



CIC 通訊 Newsletter

Issue No. 2 | 第二期 01/2010

About Construction Industry Council 有關建造業議會

The Construction Industry Council was formally formed on 1 February 2007 in accordance with the *Construction Industry Council Ordinance* (Cap. 587). It has a Chairman and 24 Members representing various sectors of the industry including employers, professionals, academics, contractors, workers, independent persons and Government officials. All of them were appointed by the Secretary for Development in accordance with Section 9 of the Construction Industry Council Ordinance.

建造業議會根據《建造業議會條例》(第587章)於2007年2月1日正式成立。議會包括主席及24名成員。來自代表業內各界別的人士，包括聘用人、專業人士、學者、承建商、工人、獨立人士和政府官員。議會主席及成員均由發展局局長按《建造業議會條例》第9條委任。

Editorial Board 編輯委員會

Chairman 主席	Alex LEUNG	梁偉雄
Vice-Chairman 副主席	Eugene CHOW	周潤坤
Members 委員	Ronnie FONG Edmond LAM Olivia YIU Esther LAI Elaine WAI	方錦山 林耀華 姚梁敏莊 黎韻琪 衛志敏

Enquiry 查詢

Should you have any queries, please contact the CIC Secretariat:
如有任何查詢，請聯絡建造業議會秘書處：

Tel 電話：(852) 3571 8718
Fax 傳真：(852) 3571 9848
Email 電郵：enquiry@hkcc.org
(for general enquiry)
newsletter@hkcc.org
(for newsletter)
Website 網址：www.hkcc.org

© 2010 All rights reserved by CIC.
版權所有，不得翻印。

Table of Contents | 目錄

CIC Chairman's Message 議會主席的話	2
CIC News 議會最新動向	2
CIC Events 議會活動	6
Interview with VIP 會客室	8
Industry Focus 業界焦點	17
Recent Events of Construction Industry 業界近期活動	19
Environment 環境	22
Good Practices & Updated Codes 良好作業方式及最新作業守則	26
Construction Disputes 建造爭議	28
Manpower Training & Development 人力培訓及發展	32
CIC Events Calendar 議會活動日誌	36

Special Highlights | 本期重點



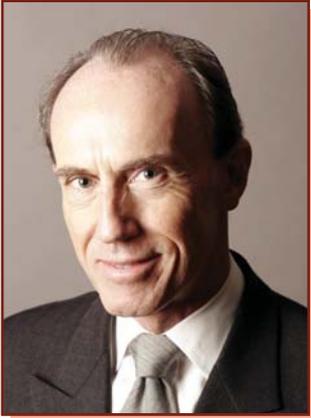
P.2 CIC's Corporate Governance
建造業議會的企業管治



P.9 Interview with VIP
- Mr Russell BLACK
會客室—專訪柏立恒先生



P.22 HKGBC Inaugural
Ceremony cum Conference
香港綠色建築議會成立典禮暨會議



Mr Keith KERR, JP, Chairman, CIC
建造業議會主席 簡基富先生 JP

I would like to thank those who had contributed to the success of the inaugural issue of the *CIC Newsletter* without such the Newsletter would not have been possible. Building on such success the current issue will again provide one with an overview of recent trends and practices within the construction industry. One area that I would like to draw your attention to is the establishment of the Hong Kong Green Building Council (HKGBC) in November 2009. An organisation in which the CIC had a hand in establishing. Through HKGBC, the CIC hopes to further elevate the importance of sustainable built environment within our community, something we all take

for granted. So I do urge you take notice of this important development and participate where you feel that you can make a contribution.

Another area that I would like to mention is that CIC will organise its inaugural conference, tentatively scheduled for October/November 2010. The purpose of this conference is to communicate to you what CIC has so far achieved and to listen to you about your views and suggestions as to how we can further elevate the quality and competitiveness of the construction industry. On this basis I do urge you to participate and contribute your ideas, only by doing so can we enhance our industry together.

Finally, on behalf of the Construction Industry Council, I would like to wish you and your family a happy, healthy and prosperous Year of the Tiger. 🇨🇰

《建造業議會通訊》創刊號得以順利出版，有賴各位的支持及努力，本人謹致衷心感謝。本期會繼續提供建造業最新活動及作業方式的概覽。請留意香港綠色建築議會已於 2009 年 11 月成立，而建造業議會亦參與有關成立工作。建造業議會期望透過香港綠色建築議會，進一步在社區加強可持續建築環境的重要性，摒除理所當然的看法。請大家關注此項重要發展，參與其中，共同為此出一分力。

另一項值得注意的活動，是議會暫定於 2010 年 10 月 / 11 月舉行首次研討會。此研討會旨在對外發表議會已完成的工作，並就我們可如何提升建造業的質素及競爭力，聽取你的意見及建議。就此，希望你踴躍參與，發表意見，讓我們攜手提高業界水平。

最後，本人謹代表建造業議會，祝各位及家人在虎年笑口常開、身體健康、萬事勝意。🇨🇰

CIC News | 議會最新動向

Corporate Governance is..... | 企業管治是.....

Corporate governance is the system by which business corporations are directed and controlled.

Significance of corporate governance to the Construction Industry Council (CIC)

Good corporate governance provides proper incentives for the Members and management to pursue objectives that are in the interests of the CIC and its stakeholders and facilitates effective monitoring.

As a statutory body, CIC has to provide its stakeholders with services that are of value for money, and operate in an open and accountable environment that ensures trust and confidence. In this regard, the presence of an effective corporate governance system can:

- Contribute to the effective performance of the roles of CIC;
- Serve to maintain the trust built on CIC by the public regarding the use and stewardship of levies collected and other assets which CIC is entrusted; and

企業管治是指就機構營運所採取的管理及監控機制。

企業管治對議會的重要性

良好企業管治能為建造業議會（簡稱「議會」）成員及管理層建立妥善措施，以達致有利議會及持份者的目標，促進有效監管。

議會作為法定機構，必須向持份者提供具效益的服務，並以公開及具公信力的方式運作，確保業界的信任及信心。就此，設立具效率的企業管治機制，將可：

- 促使議會有效履行職責；
- 就使用及管理徵收所得徵款及議會獲委託管理的其他資產，保持公眾對議會所建立的信任；以及

- Enhance stakeholders' confidence that CIC upholds the best quality with the highest ethical standards.

Methodology adopted within CIC

CIC is working towards creating a corporate governance manual, making reference to the Code on Corporate Governance Practices and Corporate Governance Report issued by the Stock Exchange of Hong Kong Limited and Corporate Governance for Public Bodies – A Basic Framework published by the Hong Kong Institute of Certified Public Accountants. Five key areas are stipulated, namely, standard of behaviour, organisational structure and processes, risk management and control, reporting, and corporate social responsibilities.

The core values of each area are:

- Standard of behaviour helps to strengthen an open, accountable and high integrity culture within CIC;
- Organisational structure and processes illustrate the functions and operations of CIC with clearly spelt out roles and responsibilities;
- Risk management and control includes risk management, internal and external auditing as well as budgeting and financial management to direct the appropriate behaviour;
- Reporting delineates the external and internal reporting requirements to ensure a timely disclosure of information for management decision and compliance with regulatory requirements; and
- Corporate social responsibilities are embedded to demonstrate our commitment to contribute in building a caring society.

- 加強持份者對議會以高度專業道德標準維持最高質素的信心。

議會內部採取的方法

議會致力籌備企業管治手冊，參照香港聯合交易所有限公司發出的《企業管治常規守則》和《企業管治報告》，以及香港會計師公會發表的《公營機構企業管治的基本框架》，訂立五個管治主要範疇，分別為行為標準、組織架構和程序、風險管理及監控、匯報，以及企業社會責任。

各範疇的核心價值為：

- 行為標準有助加強議會內的公開、負責任及高度誠信文化；
- 組織架構及程序說明議會的職能及運作，清楚訂明有關角色及職責；
- 風險管理及監控包括風險管理、內部及外部審計、以及制訂預算及財務管理，藉以引導合適行為；
- 匯報劃分外部及內部匯報要求，確保及時披露資料，以供管理層作出決定，並符合規管要求；以及
- 企業社會責任展現議會對建立關懷社會的承諾。



Conclusion

We will continue our efforts to adopt the leading practices in corporate governance in CIC to enhance its operations which in turn safeguards the interests of all stakeholders associated with CIC. 🌱

結論

我們會繼續在議會採用先進的企業管治，藉此提升議會的運作效率，從而保障所有與議會相關持份者的利益。 🌱

Establishment of the Task Force on Site Safety of Working in Lift Shaft 升降機槽工作的工地安全專責小組的成立

In view of the recent incident on site safety of working in lift shaft, the Committee on Construction Site Safety of the CIC has established the “Task Force on Site Safety of Working in Lift Shaft” (the Task Force) to explore the relevant potential hazards and to identify measures for the enhancement of the associated site safety.

鑑於近日有關升降機槽工作的工地安全事宜，建造業議會工地安全委員會成立了「升降機槽工作的工地安全專責小組」，以探討潛在安全危害及找出加強在升降機槽工作的工地安全措施。

With the enthusiastic support from the industry stakeholders, the Task Force has been promptly formed in October 2009 comprising members from employers of the public and private sectors, relevant government departments, trade associations, labour unions, safety professionals as well as specialists in the lift and escalator industry. The Chairperson and Deputy Chair of the Task Force are Ms Ada FUNG and Ir Thomas HO respectively. The first meeting of the Task Force has been held on 28 October 2009 and subsequent working sessions have been arranged after its first meeting.

得到業界持份者的熱心支持，專責小組隨即於2009年10月成立，成員包括公共及私營界別的聘用人、相關政府部門、商會、工會、安全專業人員及升降機業界的專家。專責小組的主席及副主席分別為馮宜萱女士及何安誠工程師。專責小組的首次會議於2009年10月28日舉行，並在其後安排多個工作會議。

🌱 Inaugural meeting of the Task Force on Site Safety of Working in Lift Shaft (TF-WLS) under the Committee on Construction Site Safety was held on 28 October 2009. It was well attended by its members including Ir Thomas HO, Deputy Chairman of TF-WLS (left); Ms Ada FUNG, Chairperson of TF-WLS (middle); Ir Alex LEUNG, Senior Manager of the CIC Secretariat (right); and other relevant stakeholders.

工地安全委員會轄下的升降機槽工作的工地安全專責小組首次會議於2009年10月28日舉行，出席會議的成員包括小組副主席何安誠工程師（左）、小組主席馮宜萱女士（中）、建造業議會秘書處高級經理梁偉雄工程師（右），以及其他業界相關持份者。





The inaugural meeting of the Task Force on Site Safety of Working in Lift Shaft (TF-WLS) under the Committee on Construction Site Safety held on 28 October 2009 was well attended by its members and chaired by Ms Ada FUNG.

工地安全委員會轄下的升降機槽工作的工地安全專責小組首次會議於2009年10月28日舉行，眾小組成員由主席馮宜萱女士主持下積極參與會議。

It has been deliberated that lift installation could be generally divided into three stages of works. Stages 2 and 3 involve the installation, operation and maintenance of lifts which have already been covered by a number of existing regulations and codes of practices. Hence the Task Force is now focusing its effort on the safety improvement of Stage 1 for works carrying out in the lift shaft during construction stage before handing over of it to the lift installation contractor. Review of Stages 2 and 3 will follow after completion of the task for Stage 1.

With the contributions from the Task Force members and the effort of the CIC Secretariat, guidelines are being drafted on the safety precautions and measures during construction stage for works related to lift shaft (i.e. Stage 1). Ensuring safety at construction sites requires the collaboration and commitment of all the relevant stakeholders in the construction industry. With the joint effort of the industry stakeholders and the CIC, it is hoped that site safety of working in lift shaft could be enhanced and guidelines would be developed for the industry to follow.

升降機安裝工程一般可分為三個階段。第二及第三階段涉及升降機安裝、施工及保養過程，並已納入多項現有法規及行為守則內。因此，專責小組現正專注改善有關升降機槽在施工期內移交予升降機安裝承建商前所進行的第一階段工程的安全措施。至於第二及第三階段的工程，將會在完成第一階段的有關工作後再作檢討。

在專責小組成員的積極參與，加上議會秘書處的努力，有關在施工期內的升降機槽工程（第一階段）的安全預防措施的指引，現正在草擬的階段。保障工地安全必須得到建造業各有關持份者的合作及承擔。在業界持份者及議會共同努力下，相信可有助加強升降機槽工作的工地安全，並制訂指引供業界遵從。

Safety Seminar for Electrical Installation Works - 21 September 2009, Hong Kong | 電業工程安全講座 - 2009年9月21日, 香港

On 21 September 2009, the Construction Industry Council (CIC), the Hong Kong Housing Authority and the Labour Department co-organised a joint seminar entitled "Safety Seminar for Electrical Installation Works" (the Seminar) in Hong Kong. The Seminar aimed to strengthen and reinstate safety awareness of electrical installation works among the construction industry practitioners; to review causes of past electrocuted cases in relation to Repair, Maintenance, Alterations and Additions (RMAA) works; to update participants on the latest statutory requirements in relation to electrical installation works; as well as to understand the roles and responsibilities of property management personnel in electrical installation works.

The Seminar was kicked off by the keynote addresses given by Mrs Irene CHENG, Assistant Director (Development and Procurement) of Housing Department (HD) and Mr LI Chi-leung, Chief Occupational Safety Officer of Labour Department (LD).

Various speakers were invited to share their views on four hot topics, including (i) Electrical Work Safety in Housing Authority Construction Sites and Properties (presented by Mr CHANG Wing-cheong, Building Services Engineer and Mr LEE Chi-tat, Chief Technical Officer (Building Services)), (ii) Electrical Works Accidents: Causations and Preventive Measures (presented by Mr NG Lung-hoi, Deputy Chief Occupation Safety Officer of LD), (iii) Safety Electrical Work (presented by Mr WONG Yiu-tak, E&M Engineer (Electricity Legislation Division) of Electrical and Mechanical Services

2009年9月21日, 建造業議會(簡稱「議會」)、香港房屋委員會及勞工處合辦「電業工程安全講座」。講座旨在加強建造業從業員對電業工程安全的注意、探討與保養、維修、加建及改建工程有關的觸電個案成因、簡述電力裝置工程的最新法定要求; 以及了解物業管理人員在電力裝置工程方面的角色及責任等。

房屋署助理署長(發展及採購)鄭溫綺蓮女士及勞工處總職業安全主任李子亮先生分別致辭, 為講座掀開序幕。

講者應邀就四個熱門議題發表意見, 分別為 (i) 房委會建造工地及物業的電力施工安全(講者為屋宇裝備工程師鄭榮昌先生及總技術主任(屋宇裝備)李志達先生); (ii) 電力工作意外的原因及預防措施(講者為勞工處副總職業安全主任吳倫海先生); (iii) 安全電力工作(講者為機電工程署電力法例部機電工程師黃耀德先生); 以及 (iv) 良好的建造業電氣安全實踐(講者為香港機電工程商聯會盧永康先生)。



About 300 practitioners attended the seminar
講座吸引接近三百名業內人士出席, 場面熱鬧

Mr Charles WONG, Director (Training) of the CIC delivered the Welcome Remarks on behalf of the organisers
建造業議會培訓總監黃敦義先生代表主辦機構致歡迎詞



Department (EMSD), as well as (iv) Good Practice in Electrical Safety of the Construction Industry (presented by Mr LO Wing-hong from Hong Kong Federation of Electrical and Mechanical Contractors (HKFEMC)).

講座深受參加者歡迎。有關講辭綱要現已載於議會網站 <www.hkcic.org>。

The Seminar was well received by its attendees. Speech outlines are now made available at the CIC website <www.hkcic.org>.



Guest speakers (from left to right): Mr WONG Yiu-tak of EMSD; Mr LEE Chi-tat of HD, Mr CHANG Wing-cheong of HD, Mrs Irene CHENG of HD, Mr Charles WONG of CIC, Mr LI Chi-leung of LD, Mr NG Lung-hoi of LD, and Mr LO Wing-hong of HKFEMC
嘉賓講者包括 (由左至右)：機電工程署黃耀德先生、房屋署李志達先生、鄭榮昌先生、鄭溫綺蓮女士、建造業議會黃敦義先生、勞工處李子亮先生、吳倫海先生及香港機電工程商聯會盧永康先生

Quality Public Housing Construction & Maintenance Awards 2009 - 12 December 2009, Hong Kong

優質公共房屋建造及保養維修大獎 2009 - 2009年12月12日, 香港

On 12 December 2009, a Prize Presentation Ceremony entitled "Quality Public Housing Construction and Maintenance Awards 2009" was held at the Hong Kong International Trade and Exhibition Centre Auditorium in Hong Kong. The Ceremony was organised by the Hong Kong Housing Authority and the Construction Industry Council (CIC) was one of the co-organisers.

The awards were classified into two categories namely New Works Projects and Maintenance Services Projects. Several awards were presented to those contractors, sub-contractors, supervisors and workers with outstanding performance. Apart from individual awards, there were awards for the outstanding projects, best site safety projects, outstanding Housing Department project teams, and the Total Maintenance Scheme practitioners as well. In the ceremony, Ir Alex LEUNG, Senior Manager of the CIC was invited to present the Best Site Safety Projects Awards to the



Ir Alex LEUNG, Senior Manager of CIC joined representatives of other co-organisers for the unveiling ceremony
建造業議會高級經理梁偉雄工程師與一眾協辦機構代表進行揭幕儀式

awardees.

CIC would like to convey our congratulations to the awardees for their participation and commitment on site safety during construction and maintenance stages. 🏆



🏆 Ir Alex LEUNG, Senior Manager of CIC presented the Best Site Safety Projects Awards
建造業議會高級經理梁偉雄工程師頒發最佳工地安全項目獎項

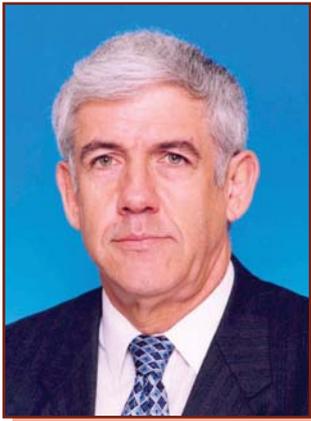
「優質公共房屋建造及保養維修大獎2009」頒獎典禮於2009年12月12日假國際展貿中心演講廳舉行。頒獎典禮由香港房屋委員會主辦，建造業議會（簡稱「議會」）是其中一個合辦機構。

獎項分為兩個組別，分別是新工程項目及保養維修項目，向表現傑出的承建商、分包商、監工及工友頒發。除個人獎項外，同時亦頒發傑出項目、最佳工地安全獎項、傑出房屋署隊伍，以及全方位維修計劃獎項。建造業議會高級經理梁偉雄工程師應邀於典禮上頒發最佳工地安全獎項。

議會祝賀各位得獎者致力在施工及保養工作期間維護工地安全。 🏆

Interview with VIP | 會客室

Mr Russell BLACK, Projects Director of MTR Corporation Limited 香港鐵路有限公司工程總監柏立恒先生



🏆 Mr Russell BLACK,
Projects Director of MTRCL
港鐵公司工程總監柏立恒先生

Introduction

Mr Russell BLACK has around 40 years of experience in managing major infrastructure projects. He had been the Projects Director for MTR Corporation Limited (MTRCL) responsible for all MTR railway projects including both new extensions and upgrade projects until his retirement in early 2010.

Mr BLACK had been one of the Council members of the Construction Industry Council (CIC) since 1 February 2007 when it was first set up. He was also the Chairman of the Committee on Procurement of the CIC.

In this second issue of *CIC Newsletter*, Mr BLACK had kindly accepted our invitation for an interview and shared his experience in managing the inherently complex railway development projects in Hong Kong and insight on the procurement of railway infrastructure projects.

簡介

柏立恒先生擁有約40年管理主要基建項目的經驗。在2010年初退休前，柏立恒先生出任香港鐵路有限公司（港鐵公司）的工程總監，負責所有港鐵公司的鐵路項目，包括新鐵路支綫及改善工程項目。

柏立恒先生自建造業議會（簡稱「議會」）在2007年2月1日成立起開始出任為成員，其間亦擔任採購委員會的主席。

柏立恒先生應邀接受訪問，在《建造業議會通訊》第二期中，就管理香港複雜的鐵路發展項目，以及鐵路基建的採購安排，分享其經驗及心得。

Railway Network Expansion

Following the 2007 Policy Address, MTRCL's effort on major project activities is now concentrated on the five new railway network expansion projects. (See Figure 1)

鐵路網絡擴展計劃

在 2007 年的施政報告發表後，港鐵公司的主要工程活動集中於五項新鐵路網絡擴展工程。(見圖一)

Hong Kong New Projects 香港新項目

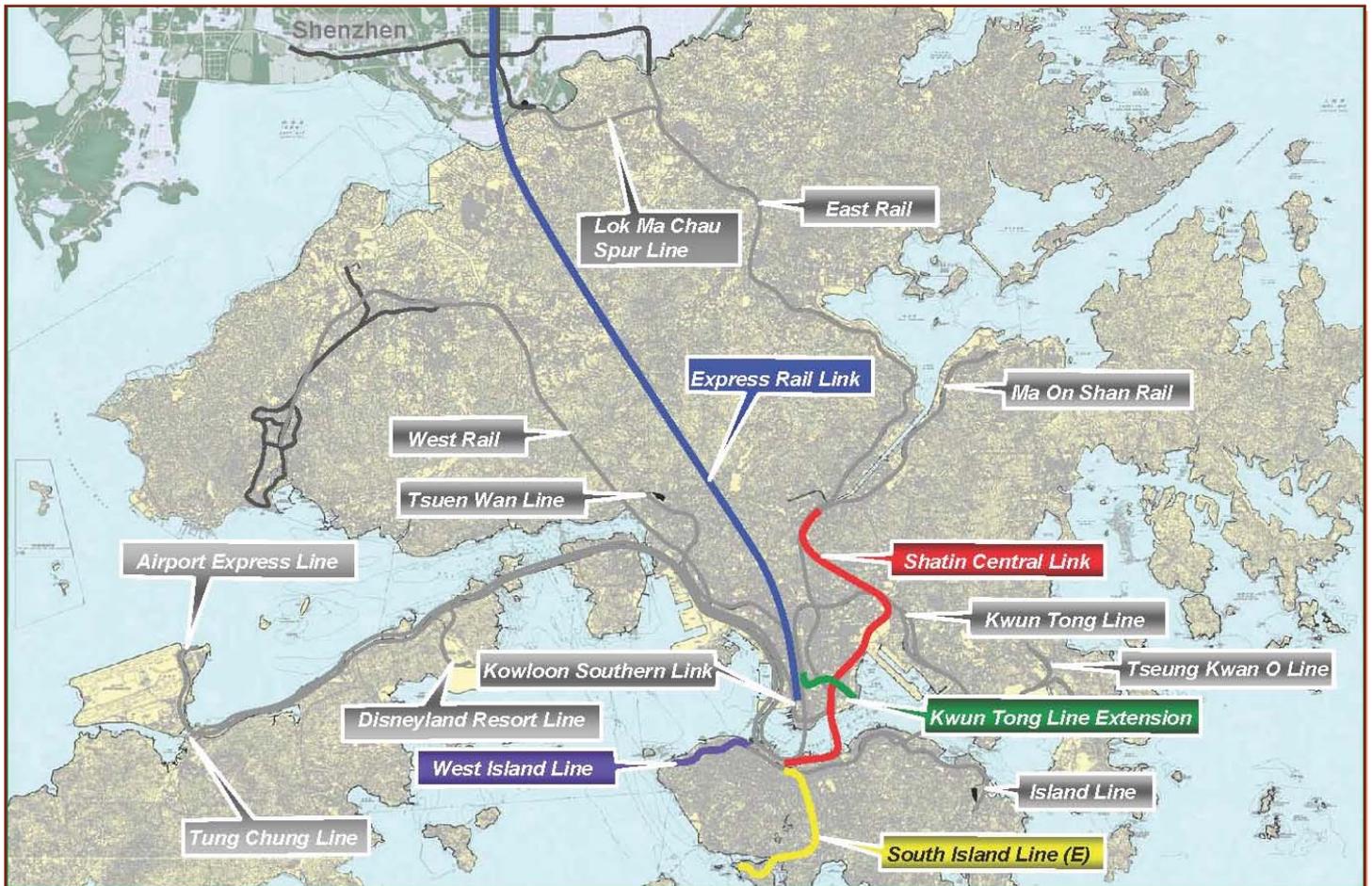


Figure 1 - Overview of the New Railway Expansion Projects
圖一 - 新鐵路擴展項目概覽

West Island Line (WIL) (Anticipated Completion Date: 2014)

This is an extension of the Island Line from Sheung Wan to Kennedy Town (Figure 2).

“Contract 703 is a very challenging civil engineering contract which involves realignment of the existing overrun tunnel, modification of Sheung Wan Station as well as tunneling in mixed soft ground to the proposed Sai Ying Pun Station passing underneath some aged buildings in the areas and resulting in close proximity to their piles,” said Mr BLACK.

“In addition, working in the western district, which is one of the most densely populated old built-up area, space for

西港島綫

(預計竣工日期：2014年)

西港島綫是港島綫的延綫，綫路由上環至堅尼地城(圖二)。

「合約編號 703 是充滿挑戰性的土木工程合約，涉及工程包括重新連接現有越位隧道、修改上環站，以及在建議的西營盤站附近地區的部分舊樓底下貼近樁柱位置的軟土層挖掘隧道。」柏立恒先生說。

works area is limited which imposes particular difficulties to the mobilisation of plant and materials and the handling of excavated materials,” supplemented Mr BLACK.

他補充：「此外，西區是其中一個人口最稠密的舊樓密集區，施工地方有限，特別對調動機械設備和材料，及泥石處理造成困難。」

West Island Line (WIL) 西港島綫



Figure 2 - Overview of the West Island Line (WIL)
圖二 - 西港島綫概覽

Contract 704 involves construction of two typical cavern stations, namely Sai Ying Pun Station and Hong Kong University Station which will be linked by a deep tunnel from the high side of Pokfulam Road to the low side at Sai Ying Pun with a level difference of 80 meters. The entrance at Haking Wong Building of the Hong Kong University Station will be served by lifts only, thus special arrangement will have to be made for evacuating people in emergencies.

合約編號 704 涉及興建兩個典型的挖空車站，即西營盤站及香港大學站，並由深層隧道連接薄扶林道的高處及西營盤的低處，標高差距為 80 米。香港大學站黃克競樓的入口只設升降機，因此必須為緊急疏散人群作出特別安排。

“Having considered the technical complexity, substantial risks involved and heavy interfacing nature of the works under Contracts 703 & 704, target cost contracting was adopted with a view to enhance collaboration with the contractors and cultivate a “pain-share-gain-share” culture in the project,” said Mr BLACK.

柏立恒先生表示：「經考慮技術複雜程度、所涉及的龐大風險和合約編號 703 及 704 的工程銜接事宜，故此採用目標價格合約安排，以加強與承建商的合作，並建立起攤分工程差價的文化。」

For Contract 705, it is procured under the typical lump sum fee contract with partnering provision.

合約編號 705 將根據一般典型的整筆計價格合約，並設有伙伴合作條文。

Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) (Anticipated Completion Target: 2015)

The proposed scheme involves construction of 26km long twin bored tunnels with most sections located at least 20m below ground, including passing underneath the Kowloon Southern Link, with a view to eliminate the possible adverse impacts to existing residences, buildings and structures, from the border to West Kowloon (Figure 3).



Figure 3 - Overview of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL)

圖三 - 廣深高速鐵路香港段概覽

Close dialogue has been maintained with the Mainland counterpart in order to ensure systems compatibility and compliance with the local requirements and legislations.

The proposed underground terminus (Figure 4) will be constructed by cut and cover method with 15 platforms, 6 for short haul train and 9 for long haul 16-car-train of approximately 450m long, which is more than twice of the existing MTRCL 8-car standard train. In addition, the terminus will accommodate the Customs facilities, Immigration and Quarantine facilities, passenger arrival and departure halls, duty free, food and beverage facilities, station parking and loading facilities, etc.

One of the key challenges of the project is the disposal of excavated materials. MTRCL will reuse the excavated materials as far as practicable, e.g. by processing the rock materials as the constituent for insitu concrete production. In addition, the excessive public fill materials would be delivered to barges supplied by the Civil Engineering Development Department's contractors to the Mainland for reclamation.

For the sake of emergency rescue and maintenance, an emergency rescue station and stabling sidings station will

廣深港高速鐵路 (高鐵) 香港段 (預計竣工日期: 2015 年)

建議的計劃涉及建造 26 公里長的雙鑽孔隧道，大部分隧道走綫設於地底以下最少 20 米，位於九龍南綫下，藉此消除對邊界至西九龍的現有住宅樓宇、建築物及構建物的不良影響（見圖三）。



Figure 4 - West Kowloon Terminus Site Location

圖四 - 西九總站選置

港鐵公司一直與內地相關人員緊密聯繫，確保系統相容並符合本地規定及法例。

建議的地底總站（圖四）以明挖回填的方式興建，設有 15 個月台，當中 6 個供短途列車使用，另外有 9 個長約 450 米以供 16 個卡車的長途列車使用，有關月台將比港鐵現有 8 個卡車的標準列車長約兩倍。此外，總站設有海關設施、出入境及檢疫設施、旅客抵港和離境大堂、免稅區、餐廳食肆、停車場及卸貨區等。

項目的其中一個主要難度是處置泥石。港鐵公司會在切實可行情況下循環使用泥石，例如石料加工，作為現場混凝土生產的代替品。此外，公眾填料將運送至土木工程拓展署轄下承建商供應的駁船，到內地作填海用途。

為了進行緊急救援及保養，列車停放處及緊急救護站會設於石崗地勢平坦的位置。

be built at Shek Kong on a flat area.

“The project will be divided into a number of packages, e.g. 8 contracts for the tunneling works, such that each contract will be kept at a manageable size and competition will be maintained to obtain the best value for money,” advised by Mr BLACK.

柏立恒先生表示：「計劃會分為多個項目，例如隧道挖掘工程將分為八份合約，每份合約的工程規模均易於管理，藉此維持競爭力，從而達致物有所值的目標。」

South Island Line East (SIL(E))
(Anticipated Completion Target: 2015)

港島南綫 (東段)
(預計竣工日期：2015年)

Construction Method - SIL (E) 港島南綫 (東段) 建造方法

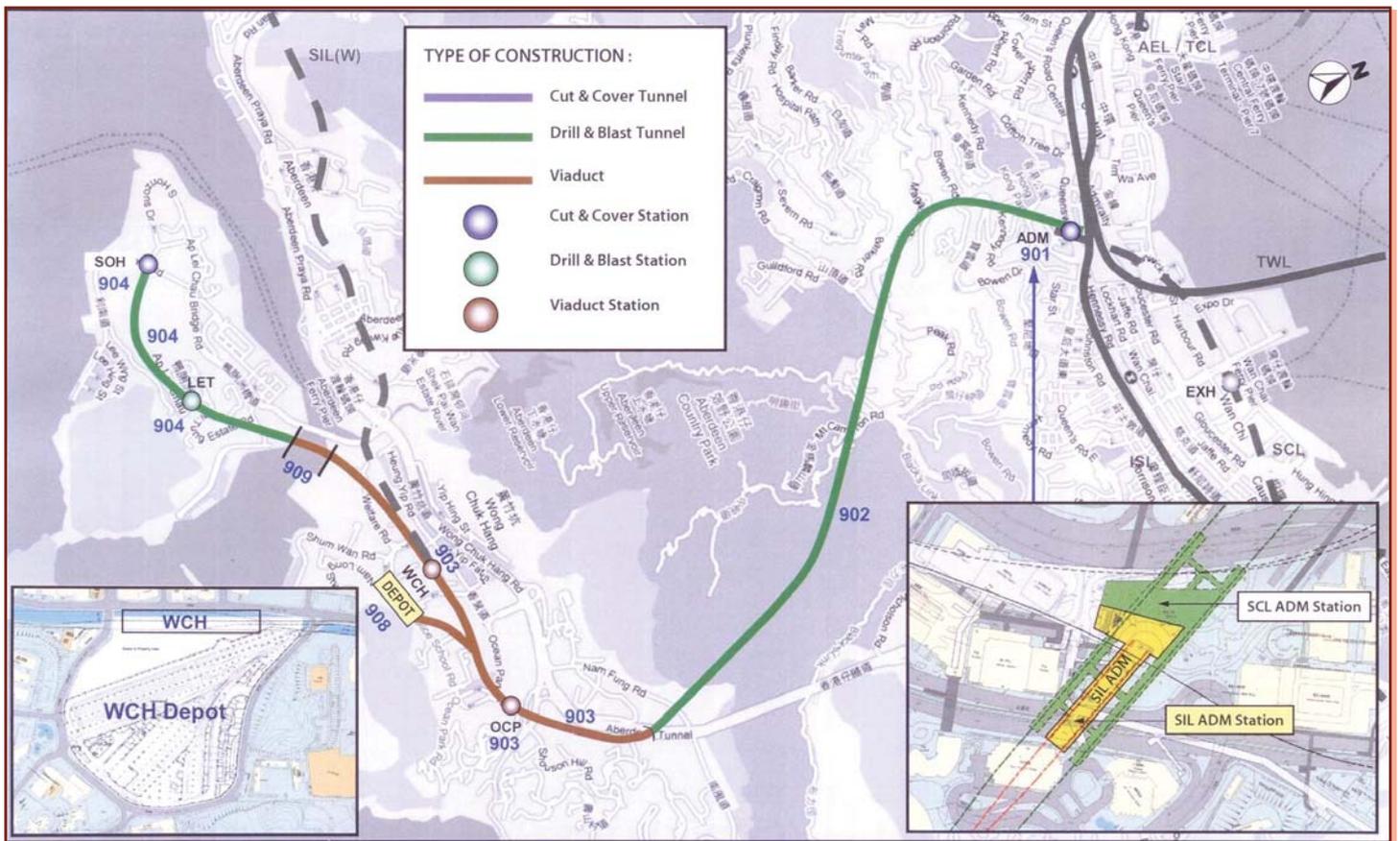


Figure 5 - Overview of the South Island Line (East) (SIL(E))
圖五 - 港島南綫 (東段) 概覽

The South Island Line (East) (SIL(E)) is an extension of the Island Line of approximately 7.0km long consisting of 4.0km underground tunnel and 3.0km viaduct with 4 new stations and 1 depot at Wong Chuk Hang (Fig. 5). In addition, there will be some property development in Wong Chuk Hang depot area.

港島南綫 (東段) 是港島綫的延綫，長約 7 公里，當中 4 公里建於地底，3 公里為架空橋，設有四個新車站及於黃竹坑設有一個車廠 (圖五)。此外，黃竹坑車廠地區會有物業發展項目。

SIL(E) will be integrated into the existing Admiralty Station, together with the future Shatin to Central Link's Admiralty Station, and run to South Horizon Station.

港島南綫 (東段) 會與現有金鐘站及日後的沙田至中環綫的金鐘站結合，並連接至海怡半島站。

The two new railway lines, South Island Line and Shatin to Central Link Phase II, will run underneath the existing Island Line. According to Mr BLACK, the new Admiralty Station Complex will become the “centre of the earth in terms of Hong Kong railway network”. With regard to its design and construction works, the new station complex including the necessary modifications to the existing Admiralty Station is being designed in one package and it is also planned to carry out most of the open cut heavy civil works under one construction contract in order to minimise the disruption to Harcourt Garden and its surrounding areas as far as practicable.

港島南綫及沙田至中環綫第二期的新鐵路走綫，會在現有港島綫之下經過。據柏立恒先生表示，從香港的鐵路網絡來說，新設的金鐘站將會成為「地球中心」。至於設計及建造方面，新車站建設，包括對現有金鐘站進行所需改建，會以一個項目形式設計，而大部分重型明挖土木工程，則擬涵蓋於一份建造合約內，盡可能減低對夏慤花園及周邊地區的影響。

Kwun Tong Line Extension (KTE)
(Anticipated Completion Target: 2015)

觀塘綫延綫
(預計竣工日期：2015年)

Construction Method - KTE
觀塘綫延綫建造方法

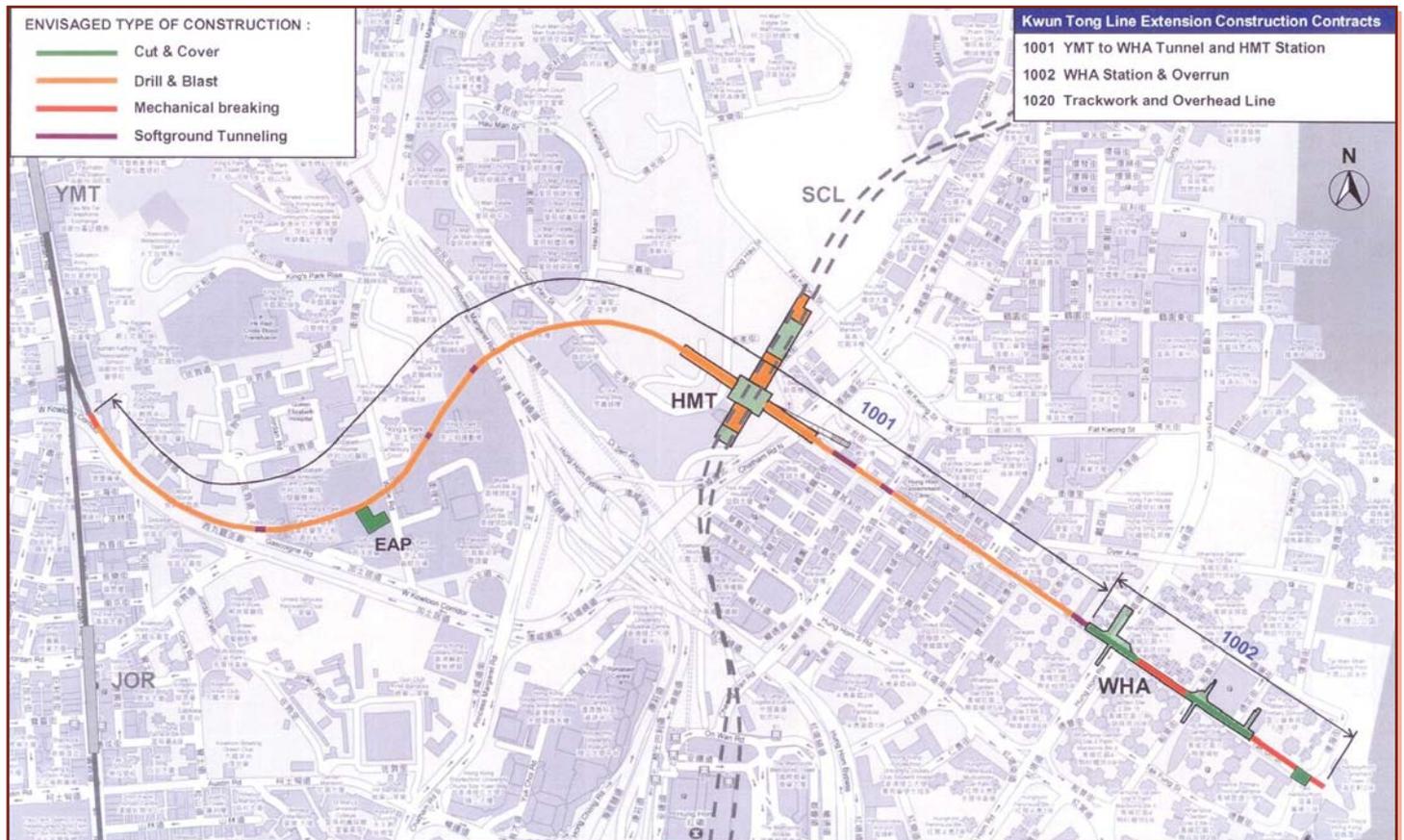


Figure 6 - Overview of the Kwun Tong Line Extension (KTE)
圖六 - 觀塘綫延綫概覽

The Kwun Tong Line Extension (KTE) will extend from Yau Ma Tei (YMT) Station to Whampao Station with the proposed Ho Man Tin (HMT) Station as an interchange station with the new Shatin to Central Link (Figure 6). “The project will be implemented under the rail-plus-property model with some property development at the HMT Station,” said Mr BLACK. Due to various site constraints,

觀塘綫延綫由油麻地站延伸至黃埔站，而建議的何文田站為新沙田站至中環綫的轉車站（圖六）。「此項目採用鐵路和物業綜合發展模式，於何文田站興建上蓋物業。」柏立恒先生說。鑑於各種工地限制，油麻地及何文田站的鐵路曲線設計符合最低許可限制。

the railway line curvature between YMT and HMT Stations had been designed to its minimum allowable limit. In addition, the inevitable lines-crossing configuration made the HMT Station construction works more challenging than usual. The new Whampao Station will be located at Tak Man Street which is the main road connecting Hung Hom and Whampao districts. It is anticipated that the cut and cover station construction would encounter lots of utilities diversion, including trunk water mains, power lines, etc, and extensive traffic management issues. "Good planning is the key for success in this project," said Mr BLACK.

此外，綫路橫跨的設計亦令何文田站的建造工程較平常更具挑戰性。新黃埔站所設於的德民街，是連接紅磡與黃埔區的重要道路。預計以明挖回填的方式興建車站會遇到很多轉移公用設施的情況，包括主要水管、電纜等，以及大量交通管理事宜。「良好策劃是本項目成功的關鍵。」柏立恒先生說。

Shatin to Central Link (SCL)
(Anticipated Completion Target: 2015 for Phase I; 2019 for Phase II)

沙田至中環綫 (沙中綫)
 (預計竣工日期：第一階段 2015 年；第二階段 2019 年)



Figure 7 - Overview of the Shatin to Central Link (SCL)
 圖七 - 沙田至中環綫 (沙中綫) 概覽

Figure 8 - East West Corridor and North South Corridor
 圖八 - 東西走廊及南北走廊

The Shatin to Central Link will be built in two phases (Figure 7). For Phase I, it will extend from the existing Ma On Shan Line at Tai Wai Station to Hung Hom Station connecting the West Rail Line, to form the 'East West Corridor' (Figure 8 in brown). The Phase II works will be carried out at a later stage tentatively in 2014 due to the interfacing with the on-going Wan Chai Development Phase II and Central-Wan Chai bypass projects. It will connect the existing East Rail Line at Hung Hom Station, cross the harbour, passing through Causeway Bay Typhoon Shelter to the new Exhibition Station, then ends at Admiralty connecting with the Tsuen Wan Line and Island Line. This will be known as

沙田至中環綫分兩期興建 (圖七)。第一期工程由現時馬鞍山綫的大圍站延伸至紅磡站，連接西鐵綫，形成鐵路的「東西走廊」(圖八啡色部分)。第二期工程會於後期進行，暫訂為 2014 年，因建造工程須與灣仔發展計劃第二期及中環灣仔繞道的工程互相配合。沙中綫會連接東鐵綫的紅磡站，過海通過銅鑼灣避風塘到達新設的會展站，終點站為金鐘，連接荃灣綫及港島綫，稱為南北走廊 (圖八藍色部分)。

the North South Line (Figure 8 in blue).

Due to space limitation at Hong Kong side, the North South Line is designed for 9-car train only, which is different from the existing 12-car train in East Rail Line. Also the East West Line will be built for 8-car trains but will operate initially with 7-car trains.

Thus, in Phase I works, the project will involve expansion of 8 stations at the Ma On Shan Line to provide longer platform for the 8-car trains. East Rail will be resigalled for 9-car trains.

“From the engineering point of view, the cut and cover tunnels construction works connecting the Hung Hom Station especially those at Mongkok district and Chatham Road will be the most challenging,” said Mr BLACK. It involves tunnels construction and station expansion underneath operating railways, substantial traffic diversion works at Chatham Road, construction of a temporary bridge, etc, which will be on the critical path of the whole project. Due to its complexity and the amount of cooperation required and interface management, this part of the works will be procured using target cost contract(s) (Figure 9).

鑑於港島的地方限制，南北走廊的設計只設 9 個卡車列車，有別於東鐵綫現時的 12 卡車列車的東鐵綫，而東西走廊會按 8 卡列車的安排而建造，但初期會以 7 卡列車運行。

因此，第一期工程會涉及擴建馬鞍山綫的 8 個車站，為 9 個卡車列車提供更長的月台，以及重整東鐵綫的訊號，增加載客量。

「從工程角度而言，明挖回填的興建隧道方式，連接紅磡站，特別是旺角地區及漆咸道，別具挑戰性。」柏立恒先生稱。此項工程包括在營運中鐵路興建隧道及擴建車站、漆咸道大規模交通改道；以及興建臨時橋等，是整個項目最關鍵的環節。由於性質複雜，所要的合作程度、接口管理等，此部分工程會以目標價格合約形式進行採購（圖九）。

Construction Method - SCL 沙中綫建造方法

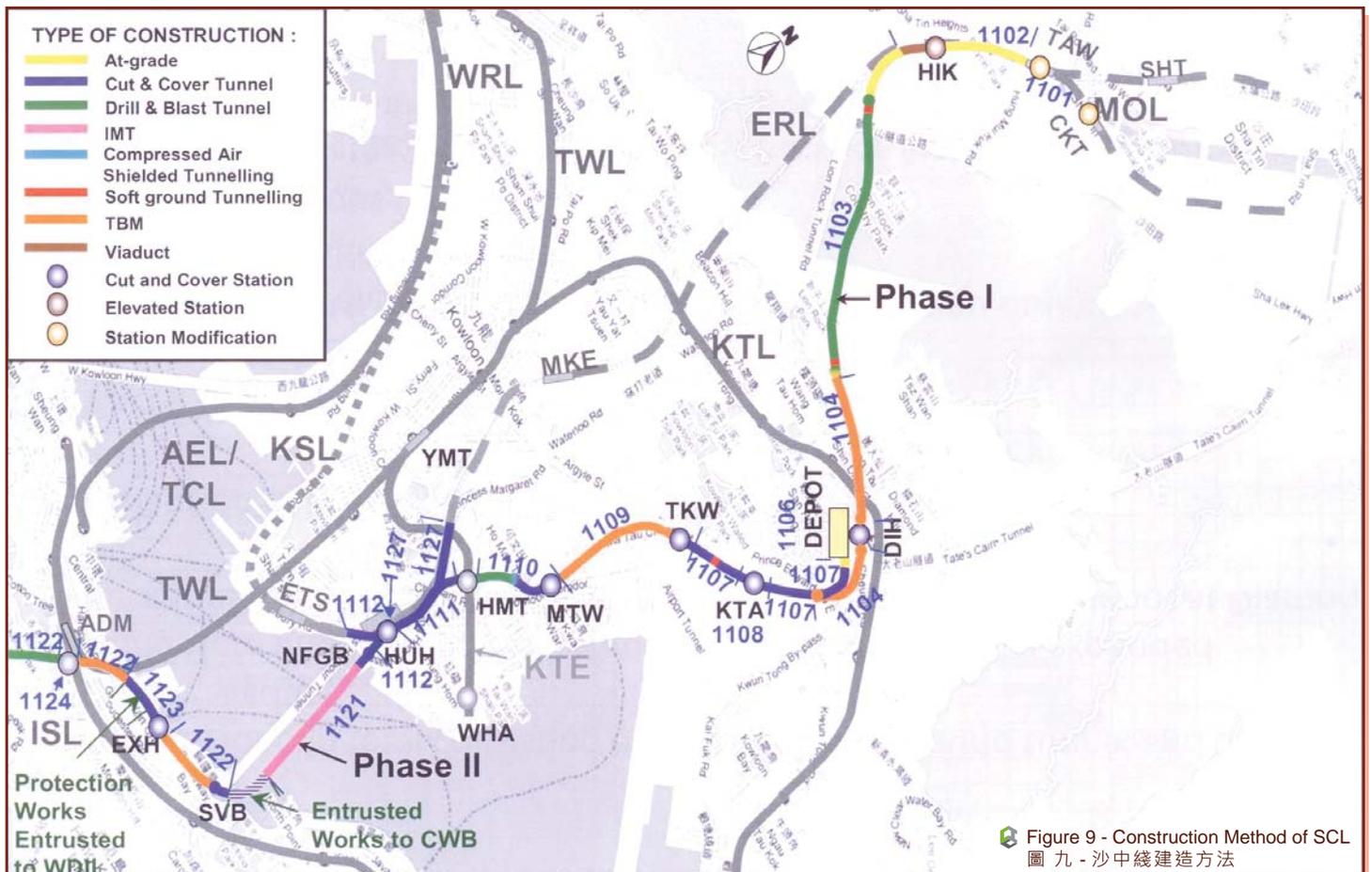


Figure 9 - Construction Method of SCL
圖九 - 沙中綫建造方法

Projects Procurement Strategies

Among the 6 projects, most of them are targeted for completion in 2014-2015. Along with some other on-going infrastructure projects to be implemented in the same period, sufficiency of manpower and equipment would be an issue to concern.

“MTRCL has been recruiting experienced tunnel engineers and experts at technical level in the international market. It is expected that the new upcoming projects will bring back a lot of people to Hong Kong who used to work here,” said Mr BLACK.

In order to ensure the market to stay competitive, MTRCL has been to various places, e.g. Japan and France which are advanced in tunneling technologies, to promote the upcoming railways projects so as to arouse attention and interests of the potential contractors in bidding for the jobs.

“While for the procurement strategy, the global trend has been changing from playing on the respective contractual position to a more collaborative, team work environment as there are increasingly more cases demonstrating the significant benefits gained in all respects including programme, quality, safety and environmental management,” said Mr BLACK.

Mr BLACK also emphasised that the key issue rests with the method used in engaging the stakeholders, and proper risk allocation and management.

Acknowledgement

We would like to express our sincere gratitude to Mr BLACK who had spent his precious time with us sharing his experience in project management and his foresight in procurement strategies for the upcoming railways construction projects in Hong Kong. 🌱

項目採購策略

在六項工程當中，大部分均預計於 2014 至 2015 年竣工。連同其他同期繼續進行的基建項目，人力資源及設備是否充足會是關注事項。

「港鐵公司一直在國際市場招聘經驗豐富的隧道工程師及技術專家。相信即將進行的新工程會吸引大量在海外工作的人士來港就業。」柏立恒先生說。

為確保市場仍然具有競爭力，港鐵公司曾到訪多個地方，例如具備先進隧道技術的日本及法國，推廣新鐵路項目，藉以引起注意，吸引有意承辦的承建商投標。

「全球的採購策略趨勢已由重視合約關係轉為加強合作、團隊工作環境，此情況可見於不斷增加的個案，在各範疇均獲得的重大裨益，包括施工時間、質素、安全及環境管理。」柏立恒先生說。

他強調最重要的事項，是在於採取什麼方法吸引持份者參與，以及合適的風險分配和管理。

鳴謝

我們在此衷心感謝柏立恒先生撥冗與我們分享項目管理的經驗，以及就香港鐵路建造項目的採購策略發表真知灼見。 🌱



🌱 Mr Russell BLACK, Projects Director of MTRCL explained the new projects of the MTRCL at the interview
港鐵公司工程總監在專訪中向我們講解港鐵的新項目

🌱 Thanks Mr BLACK for his precious time and sharing
多謝柏先生的寶貴時間和分享

Tamar Development Project - A New Iconic Place in Hong Kong 添馬艦發展工程 - 香港新標誌性建築物

The Tamar Development Project (the Project) covers the design and construction of the Central Government Complex (CGC), the Legislative Council Complex, an open space and two elevated walkways, in Tamar, Central, Hong Kong. On completion of the Project, the development will become a new iconic landmark in Hong Kong. During construction, the construction management team will strive to adopt a safe, sustainable and environmentally friendly construction method through a holistic risk assessment and an early identification of hazards in a proactive manner.

The design concepts of the Project are "Door always Open; Land always Green; Sky will be Blue; People will be Connected". To demonstrate the commitment to protect the environment, the Project has incorporated numerous green and energy efficient measures, such as Photovoltaic (PV) supported external lighting, solar hot water system, light pipe, thin film PV on skylight and battery charging facilities for electric vehicles etc.

The design and construction works of the Project were started in February 2008; and the Project is scheduled for completion in mid 2011. The general design concepts have been agreed and detailed design is underway. Construction works on site have also commenced.

 The new iconic landmark in Hong Kong is under construction and is scheduled for completion in mid 2011
香港新標誌性的建築物正在興建中，預期於 2011 年中落成



添馬艦發展工程項目（工程）範圍包括在香港中環添馬艦用地上設計及建造政府總部大樓、立法會綜合大樓、休憩用地和兩條行人天橋。竣工後，工程將成為香港一項標誌性新建築。在建造期間，施工管理團隊將積極地通過全面的風險評估和危險識別，努力地採取安全、可持續發展和環保並重的施工方法。

工程的設計概念是「門常開、地常綠、天復藍、民永繫」。為彰顯保護環境的決心，工程在設計上已納入了眾多綠色和節能措施，如太陽能外部照明、太陽能熱水系統、自然光引導管、薄膜式太陽能光伏天窗和電動車的充電設施等。

工程的設計和施工在 2008 年 2 月開始，並預期於 2011 年年中完成。基礎設計理念已獲確認，詳細設計正在進行深化。工程施工現已開始進行。



 "Door always Open; Land always Green; Sky will be Blue; People will be Connected"
「門常開、地常綠、天復藍、民永繫」

With site safety being an important aspect of the Project, Gammon Hip Hing Joint Venture (GHHJV) aims at achieving “Zero Harm” (i.e. zero deaths; zero injuries to the public; zero ruined lives among all our people) upon its completion by 2011. So far, the Project has won the Gold Prizes in the “Building Sites (Public Sector Category)” and the “Building Sites (Sub-contractor Category)” under the Construction Industry Safety Award Scheme 2008/2009. The Project was also awarded the Safety Management System Award – Gold in the 8th Hong Kong Occupational Safety & Health Award recently.

In addition, the Project also cares about workers' welfare. Chinese herbal tea, filtered water, sufficient worker rest area, Ultraviolet (UV) neck protector, ventilated toilet etc are provided to the workers. Listening and responding is the way to build up mutual trust. An action board of “You said; We did” was set up on site to enhance communication with the workers.

As an environmentally friendly initiative, GHHJV has employed an independent consultant to conduct a Carbon Footprint Study to assess the carbon emission during construction with a view to achieving a Low Carbon Building Construction. The Study focuses on formwork, concreting, steelwork and earthwork; the result of which facilitated the assessment of various construction schemes and selection of materials, including their origins. The construction management team could then decide the most suitable construction method with evaluation of Carbon Footprint.

Aside from sustainability and safety, the Project has also introduced innovative construction methods. To enhance the floor cycle construction, the project has utilized a computerised self-climb external scaffold system to replace the traditional external scaffold at the CGC Office Block. The system does not only reduce tower crane utilisation time but also provide a safer working platform at the external building envelope for construction.

建築安全是工程的其中一個重要方針，金門協興聯營的目標是 2011 年工程完結時實現「零傷害」（即零死亡；零公眾受傷；零員工人身損害）。到目前為止，工程在 2008/2009 年度的建造業安全獎勵計劃中獲得「樓宇建造地盤（公營合約）」和「樓宇建築地盤（次承判商）」的金獎。最近，該工程項目在第八屆香港職業安全健康大獎，獲得安全管理制度大獎——金獎。

此外，為了表示對工人福利的關心，施工管理隊於工地向工友提供涼茶、過濾水、足夠的休息區、防紫外線護頸布和通風完善的廁所等。通過加強溝通才是建立互相信任的最有效辦法。該工程於工地入口設立了一個「你說得出，我做得到」報告板，鼓勵工友提出改善建議，並透過實際行動回應，從而加強與工人的溝通。

作為一項推動環保的措施，金門協興聯營已聘請獨立顧問進行碳足跡的研究，以評估在施工期間碳的排放量，以實現低碳排放的建造施工。研究的重點是模板、混凝土、鋼鐵及土方整頓；研究結果分析和評估了不同的施工方案和材料（包括其來源）的選擇，從而使施工管理隊決定最合適的施工方案。

除了可持續性和安全性，工程還引進了創新的施工方法。為提高樓層建造週期的效能，工程在建造政府總部辦公大樓時，將利用自動爬升外牆棚架系統，以取代傳統棚架。該系統不僅可以減少塔式起重機的使用時間，而且更為外牆施工提供了一個安全的工作平台。



The Tamar Development Project was awarded the Safety Management System Award - Gold in the 8th Hong Kong Occupational Safety & Health Award
添馬艦發展項目在第八屆香港職業安全健康大獎中獲安全管理制度大獎

Second International Conference on Climate Change - 7-9 October 2009, Hong Kong | 第二屆全球氣候變化會議 - 2009年10月7至9日, 香港

The Second International Conference on Climate Change 2009 took place on 7 to 9 October 2009 at the Hong Kong Convention & Exhibition Centre in Hong Kong. This conference was coorganised by the Hong Kong Climate Change Forum and the Climate Group. The Construction Industry Council (CIC) was pleased to be one of the supporting partners of this event.

The conference aimed to provide stakeholders with a communication platform for exchanging views relating to climate change. Over 80 leading experts of various professions were invited to discuss the impact of climate change, for example, policy-driven issues, business risks and reality, strategies for pursuing low carbon opportunities in Asia and also from a global perspective, the research and the regional implications for mitigating climate change, etc. Insights and ideas of developing strategies in meeting challenges of the low carbon economy were also discussed. 🌱

第二屆全球氣候變化會議由香港氣候變化論壇及氣候組織合辦，於2009年10月7日至9日假香港會議展覽中心舉行。建造業議會為此會議的其中一個合作機構。

會議旨在為持份者提供一個溝通平台，就氣候變化交換意見。逾80名來自不同界別的頂尖專家應邀出席會議，討論氣候變化的影響，例如政策主導事宜、業務風險及實況、在亞洲及全球推動低碳機會的策略、緩減氣候變化的研究及地區影響等。與會者亦就低碳經濟所帶來的挑戰分享制訂策略的意見及看法。 🌱

Alternative Dispute Resolution Forum 2009 – 12 October 2009, Hong Kong | 2009年另類爭議解決論壇 - 2009年10月12日, 香港

Over one hundred professionals, practitioners and leading members of the construction industry attended a forum entitled "Alternative Dispute Resolution Forum 2009" (the Forum) at the Hong Kong Heritage Discovery Centre on 12 October 2009. The Forum was organised by the Development Bureau (DEVB) and exclusively supported by the Construction Industry Council (CIC).

Purposes of the Forum were to provide a platform for the construction industry stakeholders to exchange views on the application of various alternative dispute resolution (ADR) methods in public works projects, as well as to explore how best they would take ADR forward for the benefits of the construction industry in Hong Kong.

Mrs Carrie LAM, the

逾百名建造業專業人士、從業員及建造業界的翹楚於2009年10月12日出席假香港文物探知館舉行的「2009年另類爭議解決論壇」（簡稱「論壇」）。此論壇由發展局主辦，而建造業議會（簡稱「議會」）為是次活動的支持機構。



此論壇旨在就工務工程項目應用各種另類爭議解決方式，為建造業持份者提供交換意見的平台，並探討如何推動另類爭議解決方式，為本地建造業謀福祉。

發展局局長林鄭月娥發表主題演講，為活動掀開序幕。林局長重申《建造業檢討委員會報告書》（建檢

Secretary for Development delivered a keynote speech to kick off the Forum. Mrs LAM readdressed the key recommendations in the Construction Industry Review Committee Report (the CIRC Report), especially the importance of adopting a proactive approach in resolving construction disputes. The keynote speech was followed by presentations from three distinguished guest speakers who shared their views on the application of ADR methods from different perspectives.



Mrs Carrie LAM, Secretary for Development delivered a keynote speech to kick off the Forum
發展局局長林鄭月娥在論壇開始時發表講話

會報告書)的主要建議,特別是採取積極主動的態度來解決建造爭議的重要性。繼主題演講後,三位嘉賓講者分別從不同角度就另類爭議解決方式的應用發表意見。

The first presentation was given by Mr Conrad WONG, President of the Hong Kong Construction Association (HKCA). Mr WONG shared his views on construction disputes from the perspective of contractors and stated two requests of contractors, including “Security of Payment” legislation together with a time and cost-effective dispute resolution mechanism for construction projects.

Mr Conrad WONG, President of the HKCA shared his views from the perspective of contractors
香港建造商會會長黃天祥先生從承建商角度分享意見



首位簡報的講者為香港建造商會會長黃天祥先生。他從承建商的角度發表他對建造爭議的意見,並反映承建商的兩項要求,包括「付款保障」的立法,以及就建造項目提出省時及具成本效益的解決爭議機制。

Ms Teresa CHENG, SC, Vice Chairperson of the HKIAC introduced various dispute resolution methods
香港國際仲裁中心副主席鄭若驊資深大律師簡要說出多種解決糾紛的方法

Ms Teresa CHENG, SC, Vice Chairperson of the Hong Kong International Arbitration Centre (HKIAC) delivered the second presentation. Ms CHENG listed out common problems of construction contracts and highlighted the benefits of resolving disputes immediately. Ms CHENG also introduced various dispute resolution methods and recommendations on future development of ADR in Hong Kong.

香港國際仲裁中心副主席鄭若驊女士隨後簡報建造合約常見問題及說明即時解決爭議的好處。鄭女士亦介紹各種爭議解決方式,以及就香港在有關方面的發展提出建議。

The last presentation was given by Mr W W CHUI, Principal Assistant Secretary (Works) of the DEVB. Mr CHUI presented the policy development of dispute resolution system in public works and shared his views on the benefits of avoidance and early resolution of disputes. Mr CHUI also pointed out the areas of concern from the Government’s perspective when considering introduction of other ADR methods in public works projects.

發展局首席助理秘書長(工務)徐永華先生及後發表簡報,說明工務工程解決爭議機制的政策發展,並就避免爭議及盡快解決爭議的好處提出意見。徐先生亦指出政府考慮在工務工程項目採用其他解決爭議方法的關注事項。



Mr W W CHUI, Principal Assistant Secretary (Works) of the DEVB pointed out the concerns relating to the introduction of ADR methods from the Government's perspective
發展局首席助理秘書長（工務）徐永華先生從政府角度提出在考慮推行另類爭議解決方式時的關切

(from left to right) Mr Gilbert KWOK of HKIS, Mr Conrad WONG of HKCA, Mr Enoch LAM, Deputy Secretary (Works) of the DEVB (moderator), Ms Teresa CHENG, SC of HKIAC, and Ir Professor C K LAU of HKIE
（從左至右）香港測量師學會郭靖華先生、香港建造商會黃天祥先生、發展局副秘書長（工務）林天星先生（主持）、香港國際仲裁中心鄭若驊資深大律師、及香港工程學會劉正光教授、工程師

The presentations were followed by a panel discussion moderated by Mr Enoch LAM, Deputy Secretary (Works) of the DEVB. Panelists included Mr Conrad WONG of HKCA, Ms Teresa CHENG, SC of HKIAC, Ir Professor C K LAU of the Hong Kong Institution of Engineers (HKIE), and Mr Gilbert KWOK of the Hong Kong Institute of Surveyors (HKIS). There was excellent interaction between the panelists and the audience.

Mr MAK Chai-kwong, the Permanent Secretary for Development (Works) delivered the closing remarks to conclude the Forum.

CIC would like to take this opportunity to convey our congratulations to the success of the Forum.



發展局常任秘書長（工務）麥齊光先生致閉幕辭，論壇圓滿結束。

議會藉此機會祝賀活動成功舉行。

Mr MAK Chai-kwong, Permanent Secretary for Development (Works) delivered the closing remarks to conclude the Forum
發展局常任秘書長麥齊光致閉幕辭

Opening Ceremony of the HKCA's 90th Anniversary Public Display Exhibition – 16 October 2009, Hong Kong

香港建造商會慶祝90周年誌慶的巡迴展覽開幕典禮— 2009年10月16日，香港

16 October 2009 marked the Opening Ceremony of the Hong Kong Construction Association's (HKCA) 90th Anniversary Public Display Exhibition. The opening ceremony took place at the Admiralty Station of the MTR. This exhibition introduced the history and key milestones of the HKCA and the construction industry of Hong Kong. Mr Keith KERR, Chairman of the Construction Industry Council (CIC) was invited by the HKCA to deliver a keynote speech

香港建造商會（建造商會）於2009年10月16日假香港鐵路有限公司金鐘站舉行巡迴展覽開幕典禮，慶祝90周年誌慶。是次展覽介紹有關建造商會及香港建造業的歷史和重要發展里程碑。建造業議會（簡稱「議會」）主席簡基富先生應邀出席典禮致辭。議會藉此機會祝賀建造商會的90周年誌慶，會務蒸蒸日上。

at the ceremony. Taking this opportunity, CIC would like to express our congratulations to the HKCA's 90th anniversary

and wishing the HKCA continue to prosper in the years ahead.



Environment | 環境

Hong Kong Green Building Council Established to Drive Market Transformation towards a Sustainable Built Environment 香港綠色建築議會正式成立 致力推動市場轉化成可持續建築環境

On 20 November 2009, more than 350 local industry leaders and peers from around the region gathered at the Hong Kong Green Building Council's (HKGBC) Inaugural Ceremony cum Conference to celebrate the establishment of the HKGBC. The Honourable Mr John TSANG Chun-wah, JP, Financial Secretary, and the Honourable Mrs Carrie LAM CHENG Yuet-ngor, JP, Secretary for Development of the Government of the Hong Kong Special Administrative Region, Ir Dr Andrew CHAN, Chairman, HKGBC, along with heads of the four founding members of HKGBC officiated at the inauguration, signifying the coming together of the industry in promoting green building practices in Hong Kong.

超過 350 名行業領袖及同儕於 2009 年 11 月 20 日雲集香港麗酒店，一同參與香港綠色建築議會成立典禮暨會議。香港特別行政區政府財政司司長曾俊華先生、發展局局長林鄭月娥女士、香港綠色建築議會主席陳嘉正博士，以及香港綠色建築議會的四大創會會員一起主持成立典禮，標誌著業界團結一致，促進香港的綠色建築之發展與實踐。

Officiating Guests lighting up the Hong Kong skyline, signifying Hong Kong's transformation to a green built environment. (from left to right) Mr K W WONG, Chairman of Professional Green Building Council, Mr Stephen FONG, Chairman of Business Environment Council, Ir Dr Andrew CHAN, Chairman of Hong Kong Green Building Council, Mr John TSANG, JP, Financial Secretary, HKSAR, Mrs Carrie LAM, Secretary for Development, HKSAR, Mr Keith KERR, Chairman of CIC and Mr Michael ARNOLD, Chairman of BEAM Society
主禮嘉賓為香港景觀亮燈，象徵共建綠色建築環境。(從左至右) 環保建築專業議會主席黃錦星先生、商界環保協會主席鄭金江先生、香港綠色建築議會主席陳嘉正博士工程師、香港特別行政區財政司司長曾俊華先生、香港特別行政區發展局局長林鄭月娥女士、建造業議會主席簡基富先生及香港環保建築協會主席顏樂德先生



“The establishment of HKGBC marks a substantial step forward for the building-related industries towards a quality and sustainable built environment for Hong Kong,” said Ir Dr Andrew CHAN. “Building-related activities account for 90 percent of electricity consumption and 64 percent of carbon dioxide emission in Hong Kong. It is imperative for the industry to look into green practices throughout the complete building life cycle starting from planning, design, construction, management and maintenance, to retrofitting, demolition and reuse, which is why the HKGBC is set up.”

陳嘉正博士工程師表示：「香港綠色建築議會成立標誌着建築界各相關行業，為造就香港可持續建築環境踏上了重要的一步。建築物及其相關的活動分別佔香港耗電量及二氧化碳排放量百分之九十及百分之六十四，故此業界必須審視整個建築作業週期，從構思、設計、建築、管理及保養，以至翻新、拆卸及重建，訂立相關的綠色環保作業守則，這正是香港綠色建築議會成立的原因。」



(from left to right) Mr John TSANG, Financial Secretary, HKSAR; Mrs Carrie LAM, Secretary for Development, HKSAR; Dr Andrew CHAN, Chairman, HKGBC
(由左至右) 香港特區政府財政司司長曾俊華、香港特區政府發展局局長林鄭月娥、香港綠色建築議會主席陳嘉正博士工程師

In the speech delivered by Mrs Carrie LAM, Secretary for Development, she mentioned “4As” which were her expectation of the HKGBC to do for Hong Kong in view of green buildings, namely: Advocacy, Assessment, Accreditation and Award. She shall keep the HKGBC very independent and at the same time, the Development Bureau or the HKSAR Government shall provide support to the HKGBC. “The Hong Kong Green Building Council needs to be a very strong advocate and champion for promoting green buildings in Hong Kong, for transforming market practices, as well as suggesting or even pressurising us (the Government) for policy changes, where justified,” said Mrs LAM.

HKGBC is a member-led non-profit organisation. Its visions are to aspire for quality and sustainability at every stage of the building life cycle and embrace these principles as a mark of excellence; and its mission is to lead the market into transformation to a sustainable built environment in Hong Kong by guiding the development of industry standards, best practices, education, and research in green buildings. In the Inaugural Ceremony cum Conference on 20 November, renowned experts from the region’s Green Building Councils, as well as local green building industry leaders shared their green building experiences, outlook of green building opportunities and challenges, green labeling practices as well as case studies and latest eco-technology in the built environment business. Conference presenta-

發展局局長林鄭月娥在演講中提出四個以英文字母「A」為首的英文字表達她對香港綠色建築議會為香港綠色建築的工作期望，包括：倡議、評估、評審，及獎勵。她會保持香港綠色建築議會的獨立性，同時，發展局或香港特區政府亦將會為香港綠色建築議會提供支援。林太表示：「香港綠色建築議會在推動香港綠色建築上，必須是一個非常強大的倡議者；並轉變市場行為，以及在理由充分下建議政策的改變，或甚至向我們（政府）施壓」。

香港綠色建築議會為一間由成員主導的非牟利機構，旨在積極推動在建築生命週期中，追求優質及可持續性，並以此為業界樹立卓越典範；而它的宗旨，乃為業界提供樓宇發展標準的指引，並為綠色建築物的作業守則、教育及研究作出引領，從而造就市場轉型及締造可持續建築環境。在 11 月 20 日的成立典禮暨會議中，各亞太區的綠色建築議會及本地的綠色建築行業中的知名專家和領導，分享了他們的綠色建築經驗、機會和挑戰；綠色建築標籤的應用；專題研究和建築環境企業的最新生態技術。有關專家的匯報，請瀏覽以下網址：

<<http://hkgbc.org.hk/eng/inaugural-ceremony-hkgbc.aspx>>
(只提供英文版本)

tions are now made available on line:

<<http://hk gbc.org.hk/eng/inaugural-ceremony-hkgbc.aspx>>

Upon inauguration, HKGBC is responsible for reaching out to the public and industry on how their actions can contribute to positive change in the built environment. HKGBC will also promote performance rating standards, such as the Building Environment Assessment Method (BEAM) Plus, to benchmark and enhance the performance of Hong Kong's built environment. In order to promote understanding, HKGBC is tasked to facilitate ongoing educational outreach and research including training, seminars and focused area studies, in partnership with different industry stakeholders.

Join HKGBC now, and take the lead to shape Hong Kong's built environment and contribute to a brighter and greener future! For further enquiries, please contact the HKGBC at tel (852) 2784 3900 or email <info@hk gbc.org.hk>.

<<http://hk gbc.org.hk/eng/Membership.aspx>> 

香港綠色建築議會將向大眾及業界宣揚綠色建築的正面影響。並將推廣綠色建築環境評估標準和認證，如香港建築環境評估法 BEAM Plus，使績效評估標準更切合香港的建築環境。另外，議會亦會制定持續的教育及研究計劃，致力與不同行業合作推行培訓、研討會及重點研究。

香港綠色建築議會誠邀閣下加入成為議會一份子，並率先塑造香港的建築環境和貢獻更明亮和綠色的未來！進一步查詢，請致電 2784 3900 或發電郵至 <info@hk gbc.org.hk> 與香港綠色建築議會聯絡。

<<http://hk gbc.org.hk/chi/Membership.aspx>> 

Green Features: Vertical Greening System at the CityWalk 環保措施：荃新天地的垂直綠化系統

* This article is contributed by Sino Land Co. Ltd.
* 本文章由信和置業有限公司提供。

Introduction

Going 'GREEN' is more than a catchphrase in the building industry today. It is everything from well thought-out architectural and landscape planning, innovative building design to sophisticated property management and a total commitment to making a positive difference to people's lives. Green development is people-oriented as much as technology-oriented. A successful project with careful designed green features will guide and shape the behavior of the public towards the concept of sustainability. One of these green initiatives highlighted in the following is the "Vertical Greening System" or "Living Wall" which is gaining more and more attention these days.

This Living Wall concept is actually making part of the building envelopes to sprout green – gardens that grow on exterior walls. One of the best examples is the Hong Kong's largest green wall (700 sq. meters) at the CityWalk shopping mall in Tsuen Wan.

Vertical Greening System

This is a tailor-made system which involves highly integrated knowledge and design in the fields of structural engineering, horticulture, and irrigation. It is intended to provide an alternative "cladding system" to the conventional materials which is more sustainable and environmental friendly.

This Vertical Greening System was constructed upon the building *façade* of the shopping complex facing a public open space. It consists of three main components namely:

引言

「綠化」不應只是現今建造業界的口號，更應是深思熟慮的建築及景觀規劃、創新的建築物設計，以至先進的物業管理及致力為民生造就正面的改變。環保建設不但以科技為本，更是以人為本。一個具有審慎環保措施設計的項目，有助引導及塑造市民大眾的行為朝向持續發展的概念。其中一項環保措施就是日漸受到重視的「垂直綠化系統」或「直立花園」。

直立花園的概念實際上把部分建築物外殼化為嫩綠——栽種在外牆的花園。其中一個最佳例子，就是置於荃灣荃新天地購物商場的全港最大綠化牆（700平方米）。

垂直綠化系統

此系統是一套度身訂造的系統，涉及結構工程、園藝及灌溉的高度綜合知識及設計。其目的旨提供較傳統



 The largest green wall in Hong Kong 香港最大的綠化牆

“B-I-G” which includes:

- B – A Base structural frame tailor-made to fit the existing site condition which occupies the façade of the car park floors located on the 2/F and 3/F of the shopping arcade.
- I – An Irrigation system. This is a low volume and low pressure system linking each green panel to an automatic irrigation system controlled by an automatic timer device, humidity sensor, regulating valve and distributor which provide suitable volume of water supply in a timely basis.
- G – Green panels system. This is the heart of the vertical greening system where the two major important elements namely the growth media and the living plants are housed. Each green panel is designed to achieve viability in construction and installation convenience.

Aside from the hardware component as described above, the procedure in choosing the right ‘software’ meaning suitable growth media and plant species is equally important. Detailed performance specification on the property, sequence and growth condition of the above must be carefully studied. The eventual selection of plant species shall be done with due consideration to existing site conditions (such as available natural light and shade) and the characteristics of plant materials such as their requirement on water, maintenance frequency, ability to withstand drought and windy condition, etc.

This green wall has demonstrated many environmental

覆蓋物料更具可持續性及環保的其他選擇。

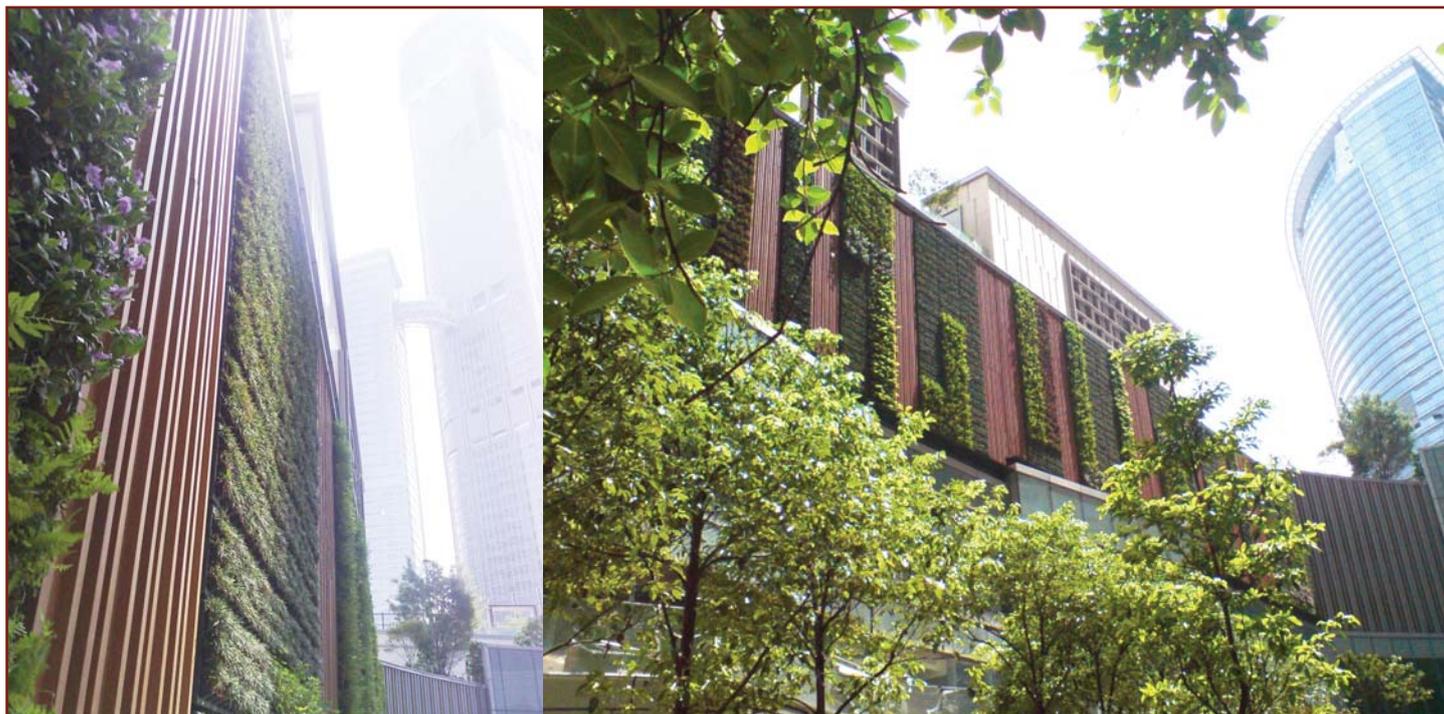
垂直綠化系統設於面向公眾休憩空間的購物中心建築物正面，包括三個主要項目，分別為「B-I-G」：

- B – 特設配合現有場地狀況的地基結構構架，位於購物中心 2 樓及 3 樓的停車場正面。
- I – 灌溉系統。這是一個低容量及低壓系統，把綠化組件連接到自動灌溉系統，由自動計時裝置、濕度感應器、調節閥及自動拆板裝置控制，及時提供合適的供水量。
- G – 綠化組件系統。這系統涵蓋兩項重要元素，分別是生長媒介及活生植物，是垂直綠化系統的核心。每件綠化組件的設計是為了施工的可行性及安裝的利便。

除了上述硬件部份外，選擇正確「軟件」的程序，即合適的生長媒介及植物品種同樣重要。最終選取的植物品種，會在妥為考慮現有場地狀況（例如自然光及顏色）及植物資料（例如用水、保養次數、抵禦乾旱及強風能力）後而定。

綠化牆展現多種環保效益，而非純粹從外觀出發。主要的優點包括減低環境溫度、提供隔熱作用、噪音控制及淨化空氣。

Major advantages of green wall include reduction of ambient temperature, provision of thermal insulation, acoustical control and air purification
綠化牆的主要優點包括減低環境溫度、提供隔熱物、噪音控制及淨化空氣



benefits other than just aesthetic appeal. Some major advantages will include reduction of ambient temperature, provision of thermal insulation, acoustical control and air purification.

Conclusion

In both aesthetic and functional terms, the Vertical Greening System has played an important role in creating a milestone for green architecture. With the new technologies coming in place, there is bound to be many improved versions of the existing system which the industry could adopt and apply. The ultimate objective of this

總結

從外觀及功能而言，垂直綠化系統對環保建築的發展里程來說，擔當重要角色。隨著新科技出現，現時的設備一定會有多种改良版本供業界採納和應用。這些努力的最終目的是為推廣及提倡使用相應的環保措施，為我們提供保護生態環境的建築。

endeavor is to promote and advocate the appropriate use of green features as an ecological alternative for our built environment.

Good Practices & Updated Codes | 良好作業方式及最新作業守則

Buildings Energy Efficiency Bill Introduced 政府提交建築物能源效益條例草案

* This article is contributed by EMSD.
本文章由機電工程署提供。

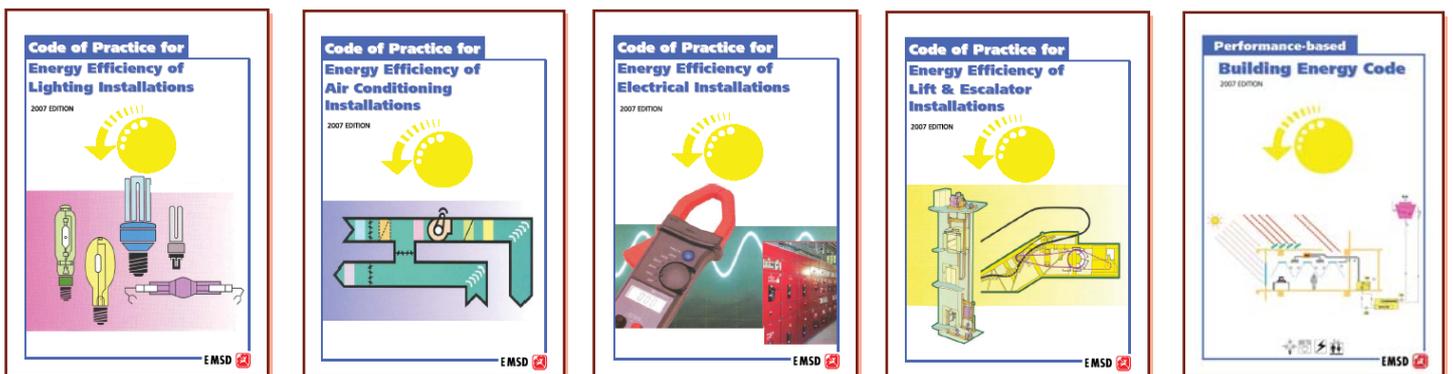
In 2008, Hong Kong's total electricity consumption was more than 40 billion kWh, of which about 90% were for buildings. To reduce carbon emission, it is imperative to improve energy efficiency in buildings.

在 2008 年度，香港的總用電量超過 400 億度，其中大約百分之九十用於建築物。要減少香港的碳排放，推動建築物節能是重要的一環。

Back in 1998, EMSD has issued a series of voluntary Building Energy Codes (BEC) to promote energy efficiency in buildings. Four Codes of Practices – BEC (Lighting), BEC (Air Conditioning), BEC (Electrical) and BEC (Lift & Escalator) are prescriptive in nature. An installation will be in compliance with the respective BEC if it satisfies the minimum energy efficiency performance stipulated therein. The fifth Building Energy Codes – BEC (Performance-based) sets out a performance-based means to evaluate and assess the energy efficiency performance of a building. It offers a choice to building developers who wish to pursue and adopt innovative building design. Under this alternative approach, a building will be in compliance with the BECs provided that its Design Energy Value is equal to or smaller than the Energy Budget Value as derived from the procedures stipulated in the BEC (Performance-based).

早於 1998 年，機電工程署已實施一系列能源效益守則以推動建築節能，其中四套守則包括《能源效益守則（照明）》、《能源效益守則（空調）》、《能源效益守則（電力）》及《能源效益守則（升降機及自動梯）》均屬規範性質。如裝置達至守則內規定的基本能源效益表現，即符合有關守則的要求。而第五套守則《能源效益守則（成效為本）》則訂出成效為本方法以評估一幢建築物的能源效益表現。推出《能源效益守則（成效為本）》的目的，是為採用創新樓宇設計的樓宇發展商提供達致建築物能源效益的方案。按照《能源效益守則（成效為本）》，倘若一幢建築物根據該守則內訂定的計算程序得出的設計能源耗量值，是低於或相等於其預算能源耗量值，該建築物便等同符合各項能源效益守則。

Building Energy Codes (BEC) 《建築物能源效益守則》



A voluntary Hong Kong Energy Efficiency Registration Scheme for Building has also been established since 1998 to recognise those buildings that have complied with the BEC. However, the participation rate of the non-government buildings to the voluntary Registration Scheme is disconcertingly low, which could be resulting from the split incentive between developers/landlords who make the capital investment and occupants who enjoy savings in the electricity bill after occupation.

The Government consulted the public for mandatory implementation of BEC in 2008 and received strong public support. The *Buildings Energy Efficiency Bill* was then prepared for the purpose and introduced into the Legislative Council on 9 December 2009.

The Bill covers nearly all types of buildings – commercial buildings, industrial and residential buildings (common areas only), hotels, educational buildings, community buildings, municipal services buildings, hospitals, government buildings etc. For those buildings which obtain Building Authority's consents to the commencement of building works for superstructure construction after the new legislation comes into operation, they should comply with the BEC. Existing buildings are only required to comply with the BEC when they undergo major retrofitting works.

Owners of commercial buildings and commercial parts of composite buildings are required to conduct energy audits for the common area of their buildings once every ten years.

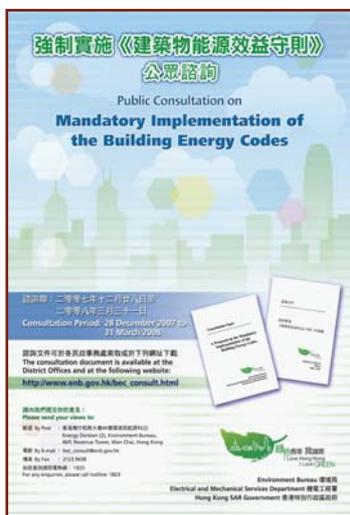
Professional engineers with relevant qualification and experience may apply for registration as registered energy assessors to assist the owners and occupants in complying with the new statutory requirements.

It is estimated that only for new buildings, the implementation of the proposal will result in energy saving of 2.8 billion kWh in the first decade, which will help reduce carbon dioxide emission of 1.96 million tonnes.

The support and participation of the trade and industry, in particular the construction industry, are essential to the successful implementation of the new proposal. The Construction Industry Council, with other major stakeholders, has actively participated in the Taskforce which was established for discussing the proposed statutory requirements and has offered valuable views in the drafting process.

機電署亦於 1998 年起實施一項自願參與的《香港建築物能源效益註冊計劃》，以認證符合能源效益守則的樓宇，可是非政府樓宇參與該註冊計劃的比率甚低，令人失望。其中原因可能是由於發展商/大業主出錢投資節能設備，但入伙後卻由樓宇佔用人享受電費上的節省，雙方所着眼的利益出現分歧所引致。

政府於是在 2008 年諮詢公眾強制實施能源效益守則，而有關建議亦獲得公眾廣泛支持。政府已於 12 月 9 日向立法會提交《建築物能源效益條例草案》，旨在透過強制實施《建築物能源效益守則》，訂明本港建築物的基本能源效益標準。



A 3-month public consultation concluded in March 2008 and received strong public support 就強制實施守則的建議進行的三個月公眾諮詢已於 2008 年 3 月完成，獲得公眾廣泛支持

該草案涵蓋大部份樓宇，包括商業樓宇、住宅及工業樓宇的公用部份、酒店、學校、社區、市政大廈、醫院、政府大樓等。在新法例生效後方獲建築事務監督發出的建築工程展開同意書的條例生效後建築物，須遵守指明的能源效益標準及規定。至於條例生效前建築物則須在進行主要裝修工程時，遵守能源效益標準及規定。

商業建築物及綜合用途建築物的商業部分的業主須每十年為該建築物的公用地方進行能源審核。

擁有相關資歷和經驗的專業工程師，可註冊成為能源效益評核人，為業界

及樓宇使用者提供專業服務，以符合法

例要求。

預計在法例生效後新建的建築物實施有關建議後，首十年可節省 28 億度電，有助減少 196 萬公噸二氧化碳排放。

業界的支持及參與，尤其是建造業界，對於成功推行該法例至為重要。建造業議會亦有和其他持份者在法例草擬的過程中參與相關業界專責小組，為法例草案的訂定提供寶貴意見。

Government Department 政府部門	Practice Note 作業備考	Source 資料來源
Development Bureau 發展局	Technical Circular (Works) No. 6/2009 Heritage Impact Assessment Mechanism for Capital Works Projects 技術通告(工務)第6/2009號 基本工程項目進行文物影響評估機制	< http://www.devb-wb.gov.hk/ UtilManager/tc/06-2009.pdf >
Fire Services Department 消防處	Circular Letter No. 1/2009 Rules for Fire Detection and Fire Alarm Systems for Buildings 通函第1/2009號 建築物的火警偵測與火警警報系統準則	< http://www.hkfsd.gov.hk/home/eng/ source/circular/2009_01.pdf >

Construction Disputes | 建造爭議

Construction Disputes – Arbitration vs Litigation? | 建造爭議 — 仲裁還是訴訟?

* This article is contributed by Ms Alice TO,
Senior Associate, Pinsent Masons
 本文章由品誠梅森律師事務所陶嘉穎律師提供。

Current Trend

Arbitration, as an alternative dispute resolution forum, is not, in itself, a new concept. Being around for centuries, arbitration has long been widely accepted as a suitable alternative to traditional court litigation. Arbitration is commonly used in a variety of industry sectors including shipping and construction.

However, as parties become more cost conscious and their expectations for a more speedier and efficient process to resolve contractual disputes amplify (without derogating natural justice and procedural fairness), arbitration, as fair, reasonable and prompt resolution process has generated increased interest within the construction industry.

In Hong Kong, the number of construction disputes resolved by arbitration involving Hong Kong International Arbitration Centre (HKIAC) increased from 5 disputes in 1985 to 208 in 2008¹.

This article briefly outlines some of the key highlights of why arbitration maybe a more viable (and perhaps more appropriate for commercial reasons) alternative to the (lengthy) time and (sometimes high) cost of traditional litigation.

Traditional Litigation

Construction disputes are technical in nature involving multiple parties and bigger sums of monies at stake. These features make a construction dispute more difficult to be disposed of than any other general civil claims. The traditional 'one size fits all' method of going to court may not provide the best solution.

目前的趨勢

仲裁是解決爭議的另一種方法，本身並非新概念。仲裁已有數百年歷史，一直獲廣泛接納為傳統法院訴訟以外的合適方法。仲裁於多個行業普遍採用，包括航海界及建造業。

不過，隨著各方對成本有更多考慮，而且期望合約爭議以更迅速及更具效率的方式解決，並秉持自然公正及程序公平的原則，仲裁提供公平、合理而迅速的解決程序，因此建造業內人士對此方法更感興趣。

本地透過香港國際仲裁中心進行仲裁解決的建造爭議數目，由1985年的5宗，增加至2008年的208宗¹。

鑑於傳統訴訟所需的時間（冗長）及費用（高昂），本文就仲裁是否更為可行（及從商業角度而言更為合適），概述若干主要重點。

傳統訴訟

建造爭議屬技術性質，不但涉及多方人士，爭議金額亦較高。正因如此，要解決建造爭議，比其他一般民事申索更為困難。傳統的「四海通行」方法（即法院訴訟），未必是最理想的方法。

¹ See HKIAC website <www.hkiac.org>
見香港國際仲裁中心網頁

Judges are experts in the law, but they (with due respect) may not be used to resolving technical issues. As a result, both the parties and the Judge find it difficult to deal with construction disputes - the parties have to spend time and resources educating the Judge architectural and engineering concepts, whilst the Judge has to master these technical concepts within a short time.

The situation improved (slightly) when the Judiciary introduced the Construction and Arbitration List where all disputes relating to the construction industry are now dealt with by one Judge designated to take charge of these specialised cases. This Judge works full time on construction cases, and the learning curve for him becomes shorter and sharper. Coupled with the reformed procedures in the court all cases including construction disputes are to be more efficiently and quickly dealt with by the Court.

The court system has improved. Legal practitioners think that there is now more competition between court actions and arbitration. This may be the case for general commercial disputes. When it comes to technical disputes, however, there are still benefits that only arbitration can offer. Some of these are outlined below.

So why choose arbitration?

To preserve business relationships

Arbitration is a consensual process, and is usually less confrontational. Parties seem to be more genuine about having their differences resolved. They usually conduct their cases in a more sensible way, and there is always a less antagonistic sentiment between the parties.

The local Hong Kong construction industry is small, and is dominated by a few developers and main contractors. It is therefore important to preserve ongoing business relationships. It is unfortunate enough for the parties to have disputes over the project that they had. Resolving these disputes with less hostility may help salvage the already damaged business relationship.

A few procedural advantages

Choice of arbitrator and procedure

In arbitration, the parties have a say in the choice of the arbitrator. This provides an opportunity for the parties to choose a candidate with the most suitable calibre. It does not necessarily have to be a lawyer. Instead, a technical arbitrator with engineering or quantity surveying background can be appointed. A legal expert may not always be the best person to hear technical disputes.

Discovery of documents

The discovery of documentary evidence in arbitration can be streamlined so that only essential documents would need to be disclosed.

法官是法律專家，惟他們亦未必慣於解決技術事宜（此話並非貶義）。因此，當事人與法官會認為建造爭議難以處理——當事人必須花時間及資源向法官解釋建築及工程概念，而法官則需於短時間內掌握有關技術概念。

司法機構設立建造與仲裁案件審訊表後，情況（略為）改善。所有與建造業相關的爭議屬專門類別個案，由一名法官專責處理。該法官全職處理建造業案件，可於短時間內掌握及熟習工作；再者，法院程序改革後，包括建造爭議在內的所有案件可更有效及迅速地由法院審理。

法庭制度亦有所改善。執業律師認為法院訴訟及仲裁兩者之間出現更大競爭。對一般商業爭議來說，可能確有其事。不過，就技術爭議而言，只有仲裁方式方能帶來的裨益概述如下。

為何選取仲裁方式？

維持業務關係

仲裁是雙方一致同意的過程，一般對抗程度較低。各方真正希望解決分歧，以更具理性的方法處理個案，雙方的敵對情緒較少。

本地建造業界規模較少，以數位發展商及總承建商為首，因此維持業務關係甚為重要。可惜的是當事人對工程項目有爭議。避免不必要的爭拗，藉此解決爭議，有助修補已受損的業務關係。

若干程序利益

仲裁員及程序的選擇

當事人可在仲裁程序選擇仲裁員，讓當事人有機會選擇具備合適才能的人員。仲裁員不一定是律師，可能是處理技術個案的仲裁員，具備工程或工料測量專業資格。法律專家不一定是進行技術爭議聆訊的最佳人選。

文件透露

仲裁的文件證據透露得以簡化，只有必要文件才需要披露。

This is a contrast to the traditional discovery in court litigation where disclosure is wide and extensive². In court proceedings, it is not uncommon that only very few (in some cases less than 10%) of the disclosed documents are actually used in trials and hearings. The flexible approach towards discovery in arbitration helps prevent this waste of time and costs.

Further, most procedural rules (e.g. the HKIAC Domestic Arbitration Rules, the International Chamber of Commerce (ICC) Arbitration Rules, and the United Nations Commission on International Trade Law (UNCITRAL) Rules) encourage documents to be disclosed at the early stage of the proceedings when pleadings are exchanged. The parties can realistically evaluate the strength and merits of their cases at an early stage. There is a better chance that the parties may settle amicably.

Time limits on hearings

Chess clock procedure is available in arbitration where each party is given a certain limit of time for presenting its case and oral evidence. This is a useful procedure for controlling the time and costs of the arbitration hearing which is usually the most expensive step.

Certainty of hearing dates

There is more certainty on the date of the hearing of an arbitration proceedings. The parties usually have a say as to when they think their case should be heard. This enables the parties to take into account the time that they would need for preparing their case to ensure that they are fully prepared for the hearing. They can also ensure that their preferred advocate will be available. In a court action, however, the parties do not have much say in the date of the trial which is fixed by the court in accordance with its availability and capacity. In the last decade, the court has shown its increased reluctance to fix the date of hearings and trials in consultation with the parties in respect of the availability of their Counsel.

Cap on recoverable costs

Section 2GL of the Arbitration Ordinance enables the costs to be recovered ultimately by the winning party to be capped provided that the parties agree. The rationale is to prevent costs from becoming disproportionate to the size of the claim. It is also a powerful tool for preventing costs from being wasted. Often, one party is in a better financial position than the other. A cap on recoverable costs can help prevent the party with more resources from bullying the other by raising unmeritorious arguments and making unnecessary interlocutory applications which escalate costs.

法院訴訟的傳統文件透露，涉及範圍廣泛。就法律程序而言，常見的情況是只有少數（部份案件少於10%）披露的文件實際應用於審訊及聆訊。仲裁的文件透露採取靈活的方式，以免浪費時間及訟費。

此外，大部分仲裁程序規則（例如香港國際仲裁中心《本地仲裁規則》、《國際商會仲裁規則》及《聯合國國際貿易法委員會仲裁規則》）鼓勵於交換答辯書後的仲裁程序初期披露文件。當事人可盡量確實評估案件的優勢及成功機會，有助各方在和平的氣氛下和解。

聆訊時限

仲裁設有「象棋時鐘程序」，每一方均需於若干時限內陳述案情及提供口頭證據。此程序有助控制仲裁聆訊的時間及費用，因為聆訊涉及的費用一般為最高。

確實聆訊日期

仲裁程序的聆訊日期得以確定。各方通常有權選擇何時進行聆訊。就此，各方可預計準備案件所需時間，確保得以為聆訊作出全面準備，亦可委託較合適的出庭代訟人。不過，在法院訴訟時，當事人對審訊日期並無發言權，因為審訊日期是根據法院的時間表及案件量而定。過去十年，法院顯然不願對當事人的律師是否可代表應訊，而徵詢雙方以決定訴訟及審訊日期。

可追討費用上限

《仲裁條例》第 2GL 條訂明，如各方同意，勝訴一方最終可追討的費用會設定上限。理由是避免費用與所索償款額不成比例。此舉亦可保障開支用得其所。一般而言，其中一方的財務狀況會比另一方更具優勢。就可追討的費用設定上限，有助避免具備更高財力的一方提出不充分的理據及不必要的非正審申請，藉此欺壓另一方，增加訴訟費用。

² See guidelines at *Compagnie Financiere et Commerciale du Pacifique v The Peruvian Guano Co* (1882) 11 QBD 55
有關原則見 *Compagnie Financiere et Commerciale du Pacifique v The Peruvian Guano Co* (1882) 11 QBD 55

'Costs' under this section should include the costs of the award (i.e. the tribunal's fees and expenses), and the costs of reference (i.e. the parties' legal fees and expenses)³. In general, an arbitrator has wide discretion in respect of caps on costs. A cap can be imposed as long as it appears 'reasonable, having regard to the scale and complexity of the dispute'⁴. In some cases, different limits can be imposed on the amount of costs to be recovered by the claimant and respondent respectively. In court proceedings, however, the test is much higher, and it is unlikely that the Court will impose a cap on recoverable costs.

Conclusion

As outlined above, the beauty of arbitration is in its flexibility. Arbitration proceeding can be tailored made to suit the facts and circumstances behind the issues in dispute between the parties according to factual matrices as well as the technical and legal matters.

However, the Court must not to be completely ousted from the regime of arbitration. Courts still have a role to play and the parties should choose their appropriate forum according to the relevant facts and circumstances surrounding their dispute.

In fact, the Courts have recognized the importance of arbitration as a dispute resolution process as reflected in the recent Civil Justice Reform in April 2009 which have revamped and updated some of the procedures in traditional litigation which now encourage parties to look at other suitable alternative dispute resolution methods including arbitration.

One anticipates that arbitration may be able to deliver a speedy and efficient resolution of construction disputes so that parties can focus on what they do best – deliver on their commercial contractual arrangement. 🌱

此條所指的「費用」是裁決的訟費（即審裁處費用及開支），以及仲裁的費用（即各方的法律費用及支出）³。普遍來說，仲裁員對設定費用上限有廣泛的決定權。只要考慮過「爭議的規模及複雜程度後，認為屬合理並可施加上限即可」⁴。有一些個案，申索人及答辯人就可追討的費用分別設定不同限制。不過，在法院訴訟時，門檻更高，因此法院對可追討費用設定上限的可能性不大。

結論

仲裁的優點是靈活性。仲裁程序可根據事實的根源及技術和法律事宜，配合各方爭議事項的案情及情況而決定。

不過，仲裁制度不能全面排除法院。法院仍有其職能，各方應根據與爭議相關的案情及情況，選取合適的方式。

事實上，2009年4月的民事司法制度改革，反映到法院確認仲裁作為解決爭議方式的重要性。改革事項包括傳統訴訟的部分程序，現今鼓勵各方探討其他合適的解決爭議方法，包括仲裁。

預期仲裁可迅速而有效地解決建造爭議，讓各方專注於擅長的工作——履行商業合約協議。🌱

³ *Bank Mellat v Helleniki Techniki SA* 3 WLR 783

⁴ *Home of Homes Ltd v Hammersmith and Fulham London Borough Council* [003] EWHC 807

References 參考資料：

1. Alastair Young and Gateley Wareing, "Cost Capping in Arbitration", *Construction Law Journal*, Volume 19 Issue 5 (2008)
2. "Chartered Institute of Arbitrators: Guidelines for Arbitrators dealing with Jurisdictional Problems in International Cases", *Arbitration: the Journal of the Chartered Institute of Arbitrators*, Volume 70 Number 4 (2004)
3. David G. Parratt, "Is Construction arbitration failing?", *Construction Law Journal*, Volume 17 Issue 3 (2001)
4. Ernest Enobun, "Arbitration as an alternative to litigation: does it preserve party relationship post awards?", *International Energy Law Review*, Volume 8 (2008)
5. Harvey J. Kirsh, "The Arbitration of Contraction Disputes", *Construction Law Journal*, Volume 2 Issue 1 (1986)
6. Robert Morgan, *The Arbitration Ordinance of Hong Kong: A Commentary* (Butterworths, 1997), pp95-97
7. Dorte & Sharkey, *Building and Construction Contracts in Australia*, Second Edition, Chapter 14

LU Pan Patron's Day Dinner Reception - 31 July 2009, Hong Kong 魯班先師寶誕晚宴 - 2009年7月31日，香港

The Construction Industry Council Training Academy (CIC Training Academy) celebrated LU Pan Patron's Day on 31 July 2009. Ir Billy WONG, Chairman of the Construction Industry Training Board (CITB) led a team of staff members and trainees to pay respect to Master LU Pan at the LU Pan Temple, praying for the resplendent future of the CIC Training Academy as well as striving for greater contribution to the construction industry and the community here in Hong Kong.

The CIC Training Academy also held a joyous dinner party on the same day. Members of the Course Advisory Panels were invited to attend. This served as our expression of sincere thanks to their supports to the CIC Training Academy over the year.

建造業議會訓練學院（簡稱「建訓學院」）於2009年7月31日（農曆六月初十日）慶祝魯班先師寶誕，由建造業訓練委員會主席黃永灝工程師率領眾教職員及學員代表到魯班先師廟向魯班先師致敬，祝願建造業議會轄下的建訓學院邁向更璀璨的明天，為本港建造業及社會作出更大的貢獻。

建訓學院亦在同日舉行晚宴，宴請課程顧問組成員，以答謝他們對建訓學院的支持。



Members of CITB and Mr Charles WONG, Director (Training) proposed a toast to the guests.
眾委員與培訓總監黃敦義先生一同向嘉賓祝酒



Ir Billy WONG, Chairman of the CITB led the dedication ceremony with the executives of the CIC Training Academy.
建造業訓練委員會主席黃永灝工程師帶領建訓學院一眾行政人員主持參拜儀式

Technically Competent Person T1 Training Course 適任技術人員T1訓練課程

As reflected by the construction industry and came to the notice of the Buildings Department, there was a shortage of Technically Competent Person T1 in the market to supervise the building works and street works as stipulated in the 'Technical Memorandum for Supervision Plans' and 'Code of Practice for Site Supervision 2005'.

With the approval of the Buildings Department, the Construction Industry Council Training Academy (CIC Training Academy) is now conducting a 'Technically Competent Persons T1 Training Course'. Those site supervisory personnel without specified qualification as stated in the above-said Technical Memorandum and Code

屋宇署從建造業界中得悉，有關《監工計劃書的技術備忘錄》及《2005年地盤監督作業守則》所規定的負責監督進行建築工程和街道工程的T1職級適任技術人員，出現人手短缺的情況。

在屋宇署的同意下，建造業議會訓練學院（簡稱「建訓學院」）現舉辦「適任技術人員T1訓練課程」，讓未符合上述備忘錄及作業守則所指明的學歷，但具備最少5年相關工作經驗的地盤監督人員修讀。學員在完成課程及符合備忘錄及作業守則內適任技術人員

of Practice but with at least 5 years' site supervision experience are eligible to apply for this course. Site Supervisory Personnel who satisfactorily completed this training course and fulfill the experience required by the above-said Technical Memorandum and Code of Practice are recognised and allowed by the Buildings Department to perform the duties of T1 (with the exception of Ground Investigation Field Works (GIFW)).

Since commencement of the enrolment process, CIC Training Academy has received overwhelming responses and additional classes will be offered in the near future to meet the demand. 🌱

T1 的要求後，將可獲屋宇署認可擔任適任技術人員 T1 的職務（現場土地勘測工程除外）。

自開始接受報名以來，報名人數十分踴躍，建訓學院即將加開新班，以應所需。🌱

New Course - Shotfirer Course | 新課程 - 「爆石工訓練課程」

In the next few years, a significant number of mega-size civil engineering projects will commence in Hong Kong. Some of which will adopt the blasting technique in different phases of construction whereby the demand for shotfirers is expected to boost significantly.

The Construction Industry Council Training Academy (CIC Training Academy) has recently launched the 'Shotfirer Training Course' with the aim to cope with the demand of the shotfirers in the coming years. The enrolment result of the first batch is considered encouraging.

In order to train sufficient number of shotfirers in time, the Development Bureau and the MTR Corporation Limited (MTRCL) intend to add a special clause in their new contracts that involve blasting works, requesting contractors to employ a specified number of 'Shotfirer Training Course' graduates. These contractors are also required to provide on-site training for those graduates in their licensed blasting sites. Meanwhile, the Civil Engineering and Development Department (CEDD) shall give authorisation to contractors who employ graduates of this course, whereby those graduates are allowed to assist in blasting works on licensed blasting sites while under the supervision of qualified shotfirers. Once graduates have acquired adequate blasting experience, they may satisfy the requirements for application of shotfirer qualification from the CEDD. 🌱

本港將於未來數年進行大量規模龐大的土木工程項目，部份工程會在不同階段採用爆破的方法施工，爆石工（引爆手）的需求預計會明顯增加。

建造業議會訓練學院現開辦「爆石工訓練課程」，旨在配合未來數年業界對爆石工的人力需求。首班的報名情況令人鼓舞。

為及時培訓足夠的爆石工，發展局與香港鐵路有限公司擬在包括爆破工程的新合約中加入特別條款，要求承建商聘用一定數目的「爆石工訓練課程」畢業學員，承建商並且需要向這些畢業學員提供爆破場地進行實地訓練。與此同時，土木工程拓展署會為聘用這課程畢業學員的承建商發出授權書，批准這些畢業學員在已領有牌照的爆破場地及在合資格的爆石工監督下，協助爆破的工作。當畢業學員取得足夠的爆破經驗後，便符合在該署考取爆石工資格的要求。🌱

Job Placement Results of Full Time Courses | 全日制課程學員就業成績

On 7 August 2009, around 380 trainees completed the 1-year and 2-year Basic Craft Courses and Construction Supervision Training Programme respectively. Despite the recent youth unemployment situation has reached a record high, a total of 670 job vacancies have been secured which represents the confidence of employers towards our

建造業議會訓練學院約有 380 名學員於 2009 年 8 月 7 日分別完成一年制及兩年制「基本工藝課程」及「建造業監工/技術員課程」。儘管目前青少年失業率屬近年新高，但業界僱主仍樂於提供近 670 份建造業職位空缺，可見他們對栽培建造業學員的熱誠。事實上，

trainees. Apart from it, many of the trainees were offered employment before graduation. As of 17 September 2009, the average employment rate of the graduates of these two courses is nearly 90%, which is considered to be very encouraging.

As for the pay, the average monthly salary of graduates of "Construction Supervision / Technician course" is about \$8,000 and that of graduates of Basic Craft Courses" is about \$7,000 while some outstanding trainees receive a monthly salary of nearly \$10,000.

In view of the upcoming infrastructure projects as well as repair and maintenance works for existing buildings, it is no doubt that there would be an increasing demand for supervisors, technicians and workers from the construction industry. The Construction Industry Council (CIC) will continue its effort in skills development as one of its missions to fulfill the need of the market. 

不少學員在畢業前已獲聘用。截至 2009 年 9 月 17 日，該兩項課程的畢業生平均就業率接近 90%，情況令人鼓舞。

薪酬方面，「建造業監工 / 技術員課程」畢業生的平均月薪約八千元，而「基本工藝課程」畢業生的平均月薪約七千元，個別表現優異的學員更獲近萬元的月薪。

鑑於即將推出的基建工程及現存樓宇的維修保養工程，對建造業監督、技術人員及工人的需求將會增加。建造業議會將致力繼續提升技術發展，以配合市場的需要。 

Trainees Performed Remarkably at Site Practice | 學員於工地實習計劃表現優良

The Site Practice Scheme for Trainees of Construction Supervisor Program and Basic Craft Courses has been launched since 2003, with the aim of enhancing the trainees' adaptability in the industry upon graduation. Through the Scheme, trainees are required to familiarise themselves with the working environment at construction sites, and to acquire the general site operation know-hows and interpersonal skills.

From June to August 2009, the CIC Training Academy was encouraged that the Site Practice Scheme was well received by the industry, and a total of 380 trainees from the CIC have successfully accomplished their site practice training, through attachment to more than 100 construction sites.

According to a survey on performance of trainees during site practice, most of our placement providers were impressed by trainees' remarkable performance. Amongst those attached to Gammon Construction Limited (Gammon) in the summer of 2009, CHOI Yuk-lun, a year-one Building Construction Supervisor Trainee not only obtained valuable experience and knowledge, but also a remark of great appreciation on his outstanding performance written by his supervisor. Gammon's appreciation would certainly be a blessing to CHOI's future career in the profession of construction supervision.

For enquires regarding the Site Practice Scheme, please contact Ms Ellen FUNG of the CIC Training Academy

建造業議會訓練學院自 2003 年起推行「學員工地實習計劃」，讓學員親身體驗建造行業的工作環境、運作及人際關係，以加強他們的適應能力，從而在畢業及入職後可迅速在工程隊伍中發揮作用。

由 2009 年 6 至 8 月舉行的工地實習計劃受到業內機構熱烈支持，建造業議會訓練學院因而深感鼓舞。約 380 名監工 / 技術員及基本工藝課程的建造業議會學員於逾 100 個工地順利完成了他們的實習工作。

根據一項意見問卷調查，實習機構普遍對學員的表現非常滿意，其中一位表現優異的實習學員是屋宇建造監工課程一年級學員蔡育倫。他於 2009 年的夏天在金門建築實習時的傑出表現，受到工地上司的高度讚賞，為他日後在監工專業的發展注下強心針。

如對實習計劃有任何查詢，歡迎致電或以電郵予建造業議會訓練學院馮家碧女士聯絡。

at Tel no.: (852) 2903 0682 OR
Email <enquiry@hkcc.org>

電話 : (852) 2903 0682
電郵 : <enquiry@hkcc.org>

The CIC Training Academy is delighted to share the letter of appreciation issued by a site practice provider on the performance of CHOI Yuk-lun, one of our trainees as follows:

建造業議會訓練學院很高興分享以下由實習機構發出予本學院其中一名學員蔡育倫的嘉許信：

Appreciation Letter Issued by Gammon 由金門發出的表揚信



Choi Yuk-lun was... consistently pleasant and tackling all assignment with dedication...

蔡育倫.....表現持續理想並能悉力完成被指派的工作

He is an asset to our site... he's extraordinarily helpful in safety... he assumes a leadership role in site supervision, inspiring and motivating site workers...

他是工地內重要一員...他歇力協助維持工地安全...在工地管理及推動工友施工方面不能擔當領導角色.....

He has improved our fall arrest system... by which our worker were the most benefited... 他改良了工地的防墮設施...令工友安全更有保障.....

He would make a great asset to any organisation... I welcome him join us again upon his graduation...

他能造福所服務的任何機構...本公司歡迎他畢業後加入我們的團隊.....

CIC Events Calendar | 議會活動日誌

Date 日期	Event 活動	Organiser 主辦機構	Venue 場地
5 March 2010 2010年3月5日	CIC Anniversary Cocktail Reception 建造業議會周年酒會	Construction Industry Council 建造業議會	Hong Kong Club 香港會
July 2010 2010年7月	Lu Pan Patron's Day Dinner Reception 魯班先師寶誕晚宴	Construction Industry Council Training Academy 建造業議會訓練學院	(To be confirmed)
Oct / Nov 2010 2010年10/11月	CIC Pay for Safety Award Scheme 建造業議會支付安全獎勵計劃	Construction Industry Council Hong Kong Construction Association Real Estate Developers Association of Hong Kong 建造業議會 香港建造商會 香港地產建設商會	(To be confirmed) (稍後通知)
Oct / Nov 2010 2010年10/11月	CIC Conference 2010 2010年建造業議會會議	Construction Industry Council 建造業議會	(To be confirmed) (稍後通知)

FREE Subscription
免費訂閱

Register now. Send an email to <newsletter@hkcc.org> to get a free copy directly from the Construction Industry Council.

立即發電郵至 <newsletter@hkcc.org> 登記，免費訂閱由建造業議會直接發出的通訊。

About CIC Newsletter
關於《建造業議會通訊》

CIC Newsletter is published quarterly by the Construction Industry Council (CIC). It reports news of the latest development and recent updates of the construction industry in Hong Kong and is distributed to construction professionals and practitioners, as well as individuals who are interested in the area of construction.

The Editorial Board welcomes reproduction of any parts / articles in this publication. Please acknowledge the source if any material is reproduced.

《建造業議會通訊》由建造業議會每季出版，內容以報導香港建造業界最新動態及發展為主，並免費派發予建造業界的專業人士和從業員，及對建造業感興趣人士。

編輯委員會歡迎轉載本刊物之內容或文章，轉載時敬請註明有關內容之出處。

New CIC Members | 議會新成員

The new term starts from 1 February 2010
任期由2010年2月1日起

Chairman 主席

Mr LEE Shing-see, GBS, OBE, JP 李承仕 先生, GBS, OBE, JP

Members 成員

Dr CHAN Ka-ching, Andrew, JP 陳嘉正 博士, JP	Mr CHAN Siu-hung 陳紹雄 先生
Ms CHENG Yeuk-wah, Teresa, BBS, SC, JP 鄭若驊 女士, BBS, SC, JP	Mr CHEUNG Hau-wai, SBS, JP 張孝威 先生, SBS, JP
Mr CHEW Tai-chong 周大滄 先生	Mr CHOW Luen-kiu 周聯僑 先生
Ir HO On-sing, Thomas 何安誠 工程師	Mr HO Wai-wah 何偉華 先生
Mr HUI Hon-chung, Stanley, JP 許漢忠 先生, JP	Prof KO Jan-ming 高贊明 教授
Mr KWAN Yuk-choi, James, JP 關育才 先生, JP	Mr LAM Oi-ki, Peter 林煦基 先生
Mr LAM Wo-hei, BBS, JP 林和起 先生, BBS, JP	Prof LEE Hun-wei, Joseph 李行偉 教授
Mr MAK Tak-ching 麥德正 先生	Mr WAN Koon-sun, MH 溫冠新 先生, MH
Mr WONG Chik-wing, Mike, JP 黃植榮 先生, JP	Mr WONG Tin-cheung, Conrad, JP 黃天祥 先生, JP
Ir WONG Wing-hoo, Billy, JP 黃永灝 工程師, JP	Mr YU Kam-hung 余錦雄 先生
Mr YU Wai-wai 余惠偉 先生	Mr MAK Chai Kwong, JP 麥齊光 先生, JP
Mr Thomas CHAN, JP 陳鎮源 先生, JP	Mr AU Choi-kai, JP 區載佳 先生, JP