

# SURVEYORS

測量師時代  
Times

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## 未來路向的策略規劃

## Strategic Planning for the Way Forward

## HKIS 2009-2010 General Council

香港測量師學會2009-2010年度理事會

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香港測量師學會

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- HKIS Happy Hour cum Birthday Party & CPD

Members in the General and Divisional Councils have actively planned ahead their works for the benefit and advancement of our members and the Institute. A retreat held on 16 January was attended by 24 council members to consider the threats and opportunities of the Institute. With enthusiastic members' participation, many useful ideas and suggestions emerged, which will form the basis for the formulation of a strategic plan.

In view of the importance of the legal knowledge in expert determination, the BSD Council is liaising with academics on the provision of a proficiency course for members who are interested to register in the list of expert witness. The proposed course will last for approximately 60 to 100 hours. The BSD Council also recently attended a meeting on CEPA in Beijing. Up to now, three CAEC members have obtained HKIS membership, while two BSD members are being registered as engineering consultant in Guangdong.

The GPD Council attended the "Urban Regeneration - District Aspirations Study Forum" hosted by the Development Bureau and the Urban Renewal Authority. In the forum, various consultants have presented their preliminary findings of the "District Aspirations Studies". The GPD Council also attended a forum held on 12 December to address the residents' concerns on land compensation issues under the Railways Ordinance by virtue of which the Guangzhou-Shenzhen-Hong Kong Express Rail Link was gazetted.

The LSD Council submitted comments on proposed amendments of the Land Survey Ordinance (LSO) to Legislative Council. In particular, we pointed out the problem in the existing "registration before check" system, the hardship caused to authorized land surveyors and the potential disputes between the future vendor and purchaser of the property.

The PFM Council held an open discussion forum on the proposed reciprocal recognition with the Hong Kong Institute of Housing. Owing to the diversified opinions received, a division-wide members' opinion survey will be conducted. The PFM Council also intends to maintain a list of organisations providing professional services of property and facility management in the divisional web page.

The first QSD Council meeting held on 7 January decided their key tasks, which would include (1) the arrangement of the second lot of QS members as registered cost engineers in the Mainland, (2) preparation of 2014 PAQS Congress, (3) publication of standard documents, (4) promotion of the QS profession, and (5) training courses for fresh graduates and members.

The YSG attended the Youth Forum - Public Engagement Exercise organised by the West Kowloon Cultural District Authority. Over 160 youths expressed their views and aspirations. In addition, the YSG also helped at the Building Safety Carnival 2010 on 17 January by manning a games booth. The audience and participants had a lot of fun.

Kung Hei Fat Choy and wishing you all a happy and healthy year of the Tiger.

Dr Paul Ho  
bshkho@cityu.edu.hk

學會的理事會及各組別已就推廣學會及組別的工作訂下了周詳計劃。理事會亦已於 1 月 16 日舉行退修，探討學會於未來的威脅及機遇。透過會員的積極參與，理事會獲得不少意見，作為日後制訂策略性計劃的基礎。

由於專家裁決的法律知識相當重要，建築測量組現正與學術機構研究，為有興趣登記列入專家證人名單的會員提供相關培訓課程，建議的課程將包括 60-100 小時培訓。建築測量組近期於北京參與了 CEPA 的會議，直至現在，3 名中國建設監理協會的會員取得了學會資格，2 名建築測量組會員於廣東登記為監理工程師。

產業測量組的代表出席了由發展局及市區重建局合辦的「市區更新地區願景研究交流會」，有關的顧問公司對「地區願景研究」的調查結果作出簡報。產業測量組亦出席了於 12 月 12 日舉行的廣深港高速鐵路論壇，受影響的居民於論壇中表示了對《鐵路條例》刊憲後的賠償方案的關注。

土地測量組向立法會提交了對《土地測量條例》的建議修訂，學會特別指出現有的「預先註冊登記手續」制度的問題、對認可土地測量師所造成的困難、以及買賣雙方潛在的糾紛。

物業設施管理組舉行了公開論壇，搜集會員對與香港房屋經理學會資格互認的意向。由於會員意見不一，物業設施管理組將進行全面意見調查，收集會員對有關議題的意見。組別亦計劃設立一個提供物業設施管理專業服務機構名單，上載於學會網頁。

工料測量組的第一次理事會已於 1 月 7 日舉行，並訂下了主要工作，包括 (1) 安排第二批工料測量組會員登記為造價工程師；(2) 籌備 2014 年太平洋工料測量師協會會議；(3) 出版標準文件；(4) 推廣工料測量專業；及 (5) 為剛畢業學生及會員提供培訓課程。

青年組出席了由西九管理局主辦的「青年論壇—公眾參與過程」，超過 160 年青人發表了意見。另外，青年組亦於 1 月 17 日於樓宇安全嘉年華中設置攤位遊戲，與眾同樂。

恭喜發財，並祝各會員虎年健康快樂。

何學強博士  
bshkho@cityu.edu.hk

A retreat was held on 16 January 2010 (Saturday) at the Hotel Jen in the Western District. The retreat was attended by 24 Council Members, as well as the Senior Manager and Manager of the HKIS office. The aims of the retreat were to identify current and future issues and opportunities that form the basis of the development of a strategic plan with short, medium, and long term goals for our institution. The retreat started with an introduction of facts and figures by the President, followed by a SWOT analysis facilitated by the Senior Vice President. After a break, the group continued with a session on suggestions on the ways forward facilitated by the President.

The retreat turned out to be a very productive event. With enthusiastic participation by members, many useful ideas and suggestions emerged, which formed the basis for the formulation of a strategic plan. Some of the short term goals being considered included:

- (1) Revamping the HKIS website and improving its contents;
- (2) Promoting electronic communications by encouraging members to receive electronic versions of HKIS publications only. This is not only environmentally friendlier, but also improves the financial situation of the HKIS (which has been in deficit for the last three years). The total production cost of Surveyors Times and postage was more than HK\$1 million, or approximately 11% of the HKIS' total recurrent expenses;
- (3) Considering the appointment of a CEO or Secretary General to strengthen support from the administration and to provide continuity in the implementation of longer term plans;
- (4) Deploying part of the research fund to appoint a research assistant to support research needs, such

as searching for information, data collection, and maintaining a database, which can help our institution



- provide a timely response to the media on current issues relating to the surveying profession. The database can also serve as a resource for members; and
- (5) Increasing the transparency of the requirements of APC and aligning the expectations of the APC assessors.

Examples of medium term goals being considered included:

- (1) Considering the relocation of the HKIS office. Office rental and associated expenses (rates and management fees) constitute approximately 45% of all recurrent expenses. There are obviously pros and cons of office relocation. More comprehensive consultation with members is needed before a decision can be made; and
- (2) Considering, in the long run, whether our institution should own, rather than rent, its office. The process of office relocation and acquisition are major decisions that have many significant implications. Therefore, such a process must be planned well in advance of the expiry of the current rental lease. Since the rental lease of the HKIS office has just been renewed, that allows us more time to start considering this issue.

Some of the long term objectives being considered included:

- (1) Enhancing the profile of the HKIS locally and internationally;
- (2) Promoting the recruitment of technical members; and
- (3) Exploring other possible categories of membership, such as lifetime membership with a single upfront membership fee.

I would like to thank all participants for spending their time and effort during the beautiful and sunny weekend to make the retreat a successful one.

K W Chau  
President

理事會退修已於 2010 年 1 月 16 日於西區仁民飯店舉行，出席者包括 24 名理事會成員、秘書處高級經理及經理。退修主要尋找學會現時及未來的機遇，並作為學會的策略性發展計劃制訂短期、中期及長遠目標的基礎資料。退修先由學會會長介紹背景資料及數據，再由高級副會長帶領進行「優、弱、機、危」分析。小休過後，會長引導了參與者提出前瞻性建議。

退修活動取得建設性成果，通過理事們的積極參與，提出了不少意見，作為學會制訂策略性發展計劃的基礎。當中，部份可考慮的短期目標包括：

1. 重整學會網頁及改善內容；
2. 推廣網上交流，鼓勵會員以電郵方式接收學會資訊及月刊。此不但提倡環保，更可大大減輕學會的財政負擔（過往 3 年均錄得虧損）。月刊的印刷及郵寄費用超過 100 萬元，約佔總支出的 11%。
3. 研究招聘行政總裁或總幹事，加強行政支援及協助推行長遠計劃；
4. 預留部份研究項目的預算用以招聘研究助理，協助資料搜集及整理資料庫，使學會能更有效率地回應傳媒的查詢。資料庫的內容亦可為會員提供參考資料；
5. 增加專業評核試資格的透明度，並統一評核員對考生的要求。

一些中期考慮的目標包括：

1. 研究搬遷學會辦事處。現時的租金及其他相關支出（差餉及管理費）約佔學會總開支的 45%。當然，學會搬遷有優點亦有缺點，因此於作出決定前必須進行充份的諮詢工作；
2. 從長遠角度來說，研究學會應否擁有永久會址。

搬遷辦事處或購買物業均是重大決定，影響深遠，因此必須於租約期滿前作出周詳計劃。由於現時的租約剛獲更新，這將是理想時間著手開始研究有關議題。

另外，一些長遠考慮的目標包括：

1. 加強學會於本地及國際的知名度；
2. 推廣招聘技術會員；
3. 研究設立「終身會員」的可行性，讓會員一次過繳付終身會費。

在此，我感謝各位出席者所作出的貢獻，使退修活動取得美滿成果。

鄧廣榮教授  
會長

## Joint Institutes' Constitutional Reform Forum

A 3-month "Public Consultation on the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012" was launched in November 2009 to consult the public on how the two elections in 2012 can be further democratised.



To consult the members' opinion of the constitutional reform, a Joint Institutes' forum on Constitutional Reform was organised by Legislative Council member, the Honourable Patrick Lau on 26 January 2010 at the HKIS Surveyors Learning Centre. The forum was open to all members of the Hong Kong Institute of Architects, Hong Kong Institute of Landscape Architects, Hong Kong Institute of Planners and the Hong Kong Institute of Surveyors.

A panel of members including guests from the government, the Secretary for Constitutional & Mainland Affairs, Mr Stephen Lam and Secretary for Development, Mrs Carrie Lam and representatives from the four institutes including HKIS Vice President, Ms Serena Lau, HKIA President, Ms Anna Kwong, HKILA President, Mr Evans Lu and HKIP President Mr TAM Po Yiu, listened to the views and comments from members.

A questionnaire on constitutional reform has also been prepared by the Honourable Patrick Lau for consulting the opinions of HKIS members. The questionnaire has been emailed to members and members would be encouraged to offer their views by completing and returning the questionnaire to the HKIS Secretariat Office by 6 February 2010. An analysis of the members' views will be compiled for future reference and for future direction.

For a copy of the Government's Consultation Document, please visit the website at <http://www.cmab-cd2012.gov.hk>.

## Surveying and Built Environment - Call for Papers

### SURVEYING AND VALUATING THE RELICS OF THE BATTLE OF HONG KONG

To commemorate the 70th anniversary of the outbreak of the Battle of Hong Kong, which commenced on the morning of 8 December 1941, and demonstrate the pivotal significance of surveying to conservation planning, heritage protection and awareness and informed reassessment of Hong Kong's international history, Surveying and Built Environment invites original contributions to a special issue, planned for publication in December 2011, from a surveying perspective.

The forms of contributions can be in the form of research papers; literature reviews; annotated transcripts of interviews with veterans; photos or to-scale models; measured drawings or sketches of war relics; war diaries in relation to buildings and facilities (especially translation of authentic Japanese sources); practice notes; annotated photos on the Battle of Hong Kong itself and the ensuing Japanese occupation that lasted till 15 August 1945.

With a focus on the military buildings and facilities of the Battle and the occupation period, the subject matters include but not limited to gun batteries; redoubts; trenches; pillboxes, shelters, kitchens, toilets; bunkers, observation posts, battlefields; airfields; marker stones; cable ducts; and the like.

Submissions must not have been published previously and all sources of reference must be appropriately acknowledged. All submissions will be screened first by the Chief Editor before they are blind refereed. A definite decision by the Editorial Board will be made within 60 days of submission. Comments of referees and editors will be disclosed to authors if their works are refereed.

Submission should be in Word format. Guidelines for submission can be found at [http://www.hkis.org.hk/hkis/html/publication\\_journal.jsp](http://www.hkis.org.hk/hkis/html/publication_journal.jsp).

Please send contributions or enquiries by email in the first instance to Professor Lawrence Lai (email address: [wclai@hku.hk](mailto:wclai@hku.hk)) or Dr Daniel CW Ho ([danielho@hku.hk](mailto:danielho@hku.hk)).

Deadline for submission: 31 March 2011.

## Council members reaching out

9 January 2010

Seminar on Property Management and Maintenance in Yuen Long organised by Yuen Long District Council

Mr Gary Yeung (guest speaker)

9 January 2010

Urban Regeneration - District Aspirations Study Forum (市區更新願景交流會) organised by Development Bureau

Mr Lesly Lam, Dr Lawrence Poon, Mr Tony Wan, Mr Edwin Tsang

12 January 2010

The Conference on "Intelligent Infrastructure & Building" organised by the Asian Institute of Intelligent Buildings

Mr Gary Yeung, Mr Kenneth Yun, Mr Edwin Tang

12 January 2010

Asian Institute of Intelligent Buildings 9th Anniversary Annual Dinner

Mr Edwin Tang

12 January 2010

「開幕式暨浙港服務業合作與展望」由中共浙江省委和浙江省人民政府主辦

郭志和先生

13 January 2010

22nd Meeting of the Hong Kong Council of Volunteering

Mr Sunny Chan

14 January 2010

Monthly Thursday Luncheon organised by Executive Council Secretariat

Prof Chau Kwong Wing

17 January 2010

Building Safety Carnival Opening Ceremony organised by the Buildings Department, Hong Kong Housing Society and Urban Renewal Authority

Prof Chau Kwong Wing

18 January 2010

Consultation Meeting - Study on Design Guidelines for Adaptive Re-use of Heritage Buildings organised by Scott Wilson Limited

Mr Wong Bay, Mr Raymond Chan, Mr Ringo Lui

20 January 2010

Architectural Society High Table Dinner 2010 of Architectural Society, HKUSU, Session 2009-2010

Prof Chau Kwong Wing

21 January 2010

Guest Day Lunch organised by Legislative Council member Professor Hon Patrick Lau

Prof Chau Kwong Wing, Mr Wong Bay, Ms Serena Lau, Mr Edwin Tang, Mr Lesly Lam

22 January 2010

Inaugural Joint Professional Sports Night organised by Joint Professional Sports Subcommittee

Ms Serena Lau, Mr Lesly Lam

23 January 2010

Prize Presentation cum Exhibition Opening Ceremony of Bruce Lee's Residence Ideas Competition organised by Tourism Commission

Mr Yu Kam Hung, Mr Alex Wong

23 January 2010

Tea Gathering of MTR Society Link

Mr Jeffrey Wong

25 January 2010

Open Balloting for preservation projects organised by Urban Renewal Authority

Mr Wong Bay

29 January 2010

Ground Breaking Ceremony of Central - Wan Chai Bypass and Island Eastern Corridor Link organised by Highways Department

Mr Lesly Lam

## News from Sports and Recreation Committee



**Chairman:**  
Lesly Lam, [leslylam@hkis.org.hk](mailto:leslylam@hkis.org.hk)  
**Vice-Chairman:**  
Cyrus Siu, [cyrus.siu@gmail.com](mailto:cyrus.siu@gmail.com)  
**Secretary:**  
Carmen Wong, [carmen.wkm@gmail.com](mailto:carmen.wkm@gmail.com)  
**Treasurer:**  
Michelle Chung, [michellechung@hkis.org.hk](mailto:michellechung@hkis.org.hk)

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

## Joint Professional Sports Night cum Prizes Presentation



The Joint Professional Sports Night was successfully held on 22 January 2010 at Lippo Centre Chiu Chow Restaurant. It was a prizes presentation to those winning teams in various Joint Professional Sports Tournaments in the year. A total of 36 HKIS sports teammates joined the Sports Night. We were all on stage with the Guest of Honour, the Honourable Mr CY Leung, GBS, to share the happiness of the fruitful results as follows:-

- Champions in Table Tennis and Basketball
- 1<sup>st</sup> runner-ups in 10km Run and Soccer Cup
- 2<sup>nd</sup> runners-up in Golf, Snooker, Tenpin Bowling and Volleyball

Sincere thanks to Evangeline Chan and Tzena Wong, who are the team captains of the HKIS Volleyball team and HKIS Bowling team respectively, for being the MCs in this Sports Night.



HKIS Sports Teammates with the Guest of Honour - the Hon Mr CY Leung GBS



Kick-off ceremony by the Guests of Honour - the Hon Mr CY Leung GBS, the Hon Mr Timothy Fok GBS, Chairman of Sports Committee and the Presidents of 8 Professional Bodies (HKICPA, HKIA, HKBA, HKDA, LSHK, HKMA, HKIP & HKIS)

## HKIS Dragon Boat Team in the Hong Kong Championships 2010 - We need you!

**Team Captain: Mr William LAI / Mr Joseph WONG / Young Surveyors Group**

The HKIS Dragon Boat Team will start its tough training right after the Lunar New Year. The team captains would like to recruit more members who are interested in paddling and water sports to join the team. We aim to get the champion trophies in various tournaments in 2010. Looking forward to seeing you on the dragon boat. Please contact Donna YU at [cpd@hkis.org.hk](mailto:cpd@hkis.org.hk) or 2526 3679 for registration.



Become a HKIS Paddler - We need you!

## HKIS Running Team in the Hong Kong Marathon 2010 - We are ready!

**Team Captain: Mr Lesly LAM / Miss Kathy CHEUNG**

A strong HKIS Running Team is formed to join the Joint Professional Running Competition in the Hong Kong Marathon 2010. The list of runners is as follows. More HKIS runners are welcomed and required. Please let me know if you have already registered to the Hong Kong Marathon 2010.

From each category, the top 4 best results will be submitted to the Joint Professional Sports Committee for comparison with that of the other professional bodies. We were the 1<sup>st</sup> runner-up among 6 professional bodies last year. Let's work hard for the Champion this year.



Full Marathon	Half Marathon	10km Run
Gilbert Chan	Ronnie Fung	Judy Chow
Carman Wong	Johnny Yung	Daniel Pong
Kwok Sek Tung	Lesly Lam	Arthur Cheung
Cheung Chu Wah	Peter Yeung	Michelle Chung
Kathy Cheung	Choi Chun Tong	William Lai
Fan Chor Kit, Frankie	Wilkie Luk	Ben Chong
Patrick Yip	Arthur Chan	William Chau
CY Wan	Amy Lau	Joe Lam
Kelvin Lai	Jeffrey Wong	Tsui G Kin, Paul
Jason Koo	Lan Ki Fung, Kelvin	Brian Choi
Winnie Wong		Roy Shum
Antony Man		Yiu Tsang Wing, Eddie
Kim Tsui		



Join the HKIS Running Team

## HKIS Basketball Team - Joint Professional Basketball Tournament has begun!

**Team Captain: Mr Ming SHUM / Mr Arthur CHEUNG**

The Joint Professional Basketball Tournament 2010 has just begun. With more than 20 teammates, our professional coach has been guiding us to become a strong team.



HKIS Basketball Team



Game starts!



Instructions by the coach

## HKIS Table Tennis Team - Friendly Match with Widnell Ltd & Housing Department

**Team Captain: Mr CY JIM / Mr William LAI**

The Champion - HKIS Table Tennis Team had arranged two friendly matches with Widnell Ltd and the Housing Department. The teammates are keen to maintain and upgrade their skills through different competitions. More interested players are welcomed.



HKIS Table Tennis Team in the Joint Professional Sports Night with the Champion Trophy

## HKIS Volleyball Team - Volleyball practices have begun!

**Team Captain: Miss Evangeline CHAN / Miss San KWOK**

Having won the 2<sup>nd</sup> runner up in the Joint Professional Volleyball Tournament, the teammates are eager to upgrade their skills. Two practice sessions have been arranged immediately after the Tournament as follows.

- 3 January 2010 at Fanling - friendly match with a secondary school team
- 22 February 2010 at Wong Tai Sin - friendly match with an amateur team

Many thanks to Nathan LEE for the above arrangement!

**Recruitment of players for other teams is still open. Look forward to seeing you.**

- HKIS Tennis Team
- HKIS Skiing and Snowboarding Group
- HKIS Chess Team
- HKIS Dance Interest Group
- HKIS Badminton Team
- HKIS Squash Team
- HKIS Swimming Team
- HKIS Soccer Team
- HKIS Bowling Team
- HKIS Snooker Team
- HKIS Sailing Team

## Building Surveying Division Chairman's Message



*Kenneth Yun BSD Council Chairman*

### Establishment of List of Expert Witness and the associated proficiency course

You may recall in the last Surveyors Times that I had mentioned that a working group had been formed to explore the use of Expert Determination to settle building maintenance related disputes. A pilot scheme on Expert Determination for water seepage cases is being formulated and studied whereby the parties in dispute agree to submit an issue on the cause and liability of water seepage for determination by an expert. The adoption of Expert Determination is believed to be in line with the promotion of Alternative Dispute Resolution in the recent Civil Justice Reform with an added benefit of identifying the cause of water seepage, which is the crux of the parties' concern.

Meanwhile, we are also considering the establishment of a list of expert witness on building maintenance matters. The list will serve as a platform for the public to approach our members with profound experience whenever expert witness services on these matters are needed.

It is undoubted that a considerable number of our members are widely experienced in advising on technical aspects of building maintenance. On the other hand, acquirement of legal knowledge such as civil proceedings, admissibility of evidence, etc is also crucial for an expert witness as well as an expert in Expert Determination. In view of this, the working group is liaising with academics on the provision of a proficiency course for our members who are interested to register in the list of expert witness. Preliminarily, we are advised that the course will last for 60 to 100 hours. The working group will very soon invite expression of interest from our members on the registration and the course enrolment.

### Recruitment of Volunteers

Task forces or working groups are from time to time being set up under the BSD Council to deal with issues arising from consultation papers or BS-related current affairs. If you are interested to join these task forces or working groups, please contact me through email (kenyun@hkis.org.hk) or you may inform any of our Council Members.

Currently, HKIS is one of the professional institutes providing free preliminary advices on building management and maintenance issues through appointment arranged by the Property Management Advisory Centres (PMACs) operated under the Hong Kong Housing Society (HKHS). We have maintained a team of volunteers with Mr Gary Yeung as the coordinator. Our members will interview the enquiring parties to understand their building maintenance and/or management problems and provide verbal advice on possible causes as well as the way forward. No less than two members will attend each appointment and they are fully covered by Professional Indemnity Insurance of the Institute. As it is anticipated that the number of enquiries will keep increasing, we wish to recruit new blood to join our team of volunteers. If you are interested to join the team and take up this meaningful task, again please contact us in the ways as mentioned above.

### Mutual Recognition between Building Surveyors from Hong Kong and Members of China Association of Engineering Consultant (CAEC)

Our Honorary Secretary, Mr Nathan Lee attended a meeting on CEPA in Beijing in December 2009, with representatives from other Divisions and other building related professional institutes in Hong Kong, which was arranged by the Development Bureau of HKSARG. The application status of our counterpart's membership was reported. Up to now, three CAEC members have obtained HKIS membership while two BSD members are being registered to practice as engineering consultant in Guangdong.

### Results of Practical Task 2009

I am pleased to inform that 47 out of 92 candidates passed in the Practical Task and the passing rate was slightly higher than that in 2008. A summary of results is listed below. This was the first time in the past 5 years that the passing rate for first time candidates was lower than the overall one. Prospective candidates are reminded to be more equipped before taking the Practical Task. Regular discussion and review with counsellors and supervisors will be beneficial.

	2008		2009	
<b>Total Attempts</b>	<b>94</b>		<b>92</b>	
<b>Total Pass</b>	<b>43</b>	<b>45.7%</b>	<b>47</b>	<b>51.1%</b>
<b>Total Fail</b>	<b>51</b>	<b>54.3%</b>	<b>45</b>	<b>48.9%</b>
<b>First Attempt</b>	<b>58</b>		<b>52</b>	
Pass	30	51.7%	24	46.2%
Fail	28	48.3%	28	53.8%
<b>Re-sit</b>	<b>36</b>		<b>40</b>	
Pass	13	36.1%	23	57.5%
Fail	23	63.9%	17	42.5%

## HKIS Retreat 2010

All of our representatives in the General Council, Mr Vincent Ho, Mr Robin Leung and I attended the HKIS Retreat held on 16 January 2010. During this brainstorming session, we shared with representatives from other Divisions and Boards our strengths, weaknesses, opportunities and crisis. There were fruitful discussions which will aid the Institute to develop an action plan. Thanks for the input from BSD Council members before the Retreat as their suggestions were very constructive.

## Building Safety Carnival 2010



Presentation of souvenir to our President, Professor CHAU Kwong Wing

The Institute was invited to participate in the Building Safety Carnival 2010 held on 17 January 2010, which was organised by the Buildings Department, Hong Kong Housing Society and Urban Renewal Authority. The BSD and YSG jointly set up a booth with games to promote building surveying and the importance of building safety. The President visited our booth to show his support to members. We took this opportunity to distribute our DVD on the importance about regular building maintenance and management. Our booth was well received by visitors and a queue was always found in front of our booth.



Volunteers, the President and BSD Chairman at the HKIS booth

## Standard Form of Contract for Decoration, Repair and Maintenance Works 裝飾、維修及保養工程標準合約

This Standard Form of Contract is designed for small scale decoration, repair and maintenance projects with a project sum of up to HK\$400,000 without professional consultancy service. It is being sold by the HKIS Secretariat Office at HK\$20 per set (2 copies) and available in English or Chinese. I am pleased to inform you that this Form of Contract has been referred to in the recent issue of Choice Magazine (No. 399) published by the Consumer Council. We would appreciate if members could help promote this Form of Contract to your clients and working partners. In fact, it can be used even if a project is under professional consultancy service!



## General Practice Division Chairman's Message



Francis Ng GPD Council Chairman

It is far beyond my expectation that the General Practice Division has to take part in so many affairs and matters. Fortunately, we have many capable hands to help undertake the work and react on the various hot issues. Amongst all, I take this opportunity to report the following items which may be of interest to you.

### Review of Urban Renewal Strategy

The Government in mid 2008 had commenced its review of the Urban Renewal Strategy launched in 2001. The review was planned to be completed within two years in three phases, namely "Envisioning - July 2008 to January 2009", "Public Engagement - February 2009 to December 2009" and "Consensus Building - January 2010 to April 2010".

Whilst the first and second phases as mentioned above have been completed, the Development Bureau and the Urban Renewal Authority have jointly kicked off the phase three work by hosting the "**Urban Regeneration - District Aspirations Study Forum (市區更新地區願景研究交流會)**" in Noah's Ark in Ma Wan on 9 January 2010.

In the forum, various consultants as appointed by seven district councils have presented their preliminary findings of the "District Aspirations Studies" for respective districts, i.e. Central and Western, Wan Chai, Tsuen Wan, Sham Shui Po, Yau Tsim Mong, Kowloon City and Kwun Tong. Our Immediate Past Chairman Dr Lawrence Poon and Honorary Secretary Mr Tony Wan attended this fruitful session on behalf of the GPD Council.

### Guangzhou-Shenzhen-Hong Kong Express Rail Link - Meeting with Tai Kok Tsui Residents

The Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL"), a project of territory-wide significance, was authorised by the Chief Executive in Council on

20 October 2009. To make way for the XRL alignment, underground strata of private interest will have to be resumed. As such, residents of various buildings in Tai Kok Tsui where various underground strata will be resumed are very concerned about their rights and entitlement to compensations. At the request of the Highways Department, Dr Lawrence Poon, Immediate Past Chairman of the GPD Council, attended a forum held on 12 December 2009 at Mong Kok Kai Fong Association Service Centre to address the concerns of the residents on various land compensation issues under the Railways Ordinance by virtue of which the XRL was gazetted and authorised.

### Membership Reciprocity with the China Institute of Real Estate Appraisers and Estate Agents (CIREA)

The working group held its first meeting in late December 2009 and resolved to work out a timetable within the first quarter of 2010. As a training programme may have to be formulated for the HKIS GPD members, the earliest the reciprocity arrangement can be arranged is towards the end of the second quarter of 2010.

### CPD Events

Our newly appointed CPD Events Convenor, Mr Simon Poon has been actively organising some interesting events for our GPD members. Tentatively, he plans to organise a number of seminars in 2010 on topics such as "Light Pollution", "E-system in Building Services Operation and Maintenance", "Duty and Liability of Expert Witness, Independent Valuer and Arbitrator", "Surveyors to Apply Finance and Stock Market Knowledge in Daily Work", "Wine Knowledge and its Investment Opportunity" and etc. In addition to the aforesaid, we welcome suggestions and assistance. Kindly express your views by dropping an email to Simon's email address at [pswke@landsd.gov.hk](mailto:pswke@landsd.gov.hk).

## Land Surveying Division Chairman's Message



Simon Kwok LSD Council Chairman

### Amendment of Land Survey Ordinance and Determination of Land Boundaries

The Legislative Council Joint Subcommittee on Amendment to Land Titles Ordinance under the Panel on Development and Panel on Administration of Justice and Legal Services had discussed the subject on determination of land boundaries and amendment of the Land Survey Ordinance (LSO) in the meetings held on 7 October and 7 December 2009 respectively. The Administration had presented papers (paper No. CB(1)538/09-10(01)) and briefed the Subcommittee members the proposed system of determination of land boundaries and the related amendment to LSO. Under the proposal, an authorized land surveyor shall deliver the plans and survey report of land subdivision to the Land Survey Authority for checking before registering these instruments in the Land Registry ("check before registration"). This is a great improvement to the existing "registration before check" system. The LSD has studied the proposal and submitted comments to the Subcommittee, in particular, on the defect of the existing "registration before check" system, the hardship caused to authorized land surveyors and the potential disputes caused between the future vendor and purchaser of the property. We have also requested the Administration to consider introducing an appeal mechanism to review the decision made by the Director of Lands in relation to determination of boundaries. The LSD's submission (paper no. CB(1)639/09-10(01)) can be found at the LegCo website (<http://www.legco.gov.hk/yr09-10/english/panels/lto/papers/ltoeb1-639-1-e.pdf>).

### Contribution of the Land Surveying and Geomatics Profession to Infrastructure Projects

The opening ceremony of the poster design competition on "Contribution of the Land Surveying and Geomatics Profession to Infrastructure Projects" was held on 30 December 2009. The competition participants were students of the Department of Land Surveying and Geo-Informatics of the Hong Kong Polytechnic University (LSGI, HK PolyU). The purpose of organising this event was to promote the land surveying and geomatics services to professionals, employers and the general public. It also enabled geomatics students to understand the role of

a land surveyor in infrastructure projects. Thanks to the HKIS voluntary advisors, Mr Ronald Chan, Mr YC Chan, Mr TY Chung, Mr Stanley Kar, Mr Penfield Lau, Mr Victor Ng, Mr Terry Sham, Mr TN Wong, Mr Frankie Yip, Mr KM Yiu and Mr SC Yu, who will give guidance to the students in the coming months and help them to understand the services and the contribution of our profession. We will organise site visits to the infrastructure project sites and organisations for the students to see the surveyors in action and how they work with their counterparts. This event is jointly organised by HKIS (Land Surveying Division), RICS Hong Kong (Geomatics Professional Group and Matrics) and the HK PolyU (LSGI and its Alumni Associations).



### Meeting with the Ministry of Housing and Urban and Rural Development (住房和城鄉建設部)

The HKIS delegation consisting of representatives from the LSD, QSD, BSD, GPD and PFMD attended the meeting (第 12 次專業資格互認聯合工作會議暨 2 次"內地與香港執業資格互認、註冊、執業研究小組"會議) organised by the Development Bureau of HKSAR and the Ministry of Housing and Urban and Rural Development (住房和城鄉建設部) at Beijing on 15 December 2009. In the meeting, the delegates from Hong Kong and the Mainland reported the achievements in the past year and the work planned for the coming year. For the land surveying profession, we have requested the Development Bureau to liaise with the Mainland counterpart to arrange a meeting for us to meet with them for understanding the progress of implementation of Registered Land Surveyor (註冊測繪師) in the Mainland.

## Planning & Development Division Chairman's Message

*Francis Lam PDD Council Chairman*

The newly formed Planning and Development Divisional Council (the "Council") held its first meeting on 11 January 2010. The primary objectives of the Council will be to enhance communication and cohesion of all members within the Planning and Development Division (the "PDD") as well as to promote the Division's professionalism and external recognition.

This year, the Council is going to organise not less than five CPD events on various topics concerning land-use planning and property development. We shall also support the HKIS to organise the 兩岸四地土地研討會 which will be held in Hong Kong in mid 2010. Moreover, we are prepared to arrange technical visits to Guangzhou or other Asian cities for our continued learning process. To facilitate further development of proper connection with our counterpart in the Mainland China, the Council has planned to visit the relevant government authorities and professional bodies in Beijing later this year. Certainly, we shall let members have more details of our activities through this column.

Prior to the first Council Meeting, a PDD Accreditation Working Group led by Mr Edwin Tsang, our Immediate Past Chairman, together with Mr Francis Lau Tak and Mr Francis Lam had paid an official visit to the Building and Real Estate Department of the Hong Kong Polytechnic University on 17 December 2009 evening. The Working Group exchanged views with the Department's Associate

Head Professor Albert Chan, Scheme Chair Dr YH Chiang and Dr KK Lo on the course content of the BSc (Hons) Course in Real Estate with a view to facilitating the grant of the Division's accreditation on the course. The aforesaid discussion was very useful and the Working Group will make its recommendation to the HKIS Board of Education shortly.

On 9 January 2010, Mr Edwin Tsang represented the Division to attend a forum (市區更新願景交流會) co-organised by the Urban Renewal Authority and the Development Bureau at the Noah's Ark, Ma Wan. It was a good opportunity for us to understand and share our views with other stakeholders in the community regarding the urban renewal strategy review.

As a member of FIG (International Federation of Surveyors), the HKIS has prepared to send a delegation led by the Vice President to attend the FIG World Congress 2010 to be held in Sydney from 11-15 April 2010. In this connection, PDD Council has agreed to nominate Mr Edwin Tsang (the Immediate Past Chairman) to join the HKIS delegation. In particular, it is our primary objective that the Division's professional enhancement and external recognition could be advocated through Mr Tsang's participation in the events of FIG Commission 8: Spatial Planning and Development. We very much hope that, through our active engagement in FIG, our Division's international linkage will be enhanced.

Thanks to the effort of our Vice Chairman, Mr James Pong, we have already invited Dr Chan Lai Kiu, Director of Design and Project of the Hysan Development Company Limited to deliver a CPD talk on "Adding Value through Design" in late March/early April. More details of this CPD talk will be announced by the HKIS Secretariat in due course.

Lastly, on behalf of the Council, may I extend our best wishes to all our members for the Year 2010. My fellow Council Members and I are looking forward to your valuable contributions so that 2010 will be a year of great achievements for the Planning and Development Division.



# Summary of HKIS CPD / PQSL Events

23 Feb - 24 Apr 2010

DATE	CODE	EVENT	CPD HOUR(S)	SPEAKERS	RUN BY
23 Feb	2010016	Financial claims for more money under the HK Government standard form of Building Contract	1.5	Peter Berry	QSD
01 Mar	2010023	Revitalising Industrial Buildings	1.5	Laurie Lo	PDD
03 Mar	2010012	Building Information Modeling (BIM) - Revolution of Building Industry	1.5	Elvis Li	QSD
06 Mar	2010022	HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011 Basic knowledge on Measurement, General Contract Administration Documentation and Contract Documentation (Cont'd)	3	K C Tang	QSD
11 Mar	2010019	Adding Value Through Design	1.5	Dr Chan Lai Kiu	PDD
15 Mar	2010017	Environmental Law for Facilities Managers	1.5	James Kenneth Pong, Francis Yeung	PFMD
18 Mar	2010010	How surveyors can apply finance and stock market knowledge in daily works to become a better professional?	1.5	Phemey Pon	GPD
19 Mar	2010014	HKIS QSD Pre-qualification Structured Learning (PQSL) Series 2010 - 2011 Real Estate Development	2	Experienced Practitioners, Academics and APC Assessors	QSD
23 Mar	2010024	NEC3 Forms of Contract - Introduction and Critical Appraisal	1.5	Ian Heaphy	QSD
25 Mar	2010018	Building Operation and Maintenance in the 21st Century	1.5	Ir Professor Daniel W.T. Chan Ir Philip K.S. Pih	GPD
13 Apr	2010013	Future Trends and Innovations in Dispute Resolution	1.5	Nicholas Longley	QSD
15 Apr	2010015	Wine Knowledge for Business Occasions and Wine Investment	1.5	Karl Lung	GPD
24 Apr	2010021	HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011 Basic Estimating and Pricing Techniques	3	Experienced Practitioners, Academics and APC Assessors	QSD

## STANDARD RESERVATION FORM

Event Date(s) : \_\_\_\_\_ Event Code : \_\_\_\_\_

Event Name : \_\_\_\_\_

### Member details

Surname : \_\_\_\_\_ Other names : \_\_\_\_\_

Grade of membership\* : F  M  TA  P  TT  S  HKIS No. : \_\_\_\_\_

Division\* : BS  GP  LS  PD  PFM  QS

Postal address (only to be completed if the address is different from your membership record details):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tel no. : \_\_\_\_\_ Fax no. : \_\_\_\_\_ E-mail : \_\_\_\_\_

### Payment method

- I enclose a cheque payable to "Surveyors Services Ltd". Cheque no. \_\_\_\_\_ Amount HK\$ \_\_\_\_\_
- Please charge my HKIS Titanium MasterCard/Visa Platinum Card (Shanghai Commercial Bank Limited)
- Please charge my American Express card

Ref.: [ ]

### To: Credit Card Service Department

I would like to pay the reservation fee HK\$ \_\_\_\_\_ to Surveyors Services Limited by charging my Credit Card account as follows:

Cardholder Name : \_\_\_\_\_ HKIS No. : \_\_\_\_\_

Card Number : \_\_\_\_\_ Expiry Date : \_\_\_\_\_ / \_\_\_\_\_

Cardholder's Signature : \_\_\_\_\_ Date : \_\_\_\_\_

**For Bank Use Only**

Approved by :

Date:

### Notes

- A separate reservation form is required for each event / application. Photocopies of the form are acceptable.
- Reservations should be returned by post/ by hand to the HKIS office.
- Payment can be made by cheque or by Credit Card (Shanghai Commercial Bank Ltd./American Express)
- A **separate** cheque or Credit Card payment instruction form is required for each event / application.
- Reservation by fax, telephone and cash payment is not acceptable.
- For number of seats or priority of allocation of seats, please refer to the individual event details.
- Reservation cannot be confirmed until one week prior to the event.
- An official receipt/ admission ticket, which must be presented at the event, will be returned by post upon confirmation of reservation.
- Incomplete or wrongly completed reservation forms will not be processed.
- In the event a Typhoon Signal No. 8 or above or Black Rainstorm Warning is hoisted, the event will be postponed and a new arrangement will be announced. Should the aforesaid warnings be lowered 4 hours before the event, the event will proceed as normal.
- If you have not received any reply from our Institute within 7 days of the event, you may call HKIS at 2526 3679 to check the progress of your reservation.





## CPD/QSD/2010016

### Financial claims for more money under the HK Government standard form of Building Contract



**Speaker** Mr Peter Berry

**Date & Venue** 7:00 pm- 8:30 pm Tuesday 23 February 2010 SLC, HKIS

**Details** Peter Berry is a qualified Quantity Surveyor for near 50 years. He is a Fellow of the Chartered Institute of Arbitrators and a Mediator accredited by the Hong Kong International Arbitration Centre. He joined Hong Kong Government Architectural Office, Q.S. Branch in 1966 and became Architectural Office's Contract Adviser for ten years, when promoted to look after claims and eventually to advise on the review of Hong Kong Government's standard forms of contract and various technical circulars including the arbitration and mediation "rules" for Government construction contracts. Mr. Berry was the Principal Assistant Secretary in the Works Branch (now Bureau) chairing the Conditions of Contract Committee and was involved in the drafting of the domestic sub-contract form used in conjunction with Architectural Services Department contracts.

After retirement, he assisted with various contractual disputes in the both Government and non-Government environments, he has helped Hong Kong Construction Association as their consultant on construction and contractual policy matters including the new Standard Form of Building Contract 2005 (in conjunction with the HKIA, HKIS and HKICM) and in preparing the accompanying Guidance Note.

The speaker will discuss the intended meaning and application of the words in GCC Clause 64(2) of HKG's Building contract "If the Contractor intends to claim any additional payment under the provisions of any Clause...." and the potential for misunderstanding that exists.

<b>Language</b>	English	<b>Fee</b>	HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)
<b>Deadline</b>	17 February 2010	<b>Priority</b>	Given to QSD Members; first come first serve basis

## CPD/PDD/2010023

### Revitalising Industrial Buildings



**Speaker** Mr Laurie Lo, Head of Development Opportunities Office, Development Bureau, HKSAR Government

**Date & Venue** 7:00 pm- 8:30 pm Monday 1 March 2010 SLC, HKIS

**Details** The Chief Executive announced in his 2009-10 Policy Address new measures to promote revitalisation of old industrial buildings through encouraging redevelopment and conversion of vacant or under-utilised industrial buildings. The objective is to provide readily available and suitable land and premises to meet Hong Kong's economic and social needs, including the development of higher value-added economic activities. The Development Bureau has recently told the LegCo that a package of new measures will soon be introduced to facilitate redevelopment or conversion of industrial buildings into other uses.

In this seminar, Mr Laurie Lo, Head of the Development Opportunities Office of Development Bureau, will brief members on -

- policy objective of HKSAR Government to address the challenges of revitalizing old, vacant or under-utilized industrial buildings;
- measures and initiatives to encourage property owners to carry out conversion, or redevelopment, of industrial buildings into other uses; and
- what assistance Government will provide to facilitate owners of industrial buildings in this connection.

# CPD/PQSL EVENTS

<b>Language</b>	Bilingual (English and Cantonese)	<b>Fee</b>	HK\$120 for member; HK\$150 for non-member/walk-in participant (subject to availability)
<b>Deadline</b>	22 February 2010	<b>Priority</b>	First-come-first-served

## CPD/QSD/2010012

### Building Information Modeling (BIM) - Revolution of Building Industry



**Speaker** Mr Elvis Li

**Date & Venue** 7:00 pm- 8:30 pm Wednesday 3 March 2010 SLC, HKIS

**Details** Mr Elvis Li, VP and Director of Tecton Limited, the leading building information modeling consultant in Hong Kong and China. With Mr. Li's 8 years experience in Government, developer, designer and contractor and over 7 years experience of planning and implementing BIM and BLM project, he has successfully created a series of value added services for building industry from feasibility study to facility maintenance phase. He has managed over 50 BIM projects in Hong Kong, Shanghai, Beijing, Tokyo and Mumbai. He is also the board member of Hong Kong Institute of Building Information Modeling.

Building Information Modeling (BIM) is becoming a hot topic among all engineers and consultants in the Building and Construction industry in recent years. It aims to help all disciplines to communicate better and save cost when integrated with different technology like virtual prototyping, virtual reality (VR), RFID and web.

This talk shows real cases how BIM helps project team to improve the communication among the project design team, enhanced the efficiency on checking the building constructability and functionality and shortened the time design alternative study and confirmation, coordinated services drawings and enhanced the efficiency of building handover to Facilities Manager/Tenants.

<b>Language</b>	Cantonese supplement with English	<b>Fee</b>	HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)
<b>Deadline</b>	24 February 2010	<b>Priority</b>	Given to QSD Members; first come first serve basis

## PQSL/QSD/2010022

### HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011 Basic knowledge on Measurement, General Contract Administration Documentation and Contract Documentation (Cont'd)



**Speaker** Mr. KC Tang, FHKIS, FRICS, RPS(QS), AVS, Managing Director of KC Tang Consultants Ltd. (Quantity Surveyors, Construction Cost and Contract Consultants), with over 30 years' professional experience in quantity surveying.

**Date & Venue** 2:30 pm- 5:30 pm Saturday 6 March 2010 SLC, HKIS

**Details** This seminar is a continuation of the talk on 16 Jan 2010, it is part of the HKIS QSD PQSL Series 2010 - 2011 and aims to enhance candidates' knowledge in:

- a) Measurement aspect
- Apply the industry standard methods of measurement (e.g. SMM4, measurement principle, preamble, etc.).
  - Organize and supervise the measurement, billing, editing, checking, printing and dispatch process.

# CPD/PQSL EVENTS

- b) General contract administration documentation aspect
  - Interpret the use of contract administration document (e.g. format of interim payment, tender analysis report, financial report and final account report, etc.).
- c) Standard contract document aspect
  - Interpret contract document (e.g. Form of tender, tender/contract drawing, condition of tender, standard contract conditions, supplementary contract conditions, specification, letter of intent and BQ, etc.).

Language	English	Fee	HK\$100 per person, HK\$50 for student member (HK\$20 walk-in surcharge for all pricings listed)
Deadline	26 February 2010	Priority	Given to QSD Probationers and Students

## CPD/PDD/2010019

### Adding Value Through Design



Speaker	Dr. Chan Lai Kiu, Director, Design and Project of Hysan Development Co. Ltd.  HKU Graduate 1986; Ph D. Graduate 1998; Design Director in P&T Architects and Engineers Ltd from 1986 to 2008; Part-time teacher, writer and artist, and currently Vice Chairman of Hong Kong Architecture Centre		
Moderator	Mr. James Kenneth Pong, Master of Corporate Governance (Distinction), FHKIS, FRICS, FCIArb., MBEEng., F.PFM., Chartered Town Planning, Chartered Secretary, Authorized Person, Barrister.		
Date & Venue	7:00 pm- 8:30 pm Thursday 11 March 2010 SLC, HKIS		
Details	Dr. Chan is an expert and brilliant architect with dozens of local and international award. Having experiences in designing buildings for different nature and scale, and leading a design team in a renowned architectural firm and now in a real estate company, Dr. Chan will share her insights on optimizing and enhancing the value of a development through her works and other examples.		
Language	Cantonese	Fee	HK\$120 for HKIS/RICS Members; HK\$150 for non members/ walk-in participants (subject to availability)
Deadline	4 March 2010	Priority	First-come-first-served

## CPD/PFMD/2010017

### Environmental Law for Facilities Managers



Speakers	Mr James Kenneth Pong, FHKIS, FRICS, FCIArb., Chartered Town Planner, Chartered Secretary, Authorized Person, Barrister  Mr Francis Yeung, BSc (Hons), MEnvEngSc, LLB (Hons), MICE, MHKIE, MIEAust, CPEng Francis is a Chartered Civil Engineer by profession. He has obtained a Bachelor of Law degree and currently works as a prosecution officer in the Central Prosecution Unit of the Environmental Protection Department.		
Date & Venue	7:00 pm- 8:30 pm Monday 15 March 2010 SLC, HKIS		
Details	The speakers will provide an overview of the environmental law for facilities managers, covering the air & noise pollution issues, and waste & water treatments relating to facility management.		

# CPD/PQSL EVENTS

Language	English	Fee	HK\$100 per person
Deadline	1 March 2010	Priority	First-come-first-served

## CPD/GPD/2010010

### How surveyors can apply finance and stock market knowledge in daily works to become a better professional?



**Speaker** Mr Phemey Pon

He is the founder and managing director of Centaway Property Asset Management Limited. He is a qualified general practice surveyor and has a master degree in finance from Chinese University of Hong Kong.

He has a lot of practical experiences in successfully helping international property funds and Hong Kong listed companies to sources deals in places like Mainland China, Vietnam and Papua New Guinea.

**Date & Venue** 7:00 pm - 8:30 pm Thursday 18 March 2010 SLC, HKIS

**Details**

1. Based on the speaker experiences, he will explain how those property fund and finance background knowledges helping him to become a better professional.
2. How the basic financial models can be applied in property / asset valuation?
3. How those knowledges can help us to spot more business and personal wealth making opportunities?
4. How can we acquire those knowledges in a cost effective way?
5. In a broad perspective, what stages of economic cycles are we in and how can we prepare ourselves to capture the upcoming opportunities.

Language	Cantonese supplemented by English	Fee	HK\$100 per person, HK\$120 per person for walk-in participants (subject to availability)
Deadline	4 March 2010	Priority	GPD Members

## PQSL/QSD/2010014

### HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011 Real Estate Development



**Speakers** Experienced Practitioners, Academics and APC Assessors

**Date & Venue** 7:00 pm- 9:00 pm Friday 19 March 2010 SLC, HKIS

**Details** This seminar is part of the HKIS QSD PQSL Series 2010 - 2011 and aims to enhance candidates' knowledge in:

- Identifying organizational processes and mechanisms involved in implementing economic policies, and their impact on real estate development.
- Identification, selection, assembling and analysis of data relevant to carrying out development appraisals using the appropriate technique and methodology.
- Identifying factors affecting the ability to obtain finance for investment projects, identify appropriate sources of finance, and the principles for securing finance for different developments.
- Applying principles of development process to a project and relate these to the client's objectives in the project.

Language	English	Fee	HK\$100 per person, HK\$50 for student member (HK\$20 walk-in surcharge for all pricings listed).
Deadline	9 March 2010	Priority	Given to QSD Probationers and Students

## CPD/QSD/2010024

### NEC3 Forms of Contract - Introduction and Critical Appraisal



**Speaker** Mr Ian Heaphy

**Date & Venue** 7:00 pm- 8:30 pm Tuesday 23 March 2010 SLC, HKIS

**Details** Ian Heaphy is a Partner of EC Harris LLP. Ian is a Service Expert for Procurement and Contract Strategies and a recognised expert in the development and implementation of innovative procurement strategies with particular expertise around frameworks and partnering / alliance agreements and cost reimbursable contracts for major programmes or work.

He is experienced in most major forms of contract including FIDIC, ICE and PPC International and is an authority on the NEC forms of contract. Ian has worked across all sectors of the industry and in particular, infrastructure, industrial, public and regeneration. Ian has spoken at numerous events on legal and technical issues and has had several articles published in construction.

Ian is an accredited trainer as well as an active member of the NEC User Group.

The Hong Kong construction industry has typically followed traditional contract strategies. The local government has however maintained an interest and tracked the development of the NEC in the UK. Contractual partnering and collaborative working techniques are seen by many in the industry as a key step forward, with NEC3 seen as being at the forefront of this style of working. The government is actively considering through various departments a series of pilot projects to use NEC3, and EC Harris is pleased to be working with DSD on the first pilot project, and also HyD on the second pilot project.

The evening talk will consist of a brief overview that will cover the following: -

- NEC key characteristics
- The Contract Documents
- The Main Roles and Responsibilities
- Key overriding philosophy
- The Main Options
- Summary of the key principles

**Language** English

**Fee** HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)

**Deadline** 9 March 2010

**Priority** Given to QSD Members; first-come-first-served

## CPD/GPD/2010018

### Building Operation and Maintenance in the 21st Century



**Speakers** Ir Professor Daniel W.T. Chan, BSc, MPhil, PhD, RPE, CEng, FHKIOA, FBSOMES, FCIBSE, MHKIE, MIMechE, MASHRAE, MIOA

Ir. Philip K.S. Pih, FBSOMES, MHKIE, MASHRAE, MRSES, MHIREA, RPE(BS)

**Date & Venue** 7:00 pm- 8:30 pm Thursday 25 March 2010 SLC, HKIS

# CPD/PQSL EVENTS

**Details** Professor Chan is a Professor in the Department of Building Services Engineering of the Hong Kong Polytechnic University. He proposed the integrated IEQ model in mid-1990s. Since 2004, he has started to launch a noble concept of building quality - the Sustainable Immunized Building. His group has developed a wide range of concepts, models and tools to deal with a harmonious quality between health and sustainability in buildings. The outputs are packaged into an innovative web-application platform namely electronic operation and maintenance platform (EOMP) and integrated building management database (IBMD).

Ir. Pih is currently a lecturer at the Hong Kong Polytechnic University Building Services Department. He joined the building operation and maintenance industry over 40 years ago. During his tenure at Sun Hung Kai Properties Limited, he was assigned to organize the Mechanical and Electrical Team for the Construction Department. Ir. Pih was also a key founder of Hong Kong Building Commissioning Centre (IVE) and Building Services Operation and Maintenance Executives Society (BSOMES). He also served as the president of BSOMES from 2002 to 2004.

The building operation and maintenance industry in Hong Kong has a history of more than sixty years. During these sixty years, the industry has faced many challenges, such as the 1973 energy crisis, computerization of building operations, and communicable disease outbreaks (such as SARS and the H1N1 Flu). In recent years global warming and energy conservation have also become important issues within the industry. To overcome these challenges, the industry must develop good practices and effective measures. In this seminar, Prof. Chan and Ir. Pih will share with us the past and the present of the building operation and maintenance industry, good practices, and how to cultivate these good practices.

<b>Language</b>	Cantonese supplement with English	<b>Fee</b>	HK\$100 per member; HK\$120 per person for walk-in participants (subject to availability)
<b>Deadline</b>	11 March 2010	<b>Priority</b>	First-come-first-served

## CPD/QSD/2010013

### Future Trends and Innovations in Dispute Resolution



**Speaker** Mr Nicholas Longley

**Date & Venue** 7:00 pm- 8:30 pm Tuesday 13 April 2010 SLC, HKIS

**Details** Nicholas Longley is a specialist construction lawyer and a partner at JSM. He qualified as a lawyer in England in 1992 and has been in Hong Kong for over 11 years. He advises governments, main contractors, subcontractors, insurers and design professionals on construction, engineering, professional indemnity, insurance law, contract preparation and dispute resolution, particularly in mediation and arbitration. He advises on disputes in Hong Kong, Asia Pacific and the Middle East and has delivered talks in various seminars. Nick is also the editor of the Lighthouse Club Magazine.

There has been a sea change in the approaches to dispute resolution over the past year and further changes still to come. There have been substantial reforms to the court procedure and a major reform of the Arbitration Ordinance is expected shortly. Nick Longley will describe those changes and explain what you will need to know to manage disputes under the new regime.

<b>Language</b>	English	<b>Fee</b>	HK\$120 per member; HK\$150 for non-member (HK\$20 walk in surcharge for all pricings listed)
<b>Deadline</b>	30 March 2010	<b>Priority</b>	Given to QSD Members; first come first serve basis

## CPD/GPD/2010015

### Wine Knowledge for Business Occasions and Wine Investment



**Speaker** Mr Karl Lung, MBA, CFA, AIWS

Mr. Lung is a professional in both wine and investment. Mr. Lung holds the Diploma in Wines and Spirits issued by the UK based Wine & Spirit Education Trust (WSET) and is an Associate of the Institute of Wine and Spirit and a WSET Certified Educator. He is the Principal Lecturer of the Hong Kong Wine Academy, and has been teaching WSET courses since 2007.

Mr. Lung is also an experienced professional; include 9 years as Portfolio Manager with ABN AMRO Asset Management and 7 years as investment analysts mostly with major international brokerage houses. Currently, he is the President of The Hong Kong Society of Financial Analysts.

**Date & Venue** 7:00 pm- 8:30 pm Thursday 15 April 2010 SLC, HKIS

**Details** With the increasing popularity of wine drinking in Hong Kong, wine is more and more likely to be ordered and/or consumed in business occasions. Good knowledge in wine can avoid unnecessary embarrass situations, or may even help to break the ice and be a good warm up for the subsequent meetings. This seminar will help those with no or limited wine knowledge to gain basic understandings in wine and the related table manner. In addition, Mr. Lung will also give an introduction to the aspects of wine investments as well.

**Language** Cantonese supplement with English      **Fee** HK\$100 per member; HK\$120 per person for walk-in participants (subject to availability)

**Deadline** 1 April 2010      **Priority** First-come-first-served

## PQSL/QSD/2010021

### HKIS QSD Pre-Qualification Structured Learning (PQSL) Series 2010 - 2011 Basic Estimating and Pricing Techniques



**Speakers** Experienced Practitioners, Academics and APC Assessors

**Date & Venue** 2:30 pm- 5:30 pm Saturday 24 April 2010 SLC, HKIS

**Details** This seminar is part of the HKIS QSD PQSL Series 2010 - 2011 and aims to enhance candidates' knowledge in estimating and pricing techniques including:

- Order of costs for major const. work.
- Search and analysis cost data, tender price index, making adjustment to historical data.
- Build up prime cost rates, preliminaries items, overhead/profits items.
- Employing appropriate estimating techniques in different stage of development.

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

**Deadline** 9 March 2010      **Priority** Given to QSD Probationers and Students

# The First Outstanding BRE Alumni Award 首屆傑出理大建築及房地產學系校友選舉

# 2010

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Nomination Deadline  
19 March 2010



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## Department of Building and Real Estate (BRE)

- Has over 70 years' history and strong alumni network
- Is a leading academic entity internationally in the building and real estate field
- Offers a range of preferred programmes with professional recognition and accreditation
- Consists of multi-disciplinary academic and teaching staff with strong track record in research and practical experiences

## Nominations

The nominated candidate must be a bona fide graduate who has successfully completed regular full-time or part-time programmes offered by BRE (forerunners: "Building Department", "Department of Building, Surveying and Structural Engineering" and "Department of Building and Surveying") which lead to academic awards offered by the Department.

## Awards for Winners

Each winner will receive a First Outstanding BRE Alumni Award trophy while proposers of the award winners will receive souvenirs.

The winners of our First Outstanding BRE Alumni Award will be honoured as nominees by BRE for the next-round of Outstanding PolyU Alumni Award.

- Conducts innovative and application-oriented research activities with significant research publications
- Provides consulting services for a large number of organizations in both the public and private sectors
- Maintains close links with the industry and the professional institutions such as CIOB, HKICM, HKIE, HKIH, HKIS, RICS

## BRE Alumni who won Outstanding PolyU Alumni Awards

Dr. the Hon. Leung Chun Ying 梁振英博士  
Ir Prof. Ng Sai Ho 吳世豪教授、工程師  
Dr. Alex Cheung Kwok Wai 張國維博士  
Mr. David C. Lee 李頌熹先生  
Prof. Kenneth Pang Tsan Wing 彭贊榮教授  
Prof. Liu Sing Cheong 廖勝昌教授  
Mr. Marco Wu Moon Hoi 鄔滿海先生  
Mr. Ng Wing Hong 伍永康先生  
Mr. Thomas Ho On Sing 何安誠先生



# Property & Facility Management Division Chairman's Message



Gary Yeung PFMD Council Chairman

## Proposed Reciprocal Recognition with the Hong Kong Institute of Housing

As members may be aware an Open Discussion Forum was arranged by the Council on 4 January 2010 with a view to gather PFM members' comments in this respect. The Forum was well attended by some 40 members. Debate indeed did not simply end with the Forum but was held in several other occasions. I would like to take this opportunity to thank those members who attended the Forum and others who have offered constructive advice to the Council. Owing to the diversified opinions received, it was decided by the Council in its meeting of the same evening to conduct a Division-wide members' opinion survey. To this end, a questionnaire will be prepared and sent out to all PFM members shortly. Please let the Council know your comments when you receive the questionnaire.

## Listing of Organisations providing Property and Facility Management Services

The Council intends to maintain a list of organisations providing professional consultancy services of property and facility management surveying in our Divisional web page. Any interested organisation may download the application form from the Division's web page at [http://www.hkis.org.hk/hkis/html\\_pfm/index.jsp](http://www.hkis.org.hk/hkis/html_pfm/index.jsp) and return it together with the required documents to the HKIS Secretariat Office. It was decided by the Council that listing would not be confined to limited companies but may be extended to include non-government organisations.

Please note that organisations wishing to be listed must fulfill the following requirements:

- 1 Being an organisation registered in Hong Kong;
- 2 Being an organisation providing professional services of property and facility management surveying; and
- 3 Having at least one Corporate Member of the Institute (in the Property and Facility Management Division) working full-time in a senior position.



## Proposed Reciprocal Recognition with the China Property Management Institute

As a follow-up action of our Vice Chairman's visit to Beijing in December 2009, Dick Kwok prepared a letter, which was signed by our President, and sent it to the China Property Management Institute (中國物業管理協會) on 7 January 2010 inviting its 謝家瑾會長 and other Council officials to visit our Institute. A copy of the letter is attached herewith for members' reference. The Council will update PFM members regularly on any future development.

**THE HONG KONG INSTITUTE OF SURVEYORS**

中國北京三里河路 15 號  
中環大廈 B 座 9003 室  
郵政：100037  
中國物業管理協會  
啟：謝家瑾 會長

尊敬的謝會長：

您好。 值此新年之始，謹代表香港測量師學會祝願 貴會所有會員新年進步，會務發展蒸蒸日上。

本屆來賓團于本會「物業設施管理組」副主席 郭培忠先生于二零零九年十二月十五日在北京參與了由中國人事局副司理趙曉娟小姐及香港發展商協會副會長陳樹強先生共同主辦之第十一次專業資格互認聯合工作會議暨第一次「內地與香港執業資格互認、註冊、及執業研究小組」會議期間，與 貴會宣傳組主任王顯先生就兩會會員資格互認方面進行了初步的探討。 會議中更就雙方互為中方及港方的對口單位得到中方團長趙曉娟小姐及港方團長廖耀波先生正式確認，兩會(中國物業管理協會及香港測量師學會物業設施管理組)可以正式就雙方資格互認方面進行實質性的會談。

為此為了給予 貴會多點了解本會的背景、發展、國際認可及會員資格等等，本人謹代表本會恭意邀請謝會長、副會長、秘書長、副秘書長、王顯主任及其他會員訪問本會，以達彼此加添了解及交流，相信對今後兩會加強合作上足必有莫大的裨益。

祈能早日復函作實。

順祝 安康！

(手寫簽名)  
「會」 梁耀庭  
香港測量師學會會長  
二零一零年一月七日

副本抄： 趙曉娟小姐 人事司 副司理  
唐錫波先生 發展局首席助理秘書長  
王顯先生 中國物業管理協會宣傳部主任  
楊文佳先生 香港測量師學會物業設施管理組主席  
郭培忠先生 香港測量師學會物業設施管理組副主席

香港測量師學會

香港中環皇后大道中 1 號德輔道中 903 室  
Suite 901, 8/F, Jardine House, 1 Des Voeux Road, Central, Hong Kong  
Telephone: 2520 9679 Fax: 2520 9312 E-mail: info@hkis.org.hk Web Site: www.hkis.org.hk

## CPD Events Update

It is our pleasure to have invited Fellow Member, Mr James Pong, to speak in the evening of 15 March 2010. He will brief members jointly with his colleague, Mr Francis Yeung, of the Environmental Protection Department, on the essential environmental law affecting property and facility management surveyors. This will be the first of a series of similar seminars arranged by our Division. Please check for more details in the CPD section of this Surveyors Times.

Another upcoming event which will be organised in April 2010 concerns Heritage Conservation in Hong Kong. Please watch out for more details in the next issue of Surveyors Times.

## Quantity Surveying Division Chairman's Message



*Daniel Ho QSD Council Chairman*

Kung Hei Fat Choy and wishing you all a happy and healthy year of the Tiger.

The economy of Hong Kong has bounced back significantly since the 2<sup>nd</sup> quarter last year. I wish the construction industry will grow continuously together with the local economy.

### 2010 year plan

The first Council meeting was held on 7 January 2010. A year plan was agreed with the following key tasks:

- To arrange training and assessment for the second lot of QSD members as registered cost engineers in Mainland;
- To arrange application of registration as Cost Engineers in the Mainland for qualified members;
- To prepare for the 2014 PAQS Congress in Hong Kong and to enhance collaboration with those institutes having signed reciprocity agreements with HKIS;
- To publish standard documentation such as maintenance contracts and practice guidelines;
- To promote the quantity surveying profession to the public and students in secondary schools and universities, and to attract young new blood to the profession; and
- To arrange training courses for fresh graduates and members.

In addition, the Quantity Surveying Division's annual dinner will be held in the 2<sup>nd</sup> quarter of this year. The dinner will provide a golden opportunity for mingling between members. You will be informed of the details once they are available.



In order to accomplish those tasks, the following sub-committees/task forces led by the respective chairpersons or convenors have been established:

Sub-committees/Task Forces	Chairperson/Convenor
Mainland Sub-committee	Mr Stephen Lai
International Sub-committee	Mr TT Cheung
Contract Sub-committee	Mr Daniel Ho
SMM Review Sub-committee	Mr Sam Cheng
Information Technology Sub-committee	Ms Tzena Wong
CPD Sub-committee	Ms Kathy Cheung
Professional Practice Sub-committee	Mr Raymond Kong
Promotion, Social and Public Affairs Sub-committee	Mr Joseph Chong
Divisional Education Sub-committee	Mr Raymond Kam
Video Production for QS Profession Sub-committee	Mr KS Yam
QSD Annual Dinner Organising Sub-committee	Mr Thomas Ho
Education and Research Task Force	Mr Thomas Ng
Training Committee	Mr Sunny Chan
2010 Shanghai Conference Organising Committee	Mr Sam Cheng
2014 PAQS Congress Organising Committee	To be confirmed
New Members' Welcoming Organising Task Force	Ms Tzena Wong
Panel of writers	Mr Thomas Ho

Members are cordially invited to join the above sub-committees/task forces by sending an e-mail to [info@hkis.org.hk](mailto:info@hkis.org.hk).

### Young Surveyors Group Chairman's Message

Jeffrey Wong YSG Committee Chairman



After a wonderful and joyful Christmas holiday, we finally said goodbye to 2009 and welcomed a new year!

### Youth Forum - Public Engagement Exercise

On 20 December 2009, a group of our YSG members were invited to attend a Youth Forum - Public Engagement Exercise, which was organised by the West Kowloon Cultural District Authority (WKCD). Over 160 youths, including university students and young workers, came together to express their views and aspirations for the WKCD. '拉闊想像 理想共享 齊建你我西九' Vivien Chan, David So, Arthur Cheung, Freddy Wan, Kent and myself, learned a lot from the event.



### Building Safety Carnival 2010

The event was held on 17 January 2010 in Victoria Park. A group of helpers from the YSG helped with the event by manning a games booth. The audience and participants had a lot of fun. Our President, Professor CHAU Kwong Wing also came and supported the event.



### Education and Careers Expo 2010

The Careers' Expo is one of the annual events for students and youngsters to learn more about our industries. This year, the event will be held on 4 to 7 February 2010 at the Hong Kong Convention and Exhibition Centre. HKIS will be participating at the Expo with an exhibition booth and YSG will be the coordinator for the event.

### MTR Society Link

The YSG was invited to join a Tea Gathering session organised by MTR Society Link held on 23 January 2010. During the gathering, there was a theme presentation about MTR vision 2010.

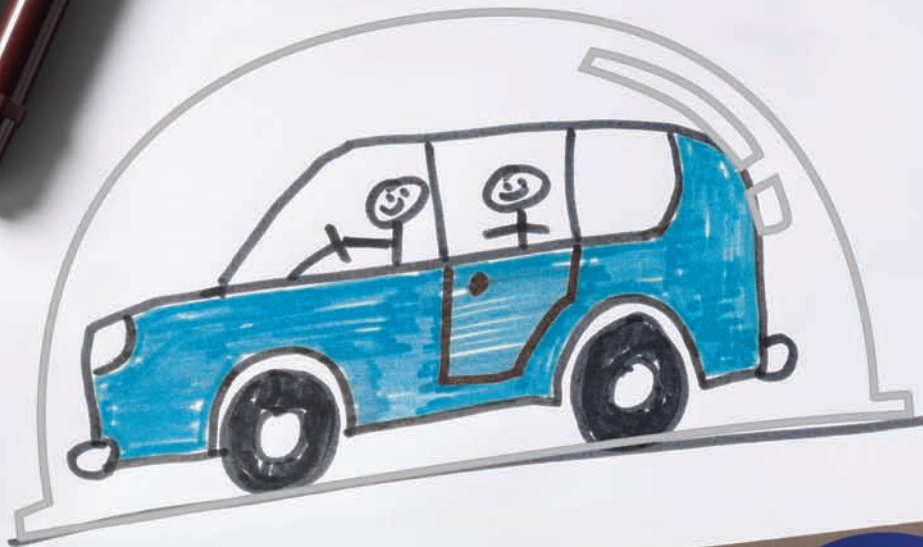
### CPD Events

The CPD programme ahead includes:

- **6 February 2010**  
One-day Seminar on Contract Management 2010 - Jointly organised by Youth Group of HKIE-YMC, HKIS-YSG, CIArb-YMG, Law Soc-YSG, CIBSE-YMG, ICE-G&S - at Chiang Chen Studio Theatre, the Hong Kong Polytechnic University
- **9 February 2010**  
Site Visit to HK-SZ Biennale - Pavilion at West Kowloon Waterfront Promenade
- **24 February 2010**  
Short Piles - Lessons in Agony at HKIS Surveyors Learning Centre



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Remarks: <sup>1</sup> The premium discount is based on drivers' personal details and vehicle model. For further information, please call our enrolment hotline. <sup>2</sup> A cake coupon (per half dozen) will be given to the first 50 successful quotations only. The cake coupon will be delivered within one month after you have obtained a motor quotation from us successfully. <sup>3</sup> Supermarket cash coupon will be given based on the net premium (after discount) with a maximum of HK\$1,000 per policy. The supermarket cash coupon(s) will be delivered within one month upon your successful enrolment of Motorplus Insurance Plan ("the Plan") and premium paid in full.

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Applications are now invited for admission during the 2010/2011 academic year for both the full-time (normally 1 year) and part-time (normally 2.5 years) taught postgraduate programmes for relevant professionals working in the construction and real estate sectors.

**MSc/PgD in Construction and Real Estate**  
**建築及房地產學 理學碩士學位/深造文憑**

(Programme Code 04001)

**Programme Structure**

- Students pursuing the MSc award can opt for specializing in one of the three study disciplines, i.e. Construction, Planning and Development or Commercial Property.

**Entrance Requirements**

- A Bachelor's degree with Honours; OR
- A Bachelor's degree in a construction or real estate related discipline; OR
- Corporate membership of a relevant professional institution with a substantial content in the construction or real estate sectors.
- Relevant employment in industry, commerce or public administration is preferred.

**Professional Recognition**

- The MSc programme is accredited by the Royal Institution of Chartered Surveyors (RICS) as meeting their academic requirements.

**Information Seminars**

- Date & Time: 25 Feb 2010 (Thu), from 7:00pm to 8:30pm
- Venue: Room TU318, 3/F, Core T, PolyU, Hung Hom, Hong Kong

**Enquiries**

- Tel: (852) 2766 7770 Fax: (852) 2764 5131 Email: bsgracie@inet.polyu.edu.hk

**MSc/PgD in Construction Law and Dispute Resolution**  
**建築法及爭議解決學 理學碩士學位/深造文憑**

(Programme Code 04001)

**Programme Structure**

- Supported by visiting practitioners, including Lawyers, Arbitrators, Mediators, experts from China & senior construction professionals. (A scholarship is provided by Davis Langdon & Seah)

**Entrance Requirements**

- Bachelor's degree in a construction-related discipline or equivalent (including recognized professional qualifications) plus relevant work experience (preferably at least 2 years) ; or
- Qualified lawyer.

**Professional Recognition**

- The PgD/MSc programme has full accreditation for membership (AHKIarb) from the Hong Kong Institute of Arbitrators
- Those students who opt to complete the mediation workshop of the programme will be exempted by various professional institutions in Hong Kong and overseas as achievement of approved mediation course leading to membership
- The MSc programme is accredited by the Royal Institution of Chartered Surveyors [RICS] as meeting their academic requirements

**Information Seminars**

- Date & Time : 24 Feb 2010 (Wed), from 7:00pm to 8:30pm
- Venue : Room TU318, 3/F, Core T, PolyU, Hung Hom, Hong Kong

**Enquiries**

- Tel: (852) 3400 3819 Fax: (852) 2764 5131 Email: bsconnie@inet.polyu.edu.hk

**MSc/PgD in Project Management**  
**項目管理 理學碩士學位/深造文憑**

(Programme Code 04001)

**Programme Structure**

- Face-to-face contacts consist of three full-day lectures/workshops for each core subject (normally during weekends, including Saturdays and Sundays).
- Study Guides are provided for core-subjects.

**Entrance Requirements**

- Bachelor's degree in relevant disciplines or the equivalent (including recognised professional qualifications); and preferably with 2-year relevant working experience.

**Professional Recognition**

- The MSc programme is accredited by the Royal Institution of Chartered Surveyors (RICS) and the Chartered Institute of Building (CIOB) as meeting their academic requirements.

**Information Seminars**

- Date & Time : 20 Feb 2010 (Sat), from 3:00pm to 4:00pm
- Venue : Room TU318, 3/F, Core T, PolyU, Hung Hom, Hong Kong

**Enquiries**

- Tel: (852) 3400 3819 Fax: (852) 2764 5131 Email: bssyiwong@inet.polyu.edu.hk

Students must obtain 30 credits (10 subjects or 7 subjects plus a dissertation) for the MSc award and 21 credits (7 subjects) for the PgD award.

**Programme Flyer**

[http://www.bre.polyu.edu.hk/frameset/frameset\\_course.html](http://www.bre.polyu.edu.hk/frameset/frameset_course.html)

**Entry Scholarship**

Applicants with outstanding academic results (e.g. first-class honours bachelor's degree or equivalent qualifications) from a reputable university, who submit applications to the programme on or before 31 March 2010 (Wed) will be considered automatically for award of the entry scholarship up to a maximum amount of covering the whole current tuition fee.

**Online Application**

[www.polyu.edu.hk/study](http://www.polyu.edu.hk/study) before 31 March 2010. Applications after this deadline may be considered only when places are available.



Two subjects for each of the above programmes have been included in the list of reimbursable courses for Continuing Education Fund (CEF) purposes





# 兩地建設工程合同法律事務專欄

## 內地仲裁基本概述

郭靖華 FHKIS, FRICS

在上一篇文章中，我們簡要地介紹了香港仲裁的基本情況。在香港與內地頻繁活躍的商事活動交往中，不可避免地，大家或多或少都會接觸到與內地仲裁有關的事項。為了讓大家對內地仲裁的有關情況有所瞭解，在這篇文章中，我們將簡要地介紹內地仲裁的基本情況。

內地仲裁，按照受理的爭議類別，大致可以分為合同糾紛案件和其他財產權益糾紛仲裁，勞動爭議仲裁和集體承包合同仲裁等。本文將闡述有關建築業的合同糾紛仲裁。

### 1. 基本的法律法規

在內地，就建築業合同糾紛仲裁案件而言，與其他合同糾紛仲裁案件一樣，適用 1994 年的《中華人民共和國仲裁法》（“仲裁法”）。此外，還有 2006 年最高人民法院關於適用《中華人民共和國仲裁法》若干問題的解釋。

而關於上述提及的勞動爭議仲裁，適用《中華人民共和國勞動爭議調解仲裁法》，集體承包合同仲裁，則適用《中華人民共和國農村土地承包經營糾紛調解仲裁法》。

### 2. 貿仲和其他仲裁委員會

在內地，建築工程合同糾紛案件由哪個仲裁機構進行審理，由當事人在仲裁協議（包括合同中訂立的仲裁條款或以其他書面方式）中進行選擇。

內地一個重要的仲裁委員會，是中國國際經濟貿易仲裁委員會（“貿仲”），是以仲裁方式解決經濟貿易等爭議的常設商事仲裁機構。貿仲是中國國際貿易促進委員會（“貿促會”）於 1956 年 4 月設立的，當時名稱為對外貿易仲裁委員會。中國實行對外開放政策後，為適應國際經濟貿易不斷發展的新需要，對外貿易仲裁委員會於 1980 年改名為對外經濟貿易仲裁委員會，之後又於 1988 年改名為中國國際經濟貿易仲裁委員會，自 2000 年 10 月 1 日起同時啟用“中國國際商會仲裁院”的名稱。

貿仲的總會設在北京。由於其業務不斷發展壯大，貿仲分

別於 1989 年、1990 年和 2009 年設立了華南分會（前稱“深圳分會”），上海分會和西南分會。其中，西南分會於 2009 年 1 月 5 日在重慶完成司法登記，依法成立，開始正式受理案件。北京總會、華南分會、上海分會和西南分會同屬於一個仲裁委員會，適用相同的仲裁規則和仲裁員名冊，是同一個統一的整體。因此，當事人可以在仲裁協議中選擇北京總會、華南分會、上海分會和西南分會中的任何一個進行仲裁。需要注意的是，貿仲在各地貿促會和經濟比較發達的城市設立了仲裁辦事處，辦事處從事仲裁宣傳和仲裁協議的推廣和諮詢工作，不能受理仲裁案件。

此外，貿仲與中國建築業協會合作設立了中國國際經濟貿易仲裁委員會工程建設專業委員會，為工程建設領域企業、組織或個人提供與解決爭議有關的法律諮詢等服務。

此外，各地也有仲裁委員會。例如北京仲裁委員會（“北仲”）、上海仲裁委員會、深圳仲裁委員會等。當事人也可以在仲裁協議中選擇某地的仲裁委員會進行仲裁。

實踐中，如果當事人選擇在北京進行仲裁，那麼在考慮是選擇北仲進行仲裁，還是選擇貿仲（北京總會）進行仲裁的時候，可能需要綜合考慮兩個仲裁委員會的特點進行決定。例如：

- (1) 作出裁決的期限。就國際商事仲裁案件而言，兩個仲裁委員會作出裁決期限一般情況下是相同的；就國內仲裁案件而言，二者作出裁決的期限，在一般情況下均是組庭之日起 4 個月，但如果適用簡易程式的話，北仲作出裁決的時間為組庭之日起 75 天，而貿仲相對長一些，為組庭之日起 3 個月。
- (2) 仲裁員名冊不同。二者的仲裁員名冊不同，在仲裁員資源的積累上也就不一樣，當事人可以根據具體的需要進行選擇。

### 3. 仲裁規則

貿仲於 1988 年、1994 年、1995 年、1998 年、2000 年和



2005 年先後六次修改其仲裁規則，即《中國國際經濟貿易仲裁委員會仲裁規則》（“貿仲規則”）。現行的貿仲仲裁規則是 2005 年修訂並通過的。有關建設工程和房地產爭議案件方面，貿仲並沒有就該類案件制定專門的仲裁規則。

此外，北京仲裁委員會、上海仲裁委員會和深圳仲裁委員會，也都有自己相應的仲裁規則。

關於適用哪一個仲裁規則的問題，以貿仲規則為例，貿仲規則第四條規定，如果當事人同意將爭議提交貿仲，均視為同意按照貿仲規則進行仲裁。但當事人約定適用其他仲裁規則，或約定對貿仲規則有關內容進行變更的，從其約定（但其約定無法實施或與仲裁地強制性法律規定相抵觸者除外）。北仲規則也採取類似的做法（見北仲規則第二條）。

## 4. 涉外或涉港澳臺案件

就涉外和涉港澳臺案件而言，長期以來，我國受理涉外仲裁案件的仲裁機構只有貿仲和中國海事仲裁委員會。但是自從我國仲裁法頒佈實施以來，依照仲裁法的規定在直轄市、省、自治區人民政府所在地的市和其他設區的市又設立或重新組建了一批常設仲裁機構（“新組建的仲裁委員會”），對這些仲裁機構能否受理涉外仲裁案件，仲裁法並沒有明確規定。1996 年 6 月 8 日，國務院辦公廳發佈了《關於貫徹實施〈中華人民共和國仲裁法〉需要明確的幾個問題的通知》，該通知規定：新組建的仲裁委員會的主要職責是受理國內仲裁案件；涉外仲裁案件的當事人自願選擇新組建的仲裁委員會仲裁的，新組建的仲裁委員會可以受理。據此，依照仲裁法設立或重新組建的仲裁機構，如北京仲裁委員會，上海仲裁委員會，深圳仲裁委員會等，在涉外仲裁案件的當事人自願選擇其進行仲裁時，對該涉外仲裁案件具有管轄權。

就國內案件而言，貿仲規則規定，國內爭議案件也屬於貿仲的管轄範圍。此外，中國海事仲裁委員會和各地的新組建的仲裁委員會，也受理國內爭議案件。

## 5. 內地與香港仲裁的不同

### 5.1 關於仲裁的性質

內地仲裁具有機構性質。每個仲裁案件展開後，都受到仲裁機構的管理。

相比較而言，香港的仲裁，可以是具有臨時仲裁性質（“ad hoc arbitration”）。例如，香港國際仲裁中心，可以只為當事人雙方進行仲裁提供仲裁員委派和仲裁場地的服務，而不管理有關的仲裁。

此外，香港也存在機構仲裁的情況。例如，當事人也可以要求香港國際仲裁中心管理仲裁案件，此時香港國際仲裁中心提供適當的管理性支援。同時，當事人也可以採用香港國際仲裁中心的《香港國際仲裁中心機構仲裁規則》作為仲裁所依照的規則。

### 5.2 關於專業仲裁員名冊

在內地，貿仲還設立了建設工程與房地產專業仲裁員名冊，適用於解決建設工程和房地產爭議案件以及與之相關的其他仲裁案件。而香港國際仲裁中心，則沒有設立專門的專業仲裁員名冊。

### 5.3 法例與仲裁機構

內地《仲裁法》並沒有提及某一個特定的仲裁機構。

而香港《仲裁條例》，則明確提及香港國際仲裁中心委派仲裁員的權力。此外，香港還有一些專業團體，包括了香港測量師學會和香港建築師學會，也提供仲裁員委任的服務，但這些機構並沒有在香港的《仲裁條例》中提及。

當然，在實踐中，內地仲裁和香港仲裁還有很多不同之處，在此我們僅就兩地仲裁的概括性特徵進行簡單的介紹。

### English Summary

*Gilbert Kwok, FHKIS, FRICS*

In this article, we will talk about Mainland arbitration bodies. We will also discuss some differences between Hong Kong arbitration and Mainland arbitration.



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

*Kathy Cheung, Vice Chairman of CPD Sub-committee, Quantity Surveying Division*

Thanks to Mr Steven Yip, Mr Dennis Wong and Ms Scarlett Cheung, in delivering a CPD seminar for QSD on 18 November 2009. The topic was "Construction life-cycle's completion phase - How to ensure proper termination of a construction contract", which was the last talk amongst a series of three talks. Steven is the partner of projects, construction and infrastructure group of the law firm Minter Ellison and Dennis is the senior associate of Minter Ellison. The seminar was successful and attended by more than 150 members.



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# HKIS Happy Hour cum Birthday Party & CPD

6:00 - 8:00 pm

HKIS Surveyors Learning Centre

Special topic/theme each month

Next event will be held on  
Friday, 26 February 2010

## Guest speaker:

(from Young Surveyors Group)  
Jeffrey Wong - Chairman of Young Surveyors Group

## Topic:

**Surveyors in Sports**

(event code CPD/HKIS/2010025)

HKIS has formed a strong sports team in the past few years. This event will be an excellent opportunity for social gathering, networking among "sporty" surveyors.

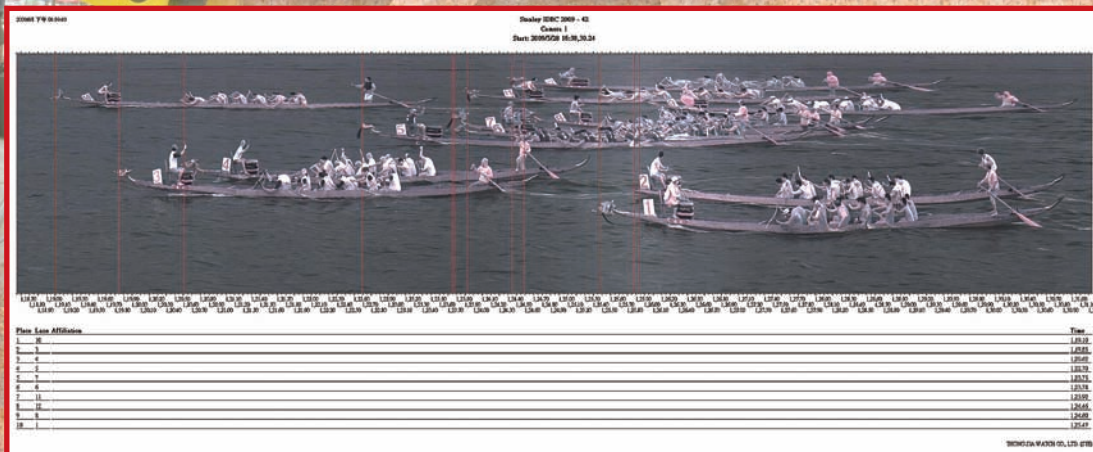
In this talk, Jeffrey will introduce the synergy created by the Young Surveyors Group via events including Dragon boat competitions, study tours, soccer tournaments, casual gatherings, etc. The Chairman of Sports and Recreation Committee, Mr Lesly LAM, will also come to share the experiences in forming sports teams.

Moreover, some YSG committees will introduce the way to train up dragon boat teammates, and the racing lanes demarcation for dragonboat competition. An alignment was set on the ground with sub-centimeter accuracy, so that the SEIKO racing camera could take photos along the finish line of the racing lane exactly. Other surveyors' contributions in sports will also be shared.

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Date	Event	Organiser	Location
<b>2010</b>			
<b>Feb</b>	4-8 Education & Careers Expo	HKTDC	HK Convention & Exhibition Centre, Hong Kong SAR
	25 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	26 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Mar</b>	17 Board of Membership meeting	HKIS	Board Room, HKIS
	25 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	25 HKIS General Council meeting	HKIS	Board Room, HKIS
	26 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Apr</b>	11-14 43rd Annual Conference and Expo incorporating the 1st Asia/Pacific Symposium of Building Officials	Building Officials Institute of New Zealand	Rotorua, New Zealand
	11-16 FIG XXIV International Congress 2010	FIG	Sydney, Australia
	22 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	30 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>May</b>	27 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	27 HKIS General Council meeting	HKIS	Board Room, HKIS
	28 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Jun</b>	17-18 12th International Surveyors' Congress	ISM	Kuala Lumpur, Malaysia
	24 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	25 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Jul</b>	7 Board of Membership meeting	HKIS	Board Room, HKIS
	22 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	22 HKIS General Council meeting	HKIS	Board Room, HKIS
	23-27 7th ICEC World Congress & 14th PAQS Congress	ICEC & PAQS	Singapore
	30 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Aug</b>	26 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	27 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Sept</b>	24 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
	30 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	30 HKIS General Council meeting	HKIS	Board Room, HKIS
<b>Oct</b>	20 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	29 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS
<b>Nov</b>	10 Board of Membership meeting	HKIS	Board Room, HKIS
	25 HKIS Executive Committee meeting	HKIS	Board Room, HKIS
	25 HKIS General Council meeting	HKIS	Board Room, HKIS
	26 Surveyors Happy Hour cum Birthday Party & CPD	HKIS	SLC, HKIS

For details, please visit [www.hkis.org.hk](http://www.hkis.org.hk) or contact the HKIS office on 2526 3679. Board Room, HKIS = 810 Jardine House, 1 Connaught Place, Central, Hong Kong. SLC, HKIS = 811 Jardine House, 1 Connaught Place, Central, Hong Kong.