



## THE HONG KONG INSTITUTE OF SURVEYORS

Your Ref: (2) in LD SMO/LEG 9/4/1 III

20 June 2005

The Secretary  
Land Survey Authority  
SMO, Lands Department  
22/F., North Point Government Offices  
333 Java Road  
North Point, Hong Kong

Attn: Mr KWAN Lam-fat

Dear Mr Kwan,

### Proposed Revision of the Code of Practice issued under the Land Survey Ordinance (Cap 473)

We refer to your letter of 18 April 2005 requesting the HKIS's views on the proposed revision to the Code of Practice and welcome the opportunity given by you to express our views.

#### Specification and Practice Guide for Establishing GPS Control Stations

The proposal on the establishment of GPS Control Station is a welcome addition to the Code of Practice as it reflects the advancement in technology occurring in the Industry. To obtain a proper review of this we would like some extension of time so that the matter can be referred to our members who have specific expertise in this area. Is it possible that the review time could be extended for two months to allow our detailed review and submission of comments?

#### General Principles for Establishment of Lot Boundaries

For the items on the General Principles, our members are unsure of the purpose of including this in the Code of Practice as most of the items are included in the basic training acquired by ALS's before they become registered. Could you please explain how these general principles are to be applied and by whom? Are they to become mandatory for checking procedures to be used by your office in examining submitted plans? Comments on the General Principle following the order of the items are:

1. "Do not deviate from Grant". As professional cadastral surveyors we recognize that if the grant is the legal definition of the property it will be a valuable source in boundary definition. However it is the responsibility for the Surveyor to investigate all sources of evidence to assess the intentions of the grant as well as the representativeness of the grant document. To state the "deviation is not possible" may deprive the surveyor of applying his expertise and limit the proper use of assessment of evidence in making a decision.



2. Occupations and boundary features are very important in boundary determination and we would request you to explain why this item needs to be included as the importance of collecting information of these features is obvious to all surveyors as it is the base of all boundary determination.
3. Similar comments to 2 above.
4. By blindly adopting the previous definition of a neighbouring lot without proper investigation of its validity will limit choices in boundary determination. This is also contradicted by item 5 which emphasises the necessity of checking the details of neighbouring lots before making boundary determination.
5. The title of this item would be better expressed as "the reason for discrepancies" so that surveyors are reminded of the importance of explaining why significant difference occur and what evidences are used in the determination of boundaries.

(C) Para 44 of the COP Annex III

For your revised paragraph 44 of the COP, we suggest to replace your draft remark by the following sentence which embraces a more general concept but still retains your intention:

"For areas already committed, directly or indirectly, adopt the corresponding unit and significant figures so as to maintain the committed areas."

We would appreciate your comments on the General Principles matters and your explanations before making further comment. And we also request in the interim that the revisions be suspended until our queries as outlined above can be addressed by you and an opportunity be given for further review by the Institute.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T T Cheung', is written over a white background.

T T Cheung  
President (2004-2005)