



COVER STORY

文章分享

## 「自願樓宇評審計劃」 Voluntary Building Assessment Scheme

Voluntary Building Assessment Scheme Team  
Hong Kong Housing Society  
January 2013

Building neglect has been a long-standing problem in Hong Kong. As prevention is better than cure, the HKSAR Government has determined to amend the Buildings Ordinance after two rounds of public consultation conducted in 2003 and 2005. Finally, the Buildings Department (BD) has implemented the Mandatory Building Inspection Scheme (MBIS) and Mandatory Window Inspection Scheme (MWIS) on 30 June 2012 after LegCo's endorsement to tackle the building neglect problem in the long run.

To support the two mandatory inspection schemes, the Hong Kong Housing Society (HKHS) undertook to develop the Voluntary Building Assessment Scheme (VBAS) from 2006 with the support and assistance from the building related industries. VBAS has been fully implemented on 17 July 2012. It aims to provide an alternative for the owners of well managed buildings without having to undergo the mandatory inspections and, through positive recognition of the VBAS, owners will be motivated to take their own initiatives to properly manage and timely maintain their properties, thereby raising the overall quality standard of building management in Hong Kong. To enhance the credibility, acceptance and transparency of the VBAS, HKHS invited representatives of BD, Home Affairs Department (HAD), professional institutes and organizations of various disciplines including Architects, Surveyors, Engineers, Environmental Professionals and Property Managers to actively participating in the development of the VBAS assessment mechanism.

HKHS conducted 3 trial assessments before the VBAS was formally implemented. With the help and support of the Hong Kong Association of Property Management Companies (HKAPMC) and its member-companies, there were 78 buildings participated in the trial assessments. After a number of revisions and enhancements, HKHS started promoting the VBAS in May 2012 by arranging training programmes for related building professionals and inviting applications for registration as VBAS Assessors. VBAS has started accepting applications for building certification since July 2012. All private domestic buildings and composite buildings (domestic & commercial) in Hong Kong, of any building age and with building management, are welcome to join the VBAS.

Through the comprehensive and rigorous building assessment of the VBAS, buildings with quality building management and maintenance will be awarded with Premium Certificates and Quality Labels, including the "Building Management Quality Label", "Building Maintenance & Repair Quality Label"/"Building Maintenance & Repair Excellent Quality Label" and "Environmental Awareness Quality Label". The buildings which have been awarded with the Premium Certificates will be recognized by the BD as having fulfilled the requirements under the MBIS and MWIS (for windows in common parts only) and will not be selected as target buildings in the respective inspection cycles under the MBIS and MWIS for undergoing mandatory inspections.

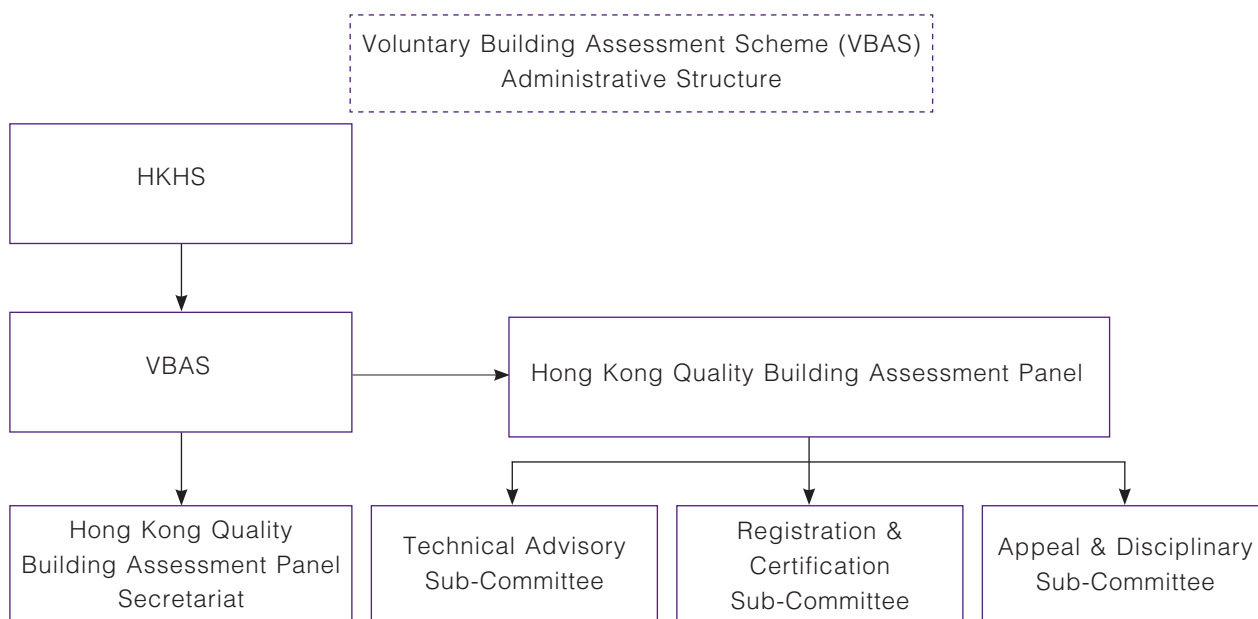
The building assessment under the VBAS consists of two main categories, i.e. Building Safety Category and Building Management Category. Assessment of the Building Safety Category covers 6 Elements namely "External Elements and Other Physical Elements", "Structural Elements", "Fire Safety Elements", "Drainage System", "Unauthorized Building Works" and "Window Elements (for windows in common parts only)". As

for the Building Management Category, the assessment covers 4 Elements namely “Building Maintenance Elements”, “Building Management Elements”, “Environmental Protection Elements” and “Value-added Elements”.

The VBAS Assessor shall conduct a one-off building inspection and assessment of the past records on building management and maintenance in accordance with the condition of the building at the time of assessment. Although there is no assessment cycle set for the VBAS, HKHS encourages owners to conduct regular assessment to their buildings in order to ensure the buildings are continuously maintained in good conditions and to maintain the prestige of the Premium Certificates and Quality Labels awarded under the VBAS.

For buildings aged 30 or above, if owners would like to gain BD’s continuous recognition as having fulfilled the requirements of MBIS and thus will not be required to undergo mandatory inspections in the respective inspection cycles, building assessment under VBAS shall be carried out at least once in a period of 10 years. For maintaining BD’s continuous recognition as having fulfilled the requirements of MWIS (for windows in common parts only), building assessment under VBAS shall be carried out at least once in a period of 5 years.

VBAS is operated under the supervision of the Hong Kong Quality Building Assessment Panel (Panel) and its three Sub-Committees set up by the HKHS. The Panel Secretariat is responsible for the daily operation of the VBAS.



\* Representatives of Panel & Sub-Committees coming from HKHS, BD, HAD, HKIA, HKIE, HKIH, HKIS, HKGBC & HKAPMC

For implementation of the VBAS, the HKHS held two large scale seminars in May and June 2012 respectively for introducing details of the MBIS/MWIS and VBAS jointly with the BD to practitioners of the building related industries and encouraging the related building professionals to seek for registration as Registered Inspectors and VBAS Assessors. The two seminars attracted attendance of some 600 related building professionals.

HKHS held a number of the 1-day training sessions for registration of VBAS Assessors in the past months which were attended by a total of more than 500 related building professionals. Up to end of December 2012, there were 394 qualified building professionals, inclusive of a considerable number of Registered Professional Housing Managers, registered on various lists of VBAS Assessors after completion of the training.

To motivate the owners in joining the scheme at an earlier stage, HKHS announced on 17 December 2012 an offer of Early Bird Discount of 50% for the Certification Fee on “first-come-first-serve” basis. Each of the four categories of buildings/estates (according to total number of domestic units) will be allocated a quota of 10 for this special offer without time limit.

For more details of the VBAS, please make reference to the leaflet and the website of the VBAS (<http://vbas.hkhs.com>). For enquiries, you may contact the Panel Secretariat on hotline 8108 0108 or by email to [vbasenquiry@hkhs.com](mailto:vbasenquiry@hkhs.com).

香港房屋協會  
自願樓宇評審計劃組  
2013年1月

樓宇失修是香港一個長期存在的問題。預防勝於治療，政府於2003年及2005年經過兩輪公眾諮詢後，決定修訂《建築物條例》，強制樓宇定期進行檢驗和維修，以長遠解決樓宇失修問題。經立法會審議和通過後，屋宇署已於2012年6月30日開始實施「強制驗樓計劃」及「強制驗窗計劃」。

香港房屋協會（簡稱“房協”）為配合政府推行兩項強制計劃，從2006年開始籌備，並得到業界的支持和協助，於2012年7月17日正式推行「自願樓宇評審計劃」（計劃），為已有良好管理的樓宇在強制樓宇檢驗外提供另一選擇；並期望透過正面的確認，鼓勵業主主動妥善管理及適時保養維修其物業，令香港整體樓宇管理質素得以提高。為了增加計劃的公信力、認受性及透明度，房協邀請屋宇署代表、民政事務總署代表及來自各個建築、測量、工程、環保及物業管理界別的專業學會和機構代表積極參與制定計劃的評審機制。

在推行計劃前，房協曾先後進行了三次模擬評審。在得到香港物業管理公司協會及其會員管理公司的支持下，總共有78幢樓宇參與模擬評審。經過多次修訂及優化，房協於2012年5月開始推展計劃，舉辦「自願樓宇評審計劃」評審員培訓課程及接受評審員註冊，並於7月起接受樓宇認證申請。全港有樓宇管理的私人住宅及綜合用途（商住）樓宇，不限樓齡，均可參加。

本計劃透過全面及嚴謹的樓宇評審，向保持良好管理及保養的樓宇頒發卓越證書及各類優質獎章，包括「樓宇管理優質獎章」、「樓宇保養維修優質獎章」／「樓宇保養維修傑出優質獎章」及「環保意識優質獎章」。而取得卓越證書的樓宇，可獲屋宇署認可符合「強制驗樓計劃」及「強制驗窗計劃」（公用部分的窗戶）的要求，免卻於相關檢驗週期內被揀選為「強制驗樓計劃」及「強制驗窗計劃」的目標樓宇進行強制檢驗。

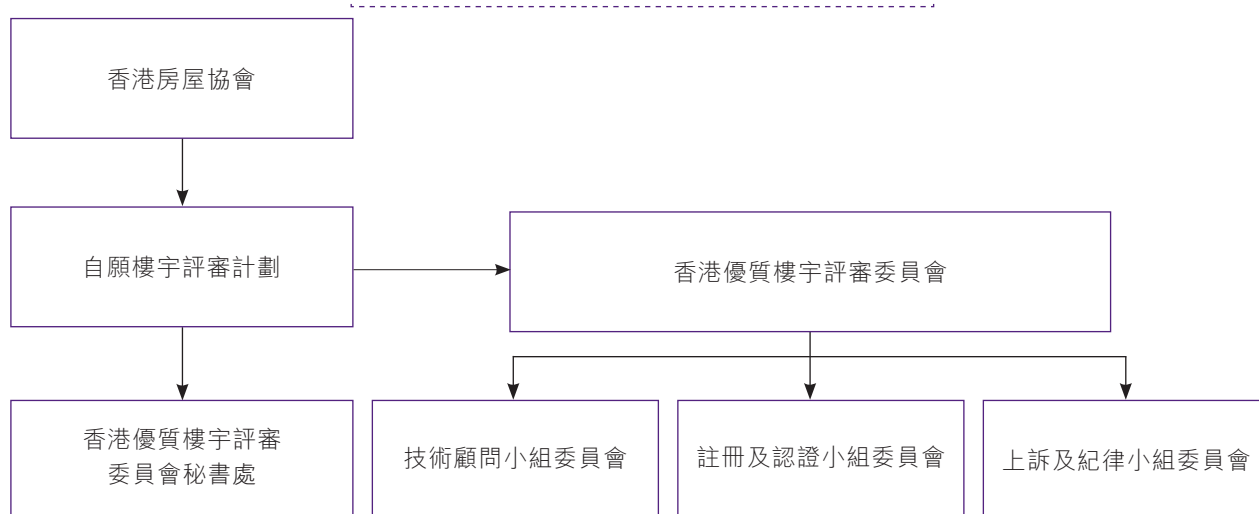
計劃的樓宇評審分為樓宇安全及樓宇管理兩大部分。樓宇安全的評審範圍包括外部構件及其他實體構件、結構構件、消防安全構件、排水系統、違例建築物及窗戶構件（公用部分）等六大元素。至於樓宇管理方面，評審範圍涵蓋樓宇保養、樓宇管理、環境保護及增值等四大元素。

評審員須按樓宇在評審時的狀況，進行一次性的檢驗及評審過往樓宇管理保養維修的記錄。雖然計劃不設評審週期，但房協鼓勵樓宇業主定期安排樓宇進行評審，藉以確保樓宇處於妥善管理及適時維修的狀態，並可維持計劃的卓越證書及優質獎章的榮譽。

此外，樓齡達30年或以上的樓宇成功獲認證後，若業主希望持續獲屋宇署認可符合「強制驗樓計劃」的要求，便須最少每隔10年為樓宇進行一次評審；如要持續獲屋宇署認可符合「強制驗窗計劃」（公用部分）的要求，則須最少每隔5年進行一次評審。

計劃在房協成立的「香港優質樓宇評審委員會」及其下三個小組委員會督導下運作，並由委員會秘書處負責執行日常的工作。

自願樓宇評審計劃的行政架構



\* 委員會代表來自香港房屋協會、屋宇署、民政事務總署、香港建築師學會、香港工程師學會、香港房屋經理學會、香港測量師學會、香港綠色建築議會及香港物業管理公司協會

為開展這項計劃，房協於2012年5月及6月先後舉行了兩次大型簡介會，聯同屋宇署代表向業界講解由屋宇署推行的「強制驗樓計劃」及「強制驗窗計劃」及由房協推行的「自願樓宇評審計劃」的詳細內容，並鼓勵相關的樓宇專業人士註冊成為「註冊檢驗人員」及「自願樓宇評審計劃」評審員。兩次簡介會共有600多名相關的專業人士參加。

房協在過去幾個月亦分別舉辦了多班為期一天的培訓課程，吸引了超過500多名專業人士參與。直到2012年12月底為止，已有394名具備相關專業資格的人士註冊成為計劃之不同類別的評審員，包括為數不少的註冊專業房屋經理。

為推動業主儘早參與本計劃，房協更於2012年12月17日宣佈，以「先到先得」的形式，提供認證半費優惠，四個組別的大廈／屋苑（以住宅單位數目劃分）各設十個名額，不設時限。

各界人士欲進一步了解詳情，可查閱計劃的簡介單張及網頁(<http://vbas.hkhs.com>)。如有任何查詢，可致電熱線8108 0108及電郵至 [vbasenquiry@hkhs.com](mailto:vbasenquiry@hkhs.com) 與「香港優質樓宇評審委員會」秘書處聯絡。



## 「透過客戶服務優質標準以達至卓越之客戶關係」 Achieving Customer Relationship Excellence through Customer Service Quality Standard (CSQS) Review — A Case Study of Property Management Industry

Jason Chu  
Chairman, Asia Pacific Customer Service Consortium, Hong Kong  
Email: [jason@apcsc.com](mailto:jason@apcsc.com)

### ABSTRACT

The Customer Service Quality Standard (CSQS) has been developed in conjunction by the Asia Pacific Customer Service Consortium (APCSC) and researchers from the University of Hong Kong to assess the overall service quality, best practice compliance and performance of customer service operation. It is a comprehensive certification dedicated to a robust customer service world class framework awarded to organizations that excel in customer relationship excellence (CRE). The main aim of the CSQS is to establish a practitioner-based, user-driven set of best practice guidelines that can be followed to manage the service operation systematically and effectively so as to provide excellent services consistently to meet and exceed customer requirements and expectations.

This study intends to present a CRE strategic review of property management sector through case studies and examples on how customer relationship excellence can be achieved through implementing a series of checks and actions based on CSQS, in a world class framework composed of four main areas, namely, management responsibilities, resources management, process management and performance management. The Customer Service Knowledge Management (CSKM) under the CSQS framework was established to increase the overall organizational effectiveness, capabilities, performance metrics and customer relationship management system.

**Keywords:** CSQS, CSKM, the Balanced Scorecard, Leadership, Performance Management, Customer Relationship Excellence, Property Management

### 1.0 Introduction

#### ***1.1 Challenges in the modern property management***

The housing managers and property managers are facing greater challenges today than ever before as the size of the housing development projects and the scale of the urban real estate planning grow larger in Asian Pacific countries.

These larger scale housing projects and real estate need to address and comply with more complex issues relating to government policies and regulations; health and safety, environmental standards; new ordinances on labor, facilities maintenance, security, and personal data privacy and protection; and last but not the least, increasingly higher expectations from the housing residents and property owners. The last group is generally referred to as “customers” today. These “customers” have invested a major part of their savings to acquire their houses and properties. In most cases, they will continue to pay monthly management fees and annual government tariffs in return for good quality of management services and enjoyment of life style and comfort.

Maintaining a high level of customer satisfaction from our customers, namely, housing residents, tenants and property owners, today have become not only more challenging but also one of the most important business objectives for housing and property managers in order to retain customers and renew the management contract upon expiration.

### **1.2 Customer Service Quality Standard (CSQS)**

Asia Pacific Customer Service Consortium (APCSC) has identified that customer relationship excellence (CRE) is an essential part of corporate strategy to ensure sustainable business growth and development. Jointly with Professional George Huang from the University of Hong Kong, APCSC has researched and developed the Customer Service Quality Standard (CSQS) to support the development and implementation of CRE strategy with guidelines and best practices for service organizations including the housing and property management services.

The main aim of the CSQS is to establish a practitioner-based, user-driven set of good-practice guidelines that can be followed to manage the customer service operation systematically and effectively so as to consistently provide excellent services to meet and exceed customer requirements and expectations. These guidelines are arranged as a Standard specific to customer service organizations including Customer Service Centers, Technical Support and Call Centers/Contact Centers.



This review paper intends to present a comprehensive review of Property Management Service Industry on how it can achieve customer service excellence through implementing a comprehensive set of best practices and guidelines based on CSQS customer driven service framework in meeting and exceeding customer expectations and enhancing customer relationship excellence.

In the following sections, the paper reviews and points out some specific gaps that are common areas of attention for creating more added value and building better relationship with customers for property management firms from CSQS perspectives. The four perspectives of CSQS include management responsibilities, resources management, process management and performance management where the performance management KPI's are measured and integrated through the Balanced Scorecards. With this framework provided by CSQS, property managers are able to periodically review their business operations and performances, and make improvements in management, resources, processes and performance in a coherent way, focusing on developing excellent customer relationship.

## 2.0 Management Responsibilities

### 2.1. *Organizational Leadership and Structure*

“Has the senior leadership of the organization set a clear **customer relationship excellence strategy**, performance goals and measurements of the organization, and communicated them effectively?”

If your corporate strategies and mission statements are still missing a clear customer centric philosophy, your organization will be focusing more on other operational issues base on your mission versus focusing essentially on “customers” or customer’s need and satisfaction. Consequently, there is a lack of awareness and focus of such core value in the corporate culture and policy alignment with the service level agreements, pledge and commitment of quality standard to the level of customers’ requirements and expectations.

On the other hand, property management firms with a clear CRE strategy will focus much more on customer needs and requests to make continuous improvements and identify innovative services to fulfill and exceed customer expectations as a competitive advantage. It is therefore essential for reviewing your strategy and mission carefully with CRE strategy included.

## **2.2 Management Review and Management Action**

Effective CRE leadership will review and solicit staff suggestions to recognize and motivate employees for customer compliments received and to implement best practices by listening to customer suggestions. Employee recognition scheme for staff who receives compliments from customers creates customer focus culture. The successful CRE strategy and leadership effectiveness together will create a sustainable service business model for higher customer satisfaction and loyalty.

In correspondence to the result of management review, management should be taking corrective and preventive actions to sustain the continuous improvement and development of the company, and setting up steering committee to review Root-Cause Analysis and carry out follow up action, and measure KPI's before and after continuous improvement action for comparison.

Furthermore, investigating cross-functional issues, root cause for the corrective and preventative action and deploying the PDCA system as the quality management system, staff performance is assessed by the corresponding KPI's and linked with clear performance incentive programs for the staff.

## **3. Resource Management**

### **3.1 Resource Planning and Deployment**

“Are resources determined and provided to establish and improve operations and align with the customer relationship excellence strategy, corporate vision, mission and pledge?”

Most property management firms are able to manage the cost and budget well. However, there is not a strong emphasis focusing strategically on identify areas to invest for higher return.

With increasing energy cost, electric bills during winter and summer time, the world is becoming more environmental conscious to save energy, reduce carbon emission, and go green. Investing in energy saving devices and replacing old high energy consumption electrical appliances, light bulbs, machines, etc., can create a long term saving with good return on investment (ROI). Further investment on automation for light saving, temperature, water, energy saving and environment friendly systems will reduce a lot of manual work, reduce cost and create higher appreciation by the owners committee with a sense of pride for both the staff and customers.

### **3.2 Resource Utilization, Maintenance and Upgrade**

Measuring resources utilization can also help the property managers to identify areas for better usage. For some facilities and areas, like the Karaoke or special purpose function rooms, with low reservation and customer usage; property manager can work with the customers to redevelop the existing facilities and common areas to change their purposes for more practical and even innovative development and renovation to match the lifestyle and changing lifecycle for the current owner, residential families and tenants. These regular reviews of resource utilization, maintenance and upgrade can help to increase the customers' usage of the property and more importantly satisfaction of the housing management.

Above all, have an effective customer feedback channel to listen, collect, review, strategically identify and proactively implement sound ROI projects to make continuous improvement and upgrade to the housing and real estate will create a stronger win-win-win customer relationship.

## **4. Process Management**

### **4.1 Process Planning, Standard Operating Procedure and Operation Management**

"Is there a CRE strategy to improve key customer experience management and service delivery processes with associated channels and touch points?"

A systematic process should be established to provide **feedback from the customer service unit** in order to improve the delivery, channels, development and introduction of new products and services.

Today, different customers have different purchase and spending behaviors including payment method preference which will impact how they want to make payment for the management fees. It is necessary that housing managers consider offering additional alternative payment methods including online, credit card, electronic payment system, check deposit to facility the increasing customer/consumer spending habits and the market trend to improve the operational efficiency, financial performance and increase customer satisfaction.

Regular customer satisfaction survey and period customer focus groups should be conducted to establish areas of improvement and follow up actions to monitor process performance and related key operational performance indicators.

#### **4.2 Process Analysis and Process Improvement**

Key customer service processes and activities should be periodically checked, analysed and reviewed to identify **opportunities** for process improvement and **innovation** so as to improve business and operational performance

With more innovation and customer oriented technologies available, property management can take advantage of these innovations to bring convenience to customers and bring a better customer experience management to benchmark with market trend and customer expectations.

For example, in addition to personal visits or phone call to the clubhouse, customers can make reservations of sports and leisure facilities via internet or mobile apps to offer 24-hour access. Special notifications, reminders and facilities maintenance can be done via SMS, Whats Apps, or email, etc. These self service channels and process automation not only create more convenience, accessibility, higher utilization to fit with customer's personal lifestyle and time, but also reduce the staffing level and workforce required to cover long operational hours at the clubhouse. The above examples have greatly improved the efficiency of different processes to improve customer experience.

Opportunities for process improvement should be proactively identified and implemented with consideration of information system and technology enhancement and support to improve customer experience management and satisfaction.

### **5. Performance Management**

#### **5.1. Performance Management System, Service Level Agreements, Analysis of Data**

"Is there a CRE strategy for customer satisfaction management, benchmarking and performance management on customer, financial, service and staff performance for management review and action?"

Managing a large housing property is similar if not more challenging than managing a 5 start hotel and resort. The daily and weekly monitoring of a comprehensive balanced scorecards key performance indicators (KPI's) relating to customer, financial, service operation and staff performances is mandatory to ensure customer relationship excellence.

Achieving high level of customer satisfaction and loyalty, managing judicious budget and investing in sound ROI projects, keeping the service promises and service level agreements, offering professional service delivery with motivated and competent staff, maintaining a world class customer service, all make up our balanced scorecards with both quantitative and qualitative KPI's.

### **5.2. Performance Benchmarking, Managerial and Operational Uses**

Benchmarking with other properties and listening to our customers' complaints and compliments can offer property managers the best future development directions.

APCSC has organized the International Customer Relationship Excellence (CRE) Awards since 2002 where property management companies amongst other cross industries have taken part and benchmarked with one another to identify best practices from property and cross industry leaders.

Leading property management firms have also been assessed through CSQS, the CRE Awards standard, to identify gaps and improvement opportunities. These gaps, opportunities, best practices can help property managers to create strategic initiatives in order to improve performance relating to customer, financial, service and staff performance.

Strategic initiatives and action plans should also be implemented throughout the organization to improve benchmarking gaps in product and service delivery, and customer expectations to achieve further CRE successes. Building a customer centric organization, with closer relationship with customers, initiating a personal greeting and conversation, listening to their feedback and suggestions, caring enough to make continuous improvements are all necessary to keep our customers delighted.

### **6.0 Customer Service Knowledge Management**

Another important area that can contribute greatly to customer relationship excellence is the Customer Service Knowledge Management (CSKM). The CSKM is a centralized database and information system containing customers, products and services information to facilitate the efficient and accurate responses, and service delivery to achieve customer satisfactory with first time resolution without call back or escalations. Through effective CSKM, all and our staff and property managers can provide more personalize services meeting the needs of our customers and create a strong friendship with the residents and tenants.

Some companies are not fully aware of the importance of online customer service knowledge management (CSKM) which can support the frontline staff with professional knowledge and information to give first time resolution satisfactory to customer requests. This is another area for higher ROI programs to uplift the balanced scorecards KPI's.

With mature cloud and mobile computing devices, more companies from cross industries are deploying mobile devices, apps and tablets to extend the enterprise CSKM to where the customers are physically located to improve customer interaction and experience management to further empower their supervisors and frontline staff to offer timely feedback and provide personalized services.

## 7.0 Conclusion

The strategic review using CSQS guidelines applied to the property management industry has identified gaps and opportunities that are relevant and effective for auditing and benchmarking with both within and outside of the property management sector. Some of the strategic initiatives realized in the property sector are to enhance customer service best practices, to encourage organizational focus on customer needs to improve their business performance, to align the approach throughout the company and industry and to improve interdepartmental co-operation, customer and staff engagement.

The CSQS sets forth a set of Customer Relationship Excellence (CRE) guidelines that assists the organizations in instituting best practices and compliance and to empower the customer service and operation to greatly uplift their capability to improve the overall success, Voice of Customer quality system and performance.

The systematic annual CSQS review and implementation reinforce the corporate CRE strategy to:

- Drive Customer Relationship Excellence as core business value throughout the organization with endorsement from the top management cascading to the frontline operations;
- Improve organizational performance, Quality Management tools for continuing development of people, processes and systems;
- Audit and evaluate your service organization and systems with a World Class Framework for Strategic planning, Implementation, and Organization Integration;
- Identify gaps and opportunities to develop and establish customer service best practices;
- Drive Enterprise Customer Services Knowledge Management to improve staff performance, knowledge sharing, professionalism, and empowerment to serve customers better.



## AUTHOR'S BIOGRAPHY

**Jason Chu** is the Founding Chairman of the Asia Pacific Customer Service Consortium (APCSC) and Hong Kong Customer Service Consortium (HKCSC), the judging panel and organizing committee of the International Customer Relationship Excellence Awards (CRE Awards), the Chairman of the International Council of Customer Service Organizations (ICCSO), and Life Time Fellow of the Customer Service Institute of Australia (CSIA).

Chu collaborates with industry experts and major university researchers to consult and research on key aspects of Customer Satisfaction and Loyalty. Jointly with researchers in the University of Hong Kong and the members of APCSC and HKCSC, Chu has led the consortium effort in developing the Customer Service Quality Standard (CSQS) in setting international standards and world class framework for service organizations.

Chu is also the pioneer of innovative customer service research including eSurvey on Internet Banking, Securities and Travel Services, Best-in-Class (BIC) CRM Benchmarking in Asia Pacific, Customer Satisfaction and Aspiration Survey and other international standards in Asia, Australia and the United States, collaborating with industry experts and major university researchers to consult and research on key aspects of Customer Satisfaction and Loyalty.

Chu is the Industry Visionary to build a Global Certification with international bodies in the USA, Australia, China and other countries for the CRM, Customer Service and Support Industry to develop professionalism and career development for the customer service industry.

Chu received his BS and MS degrees in Industrial Engineering and Operations Research from the University of California, Berkeley. He is a speaker of high demand at conferences and workshops to senior executives on developing CRM strategy and building customer centric organizations with customer loyalty.

## 「人手不足」的「算定損害賠償」 (Liquidated damages for manpower shortage)

郭冠英律師  
李郭羅律師行  
2012年11月

### 引言

物業管理公司經常都需要為屋苑安排保安、清潔等服務，並為此擬備招標文件及服務合約。該些服務合約多會規定承辦商(contractors)須安排一定數目的員工為屋苑提供服務，例如每更最低人數等等。

自最低工資的法例實施後，一些行業如保安及清潔等員工的薪金大幅上升，流動性也較大，且部份「豪宅」對服務人員的質素要求頗高，以致承辦商有時不易按合約規定聘得足夠人手提供服務，故出現違約情況。而這些合約多有條款載明承辦商於違約時須支付「損害賠償」(damages)，並以某算式計算(稱為「算定損害賠償」[liquidated damages])。屋苑管理公司更可從合約應付的酬金中先行扣除賠償金，再支付餘額予承辦商。

可是，是否所有類似的「算定損害賠償條款」(liquidated damages provision)在法律上都是有效的呢？屋苑法團及管理公司是否可按照合約所載的計算公式獲得賠償呢？本文會對此問題及物業管理人員應注意的相關事項作簡單探討。

### 有效的「算定損害賠償條款」

刑事法律旨在「警惡懲奸」，藉著處罰觸犯刑法的被告人，以警效尤，維持社會治安。可是，屬於民事法律範疇的「合約法」的一項基本原則是賠償受害者，而並非懲罰違約的一方。即使被告人確有違約，但如原告並未因此蒙受任何損失，一般來說，原告也不應興訟索償。例如保安公司按合約應提供十名護衛員為屋苑服務，但在某天只有五人當值，明顯屬於違約。可是，當天屋苑也沒有失竊等特別事故發生，人手不足並未令屋苑或業戶蒙受任何實際經濟損失，按照上述的法律原則，屋苑的法團或管理公司也未必可以向保安公司索償，因為他們根本證明不到有任何損失。

可是，如果保安合約載有有效的「算定損害賠償條款」，並獲法院執行，法團或管理公司於承辦商違約時便無須再證明有任何實際的金錢損失，即可獲賠根據合約算式所算定的賠償金。其實，加入「算定損害賠償條款」往往就是為了避免要就實際損失舉證，改為以一簡單算式計算賠償金額。因為承辦商人手不足很多時未必會導致可證明的損失，所以屋苑的保安清潔等服務合約才加入「算定損害賠償條款」，以免當承辦商違約時仍莫奈他何。

但是是否所有的「算定損害賠償條款」都有效呢？答案是否定的！「算定損害賠償條款」必須是按照原告人「事前真正估算」(genuine pre-estimate)，若對方違反相關條款，己方可能蒙受損失的金額而訂出的計算辦法，法律上方為有效。舉一個實例，假如管理公司在保安公司未有提供足夠人手時，會安排自己僱員或其他公司的保安員填補空缺，屋苑業主為此便須支付額外費用。如管理公司將該些額外費用的計算方式(如每更的替工工錢為數若干等)加進合約，構成「算定損害賠償條款」的基礎，甚至再加上一些數目有計算依據的行政費用，該「算定損害賠償條款」便很可能被法庭接納為有效。即使屋苑某次人手短缺卻沒另覓替工，或並無因此遭竊賊光顧，即沒有任何實際的經濟損失，仍可按合約載明的「算定損害賠償條款」獲償。

### 罰款條文 (penalty clause)

如果原告加入「算定損害賠償條款」的目的，只是為了向對方施壓，迫使對方不會違約，這些合約條文在法律上便會被視為具備「懲罰性」，被告按合約需要支付的其實是「罰款」(penalty)，而非「損害賠償」(damages)，這便違反了上述合約法「只為賠償原告；並非懲罰被告」的基本原則。例如法團或管理公司為保證承辦商有足夠人手為屋苑服務，於合

約中要求對方於違約時須賠償的金額屬於天文數字，明顯與事件的嚴重性不成比例，或超過己方可能蒙受的損失，根本並非按事前誠實估量所訂，在這情況下，法庭多會視該條文為「罰款條文」(penalty clause)，並拒絕執行。

即使有關合約條款被界定為「罰款條文」，也不等於違約一方無須賠償。不過，原告必須按照普通法規定，先提出證據證明己方因對方未有提供足夠人手而蒙受真正經濟或金錢損失，然後再由法庭評定損失的金額。

### 須注意事項

基於上述情況，物業管理公司在合約加入相關條款的同時，應考慮及注意以下事項：

- (1) 研究可否將合約酬金由固定金額改為按承辦商出勤人數計算。管理公司方面仍可在合約中載明對方須提供一定數目的員工為屋苑服務，這樣做的話，於承辦商提供的服務人數不足時，即使因為沒有實際損失而不能向對方索取違約賠償，也可按比例減少應付的合約酬金。
- (2) 考慮可否訂立聘請替工的機制。一些較具規模的物業管理公司可能本身聘有保安、清潔等員工，或有屬同一集團的「姊妹」保安或清潔公司。如果某屋苑出現人手不足，可研究立即借調人手替補。只要有這機制存在，即使不是每次都安排替補，仍可向法院解釋有關的「算定損害賠償條款」並非為懲罰承辦商而設，而是按照事前估量，因為承辦商人手短缺導致屋苑可能須額外承擔的替工開支而制定。管理公司應準備好有關的數據資料，以證明合約所載算式確有依據。
- (3) 物業管理公司須與法團或業主委員會代表解釋以上情況，表明一些合約條款執行上可能有爭論空間，若認為有需要可就常用的招標文件內容諮詢法律意見，至少不要在有人手短缺情況出現又不能向承辦商追討賠償時，被業主們怪責處事不週或不夠專業。
- (4) 不應勉強或因循地在合約中加入一些嚴苛或不合理的「算定損害賠償條款」，以為可以威脅承辦商，使他們遵守最低服務人數的規定。這些條款正正是法律所不容許的「懲罰性條款」，獲法院執行的機會根本甚微。

本文僅供讀者參考，如遇真實個案敬請另行尋求法律意見。

## 澳門私人樓宇管理與政府政策之演變

### 澳門房屋局譚光民局長

#### 一、政府就私人樓宇管理角色的演變

一直以來政府只對社會房屋<sup>備註一</sup>具有參與樓宇管理事務，同時在 1995 年開始按照第 41/95/M 號法令所賦予的監察權的職能，對經濟房屋<sup>備註二</sup>共有部分進行監察，以要求管理者履行所適用之法律及上述法令所載之義務。當時政府對於私人樓宇的管理事務並未有法律依據作出支援。

然而，隨著社會的發展，私人樓宇業主對自身居所共有部分的維修及權利的關注度日漸提高，再加上業主與提供服務的管理人彼此都未全面認識自身在法律規定的權利與義務，從而引發很多樓宇管理上的糾紛，較多問題是業主或管理機關(俗稱管理委員會)向管理公司取回樓宇的管理權、業主或物業管理公司質疑管理機關的有效性，物業管理公司未有履行義務繳交公共設施的電費等等，這些糾紛成為政府及社會關注的問題。於是，在 2006 年政府就介入樓宇管理事務擴展至私人樓宇，職能包括對私人樓宇的籌組管理機關提供支援，同時促進業主、管理機關及管理公司之間的溝通及協調相關之管理爭議。

#### 二、傳統的樓宇管理服務受到沖擊

傳統的物業管理公司只是提供一般的清潔、管理員，及維護一般基本設施的運作，而業主也沒有意識到自己為共有部分的權利人，所以提供服務的公司不受到外來要求所推動，其服務僅會保持固有的水準。但自從博彩業開放後，澳門樓宇價格也隨之起了很大的變化，業主開始認識到樓宇的管理權是屬於業主所有人，強調要提高樓宇管理質素，因而開始關注管理費與物業管理公司提供的服務是否符合又或管理質素是否達到業主的的要求等等。然而部分的物業管理公司對市場起了變化在心理上未能調適，故未有快速就提供的服務進行改革。

#### 三、從多方面提升樓宇管理質素

政府為有效推動樓宇的管理，因而不斷推行多項措施以便有利提升樓宇管理質素。考慮到要提升樓宇管理質素的涵蓋層面包括樓宇內所有住戶、物業管理公司，樓宇內外設施及共有部分的運作。

能提升住戶清晰了解對共有部分的權責及義務，以及管理機關明白自身的職責，則有利樓宇管理的和諧，因此宣傳推廣樓宇管理知識的工作，是一個不可缺少及持續的計劃。另外透過支援方式協助管理機關就召開業主大會及在樓宇管理上所衍生的問題提供意見。同時以資助及貸款的方式鼓勵業主為樓宇進行維修。

為解決樓宇管理爭議在訴訟程序所需的時間，政府於 2011 年設立「仲裁中心」以爭議雙方同意下參與仲裁程序；首個程序先安排雙方進行調解，雙方未能和解則進行裁決，而裁決與初級法院作出的判決具有等同的執行效力。

由於樓宇管理的爭議很多時是涉及對《民法典》分層所有權利制度的理解及執行，為使法律能配合社會所需，政府現正開展修訂有關制度的工作。

另外，物業管理公司對樓宇管理的質素有著關關鍵性，公司的有效管理、運作及具有專業能力才確保管理合同的協定落實。政府現正制訂《從事分層建築物管理業務及管理員職業的法律制度》，藉以規範樓宇管理公司及管理人員的資格進行審查發牌，確保樓宇管理公司及管理人員必須具備一定的條件及質素，有效規範樓宇管理行業，從而有助提升樓宇管理服務質素，而有關法例亦正進入立法程序。

備註一： 社會房屋屬政府財產之房屋，以租賃方式提供給經濟狀況較差且居住於澳門之家團。

備註二： 經濟房屋為政府透過房屋發展合同制度或由政府負責建造的房屋樓宇，用以提供社會收入較少之階層購買。

## 建築物管理條例(344章)的修訂

### 鍾沛林律師 GBS, OBE, 太平紳士

建築物管理條例(「條例」)正進行檢討、並依進程表提交中期報告予民政事務局局長，相信短期內會就中期報告內擬修訂的議題由檢討委員會進一步聚焦及深入研究、討論及處理一些較複雜的問題，然後提交最後建議。相信將來的修訂建議會分兩個部份：一個是條例條款的修訂，須透過立法程序經立法會議通過。另一個是加強有關大廈管理的實務指南，對某些程序要求及持份者的角色針對性作出明確及更詳細的指引，令各持份者明白其應負責任及職務部份。這些指引的法律地位將沒有改變，即工作守則或指引如未獲遵守，此事本身並不會令違反者涉及觸犯刑事程序，但在任何法律程序下，不論民事或刑事，可作為有助確定或否定該等法律程序中所爭論的法律責任的依據。換言之，違反工作守則或指引的行為在訴訟程中會作為法庭考慮的因素，影響法庭對審理的案件的勝負天秤。

最受關注是否需要修訂的議題項目包括公契經理人的委任終止、5%業主要求管理委員會主席召開主大會、法團的成立要求、業主大會的法定人數、授權書、管理委員會委員宣誓要求、業主的法律責任等。

要求修訂終止公契經理人委任的條款(條例附表7第7段)的法團或業主的理據大致包括：法團應有選擇權；終止委任的決議須得到不少於50%的業主總業權份數的支持是過高；酬金過高；及與原發展商的從屬關係存在利益衝突。以上的理由其實一直以來都是存在的問題，如將上述50%的總業權份數降低是其中一項建議，或發展商保留的業權份數不可投票，或終止公契經理人委任後，屋苑不同用途的部份(如商場、戲院、車場)可否分開管理皆有人提出。此題目將會引起持份者的廣泛討論。

至於出席業主大會的授權書方面，法團在召開業主大會的過程中，常有爭駁。怎樣確保授權書是由有權簽署的業主(在土地註冊處紀錄顯示的登記業主)所簽存在困難，另一方面又要顧及業主關心法團事務而又未能出席大會須作出授權的權利。很多業主大會出席人數不足，如沒有授權書的制度，相信舉行業主大會而達到法定人數的要求難度頗高，影響法團的運作。業主亦應接受適當的會議程序教育，令其明白業主的責任、授權書的意義、作用及重要性，了解被委托人的投票傾向，因為被委托人是代表業主出席並投票，每一票都構成合法出席人數的一部份及通過決議的票源。

條例的附表2第4(3)段規定獲委任的管理委員會委員須在獲委任後的21天內作出宣誓(在政務處監誓官或太平紳士監誓下)說明他並非破產人士或過往5年內沒有紀錄被判監禁超過3個月(不論是否獲得緩刑)而不得選擇以罰款代替。頗多被委任的委員因工作忙或不在香港而沒有作出宣誓聲明。最近才發生一宗過了時限整體委員未有作出宣誓聲明，導至全體委員停任。相信可以由獲委的委員依例簽署法定聲明書可以代替宣誓聲明的手續。

由於每個屋苑的業主人數不同，有些少於10戶或超於幾千戶，故出席業主大會的業主人數以符合法定人數(10%)差距甚大，可能由2位至數百位。雖然法定人數包括被授權出席的人士，有些法團表示很多情況達不到法定人數而流會。有建議隨著屋苑戶數多少作出比例性的法定人數，藉以降低大型屋苑出席人數的要求。這是個難題，涉及出席業主人數是否有足夠代表性。

至於業主的法律責任，其中一個題目是個別業主對第三者的法律賠償責任。在建築物管理條例下，業主的責任是共同及個別的。一個業主可能被追討整體業主所應付的賠償，香港仔「添喜大廈」是一例。法團可否變為有限公司，對第三者(受害者)是否公平都是考慮之列。

建築物管理條例的檢討修訂過程中，持份者的意見是不可缺少的。希望諮詢過程中各持份者能就各議題項目提出珍貴意見。



# 法定最低工資條例對香港營商環境影響 問卷調查研究報告摘要

香港樹仁大學商業、經濟及公共政策研究中心

**李樹甘博士、楊偉文博士**

研究助理

**洪子軒、歐陽家騏**

**邱文龍、曾俊基**

2012年5月

## 報告摘要

我們就有關2011年5月實施的「法定最低工資條例」對香港營商環境影響進行了共七頁的問卷調查研究，以收集各行業的經營者提供第一手商業數據和相關營商資料。

這次問卷調查進行時間由2012年4月10日至2012年5月18日，透過郵遞和電郵方法主動邀請18間商會和15間大、中型企業，鼓勵各公司和商會會員填寫問卷，提供數據和資料給我們進行有關研究，並設有網上問卷方便各行各業經營者（包括我們未有渠道邀請的公司）直接輸入數據。我們總共收到56份有效完成的問卷，商店數目接近三千間，僱員人數接近十萬人。

在56份有效問卷中，55%屬零售業界，當中經營範圍包括百貨、民生用品和副食品、鐘錶及珠寶、化妝品、時裝、傢俬及居室用品、精品、花店、電訊及電子產品、藥房和衛生產品等，覆蓋範圍甚廣，故問卷數目最多；20%屬保安界，12%屬清潔服務界；其他業界有13%，當中經營範圍包括娛樂消閒、餐飲業、建築及工程、船舶服務及物業管理等。

研究結果反映了以下幾個情況：

1. **一刀切式的最低工資扭曲行業工種的差距。**本來，不同行業、不同工種的工作要求和服務條件都有所差異，例如：「較輕鬆」又或「較自由」的行業和工種，薪金一般較低。工資的差異正反映不同行業或工種的特性。然而，一刀切的最低工資提升基層工人的工資，突顯非工資差距，加劇了勞動力流動（轉工或轉行）。調查數據顯示有62%公司出現員工流失上升問題，令至公司在培訓和管理成本增加；同時，轉工所需的適應和磨合時間也有所增加，這些因素都會影響服務質素和生產力，削弱企業的競爭力，對整體經濟增長和職位創造均有負面影響。
2. **「同薪替代效應」引發勞動力流動傾斜。**80%公司表示「工作時間長」、「假日工作」、「體力勞動量大」是招聘困難的原因。勞工在薪酬極接近情況下，會選擇「較輕鬆」、「工作時間短」、「不用夜班或假日工作」的行業，出現「同薪替代效應」，這會導致部分基本民生服務行業出現員工老化現象和產業結構失衡，進一步推高生產成本，導致零售價格上升，削弱香港整體競爭力。調查發現61%公司加價超過10%，當中接近43%加價超過20%。
3. **「漣漪效應」令各行業及工種同步加薪及薪酬差距收窄。**由於「同薪替代效應」，企業間需要透過加薪和增加福利來挽留或吸引人才，由此造成的「漣漪效應」(Ripple effect)；各層員工都需同步加薪，理順管理架構，形成「薪酬階梯連鎖效應」(Knock-on effect)。故此，社會在考慮最低工資水平釐定時，不應只估算「最低工資水平」對低於「法定水平」員工的直接影響，也應計算「法定水平」對工資上升的間接影響，以反映「最低工資水平」對生產成本和經濟運作的全面影響。調查結果顯示「法定最低工資」的直接效果令薪酬開支上升5.6%，加上「薪酬階梯連鎖效應」和「漣漪效應」的5.5%間接影響，薪酬開支平均上升11.1%，當中勞動力資源比重高的清潔服務達18.5%。以上數據均未計入公司福利（如有薪休息日和飯鐘時間）和其他相關開支（如年終酬金和強積金供款）的影響，若計入有關開支，升幅便會更高。此外，分別有98%和56%公司認為薪酬開支壓力主要來自「漣漪效應」和「薪酬階梯連鎖效應」。



4. **企業採取一系列策略減輕經營成本上升壓力。**71% 公司改變調薪慣例，例如「收窄加薪幅度」、「減少調薪次數」或「選擇性或按表現加薪」；另外有 27% 公司透過「加班」維持生產量或服務水平，23% 公司選擇縮減員工人數，反映最低工資條例未有提升生產效率，而「增加機械／自動化替代人手」只有 10%；另一方面，是次調查未有發現，現行法定最低工資條例的實施，暫未加深低技術勞工或基層勞工的失業危機。
5. **減人手、增兼職或外判替代。**公司採取縮減員工人數的主要方向是「裁減高薪員工」(45%)和「以兼職或外判替代全職員工」(36%)；配合另一組調查數據「享受有薪休息日員工人數」和「享受有薪飯鐘員工人數」在最低工資法例實施 10 個月後出現下降現象，平均下降幅度分別為 10% 和 19%，相信下降原因可能跟「裁減高薪或全職員工，由兼職或外判替代」有關，這反映「穩定的工作崗位」有下降現象。
6. **年終酬金首當其衝。**49% 公司收緊「年終酬金」發放，其中 13% 減少或取消「年終酬金」和 35%「不統一年終酬金金額」或「選擇性或按表現發放年終酬金」，最終部份員工喪失「年終酬金」的收入。
7. **基層就業條件轉趨不穩定。**隨著部分全職職位轉為兼職職位或外判工作，勞動力市場的穩定工種逐漸流失，加上「改變調薪慣例」和「改變年終酬金慣例」，導致員工的「其他薪酬福利」亦變得不穩定，甚至受損。企業把「最低工資」的上升成本部份轉嫁到勞工身上，導致工作缺乏穩定性，也影響了員工生產或服務質素(18%)，例如「員工缺乏相關經驗」或「員工缺乏積極性」，倒過來影響公司的生產效率和競爭力，結果「兩敗俱傷」。
8. **「棘輪效應」觸發裁員潮。**部分行業成本結構高度集中在「人力資源開支」，其中，保安行業的薪酬開支佔整體成本的 74%，而清潔服務行業更佔 80%。預指出，在最低工資制度下，名義工資(Nominal wage)難向下調，令致工資只升不跌，出現「棘輪效應」(Ratchet effect)。然而，經濟景氣一旦逆轉，難於下調的工資，將導致保安、清潔服務等人力資源成本比重高行業，因無法調節生產成本，而觸發裁員潮。
9. **時薪 33 元是「裁員意欲」觸發點。**30% 公司表示最低工資水平，若上調至 33 元，便會進行裁員，清潔服務業的裁員意欲會增至 67%，保安和零售亦分別有 30% 及 26%。

就以上調查結果，我們認為現階段對法定最低工資調整和檢討的主要考慮應是勞動力市場可能出現的風險和商界(特別是中小企和人力資源成本比重較高的行業)的適應和抵禦能力。我們的建議如下：

1. **確立不定期檢討「最低工資水平」機制。**調查期間香港經濟環境良好，勞動力需求大。調查顯示最低工資實施觸發「同薪替代效應」，加劇了勞動力流動，增加公司的培訓時間和招聘成本，員工也要付出每次轉工的磨合和適應時間，這些都會降低經濟效率，導致增長速度或服務質素下降。最低工資調整應順應經濟周期，不應受限於硬性調整時間表。頻密的最低工資水平調整必定付上資源損耗和經濟效率下降的代價，我們建議政府參考台灣和美國的做法，不定期進行「最低工資水平」檢討，保持企業調節和競爭能力，並且應採用一籃子指標，交由勞資協商，確立調整機制。本調查顯示，若要調整最低工資，27% 公司企業贊成用協商來檢討最低工資水平的調整，而 32% 贊成用一籃子指標作調整基礎和參考，只有 4% 贊成按通脹率和 11% 就按實質經濟增長率為調整基礎。
2. **確立「差別最低工資」機制。**調查發現不同行業的成本結構差異甚大，如保安和清潔服務在「人力資源成本」比重甚高，而最低工資條例削弱了工資調整能力。就不同行業的成本結構和成本調節能力，政府應建立不同類別的最低工資水平，提升企業的成本調節空間，減少「同薪替代效應」影響，糾正資源損耗和經濟效率下降等問題，亦可減少經濟轉壞時發生裁員潮的風險。

3. **改善基層生活不應依賴最低工資。**最低工資對改善基層勞工生活有正面作用，但最低工資不是福利政策，政府不應透過不斷提升最低工資水平來維持基層勞工生活質素。因最低工資調整有嚴重的社會成本：經濟好時，勞動力流動轉趨劇烈；經濟差時，則增加裁員風險。
4. **改善基層生活應以綜合配套為本。**因最低工資不宜經常調整，故政府需加強其他改善民生政策（例如房屋、交通津貼和其他減低生活費用的政策），加強各項培訓服務，提升勞工生產力，降低生產成本，改善營商環境，加強競爭力，促進就業與工資增長，達至勞資相贏。
5. **第二輪最低工資水平檢討應清晰，並需指出檢討並非必定增加最低工資。**即使工資普遍達33元，並非表示最低工資水平應上升至33元，「法定水平」上升會引發新一輪「同薪替代效應」、勞動力流動（轉工或轉行）和磨合。另一方面，法定最低工資在香港推行時間十分短，調查期間香港正處於經濟環境好，勞動力需求大情況，未清楚當經濟出現下行時候的衝擊程度，特別在企業的財務融資比上年困難，而且歐美的經濟危機還在發展和變化當中，中國政府也開始調整她的經濟發展步伐，避免出現經濟泡沫，導致本地部分企業對經濟前景和經營情況轉趨審慎。因此，我們建議政府應先考慮時薪28元的法定最低工資水平調整檢討機制，才作出新一輪的調整。政府應審視更多經濟波動下勞動力市場和營商環境等變化，進行詳細分析才決定最低工資水平的調整安排。我們必須強調調整並非增加最低工資水平，而是可以維持不變。另外，我們建議政府應採用一籃子指標，並交由勞資協商，不宜簡單地與通脹率掛勾，否則只會讓工資和物價，在互為影響下，形成環環相扣的螺旋式工資及物價上漲（惡性循環），進一步削弱市場經濟的自動調整能力。

最後，我們就有關這份調查研究報告提出以下說明：

1. 調查數據只反映最低工資條例對企業營商環境影響和企業行為變化，對於勞動力市場的影響，我們同意需要進一步收集和了解勞工層面的數據及個案。
2. 我們現在收集到的56份有效完成的問卷比較集中規模較大的公司（涉及近三千商店和十萬名受薪僱員），並不包括一些因「最低工資」而結業的公司，故未能全面反映香港整體的營商情況，特別是較為「弱勢」的中小企。我們相信它們對法定最低工資條例帶來衝擊的抵禦能力會更加微弱，所以，我們估計整體營商環境和企業面對成本壓力比調查結果更為惡劣。
3. 我們的調查是集中時薪50港元或以下的員工，故調查結果即使未能全面檢視有關情況，也能一定程度地反映基層勞工面對情況。

## 香港資歷架構(物業管理業)的專訪

英國特許房屋經理學會亞太分會  
刊物委員會主委陳偉光

### 1. 序言

物業管理業早於2004年已經開始參與推行資歷架構，並自2011年正式推行「過往資歷認可」(RPL)機制，至今已超逾一年時間。我們希望透過這次向主要之推動人士作出專訪，從而讓會員加深有關對物業管理行業推行資歷架構的認識及其最新發展。

我們藉此機會再次感謝「物業管理業 — 行業培訓諮詢委員會」主席袁靖罡先生MH、資歷架構秘書處總經理彭炳鴻先生及高級經理黎英偉先生所提供的寶貴資料。

### 2. 資歷架構於物業管理業推動背景

資歷架構是教育局一項重點教育政策，政府早於2002年開始研究推行資歷架構，目的是鼓勵從業員持續進修、終身學習，從而增強其個人競爭力，以配合個別行業以致全港的長遠人力需求及發展。

資歷架構於2008年5月正式落實推行，它是一個共分七級的資歷級別制度，涵蓋學術、職業及持續教育及培訓等不同界別的資歷。在職業教育及培訓方面，資歷架構以行業為主導，教育局透過「資歷架構秘書處」協助每個參與資歷架構的行業成立「行業培訓諮詢委員會」(簡稱諮委會，ITAC)，藉此推動行業持續專業發展及培訓工作。

於2004年初，香港房地產專業服務聯盟(其中包括香港物業管理公司協會、香港地產行政師學會、香港房屋經理學會、英國特許房屋經理學會亞太分會)之顧問袁靖罡先生，MH為協助業界推行資歷架構，主動聯絡當時的教育統籌局，並於不足一年的時間協助政府組織物業管理業諮委會，且得到業內持份者的共識及相關學會的支持。物業管理業諮委會用了約兩年時間，撰寫行業《能力標準說明》(SCS)，並就發展「能力為本課程」(SCS-based Courses)及推行「過往資歷認可」(RPL)方面取得顯著成績，此亦令物業管理業為現時推行資歷架構的18個行業其中一個最快且最見成效之行業。當業界於2011年推行「過往資力認可」時，物業管理公司協會更以「協作機構」身份實際參與及協助推動「過往資力認可」。

### 3. 「過往資歷認可」(RPL)機制

為確認從業員在工作崗位上所積累的經驗、能力及知識，從業員可按RPL的要求年資及相關工作經驗，申請確認適合自己的第一級至第四級的資歷。

### 4. 業界的反應

經業內各相關的機構及各物業管理公司的推動下，直至2012年9月中，申請「過往資歷認可」(RPL)的人士已接近3,000人(涉及的能力單元組合更超過4,200項)，而參與的物業管理公司已達125間，整體反應踴躍。各級能力單元組合申請資料如下：

第一級：	118項
第二級：	1,861項
第三級：	1,882項
第四級：	363項
總數：	4,224項

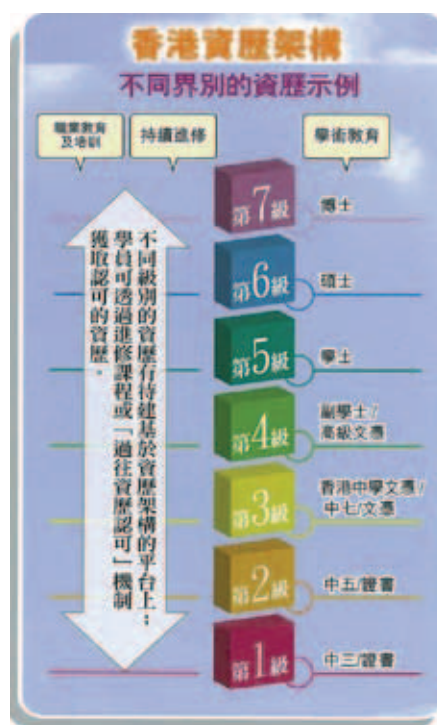
## 5. 結論

透過上述專訪之詳細講解，「物業管理業」推行資歷架構的重點如下：

1. 資歷架構屬自願性參與，目的是鼓勵從業員持續進修，終身學習，以提升其競爭力，業界必須攜手積極參與。
2. 從業員可以透過報讀相關的「能力為本課程」或參與「過往資歷認可」，從而獲得資歷架構認可的資歷。
3. 推行「資歷名銜計劃」及資歷學分，讓資歷架構認可的資歷皆訂明學分值及可選用的名銜，讓進修人士了解課程所屬的級別及其所需的整體學習時間。

## 6. 未來發展方向

為進一步加強資歷架構的認受性及銜接性，資歷架構秘書處將繼續與海外的相關組織進行研究及交流，並探討香港與外地及內地資歷互相參照的可行性；同時，亦與中國「廣東省職業技能鑑定中心」簽定意向書，商討將「過往資歷認可」所頒授的資歷與國家職業資格證書對接的可行性。此外，鑒於現時物業管理行業趨向更專業化，行業亦將會推行物業管理人員發牌制度，資歷架構認可的資歷可考慮作為將來發牌的其中一項客觀條件基準。





## 零碳天地及其建築設計

**英國特許房屋經理學會亞太分會  
專業實務委員會會員趙善雄／張樹仁**

為向會員推動零碳之環保意識，本會剛於十月舉辦了參觀位於九龍灣商貿區的「零碳天地」之活動。於當日，參加者除了藉此認識到減少碳排放及可持續生活模式外，亦從中了解在「零碳天地」內所採用最先進的環保建築設計及技術。藉此文章，我們欲向各會員介紹其建築設計及技術之精要。

### 項目背景及簡介

為應對氣候變化，香港政府已為減少溫室氣體排放建議目標。在香港，建築物是溫室氣體排放的主要來源，因此，建築物既是減低溫室氣體排放的挑戰，亦是減排的機會。為推動環境保護、可持續建設、可持續生活模式的認知以及良好的建造行業實踐，建造業議會與香港政府合作發展了「零碳天地」，並已於二零一二年中落成。

「零碳天地」為本港首座零碳建築物，斥資二億四千萬元建造，占地十四萬七仟平方呎，興建了三層、總樓面面積達五萬平方呎的大樓，地下及一樓分別設置展覽廳、活動及教育場地、綠色辦公室及家居展示廳，當中展示逾九十項節能裝置。而用作發電的機房則設在地庫，並設展覽區。項目內撥出九成空間作綠化、廣場及公眾休憩空間，而六成地區將種植多種本土樹木，包括打造香港首個都市原生林。



## 建築設計

「零碳天地」透過最先進的產能、環保建築設計及技術，當中包括多項首次在港應用的技術，以及在物料上之挑選使用，充分展現其推動零碳之明確訊息——旨在啟發公眾與業界人士作出積極的改變，朝著減少碳排放及可持續生活模式邁進。

### (一) 基於能源階梯與綠建效益的整合式設計

在能源效益上，與目前業界的平均水平相比，其建築設計可減少能源消耗高達 45%



- 首要是節省能源，通過被動式建築設計減少 20% 能源消耗
  - 錐狀和長形建築形態能同時增加室內的空氣流通和採光，並減少太陽熱量吸收
  - 對流通風佈局能增強自然通風和減低空調需求
  - 高性能外牆和玻璃、及室外遮陽降低建築物總熱傳值 (OTTV) 至每平方米 11 瓦特 (比現時法規容許的最高值低 80% 以上)
- 其次是高能源效益，通過環保機電系統減少 25% 能源消耗
  - 高流量低轉速吊扇能增強空氣流動和減少空調需求
  - 乾燥劑除濕能避免為降低濕度而過度製冷
  - 地板送風能使用較高的冷風溫度有效地為使用者降溫 (比傳統空調系統高攝氏 5 度)
  - 冷管採用輻射冷卻方法為使用者降溫
- 利用可再生能源發電，其中生物燃料發電系統將能源利用率提高到 75%，來自電網的傳統發電的能源利用率只有 40%。未來 50 年內利用可再生能源就地發電，估計可減低溫室氣體的排放達 7,100 噸
  - 生物柴油三聯供機組每年可製造 143 兆瓦小時的能源
  - 光伏板 (共三種：多晶硅、建築一體化薄膜和圓筒形 CIGS 太陽能光伏板) 每年可製造約 87 兆瓦小時的可再生能源；建築主樓的屋頂傾斜以收集最多的太陽能輻射。
  - 太陽能熱水系統供應綠色茶室熱水。

### (二) 混合通風設計

- 一年中 30% 的時間 (一月至四月) 完全依賴自然通風
  - 通過樓宇設備管理系統自動控制高層窗戶，並有手動調節選項
  - 低窗進行手動控制，並透過樓宇設備管理系統監察
- 輔助自然通風設計 (三月至六月，十月至十二月)
  - 高流量低轉速吊扇加強空氣流動
- 由樓宇設備管理系統自動控制地板送風系統 (每年運作 8 個月) 及冷樑冷卻系統 (每年於最熱時段運作約 5 至 6 個月)



### (三) 低隱含碳材料和施工

- 混凝土結構使用 高百分比(25%至35%)的粉煤灰(PFA)
- 在地基建設時採用均衡的挖填設計施工，挖掘出的土方用於建設都市原生林
- 施工方法強調使用更少建材和產生更少廢料以節約資源(例如清水混凝土和減少裝飾油漆)
- 石籠圍牆使用現場工地拆卸回收的建築廢料
- 使用本地區生產的材料(例如環保地磚和架空地台系統)
- 使用低隱含碳材料(例如引導標示所使用的鋅板)

< 部份內容轉載自零碳天地資料概要，並獲有關機構核准 >