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Surveyors in Charity 參與社會慈善工作



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香港測量師學會

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As one fellow surveyor was held by the Court of First Instance in serious breach of his duty of care as a professional property valuer for preparing a valuation report, the GPD Council has reminded its members that many of the criticisms by the court may have been avoided if the member had complied with the HKIS Property Valuation Standards which became mandatory since 1 January 2005.

A number of public consultation forums on "Building Design to Foster a Quality and Sustainable Built Environment" have been held, and the BSD Council is collecting members' views on this issue. In addition, the BSD Council also gave its concerns and views in a public forum on the "Proposed Gradings to 1,444 Historic Buildings". The BSD Council also gave its comments on the proposed revisions of PNAP 185 and 218, hoping that adequate and safe facilities would be provided to buildings.

The 13th Board meeting and Congress of the Pacific Association of Quantity Surveyors (PAQS) were held on 15 to 19 August 2009 at Kuala Lumpur. In addition, the annual meeting of Region 4 of the International Cost Engineering Council (ICEC) was held at the same occasion. The President, Mr Francis Leung, and the QSD Council led a team of 11 delegates to join these two events. On the last day, the delegates visited the office of the Institution of Surveyors Malaysia; they were welcomed by their president, past presidents and other office bearers.

The Chairman and Vice-Chairman of the LSD Council attended the 10th South East Asian Survey Congress (SEASC) held on 3-7 August 2009 in Indonesia. The theme of the Congress was "Integrating Geo-information Islands". This congress was found to be very good for experience sharing and networking.

The YSG also joined the 13th PAQS Congress at Kuala Lumpur from 15 to 18 August 2009. An inaugural committee of YQSG was formed and the HKIS's YSG Chairman was elected as the Chairman of the inaugural committee by the young representatives from other countries. A seminar designed to train up young surveyors in table manners and professional image was held on 7 August 2009. Professor Desmond Chan was invited to share some tips on the essential elements in projecting a professional image. The YSG also organised a special gathering on 30 July 2009 to listen to a barista share the secrets of coffee tasting and taste the inviting aroma of real coffee.

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編者話

自原訟法庭裁定一名學會會員於撰寫估值報告時違反專業操守而被定罪，學會產業測量組提醒會員若跟從學會於 2005 年 1 月 1 日出版的物業評估標準指引，有關指控將可避免。

「優化建築設計 締造可持續建築環境」的公開論壇已經舉行，建築測量組現正搜集會員對有關議題的意見。建築測量組的代表亦於「1,444 幢歷史建築物評級」的公開論壇中表達意見。另外，組別亦就「認可人士作業備考」第 185 及 218 章的內容提出修訂建議，以為樓宇提供足夠的安全設施。

亞太工料測量師協會 (PAQS) 論壇及第 13 屆理事會會議已於 2009 年 8 月 15 至 19 日於吉隆坡舉行。另外，國際成本工程理事會 (ICEC) 亦於同期舉行第 4 區的周年會議。學會會長梁立基及工料測量組共 11 名會員參與了上述會議。團員亦順道拜訪馬來西亞測量師學會 (ISM)，與該會會長、前會長及理事們會面。

土地測量組主席及副主席於 2009 年 8 月 3 日至 7 日出席了於印尼舉行的第 10 屆東南亞測量會議。會議主題為「整合地理信息」，有助各地的經驗交流及聯繫。

青年組亦參與了 2009 年 8 月 15 至 19 日於吉隆坡舉行的亞太工料測量師協會 (PAQS) 論壇。青年組主席獲其他國家的代表委任為「青年工料測量師小組」成立委員會主席。青年組於 2009 年 8 月 7 日舉行了講座，向年青會員講解餐桌禮儀及專業形象，講者並向年青會員教授專業形象的重要元素及秘訣。青年組於 7 月 30 日舉行聚會，邀得咖啡師講解品嚐咖啡的奧秘。

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Serving our Customers Right

How do we tell how the General Council has been doing? Specifically, does the General Council perform up to the expectations of our members? How do we measure our performance? By the number of meetings that we have held; by the public functions that the General Council members have attended; by the number and quality of commentaries that we have submitted on various topics of public interest; by the rate of growth of our membership; or simply by way of our self-assessment of relevance of the surveying profession to society?

There is no satisfaction survey or performance index as such, but come September after the summer holidays, it is always a good time to reflect on our path, what we have done, and what opportunities we have probably missed.

In the absence of a scientific yardstick, I would start with the more tangible activities. Since commencement of the council term in December 2008, the Executive Committee, comprising Office Bearers, Chairpersons of the six Divisions and the Young Surveyors Group and the Immediate Past President, has met regularly at least once every month. The General Council, comprising the Executive Committee members, Chairpersons of the Board of Education, Board of Membership and Board of Professional Development, further representatives from the Divisions and Technical Membership, has met once every two months, to deliberate and gauge consensus on matters involving policy considerations and constitutional authorities.

The first Surveyors Luncheon was held on 13 January 2009, with the Hon C Y Leung speaking on the future of the surveying profession. There then followed many similar social functions inviting participation from all members. Members come to the Surveyors Learning Centre on 8th Floor Jardine House to chat and mingle on the last Friday of each month. The first of its kind, a joint function involving two Divisions - the GPD and PDD Joint Fellowship

Dinner was held on 21 January, attracting over 70 senior members. A larger scale Division annual dinner was organised by the QSD on 5 June. This was another lovely event with about 150 QS and guests attending. Guests of Honour were senior representatives from Government Departments and Universities, including Ir John Chai (Director of Civil Engineering Development), Mr CH Yue (Director of Architectural Services), Prof Geoffrey Shen (Head, Department of Building and Real Estate, Hong Kong Polytechnic University) and Dr Daniel Ho (Department of Real Estate and Construction, University of Hong Kong).



To celebrate the 25th Anniversary of HKIS, a Silver Jubilee Party was held on 26 April 2009. Over 180 members and guests attended, along with Past Presidents and Council Members. On 9 May 2009, a race at the Shatin Racecourse was named "the HKIS Silver Jubilee Cup Race", when our 25th Anniversary celebration was brought to another climax.

It has always been our pleasure to make new friends and keep the old. About a quarter (and that's being conservative) of the Office Bearers' time is spent on ceremonial functions: cocktails, launching / opening ceremonies and annual dinners. A brief review of the Office Bearers' diaries shows that since January we have attended 62 such functions. The host organisations, quoted at random, included the Home Affairs Bureau, the Hong Kong International Arbitration Centre, the Society of Chinese Accountants and Auditors, the Liaison Office of the Central People's Government, the Hong Kong Trade Development Council, and the Hong Kong Coalition of Professional Services.



"Public engagement forum" and "focus group" are terms which find popularity with the Government and policy makers, who never underestimate the need to reach out to stakeholders and the general public for policy ideas and support. The Office Bearers and Council Members from the Divisions have attended over 20 such forums. To quote a few, again at random: Forum on Yau Ma Tei Urban Design and the Conservation of Yau Ma Tei Police Station; Urban Design Study for the New Central Harbour Front; and Forum on Proposed Gradings to the 1,444 Historic Buildings organised by the Antiquities Advisory Board. Some Division Council Members represented the Institute and spoke on specialized topics, e.g. Wan Chai District Building Management Certificate Training Course, by Kenneth Yun and Vincent Ho, and 大廈管理維修工作坊, by Kenny Chan and Denny Yeung.

Those who do not travel read only a page, as the saying goes. The Executive Committee and the General Council have received delegations from overseas and the Mainland on the following occasions:

- 中國建設工程造價管理協會 (China Engineering Cost Associations), on 8 January 2009
- Institution of Civil Engineering Surveyors, UK, on 8 April 2009

- 廣東省物業管理協會 (Guangdong Property Management Association), on 23 April 2009
- Pacific Association of Quantity Surveyors, on 6 July 2009.

Representing the Divisions and General Council, members visited counterpart organisations and attended conferences in other countries and the Mainland. Nine visits have taken place during the year, covering Chengdu (成都), Singapore, Beijing (北京), Tianjin (天津), Yunnan (雲南), Orlando (USA), Bali (Indonesia), Guangzhou (廣州), and Kuala Lumpur (Malaysia).



Being a professional institute encompassing a wide range of expertise, the HKIS is proactive in commenting on Government's policy and providing professional advice. We have made written submissions to the Government and attended relevant Legislative Council panels on various subjects, including:

- Provision of Public Facilities in Private Developments
- Facilities of Urban Re-development by the Private Sector
- Amendments to Land Titles Ordinance
- Building (Minor Works) Regulation

We have made a detailed submission to the Legislative Council on Compulsory Sale for Redevelopment (Chapter 545). A booklet summarizing the technical issues involved has been promulgated through a press conference.

There are two major initiatives on which we are canvassing views from members for the purpose of compiling detailed submissions to the Government. Many members have participated in focus group discussions, helping the



General Council to come up with "surveyors' views" on these very important topics.

- Urban Renewal Strategy Review
- Building Design to Foster a Quality and Sustainable Built Environment.

We have written a letter to Mrs Carrie Lam, Secretary for Development, to voice our concern over the declining number of land surveyors and quantity surveyors employed on Public Works and Infrastructure Projects. A



meeting has been held with Ir CK Mak (Permanent Secretary for Development (Works)), when the Government undertook to review the statistics that we had provided and assured that the Government's policy was to put the right people on the right jobs, and that the Government would not allow consultants to switch surveying posts to engineering posts, or to transfer surveying responsibilities to the contractors to reduce their level of surveying services.

To facilitate and ensure that the Chief Executive's Policy 2009/10 will focus on the right issues with right priorities, we are writing a letter to the Hon Donald Tsang, the HK-SAR Chief Executive, to set out the surveyors' views on those issues which are paramount to a healthy real estate and construction sector. We are touching up on the final draft, which will cover strategic issues such as balancing preservation and development; urban renewal strategy review; sustainable development; attracting young talents to become professionals; upholding professionalism; and technical issues such as development of spatial data infrastructure; alternative dispute resolution; and outdoor advertising and unauthorised structures.

So, as an interim report, there is quite a lot on the plate, and the kitchen is hot too. But it's all worth it if we know we are serving our customers right.

Francis Leung
President

服務以誠

本屆理事會多月以來工作如何？具體來說，理事會是否達致會員的期望？我們又如何評價理事會的表現？舉行會議的次數？理事會成員出席的公開活動？學會對各社會議題所提交意見的數量和素質？會員數目的增長？或是測量專業對社會的貢獻？

我們並沒有滿意度的統計或成效指標，但過了漫長的暑假，踏入九月份，倒是一個理想時刻回顧我們所做的工作、有甚麼不足、以及可能錯失了的機會。

既然沒有科學的標準，讓我由實在的活動開始說起。新一屆理事會由 2008 年 12 月開始，當中的執行委員會成員，包括執行理事、六個組別及青年組主席、上屆會長每月定期舉行會議；而理事會成員包括執行委員會各成員、教育委員會、會籍委員會及專業發展委員會的主席，以及各組別及技

術會員級代表，每兩月均舉行一次會議，審議有關學會政策及憲制的事項。

本年度首個測量師午餐講座於 2009 年 1 月 13 日舉行，邀得梁振英先生就測量專業的未來發展發表演講。接著，學會舉辦了多個聯誼活動邀請會員參與。於每月最後的一個星期五，會員均可蒞臨怡和大廈 8 樓的測量師研習中心交流經驗，談天說地，渡過歡樂時光。產業測量組及規劃及發展組於 1 月 21 日作了一個創舉，舉辦了一個聯合資深會員晚宴，超過 70 名資深會員參與；工料測量組亦於 6 月 5 日舉辦了一個同樣具規模的周年晚宴，約 150 名工料測量組會員及嘉賓出席，當中出席的主禮嘉賓來自政府部門及大學，包括蔡新榮工程師〔土木工程拓展署署長〕、余熾鏗先生〔建築署署長〕、沈歧平教授〔香港理工大學建築及房地產學系〕、何志榮博士〔香港大學房地產及建設系〕等。



為慶祝學會成立 25 周年，我們於 2009 年 4 月 26 日舉行了銀禧聯歡會，連同多位前會長及理事會成員，合共超過 180 名會員及嘉賓出席。於 2009 年 5 月 9 日，沙田馬場舉行了「香港測量師學會銀禧紀念盃」賽事，使學會的慶祝活動推向高峰。

一直以來，結交新朋友及與老朋友聚舊都是我們的喜悅。執行理事們約 25% 的時間都是出席這些活動，例如酒會、開幕典禮及周年晚宴。粗略統計，自從 2009 年 1 月起，我們共出席了 62 個活動，當中活動的主辦機構包括民政事務局、香港國際仲裁中心、香港華人會計師公會、中華人民共和國駐香港特別行政區聯絡辦公室、香港貿易發展局、以及香港專業聯盟等。

香港政府及決策機關經常提出「公眾參與論壇」及「聚焦工作小組」，透過接觸各界及廣大市民，以聽取他們的意見和對政策上的支持。執行理事及各組別的代表曾出席超過 20 個有關論壇，例如油麻地市區設計概念、油麻地警署的保育、中區海濱的市區設計研究、以及由古物諮詢委員會舉辦的 1,444 幢歷史建築物的評級論壇。另外，組別的理事亦代表學會講解不同的議題，如建築測量組甄英傑先生及何鉅業先生為「灣仔區樓宇管理證書課程」當嘉賓教授、陳國雄先生及楊德華先生則為「大廈管理維修工作坊」作主講嘉賓。

西諺有說：「不曾旅遊的只讀了書本的一小頁」。執行理事會及理事會接待了不少海外及內地的訪客，當中包括：

- 2009 年 1 月 8 日接待中國建設工程造價管理協會
- 2009 年 4 月 8 日接待英國土木工程測量師學會
- 2009 年 4 月 23 日接待廣東省物業管理協會
- 2009 年 7 月 6 日接待太平洋區工料測量師聯盟

會員亦曾代表理事會及各組別，拜訪海外及內地相關團體並出席研討會，至今共到訪 9 個城市，包括成都、北京、天

津、雲南、美國的奧蘭多、印尼的峇里、廣州、馬來西亞的吉隆坡等。

作為一個涵蓋廣泛專業的學會，我們就政府的相關政策積極提供專業意見。學會曾向政府提交多份意見書，及出席相關的立法會小組會議，當中包括：

- 在私人發展項目內提供公眾設
- 私人設施的市區重新發展
- 《土地業權條例》修訂
- 《建築物〔小型工程〕規例》

學會亦就《土地〔為重新發展而強制售賣〕條例》〔第 545 章〕向立法會提交詳細意見，並舉行記者會發放相關小冊子，詳載了學會的專業意見及分析。

就兩個主要的議題，我們現正向各會員搜集意見，以便向政府提交學會立場。很多會員亦曾參與工作小組的討論，協助理事會於一些重要議題上提出「測量師的意見」，包括：

- 市區重建策略檢討
- 優化建築設計締造可持續建築環境

學會亦曾致函發展局局長林鄭月娥女士，為對公共及基建工程近年減少聘用土地測量師及工料測量師表達關注。學會代表亦與發展局常任秘書長〔工務〕麥齊光工程師會面，當局並承諾仔細研究學會提供的數據，並保證政府的政策是在選賢與能的大前提下推行；另外，政府亦保證不會容許工程顧問將測量專業職位轉移至工程職位、又或將屬於測量範疇的工種移交至承建商負責。

為了確保行政長官於 2009/10 年度的施政報告中準確掌握問題及優先次序，學會正在撰寫函件向行政長官曾蔭權先生反映測量師對於穩健房地產及建築業發展的意見。在草擬信件中，策略性議題包括平衡保育和發展、市區重建策略檢討、可持續發展、吸引青年優才成為專業人仕、維護專業；而技術上的議題則包括發展「空間數據基礎設施」、以其他形式解決建築合約糾紛、以及戶外廣告及僭建物規管等等。

總括來說，作為一個中期報告，學會參與了很多項目，手頭工作不輕，面對挑戰亦不少，但能應會員所需，服務以誠，謹希望我們的工作能獲得會員的支持。

梁立基
會長

『5.12四川災後重建委員會』工作訪問團

四川省北川縣通口鎮（2009年7月4日至6日）

香港測量師學會其中之『5.12四川災後重建委員會』（下稱「委員會」）的義工會員於2009年7月4日至6日受中華建設基金會（下稱「基金會」）委託，再次到訪四川省北川縣通口鎮，就一系列「通口鎮災後社區重建項目」，包括「通口鎮防疫康復中心」、「通口鎮13條村村民康健中心」、「通口鎮貧困長者居住中心」及「通口鎮中心小學多媒體教學中心」，與當地領導及有關單位代表會面及視察項目選址。基金會與香港明愛、北川縣人民政府、北川縣衛生局及通口鎮人民政府正式簽署「通口鎮防疫康復中心」項目的協議書，基金會亦與通口鎮小學及北川縣教育局就「通口鎮中心小學多媒體教學中心」項目簽署合作意向書，正式落實以上兩個項目。委員會與基金會一行人亦前往視察通口鎮小學地盤、「通口鎮13條村村民康健中心」的部份選址及「通口鎮貧困長者居住中心」的選址。

另外今次是「關愛服務義工團」的第一次活動，各義工會員探訪了「通口鎮貧困長者居住中心」的服務對象，共有50人。義工會員將早前基金會於慈善晚餐聚會中籌得的港幣15,819元，全數購買禮品包致送予這班老人家，禮品包包括小風扇及冷氣被等日用品，希望藉此將關愛帶給他們。委員會與基金會將定期組織「通口鎮關愛服務義工團」到通口鎮探訪。



甘肅省麥積區渭南鎮蘇山村（2009年7月11日至13日） 何潤權 霍桂泉

香港測量師學會其中之『5.12四川災後重建委員會』及中華建設基金會委派了我們二人聯同香港明愛代表，於2009年7月11日至13日到訪甘肅省麥積區渭南鎮蘇山村，就當地的搬村重建項目與麥積區建設局領導、渭南鎮領導、建築公司及監理公司代表等會面及舉行會議，亦到訪地盤現場視察工程進展。此項目的進展良好，民房部分已平頂，工程可望於今年9月完成。唯我們發現現場所見，位於第一排民房前面的斜坡斜度超過80度，而且接近民房，對民房住戶構成危險，必須進行適當的鞏固工程。基金會已建議香港明愛要求有關單位盡快提交鞏固處理方案。



我們於此行中見識到內地鄉郊的建築程序、工程監控等，另外他們興建人畜廁所以集中處理排泄物作為肥料，實在令我們大開眼界。當此項目完成後，委員會與基金會將派出「關愛服務義工團」作最後驗收及探訪當地同胞。我們希望這一切的工作，可以為甘肅同胞們重建溫暖的家，令他們重過美滿生活。



CONGRATULATIONS TO THE FOLLOWING WHO WERE ELECTED AS

HKIS MEMBERS ON 23 JULY 2009

FELLOWS (2)

LS DIVISION

TANG SZE KIN

QS DIVISION

KWAN KIN

MEMBERS (58)

BS DIVISION

CHAN WAI FUNG

CHEUNG KA LAI GALLY

CHOI WAI YEE

FUNG CHI KUONG

HAU CHI LEUNG ARNOLD

KWONG JOHN

LAM CHI KAI

LEUNG PUI YAN

LOO YIU BUN BUNNY

LUI MAN KI

MAK CHI KEONG

NG KO FUNG

NG KWOK KEI

NG SIU LING

OR POK MAN

POON WAI CHUEN

SAM HON YIP

蘇國璇

TANG KA MING

TANG WING YU WINNIE

WONG CHONG YIP

WONG KA WAI GLORY

WONG KAM LING CANDY

WONG YIN WAI

WONG YUEN MAN CANDY

WOO KA MING

YAM TAI MING DAWIN

YEUNG KA MAN

YEUNG WONG PAN

GP DIVISION

CHAN HOI YAN

CHAN KI SHING

CHEUNG CHING HA

CHEUNG KA HO

CHOW PO LIN

FUNG KING YAT

HO CHI YUEN

LEUNG HIU YAN

NG HIU LING

NG WAI HAN

YIP YING KIT

LS DIVISION

CHENG NGA FONG

CHEUNG YUE YAN

CHOI CHUN TING

WONG CHING KEI

QS DIVISION

CHAN CHI HUNG

CHAN PETER PAK WAI

CHAN SIU WA

CHEUNG KA SING HENRY

CHEW KA LOK (REINSTATEMENT)

HO WAI KEI

KWONG YUK WAN

LAM HOU BUN PATRICK

LAU HOK MING KENNETH

LAU SIU MING (REINSTATEMENT)

LEUNG MAN YIU

LO SIU FAI

TSUI KA LAI

WONG CHE KEUNG ANDY

TECHNICAL ASSOCIATE (3)

LS DIVISION

CHAN YIN PING

CHOW YUK MAN

SHEK WAI MAN

CORPORATE MEMBERS

REGISTERED IN OTHER DIVISIONS (6)

PD DIVISION

CHAU KING MAN (GP PFM)

CHUNG HUNG KWAN BARNABAS (BS)

LAM CHUN DANIEL (BS)

LAU CHI KEUNG (BS)

LI CHI MAN (QS)

WONG CHIK WING (BS)

RESIGNATION (13)

CHAN KAN CHEONG

CHAN SIU LING PEGGY

CHAN WAI SUM

CHEUNG KWOK WAI KEVIN

CHEUNG WAI LUNG

FELLOWS RICHARD FRANK

LAI YU YAN WINNIE

LAU SZE PING EDDIE

LO KA HUNG

NG LING LING

WONG TAI KONG RAYMOND

YAO KIN FAI PETER

YEUNG KA YAN

Urban Renewal Strategy Review Public Engagement Events Road Shows, Public Forums and Topical Discussions Series

The Urban Renewal Strategy (URS) Review public engagement commissioned by the Development Bureau has been in active progress over the last few months. To encourage in-depth public discussions on the key issues, a series of public forums and topical discussion sessions have been arranged by the authorities. Members of the HKIS have been invited to serve as facilitators in three of the topical discussion sessions held on 27 June, 4 July and 1 August 2009 to facilitate group discussion. Special appreciation should be granted to those members (as listed below) who have taken part in the sessions.

Topical Discussion on 27 June - Public vs Private Sector Participation in Redevelopment

HKIS Members serving as facilitators:

- Mr Lesly Lam
- Mr Eric Ho
- Dr Lawrence Poon
- Ms Serena Lau
- Mr Alex Chung
- Mr Alan Lee

HKIS Members attending or acting as standby facilitators:

- Mr Aryan Ip
- Ms Winnie Lam
- Ms Irene Li
- Ms Tzena Wong
- Mr Stephen Yip

Topical Discussion on 4 July - Compensation & Rehousing Policies

HKIS Members serving as facilitators:

- Dr Paul Ho
- Mr Lawrence Pang
- Ms Serena Lau

- Mr Alan Lee
- Ms Irene Li
- Mr Ronald Lai

HKIS Members attending or acting as standby facilitators:

- Ms Rebecca Lee
- Mr Alex Chung
- Mr Stephen Yip

Topical Discussion on 1 August - Owner Participation in Redevelopment

HKIS Members serving as facilitators:

- Ms Maris Lo
- Ms Rebecca Lee
- Mr Jeffrey Wong
- Mr Trackie Lam
- Ms Tzena Wong
- Mr Lesly Lam
- Mr Tony Wan

HKIS Members attending or acting as standby facilitators:

- Mr Ng Ying Tik
- Ms Winnie Lam
- Ms Bessie Liu
- Mr Alan Lee
- Mr Harry Chan
- Mr Ronald Lai
- Mr Stephen Yip

Open Forum Discussion on Building Design to Foster a Quality and Sustainable Built Environment

An open forum discussion for HKIS members to express their views on the public engagement exercise on "Building Design to Foster a Quality and Sustainable Built Environment" will be held on 12 September 2009 at the HKIS Surveyors Learning Centre. For further details, please refer to the CPD/PQSL events section of this Surveyors Times (event code CPD/PDD/2009082).

Council members reaching out

1 August 2009

Briefing Session and Kick-off Ceremony of "Public Participation in the Sustainable City Development: Starting from the Community" organised by Centre of Architectural Research for Education, Elderly, Environment and Excellence Ltd

Mr Ben Chong

4 - 7 August 2009

10th South East Asian Survey Congress in Bali, Indonesia

Mr Sung Hon Kwong, Mr Simon Kwok

6 August 2009

Hong Kong - Guangdong Infrastructure & Real Estate Services Roundtable Meeting in Guangzhou organised by HKTDC

Mr Stephen Yip

7 August 2009

Lu Pan Patron's Day Celebration Dinner of the Hong Kong Construction Association Ltd

Mr Francis Leung

7 August 2009

10th Anniversary Celebration Reception of the Hong Kong Mediation Centre

Mr Stephen Yip

13 August 2009

Briefing for Professional Institutes: Public Engagement Process on Building Design to Foster a Quality and Sustainable Built Environment organised by Council for Sustainable Development

Mr Daniel Ho, Mr Eric Poon, Mr Kenneth Yun, Mr Ben Chong

14 - 19 August 2009

PAQS Board Meeting & Committee Meetings, PAQS 13th Annual Congress in Kuala Lumpur, Malaysia

Mr Francis Leung, Mr Daniel Ho, Mr T T Cheung, Dr Paul Ho, Mr Antony Man, Mr Ricky Chan, Mr Tang Ki Cheung, Prof Anita Liu, Dr Ellen Lau, Mr Joseph Chong, Ms Joanna Kwok, Ms Alison Lo

20 August 2009

The dinner of HKCA Safety Conference on Upcoming Infrastructure Developments - Putting Safety at the Forefront 開創基建 安全為先

Mr Edwin Tsang

20 August 2009

「大廈管理維修」工作坊 organised by Shatin District Office

Mr Vincent Ho (Speaker)

25 August 2009

Quality Water Recognition Scheme for Buildings Certificate Presentation Ceremony 2009 organised by Water Supplies Department

Mr Daniel Pong

25 August 2009

Meeting with Deputy Secretary for Works on Concern on the Lack of Surveying-related Services in Government Infrastructure Projects

Mr Francis Leung, Mr Lesly Lam, Mr Sung Hon Kwong, Mr Thomas Ho

27 August 2009

「金融海嘯下的中國外交政策」交流晚宴主辦單位由香港專業及資深行政人員協會

梁立基先生

News from Community & Charity Services Committee 社區及公益事務委員會報導

玩轉迪士尼愛心童樂日

二〇〇九年八月廿二日

陳志雄 社區及公益事務委員會委員項目籌委

陳慧珠 社區及公益事務委員會委員項目籌委



繼百萬行及賣旗籌款等活動後，香港測量師學會社區及公益事務委員會再次出動服務有需要人士。在八月廿二日(星期六)本委員會聯同東華三院賽馬會天水圍綜合服務中心舉辦《玩轉迪士尼愛心童樂日》，二十多位會員義工與三十位來自低收入家庭的小朋友及服務中心的社工們一同到迪士尼暢遊。

義工與小朋友們首先在服務中心及旅遊車上藉遊戲互相認識，到達迪士尼後則分組自由活動。小朋友們都非常活潑，除了不斷穿梭於各式各樣的機動遊戲，還興奮的與不同的卡通人物拍照。由於天氣炎熱，很多小朋友都到特別熱衷於一些以水為主題的遊戲藉以消消暑。



除了迪士尼的活動外，小朋友們亦對測量學業很有興趣。有數名小朋友更充當記者，訪問會員義工，藉以對測量行業有更多的認識。會員義工都很耐心的為小朋友們講解各種測量師的工作和在建築及房地產發展中的職能及本學會的架構與工作等。

各會員義工在整個活動中，都很細心的照顧每一位小朋友，除了跟他們聊天及留心安全外，亦很細心的照顧他們，不時替他們抹汗、提醒他們補充水份及上廁所，因為小朋友們在玩得忘形的時候總會忽略身體的需要。面對小

朋友們耍賴的時候，社工們亦會協助會員義工處理，讓義工們從中學到教導小朋友正確觀念的有效方法、如何體恤他們的需要與相處之道。



在此特別銘謝各位參加的會員義工，百忙中抽出寶貴的時間，在炎熱又潮濕的天氣下陪伴一眾小朋友們玩樂了一整天。亦感謝前會長余錦雄、現任義務司庫林力山先生及社區及公益事務委員會主席黃健兒先生對本活動的大力支持及參與，余先生還為我們拍下不少有趣又漂亮的照片。

最後，在此呼籲會員報名成為義工。希望下次能在本委員會的活動中與你一起服務有需要的人士，將我們的愛心與關懷回饋社會。電郵coody@hkis.org.hk即可登記成為本會義工。



English Summary

The HKIS Community & Charity Services Committee held a "Theme Park Fun Day" with under-privileged children on Saturday, 22 August 2009. Over 20 volunteers and 30 children from low-income families of TWGHs Jockey Club Tin Shui Wai Integrated Services Centre visited the Hong Kong Disneyland on a hot summer weekend. You will see the joy and happiness of volunteers and children from the photographs above. Please register as our volunteers by email to coody@hkis.org.hk if you are interested to join our future community service events.

News from Sports and Recreation Committee

Lesly LAM

Chairman of Sports and Recreation Committee

For those members who are interested in participating in the various sports, please contact the Chairman at leslylam@hkis.org.hk or Donna YU at cpd@hkis.org.hk or 2526 3679 for registration.

HKIS Bowling Team – More strong players required!

Team Captain: Mr Kelvin LI

The Joint Professional Bowling Tournament will be held in October 2009 at Olympian City again. Our bowling team captain would like to appeal for more strong players to join the team. Ladies are welcomed.

Regular practices have begun and the next practices will be held on 12 and 26 September 2009 from 10 am to 12 noon at the Olympian City Bowling Centre.



HKIS Dragon Boat Team – More interested members required! 60th National Day Celebration Dragon Boat Invitation Race on 4 October 2009

Team Captains: Mr William LAI / Mr Lesly LAM / Mr Joseph WONG

The HKIS dragon boat team achieved an excellent result in the Stanley International Dragon Boat Championships 2009 in Tuen Ng Festival in May.

Let's keep rowing for another glory in the 60th National Day Celebration Dragon Boat Invitation Race on 4 October 2009 at Shau Kei Wan Typhoon Shelter. The team captains would like to recruit and train more members to become professional dragon boat paddlers. You are cordially invited to join the HKIS dragon boat team. Please register now and Captain William and Lesly will then contact you shortly. Ladies are welcomed.



HKIS Squash Team – Interested members required!

Team Captain: Miss Tzena WONG / Miss Iris TSANG

HITTING THE WALL..... If you are interested in ball games and don't have "confined area syndrome", you might be interested in the sport SQUASH!

We are looking for interested/skilled members to form a squash team. All are welcome. Please register with the HKIS office. Captain Tzena and Iris will then contact you shortly.

HKIS Running Team – Appeal for participants on behalf of the HKIS 聯合國兒童基金會慈善跑 2009 UNICEF Charity Run 2009

Team Captain: Mr Lesly LAM / Miss Kathy CHEUNG

"UNICEF Charity Run" will be held again at the Hong Kong Disneyland Resort and Sunny Bay. The courses are flat, speedy and scenic. The routes for Half Marathon and 10km Run have also been certified by the Association of International Marathons and Road Races. We are going

to have a new 3km Fun Run, which aims to encourage children and families' participation in this charitable meaningful event.

More than one year after the Sichuan earthquake, the rebuilding programmes are still the most important and toughest work to be carried out. Therefore, all funds raised from this year's charity run will be contributed towards the rebuilding of Sichuan.

The UNICEF Charity Run will be held on 29 November 2009 (Sunday). For online enrollment and event details, please visit the website at <http://www.unicef.org.hk/run-forchildren>.

Please let us know by email once you registered. The HKIS running team would like to have a group photo taken before the run starts.



HKIS Dance Interest Group – More interested members required!

Group Leaders: Miss Tzena WONG / Miss Michelle CHUNG / Miss Bette SIN / Miss Iris TSANG / Mr Ricky CHAN

The Sports and Recreation Committee would like to form an interest group on dance. Social dance gatherings including Argentinian Latin, Cha Cha, Salsa, Rumba, Waltz, Quick Step, Tango, Foxtrot, Jive and others such as Jazz, Ballet, Hip Hop, Disco Dance are proposed.

Do not worry if you have never tried. If you are interested to assist in organising or joining the Dance Interest Group, please feel free to contact us for further details.

Joint Professional Tennis Tournament 2009 Team Captain: Mr Harry JAN

The Joint Professional Tennis Tournament was successfully held on 16 August 2009 (Sunday) from 7-11pm at the Chinese Recreation Club (CRC) 中華遊樂會. With your support, the HKIS was the 3rd runner-up in the tournament. We would like to express our sincerest gratitude to all HKIS tennis team-mates for their efforts in the tough training for several months. Please share the happiness in the photos together. The team-mates include Harry Jan, Angela, Emma Fung, Sunny Chan, Bianca Lee, Anita, Ida Leung, Ronnie Mak, C T Muk, C K Chan, Raymond Hon, Jesper and Sam Sham.



Joint Professional Soccer Cup – One Day Tournament on 15 August 2009 Team Captains: Mr Cyrus SIU / Mr Lesly LAM

The HKIS's soccer team got an excellent result in the Joint Professional Soccer Cup on 15 August 2009 at King's Park Sports Ground. We were the 1st runner-ups out of 6 soccer teams from different professional bodies including the Hong Kong Institute of Certified Public Accountants (HKICPA), Hong Kong Institute of Architects (HKIA), Hong Kong Bar Association (HKBA), The Law Society of Hong Kong (LawSoc), Hong Kong Institute of Planners (HKIP) and HKIS. More details and photos can be found on the back cover.

Beyond the above Joint Professional Soccer Cup, the Joint Professional Soccer League is still in progress. We are the champion in the first round amongst 7 teams in-

cluding HKICPA, HKIA, HKBA, Hong Kong Dental Association (HKDA), Hong Kong Medical Association (HKMA), LawSoc and HKIS. All HKIS soccer team-mates will keep working hard for the final champion <http://www.hksla.org/jpfl/mainpage.htm>.



Joint Professional Badminton Tournament 2009 on 30 August 2009

Team Captain: Mr Sunny CHAN and Mr Kim TSUI

The Joint Professional Badminton Tournament will be held on 30 August 2009 (Sunday) at Sports Hall of Shatin College. The final practice was arranged on 22 August 2009. The HKIS badminton team is showing strong determination to get prizes in the tournament. Some photos taken in the practice are shown below.



Ski and Snowboard Interest Group

Group Leaders: Mr Lesly LAM / Mr Sunny CHAN

The HKIS winter ski and snowboard trip will be organised by the Sports and Recreation Committee this year. We are planning to go to Rusutsu 留壽都 and Niseko 二世古 of Hokkaido 北海道 Japan, from 25 December 2009 to 1 January 2010 during the Christmas holidays. The cost will be \$17,000 per person. Training for beginners during the trip will be provided by the Chairman of Sports and Recreation Committee for free. For those members who are interested to join the Ski and Snowboard Interest Group and the trip, please contact us as soon as possible.



Recruitment of players for other teams is still open. Looking forward to seeing members in different tournaments on behalf of the Institute.

- HKIS Singing Team and Surveyors' Band
- HKIS Table Tennis Team
- HKIS Snooker Team
- HKIS Swimming Team
- HKIS Photography Team
- HKIS Volleyball Team
- HKIS Basketball Team

Annual Dinner

Tuesday 17 November 2009



Guest of Honour

The Hon Henry TANG Ying-yen, GBM, GBS, JP

Chief Secretary for Administration

The Government of the Hong Kong Special Administrative Region

**The Grand Ballroom, Grand Hyatt Hong Kong
1 Harbour Road, Hong Kong**



• Reception : 6:00 pm • Dinner : 7:00 pm • Dress: Black tie •

• Reservation Form •

To : The Hong Kong Institute of Surveyors, 801 Jardine House, 1 Connaught Place, Central, Hong Kong

Fax: 2868 4612 E-mail: coody@hkis.org.hk

Please reserve for the **HKIS ANNUAL DINNER 2009**

_____ No. of tables (12 persons) @ HK\$ 11,760

_____ No. of tickets@ HK\$ 980

Name/Contact Person: _____ Title : Mr/ Mrs/ Miss/ Others _____

Company name : _____

Address : _____

Telephone : _____ Fax : _____ Email : _____

Payment Method (please tick appropriate box) :

By cheque payable to **Surveyors Services Limited** Amount HK\$ _____ Cheque No. _____

By HKIS Titanium MasterCard / Visa Platinum Card (Shanghai Commercial Bank Limited)

By American Express Card

Payment Instruction for HKIS Event Reservation Fee Ref.: [_____]

HKIS ANNUAL DINNER 2009

To : Credit Card Service Department

I would like to pay the reservation fee HK\$ _____ (HK\$ 11,760 per table, HK\$ 980 per ticket) to Surveyors Services Limited by charging my HKIS account as follows:

Credit Card No : _____

HKIS No. : _____ Cardholder Name : _____ Expiry Date : ____/____/____

Cardholder's Signature : _____ Date : _____

For Bank Use only Approved by : _____ Date : _____

Conditions:-

1. Reservations are on a first-come first-served basis.
2. Reservations will only be confirmed upon receipt of **FULL PAYMENT**.



HKIS Annual Conference 2009 SURVEYORS IN URBAN REGENERATION

Date: 26 September 2009 (Saturday)

Time: 0900 - 1700

Venue: Grand Ballroom, Conrad Hong Kong
Pacific Place, 88 Queensway, Hong Kong

About the Conference

Urban Regeneration has become an important issue in Hong Kong as there are many private buildings aged over 30 years old. The primary aims of urban regeneration are to tackle the problem of urban decay and to improve the life for people living in dilapidated buildings and the local community at large. It involves not only technical, social and economic issues but also numerous stakeholders. As a result, many disputes are encountered in many urban regeneration projects. While redevelopment can effectively revamp an old urban area by upgrading the relevant buildings, street design and community amenities, there are also growing concerns that wholesale redevelopment will destroy the old Hong Kong relics, disrupt the social network of occupants and affect the local economic activities. In order to succeed in urban regeneration, it is necessary to properly balance among a number of controversial issues such as development versus preservation, the interests of individual owners/tenants versus the public, and the financial sustainability versus compensation demanded by affected owners/tenants. This conference will address some of these issues and also provide an invaluable opportunity for the government officials, developers, construction related professionals and other relevant stakeholders to exchange their views relating to urban regeneration.

Registration Fee

Member of HKIS

- HK\$1,000/head or RMB880 or US\$130

Member of Supporting Organizations

- HK\$1,000/head or RMB880 or US\$130

Non-member

- HK\$1,200/head or RMB1,050 or US\$155

Student member

- HK\$600/head or RMB530 or US\$80

Speakers



Welcome Speech

Mr Francis LEUNG Lap Ki
President, Hong Kong Institute of Surveyors



Opening Keynote Speech

Mrs Carrie LAM Cheng Yuet Ngor, JP
Secretary for Development, HKSAR Government



Urban Regeneration under the Existing Urban Renewal Strategy: Achievements and Challenges

Mr Barry CHEUNG Chun Yuen, JP
Chairman, Urban Renewal Authority



Public Engagement in Urban Renewal

Mrs Ava NG Tse Suk Ying, JP
Director of Planning, Planning Department, HKSAR Government



Rising Expectations from Peoples Affected and from Community

Dr LAW Chi Kwong
Associate Professor, Department of Social Work and Social Administration, University of Hong Kong



The Unhappy Ending of Happy Dragon Restaurant: the Argument between Total Extinguishment of Business or Business Removal

Mr Lawrence PANG Ho Chuen
Vice Chairman, General Practice Division, Hong Kong Institute of Surveyors



Urban Regeneration in Japan

Dr Norihiro NAKAI
Professor of Urban Planning, Department of Social Engineering, Tokyo Institute of Technology



Urban Regeneration in Taiwan

Professor HUANG Chien Eil
Professor of Urban Affairs & Environmental Planning Department
Chinese Culture University



'Kainos' Renewal: Promoting Urban Regeneration as a Quality and as Nature

Dr Mee Kam NG
Associate Professor, Department of Urban Planning and Design, Faculty of Architecture, University of Hong Kong



Guidelines for Adaptive Reuse of Heritage Buildings

Mr MO Kim Ming
Assistant Director, Buildings Department, HKSAR Government



Revitalising Historic Buildings in Hong Kong

Mr Jack CHAN Jick Chi
Commissioner for Heritage, Commissioner for Heritage's Office



Applicability of Partnership and Transfer of Development Rights in Urban Regeneration

Dr LI Ling Hin
Associate Professor, Department of Real Estate and Construction, University of Hong Kong



Closing Remarks

Dr Paul HO Hok Keung
Chairman of 2009 Annual Conference Organizing Committee

Q & A Moderators

Professor Anthony G O YEH

Head and Chair Professor, Department of Urban Planning and Design
University of Hong Kong

Mr James PONG Kam Keung

Honorary Secretary, Planning and Development Division, Hong Kong Institute of Surveyors

Remarks

- Official language is English.
- The organizer reserves the right to cancel or reschedule the conference at their discretion.
- No refund can be made for cancellation but a substitute delegate is normally permitted

Supporting Organizations



Enquiries and Registration Form Download

Ms Donna Yu / Mr Coody Ko

Tel: (852) 2526 3679 Fax: (852) 2868 4612

E-mail: cpd@hkis.org.hk / coody@hkis.org.hk

Website: <http://www.hkis.org.hk>

Conference on "Property and Facility Management: A Greater China Perspective"

Date : 31 October 2009 (Saturday)
Venue : Grand Ballroom, 1/F, Harbour Plaza Hong Kong
Address : 20 Tak Fung Street, Whampoa Garden, Hunghom, Kowloon, Hong Kong

OBJECTIVE

In view of the emerging market of property and facility management expertise in Greater China and the rapidly growing demand of property and facility management, the Property & Facility Management Division of the Hong Kong Institute of Surveyors and the Royal Institution of Chartered Surveyors Hong Kong (RICS) jointly invited experts from Mainland, Taiwan and Hong Kong to discuss the direction on the industry development. Issues such as positioning upon property or facility sector, and strategic partnering with or without developer association will be explored at the conference. We believe the conference can provide an interactive platform where professionals, academia and practitioners can share their valuable experiences and insights on the property and facility services in Greater China.

KEYNOTE SPEAKERS

The Honourable LEUNG Chun Ying, GBS, JP
Convener of the Executive Council of the Hong Kong SAR
Chairman of The Hong Kong Coalition of Professional Services

Mr. XU Jian Hua
Vice President of China Property Management Institute &
President of Guangdong Property Management Institute

SPEAKERS (*By alphabetical order)

Mr. Henry CHAN
President, The Hong Kong Institute of Housing
Executive Council Member, Standing Committee of CPMI

Mr. Larry HUI
Vice President
China Vanke Company Limited

Dr. Johnnie CHAN, JP
Past President, The Hong Kong Association of Property Management Companies
Chairman of Education and Training Committee,
The Hong Kong Association of Property Management Companies

Dr. Valentino LIN
Director of Property Management, Agile Property Land Co., Ltd. &
Past Chairman of the Chartered Institute of Housing Asian Pacific Branch

Mr. Francis CHIU
Executive Director
Urban Group (Member of New World Group & NWS Group)

Mr. WONG Koon Kau
Chairman of Facilities Management Professional Group Committee
RICS Hong Kong

Dr. FAN Cheuk Hung
Managing Director
Synergis Management Services Limited

Mr. YEN Shih Li
Former General Secretary
Property Managers Association, Taiwan

Mr. Nelson HO
Senior Manager, Facilities Management
Hong Kong Science and Technology Parks Corporation

Mr. YU Qing Xin
Chairman
Jumbo Chains Property Management

Prof. Eddie HUI
Professor, Department of Building and Real Estate
The Hong Kong Polytechnic University

REGISTRATION FORM

Full Name (Mr. / Mrs. / Ms. / Ir / Prof. / Dr.): _____

Company: _____

Position: _____ Tel.: _____

E-mail: _____ (For sending confirmation)

* All information collected will be used for this conference only

REGISTRATION FEE

Category	Registration Fee
<input type="checkbox"/> Early Bird Registration (On or before 18 Sep 2009)	HK\$ 800
<input type="checkbox"/> Standard Registration	HK\$ 950
<input type="checkbox"/> Discount for Members of HKIS, RICS & Supporting Organisation Registration	HK\$ 850
<input type="checkbox"/> Full-time Student Registration*	HK\$ 500

*Please provide your student card copy

PAYMENT METHOD

By cheque : Payable to "Surveyors Services Ltd."

Cheque No.: _____

Amount: HK\$ _____

Addressed to:
Conference Secretariat - Creative Consulting Group
Room 1106-08, C. C. Wu Building,
302-308 Hennessy Road,
Wanchai, Hong Kong.
Attention : Ms. Polly Tsang

A confirmation notice will be sent to you by e-mail one week before the conference.

REMARKS

- Official medium of presentation will be English; individual medium of speech is subject to speakers' preference.
- The registration fee entitles each applicant a copy of conference proceedings and entry to two coffee breaks and lunch.
- The conference is a 7-hour CPD event.
- Should any circumstances arise, the organisers reserve the right to cancel or reschedule the conference at their discretion.
- The organisers reserve the right to change speakers without prior notice.
- No refund is allowed. A substitute delegate is accepted with a written request sent to the Conference Secretariat at least one week prior to the conference.
- In the event that Typhoon Signal No.8 or above or Black Rainstorm Warning is hoisted two hours before the event, the event may be rescheduled and the Conference Secretariat will inform the participants for the new arrangement on the subsequent business day.
- No simultaneous interpretation (SI) service will be provided.

ENQUIRIES

For enquiries, please contact the Conference Secretariat :
Ms. May Cheung / Ms. Polly Tsang
Tel : +852 2372 0090
E-mail : may@creativegp.com/ polly@creativegp.com

SUPPORTING ORGANISATIONS

Summary of HKIS CPD / PQSL Events

5 Sep - 18 Nov 2009

DATE	CODE	EVENT	CPD HOUR(S)	SPEAKERS	RUN BY
9, 17, 23, 30 Sep, 7 Oct	2009068	BSD APC Revision Course 2009	1.5 per lecture	Tony Chu, Junkers Lam, Nathan Lee, Alan Sin, Alex Wong and Experienced Practitioners and APC-Assessors	BSDYSG
05 Sep	2009081	GPD APC Revision Course on Valuation II and Workshop on Rating	2	Wilson Siu, Thomas Tang	GPDYSG
08 Sep	2009050	Civil Justice Reform and Case Law Update	1.5	Gilbert Kwok, Yeung Man Sing	QSD
12 Sep	2009082	Open Discussion Forum on Building Design to Foster a Quality and Sustainable Built Environment	3	HKIS Working Group	HKIS
17 Sep	2009084	Hotel Markets and Trends in Values	1.5	Dan Voellm	GPD
19 Sep	2009094	LSD APC Workshop 2009	3.5	Chow Kwan Lam, Yu Sau Chung, Mo Sun Yuen, Ng Wai Tak Victor, Choi Wai Man Raymond, Yu Chun Fai Anthony	LSDYSG
22 Sep	2009083	The Concept of Planning and Development Control in Hong Kong	1.5	P Y Tam	PDD
25 Sep	2009092	Ocean Regatta to Philippines, Vietnam and Taiwan	1	Yu Kam Hung	HKIS
26 Sep	2009080	HKIS Annual Conference 2009 - Surveyors in Urban Regeneration	6	Refer to page 16	HKIS
28 Sep	2009079	A Quantity Surveyor as a Project - Experience Sharing on Managing Interior Fitting Out Projects	1.5	Jimmy Leong	YSG
30 Sep	2009090	Aerial Photo Interpretation and Boundary Determination	1.5	Dr. Conrad Tang	LSD
14 Oct	2009073	Construction life-cycle's execution phase - How to ensure performance under a construction contract	1.5	Steven Yip, James Yeung, Dennis Wong, Scarlett Cheung	QSD
20 Oct	2009087	Health Management in the Workplace	1.5	Dr. So Yui Chi	PDD
21 Oct	2009086	How to Win Corporation & Influence People in Business	1.5	Anthony Solimini	YSG
29 Oct	2009088	Performance and Growth Prospects of Hong Kong REITs	1.5	Tony Tse Wai Chuen	GPD
10 Nov	2009089	How to Ensure GPR Survey is Useful for Utility Management and Safety	1.5	Dr. Margie Chen	LSD
18 Nov	2009074	Construction life-cycle's completion phase - How to ensure proper termination of a construction contract	1.5	Steven Yip, Dennis Wong	QSD

Details of individual CPD/PQSL events are provided in the Surveyors Times and/or HKIS Website www.hkis.org.hk. Please use the STANDARD REGISTRATION FORM overleaf for registration. For enquiries, please email cpd@hkis.org.hk or call the Secretariat on 2526 3679.

CPD/PQSL EVENTS

CPD/BSL/YSG/2009068

BSL APC Revision Course 2009

Speakers Mr Kenny Tse, Ms KW Wong, Mr Vincent Ho, Mr Peter Chan, Mr Tony Chu, Mr Junkers Lam, Mr Nathan Lee, Mr Alan Sin, Mr Alex Wong and Experienced Practitioners and APC Assessors

Date & Venue 7:00 pm - 8:30 pm Wednesdays 12, 19, 26 August, 2, 9, 23, 30 September, 7 October and Thursday 17 September 2009 SLC, HKIS

Detail	Topic	Date	Name of Speaker
1	Condition survey and diagnosis of building defects	held on 12 August (Wednesday)	Mr. Kenny Tse
2	Basic E&M design considerations: What a building surveyor needs to know in handling A&A works	held on 19 August (Wednesday)	Ms. K. W. Wong
3	Review of Buildings Ordinance and Building Regulations	held on 26 August (Wednesday)	Mr. Vincent Ho
4	Review of FRC	held on 2 September (Wednesday)	Mr. Peter Chan
5	Review of BFA	9 September (Wednesday)	Mr. Tony Chu
6	Review of MOE	17 September (Thursday)	Mr. Junkers Lam
7	How to develop you scheme for practical task?	23 September (Wednesday)	Mr. Nathan Lee
8	Preparation of Tender/ Contract Documents and Tender Analysis Report	30 September (Wednesday)	Mr. Alan Sin
9	Techniques and Strategies for Written Assessment in APC (BS)	7 October (Wednesday)	Mr. Alex Wong

Language Cantonese supplemented by English Terms **Fee** HK\$100 per lecture, HK\$50 for student member (HK\$20 walk-in surcharge for all pricings listed).

Deadline 2 weeks prior to the event date **Priority** BSD Probationers and Students

CPD/GPD/YSG/2009081

GPD APC Revision Course on Valuation II and workshop on Rating

Speakers Mr Wilson Siu, MHKIS, MRICS, Principal Valuation Surveyor, Rating & Valuation Department

Mr Thomas Tang, FHKIS, Senior Director of CB Richard Ellis Hong Kong

Date & Venue 2:00 pm - 6:00 pm Saturday 5 September 2009 SLC, HKIS

Details Mr. Siu will give an outline of rating valuation whereas Mr. Tang will continue with the remaining topics on valuation which is a mandatory question in the written APC. Both speakers will go through the principles behind the various methods of valuation as well as some practical issues for valuation surveyors in practice. This course is an integral part of the APC Revision Program and candidates who intend to sit for the coming APC are advised to attend.

Language English supplemented with Cantonese **Fee** HK\$120 per person (additional charge of HK\$20 for walk-in)
Priority GPD Students & Probationers

CPD/QSD/2009050

Civil Justice Reform and Case Law Update

Speakers A team from the Construction and Engineering Group of Li & Partners led by its partners Gilbert Kwok and Yeung Man Sing
Gilbert Kwok, FHKIS, FRICS, LLB (English law), LLB (Chinese law), Past Chairman of the Quantity Surveying Division, HKIS

Mr Kwok is a qualified quantity surveyor and a Hong Kong lawyer. He specializes in drafting and advising on construction contracts, consultancy agreements and other relevant contracts relating to a wide range of construction projects in the region including Hong Kong, Macau and the Mainland. He has also acted on behalf of employers, contractors and consultants in various construction litigations and arbitrations.

Yeung Man Sing, FHKIS, FRICS, LLM, FCI Arb, Chartered Arbitrator, Accredited Mediator and Adjudicator, Past Chairman of the Association of Cost Engineers (HK) Region

Mr Yeung is a qualified quantity surveyor and a Hong Kong lawyer. He has extensive construction experience in providing legal and contractual advice to developers, construction professionals and contractors, pre-contract and post contract services including preparation of tenders and contract documents, and also representing parties in resolving Mainland, Hong Kong and Macau construction disputes through litigation, CIETAC and domestic arbitrations. He is on the panel of a number of arbitral appointing bodies and has been appointed as arbitrator and mediator in various disputes. He is a council member of CI Arb (EAB) and a member of the Department of Justice Accreditation and Training Sub-group of Mediation.

Date & Venue 7:00 pm – 8:30 pm Tuesday 8 September 2009 SLC, HKIS

Synopsis The Civil Justice Reform which has a significant impact on the Hong Kong litigation system has become effective since 2 April 2009.

This seminar will explain the reform and to update members on some recent construction cases.

Language Cantonese with English terms **Fee** HK\$120 for member; HK\$150 for non-member
(HK\$20 walk in surcharge for all pricings listed)

Priority QSD Members

CPD/HKIS/2009082

Open Discussion Forum on Building Design to Foster a Quality and Sustainable Built Environment



Facilitators HKIS Working Group on Building Design to Foster a Quality and Sustainable Built Environment will lead the discussions on various key issues as proposed by the Council for Sustainable Development

Date & Venue 9:00 am - 12:00 noon Saturday 12 September 2009 SLC, HKIS

Details The Council for Sustainable Development has recently commenced a public engagement exercise on "Building Design to Foster a Quality and Sustainable Built Environment" and published an Invitation For Response Document (also available at www.susdev.org.hk). As one of the partner organizations, HKIS has formed a cross-division Working Group to study the subject and to gauge members' views on the Document. In order to stimulate members' discussion on how a quality and sustainable built environment may be achieved, a Members' Discussion Forum has been set up on HKIS Homepage www.hkis.org.hk and an Open Discussion Forum will be held on 12 September 2009. All interested members are welcomed to attend the forum.

CPD/PQSL EVENTS

Language	English/Cantonese	Fee	Free of charge (Please fax the reservation form to 2868 4612 or email to cpd@hkis.org.hk. Confirmation will be sent by email.)
Priority	All HKIS members	Remark	Coffee/Tea will be available

CPD/GPD/2009084

Hotel Markets and Trends in Values

Speaker Mr Dan Voellm, Director of HVS Hong Kong

Date & Venue 7:00 pm – 8:30 pm Thursday 17 September 2008 JPC, Unit 1, G/F., The Center, 99 Queen's Road Central, Hong Kong

Details Mr Voellm will give a presentation on hotel markets and trends in hotel values. The focus will be primarily on Hong Kong but also cover key mainland Chinese markets and major regional markets.

He has provided advice in major regional markets including China, South Korea, Hong Kong SAR, Taiwan, Thailand, Vietnam, Cambodia, Singapore and Indonesia. Prior to heading the Hong Kong office, Daniel Voellm was Vice President at HVS' global headquarters in New York conducting a wide range of appraisals, market studies and underwriting due diligence services in 22 states as well as Canada. He brings a strong understanding of the hospitality industry to HVS. His experience in hotel and food and beverage operations in Germany, Switzerland, England and the United States is complemented by an Honours Bachelor of Science Degree from Ecole hôtelière de Lausanne in Switzerland.

Language	English	Fee	HK\$120 per person HK\$150 per person for walk-in participants (subject to availability)
Priority	GPD Members		

CPD/LSD/YSG/2009094

LSD APC Workshop 2009



Speakers Representatives from LSD Education Committee (Mr Mo Sun-yuen and Mr Victor Ng Wai-tak)
Invited APC Assessors (Mr Chow Kwan-lam and Mr Yu Sau-chung) and
Recently Qualified Members (Mr Raymond Choi Wai-man and Anthony Yu Chun-fai)

Date & Venue 2:00 pm – 5:30 pm Saturday 19 September 2009 SLC, HKIS

Details The LSD APC workshop jointly organized by LSD and YSG will briefly introduce the APC system and the LSD APC Rules and Guides 2008 Revision to candidates. Experienced assessors are invited to share key concepts, assessors' comments, and typical mistakes of candidates in popular specialized fields (Cadastral Surveying & Engineering Surveying). Other APC requirements will be also touched. Recently qualified members would have an experience sharing on their successful route to professional.

Outline of the Workshop would be as follow:-

- Brief summary of APC Rules and Guide (by LSDEC)
 - Training requirements and arrangements
 - Training Records
 - Synopsis and Practical Task
 - Final submission and Professional Interview
 - Role of Supervisors, Counsellors and Employers
 - Administrative Arrangement and Time Frame
 - Typical mistakes and misconcepts of candidates
 - Other points to note

CPD/PQSL EVENTS

- Open Forum Discussions: Cadastral Surveying & Engineering Surveying (by Experienced Assessors)
 - Understanding of Cadastral Surveying & Engineering Surveying
 - How to Select a Case for Practical Task Submissions
 - Expectation of assessors in each area
 - Professional competence to be demonstrated in training records / submissions
 - Comments of previous submissions / interviews
 - Typical mistakes and misconcepts of candidates
- Other APC Requirements (by LSDEC)
 - Understanding of other specialized fields in Land Surveying
 - Demonstrating general professional competences in Professional Training
 - Demonstrating competences and attributes of the candidate in Professional Interview
 - Pre-Qualification Structured Learning (PQSL) Requirements
- Small Group Discussion & Experience Sharing (by Recently Qualified Members)
 - Experiences in preparing the cases for written submission
 - Preparation of interviews
- Question & Answer

Language	Cantonese Supplement with English	Fee	Free of charge (please fax the reservation form to 2868 4612 or email to cpd@hkis.org.hk)
Remark	Confirmation will be sent by email	Priority	LSD Student Members, Probationers and Technical Associates

CPD/PDD/2009083

The Concept of Planning and Development Control in Hong Kong

Speaker Mr PY Tam, BA(Arch Studies), FHKIP, President of HKIP

Date & Venue 7:00 pm - 8:30 pm Tuesday 22 September 2009 SLC, HKIS

Details The talk is to explain to the participants (probationers and practitioners) how Planning and Development Controls in Hong Kong has been framed. It illustrates how Planning and Development Controls in Buildings (Planning) Regulations has been constructed and the emphasis to the plot ratio controls under current outline zoning plans. It illustrates the concept of bonus plot ratios and how excessive plot ratios in certain sites have resulted. It also covers the effectiveness of the Planning Standards and Guidelines and also touches upon how proper development controls can foster a quality and sustainable built environment.

Language	Cantonese supplement with English	Fee	HK\$100 per person
Deadline	15 September 2009	Priority	First-come-first-served

CPD/YSG/2009079

A Quantity Surveyor as a Project Manager - Experience Sharing on Managing Interior Fitting Out Projects

Speaker Mr Jimmy Leong, Director, Davis Langdon & Seah Hong Kong Ltd.

Date & Venue 7:00 pm - 8:30 pm Monday 28 September 2009 SLC HKIS

CPD/PQSL EVENTS

Details	Jimmy leads the fitting out and project management team in QS consultant firm and has been providing QS & PM services for various types of interior fitting out projects, such as, office, investment bank, hotel and retail. His sharing will focus on the role of project manager, methodology of project management as well as the opportunities and challenges of a quantity surveyor to act as project manager.		
Language	English	Fee	HK\$100 for member of HKIS, HK\$150 for non-member (HK\$20 walk-in surcharge for all pricings listed)
Deadline	14 September 2009	Priority	First-come-first-served

CPD/LSL/2009090

Aerial Photo Interpretation and Boundary Determination



Joint with LSGI and LSGIAA

Speaker	Dr. Conrad Tang, Associate Professor, Department of Land Surveying and Geo-Informatics, the Hong Kong Polytechnic University		
	Dr. Conrad Tang's teaching and research interests are focused in the legal and operational aspects of the Hong Kong land boundary survey. He has extensive experience in advising land boundary dispute issues.		
Date & Venue	6:30 pm – 8:00 pm Wednesday 30 September 2009 Room CF304, Department of Land Surveying and Geo-Informatics, The Hong Kong Polytechnic University, Hung Hom, Kowloon		
Details	Aerial photos are frequently used as evidence in the proof of occupation or existence of boundary features at a specific time. The aerial photo interpretation made by a land surveyor is often decisive in a court judgment. Using land boundary dispute court cases, the speaker illustrates various adoptions and proof of boundary features on aerial photos.		
Language	English	Fee	HK\$100 per person
Deadline	23 September 2009	Priority	First-come-first served (maximum 30 persons)

CPD/QSD/2009073

Construction life-cycle's execution phase - How to ensure performance under a construction contract

Speakers	Mr Steven Yip, Mr James Yeung, Mr Dennis Wong and Ms Scarlett Cheung		
	Steven is the partner of projects, construction and infrastructure group of the law firm Minter Ellison, he has extensive experience for advising construction issues and dispute resolution. He handled a number of major arbitration and litigation proceedings for building and civil engineering works.		
	James is the senior associate of Minter Ellison, his experience includes handling litigation, arbitration and mediation proceedings, where he advises clients on the merits of contractual disputes, and provides legal opinions on the drafting of building contracts.		
	Dennis is the senior associate of Minter Ellison. He assisted with a number of arbitration cases, drafting witness statements, conducting discovery, preparing bundles and negotiating settlements.		
	Scarlett is the senior associate of Minter Ellison. Her experience includes advising clients on construction, infrastructure development and related project finance.		

CPD/PQSL EVENTS

Date & Venue 7:00 pm - 8:30 pm Wednesday 14 October 2009 SLC, HKIS

Details Once the construction contract is entered into, there are specific obligations required of both parties in executing the contract. This seminar will examine some obligations that are specific to the employer and the contractor to ensure performance during the life of the project. Topics include what constitutes valid variations and how they will be assessed, the requirement of notices before a claim for extension of time or additional payment will be entertained, obligations as to design and quality of materials and works, defects and liquidated damages for late completion.

Language Cantonese supplemented by English terms **Fee** HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)

Deadline 30 September 2009 **Priority** QSD Members; first come first serve basis

CPD/PDD/2009087

Health Management in the Workplace



Speaker Dr. So Yui Chi

Date & Venue 7:00 pm – 8:45 pm Tuesday 20 October 2009, SLC, HKIS

Details Professionals cannot avoid attending business lunches/dinners. But over-eating and lack of exercises often give rise to overweight, which may cause high cholesterol level, high blood pressure and heart diseases which is the 2nd largest killer in Hong Kong. No matter how hard work you are in acquiring qualifications, CPDs and jobs, ill health may cause health troubles during your career path, even at youthful age.

Dr. So Yui Chi, Specialist in Cardiology will deliver a talk on how to prevent and control heart diseases.

The talk will be open to other professional, such as architects, planners, landscape architects etc.

Language Cantonese **Fee** HK\$50

Deadline 8 October 2009 **Priority** First-come-first-served

CPD/YSG/2009086

How to Win Corporation & Influence People in Business



Speaker Mr Anthony Solimini, Corporate Solutions Director of Dale Carnegie Training Hong Kong, and has been enthusiastically involved in the training field for over 6 years

Date & Venue 7:00 pm – 8:30 pm Wednesday 21 October 2009 SLC, HKIS

Details Program Objectives:
1. Communicate professionally and confidently in business situations
2. Engage and build relationships and deal effectively with difficult people
3. Gain cooperation and influence people
4. Use emotional controls to sustain success

Language English supplemented with Cantonese **Fee** HK\$100 for member of HKIS

HK\$150 for non-member
(HK\$20 walk-in surcharge for all pricings listed)

Deadline 7 October 2009 **Priority** First-come-first-served

CPD/GPD/2009088

Performance and Growth Prospects of Hong Kong REITs



Speaker Mr Tony Tse Wai Chuen, FHKIS, FRICS, RPS(GP), Chairman of the Real Estate Services Training Board of the Vocational Training Council and our past President.

He is the Chairman of Henderson Sunlight Asset Management Limited. Henderson Sunlight Asset Management Limited is the manager of Sunlight Real Estate Investment Trust.

Date & Venue 7:00 pm – 8:30 pm Thursday 29 October 2009 SLC, HKIS

Details It has been more than three years since the first listing of Real Estate Investment Trust in Hong Kong. The speaker will share his observations and view about the general performance of various REITs listed in Hong Kong and the factors affecting such performance, and also the factors affecting the growth prospects of REITs in Hong Kong.

Language	English	Fee	HK\$120 per person; HK\$150 per person for walk-in participants (subject to availability)
Deadline	15 October 2009	Priority	GPD members

CPD/LSD/2009089

How to Ensure GPR Survey is Useful for Utility Management and Safety



Joint with LSGI and LSGIAA

Speaker Dr. Margie Chen, Senior Geophysicist, EGS (Asia) Limited
Margie studied geophysics as the first degree at the Chengdu University of Technology, then continued at the same university for MPhil programme. She worked as a researcher at the Chinese Academy of Sciences before joining the University of Hong Kong for her PhD study. Her research at HKU concentrated on the applications of geophysics in Hong Kong cases. Now, Margie mainly involves in the daily management of the Geoscientist Division of EGS (Asia) Limited, a land and marine geophysical surveying company, and the research and development of geophysical techniques.

Date & Venue 6:30 pm – 8:00 pm Tuesday 10 November 2009 Room HJ305, The Hong Kong Polytechnic University, Hunghom, Kowloon

Details In Hong Kong, utilities like cable ducts, gas mains etc. are usually laid underneath our feet. To survey and map the utilities, digging trial pit may be the most straightforward way. However, temporary road closure, traffic diversion and reinstatement of the road are necessary and they would inevitably bring unpleasant impact to the road users. With the benefit brought about by technology, Ground Penetrating Radar (GPR) provides us an alternative method to detect and survey subsurface object in a non-destructive manner.

With worldwide working experiences, Dr. Margie Chen is familiar with various geophysical techniques. Margie has been participating in and supervising many GPR surveys since she joined EGS in year 2002. In this seminar, she will let us realize the principle, the applicability and also the limitation of the use of GPR in respect of a number of her surveying projects.

Language	English	Fee	HK\$100 per person
Deadline	3 November 2009	Priority	First-come-first served (maximum 40 persons)

CPD/QSD/2009074

Construction life-cycle's completion phase - How to ensure proper termination of a construction contract

Speakers Mr Steven Yip and Mr Dennis Wong

Steven is the partner of projects, construction and infrastructure group of the law firm Minter Ellison, he has extensive experience for advising construction issues and dispute resolution. He handled a number of major arbitration and litigation proceedings for building and civil engineering works.

Dennis is the senior associate of Minter Ellison. He assisted with a number of arbitration cases, drafting witness statements, conducting discovery, preparing bundles and negotiating settlements.

Date & Venue 7:00 pm - 8:30 pm Wednesday 18 November 2009 SLC, HKIS

Details In the construction life-cycle's completion phase, the speakers will look at the right of a party to rescind or terminate a contract because of breach by the other either pursuant to the terms and conditions of the contract or under common law. The circumstances giving rise to the right to terminate and the consequences flowing from such termination will be examined. In addition, the speakers will look at the parties' rights and liabilities in relation to suspension of contract.

Language Cantonese supplemented by English terms **Fee** HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)

Deadline 4 November 2009 **Priority** QSD Members; first come first serve basis

HKIS Happy Hour cum Birthday Party

25th September 2009 (Friday) 6:00-8:00 pm

Guest Speaker (from General Practice Division): Mr. YU Kam-hung

Title: Ocean Regatta to Philippines, Vietnam and Taiwan (CPD/HKIS/2009092)

CPD Hour: One hour (7:00 pm - 8:00 pm)

Free of Charge for all Birthday Boys and Girls in the Month of September

HK\$30 for non-birthday members (payable to "Surveyors Services Ltd.")

Surveyors Learning Centre

Suite 811, 8/F, Jardine House, Central, Hong Kong



Building Surveying Division Chairman's Message



Kenneth Yun BSD Council Chairman

APC Revision Course 2009

The first topic on "Condition survey and diagnosis of building defects" was successfully held on 12 August with a good response. Although bookings were not so satisfactory, it was almost full house. In view of the large numbers of last minute walk-ins and to safeguard the interest of those members who had made reservations for the course, only attendees with reservations will be allowed to enter the venue before the event. Walk-in attendees will have to queue up and will only be allowed to enter the venue 10 minutes after commencement of the event and after paying a 20% surcharge. Therefore, in order to ensure that you will not miss any of the courses, you are strongly advised to make an early reservation.

Public Engagement Exercise on Building Design to Foster a Quality and Sustainable Built Environment

Out of the five public consultation forums, two have already been held in July and August at Hong Kong Island and Kowloon West. The third forum will be held in mid August at New Territories West. The other two forums will be held in September at New Territories East and Kowloon East respectively. Details about these forums can be found at <http://www.susdev.org.hk/en/events.aspx>. Other than the public forums, there are other forums for stakeholders. I attended a forum on 14 August 2009 for professional institutes including the HKIS, HKIA and HKIE together with other working group members of the Institute. As our views have not been finalised, we tend to listen to the views from other stakeholders instead of sharing our views. Members are reminded to go through the Invitation for Response Document which can be found at <http://www.susdev.org.hk/en/irdoc/index.aspx>. If you are interested to join the working group or you have specific views on this issue and wish to convey through the institute, please inform any Council Members of BSD.

Spokesman's Corner

In a recent interview with a local newspaper, Hong Kong Economic Times, our spokesman Vincent Ho had commented that the exaggerating building disrepair problems

of aged buildings in recent years might be due to the presence of an increasing proportion of high-rise strata-titled buildings as a result of the development boom in the late 70's. In response to the increasing difficulty in acquisition of old buildings, Vincent suggested the Urban Renewal Authority and property developers to place more emphasis on rehabilitation and adaptive re-use of old buildings rather than the conventional "demolish and rebuild" approach in pursuing future regeneration of urban areas in Hong Kong. Members may refer to the article appearing in the Hong Kong Economic Times on 1 August 2009.

Comments on draft revision to PNAP 185 & 218

The Buildings Department is revising the PNAP 185 and 218 with a view to encouraging provisions of access facilities for external inspection and maintenance of buildings by way of gondola system. The Technical Advisory Panel in general supports and welcomes the revision, hoping that adequate and safe facilities could be better provided to buildings.

Working Group on Constitutional Reform

The Executive Committee of the Institute has resolved to form a working group on Constitutional Reform of Hong Kong. Our Vice-chairman, Mr Robin Leung will represent the BSD in this Working Group. If you wish to convey your views on this issue, please feel free to contact any of our Council Members.

Forum on Proposed Gradings to 1,444 Historic Buildings

The Antiquities Advisory Board (AAB) held a forum on proposed gradings to 1,444 historic buildings in Hong Kong on 30 July 2009. Our past President, Mr Raymond Chan attended the forum and voiced out our concern that surveyors should be invited to join the AAB. He made comments on the proposed grading. Moreover, the concept of "valuing the heritage" has been mentioned together with the importance of estimation on maintenance for the old buildings.

General Practice Division Chairman's Message



Dr Lawrence Poon GPD Council Chairman

Thou Shalt Not be Negligent

In Zhuang PP Holdings Limited (formerly known as China United Holdings Limited and Others v. Lam How Mun Peter and Others, HCA 1589 of 2003 dated 19 August 2009, one of our fellow surveyors was held by the Court of First Instance to be in serious breach of his duty of care as a professional property valuer and the company he acted for was liable for some HK\$260 million in damages for preparing a Valuation Report consented to be included in a Circular issued to shareholders in connection with the acquisition of a major property in North Point, Hong Kong.

Some of the major censures against our fellow surveyor or the company he acted for were as follows:

- a. No land search of the subject property was conducted;
- b. Failure to make on-site inspection of the subject property;
- c. No verification of the correctness of the gross area stated by the developer and no information on the saleable area of the subject property was mentioned in the Valuation Report;
- d. Absence of information about the comparables used for the purpose of preparing the valuation;
- e. A valuer should look for transactions in commercial properties of comparable size located in similar locations;
- f. Generous assumptions were made with reckless regard to the facts.

However, while the Institute is now reviewing our Property Valuation Standards (the HKIS Valuation Standards on Properties which has become mandatory since 1 January 2005), many of the criticisms by the Court of First Instance may have been avoided if the Member had complied with the Standards:-

V.S. 1.1.3

When a Valuer renders his services in preparing a Report, he must:

- (b) not develop, use or permit others to use, for any purpose any Report which the Valuer knows, or is aware of, is misleading or fraudulent;
- (c) carry out appropriate research and investigation before he provides his opinion, advice or recommendation to his client;

V.S. 2.3.2

Where special assumptions are necessary in order to adequately provide the client with the valuation required, these must be agreed and confirmed in writing to the client before any report is issued. Save for those that are imposed or required by statutes or regulations, special assumptions may only be made if they can reasonably be regarded as realistic, relevant and valid, in connection with the particular circumstances of the valuation.

V.S. 3.1.2 Commentaries:

3. Market Valuations are generally based on information regarding comparable Properties. The Valuation process requires a Valuer to conduct adequate and relevant research, to perform competent analyses, and to draw informed and supportable judgements. In this process, Valuers do not accept data without question but should consider all pertinent market evidence, trends, comparable transactions, and other information. Where market data are limited, or essentially non-existent (as for example with certain Specialised Properties), the Valuer must make proper disclosure of the situation and must state whether the estimate is in any way limited by the inadequacy of data.

4. It may be necessary for the Valuer to include a statement in its Report, outlining what is being valued and As-

sumptions (and Special Assumptions, if any) made in the Valuation.

V.S. 4.1

Valuers must always carry out inspections and investigations to the extent necessary to produce a Valuation which is professionally adequate for its purpose. In this regard, the circumstances of the case and whether and when the Valuer has inspected the Property previously should also be considered. The inspection of the subject Property is mandatory, unless the Valuer can provide a reasonable justification for his not carrying out an inspection through making a proper disclosure of Departure from the Standards and any Special Assumption as appropriate.

V.S. 5.1

The Valuer must take reasonable steps to verify that the information relied upon by him are reliable and appropriate in the preparation of the valuation and, if not already agreed, clarify with the client any necessary Assumptions that will be relied upon by him.

Members should note that the Standards are mandatory; if the Standards are not followed, and the Members' actions are called into question, they will be asked to justify the steps they took, and this may be taken into account in any subsequent disciplinary action. Thus, although valuations in a downturn, in this unhappy case as of 1997, would usually come under greater scrutiny and mistakes that might otherwise be oversight would come to light, a Member who has followed an approach that is accepted as proper by the professional institute is unlikely to be found negligent.

In passing, the Court of First Instance reminded in the judgment [34] that an expert witness owed primary duty to assist the Court rather than to advance his client's case and it is unfortunate that another fellow member of the Institute was severely criticized for lack of impartiality [86]. Here, the important role of experts in civil proceedings need not be repeated and there has been the belief that

the experts enjoy a level of immunity from suit similar to that enjoyed by advocates prior to the decision in *Hall v Simons* [2002] 1 AC 615. But in *General Medical Council v Prof Sir Roy Meadow* [2006] EWCA Civ 1390, the English Court of Appeal handed down a bold decision limiting the scope of the expert witness' immunity and allowing professional bodies to investigate practitioners and impose disciplinary sanctions in complaints arising out of expert evidence given in court.

A surveyor acting as an expert witness may be under pressure from the client, and sometimes from the client's lawyer, to win the case. The challenge is to resist this. Put simply, an expert witness must not do anything that compromises or impairs, or is likely to compromise or impair his or her independence, impartiality, objectivity or integrity. That will be damaging his fame as well as the reputation of the Institute.

CPD Events

In the coming months, there are two CPD events scheduled which members should not miss out on. On 17 September, we will have Mr Dan Voellm of HVS Consulting & Valuation Ltd, who specializes in hospitality industry, to give us his insight on the market situation and the trend of the value. He will primarily focus on Hong Kong but also cover key mainland Chinese markets and major regional markets.

Our past President, Mr Tony Tse will deliver another CPD event on 29 October on the topic "Performance and Growth Prospects of Hong Kong REITs". Tony is now the Chairman of Henderson Sunlight Asset Management Limited, managing the Sunlight Real Estate Investment Trust. The healthy development of the REITs is so important to us and we are delighted to have Tony provide an insight of the latest issue of the Hong Kong REITs.

For more details, please refer to the CPD/PQSL events section.

Land Surveying Division Chairman's Message



Sung Hon Kwong LSD Council Chairman

10th South East Asian Survey Congress

Simon KWOK and I attended the 10th South East Asian Survey Congress (SEASC) held on 3 to 7 August 2009 in Bali, Indonesia. The theme of the Congress was “Integrating Geo-information Islands”. The idea comes from the fact that Indonesia has 17,508 islands and is the largest archipelagic country in the world. The event was held in the Bali International Convention Centre at the Westin Resort Nusa Dua, Bali. Bali is renowned for its comfortable hotels, bright sunshine, beautiful beaches, cultural sites and volcanic mountains. In fact, the Resort is just next to a lovely beach facing east proving to be a good location for watching sunrises. In the morning of 4 August, the Head of the National Coordinating Agency for Mapping & Survey of Indonesia (BAKOSURTANAL), Ir Rudolf W Matindas and the President of Asean Federation of Land Surveying and Geomatics, Mr See Seng Guan, in turn, delivered their welcome speeches. The Minister of Home Affairs of the Republic of Indonesia, Mr Mardiyanto, then officiated the opening of the Congress. There were four Technical Sessions running concurrently in the following two and a half days of the Congress. The themes of the Technical Sessions were:-

- TS-1: Emerging Spatial Data Acquisition Technology
- TS-2: Interpretation and Information Extraction from Geospatial Data
- TS-3: Cadastral Data Management and Surveying
- TS-4: Web-based GIS and Mobile Mapping Service
- TS-5: Geospatial Modeling and Application Development
- TS-6: Spatial Information related application development
- TS-7: Geospatial Education, Teaching Society
- TS-8: GPS Measurement and processing
- TS-9: Standardization, Interoperability, Integration of Geo-information
- TS-10: Utilization of Geospatial Data and Information



I attended the technical talks on GIS and GPS development but found the talks on cadastral survey system in Indonesia particularly interesting. After the talk, I was able to get an idea of the cadastral survey development in this country. I also noted that Indonesian academics are working on 3D cadastre for multiple-level houses for the Land Registry. It would have been great if the organiser had also arranged a visit to one of the government survey

offices so that the delegates of the Congress could have better communication with the government surveyors of the country. I was also excited to find one of the exhibitors showing an aerial camera using multiple lenses to generate a single digital image of the size comparable to the conventional aerial camera now used in the Lands Department. We have actually invited the exhibitor to come to Hong Kong so that he can tell us a bit more about their aerial camera. During the Congress, we met old acquaintances and made new friends. I was particularly excited

to meet one of my survey course classmates, Mr Matasan, who was once the Surveyor General of Brunei Darussalam. After retirement, he became a Director of a private survey company. To let members access the technical papers delivered at the Congress, one set of Congress proceedings have been placed in the library of the Institute, and interested members may have a look to update his/her knowledge as appropriate. The next SEASC will be held in Malaysia in 2011 and once again it will be a good opportunity for experience sharing and networking.



LSD Annual Dinner 2009

To avoid the bustle of many major events in the months of October and November, the LSD Council has decided to arrange its annual dinner on Friday, 4 September this year. The venue will be the same as last year, the Eaton Hong Kong Hotel and we will certainly have as much fun as the year before. There will be good food, fine wine, games and lucky draw with fabulous prizes etc during the evening. This is once again a good occasion for sharing in the fun with your fellow land surveyors, making new friends and rekindle acquaintances. For more details, please visit http://www.hkis.org.hk/hkis/html_lsd/index.jsp and make every endeavour to come. See you there!

Planning & Development Division Chairman's Message



Edwin Tsang PDD Council Chairman

6th Cross Strait /4 Land Conference 兩岸四地學術研討會

At the 5th Cross Strait /4 Land Academic Conference held in Kunming in July 2009, it was decided that the 6th Cross Strait /4 Land Academic Conference will be hosted by Hong Kong Institute of Surveyors. The theme has yet to be decided. It was proposed that the 4 institutes (China, Taiwan, Hong Kong & Macau) will each prepare information on land and planning management as background material for the papers to be presented at the Conference next year.

Membership Development

One member was approved by the Membership Committee in August. Current membership stands at 47 members.

CPD Events

A CPD event entitled "An Introduction to Real Estate Project Development Procedures in Mainland China" "中國房地產開發項目前期工作介紹" is scheduled to be held on Thursday, 3 September 2009 at the HKIS Surveyors Learning Centre with Dr Tony K T Leung as the speaker. For more details, please refer to the CPD/PQSL events section of this Surveyors Times (event code CPD/PDD/2009067).

The next CPD event on "The Concept of Planning and Development Control in Hong Kong" will be held on Tuesday, 22 September 2009. The speaker is Mr P Y Tam, President of the Hong Kong Institute of Planners. The talk will explain to the participants (probationers and practitioners) how Planning and Development Controls in Hong Kong has been framed. It will illustrate how Planning and Development Controls in Buildings (Planning) Regulations has been constructed and the emphasis on the plot ratio controls under current outline zoning plans, and the concept of bonus plot ratios and how excessive plot ratios in certain sites have resulted. It will also cover the effective-

ness of the Planning Standards and Guidelines and also touch upon how proper development controls can foster a quality and sustainable built environment. For more details, please refer to the CPD/PQSL events section of this Surveyors Times (event code CPD/PDD/2009083).

A CPD event on "Health Management in the Workplace" will be held on Tuesday, 20 October 2009. The guest speaker, Dr So (蘇睿智醫生), will talk about "心臟病與防治". For more details, please refer to the CPD/PQSL events section of this Surveyors Times (event code CPD/PDD/2009087).

CPD Visit

It is proposed that a joint CPD site visit to Macau as well as Hengqin ZhuHai (珠海橫琴) will be held in late October 2009 with the GP Division.

Promotion Pamphlets

A promotional pamphlet of the Division is under preparation.

Call for articles on professional surveying practices

Do you have something about professional surveying practice which can be shared with our members? The Editorial Board would welcome such contributions for publication in Surveyors Times.

Articles can be in English or Chinese and should be submitted in Word format and include the title of the paper and author's details. For articles in Chinese, a summary in English will be required. Submissions must not have been published previously. Publication of article will be at the discretion of the Editorial Board whose decision shall be final.

Articles are to be emailed to editor@hkis.org.hk

Quantity Surveying Division Chairman's Message



Daniel Ho QSD Council Chairman

The 13th Board meeting and Congress of the Pacific Association of Quantity Surveyors (PAQS) were held on 15 to 19 August 2009 at Kuala Lumpur, Malaysia, the International Garden City of Lights. In addition, the annual meeting of Region 4 of the International Cost Engineering Council (ICEC) was held at the same occasion. Our President, Mr Francis Leung, and I led a team of 11 delegates to join the events as the representatives of the HKIS being a member of both international organisations.

Our members have deep involvement in the two international organisations. Mr T T Cheung, our ex-President, is the Technical Director of ICEC and the Chairman of the Sustainability Committee of the PAQS. Dr Paul Ho, the ex-Chairman of QSD, is the Chairman of the Research Committee of the PAQS. Professor Anita Liu and Dr Ellen Lau are the Honorary Secretary of the Education Committee and the Research Committee of the PAQS respectively. That is, they involve in all three committees of the PAQS. Their contributions are well appreciated by the members of the two international organisations.



Research Committee - HKIS representatives Dr Paul Ho as Chairman and Dr Ellen Lau as Hon Secretary



Research Committee - HKIS representatives Mr K C Tang and Mr Ricky Chan



Education Committee Meeting - HKIS representative Prof Anita Liu as Hon Secretary



Research Committee Meeting - HKIS representative Dr Mei-yung Leung



Group photo after the Education Committee Meeting - HKIS representatives Prof Anita Liu and Mr K C Tang



Sustainability Meeting - Group Photo - Mr TT Cheung, Mr Ricky Chan, Mr Joseph Chong and Mr Daniel Ho

PAQS Board Meeting

Key Decisions:

The meeting started in the early morning of 16 August and finished in the late afternoon. The three committees reported their recommendations on various matters after their discussions in the meetings on 15 August. Amongst others, the Board approved the following key recommendations:

1. PAQS Accreditation Procedures

These lay down the procedures and requirements relating to the PAQS accreditation of suitable programs in quantity surveying. The PAQS Accreditation certificate will list those PAQS member organisations that subscribe to the accreditation. The HKIS is one of those member organisations. In other words, those university programs in quantity surveying accredited by the PAQS will also be accredited by the HKIS.

2. Best Paper Awards

There will be four awards for papers submitted to the PAQS Conference, namely:

- * Best Paper Award (Undergraduate Student)
- * Best Paper Award (Postgraduate Student)
- * Best Paper Award (Academic)
- * Best Paper Award (Practitioner)

3. Formation of Young Quantity Surveyor Group (YQSG)

The group will be open to students and other members of the PAQS aged below 40 years. The YQSG will have sole responsibilities for the direction and management of affairs of itself in all matters affecting the YQSG alone.

The YQSG comprises 2 members from each member organisation of the PAQS. It has 1 chairman, 1 vice-chairman, 2 honorary secretaries and 1 treasurer.

Mr Joseph Chong, the Chairman of the HKIS YSG, was elected as the inaugural chairman of the PAQS YQSG. He will be responsible for leading the group for setting up and implementing its missions and visions in the coming two years. I believe Joseph would report in further details under the news of YSG.

4. Setting up a MentorNet Scheme

This allows young QS practitioners of the PAQS member organisations to broaden their knowledge of quantity surveying practice in other PAQS countries through the advice and guidance from experienced practitioners in the region.



Exchange of gifts after the PAQS Board Meeting



Group photo of representatives after the PAQS Board Meeting



Handover ceremony to new PAQS Chairman witnessed by past PAQS Chairmen



Handover ceremony to new PAQS Chairman witnessed by past PAQS Chairmen



Officers of PAQS chairing the PAQS Board meeting



Representatives of HKIS and ISM in the PAQS Board Meeting

Other key discussions:

The Board had also discussed a draft paper on Code of Conduct for the PAQS member organisations. However, it was decided to defer the deliberation until next year so as to allow more detailed consideration by member organisations. In addition, the involvement of quantity surveyors in 'green' building index and sustainability was raised. The operation of quantity surveyors in countries such as Canada, USA and Australia, which are more advanced on this subject, could set examples for our members.

New PAQS Officers:

The following new officers were elected in the Board meeting for year 2009-2011:

- Chairman: Mr Teoh Woo Sin (nominated by SISV)
- First Vice Chair: Mr Gordon Cairney (nominated by NZIQS)
- Second Vice Chair: Ms Ma GuiZhi (nominated by CECA)
- Secretary: Mr Silas Loh (nominated by SISV)
- Treasurer: Mr Trevor Main (nominated by AIQS)

The new Chairman will visit Hong Kong in October and will deliver a CPD to HKIS members.

2014 Congress:

The HKIS submitted a bid for the hosting of the 18th Congress in year 2014 in Hong Kong. Our President briefed the

Board that year 2014 would be the 30th anniversary of the Institute. It would have a significant meaning to the HKIS if we were given the opportunity to host the Congress in that year. After deliberation, the Board approved the 18th Congress to be held in Hong Kong. HKIS will set up a working group shortly for arranging this important event. Members are encouraged to join and assist the working group.

ICEC Region 4 Meeting

The meeting received reports from the member organisations on their updates. It was also reported that Mr John Hallmann was working on an international cost model/location factor project for ICEC.



Group photo after ICEC meeting

13th PAQS Congress

The two-day conference commenced after the official inauguration by the Honourable Minister of Works Malaysia, YB Dato' Shaziman Abu Mansor. It started with the presentation by the representatives of the six participating associations, viz. PAQS, ICEC, CEEC, FIG, RICS and AAQS, on introduction of their structures and objectives. It then followed with about 50 presentations by various speakers in the remaining period.

Papers presented by speakers from Hong Kong included:

- Managing Building Services Costs and Sustainable Environment - Mr Kenny Chan
- A Learn Approach to Sustainable Construction - Dr Richard Fellows & Professor Anita Liu
- A Comparison of Value Management Training and Certification Systems: An Empirical Study Across Different Countries - Dr Mei-yung Leung
- Revamping Outsourcing Maintenance Strategies and Practices - Mr Kenny Chan
- An Introduction to the Construction Workers Registration System in Hong Kong - Mr T T Cheung
- Cycle Cost Analysis for Sustainable Design - Dr Ellen Lau & Ms Vicky Lew



Opening ceremony of 13th PAQS Congress



Presentation of the accreditation agreement to HKIS



Signing of the accreditation agreement by HKIS President Mr Francis Leung



Signing of the KL Pack

The conference closed with a simple but serious ceremony. Two important documents were signed at the same occasion. Eight member organisations including HKIS signed an accreditation agreement to subscribe the PAQS accreditation scheme. The six participating associations signed a KL Pact to agree in principle to further develop and foster a global community of leaders in the quantity surveying profession.

Other Highlights

- The secretary to the PAQS, Mr Terry Sanders from AIQS, started his retirement immediately after the closing of the PAQS Congress. The representatives of the member organisations showed their appreciation of the contribution by Terry in the past 13 years by holding a small but serious ceremony during the Welcome Dinner for Overseas Delegates. They all wished Terry a wonderful and enjoyable retirement.
- Malaysia produces numerous delicious tropical fruits such as water-melon, mangosteen and durian. The delegates were served with these fruits after the Welcome Dinner. They had diversified descriptions on the taste of durian - wonderful and awful.

PAQS 2010

The 14th PAQS Congress and the ICEC Congress in year

2010 will be held on 23 to 27 July 2010 in Singapore. The theme of the Congress is "Sustainable Cost Management: Borderless Innovation". Members are encouraged to submit papers. Those who are interested to present a paper are requested to submit an abstract of not more than 250 words before 31 December 2009. You may contact judy@sisv.org.sg or candy@sisv.org.sg for further details.

The Institution of Surveyors, Malaysia (ISM)

On the day of flying back to Hong Kong, we took the opportunity to pay an official visit to the office of ISM. We were welcomed by the President of ISM, Professor Sr Wan Maimum Wan Abdullah, their past presidents and other office bearers.

We were briefed about the structure of the ISM. It has about 2,500 members including students and probationers. It comprises four divisions, viz. Quantity Surveying Division, Building Surveying Division, Property Consultancy Valuation Surveying Division and Geomatic and Land Surveying Division. The office is located in a self-owned three storey building. It also has five branch offices located in other parts of Malaysia serving their members.

We were also advised that the ISM had regular meetings with other professional institutions such as the architects, the planners and the engineers. They would formulate their professional views together on various issues relating to the construction industry and advise the government accordingly. In addition, the ISM had various awards to appreciate the efforts contributed by its members to the institute.

They further shared their experience in running the institute during the lunch. The visit was valuable and there should be something we could learn from their way of operation. I would like to take this opportunity to thank the ISM for their kind reception and hospitality.



Presentation of souvenirs to the ISM President by the HKIS President and QSD Chairman



Meeting between ISM and HKIS

Young Surveyors Group Chairman's Message



Joseph Chong YSG Committee Chairman

Coffee Tasting

Our young members joined a special gathering on 30 July 2009 at the Surveyors Learning Centre to listen to a barista share the secrets of coffee tasting and taste the inviting aroma of real coffee. The speaker shared with us the origins of coffee, different types of coffee beans and how they taste, as well as different types of coffee machines.



use of colour, matching clothes with face shape and body shape, basic business and social etiquette, impression management and table manners. With many interactive exchanges between the participants and the speaker, the seminar was enjoyable and fruitful.

Formation of Young Quantity Surveyors Group (YQSG) within the Pacific Association of Quantity Surveyors (PAQS)

I joined the 13th PAQS Congress at Kuala Lumpur, Malaysia from 15 to 18 August 2009 with Joanna Kwok, our Honorary Secretary (External Affairs) and Alison Lo, our Committee Member. In the PAQS Board Meeting, it was approved that an inaugural committee of YQSG could be formed and some terms of reference were also approved. It was my honour to be elected as the Chairman of the inaugural committee by the young representatives from other countries.

Professional Image

A seminar designed to train up our young surveyors in table manners and professional image was held on 7 August 2009. Professor Desmond Chan, an expert in colour and image, was invited to share some tips on the essential elements in projecting a professional image including the



From left to right: Jame Sue (China), Joseph Chong (Hong Kong), Ricky Chan (Hong Kong), Kenta Fukagawa (Japan), Daniel Wong (Singapore), Alison Lo and Joanna Kwok (Hong Kong), Yeap Soon Kiat (Malaysia) and Amy Holmes (Australia)

The other key officers elected for the inaugural YQSG Committee are Eugene Seah from Singapore (1st Vice-Chairman), Kenta Fukagawa from Japan (2nd Vice-Chairman), Amy Holmes from Australia (Honorary Treasurer), Daniel Wong from Singapore (1st Honorary Secretary) and Yeap Soon Kiat from Malaysia (2nd Honorary Secretary). Other committee members include young representatives from other countries including China, Canada and Sri Lanka as well. Our newly formed YQSG Committee will organise some activities and set up a web platform for our young members to exchange ideas and knowledge.



HKIS YSG

Annual Dinner 2009

Date: 23 October 2009 (7pm - 11pm)
Venue: Tai Ji Restaurant, 4/F, The Phoenix,
23 Luard Road, Wan Chai
Quota: 150
Fee: HK\$150 (Members) HK\$100 (Students)
*Fee includes food, lucky draw and drinks
Registration Deadline: 16 October 2009
Enquiries: Please email to cpd@hkis.org.hk
For registration, please use the Standard CPD Reservation Form and return to the HKIS Office together with payment



Date & Time:
11 October 2009 (Sunday), 2-5 pm

Hiking Route:
Tsuen Wan district (To be confirmed)

Cost:
HK\$ 20


Capacity:
25 places (first-come, first-served)

Note:
Tutors will share photo taking skills in small groups (Participants need to bring their own camera & hiking equipment)



Please contact **Ms Katherine Wong** for further details or register your interest at email kat@hkis.org.hk or cpd@hkis.org.hk

Chartered Institute of Arbitrators (East Asia Branch) 特許仲裁學會(東亞分會)



East Asia
Branch

CI Arb

CPD points being applied from the Law Society of Hong Kong

Entry Course

The Chartered Institute of Arbitrators (East Asia Branch) is accepting applications from suitably qualified professionals for a 2-day course leading to entry to the Institute as an Associate (which is the first grade). Applicants should hold recognised professional or industry qualifications appropriate to their profession.

Subjects covered include: **Powers & Jurisdiction of the Arbitrator; Preliminary Meetings; Submission to the Arbitrator; Procedure at a Hearing; Awards; Costs & Interest and International Arbitration**, concluding with a written examination.

The examination consists of two elements:

a pre-course assignment which must be handed in on the 1st day of the course	- 20% marks
a 2-hour written paper	- 80% marks

The course will be held at Hong Kong International Arbitration Centre on Saturday 7 and 14 November 2009 from 9:00am to 5:00pm followed by an examination on Saturday afternoon 2:15pm to 4:30pm 21 November 2009.

The cost of the full course will be HK\$3,400 including course materials, a DVD and the examination fee. **The closing date for receipt of applications is 5:00pm on Friday 18 September 2009.**

Please send your applications giving (1) **name and ID No.** (2) **occupation, details of education and professional or industry qualifications** (3) **address**, (4) **email address** and (5) **day telephone number**, along with a cheque for HK\$3,400.00 made payable to the "Chartered Institute of Arbitrators (East Asia Branch)", c/o Hong Kong International Arbitration Centre, 38/F Two Exchange Square, Central, Hong Kong. Cheques will be returned for unsuccessful applications.

In the event of any queries please contact Paul Barrett by email paulnbarrett@gmail.com.

c/o Hong Kong International Arbitration Centre
38/F Two Exchange Square, Central, Hong Kong
Telephone: (+852) 2525 2381 Fax: (+852) 2524 2171 Website: www.ciarbasia.org

QBA 2010

優質共建創未來

QUALITY TRANSCENDS TIME

Showcase Your Quality Building Projects in QBA2010



ABOUT QUALITY BUILDING AWARD (“QBA”)

The Quality Building Award is a biennial award giving public recognition to buildings of outstanding quality that have demonstrated excellent teamwork. The provision of quality building is an essential ingredient of a prosperous and modern society, and the QBA aims to promote a collective commitment by the building industry to maintain the highest standards of professionalism and competitiveness.

HONORARY PATRON

Mrs. LAM CHENG Yuet Ngor, Carrie, JP
Secretary for Development, HKSAR Government

HONORARY ADVISORS

- Ir Dr. Hon. HO Chung Tai, Raymond, SBS, S.B.St.J, JP
*Member (Functional Constituency – Engineering),
The Legislative Council, HKSAR Government*
- Prof. Hon. LAU Sau Shing, Patrick, SBS, JP
*Member (Functional Constituency – Architectural, Surveying and Planning),
The Legislative Council, HKSAR Government*
- Hon. SHEK Lai Him, Abraham, SBS, JP
*Member (Functional Constituency – Real Estate & Construction),
The Legislative Council, HKSAR Government*

JURY PANEL

Chairman of Jury Panel

- Mr. AU Choi Kai, JP
*Director of Buildings,
Buildings Department, HKSAR Government*

Members of Jury Panel

- Mr. YUE Chi Hang, JP
*Former Director of Architectural Services,
Architectural Services Department, HKSAR Government*
- Ir Dr. CHAN Ka Ching, Andrew
*President,
The Hong Kong Institution of Engineers*
- Prof. YEH Gar On, Anthony
*Head & Chair Professor, Department of Urban Planning & Design,
The University of Hong Kong*
- Mr. LUI Chun Wan, Alex
*Former Professor, Department of Architecture,
Chinese University of Hong Kong*
- Dr. Francisco Vizeu PINHEIRO
*Adjunct Professor,
Macau Inter-University Institute*
- Mr. WONG Kit Loong
*Chairman,
QBA 2010 Organizing Committee*

AWARD CATEGORIES

- Hong Kong Residential Category
- Hong Kong Non-Residential Category
- Project Outside Hong Kong Category
- Special Awards Category
 - Historical Revitalization Developments
 - Community Institutional Facilities
 - Environmental and Construction Technologies

ELIGIBILITY

- Nominated buildings (except for Project Outside Hong Kong Category) must be within the territorial limits of the Hong Kong Special Administrative Region of the People's Republic of China and should be practically completed in the period between 1 January 2007 and 30 June 2009.
- For “Project Outside Hong Kong Category”, nomination MUST be made by ONE of the 7 major team members who is a registered member of any of the nine professional organizing institutes of QBA 2010.

KEY DATES FOR NOMINEES

KEY DATES

- July 2009
- 15 January 2010
12 noon
- February 2010
- March 2010
- May 2010
- June / July 2010

DETAILS

- Nomination Period Starts
- Nomination Deadline
- Stage I First Screening
- Stage II Site Visits
(except for “Project Outside Hong Kong” Category)
- Stage III Finalist Presentations
- QBA2010 Award Presentation Banquet

NOMINATION & SUBMISSION DETAILS

- Nomination Deadline: 12 noon, Friday, 15 January 2010.
- Nomination documents & materials need to be delivered to Secretariat Office of QBA2010 at Room 1106-08, 11/F, C. C. Wu Building, 302-308 Hennessy Road, Wanchai, Hong Kong.
- HKD5,000.00 will be collected for each nominated project (one nomination in one category only).
- Late submission will NOT be considered.
- To download nomination form and for more details on eligibility and submission details, please visit <http://www.QBA.com.hk>.

Enquiries

QBA2010 Secretariat Office

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兩地建設工程合同法律事務專欄

香港法及中國法下的潛在缺陷的法律責任及其比較 (上)

郭靖華 FHKIS,FRICS

在工程合約中，業主和承包商一般都會約定補修工程缺陷的條款。

一. 工程缺陷的補修

以香港測量師學會出版的標準香港建造工程合同 (Standard Form of Hong Kong Building Contract) 為例，承包商需要在維修責任期 (defects liability period) 內對有關的工程缺陷進行補修。而業主一方多數會扣減部份工程金額作為合約保留金 (retention money) 以確保承包商能遵守其在維修責任期的合約責任。

一般而言，除非承包商或分包商另行提供品質保證 (warranty)，在維修責任期完結並且建築師出具了一張保養工程完工證書 (maintenance certificate) 之後，除潛在缺陷 (latent defects) (業主在合理情況下發覺不到的缺陷) 及其它情況外，承包商對合約中工程缺陷的責任就會得到解除。

二. 潛在缺陷的保障

可能有些讀者已經知道一些有關潛在缺陷在香港法下的概念，但是為了與中國法下的潛在缺陷的法律概念作比較，我們還是簡單地介紹一下有關潛在缺陷在香港法下的情況。

對於潛在缺陷，在香港普通法下，首先要看建築合同是否為加蓋的合同 (contract under seal)。如果是的話，業主可以得到從違反合約後十二年的合約性的保障，否則，業主的保障期為六年。

另外，除了合同的保障外，業主一般亦可同時得到侵權法 (Law of Tort) 的保障。

三. 潛在缺陷的可能保障 - 侵權法

侵權法中，能應用於潛在缺陷的訴訟原因主要是“疏忽 (negligence)”。 “疏忽”是以疏忽的行為為基礎的侵權行

為，被侵害的利益可以是人身安全，也可以是財產權利。“疏忽”的成立要滿足下列要求:-

- (1) 被告對於原告有謹慎責任 (duty of care) ;
- (2) 被告違反該責任 (breach of duty) ;
- (3) 原告蒙受損害 (damages) ; 及
- (4) 被告違反責任的行為與原告蒙受的損害存在因果關係 (remoteness) 。

如果以上的條件都滿足，而被告在沒有抗辯 (defence) 的情況下，被告就要賠償原告的有關損失。所以，就“疏忽”而言，如果業主因為工程的潛在缺陷而蒙受損害，而業主又能證實“疏忽”的條件成立，業主是可以向有關的“疏忽”人士 (承建商，建築師或設計師) 追討有關損失。

建築物如有潛在缺陷，除了 (1) 謹慎責任的要求外，原則上以上“疏忽”的 (2) 至 (4) 的條件業主都能容易地去證實。以下，我們會討論一下“疏忽”的謹慎責任的法律問題及案件。

四. 英國的謹慎責任

一般來說，若要證實被告對於原告存在謹慎責任，原告需要做的就是證明：導致損害的被告可以合理預見 (reasonably foreseeable) 該損害。但是，如果原告遭受的損害並非人身或財產上的損失 (physical injury or property damage)，而是純粹經濟上的損失 (pure economic loss)，那麼就不足以確立謹慎責任。除非原告能證實被告對其擔負特別責任，而原告依賴被告履行這種責任 (Hedley Byrne v Heller [1963] 2 All ER 575)。

因此，對於有潛在缺陷的建築物，有關的承建商，建築師或設計師是否對業主負有謹慎責任，首先要視乎所遭受的損害是否為人身或財產上的損失，還是純粹經濟損害。

英國上議院在 1990 年 Murphy v Brentwood District Council



[1991]1 AC 398 案件的判決解釋了該項原則。該案件也涉及到某地方政府機構批准建築物地基，結果該地基卻有潛在缺陷。上議院確認，由於業主唯一的損害物是對已購置的建築物（即房屋和地基），而該建築物並未對其他物業或人士造成損害，那麼該業主的損失純粹為建築物價值的減損，因而純粹是經濟性的。即使該建築物缺陷已經對其他人士或物業構成傷害風險，除非直至該傷害實質地形成（造成人身或財產上的損害），否則即使業主因糾正該建築物缺陷而招致損失，業主遭受的仍然只是純粹經濟性的損失。

所以，根據英國普通法，為了確立謹慎責任，業主唯一的辦法是必須依照 *Hedley Byrne* 一案中的原則，證實在造成損害之人士（承建商、建築師或設計師）方面存在必須對業主擔負特別責任，業主才可以向他們追討賠償。

五. 香港的謹慎責任

因為 1997 年 6 月 30 日前的英國上議院決定對香港下級法院形成有效的約束力，需要香港終審庭的決定方可將其推翻，所以原則上香港現在仍然要跟隨英國上議院 *Murphy* 案的案例。

近年香港終審庭在 *Bank of East Asia Ltd v Tsien Wui Marble Factory Ltd & Ors* [2001] 1 HKC 1 一案中本來有機會推翻 *Murphy* 案的判決，但是因為該案的建築師大方地承認對業主負有特別責任（不可對業主造成經濟損失的責任），而不用終審庭去審理有關問題，所以終審庭最後都沒有審理到承建商、建築師或設計師是否對業主存在必須負有特別責任的問題。另外，因為該案所涉及的不是加蓋的合同，而有關的牆壁覆面於 1982 年完成，所以該案的業主因為合同訴訟時效已於 1988 年，即違反合同後六年終止，所以就只可以提出侵權法訴訟。

六. 潛在缺陷的訴訟時效

香港終審庭在 *Bank of East Asia* 案審理的核心問題並非承建商、建築師對業主是否負有謹慎責任，而是侵權訴訟因由的時效是否已過。

當時（1991 年 7 月 1 日前），一般侵權法（包括對於潛在缺陷的訴訟在內）的訴訟時效為財產損失發生後的六年。這跟業主是否可合理地知悉該財產損失無關。

所以，終審法庭在 *Bank of East Asia* 案以三比二的表決結果認定，經濟損失發生於潛在缺陷應已開始出現的時候，既非工程完工之時（當時該缺陷之處仍處潛在狀態），亦非缺陷已經可以合理地為人發現之時。因為該案的大廈在 1982 年落成，而財產損失最遲發生在 1985 年 7 月 1 日前，而業主在 1997 年（相隔十二年）才提出訴訟，所以該訴訟因由已逾時效。

現時香港的《時效條例》第 31 條（生效於 1991 年 7 月 1 日）改變了訴訟時效與業主是否可合理地知悉財產損失的發生無關的不公平的情況。

根據 1991 年 7 月 1 日生效的《時效條例》第 31 條，有關不涉人身傷害的潛在損害（*latent damage*）的訴訟，業主需要在訴訟因由產生的日期起計 6 年或，如業主知悉日期在該 6 年期限屆滿後，由知悉日期起計 3 年，提出訴訟。

另外，根據現時的《時效條例》第 32 條，針對疏忽提出損害賠償的任何訴訟因由，會在自疏忽作出之日起 15 年後逾期失效。

七. 總結

就以上所談及的，對於潛在缺陷的保障而言，雖然現時香港的《時效條例》第 31 條讓業主可以在發現缺陷之時起計 3 年提出侵權訴訟，但是因為承建商，建築師或設計師是否有謹慎責任在侵權法下還是不太清楚，所以業主最好能用加蓋的建築合同，使其能以違反合同提出訴訟，而不用使用侵權法，而訴因可從違反合約後十二年內提出。

English Summary

Gilbert Kwok, FHKIS, FRICS

This is the first part of two articles on the liability of contractors and design consultants for latent defects under Hong Kong Law and PRC Law. In this first article, we will focus on the legal position in Hong Kong by reference to relevant cases. We will compare the differences between the 2 systems of law in this regard in the next article.



Property Development in Hong Kong

Serena Lau, CPD Convenor, General Practice Division

On 11 July 2009, we were delighted to have a perfect team of speakers including Dr Andrew Chan, Ms Daisy Wong, Mr Andy Leung and Mr Eric Ho to give us a CPD talk on the "Property Development in Hong Kong". Our thanks to the APC panel members including Louie Chan and many others for well organising this event.



▲ Dr Andrew Chan presenting to the audience



▲ From left to right: Louie Chan and Serena Lau presents a souvenir to Daisy Wong and Eric Ho

◀ Andy Leung (in the middle) receiving a souvenir from Serena and Louie

建築合同: 損失索償之籌備及追討損失及開支的索償

工料測量組持續專業發展小組副主席 張嘉琪 (Kathy Cheung) 報告

工料測量組感謝黃正言先生 (Jeffrey Wong) 接受邀請，在 7 月 21 日慷慨提供持續專業發展項目講座與本會會員，黃正言先生現任職為趙志敦·馬田，建造合約顧問有限公司的董事；過往 10 年參與建設項目及合約顧問事宜。講座圓滿舉行，共超過一百五十位會員參加，加深對建設項目及合約



陳志豪先生及黃正言先生

之認識，講座後本會工料測量組持續專業發展小組主席陳志豪(Sunny Chan)致送紀念品給講者黃正言先生以感謝他的講解。

The latest PRC regulations in real estate and its effect on the property yield

Serena Lau, CPD Convenor, General Practice Division



Serena Lau presents souvenir to YU Kam-hung

On 6 August 2009, our past President, Mr YU Kam-hung, updated us on the topic of "The latest PRC regulations in real estate and its effect on the property yield". Mr Yu conducted a comprehensive slide presentation and members may find a copy of the presentation from the HKIS web site at http://www.hkis.org.hk/hkis/html/professional_cpd.jsp.

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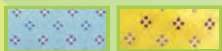
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	5 BSD Annual Conference	HKIS BSD	Harbour Plaza Hotel, Hong Kong SAR
	22 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	22 HKIS General Council meeting	HKIS	Board Room, HKIS
	25 Surveyors Happy Hour cum Birthday Party	HKIS	Library, HKIS
	26 HKIS Annual Conference	HKIS	Conrad Hotel, Hong Kong SAR
Oct	19-22 7th FIG Regional Conference	FIG & VGCR	Sheraton Hotel, Hanoi, Vietnam
	22 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	30 Surveyors Happy Hour cum Birthday Party	HKIS	Library, HKIS
	31 PFMD Annual Conference	HKIS PFMD	Harbour Plaza Hotel, Hong Kong SAR
Nov	11 Board of Membership meeting	HKIS	Board Room, HKIS
	17 HKIS Annual Dinner	HKIS	Grand Hyatt Hong Kong, Hong Kong SAR
	26 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	26 HKIS General Council meeting	HKIS	Board Room, HKIS
	27 Surveyors Happy Hour cum Birthday Party	HKIS	Library, HKIS
Dec	11 HKIS Annual General Meeting	HKIS	SLC, HKIS
	18 Surveyors Happy Hour cum Birthday Party	HKIS	Library, HKIS

For details, please visit www.hkis.org.hk or contact the HKIS office on 2526 3679. Board Room, HKIS = 810 Jardine House, 1 Connaught Place, Central, Hong Kong. Library, HKIS = 801 Jardine House, 1 Connaught Place, Central, Hong Kong. SLC, HKIS = 811 Jardine House, 1 Connaught Place, Central, Hong Kong.



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Date	Time	Venue
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