



香港營造師學會
HONG KONG INSTITUTE OF
CONSTRUCTION MANAGERS

8th Floor,
25 Des Voeux Road Central,
Hong Kong.
Tel: (852) 2523 2081
Fax: (852) 2845 4749
Homepage: www.hkicm.org.hk
E-mail: info@hkicm.org.hk

Date: 11 October 2004

Secretariat, Constitutional Development Task Force
Constitutional Affairs Bureau
3/F., Main Wing
Central Government Offices
Lower Albert Road
Hong Kong

By fax (2523 3207) and by post

Attn: Mr. Donald Tsang, Chief Secretary for Administration

Dear Mr. Chief Secretary,

Proposed amendments in respect of the method for selecting the Chief Executive in 2007 and for forming the Legislative Council in 2008

On behalf of the Hong Kong Institute of Construction Managers (HKICM), I am writing to express the views of our members in response to the Third Report of the Constitutional Development Task Force.

Before proceeding to present our detailed proposals concerning the captioned, may it be brought to your attention the background of the HKICM.

The HKICM was founded as a non-profit making organization in 1997 by over 600 construction management professionals, working for the common goal for the statutory status of the construction profession and to pursue construction excellence. In fact the HKSAR is lagged behind the USA and the PRC in recognizing the importance of constructors – the American Institute of Constructors (AIC) and the PRC Registered Constructors are already officially recognized.

A. Summary of our Proposal

1. In principle we agree that the development of the political structure of the HKSAR should progress gradually and orderly. We also appreciate the confined area of changes approved by the NPCSC upon the election mechanisms before year 2008.

Yet the existing division of the sub-sectors for election of the Chief Executive (CE) and the composition of the functional constituencies of the Legislative Council (LC) need reincarnation to better reflect the views and opinions of the Community. A broader representation would naturally serve to reflect the needs and interests of the various sectors to arrive at consensus for execution.

2. We propose to increase the number of members of the Election Committee to 880 for the selection of the CE in 2007, the composition of the Election Committee to remain 4 sectors but a review of the sub-sectors is necessary. For the forming of the LC, we propose to increase the seats of the LC to 66 in 2008, 33 seats of which for the geographical and 33 seats for the functional constituencies with the size of the Electorate to be increased by adding new functional



香港營造師學會
HONG KONG INSTITUTE OF
CONSTRUCTION MANAGERS

8th Floor,
25 Des Voeux Road Central,
Hong Kong.
Tel: (852) 2523 2081
Fax: (852) 2845 4749
Homepage: www.hkicm.org.hk
E-mail: info@hkicm.org.hk

constituencies.

3. There are over 300,000 construction practitioners amongst the 3.5 million working population of the HKSAR, yet there is no clear representation of construction practitioners. There are representatives for the Engineering profession and for the Architectural, surveying and planning. There are also representatives for Accountants, Social Workers, Teachers, etc.

It is necessary and deserving for the construction practitioners to have a clear representation in the LC.

Construction practitioners have been managing and administering billions of dollars of worth of projects. By all means it is a sub-sector that deserves independent representation. The voters for the representative of the Real Estate and Construction functional constituency are composed of corporate bodies of the construction trade only. Individuals practicing in construction are not allowed the right to vote who are deprived of the same privilege as Engineers, Social Workers or Teachers in voting for their representatives.

We therefore propose to add the HKICM as an independent sub-sector of the Election Committee under the Professions Sector for the selection of the CE and be categorised an independent functional constituent of the Electorate of the LC Functional Constituencies hence a seat in the LC. An alternative is to add HKICM into the constituent sub-sector of Real Estate and Construction of the Functional Constituencies.

Profile of the HKICM

In pursuit of construction excellence we provide continuous professional development programmes and promote good construction practices – the publication 'Practice Notes for Construction Managers' is compiled for establishing practice standards for this purpose. Many of our members have been devoting much to serve public offices in honorary basis.

For the enhancement of construction quality and for manpower development of the industry, we have in year 2002 adopted the recommendations made by Mr. Henry Tang in the CIRC report to have created a new class of Construction Supervisor membership (CSM), for the recognition of the importance of and for the provision of continuous professional development programmes to front line site staffs. The number of CSM of HKICM now exceeds 350.

We are now having over 1,200 members of which over 500 are qualified professional Construction Managers most of whom had undergone engineering, architectural or surveying trainings, whom are also in possession of years of hands on construction management experience.

HKICM is committed to taking active parts in serving the construction community. We are also in frequent co-operations with peer professional bodies in organizing academic and promotional events. The Quality Building Award is a well-known example for which HKICM is an organizer.

HKICM has been receiving widespread support from relevant government departments. The



香港營造師學會
HONG KONG INSTITUTE OF
CONSTRUCTION MANAGERS

8th Floor,
25 Des Voeux Road Central,
Hong Kong.
Tel: (852) 2523 2081
Fax: (852) 2845 4749
Homepage: www.hkicm.org.hk
E-mail: info@hkicm.org.hk

Working Group on the Review of Site Supervision Systems in association with the Buildings Department had no objection to the recognitions of various classes of HKICM membership of up to TCP T4 in the Site Safety Supervision Plan. The Housing Department had also recognized MHKICM Construction Managers for Maintenance and Improvement Contracts while the Architectural Services Department had no objection in appointment of HKICM members as Site Agents (project managers) of Contractors.

We are currently working on the possibility in reciprocal recognition for the Registered Constructors of the PRC.

Proposals in accordance with Appendix 5 of the Consultation Paper

(I) Proposed Amendments in respect of the Method for Selecting the Chief Executive in 2007

Areas which may be considered for Amendment	Proposed Amendments	Rationale/ Factors for Consideration of the Amendments
The Number of Members of the Election Committee	Increase to 880 members	To construct a broader base with fuller recognition for consensus.
(i) The Composition of the Election Committee	Increase the total number of members proportionally. The existing 4 Sectors remain unchanged, with a more logical reclassification of sub-sectors. E.G. Add under the Professions Sector a sub-sector for the Construction practitioners.	To reflect the views of more sub-sectors which are not represented in the original classification.
(ii) The Number of Members of the Election Committee Required for Nominating Candidates for the Office of Chief Executive	To increase to 110 members for joint nomination.	To reflect the increased number of members eligible for election.
(iii) The Delineation and Size of the Electorate of the Election Committee	To review the constituent sub-sectors under the existing 4 Sectors. E.G. Add 'Construction Practitioners' as a new sub-sector.	To construct a broader base with fuller recognition for consensus.

(II) Proposed Amendments in respect of the Method for Forming the Legislative Council in 2008

Areas which may be considered for Amendment	Proposed Amendments	Rationale/ Factors for Consideration of the Amendments
(i) The Number of Seats in the Legislative Council	To increase to 66 seats.	To construct a broader base with recognition for consensus.



香港營造師學會
HONG KONG INSTITUTE OF
CONSTRUCTION MANAGERS

8th Floor,
25 Des Voeux Road Central,
Hong Kong.
Tel: (852) 2523 2081
Fax: (852) 2845 4749
Homepage: www.hkicm.org.hk
E-mail: info@hkicm.org.hk

(ii) The Number of Seats Returned by Geographical Constituencies through District Elections	To increase to 33 seats with reference to the latest demographic statistics in consideration of geographical classification.	To construct a broader base with recognition for consensus.
(iii) The Number of Seats Returned by Functional Constituencies	To expand to 33 seats according to the review of the composition and classification of the existing functional constituencies. E.G. Add a seat for the Construction Practitioners as one of the functional constituencies.	To rectify the non-representation of individual construction practitioners in the LC.
(iv) The Delineation and Size of the Electorate of Legislative Council Functional Constituencies	To review and reincarnate existing functional constituencies into a reasonable balance of representation. E.G. Add Construction Practitioners as a constituent to the functional constituencies.	To rectify the non-representation of individual construction practitioners in the LC.
(v) Provisions regarding Nationality of Legislative Council Members	No change is proposed. 20% is appropriate, if not too high.	Foreigners may work for the betterment of HK but controversial.

Because of the importance of the construction industry and the substantial number of construction practitioners engaged in the industry, it is totally logical for the HKICM to put forward the solicitations for an independent representation and voting rights in the functional constituencies, particularly under the continuing dark ages in these few years in our career. The voices of over 300,000 practitioners must be heard to avoid the otherwise possible social unrests.

It would be highly appreciated if the Task Force could consider the proposal. Should you need any further information, please do not hesitate to contact our Secretarial Office.

Thank you for your attention and we look forward for proper reviews of the political machines for our home.

Yours sincerely,
For and on behalf of
Hong Kong Institute of Construction Managers

(Signed)

Montgomery C. K. Chan
Secretary General