



General Practice Division

Sr Alnwick Chan GPD Council Chairman

I wish all fellow members a Happy Easter, but don't forget to practice social distancing while searching for the Easter egg!

CPD Hours

I am pleased to report that the GPD has some interesting CPDs in the pipeline. Professional surveyors should stay abreast of the latest market trends and keep up with changes in the industry. All corporate members are obliged to upgrade their skills and keep records of their CPDs until retirement.

Please be reminded that all HKIS corporate members are required to complete a minimum of 60 hours over a three-year period. The Institute will soon carry out random CPD checks on members. Cases of non-compliance with the 60-hour requirement will be dealt with individually by the Board of Professional Development (BOPD) and General Council.

Over the years, the Institute has taken a rather lenient approach towards non-compliant cases, but the BOPD has decided to tighten its stance with the intention of maintaining high professional standards among members.

Progressive Rating System

The Financial Secretary introduced in his budget speech, among other things: 1) a progressive rating system for domestic properties and 2) a rental enforcement moratorium. GPD Council Members discussed both proposals during their last meeting on 16 March.

The Council views the newly-proposed

progressive rating system as a straightforward approach for generating healthy government income.

Rateable Value (RV)	Current Rate	Proposed Rates
HK\$1-HK\$550,000	5%	5%
HK\$550,001-HK\$800,000		8%
Above HK\$800,000		12%

However, Council members view that the new system would increase the burden on owners of domestic properties with RVs exceeding HK\$550,000. These owners already pay more tax (in lump sum terms), given the higher RVs of their properties. The proposed progressive rating system, which mandates a higher tax rate on top of the owners' already-high RVs, results in additional levies for them.

Council members also believe that the new policy could be lopsided, as only domestic property owners would be subjected to progressive rates, while non-domestic property owners would be exempted. This appears to be unfair.

Rental Enforcement Moratorium

The Financial Secretary will introduce new legislation to prohibit landlords from terminating tenancies or taking legal action against tenants of specified sectors for failing to settle rents on schedule.

The Council is of the opinion that the Government should not interfere with the free market and should not seek to alter the contractual arrangements between landlords and tenants by introducing legislation to inhibit debt collection.

The Financial Secretary proposed various petty enhancements to the proposal to mitigate the

adverse impact. These enhancement measures seem to be window dressing and would create unnecessary workloads for the relevant Government departments. Any benefit that comes out of the proposals would not be worth the increased paperwork involved.

I was asked to write articles covering both abovementioned subjects, as well as an ongoing review of the Land (Compulsory Sale for Redevelopment) Ordinance (Cap 545) undertaken by a working group under the GPD Council.

Cap 545 Review

The working group is making good progress. We have engaged various stakeholders including NGOs, REDA, and GPD and BSD members. The review will be completed during Q2 2022 and the working group shall share its recommendations and findings with members and the Development Bureau in due course.

RICS Withdrawal of Global Covid-19 Valuation Practice Alert

The Covid-19 situation has stabilised globally and many governments have lifted restrictions and regulatory protocols.

I want to draw members' attention to the latest notice by the RICS, which states that its global Covid-19 valuation practice alert was withdrawn on 3 March. Members practicing as valuers may consider the suitable deletion or addition of such alerts in their current valuation reports, whichever is appropriate.

For more details, please check out the following link:

<https://tinyurl.com/yb37q42p>



GPD Facebook Page

The GPD recently launched its official Facebook page. Here, members will find information on upcoming CPDs, Government practice notes updates, market news, interesting articles, and much more! Please 'Like' this page to follow the latest updates in the industry.

<https://www.facebook.com/gpd.hkis>



Online Property Quiz

The ongoing social distancing measures have prevented members from organising any social event to interact with fellow members. Therefore, the GPD will organise a free online property quiz with fabulous prizes to be won. Stay tuned for updates on this fun event.

CPD Event: Implications of the Court of Final Appeal's Judgement on Kwok Cheuk Kin v Director of Lands on Small House Policy

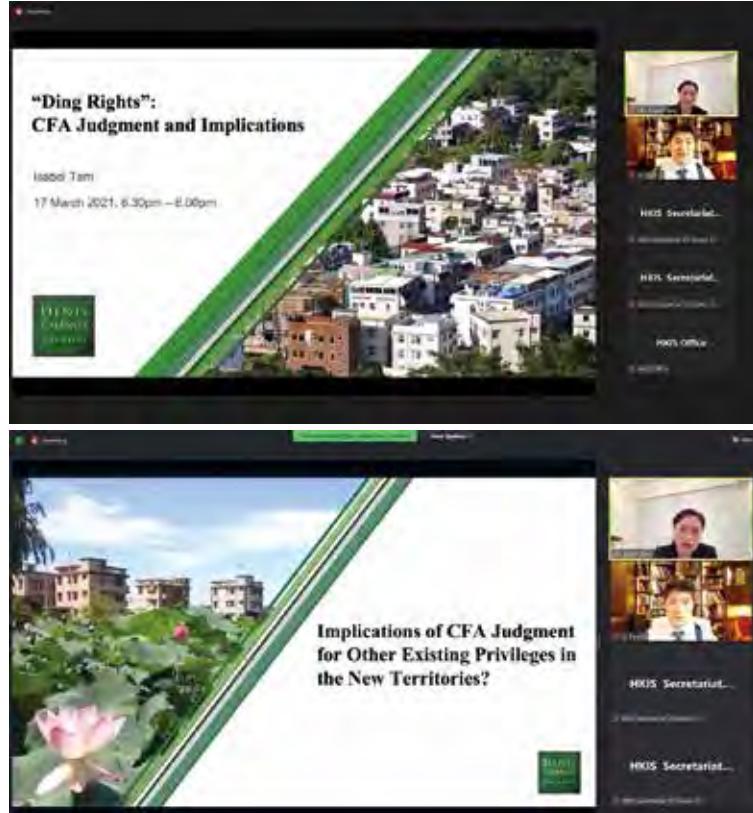
On 17 March, the GPD invited Ms Isabel Tam of Denis Chang's Chambers to give a CPD, "Implications of the Court of Final Appeal's Judgement on Kwok Cheuk Kin v Director of Lands on Small House Policy."

Isabel, who acted as junior counsel for the applicant in this court case, discussed the case's judgement and its wider implications. On the verdict, she indicated that the Court of Final Appeal considered the privileges granted by the Small House Policy to be traditional and part of the lawful rights of indigenous inhabitants under Basic Law Article 40 (BL40).

Furthermore, whether or not a right or interest is considered traditional under BL40 can be determined by referencing the state of affairs in April 1990, when the Basic Law was adopted.

In addition, Isabel discussed the potential difficulties or protections available in the event of an expansion or reduction of the privileges granted by the Small House Policy (including comments on the Court's interpretation of future changes to the policy and the effect of the principle of legitimate expectation).

The Q&A session with the audience after the talk stimulated further discussion on the future of the policy. Overall, the event was very popular, attracting over 240 attendees. The GPD thanks Isabel for kindly sharing her knowledge with its members.



ANNOUNCEMENT

GPD APC Part II Assessment & Professional Task in early May and June 2022

The GPD APC Part II Assessment & Professional Task will take place in early May and June 2022. Application form can be downloaded from our website (HKIS main page⇒ Professional Development ⇒ APC ⇒ GPD). Completed form must be returned to HKIS Secretariat by **no later than 6:00 pm, Friday, 22 April 2022**. Late submissions will not be accepted.

Please call HKIS Education Department on 2526 3679 for more details.