau and was held on 12th July 2000. There was a number of brainstorming ideas which warrants members to think of the future role of the QS in the construction industry. We will soon organize another EDS conference with the Works Bureau and we hope to arouse more interest from fellow members. Details of the next conference will be announced in due course.

PRC

We have revised our trip schedule as follows:

September - Shanghai Organizing a CPD event to RICS members in Shanghai and to meet the Standard & Norm Department and Construction Bureau to update planning for WTO in Shanghai.

October - Xian Courtesy visit and data collection.

November - Beijing 2nd Organizing Committee meeting on 2001 International Cost Conference.

Members are welcome to join our visits at their own cost.

2001 INTERNATIONAL COST CONFERENCE IN BEIJING


The preparation work of the organising committee is in good progress. We are calling for papers at the moment. Interested members, may refer to my message in the last issue of "Surveying".

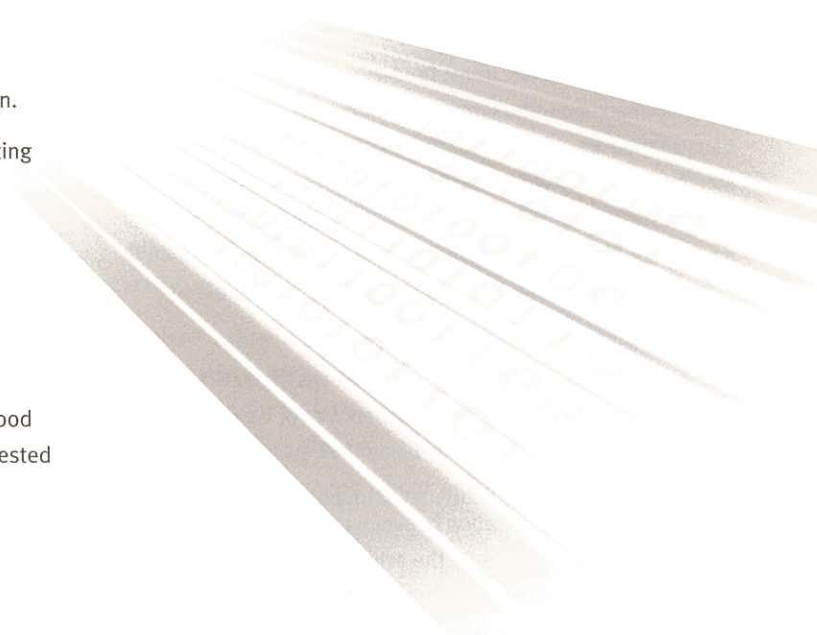
RECIPROCITY WITH AIQS

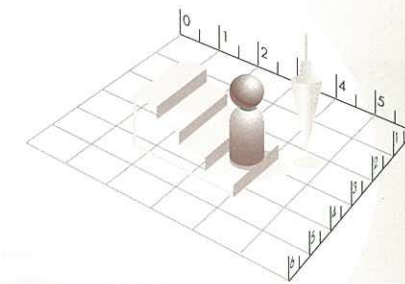
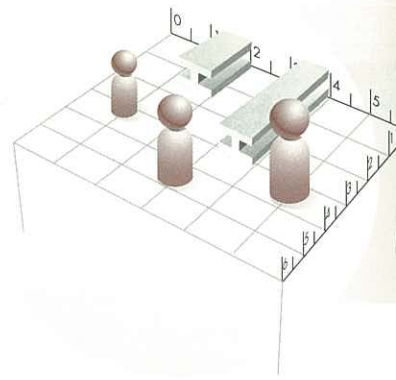
We have received no further news from our counterpart in response to our terms of reciprocity, and therefore no formal conclusion is reached as of today.

CPDs

Watch your diary for the following quality CPDs coming up in the pipeline:

- Variation disputes by John Molloy
- Mock mediation by Simmons & Simmons
- Partnering - new approach to the construction industry
- Professional indemnity for QSs
- Site visit 





TASK FORCE ON ELECTRONIC TENDERING

Irs Raymond WF Ho and KH Tao, Works Bureau

The Works Bureau is actively pursuing electronic tendering for public works projects in collaboration with the private sector of the industry. This new means of tendering will foster tighter collaboration between project participants and will contribute towards improving the productivity and quality of construction projects.

Electronic tendering will be implemented in two stages: electronic dissemination of tender documents and electronic submission of tenders. As the framework for electronic dissemination of tenders is ready, the first stage will start on 25 August 2000.

Under the proposed scheme, electronic files containing tender documents will be issued to tenderers. The scheme will initially only cover in-house contracts, managed directly by the seven Works Departments under Works Bureau, but will be extended progressively to other contracts managed by outside consultants.

Electronic dissemination is delivered through the deliberation of the Task Force on Electronic Tendering, an ad-hoc working group formed under the Contracts Committee of the Construction Advisory Board. The task force consists of members from the Works Bureau, other government departments, professional and trade associations. It serves as a forum for the public and private sectors of the construction industry to discuss and implement the electronic tendering initiative.

Electronic dissemination of tenders is the answer to the industry's need to have a formal mechanism for issuing soft copies of tender documents. By using the new scheme of distributing tender documents, tender preparation will be streamlined and collaboration between project participants will be improved. To facilitate the achievement of these objectives, we are of the view that the electronic dissemination scheme has to fulfil three essential requirements: *convenience, openness and continuity.*

Convenience means the use of streamlined procedures to distribute electronic tender documents to tenderers. Under the proposed scheme, the electronic version of tender documents will be distributed in electronic dissemination packages (or "EDP") hosted on CD-ROM's. EDP will be bundled with the hard copies of tender documents and tender addenda. All eligible tenderers will receive EDP without having to go through any application procedure.

The second essential requirement is openness which will be fulfilled by using industrial data formats for the EDP files. Data in the EDP may then be processed by using common hardware and software without the need for tenderers to invest in specialised equipment. This will avoid the creation of any entry barrier to electronic tendering. Data in open format may be imported into the specialised computing applications used for tendering and construction planning, which will preserve the value of the investments in these systems.

The final essential requirement is continuity, i.e. the smooth transition from the old system to the electronic regime. Given that players in the industry have different readiness for and desire to participate in electronic tendering, in order to allow them to adopt electronic tendering at their preferred tempos, we have retained existing tendering procedures. Accordingly, distribution of hard copies of tender documents will continue and tenders will still be submitted in hard copy format. This means that for those who wish to embark on electronic tendering later, they may continue to work with the hard copy system for the time being.

Detailed arrangements of electronic dissemination of tenders are contained in the Works Bureau Technical Circular issued on 5 July 2000. Those who are interested in these details may obtain a soft copy of the circular at this Internet address: <http://www.wb.gov.hk/circulars/index.htm>.

The initiative for e-tendering of works projects was firmly supported by the construction industry with a justifiable business case. In November 1999, the task force appointed Hong Kong Productivity Council to conduct a questionnaire survey for gauging the industry's support for electronic tendering. A total of 1,099 questionnaires were issued to consulting engineers, architects, quantity surveyors and contractors. Out of 50% of the firms that have responded, about 83% of them support electronic tendering mainly because of an expected increase in productivity and savings in operational cost. A copy of the survey report is available on our web site <http://www.wb.gov.hk/etender>.

Electronic submission of tenders is the last and yet the most challenging work for the task force. The task force has agreed on a structured methodology for formulating a framework for electronic submission of tenders. Such framework will define the requirements of various stakeholders including contractors, consultants and those government departments concerned. It will also outline broadly the technical options for meeting these requirements. The framework is scheduled to be completed in early 2001. The development of the detailed implementation plan will follow.

We have published papers, submitted to the task force, on the above-captioned web pages for e-tendering.

The Works Bureau welcomes comments and enquiries on the works of the task force. Our contact details are as follows:

Fax : 2905 1181

E-mail : wbg@wb.gov.hk

Post : Computer Services Unit, Works Bureau, 13/F, Murray Building, Garden Road, Hong Kong. ☎

THE JUNIOR ORGANISATION

YC Chan, Chairman

Time flies quickly as usual and now comes September. With the support and encouragement from all the Divisions and fellow members, activities such as CPD events, social events, the Careers Expo and term visits to the universities, organised by the JO, were well received and run in a smooth manner.

It is my pleasure and my honour to be the first JO chairman in this new millenium. The pleasure is not the derivative of the chairmanship, but it comes from the warm friendship amongst our committee members and the satisfaction in contributing ourselves voluntarily through organising/assisting various institutional functions. Being a JO committee member, you have the privilege to share your experience and establish relationships with friends from different divisions and different sectors, and to get more involved in the latest developments of the institute. Such experience is an intangible valuable asset in your career. Whatever grade or division you are in, if you are under the age of 33, do join us! Should you have any questions, just give me a ring at 2309 5009.

Volunteers to act as Auctioneer for the Auction of Vehicle Registration Marks

As you may recall, we have been continuously calling for volunteers to act as the auctioneer for the auction of vehicle registration marks held by the Transport Department. We are delighted that there are always volunteers participating and making the event a success.

To show an appreciation to the volunteers, the Transport Department is preparing to offer an honorarium of HK\$1,096 per session, for each auctioneer nominated by HKIS, starting from October this year.

Members (except Student Class A members) who are interested, can complete the attached application form with this newsletter and return it to the HKIS office. Nominations will be processed in a fair manner, on a first come first served basis. Experience in auctioning will be taken into consideration. Should you need further information, please contact one of our office bearers. So, do try to volunteer and participate in this exciting and meaningful event! ☎

HKIS GPD APC

A SUMMARY REPORT FOR THE APC WRITTEN ASSESSMENT 1999

The GPD APC Written Assessment 2000 will be held in early October. A review on last year's assessment may be useful to the candidates.

[The Autumn 1999 written assessment paper is too lengthy to reproduce for members' information. However a copy may be requested from the Education Department of the HKIS office]

GENERAL OBSERVATION

- Most candidates were able to answer 3 questions as required.
- Some candidates did not answer the question specifically. They merely wrote down all the knowledge they knew about the subject, hoping that some of them would be useful. However, some advice was contradictory to each other. This is quite a major drawback for a professional. Candidates are reminded that the APC is not an examination. Its purpose is to test the professional competence of the candidates. Therefore answers of this type is obviously not acceptable.
- Some candidates failed to read the questions. Their answers were not those required by the questions.
- Some handwriting and presentation were poor.
- Many answers were disorganised. Candidates should spend a few minutes to plan their answers. Perhaps it would be useful to drop down the main points before actually answering the questions.

POINTS TO NOTE FOR THE QUESTIONS

Question 1

- Regarding the form of development, a candidate should at least provide the following information:
 - no. of blocks
 - no. of storeys
 - no. of flats on each floor/flat size
 - efficiency ratio
 - other assumptions such as seaview, club facilities landscaping etc.

- A residual valuation to assess the open market value of the site.
- In comparing his/her own assessed land value with the result of public land auction, the candidate should note the following:
 - if the AV is well below \$10,000/m², without acceptable reasons, the OMV the candidate suggested would appear unreasonable.
 - point out that the 2 sales in Siu Lam are more relevant; and the other 2 sales, which can be in the form of composite commercial & residential development, are less relevant, particularly as the sale of TMTL 409, took place over 1 1/2 years ago.

Question 2

- A candidate should briefly explain the term "Ratable Value", and "Profit Test Valuation".
- A mere outline is not enough. Explanations should be given to show that the candidates understand the theory of Profits Test method and the various components of the valuation. For example:

Income & costs	Adjustments may be necessary to exclude income not from the tenement and reflect only costs that the hypothetical tenant would normally allow.
Divisible Balance	This is the residue to be divided between the tenant for his remuneration and interest on his capital invested in the business, the rates and the rent.
Tenant's Share	This consists of 2 parts; <ol style="list-style-type: none"> interest on tenant's capital invested in furniture, equipment and working capital Remuneration for running the business <p>In practice, the Tenant's Share can be estimated by taking a percentage on the Tenant's asset or on gross sales.</p>

Remarks:

In this question, the total gross sales are \$65M and the total operational costs are \$54M (83% of the gross sales). As such, it is expected that the candidates should come up with a negative RV in the profits test valuation. The candidates should be able to point out that is not reliable to do the profits test valuation by reference to just the first 12 months account, and under such circumstances, the RV has to be assessed by reference to RV or accounts of other hotels.

- There are 3 channels to seek reduction in rates payable. They are "Interim Objection", "Proposal for Alteration of Valuation List", and "Appeal".
 - The candidate should briefly describe the procedures of the channels.

Question 3

A candidate should address the following points:

- Basis of assessing the compensation payable, open market value of the land resumed at the date of resumption, the date on which the land is reverted to Government.
- Compare the existing use value with the redevelopment value, to see which is higher, and such higher value will be adopted to represent the OMV.
- Since the assessment is for the purpose of Rule 20 document, no ex-gratia compensation is payable.
- Apart from the value of land taken, loss due to severance i.e. reduction in value in the remaining land can be claimed. Candidates can make appropriate assumption(s) here.
- Approach to quantify the loss due to the resumption. The "Before" and "After" approach would be suitable.

Question 4

Assumption

- There are ample office space available in Central
 - Demand of 1,800 sq.m. is not much.
 - Rent free period of 12 months is commonplace especially for good covenant tenants requiring 1,800-2,000 sq.m.
- A rental cap of 20% increase will limit the rental growth and should be resisted.
 - To provide rental cap or not will depend on the bargaining strength of the parties.
 - It is not easy to find a tenant of 1,800 sq.m. Sometimes, we need to be relaxed.
 - Should try to reject the rental cap and if not one should negotiate a better percentage say 30% against the headline rent and not effective rent.
 - A 6-year lease with a right to break after 4 years is essentially a 4-year lease.
 - There should be a difference in the initial rental between a 6-year and 4-year lease.
 - The rent free period is normally provided upfront. The tenant may have enjoyed all the rent free and exercised the break.

- 6 months rent as compensation is not enough to cover the marketing period and rent free for the new tenant.
 - Should reject the request and if not, negotiate a huge penalty to cover the possible loss.
- A service company is usually a S2 company.
 - If the tenant is in default, the landlord is unable to recover the rental loss except the deposit.
 - For tax purposes, most law firms will require the lease to be signed by a service company. This is acceptable, if a partnership guarantee is provided.
 - With such non-recourse clause, we need to check if there is sufficient asset from the partnership itself as we cannot hold the liability of each partner for its asset.
 - We need to check where the partnership is formed. Different countries will have different legislations governing the liability of the partnership if a breach of the lease occurs.
 - The characteristic of partnership is that it is not a separate legal person. The act of a partner will bind other partners as well, we need to make sure this is the case for such international law firm.

All the above requests are unfavourable to the landlord and should be resisted. We need to assess the risk to the landlord if we are to accept such provision. If we really need to do so, try to attach certain conditions for the benefit of the landlord. Never make a concession without receiving something back in return.

- The Landlord should have a right to select the tenant. Right to assign/sublet without landlord's approval deprives the landlord's ability to control the tenant covenant.
 - The area to be sublet/assign will create a secondary market in competition with the landlord's.
 - It is rare that the tenant has a right to assign to a third party without the landlord's approval.
 - Subletting provision for major tenant can be agreed subject to:
 - limited amount of space
 - control of tenant covenant
 - rental payable by the sub-tenant
 - sharing of profit rent etc.

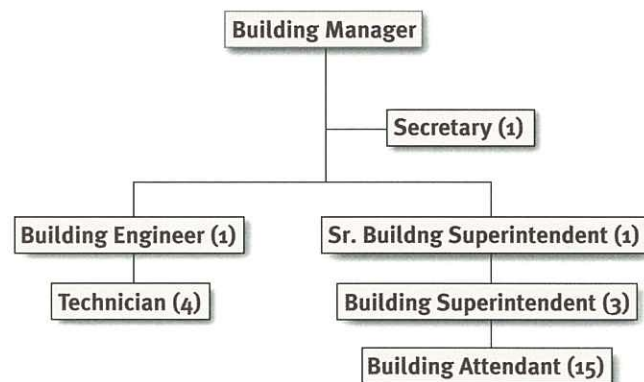
Question 5

(1) Management before Issue of OP

- Input on design, building improvement work, provision of management office, security touring system, location of refuse disposal etc.
- Preparation of Fit-Out Guideline and Management Regulation.
- Familiarization of the site by building staff.
- Review tenancy agreement and DMC, if any.
- Set up of hand over team for "taking up" space from project architect and "hand over to tenant."

(2) Day to Day Operation

- Organisation Chart



- Job specification for each grade of staff.
- Contract out service e.g. security, cleaning, M & E services.
- Should elaborate the advantage of using direct staff and use of outside contractor.
- Standing instruction for different kinds of incident.

Building Maintenance

- Defect rectification and follow up with architect during Defects Liability Period.
- Operation manual for repair and maintenance and building facilities.
- Set up reserve fund for major work.
- Insurance to cover public liability, fire, flooding, earthquake etc. Will need to undertake reinstatement valuation for insurance purpose and negotiate for a competitive premium.
- Planned maintenance.
- Building improvement.

Financial Management

- Preparation of budget & determination of the Manager's Remuneration which is the income of the Property Management Company.
 - Settlement of Account
 - Open a separate account for all expenditures relating to the building
 - Approval procedure for settling expenses.
 - Tendering procedure for major works
 - Provision of Statement of Account to landlord. Audit of account by external auditor on a yearly basis.

(3) Other Issues

The proposal should cover the following:-

- The background of the property company and experience in the management of similar property.

- Term of Appointment e.g. contract period, option to renew if any, manager's remuneration etc.
- Full set of budget with detailed explanation of each item.
- Other added value services provided by your company e.g. support from head office, emergency team, training to building staff etc.

Question 6

The objective of this question is to test the candidates on the following aspects:

- Understanding of existing planning system.
- Understanding of government land administration procedure e.g. land exchange/lease modification.
- Understanding of the application of Building (Planning) Regulations.
- Ability to analyze the risk and opportunity of a development.

Background

- A joint redevelopment would involve the amalgamation of the two sites and portion of the service lane. This requires a land exchange with government.
- Since the church site is within a "GIC" zone, a S16 application for the redevelopment is required (Note : rezoning is an alternative, but not the best solution in most circumstances depending on the candidates' assumption, if any).

Opportunity

- Larger site area, therefore more flexible in design.
- More efficient use of common area/facilities e.g. staircase, lift, etc...
- Higher plot ratio/site coverage by the change of Class B to Class C site.
- Possible reduction in unit cost (economy of scale).

Risk

- S.16/Rezoning may not be successful; planning conditions may be imposed.
- Land exchange will attract premium and the amount is uncertain. Conditions may be imposed under new lease e.g. B.C., user etc.
- A diversion of service lane is required, subject to approval from BD.
- Longer development period in comparison with the immediate development of No.1 & 2 North Street (planning application, land exchange, demolition of church, longer construction period).
- The total development cost would be more than that of the single development on No.1 & 2 North Street. (i.e. cash flow issue).

Recommendation

A candidate should provide his/her recommendation(s) with reasons. ■

Agreement on Residential Portion Land Value for Cyberport reached

The Government has reached an agreement with Cyber-Port Limited, a special purpose vehicle set up under Pacific Century CyberWorks (PCCW) to perform the role of Cyberport developer (the Developer), on the Residential Portion Land Value for the Cyberport project. The agreed figure is \$7.80098 billion.

A spokesman for the Information Technology and Broadcasting Bureau said today (August 3) that this figure was agreed by the two sides following a series of discussions in the past eight weeks. The Lands Department was also represented in these discussions. The figure of \$7.80098 billion is the open market value of the land earmarked for the Residential Portion as at the date of the grant of the Development Right to the Developer on June 8 this year. This premium of \$7.80098 billion reflects an accommodation value of \$20,780 per square meter.

The Developer is required to hand over the completed Cyberport in three phases by end 2001/early 2002, end 2002 and end 2003, as stipulated in the Project Agreement which the Developer (and PCCW) signed with the Government on 17 May 2000. On the

Government side, the Project Agreement was signed by the three limited companies set up by the Government for undertaking the project. These companies are owned by the Financial Secretary Incorporated (FSI).

The Developer was granted the Development Right on June 8 this year, which enables it to design, develop, construct and market the Cyberport Portion and the Residential Portion as an integrated development. The Developer will be required to hand back the completed Cyberport Portion to the FSI companies, while the units in the Residential Portion will be put on sale in the open market. The Residential Portion Land Value, which is agreed by the two sides to be \$7.80098 billion, is deemed to be the contribution made by the FSI companies. The Developer's contribution, will be the capital contribution it will make towards the project, before sales proceeds are made available.

After the completion of the Cyberport, and after making provision to meet the outstanding project costs and putting aside at least \$200 million for a development fund for the Cyberport Portion, the surplus proceeds from the sale of the Residential Portion will be shared between the FSI companies and the Developer in accordance with their respective contributions.

The ownership of the land, for both the Cyberport Portion and the Residential Portion of the project, is vested in the FSI companies. The Project Agreement makes it clear that the Developer shall not obtain any right, title or interest in, or to the land comprised in the Cyberport Portion and the Residential Portion.

The Cyberport will provide an important information infrastructure, to create in Hong Kong, a strategic cluster of IT companies and professional talents. This project has attracted a lot of interest from international companies and has acted as a catalyst for the growth of local IT companies.

Construction industry achieved notable improvement in safety performance

The Commissioner for Labour, Mrs Pamela Tan Kam Mi-wah, said that last year the accident toll of the construction industry had recorded a notable decrease of 28.1 per cent while the accident rate per thousand workers had declined by 20 per cent when compared with 1998. The number of work injuries and accident rate in the first quarter of this year had also come down by 21 per cent and 23.8 per cent respectively. This illustrated that there had been steady improvement in the safety performance of the industry.

Addressing the Symposium on Safe Working Cycle, organised by the Occupational Safety and Health Council (OSHC) on 16 August 2000, Mrs Tan said: "The accident figures of the construction industry has been high. However, it is encouraging to see signs of continuous improvement in the industry's safety performance both in terms of accident numbers and rate. It shows that the policies we have adopted in education, promotion and law enforcement are beginning to pay off."

On the education front, Mrs Tan noted that the Labour Department had been providing free safety training for employees from various trades and industries. In the last three years, for example, the department's Occupational Safety and Health Training Centre had organised more than 2,400 training courses for over 73,000 participants.

The Labour Department has also joined hands with other training bodies, such as the OSHC and the Construction Industry Training Authority, to promote mandatory safety training to tie in with legal requirements. Up to now, nearly 250,000 people had completed the mandatory basic safety training course (Safety Card) for construction workers while more than 19,000 had received safety training on working in confined spaces.

Building plans approved in June

The Buildings Department approved 25 building plans in June — five on Hong Kong Island, eight in Kowloon and 12 in the New Territories. The approved plans covered 11 for apartment and apartment/commercial developments, four for commercial developments, six for factory and industrial developments, and four for community services developments.

In the same month, consent was given for works to start on 11 building projects, which will provide on completion 49,359 square metres of usable domestic floor area and 29,066 square metres of usable non-domestic floor area.

The department also issued 22 occupation permits — five on Hong Kong Island, 10 in Kowloon and seven in the New Territories.

Of the buildings certified for occupation, the usable floor areas for domestic and non-domestic uses were 69,983 square metres and 28,187 square metres respectively.

The declared cost of the new buildings completed in June totalled about \$1.543 billion.

In addition, five demolition consents involving five buildings and structures were issued.

The department's Control and Enforcement Division received 1,062 complaints against unauthorised building works in June, and issued 1,361 removal orders on unauthorised works. ■

Civil ENGINEERING MEASUREMENT DISPUTES

John B Molloy, LLB (Hons), BSc (Hons), FHKIS, FRICS,
MCI Arb, FInstCES, RPS (QS)
Managing Director, James R Knowles (Hong Kong) Limited

In building contracts, where Standard Methods of Measurement with mandatory rules are normal and quantity surveyors take considerable (some would say too much) time preparing accurate and detailed bills of quantities, disputes concerning measurement matters are quite rare.

In civil engineering contracts, however, where the approach to bills of quantities has traditionally been somewhat more cavalier, claims based upon measurement matters have become more and more common, and are now, in my experience, one of the most common claims to be raised on civil engineering projects, particularly if the bills of quantities have been measured in accordance with the Government of Hong Kong Standard Method of Measurement for Civil Engineering Works.

The Government of Hong Kong Standard Method of Measurement for Civil Engineering Works was first issued in 1986 (and has since been republished twice with only minor modifications) and it replaced the ICE Standard Method of Measurement 1954 Edition which remarkably was still in general use at that time.

Claims deriving from this Standard Method of Measurement are principally that there are items omitted from or errors in description in the Bills of Quantities. These claims, made under General Conditions of Contract Clause 59(3):

"... The Engineer shall correct any such error or omission, shall ascertain the value of the work actually carried out in accordance with Clause 61, and shall certify in accordance with Clause 79.

generally fall into three types.

Firstly - where there is a specific item in the Standard Method of Measurement which is required for the works but which has not been measured in the Bills of Quantities.

Such claims are normally fairly clear cut and valid, based upon the wording of General Conditions of Contract Clause 59(1):

"Except where any statement in the Bills of Quantities expressly shows to the contrary the Bills of Quantities shall be deemed to have been prepared and measurements shall be made according to the procedures set forth in the Method of Measurement stated in the Preambles to the Bills of Quantities."

with Standard Method of Measurement Part II - General Principles paragraph 4:

"Unless expressly stated otherwise in the Contract the Bills of Quantities are to contain all those items compounded in accordance with the foregoing paragraph 3 required to comprise the Works."

and the case of *A E Farr -v- Ministry of Transport (1977) 5BLR 94*, where it was held that if the Standard Method of Measurement required measurement of an item that formed part of the works, such an item must be measured in the Bills of Quantities.

Secondly - where there is a specific item in the Standard Method of Measurement which is required for the works and which has been measured in the Bills of Quantities, but is measured either with a different description or a different unit of measurement.

Again such claims are normally fairly clear cut and valid, based upon the above reasoning.

However, to counter this, it is sometimes argued that the wording of the item in the Bills of Quantities itself is clear and amounts to an express statement that the Bills of Quantities have not been measured in accordance with the Standard Method of Measurement.

I do not consider such a counter argument is valid because the Standard Method of Measurement requires at General Preamble paragraph 9 that wherever methods of measurement are adopted which are not in accordance with the Standard Method of Measurement such must be stated by way of a Particular Preamble, and not simply by measuring matters in a different manner in the Bills of Quantities.

Thirdly - where works are required but there is no applicable item in the Standard Method of Measurement nor are the works covered by an 'item coverage' of another item.

This is the most difficult situation. It is commonly argued by Engineers that the contractor should have allowed for such items because the General Preamble paragraph 2 provides, inter alia, that the rates inserted in the Bills of Quantities shall be deemed to be the full inclusive value of the work covered by the respective items including the following:

"(x) liabilities, obligations, and risks involved in the execution of the Works set forth or reasonably implied in the Contract."

I do not believe that this is correct. The General Preambles, paragraph 2 items (i) to (xi) provide a list of general items, including the item above, and including such items as labour, plant and materials. It is my understanding that these are to be read as being included in the item coverage for each item in the Standard Method of Measurement, and that the General Preamble is simply a convenient way of saving the need to put items such as labour, plant and materials in each and every item coverage.

What this means is that the general preamble items do not stand alone, they can only be read in conjunction with the items in the Standard Method of Measurement. Therefore where works are required, but there is no applicable item in the Standard Method of Measurement, it is not possible to allow for them by way of the General Preamble Items because there is no item in the Bills of Quantities to start with, i.e. no item to read the general preambles in conjunction with, with regard to the particular works concerned.

Many of the problems which have arisen and which give rise to so many measurement claims have arisen because of Government's choice of the 'item coverage' system of Standard Method of Measurement. If the item in the Standard Method of Measurement simply said 'construct precast concrete manhole 1000mm in diameter x 2000mm deep as shown on drawing no.... then the contractor would have to allow for all matters necessary to construct the manhole. However, once the item coverage system is adopted, and a list of all the items which the contractor must allow for, e.g. concrete, formwork, reinforcement, etc, is included, if something is omitted from the list it automatically becomes an item omitted from the Bills of Quantities and a claim is formed.

Had the Government adopted the more radical CESMM produced by the Institute of Civil Engineers (as the KCRC have done for their West Rail projects) rather than writing their own Standard Method of Measurement based upon the 'item coverage' system, then many of the item omitted claims, which are now so prevalent, would not arise. ■

RECENT DEVELOPMENTS IN THE MAINLAND CHINA AND HONG KONG

Gilbert Kwok QSD, PRC Sub-Committee

While our recent attention has been focused on the Mainland China market given China's imminent accession to the WTO, we should not overlook recent developments in Hong Kong. The collaborator of this monthly article has been heavily involved in a PRC project and has been away from Hong Kong for most of July and August. Without his input, I would like to address in this issue a significant change in September on Hong Kong's civil justice system.

The District Court (Amendment) Ordinance 2000 (the "Ordinance") and the new Rules of the District Court will come into effect on 1 September 2000. The Ordinance will increase the financial jurisdictional limits in the District Court.

For general civil jurisdiction and personal injury cases, the limit will be increased from \$120,000 to \$600,000. For cases concerning title to land and recovery of land, the limit is raised from a rateable value of \$100,000 to \$240,000. For cases where the court is to exercise its jurisdiction in equity, the limit is to be increased from \$120,000 to \$600,000. Where land is involved, its jurisdiction in equity is raised to \$3 million.

The District Court Civil Procedure (General) Rules are to be replaced by the Rules of the District Court. The new Rules are intended to ensure that cases will be completed within a shorter period of time and, accordingly, less costs will have to be borne by the parties to the disputes.

According to the new Rules, after close of pleadings, automatic directions will apply. Such directions will usually provide, unless otherwise agreed, a timetable for the conduct of a particular case including discovery, inspection of documents and exchange of factual and expert evidence. Three months after inspection of documents, the Plaintiff will have to apply for a pre-trial review to obtain leave, i.e. approval from the court, to set down or fix a date for trial. If the Plaintiff fails to do so, the defendant may apply to the court to dismiss the action.

The new Rules have a summary judgment procedure. In the past, as the District Court had no such procedure, it was not uncommon that a Plaintiff commenced proceedings in the High Court in an attempt to obtain a summary judgment although the amount in dispute was within the jurisdiction of the District Court.

Unlike the High Court, solicitors have full rights of audience in the District Court and therefore may perform the advocacy at trial.

The new legislation is intended to reduce the current heavy workload of the High Court. If this objective is achieved, cases may be resolved quickly in the High Court. With the new Rules of the District Court, it is believed that cases will get through the District Court system within a shorter time which will mean less costs to be spent by the parties. ■



青山綠水松花湖

SONG HUA HU (松花湖)

Francis Ng

This beautiful lake is situated to the south-east of Jilin City (吉林市), about 24 km by road. It lies in the mid-stream of Song Hua Jiang (松花江) and is surrounded by hilly terrain.

The lake is a man-made reservoir formed when the Feng Hai (豐海) hydro-electric station was constructed (in 1957) with a dam (90m in height) regulating the river flow.

The lake measures 200 km in length, covering some 550 sq. km. It is elongated in shape and when viewed from the sky, it resembles a 'flying dragon'.

The lake is a popular tourist spot. Thick forests lying around the brink of the lake. Once there, one will easily leave behind the hustle and bustle of city life. Seasonal changes are obvious. The lake is a good breeding ground for various types of fishes: white fish (松花白魚), carp (鯉魚) and fresh-water garoupa (桂魚).

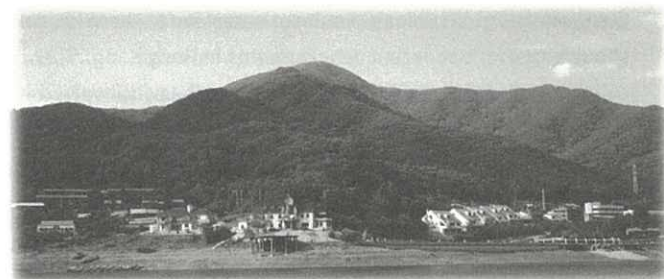
Sailing is a favorite pastime. There are small islands here and there. Two islands are of particular interest

- (i) Gold Turtle Island (金龜島) which looks like a turtle drifting in the lake, and
- (ii) Five Tigers Island (五虎島). The latter is the largest in the lake, comprising some 50 ha. One will note, from the helicopter view, that it looks like 5 little tigers having fun in the water. The highest hill on this island measures 316 m. above the watermark. There are quite a number of pitched stalls selling local souvenirs. At mid-hill, a large plaque was erected with President Jiang Ji Min's writings inscribed.

For winter travellers, there is a bonus of seeing a strange phenomenon, which is unique in this part of the world, i.e. crystals hanging on the trees (銀色樹掛) which line along the riverside for as far as 10 km. This peculiar scene is caused by the steam from the warm water discharged from the electricity station. As a result, stream water leading to Jilin City never freezes in winter. As the austere weather sets in and forces temperatures down to -20°C and below, steam from the water surface evaporates, then condenses and attaches to the

leaves/trunks of the trees (mainly willow and pine) along the riverside. Tourists will find themselves being trapped inside a fascinating crystal palace.

You may have heard of a song 'Lost Horizon' by Sam Hui which asks and tells: 'Have you ever dreamed of a place far away from it all where the air you breathe is soft and clean and children play in field of green...? Many miles from yesterday ... there is a Lost Horizon waiting to be found ...'. There you are, Song Hua Hu is not that far away from Hong Kong, only a few hours' flight and another several hours by car. It is a good place to visit either in the summer or winter. ☒



維工校友會千禧年綜合表演晚會

為加強校友之間的聯繫及維持與母校的關係，維工校友會決定舉行一場千禧年綜合表演晚會，詳情如下。

日期：二零零零年十月六日(星期五)

地點：香港灣仔依利沙伯體育館

時間：晚上七時半
(下午五時半在母校有茶會招待及校友參觀安排)

節目：由校友及學生負責之綜合表演及校園記者簡介著名校友及舊老師

票價：\$3,000 (名譽券)，\$100 (校友)，\$20 (學生)
校友票及學生票於城市電腦售票網發售。

敬希各校友能踴躍參加，並請將這晚會的消息廣為傳達，使更多校友知悉。

如有查詢，請參閱校友會網址：<http://go.to/vtsaa> 或電郵至 vtsaa@mail.com 或電 2352-2711。

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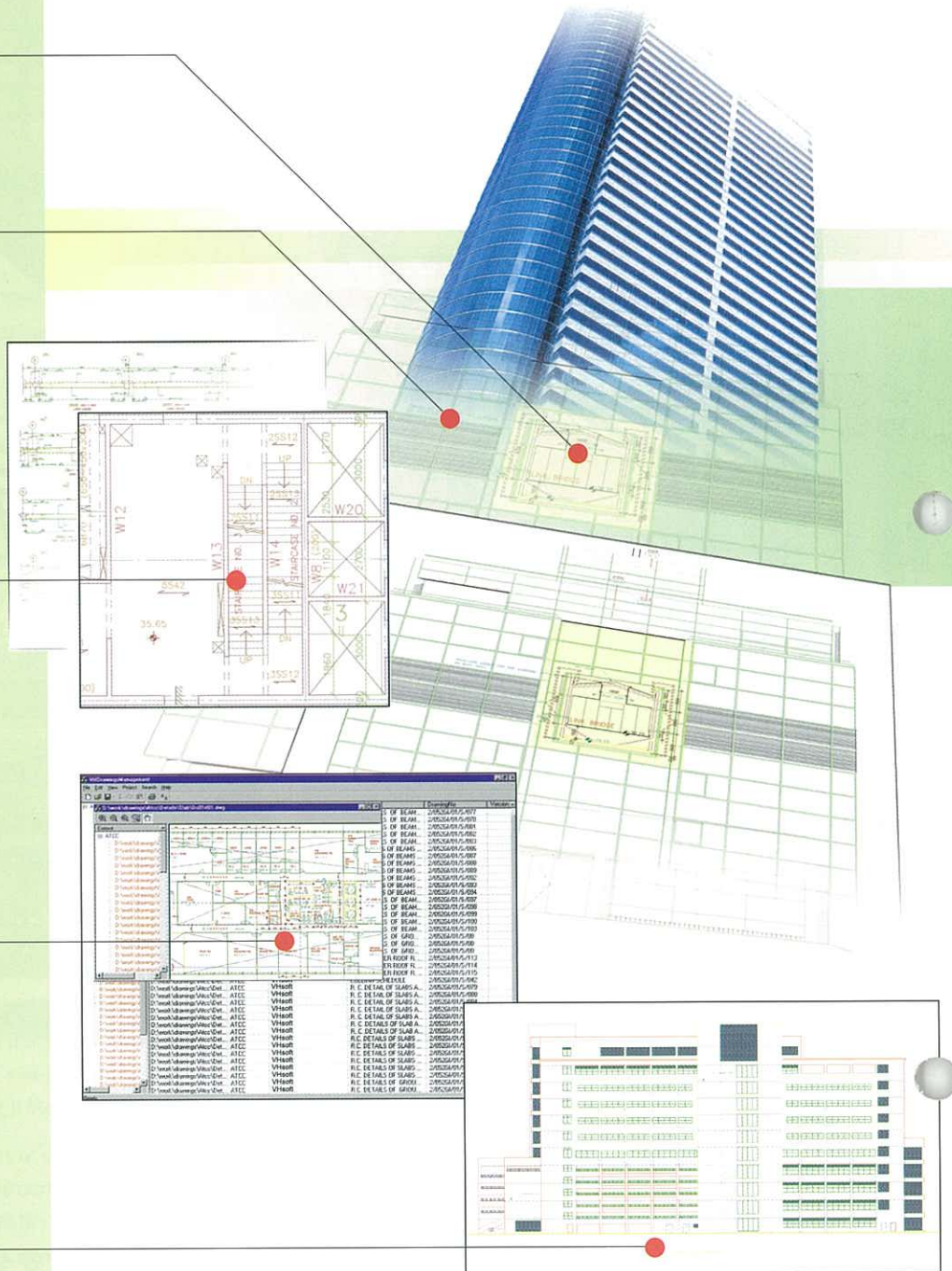
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VHDrawings™
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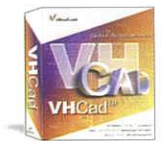
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