

THE NEW NORM PART II

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CHIT-CHAT WITH THE
RISM PRESIDENT
SESSION 2021/2022 -
DATO' Sr DR.
AZAHARI MOHAMED
DPMK, DMSM, JSM, AMN, PJK,
FRISM, FIUS, ADJUNCT PROFESSOR

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DATO' Sr DR. AZHARI MOHAMED

DPMK, DMSM, JSM, AMN, PJK, FRISM, FIIUS,
ADJUNCT PROFESSOR

On the cover is the President for Session 2021/2022, Dato' Sr Dr. Azhari Mohamed from the GLS Division. He served 37 years in the Department of Survey and Mapping Malaysia and retired as the Director General last year. He is an active member of RISM till to date ever since joined the Institution in 1991.





Sr Wan Ainon Zuraiha Khalid
CQS, FRISM
Chair, Editorial Board 2020/2021
January 2022

My sincere greetings to everyone!

Alhamdulillah for this chance to issue The Malaysian Surveyor this session. The theme for this TMS issue is The New Norm – Part 2. As we all have witnessed, the COVID-19 pandemic has changed the world and altered the lifestyle of everyone, surveyors included. We talked to a few of the RISM family who caught the virus and survived to tell the tale. In the last few months of 2021, we saw some light to the end of the pandemic, where businesses started again, inter-state and international travel were allowed, and many other things that we have taken for granted. With this in mind, we hope this TMS issue will signify a new beginning in 2022. As of today, Malaysia is moving into an endemic with many SOPs we religiously adhered to being dropped. Life will hopefully be back to normal... or the New Norm soon.

On top of the pandemic, Malaysia was hit by one of the worst floods in history in December 2021. Places that were usually dry even with heavy rain were badly affected this time. RISM stepped up to help its affected members who suffered losses all over Malaysia and launched "Tabung Misi Bantuan Kemanusiaan Bencana RISM". The collection was given out to deserving members and we hope the little that was given could be of help to them.

As the first issue for Session 2021/2022, we introduce the new lineup of Council members. The cover is graced by the newly elected President, Dato' Sr Dr. Azhari Mohamed, of which an interview was held with him. He is an eloquent speaker, and during one of his talks, I found out that at least 3 of the 4 United States of America Presidents on the carving of Mount Rushmore were *Land Surveyors*. That was indeed a 'WOW' discovery for me. I wonder if there are any QS, PS or BS of similar achievements somewhere out there.

Other activities organised by RISM in the last few months are captured in this TMS issue. There are also some technical articles which we hope readers will provide feedback upon reading them. Do write to us if there are any particular areas you want the Editorial Board to cover.

We would like to say thank you for reading The Malaysian Surveyor and wish you all the best in 2022!

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CHIT — CHAT

with the RISM President

SESSION 2021/2022

Dato' Sr Dr. Azhari Mohamed

DPMK, DMSM, JSM, AMN, PJK, FRISM, FIIUS, ADJUNCT PROFESSOR



The Editorial Board was privileged to have a conversation with the current President of RISM, Dato' Sr Dr. Azhari Mohamed.

He was born in Kuala Krai, Kelantan. His late father worked as a Settlement Officer with the Land Office, his late mother was a housewife and he lived with three brothers and four sisters. His early education was at Sekolah Kamil, Pasir Puteh, Kelantan before pursuing 'A' Levels in 1979 at Poole and Bournemouth College in the UK. He graduated from the University of East London with a Surveying and Mapping Sciences honours degree in 1984. He also holds an M.Phil in GPS Geodesy from the University of Newcastle-upon-Tyne (1995) and a PhD in Geomatic Engineering from UTM (2003).

Dato' Azhari reported for first duty as a land surveyor with the Department of Survey and Mapping Malaysia after graduating from his degree, and went on to hold posts in various capacities, especially in geodetic survey as well as in boundary affairs. He has just retired after more than 37 years of excellent service in October 2021, with his last position as the Director-General of Survey and Mapping, Malaysia. Being an Adjunct Professor at UTM, he is still giving lectures in Islamic astronomy, one of his passions.

His hobbies include reading books on astronomy and novels by Jeffrey Archer and a round of golf with friends occasionally. His newly-found hobby is painting and drawing cartoons (which he insisted he is not proud of yet at the moment!). He enjoys listening to music from old vinyl records collected since his student days. Apart from RISM, he supports a few other NGOs including CUPAM (Cleft Up and Palate Association of Malaysia) and PFSM (Persatuan Falak Syarie Malaysia).

He is married to an English Language lecturer and blessed with four children. "Now that all my children are already working and married, I am looking forward to returning to my old passion, moon-sighting and star-gazing, an activity which I share with a few close friends. Other than that, I am really an RTM kind of guy – RTM as in Relaks, Tidur and Makan!"

What made you become a Land Surveyor?

I don't know why, but during secondary school, I was very interested and excelled in Mathematics and Physics. So when JPA offered for me to do a degree in Land Surveying in the UK, I accepted it without a second thought – a decision that I am very thankful for and have no regrets.

I was fortunate enough to be given the opportunity to serve as the District Surveyor in Perlis, Langkawi and Kubang Pasu where the bulk of the work relates to cadastral survey. I was in-charge of supervising surveying works for Felda in Perlis, UUM in Sintok and UiTM in Arau. The danger was always there, not only from the difficult terrain and wild animals, but also from the presence of booby traps, bandits and smugglers. We were assisted by army security forces who were always many, many steps ahead of the survey teams.

When I was promoted to the Geodesy Section (now known as Geodetic Survey Division), it was a totally different ball game. I was involved with handling survey infrastructures that include the geodetic network, tidal network, gravity network, levelling network as well as astronomical activities. These networks are important as they form the 'platform' upon which other surveys are based upon. They need constant maintenance in order to ensure that once tie-up surveys have been made, the surveyed data are correct and consistent with each other.

Working as a land surveyor was challenging physically and mentally, and sometimes stressful too to say the least, yet it was fun nonetheless. I always call land surveyors the geospatial frontliners because before any land development occurs, we will always be the ones who reach there first.

“

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I always call land surveyors the geospatial frontliners because before any land development occurs, we will always be the ones who reach there first.

You have been a key person in linking falak studies to surveyors.

How did you get involved in this field?

I think that is because I treat astronomy/falak more as a hobby than a job. Astronomy can be regarded as the oldest natural science in the world, also often referred to as the queen of science. All of us are a curious lot, fascinated with what is happening in the sky. When we gaze our eyes towards the night sky and see the stars, planets and so on, we like to ask questions. The fascination in astronomy hence comes naturally and appears interesting to everyone.

The relation between us and astronomy simply cannot be denied. Many of the Islamic religious practices are regulated by the Hijri calendar which is closely related to the movement of the sun and the moon. We Muslims explore how to do the calculations and observations to determine important religious dates and times within Islam. And indeed, we did learn astronomy as a subject in university and how to apply that knowledge mathematically into our religious practices. So, this forms the basis of Islamic astronomy or what we refer to as 'falak syarie'.

JUPEM, whether at the state or federal level, is the technical agency that works very closely with Jabatan Mufti Negeri and JAKIM, especially in the observation of the new moon, calculation of prayer times, determination of qibla, Islamic calendar and observation of eclipses and other phenomena.



As a land surveyor, the knowledge of the movement of celestial bodies is also important, especially to determine the true north, the orientation of plots of land, the direction of certain alignment, to close survey traverses over long distances and so on.

My involvement with astronomy is partly as a hobby and partly as my job when I was with JUPEM. But the best part of it is that I got paid to enjoy it! I am now collaborating with a friend (En. Wan Kamel) in promoting Islamic astronomy by giving free tutorials. We also developed and distributed about 20 free softwares for everyone to use. Our aim is for Malaysians to be 'falak-literate'.

How did you get involved with RISM?

According to records, I registered and became a RISM member since 26 September 1991, more than 30 years ago.

My active involvement started in 1996 with the GLS Division when I was with the Geodesy Section of JUPEM. We began conducting joint technical workshops and talks to land surveyors from Pejabat and JUPEM. We also organised activities and competitions involving young surveyors and university/polytechnic students.

When I was elected as the President of RISM, someone reminded me of the following words of wisdom, "It does not matter what you do with your life, but what is more important is what do you do with our lives". So, I am very grateful indeed for the opportunity given and I constantly pray for guidance from Allah SWT for me to serve RISM members to the best of my ability.

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My active involvement started in 1996 with the GLS Division when I was with the Geodesy Section of JUPEM.

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Is there anything that you would like to change in RISM?

RISM is quite an old institution and this year, we celebrate its 61st anniversary. We must not forget all the contributions made by our surveying forefathers. Over the years, they have helped to shape our professions and the industry into what we enjoy and reap the fruits of now. The first seed was sowed by Sr Khoo Soo Guan in 1961, followed by many, many others after him. They are the ones that provided the building blocks that we build our dreams and visions upon and we should never forget that. Was it not Sir Isaac Newton who once said "If I had seen any further, it is by standing on the shoulder of giants".



When I was elected as the President of RISM, someone reminded me of the following words of wisdom, "It does not matter what you do with your life, but what is more important is what do you do with our lives".

I do not want to introduce anything new unnecessarily. Looking at the current vision and mission, RISM aims, among others, to be recognised as an innovative and dynamic world-class professional surveying Institution with the mission to continuously improve the standards of professional practice and ethics. It is my belief as the President that this vision and mission of RISM be revisited and strengthened continuously to remain relevant. This should be the guiding principle for all Divisions and Branches.

To ensure the success of the mission and vision of RISM, I wish all members will commit to working together for the surveying community specifically and to the 'rakyat' in general. I certainly would like to see more cooperation and collaboration exist not only between Divisions/Branches but also towards the RISM itself, which at the present, sadly, is lacking. If we strengthen it, there are no doubts that this powerful synergy will advance and expand the surveying profession further where various opportunities are in abundance. This will also offer a platform for all four surveying professions to converge and forge enduring partnerships to generate and explore more opportunities together.

With the impacts of the COVID-19 pandemic, what strategies can individuals and organisations adopt to ensure their long-term survival?

Without a doubt, the COVID-19 pandemic has affected everyone with over 3 million cases in Malaysia alone, with more than 32,000 deaths and the figures keep on rising.

This is worrying to us, in the sense that the pandemic has continued to cause disruptions in the supply chain, significant weakening of economic activities, shrinking demand for consumption and investment, and damaged market confidence. All these factors are severely testing the resilience of many economies, the level of governance and the effectiveness of international cooperation. Our government is taking many decisive actions to tackle the pandemic, however, various impacts continue to be felt without exception to the surveying profession.

In the beginning of the pandemic during total lockdown, land surveying was affected most among all types of professions. All of the land surveying businesses tried to follow the rules and regulations set by MKN and KKM, whilst maintaining all types of safe working practices as well as to maintain employment of both the survey crews and the employees.

Surveying was considered a non-essential service and many firms had to close from operating and mostly work from home. Only those surveying firms that were involved with essential services such as electricity, pipes, security, telecommunications, etc. were allowed to operate normally. After the lockdown ended, most businesses tried to pick up again although we know that the whole recovery process will take time.

However, looking positively, due to the necessity of seizing market potential remotely and via online channels, land surveyors learnt to use new technological tools and implemented them in their professional practices. This will certainly speed up the technological revolution. Surveying firms will undergo digital transformation faster, perhaps operating cost will be reduced, innovation and creativity will be spurred by the need to adapt the new norm of working. In fact, it is no longer a 'business as usual' approach. Surveying firms must be alert for any development and take responsive actions accordingly. It is high time for everyone to think hard to future-proof their businesses.

After the lockdown ended, most businesses tried to pick up again although we know that the whole recovery process will take time.



Any advice to RISM members facing the disruptions? How do we improve the future of the surveying profession in facing local and global challenges as well as the young future surveyors?

The current situation is unprecedented. But like they say – desperate times call for desperate measures – so this is the advice that I would like to give to everyone. If we are leaders or heads of surveying firms, we are responsible in ensuring our firms continue to survive, adapt and thrive during these trying times. We must equip ourselves with a rare set of qualities in order to deliver effective results. We must continue to keep ourselves informed on the current situation and keep abreast with the latest developments.

We also need to realise the full potential of technology. The need for businesses to adopt and adapt using technology has become more urgent than ever. This is because the COVID-19 pandemic is changing the way people acquire our products and services. Look at the recent developments in frontier technologies and learn to embrace them, including online platforms, social media, machine learning and robotics, virtual and augmented reality (AR and VR), drones and positioning systems to name a few. They have been proven to show tremendous potential for firms to prosper. Take full advantage of the technological revolution to reduce gaps that are holding us back from progressing in our professions.

I am very positive with the future of the surveying profession. In order for the firms to sustain, my suggestion is perhaps to focus on fast payment projects as well as monitor, control and reduce cost on fixed overheads.

From time to time, the government is providing assistance, initiatives and financial packages to businesses – so do take full advantage of these. One of the most important things to do during this difficult period is to maintain constant communication and good business relationship with your customers, partners and stakeholders. Upskilling and reskilling of staff is also crucial, an aspect that should not be put aside. It also makes sense to carry out staff redeployment in newly needed functions.

To the young surveyors, my advice is to wise up! Now it is your time. Just do it and be beneficial to others.

“

We also need to realise the full potential of technology. The need for businesses to adopt and adapt using technology has become more urgent than ever.

”



What are your visions as the President?

I have planned to do five major things during the 2021/2022 session.

First is the RISM membership portal, which officially launched during our AGM in August 2021. There will be expansions from the portal and this session will continue the excellent work done previously by looking into the integration of the e-blast system, examination module and CPD module into the portal. We also planned to address the issues relating to the number of defaulters which at the moment is very high.

Secondly, that the current Task Force will continue to ensure the continuity and will involve all the Divisional Treasurers. We will exercise prudent spending, look into ways to increase income whilst trying to reduce unnecessary expenses. The Task Force will continue to look into:

- ▶ The formulation of wage structure, bonus and incentives for RISM staffs
- ▶ Subsidy for the travelling expenses by Councillors to attend conferences
- ▶ Review of RISM membership subscription rates

Thirdly is regarding the assessment of Competency Task Forces led by Sr Kwan Hock Hai in the last session. This task force will prepare guidelines for candidates and assessors, establish the list of assessors, as well as preparation of the templates for CV and recording the experience. This will relate to the attainment of prefix Sr which is highly sought after.

Fourthly is on the collaboration with government agencies and other allied professional bodies. We will continue with the efforts of strengthening and more engagements including courtesy visits to foster close working relationship.

Look at the recent developments in frontier technologies and learn to embrace them, including online platforms, social media, machine learning and robotics, virtual and augmented reality (AR and VR), drones and positioning systems to name a few. They have been proven to show tremendous potential for firms to prosper.

And last but not the least is the adaptation of the new norm as a way forward. RISM has been successfully adapting to the new norm with meetings, seminars, CPD talks and congresses all being held online.

Whether or not the pandemic will disrupt our plans? Well, only time can tell. But we try as much as we can not to blame the COVID-19 pandemic. We will navigate and steer our journey along the correct azimuth and make appropriate adjustments along the way.

The Editorial Board would like to thank Dato' Sr Dr. Azhari for his time in answering the interview questions. Disclosing his motto in life, "with wisdom, we can make things better, create better things and innovate new things", we can understand how he excels in his career or facing any challenges in his life.

In parting, he quoted the words of Mr. Ravi Ravindran who was the Past President of Rotary International though slightly modified to suit RISM.

"We have one session to build monuments that will endure forever, but not the kind of monuments that are carved in granite or marble or stone, but monuments in the lives and hearts of all RISM members. This is our time. It will not come again. So let us grasp the opportunity, let us rise up to the challenge.

All of us have been given so many gifts. And we have now been given this great gift, that is the rare chance to serve our beloved RISM, just one session to take all of our talents, all our gifts, everything that we are and everything that we can become. Let's do it during our time and be a gift to RISM, Insha Allah."

January 2022



COVID-19

Experiences of the RISM Family

As told by:

**Sr Norhisham Abdul Ghani,
Nur'Azlan Sajali and
Siti Noor Hanie Salleh**

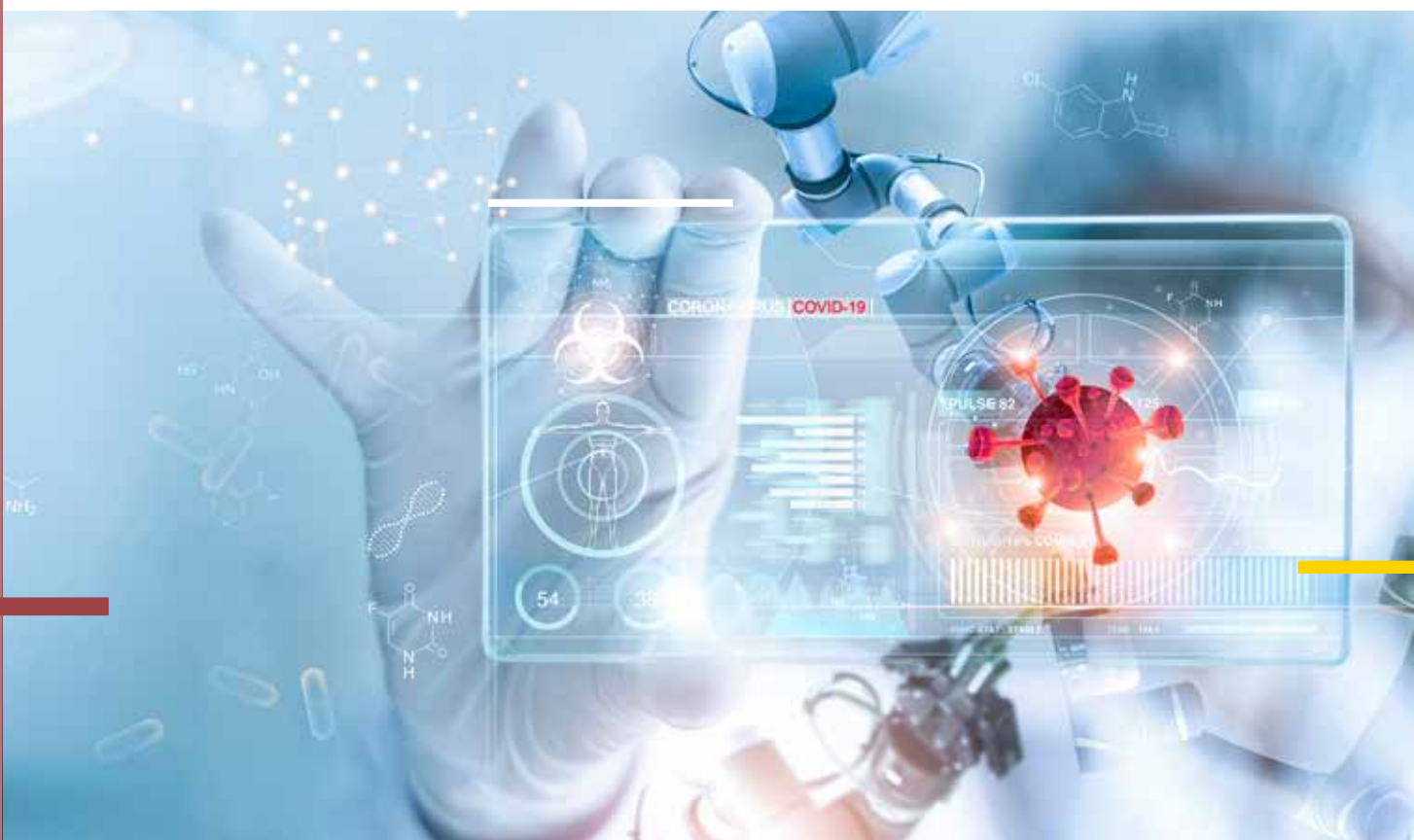
Edited by :

Sr Mohamad Shazali Sulaiman

Most people infected with COVID-19 show mild or no symptoms, which means they may not even realise they have the virus. If they carry on with life as usual and do not quarantine themselves, they could be spreading the virus to others, and those people will spread it further, and the chain will never be broken. Therefore, if you have the virus and are not aware of it, by forgoing self-isolation you could still be causing the death of somebody along the way as the virus spreads vigorously starting from you.

As we have begun to restart our world after being hit by a global health crisis, our actions hold the key to a fast recovery for the entire humankind. Wear a mask whenever you are in a public work place, avoid massive social gatherings, and wash your hands frequently. These are some of the most effective ways to make sure we keep our loved ones as well as ourselves safe.

The following stories are shared by the survivors of COVID-19 in the RISM family. May their experience and words be something to take into consideration in living with the COVID-19 virus from now onwards.



The COVID-19 Anecdote – An Untold Story from a Surveyor Survivor



Sr Norhisham Abdul Ghani

When it started about two years ago, most of us thought this pandemic was not going to be that serious and it will be better again in the following months. I was one of them. I did not strictly follow the well-advised Standards Operating Procedures (SOP) such as wearing a mask properly and practice social distancing, especially amongst my peers that I have assumed would not contract the disease. I shamedly admit I even ridiculed the SOP and joked about the seriousness. One of my biggest mistakes at this point is to accept information from unauthorised sources. I thought COVID-19 was merely a propaganda. Fate has its way of teaching us valuable life lessons and I learned mine sooner than I thought. This story is about my experience in facing the horrors of COVID-19 and what it could do to our life.

“

One of my biggest mistakes at this point is to accept information from unauthorised sources. I thought COVID-19 was merely a propaganda.

”

This horrible episode in my life started during the Recovery Movement Control Order (RMCO) in 2021 when the government relaxed the movement order to all sectors and allowed tourism sectors to commence business. I took this opportunity and organised a vacation that I have been dreaming of and looked forward to since the first MCO in 2020. It was a team building event which took place at one of the resorts in Langkawi.

On the day of the flight, we were all at the airport except for one colleague who cancelled last minute due to a high fever. We did not suspect anything serious. However, one of my friends mentioned that it could be due to COVID-19 infection and he immediately asked the colleague to do the RTK test. Upon arriving at the destination, we were shocked to get a call from the colleague who confirmed that he had contracted COVID-19. Everyone was stunned and panicked hearing this terrible news knowing that everybody has the potential to be infected as well due to our close contact. We then formed a crisis management group among ourselves and strategised how to handle the situation. The team then decided to end the event immediately and informed the hotel manager about what had happened and took the earliest flight the next morning to Kuala Lumpur.

Everyone was stunned and panicked hearing this terrible news knowing that everybody has the potential to be infected as well due to our close contact. We then formed a crisis management group among ourselves and strategised how to handle the situation.

We checked in at a quarantine hotel upon arrival and we did not allow any members of the team to return home to curb the spread of the virus. Then we arranged to do an immediate test. We took two different tests, one was the RTK Test and the other one was the PCR Test. The RTK test came out negative. Everybody was temporary relieved from the results. However, the crisis management group decided everybody should stay in quarantine and practice social distancing until the PCR test result came out.

When the results came out, most of us were positive for COVID-19. My PCR result was still negative. After assisting the crisis management group with the placement of infected members in two apartments for their quarantine, I decided to return to Johor.

A day after returning, I felt feverish and had a sore throat. I decided to take a third test where I found I was also infected. Therefore, it is important for everyone to maintain appropriate distance from everybody for 10 to 14 days after becoming a close contact as the virus may show itself much later in duration compared to others. This was a revelation and lesson that I keep advising everybody who has become a close contact.

I was then taken to the Quarantine Centre at Hospital Permai Johor. On the first day, I started losing my sense of taste and smell, had a cold, fever and cough. It took quite a while for the cough and fever to heal. The cough was painful and made you feel very uncomfortable with difficulty in breathing and speaking. I was really sick, felt chills all the time, and had diarrhea too. I could not sleep during most of the nights.

Luckily, the quarantine place was very comfortable. We were given a twin sharing room with toilet attached. My roommate from Pasir Gudang was quite fortunate as he had no severe symptoms and only lost his sense of taste and smell, unlike myself.

There was no specific medication for this disease. I was prescribed cough syrup, paracetamol for my fever and consumed vitamin C to strengthen my immune system. On the fifth day, I was coughing up blood. This was the effect of dead viruses in the body as explained by the Medical Officer.

There was no specific medication for this disease. I was prescribed cough syrup, paracetamol for my fever and consumed vitamin C to strengthen my immune system.

My name was announced by the medical assistant to be released on the eighth day. My cough and fever were getting better then. When I walked out from the centre, I was still weak and exhausted all the time. The coughing continued for four weeks and I had difficulty walking long distance or going up the stairs due to exhaustion. The medical team has informed me that the period to recover may differ from one person to another. I would say that strong will power would actually assist the road to recovery.

I am grateful to the Almighty to be alive. HE has granted me another opportunity to continue living which I will never take for granted again.

I have learnt about the disease the hard and painful way. I would strongly urge everybody to know the importance of preventing the disease from spreading and strictly follow the SOP. I wish all members not to experience what I have gone through, stay safe, not only for ourselves but also for our loved ones.

COVID-19 Encounter from the Secretariat

As COVID-19 does not choose its victims, a few of our secretariat were also contracted with the virus. Here are two of their stories and fortunately, they have recovered well when this article was written.



Nur'Azlan Sajali

It was a shocking moment when one of my housemates had been confirmed positive for COVID-19. Following that, another housemate and I undertook the PCR test and as expected, we were both positive. We waited for the Ministry of Health to contact us but until the last day of home-quarantine, no one called. Hence, we just did the necessary steps by updating our status in the MySejahtera app.

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We just did the necessary steps by updating our status in the MySejahtera app.

”

I was lucky as I was considered to have stage 1 or 2 category of COVID-19. Even then, I suffered loss of smell, a bit of fever and body aches.

The 14-day quarantine was just like any normal day during MCO. Except when we ordered food through delivery service, we had to inform the delivery guy to put the food outside as we have to avoid any physical contact from the outside world.



Siti Noor Hanie Salleh

The 14-day quarantine was just like any normal day during MCO. Except when we ordered food through delivery service, we had to inform the delivery guy to put the food outside as we have to avoid any physical contact from the outside world. However, one thing remained a mystery – none of us had any previous contact with a confirmed positive case and until today, we are still not sure where we got the virus from. It seems like a normal fever, but the loss of smell and taste are definitely an indication that COVID-19 is real and is not like any other flu type disease.

One cannot deny managing the stress of undergoing the "active period of the disease" was quite worrying. My advice – examine your worries and aim to be realistic in your assessment of the actual concern as well as your ability to cope. Try not to catastrophise; instead focus on what you can do and accept the things you cannot change.

I had contracted COVID-19 while at work. My daughter and my husband unfortunately, also tested positive for the virus but were said to be asymptomatic. It was very painful. I was extremely weak and had no energy for more than 16 days. I kept reminding myself to keep fighting with my post COVID-19 symptoms until today. I get tired very fast and my body is occasionally weak. I cannot carry out my duties as energetically as before.

As the virus that causes COVID-19 still continues to spread, it is important to follow recommendations by healthcare organisations to protect all of us from getting sick. Physical distancing and wearing cloth face coverings during work may feel like an inconvenience, but it is the best way right now to protect our family, friends, and colleagues who may be vulnerable.

#kitajagakita
#staysafe





ANOTHER VIEW

on Pricing Preliminaries Bill

*Sr Chan Kar Leng, FRISM, MRICS, Advocate and Solicitor
With thanks to a Senior Counsel who has provided
invaluable advice on the article.*

Introduction

It is a known fact to Quantity Surveyors that pricing in the Preliminaries Bill is very much a pricing strategy by Contractors during the tendering process. There is no real guiding first principle pricing or benchmark in pricing the preliminaries items. Unless the Preliminaries Bill is priced on the extreme high side vis-à-vis the costs of actual works, it is unlikely they will be adjusted during the "rates rationalisation" stage by Quantity Surveyors.

In practice, the Quantity Surveyors will come to an agreement with the Contractor at the outset on the apportionment of costs in Preliminaries Bills into (1) Initial Costs; (2) Recurring Costs and (3) End Costs for the purposes of progress payment assessment. We are also not unfamiliar with the practice where the "Recurring Costs" is used as a benchmark to assess prolongation claims.



The case of *Sunissa Sdn Bhd v Kerajaan Malaysia & Anor* [2020] MLJU 283

In view of the recent decision in *Sunissa Sdn Bhd v Kerajaan Malaysia & Anor* [2020] MLJU 283 it may be prudent for a Contractor tendering for works under the public works standard form of contract, in particular the PWD 203/203A (Rev 2007) or other revised version with similar wordings in Clause 44.1 of the same, to have another look at its pricing strategy as far as the Preliminaries Bill is concerned. For ease of reference, Clause 44.0 of the PWD 203/203A (Rev 2007) is reproduced here;

Clause 44.0 of PWD 203/203A (Rev 2007)

"44.1 If at any time during the regular progress of the Works or any part thereof has been materially affected by reason of delay as stated under Clause 43.1 (c), (d), (e), (f) and (i), and the Contractor has incurred direct loss and/or expense **beyond that reasonably contemplated** and for which the Contractor would not be reimbursed by a payment made under any other provision in this Contract, then the Contractor shall within thirty (30) days of the occurrence of such event or circumstances or instructions **give notice in writing to the S.O. of his intention to claim for such direct loss or expense** together with an estimate of the amount of such loss and/or expense, subject always to Clause 44.2 hereof.

44.2 As soon as is practicable but not later than ninety (90) days after practical completion of the Works, the Contractor shall submit full particulars of all claims for direct loss or expense under Clause 44.1 together with all supporting documents, vouchers, explanations and calculation which may be necessary to enable the direct loss or expense to be ascertained by the SO. The amount of such direct loss or expense ascertained by the SO shall be added to the Contract Sum.

44.3 **If the Contractor fails to comply with clauses 44.1 and 44.2, he shall not be entitled to such claim and the Government shall be discharged from all liability in connection with the claim."**

In this case, the Certificate of Practical Completion was issued on 17.07.2012 and what is left to be contested is the Contractor's claim for RM11 million plus for loss and expense ("L&E").

This case is about the construction of a new ten storey court building and ancillary facilities in Bandar Indera Mahkota, Kuantan, Pahang. The contract was awarded based on the PWD 203 (Rev.2007). In this case, the Certificate of Practical Completion was issued on 17.07.2012 and what is left to be contested is the Contractor's claim for RM11 million plus for loss and expense ("L&E"). This was a case where the Contractor has failed to fulfill the requisite notice required under Clause 44.1 of the PWD 203 (Rev.2007) which the Court held to be fatal.

It was not disputed that the Contractor was granted 4 Certificates of Extension of Time extending the completion date from 04.01.2011 to 17.07.2012. What follows naturally would be the Contractor's entitlement for additional preliminaries due to prolongation of the construction period. It is not disputed that the grounds relied on by the Superintendent Officer ("SO") is approving the 4 Extension of Time applications would also entitle the Contractor to a claim for L&E. The Contractor submitted its notice of intention to claim L&E after each of the 4 Extension of Time was granted but unfortunately they were not submitted within 30 days of the occurrence of such event giving rise to L&E.



The Contractor submitted full particulars of its claim for L&E on 15.10.2012 which satisfies the requirement within Clause 44.2 of PWD 203 (Rev. 2007). What turns out to be fatal here is the non-fulfillment of the notice requirement under Clause 44.1 instead, which requires the Contractor to give a notice to the SO within 30 days from the occurrence of event which gives rise to a claim for L&E. In this case, the Court held as follows:

"Much as I personally dislike onerous terms of strict compliance with Notice period as in Clause 44.1 and 44.2, when both parties have agreed on the consequences as spelt out in Clause 44.3, effect must be given to it."

While this case is important in regards to the fatality of not complying with the notice requirement, it is pertinent to know that it appears that certain preliminaries items which is often associated with prolongation claim is not caught by it. In the assessment of the condition precedent requirement under Clause 44.1 PWD 203 (Rev. 2007), the High Court draws a distinction between L&E that are "**reasonably contemplated**" by the parties and those that are "**beyond contemplation**".

Out of the Contractor's claim of RM11,937,057.33, the High Court rejected the Contractor's claim for L&E only in relation to those that are "beyond reasonable contemplation of parties". **The High Court did however, allowed the Contractor's claim for the sum of RM2,988,480.81 that is "within reasonable contemplation" even if the Contractor failed to comply with Clause 44.1.**

Out of the Contractor's claim of RM11,937,057.33, the High Court rejected the Contractor's claim for L&E only in relation to those that are "beyond reasonable contemplation of parties".

The Contractor's L&E claim in this case is for a total of RM11,937,057.33 of (1) Preliminaries at RM5,205,817.16; (2) recurring Preliminaries Items at RM423,248.59; and (3) Head Office Overhead Costs at RM6,307,991.58. The Court allowed the Contractor's claim for a sum of RM2,988,480.81 for recurring items in the Preliminaries Bill where it was held that these costs are reasonably contemplated as being incurred by the Contractor in performing additional works which is through no fault of the Contractor. In gist, the Court's decision can be summarised below:



- a) **Recurring Preliminaries** at RM423,248.59 was allowed in full.
- b) For **other Preliminaries Items within contemplation of parties** such as *Plant; Site Agent; Mosquito Prevention; Watching; Temporary and Permanent Power.*

Supply; Water for the Works; SO's telephone; Insurance; (with the exception of Performance Bond), what is considered to be reasonably contemplated would be the sum priced for these items for the duration of the project multiplied by the period of EOT granted [RM "X" amount/546 x 577]. It was held that since it is reasonably contemplated by the parties, it is therefore not caught by Clause 44.1 and there is no necessity for the Contractor to issue any notice.

“

However, what is unclear at the moment is that those recurring costs, considered by the Court as “reasonably contemplated” are in fact usually recognised as L&E items.

”

It is heartening to note that the Court in this case recognised the focus of the contractor when variation works are being ordered is to **“get the variation works done quickly and not so much to estimate and calculate the additional loss and expense to be incurred when at best it is only an estimation which estimation cannot be done with reasonably accuracy without knowing the number of days of EOT that would be granted.”**

However, what is unclear at the moment is that those recurring costs, considered by the Court as “reasonably contemplated” are in fact usually recognised as L&E items. With this decision, it would appear that Contractors are no longer constricted by the notice requirement in the PWD 203/203A (Rev 2007) form for certain types of preliminaries items claimed as prolongation costs.



As noted by the learned author Lim Chong Fong (now Justice Lim Chong Fong), in his book, *The Malaysian PWD Form of Construction Contract, Second Edition* at p.111, a claim for L&E **“maybe for prolongation, disruption and/or even acceleration for carrying out the work.”** An extract of the relevant paragraph is re-produced below for ease of reference:

“44.0 CLAIMS FOR LOSS AND EXPENSE”

*...The purpose of this clause is to reimburse the Contractor for direct loss or expense or both which he has suffered or incurred as a direct result of certain specified events and for which the Contractor is not reimbursed by payment made under any other provisions of the Contract. It provides a mechanism for the settlement of the Contractor's monetary claims. The claim for reimbursement may be for **prolongation, disruption and/or even acceleration of the carrying out of the Works**, depending on the circumstances and measures deployed by the Contractor”*

- c) **Head Office Overhead Costs** is considered costs that are “beyond what was reasonably contemplated” and therefore caught by the notice requirement under Clause 44.1. The Contractor's Head Office Overhead is “not a matter known to the defendant because it is a matter of the plaintiff managing its costs and maximising its profits”. Following from here, Clause 44.3 is clear in that if the Contractor fails to comply with Clause 44.1 and 44.2, **“he shall not be entitled to such claim and the Government shall be discharged from all liability in connection with the claim”**.

Generally, these recurring costs items in the Preliminaries Bills that was considered by the Court as **within reasonable contemplation** are costs for which "the Contractor would not be reimbursed by a payment made under any other provisions in this Contract" as defined in Clause 44.0. As such, one would argue that they fall within the requirement of Clause 44.1 of PWD 203/203A (Rev 2007). However, the decision in ***Sunissa Sdn Bhd v Kerajaan Malaysia & Anor*** [supra] appears to exclude the need for the Contractor to issue the necessary notice pursuant to Clause 44.1 for certain items in the Preliminaries Bill.

Pricing of the Preliminaries Bill are often a strategic call. There are no benchmarks on rates for which the Quantity Surveyor can check or adjust during the rates rationalisation stage. It is not uncommon that the Preliminaries Bills to be heavily priced (or usually known as front loading) for the purposes of receiving higher payment at the initial stage of the project to help cashflow of the Contractor. With this case in mind, perhaps it is time to re-visit the pricing strategy in particular those items in the Preliminaries Bills that are recurring in nature, or "*within reasonable contemplation*" for a higher chance to succeed in claiming prolongation costs.

Pricing of the Preliminaries Bill are often a strategic call. There are no benchmarks on rates for which the Quantity Surveyor can check or adjust during the rates rationalisation stage.

In addition, the Court in this case appeared to have adopted a simplified method in granting the costs for recurring costs in the Preliminaries Bill calculated based on the original completion period and the additional days granted for EOT without the need for any substantiation.

¹ Lim Chong Fong (now Justice Lim Chong Fong), in his book, *The Malaysian PWD Form of Construction Contract*, 2nd Edition at p.111

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Kar Leng has 20 years of experience as a Quantity Surveyor and Claims Consultant specialising in high-rise residential, embassy buildings, hospitals and mining projects.

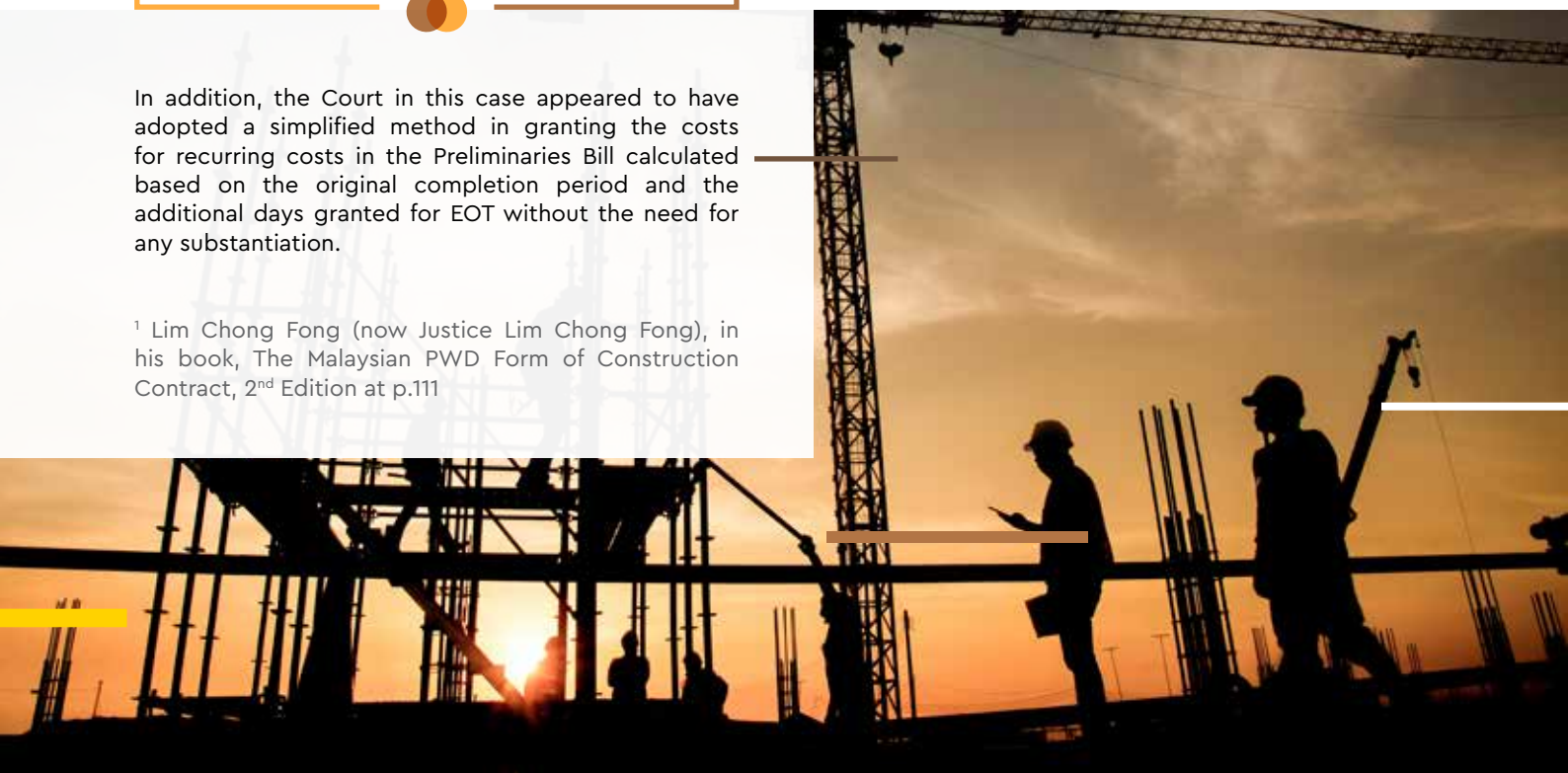
”

Conclusion

The Court has treated the items in the Preliminaries Bill for contract based on the PWD203 (Rev. 2007) very differently as seen in the case of ***Sunissa Sdn Bhd v Kerajaan Malaysia & Anor*** [2020] MLJU 283. Until a next case is decided on a similar issue, as it stands it would appear that certain items in the Preliminaries Bill is not caught by the strict notice requirement under Clause 44.1 of the PWD 203 (Rev.2007).

Writer's CV

Kar Leng has 20 years of experience as a Quantity Surveyor and Claims Consultant specialising in high-rise residential, embassy buildings, hospitals and mining projects. Her experience is diverse and international, having previously worked in Asia, Europe and Australia. She is often seconded to the Client's office, assisting Clients in reaching commercial settlement especially for projects straddled with problems. Kar Leng completed the entire LLB on her own while working full time as a Quantity Surveyor. She now practices as a lawyer at Raja, Darryl and Loh, specialising in construction disputes, particularly in the area of adjudication and arbitration.



MEDIATION —

The Better Alternative for Construction Dispute Resolution in Malaysia?

(Part 1 of 2) by
Sr H. T. Ong of BK Entrusty

Background

Mediation is well-known as an alternative dispute resolution ("ADR") method or route for resolving marital and family disputes for decades. In recent years, it has also gained popularity in commercial dispute resolution and has developed into a form of professional service by international professional institutions such as the Royal Institution of Surveyors ("RICS") with its structured evaluative mediation training course to train and accredit mediators to mediate commercial disputes.

In Malaysia, compared to litigation and other ADR methods such as arbitration and adjudication, mediation has been poorly received as an ADR method for construction disputes due to lack of promotion and appreciation of its benefits and procedures in the past. Consequently, proactive education and extensive awareness programmes were necessary to promote mediation as an effective ADR method to the construction industry.

The past continual efforts in promoting mediation have resulted in the issuance of Practice Direction No. 4 (2016) "Practice Direction on Mediation" by the Chief Justice of Malaysia, which took effect from 15 July 2016 (also found in the Bar Council Circular No. 027/2017).

Consequently, proactive education and extensive awareness programmes were necessary to promote mediation as an effective ADR method to the construction industry.

Institutionalised mediation by then Kuala Lumpur Regional Centre of Arbitration, now known as Asian International Arbitration Centre ("AIAC") was incorporated into the said Direction with the objective to encourage the disputants to arrive at an amicable settlement without going through court proceedings.

Recently, in line with the Temporary Measures for Reducing the Impact of Covid-19 Act, gazetted on 23 October 2020, the Government of Malaysia has set up a Special Mediation Centre in Putrajaya. It started operation from 16 November 2020, aimed to assist the public, specifically B40 and M40 groups, as well as businesses under micro and small industries. Subsidies to resolve commercial disputes are provided to them for disputed sum not exceeding RM500,000.00, during such unprecedented and difficult economic period. The criteria for eligible applicants can be found in its official website: <http://www.pmc19.gov.my/>.



Introduction

In the construction industry, disputes are not simply "black or white", but usually in "shades of grey" metaphorically, often complex due to the nature and characteristics of construction projects. The building or construction process, usually conducted under exposed weather conditions, involves diverse work activities/tasks which requires numerous resources and varied technical capabilities. Consequently, various challenges and problems occur, mostly related to the works, time, costs, quality, changes/variations, payments, performance, etc., and disputes often arise between the contracting parties. Such construction related disputes, which usually are with various implications, some adversely such as poor quality works, delays or non-completion, lack or non-payment, works suspension or contract termination, require appropriate ADR route/s for resolution.

In the construction industry, disputes are not simply "black or white", but usually in "shades of grey" metaphorically, often complex due to the nature and characteristics of construction projects.

Mediation, being an ADR route, is a structured facilitative process whereby a neutral or an impartial third party, called a "Mediator", mediates the disputes between two or more disputants or disputing parties, to skilfully manoeuvre them towards interacting and settling their disputes, amicably.

Generally, the mediation process involves eliciting the disputing parties' needs and/or expectations based on their interest to achieve a "win-win" solution rather than focusing on the rights which often end up in a "win-lose" outcome. Consequently, flexibility and creativity in generating settlement options/proposals can be facilitated by the mediator with the parties to focus or judge on what's right or wrong as in the traditional binding dispute resolution, such as litigation or arbitration, which is usually a long drawn formal process involving large sums of money, often at the expense of their business relation, unfortunately.

This article advocates mediation as the better ADR method and provides an appreciation and understanding of its benefits, procedures and process in resolving construction related disputes by the disputing parties in the Malaysian construction industry, especially during this unprecedented COVID-19 pandemic times.



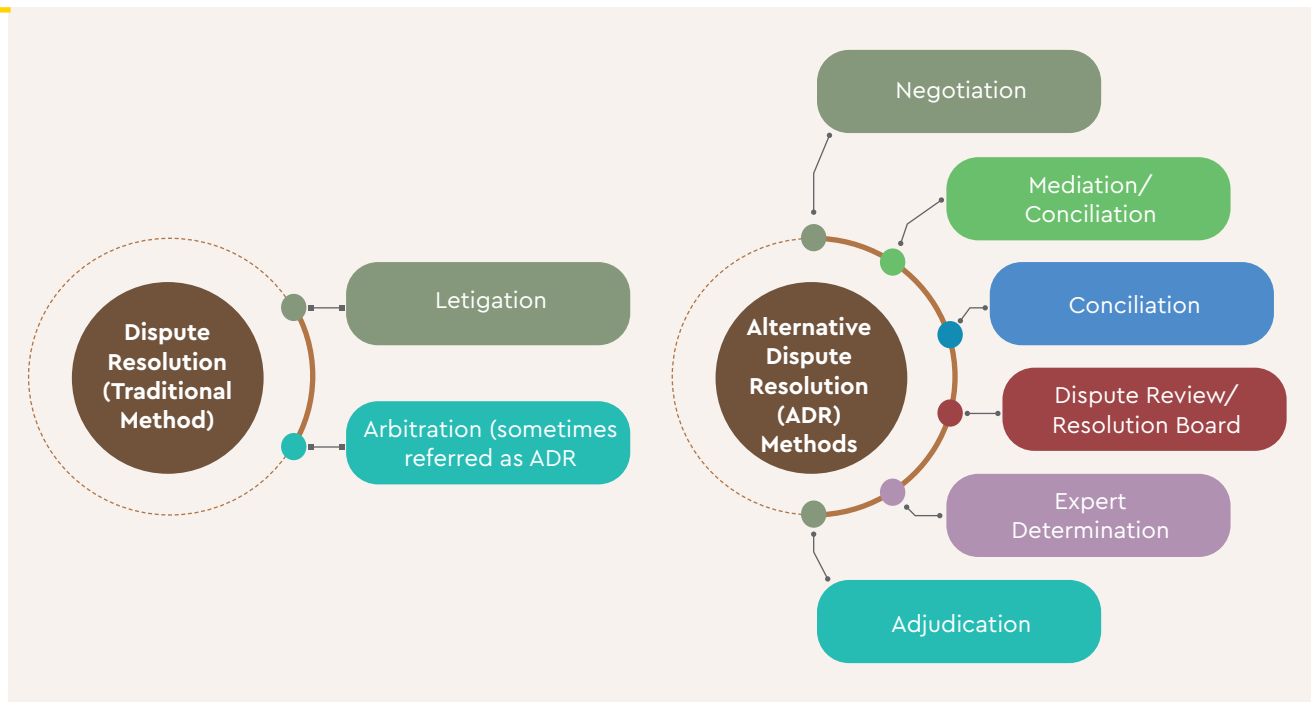
Mediation and Other Dispute Resolution Methods

Mediation is a voluntary, non-binding, speedy and cost-effective dispute resolution method, conducted privately and confidentially, on without prejudice basis for the disputing parties. It is an ADR route, with structured facilitative process whereby a neutral or an impartial third party, called a "Mediator", mediates the disputes between two or more disputants or disputing parties, to skilfully manoeuvre them towards interacting and settling their dispute/s, amicably.

He/she should possess good interpersonal communication and facilitative skills, with the ability to appreciate and understand their disputes, views, interests and/or concerns, including any relevant technical and legal issues, if necessary.

Mediation is a voluntary, non-binding, speedy and cost-effective dispute resolution method, conducted privately and confidentially, on without prejudice basis for the disputing parties.

There are many ADR methods available in handling disputes in the construction industry, amongst them, the most commonly adopted methods are negotiation, mediation, adjudication, arbitration and litigation. A comparison of traditional and alternative dispute resolution methods, are illustrated below.



Whilst voluminous information, review and research on the benefits and disbenefits of these methods can be found in related website, journals, articles and books, a typical comparison is as tabulated below (applicable in Malaysia, adapted from Ong, 2019);

Criteria	Negotiation	Mediation	Adjudication	Arbitration	Litigation
Speed to establish	Instant (within a week)	1 to 2 weeks	Within few weeks	2 to 3 months	1 to 3 months
Speed to resolve	Very quick or pace to suit both parties	Quick, 2 days to 1 month	100 working days (up to 5 months)	1 – 3 years	1 to 5 years (incl. higher court/s)
Expense/Cost	Negligible	Low	Moderate	High	High
Confidentiality/ Privacy	Depends on the parties	Complete	Complete	Complete	Public
Formality	Informal	Established by parties & mediator	Formal (under CIPA Act)	Formality established by parties and/or arbitral tribunal	Highly formal (adhere to court rules and procedures)
Binding/decision/ Subject to appeal	Non-binding, subject to the parties	Non-binding (If agreed, settlement agreement is an enforceable contract)	Binding unless set aside by Court. Agreed by the parties or decided by arbitration/court	Binding, award subject to set aside by Court on limited grounds	Binding, subject to appeal in higher court
Effect on business relations	Success rests on relationship. Can be restorative	Restorative if successful	Can increase adversary	Adversarial	Adversarial

Interestingly, Gorton (2016) has in his article published in the International Mediation Institute illustrated the "Chart of Dispute Resolution Stages and Steps", wherein negotiation, mediation, arbitration and litigation are laid down as stages of dispute resolution, starting with the unresolved dispute progressing from negotiation to litigation, with escalating degree of hostility, cost and time in achieving resolution.

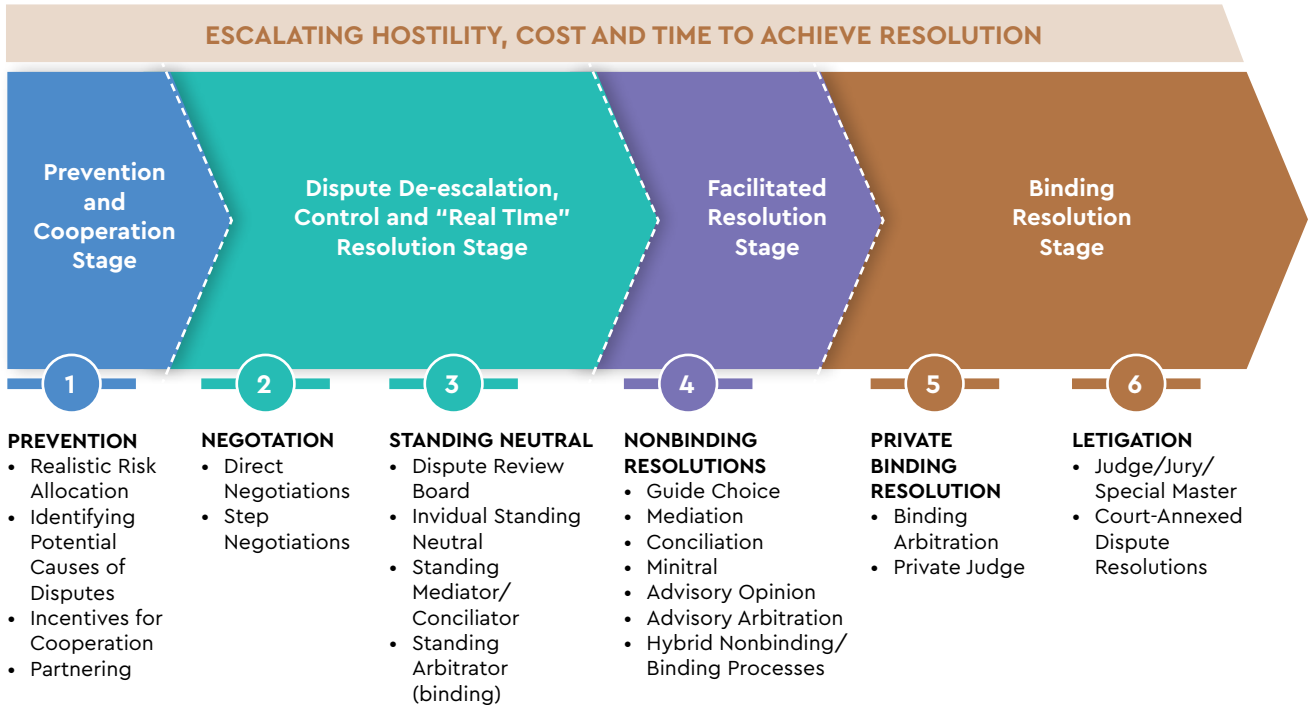


Chart of Dispute Resolution Stages and Steps (Gorton, 2016)

Invariably, hostility, cost and time required on traditional binding resolution (litigation and arbitration) are much higher than non-binding resolution (mediation and negotiation). The term "non-binding" resolution, may connote a negative perception of non-conclusiveness or no finality in its dispute resolution, hence often been mistakenly perceived as a poor alternative in dispute resolution. Contrary to such misperception, non-binding resolution means the disputing parties retain their right to bring their dispute back before the court or any competent tribunal when it is discontinued or terminated without any settlement agreement.

Invariably, hostility, cost and time required on traditional binding resolution (litigation and arbitration) are much higher than non-binding resolution (mediation and negotiation).

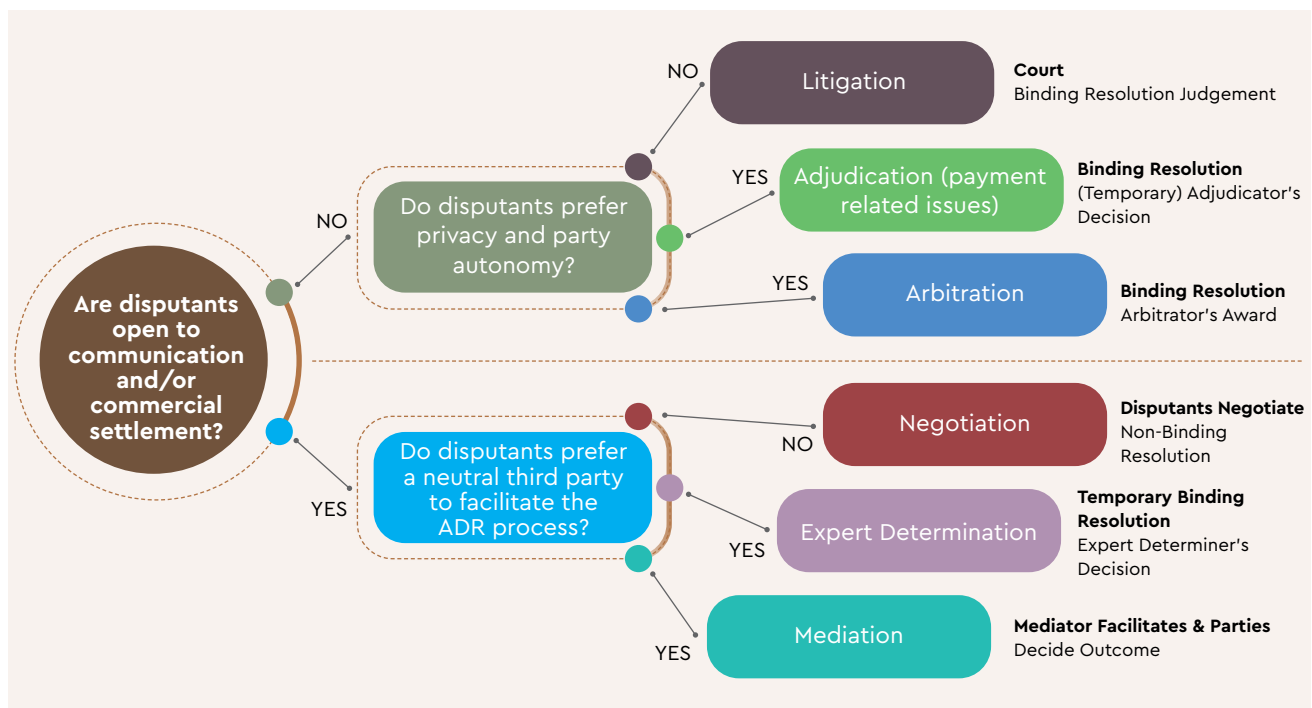
Evidently, there is no 'one size fits all' dispute resolution nor best method in handling all types of dispute, but suitable or appropriate dispute resolution method to effectively resolve the disputes under certain circumstances. Whilst the preferred approach is to resolve dispute with the ideal criteria being least cost, time and adversity, there are circumstances where it can be impossible for the dispute to proceed and conclude successfully under such criteria. Nevertheless, ideally disputes should be resolved according to the aforesaid progressive stages.



In USA, mediation is the mandatory first instance method of resolving dispute in some of its jurisdictions (Tembo, Ndekugri & Hammond, 2010). Whilst, in United Kingdom, although mediation is not obligatory before court proceeding, it has been recommended that courts should be allowed to demand an explanation from a party refusing mediation and such refusal should entitle the court in considering the distribution on the burden of costs to the refusing party (Hamlins, 2018). In Malaysia, under the Practice Direction No. 4 of 2016 (Practice Direction on Mediation), mediation is a voluntary dispute resolution process, whereby litigants are encouraged by the court judge to undergo a mediation prior to court proceedings.

In considering the most efficient and effective method in resolving the disputes, one must first identify if parties are still open to communication and commercial settlement. The attitude of the disputants is an important consideration in deciding which method best suits the dispute resolution.

The following flow chart demonstrates the different routes to select an appropriate dispute resolution method in Malaysia.



Often parties in disputes tend to have rights and value perception which drives them to pursue their case all the way via costly and time-consuming binding resolution such as arbitration or litigation in order to obtain a binding decision/award or judgement, respectively. Where disputes are due to misunderstanding on parties' value perception, the disputes if timely managed and handled carefully can be mitigated or even resolved speedily. Hence, the mediator's role as a neutral third party can assist in dispelling any misperception and may provide his/her considered recommendation/opinion, if appropriate, for the parties to understand and evaluate their commercial and legal positions during the mediation process, as advocated under the RICS evaluative mediation approach.

For example, where Party A perceived that Party B had delayed the construction activities based on project progress reported data without having considered the root cause being due to unforeseen ground conditions, whereby a reasonable and competent contractor would not be able to foresee it. If parties have a positive attitude and are open to communication, non-binding resolution such as negotiation can be suitable for such dispute resolution or mediation, if the parties prefer a neutral third party to facilitate the dispute resolution process.

However, where the disputing parties' relationship has broken down with animosity and amicable communication not possible, for example, Party X intentionally breached its contractual payment obligation and refuses to communicate regardless of Party Y's numerous conciliatory approaches, the latter is likely to proceed with binding resolution instead of non-binding resolution to resolve the payment disputes. Such disputes can be resolved through Statutory Adjudication under Construction Industry Payment and Adjudication Act ("CIPAA") 2012, enacted on April 2014 in Malaysia.

Recently, the Malaysian Association of Architects or locally known as *Pertubuhan Arkitek Malaysia* ("PAM") has introduced new dispute resolution provision "Expert Determination", under clause 35 of PAM Contract 2018, as abstracted below;

Cl. 35.1 (Disputes on all matters)
At any time, the parties by written agreement may refer any disputes on all matters for determination by an expert.
Cl. 35.2 (Expert determination under PAM Rules)
If the parties fail to agree on an expert after fourteen (14) Days from the date of the written agreement, any party can apply to the President of <i>Pertubuhan Arkitek Malaysia</i> to appoint an expert. Upon appointment, the expert shall initiate the expert determination in accordance with the current edition of the PAM Expert Determination Rules or any modification or revision to such rules.
Cl 35.3 (Expert determination shall not prejudice the parties' rights to adjudication or arbitration)
Prior reference of the dispute under Clause 35.1 shall not be a condition precedent for its reference to adjudication or arbitration by either the Contractor or the Employer, nor shall any of their rights to refer the dispute to adjudication under Clause 36.0 or arbitration under Clause 37.0 of these Conditions be in any way prejudiced or affected by this clause.

This ADR process is a voluntary process which can be initiated by the contracting parties to resolve their disputes. It involves use of an independent Expert to determine, by investigation and/or fact-finding, and render his/her expert opinion/decision on any disputes referred by the disputing parties, which they agree to abide, accordingly.

Mediation Act and Costs

Mediation practice in Malaysia is governed by Mediation Act 2012, which is *an Act to promote and encourage mediation as a method of alternative dispute resolution by providing for the process of mediation, thereby facilitating the parties in disputes to settle disputes in a fair, speedy and cost effective manner and to provide for related matters* (Act 749, Laws of Malaysia). There are several pertinent sections under this Act, which are essential features, as follows: -

Section 4(2)	A mediation under this Act shall not prevent the commencement of any civil action in court or arbitration nor shall it act as a stay of, or extension of any proceedings, if the proceedings have been commenced.
Section 14(1)	A settlement agreement shall be binding on the parties.
Section 14(2)	If the proceedings have been commenced in court, the settlement agreement may be recorded before the court as a consent judgment or judgment of the court.
Section 16(1)	Any mediation communication is privileged and is not subject to discovery or be admissible in evidence in any proceedings.

The three main types of Mediation available in Malaysia are, as follows;

- A. **Court Annexed Mediation** - Malaysian judiciary had introduced Court Annexed Mediation in August 2011, piloted by the Kuala Lumpur Court Mediation Centre. For litigation cases filed in court, litigants are given an opportunity to attempt free mediation programme using a separately appointed judge acting as a mediator to assist the litigants to find solution/s to resolve their disputes. If the court judge is able to identify issues arising between the litigants that can be amicably resolved, the judge may highlight those issues for them to agree to mediate and if settled, a mediation agreement is then executed by the said parties. (Practice Notice No. 4 of 2016).
- B. **Institutional Mediation** - Institutions provide their own set of mediation rules to guide the disputants through an institutional administered formal mediation rules and procedures, including selection and/or appointment of suitable mediator from their own list. Institutional based mediation such as Malaysian Mediation Centre ("MMC"), AIAC, PAM and MBAM provide their own mediation rules, which can be found in AIAC Mediation Rules (2018), PAM Mediation Handbook (2014) or MBAM Mediation Rules, respectively.

- C. **Adhoc Mediation** - Disputants may initiate their own mediation without the administration of the court or any institution. This type of mediation is suitable for an experienced mediator who is able to set up the applicable/suitable procedures and guide the disputants throughout the mediation process, provided the disputants can agree to his/her appointment and willing to settle their dispute via mediation.

Amongst the common standard forms of construction contract in Malaysia, which are PAM Forms of Building Contract (2016/2018), JKR/PWD Forms of Contract (203A – Rev. 2010), IEM Form of Contract for Civil Engineering Works (3rd Edition 2017), CIDB Form of Contract for Building Works (2000 Edition) and AIAC Standard Form of Contract (2019). Only the CIDB standard form has mediation as condition precedent to arbitration, in contrast with PAM and AIAC forms which stipulated that mediation is an optional ADR route.

In terms of costs in mediation, the recommended mediation fees and costs by the relevant institutions in Malaysia as tabulated below.

Description	MBAM (2019)	PAM (2014)	AIAC (2018)		MMC (2018)
			Domestic	International	
Mediator's Fee	Max RM4,000/case	RM750/hour	i. RM5,000/day; ii. RM600/hour for review of documents and related works	i. USD6,000/day; ii. USD750/hour for review of documents and related works	Determined based on the agreement between the Mediator and the parties concerned
Registration Fee	RM100	RM100	RM150	USD150	RM100
Administration Costs	RM500	7.5% of Mediator's fee	RM500	USD500	As prescribed by the MMC from time to time

(Note: USD1 = RM4.20 as of 8 September 2021. Source: Maybank)

In the next issue of the Malaysian Surveyor Journal, BK Entrusty will continue with the final part of this article, titled **"Mediation – The Better Alternative for Construction Dispute Resolution in Malaysia?"**



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Sr Ong Hock Tek ("HT") is a Fellow of nine professional institutions, a well-qualified multi-disciplinary and specialist consultant with over 30 years of working experience. He has been a Mediator, Arbitrator and current Panel Adjudicator of AIAC, SIArb Panel Arbitrator, Accredited Mediator, Value Manager and Certified Construction Project Manager of CIDB, past Deputy President of CIOB Malaysia, Past President of Lighthouse Club, past first Treasurer-General and current ADR Chair (QS Div.) of Royal Institution of Surveyors Malaysia.



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PROPERTY

Valuation Component of Real Estate Degree Programme

in Malaysia Public Universities - Key Issues and Recommendations for Improvement

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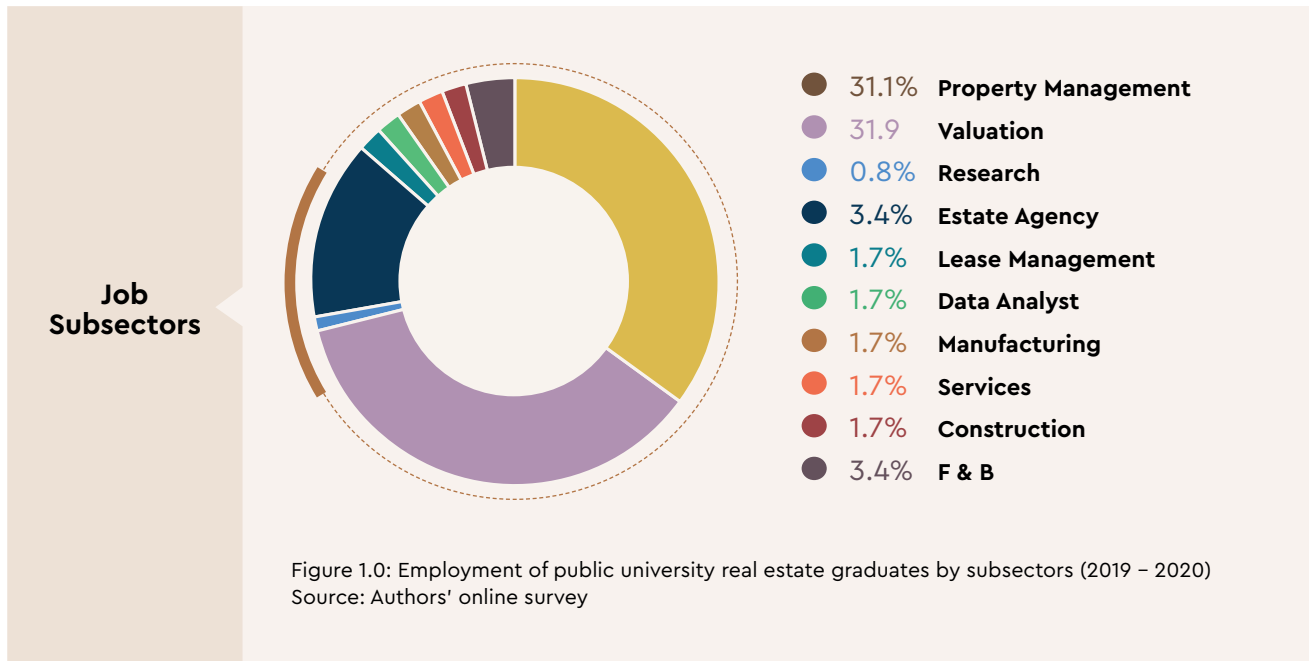
Introduction

Property education has more than a 50-year history in Malaysia¹. It has been central to producing property professionals in the country who have successfully built a career as valuers, appraisers, estate agents and property managers serving the public and private sectors. As a regulated profession, these 'general practice surveyors'² fall under the purview of the Valuers, Appraisers, Estate Agents and Property Managers Act 1981 (Act 242) and its 1986 Rules in Malaysia. The year 2017 amendments to Act 242, in particular, have strengthened the control of Board of Valuers, Appraisers, Estate Agents and Property Managers (BOVAEP) on property management practice through the creation of Part IV in the Register maintained by the Board. Hence, the Board now regulates mainly three licensed professionals, namely, registered valuers, registered estate agents and registered property managers³. Traditionally, it is these three distinct disciplines that have been the core of our real estate degree programmes and form the basis on which the Board evaluates the standard of academic programmes.

Despite the concerted effort from academia in enhancing these programmes, we often hear criticisms from employers with regards to quality of real estate graduates not only in Malaysia but also countries such as the United Kingdom and Australia. In Malaysia, valuation is traditionally the field of practice absorbing the majority of real estate graduates from public universities (see Figure 1). Nevertheless, industry response on the quality of real estate graduates often indicated a weak grasp of valuation principles, inability to relate theory to practical world as well as the lack of work-related interpersonal skills. As such, this may affect graduates' employability and more importantly, the efficacy of the profession in the long run.



The aim of this paper is to present an overview on some of the key issues surrounding the valuation component of full-time property or real estate degree programmes conducted in Malaysia's public universities to identify the areas in which improvements can be made. The discussion is based on the writers' involvement in valuation education and reviewing valuation syllabus as well as dialogues held with practitioners on the subject matter.



2.0 Key Issues and Recommendations

2.1 Valuation syllabus – moving goalposts?

It seems that there is not so much issue with the syllabus or knowledge base delivered at universities under different valuation subjects or courses. Most of the Higher Education Providers (HEP) have been strictly adhering to list of courses recommended in the BOVAEP's Accreditation Manual. At a degree level, the manual recommends two valuation courses, which are Principles of Valuation and Applied Valuation. However, the manual leaves the depth and breadth of the courses to the discretion of HEP. This is one area where the respective HEP will have to provide an internal mechanism to ensure that the contents taught are consistent and up to date with the current knowledge and practice regardless of the teaching personnel.

In other words, there should be standardised notes and slides prepared for each valuation course with certain degree of flexibility for updates and enhancement at each HEP. A starting point in ensuring this consistency would be the course outline. The course outline or course information is one of the defining pillars of Outcome Based Education (OBE) curriculum which needs to inform students of the course learning outcomes⁴ (CLO) and its related programme learning outcomes (PLO), teaching methods, weekly topics, learning time, assessment methods and weightages that should be achieved from following the course. Therefore, any changes to the existing course outline must not be allowed without the approval of a subcommittee⁵ at departmental level.



**In other words,
there should be standardised
notes and slides prepared
for each valuation course
with certain degree
of flexibility for updates and
enhancement at each HEP.**

Although most HEPs do monitor and review the overall running of the programme, very few of them have dedicated subcommittees to focus on core courses such as valuation. Moreover, very few of them keep the review trail or minutes of the review meetings consistently for audit exercises. Whilst the Accreditation Manual also clearly states that any programme review must involve external experts, the effectiveness of the review would be increased by first having a subcommittee level review focusing on a cluster of core courses before the improved contents being put forward for further discussion at programme or departmental level.

Table 1.0 lists the valuation courses provided by the respective public universities in Malaysia. Figure 1.0 illustrates the result of a job survey conducted among year 2019 and 2020 public university real estate graduates.

As can be seen, the scope of valuation covered by HEPs is very comprehensive considering the broad nature of valuation work in the private and public sectors. Courses are designed to cater for not only to the different purposes of valuation, but also different types of property. On the other hand, valuation principles and approaches are covered under introductory courses⁶. Notably, a number of HEPs have also included business valuation following the recent impetus on this type of valuation in practice⁷. There are also temptations to include infrastructure assets and natural resources/ecosystem valuations which could be better explored in postgraduate degrees. In essence, about 30% of total credits of the undergraduate programme is allocated to valuation whilst the remaining to 30-40% of the core courses is set aside for economics, property/facility management, estate agency, law and building technology as per the recommended courses from BOVAEP.

The rest of the credits⁸ are dedicated to cover the university/faculty compulsory and elective courses. Therefore, there are at least 6 to 7 courses under the valuation cluster that need to be monitored and reviewed from time to time by the HEP with input from external experts. Only a high level of consistency and diligent system could ensure that the core content of the syllabus remain intact yet still relevant to current and future academic and practice changes. Real estate graduates are expected to be proficient in making sense of seamless data with the right technology. Nevertheless, the immediate challenge for valuation curriculum is to strengthen its core skill which is to decipher the value nuances of property market professionally. Perhaps liberalisation of real estate programmes with major or minor option⁹ and double degrees¹⁰ would have an impact on the level of valuation concentration in the future curriculums.

“

Therefore, there are at least 6 to 7 courses under the valuation cluster that need to be monitored and reviewed from time to time by the HEP with input from external experts.

”



HEP	UM	UTM	UTHM	UiTM
Programme Name	<i>Bachelor of Real Estate</i>	<i>Bachelor of Real Estate with Honours</i>	<i>Bachelor of Real Estate Management with Honours</i>	<i>Bachelor of Estate Management with Honours</i>
Compulsory & Elective Valuation Courses	Fundamentals of Real Estate Valuation	Principles and Methods of Valuation	Property Valuation	Introduction to Property Valuation
	Methods of Real Estate Valuation	Applied Valuation	Applied Valuation**	Property Valuation Techniques
	Special Property Valuation	Valuation of Specialised Property	Special Property Valuation	Applied Valuation
	Land Acquisition and Compensation	Property Taxation and Land Acquisition	Land Acquisition Valuation	
	Property Taxation		Statutory Valuation	Statutory Valuation
	Real Estate Investment Valuation**	Investment Valuation	Real Estate Investment and Appraisal	Investment Appraisal
	Advanced Valuation Techniques**		Advanced Property Valuation	Development Appraisal
	Business Valuation**	Business Valuation	Business Valuation	
	Asset Valuation	Asset Valuation**		

Table 1.0: Valuation coverage in real estate degree programmes offered at Malaysia's public universities

Source: UM, UTM, UTHM and UiTM Official university websites¹¹; Programme Coordinators

** elective course

2.2 Staff qualification, teaching method and assessment

Teaching staff and quality

Teaching valuation within four walls is never an easy task considering that the actual case studies are all out there! In general, teaching valuation requires a meticulous preparation and creative delivery. First though, the lecturer must possess some level of practice experience. An academia with Registered Valuer (RV) qualification would be a perfect choice, but the number RVs who are working either on full-time or part-time basis in HEPs remain very small in number. After all, only one full-time RV is required by BOVAEP to endorse a bachelor degree programme under Criteria 4 of the Accreditation Manual. Recruitment of RVs as permanent academic staff can be a challenge, whereby they are expected to have at least a master degree upon entry and must be willing to complete their doctoral degree within certain time frame. Certain universities do offer candidates opportunity to pursue a fast-track doctoral degree if excelled from an undergraduate degree.



Potential permanent staff may be given up to twelve months to undertake internship with a professional firm to fulfil part of the TPC requirements with regards to work diary, log book and practical tasks.

Another barrier in recruiting RVs or practitioners who are in the midst of completing their Test of Professional Competence (TPC) might be the job scope of academic staff at HEPs. The expectation of performance on academic staff has skyrocketed since the introduction of Research University (RU) status at public universities and this orientation towards research and publication culture has transformed many of the previous key performance indicators (KPIs) and workload of academic staff including those of non-RU universities. Add this to the ranking game being played to justify the RU status, and it is inevitable how teaching has become a lower priority in terms of achieving KPIs and seeking promotion. Regardless of technical proficiencies expected from a lecturer, concerns for survival – let alone career development – means research and publication receive priority at the expense of teaching.

It is perhaps comforting to know that HEPs such as UTM have put in policies to encourage its academic staff to pursue professional qualification.

Potential permanent staff may be given up to twelve months to undertake internship with a professional firm to fulfil part of the TPC requirements with regards to work diary, log book and practical tasks. Other possibilities such as part-time or sessional lecturers had been explored before, but financial and administrative constraints render them not sustainable.

Having said that, the potential solution to this conundrum is through a flexible recruitment and promotion strategy that recognises the role of teaching staff with industrial experience. One size does not fit all! They should not be burdened with extensive KPIs as other 'academia' lecturers and their salary scheme and benefits should reflect the focused KPIs that they have to achieve in relation to CLOs and PLOs. It is maybe fair to suggest that stringent or "blanket" promotion criteria for lecturers teaching and improving the core courses of the accredited programmes should be reconsidered. Contractual appointment could be another short-term solution to satisfy the need of some of the critical valuation courses while an understudy is gaining adequate training or professional qualification.

“

It is maybe fair to suggest that stringent or “blanket” promotion criteria for lecturers teaching and improving the core courses of the accredited programmes should be reconsidered.

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Teaching method and assessment – 50-year-old as well?

Having professional experience or professional qualification will not be a be-all and end-all to teaching valuation effectively. This is simply because teaching someone in class what is valuation and how to do valuation can be a very challenging task if one does not have a plan. The plan is basically the course outline/weekly plan of the valuation course. However, teaching method refers to the means through which the weekly topics will be delivered to students. Giving a lecture (slides plus explanation) is certainly one of the standard practices in universities but imagine if this is done week-in week-out. Studies have shown that traditional "stand and talk" method has a limited role in imparting knowledge effectively considering the different learning preferences and strategies of learners. Active learners, for instance, tend to learn from and perform well in group works whilst reflective learners prefer to engage in independent tasks which require self-reflection and thinking.

In fact, new pedagogical approaches such as heutagogy, peeragogy and cybergogy have emerged in response to self-directed and autonomous learners within the broader higher education. As learners' profiles evolve, it is natural to expect teachers/educators to adjust to their proclivities. At present, it is the Baby Boomer or Generation X is being responsible for the valuation education of the tech-savvy and tech-ready Generation Z learners. Virtual/augmented reality, anyone?

At present, it is the Baby Boomer or Generation X is being responsible for the valuation education of the tech-savvy and tech-ready Generation Z learners. Virtual/augmented reality, anyone?

As higher education institutions in Malaysia are moving away from teacher-oriented approach to student-centred approach to teaching and learning, valuation lecturers are also expected to combine various teaching methods and initiatives in delivering the contents of the course. Problem/project-based learning, case-study teaching, scenario-based learning, service learning, peer instruction, flipped classroom are some of the techniques which could be integrated into the delivery and assessment of the courses. More empirical works are needed in this area of L&T.

Nevertheless, teaching and learning facilities at public HEPs such as smart classroom, laboratory, resource centre, internet, presentation halls and other creative spaces should also be conducive enough for 21st century L&T. The facilities situation is certainly 'an elephant in the room' for most of the public universities in Malaysia. On the other hand, digital resources and platforms such as Blackboard, e-learning, Moodle and MOOC will be useful in after-class discussions and feedback activities.



Guest lectures and field trips should be made compulsory at valuation course level rather than one-off, impromptu events at departmental or faculty level.

The emergency online learning brought upon by the COVID-19 pandemic has introduced a quantum leap in online valuation T&L where lecturers and students were forced to resort to online platforms and resources. It will be interesting to see the quality of the students who were part of this forced online learning when they enter the industry. In some ways, this cohort would indicate if the online platform is the way to go for 21st century T&L or "stand and talk" is here to stay.

Furthermore, it is also the responsibility of the lecturer to organise the real-world examples to the classroom. Experience shows that the overall quality of the programme and student satisfaction enhanced when these activities are embedded in the course outline. Thus, guest lectures and field trips should be made compulsory at valuation course level rather than one-off, impromptu events at departmental or faculty level. Of course, none of these initiatives would be possible without the cooperation of like-minded practitioners. In this regard, BOVAEP, RISM, PEPS, MIEA, MIPEAC, PEHAM and PENILAISAMA should consider working more closely with the universities in enhancing student and lecturer learning experience. Once these activities have been formalised as part of the course delivery, then it is possible to design formative assessments based on certain performance criteria and rubrics.

The performance of students in valuation courses is generally evaluated through formative and summative assessments. Formative assessment is carried out throughout the semester/term through in-class activities, quizzes, homework/assignments (either individual or group) and presentations to monitor performance level whilst the latter happens at the end of the course usually in the forms of final examination and project submission. Assessments have become more structured and aligned with pedagogical principles which was supposed to yield more accurate measurements of students' ability and performance; yet we often hear voices of dissatisfaction, in particular, from practice fraternity whenever universities announce their number of first-class students. One common criticism of first-class real estate graduates is that they do not demonstrate the level of 'first-class' expected by their employers in the aspect of valuation competency even though most of these students did their practical training in valuation firms. There exists a gap that needs to be bridged here!

Certainly, there has been gradual but remarkable progress made in enhancing public university students' blended learning experience through many of the digital learning platforms. As such, apart from subject matter expertise, a valuer-lecturer must demonstrate creativity and passion in teaching valuation. Not to mention the fact that this requires meticulous preparation and execution amid time spent for other KPIs.

“ Not to mention the fact that this requires meticulous preparation and execution amid time spent for other KPIs. ”

Does more A's mean the assessment methods are lacking in quality? Do the employers expect too much from fresh graduates? Does the increasing number of students weaken the efficiency of quality management system at HEPs? How about controlling the ratio between individual and group assessments? Are the current assessment methods holistically and broadly designed as required by BOVAEP? Is there any flaw with OBE and its "begin with end in mind" philosophy? There are more questions than answers in this regard. What is extremely critical in this respect is that the level of assessment for each valuation course must be aligned with the course's learning outcomes and the lecturer's expectation of performance must be communicated very clearly to students.

Assessment forms and marking rubric should be reviewed either with internal subcommittee or external examiners as part of the quality control process. This again calls for the formalisation of subcommittee for valuation cluster at departmental level. It is also prudent to gather pre- and post-assessment feedback from students to understand where their expectation stands compared with the lecturer's expectation. Indeed, this is the heart of Continuous Quality Improvement (CQI) advocated by MQA and BOVAEP.

3.0 Conclusion

Valuation will always be the core component of any real estate programme that has been structured around the multidisciplinary, built-environment school of thought. Wholesale changes in terms of the course content may not be necessary but teaching methods and assessments will have to be improved in line with pedagogical changes and technology. The most challenging task in teaching valuation has always been finding the right balance between theory and real-world scenario and to convince students that it can be done out there with the right data and experience. Students may not understand the 'art' part of the valuation puzzle, being new to the idea, but there has been collective pressure on lecturers to be more methodical and explicit in their 'storytelling'. Furthermore, they have to combine the 21st century teaching and learning methods to educate Gen-Z students. It is clear, nonetheless, that both academia and industry need to engage transparently to understand the weaknesses of the current system and find common grounds to improve the quality of graduates. Hence, it is a joint responsibility of HEPs and their strategic industry partners to ensure high standard of content and delivery in accordance with the mission to future-proof the profession.



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RISM AWARD

+ Fellowship Diploma

RISM EXCELLENCE AWARDS 2021



The annual RISM Excellence Awards for 2021 was held on 21 December 2021 at Menara Kuala Lumpur and there were six awards given out to the deserving recipients of Tokoh Juruukur Malaysia, Lifetime Achievement, Young Surveyor of the Year and Outstanding Writer in Property and Construction followed by Fellowship Diploma presentation. This event was attended by the Past Presidents, Councillors of last and current sessions, Divisional Committees and family members of the award recipients.



RISM FELLOWSHIP DIPLOMA

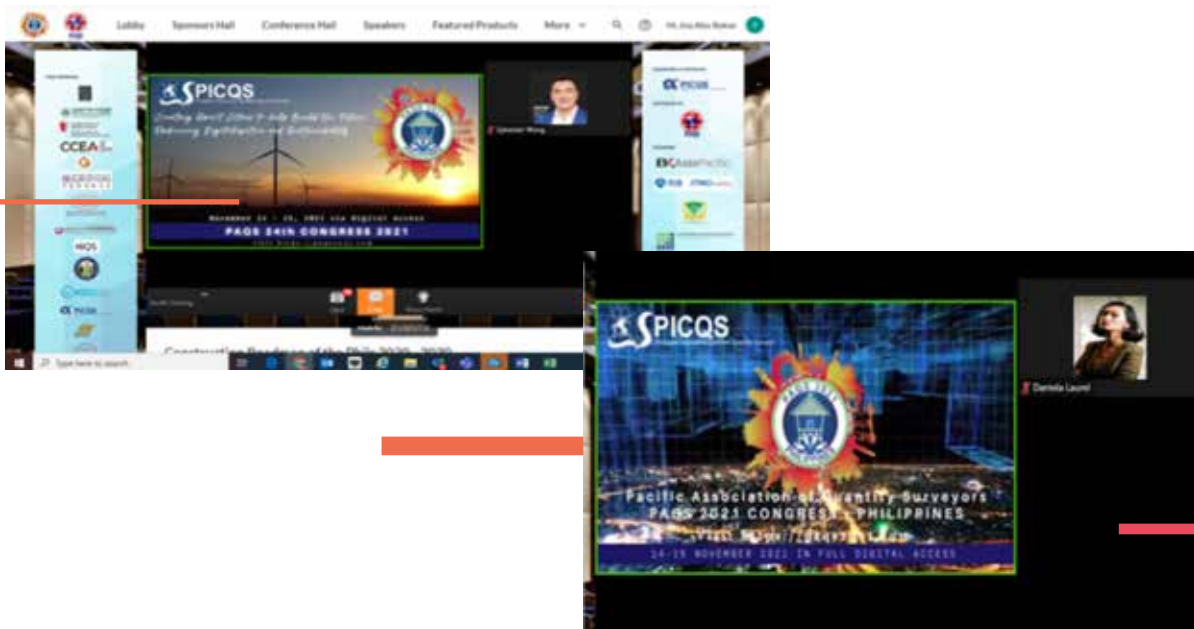
Congratulations to RISM members who received their Fellowship Diploma during the presentation held on 21 December 2021.

PAQS

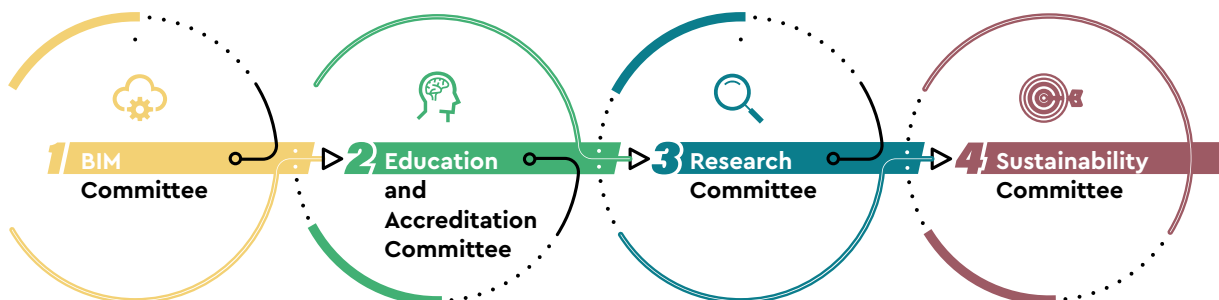
2021

PAQS CONGRESS 2021

The 24th Pacific Association of Quantity Surveyors (PAQS) Congress 2021 was a fully digital event hosted by the Philippines Institute of Certified Quantity Surveyors (PICQS) on 14 and 15 November 2021. This is the second year that the congress is held online with the most apt theme which was "Creating Smart Cities to Help Build the Future (Embracing Digitalisation and Sustainability)". Even the Congress 2021 Gala Night was organised virtually and open to everybody to enjoy the performances submitted by the member countries. The 'joget' dance by RISM members can be viewed here <https://fb.watch/aXkQwfkqfM/>



Following tradition, prior to the congress, several sub committee meetings and the Board meeting were held (also online) throughout the week. All of the sub committee meetings ie. BIM, Research, Sustainability and Education were duly represented by RISM members as follows :



- ▶ Sr Sharifah Noraini
- ▶ Noreen Syed Ibrahim
- ▶ Sr Chin Keh Liang
- ▶ Sr Chin Wei Min
- ▶ Sr Dr. Syed Abdul Haris Syed Mustapa

- ▶ Sr Chua Siow Leng
- ▶ AP Sr Dr. Wan Maimun Wan Abdullah
- ▶ Sr Ahmad Suhaimi Abdul Majid
- ▶ AP Sr Dr. Sarajul Fikri Mohamed

- ▶ Sr Kwan Hock Hai – PAQS Chairman
- ▶ Sr Eric Khoo Sui Lai
- ▶ Ts. Sr Dr. Nadzirah Hj. Zainordin

- ▶ Sr Kwan Hock Hai – PAQS Chairman
- ▶ Sr Ina Abu Bakar
- ▶ Sr Lim Kok Sang

CITATIONS

for RISM Award

RISM EXCELLENCE AWARDS 2021

The General Council at its meeting on 3 June 2021, after considering the recommendations by the RISM Excellence Awards Committee, has decided to award the following awards.

Category of Award:

**Tokoh Juruukur
Malaysia 2021**

Recipient:

**Dato' Sr Hasan
Jamil, FRISM**



Dato' Sr Hasan Jamil was born in Jementah, Segamat, Johor in 1957 where he received his primary and secondary education before entering Technical Institute, Kuala Lumpur. He then continued his studies at University Technology Malaysia (UTM) and was awarded the Bachelor of Land Surveying (Hons) in 1979. He furthered his studies at University of Edinburgh, United Kingdom and was awarded a Master of Science Degree in Geographical Information System in 1993.

After graduating from UTM, he joined the Department of Survey and Mapping Malaysia (JUPEM) as a Land Surveyor. He had served in various capacities in JUPEM in the various states and Kuala Lumpur/ Putrajaya before retiring as the Director General of Survey and Mapping Malaysia in 2017 from JUPEM Headquarters.

While in JUPEM, he was involved in various committees at the National level in all types of land surveying works and land development. From 1984 – 2017, he was involved in the demarcation and survey of the international boundary between Malaysia and its neighbouring countries i.e Indonesia, Thailand, Singapore and Brunei.

He was one of the Malaysian representatives in the case of Pulau Sipadan and Pulau Ligitan between Malaysia and Indonesia to the International Court of Justice which concluded sovereignty over Pulau Sipadan and Pulau Ligitan belonging to Malaysia in 2002.

His many professional contributions include involvement in many committees and helming the highest posts in Land Surveyors Board Malaysia (LSBM) and Association of Authorised Land Surveyors Malaysia (PEJUTA) among others. At the international level, he is the Malaysian Representative for International Standardization Organization on Geographic Information/ Geomatics (ISO/TC211) since 2011 as well as Standards and Ethics, International Federation of Surveyors (FIG) since 2017.

He is a member of the Royal Institution of Surveyors Malaysia since 1980 and became the President of RISM for the session 2014/2015 after serving the institution for many years in various capacities.

In recognition of his contribution, he was conferred with Federal and State awards and the latest was Darjah Indera Mahkota Pahang (DIMP), 2014 which carries the title Dato'.

Category of Award:

Lifetime Achievement Award

Recipient:

Sr Quek Jin Keat, FRISM



Sr Quek Jin Keat was born in Johor Bahru, receiving primary and secondary education there. He graduated with a degree in QS (Hons.) in 1981 from University Teknologi Malaysia (UTM).

After graduation, he started work as a QS in Lembaga Kemajuan Johor Tenggara and during his 30-year career, he has moved into the private sector in QS consultancy firms, contracting firms and developer companies. Prior to his retirement, he was Project Director at AECOM-KPK QS (Semenanjung) Sdn Bhd from 2013 – 2017.

In academia, he has lectured at UiTM and Infrastructure University Kuala Lumpur (IUKL) totaling 8 years. While at IUKL, he was introduced to Building Information Modelling (BIM) which gave him the impetus to serve the RISM as BIM was at its infancy in the QS industry.

He has been a member of RISM since 1984 and became a fellow in 2016. He was co-opted into the QS Division in 2011 and served as Chair of the BIM Sub-Committee till 2018. He wrote a number of papers on BIM for QS, presented at the PAQS and QS conferences in Brunei, China, Hong Kong, Japan, New Zealand, and Singapore. He was the first QS in Asia Pacific who foresaw blockchain technology being used in the construction industry and delivered a lecture on this to the Hong Kong Institute of Surveyors in September 2016. He has also briefed Matrade on the use of BIM in the export of professional services.

He was involved in formulating the framework for BIM education in QS curriculum which earned praise from the education committee of PAQS in 2015. He also independently formulated the framework for levels 1-3 of the BIM competency curriculum for QS technicians/technical assistants.

Category of Award:

Lifetime Achievement Award

Recipient:

Sr Choy Yue Kwong, FRISM



Born in 1950 in Klang, Selangor, he was the youngest of five (5) siblings. His early education was in Primary School, Klang and later Methodist Boys School, Kuala Lumpur.

He studied Chemistry and Mathematics in the University of Malaya and worked in the chemical industry for about seven years. He was introduced to the valuation profession then and as his first love was mathematics, he took up the profession under the mistaken impression that it would allow him to further indulge in his passion for mathematics.

He made the drastic decision of abandoning his career and joined a small valuation firm at one third of his last salary to start working life all over again as a junior valuation assistant. He soon discovered that very little high-level mathematics was involved. In fact, he found to his amazement that his boss only allowed him to use the Comparison Method day in and day out.

To qualify as a valuer, he decided to enrol in a two-year Land Economy course in the University of Aberdeen, Scotland. He sold his only house and together with his wife and two young children, move there for two years. Upon returning, he joined Rahim & Co and has been with them ever since. It's been a good 31 years and counting and he is currently Director of Rahim & Co International based in Petaling Jaya.

He was the Past President (2010 – 2012) of PEPS and has been a member of the Executive Committee of PEPS from 2013 till present.

In RISM, he served as a Council Member as well as the Chairman of the Property Surveying Division for two terms and current Chair of the Examination Board.

Category of Award:

**Lifetime Achievement
Award**

Recipient:

**Prof. Sr Dr. Ting
Kien Hwa, FRISM**



Born in Bentong, Pahang, Prof. Sr Dr. Ting Kien Hwa received his primary and secondary education at the local Sulaiman Schools. He started his tertiary education at Universiti Teknologi Malaysia for his Diploma in Urban & Regional Planning and switched his specialisation to External Degree in Estate Management, University of Reading through distance learning with the College of Estate Management, Whiteknights, UK.

With his degree, he changed his Assistant Urban Planner job with Urban Development Authority to Institut Teknologi MARA as a lecturer. He obtained scholarships to study Master in Land Economy at University of Western Sydney, Australia and Ph.D. in Finance from Universiti Putra Malaysia.

He has been a RISM member in 1999 and a Fellow since 2005. His contributions include but are not limited to :

1. Head, Evaluation Committee, Best Paper 1st to 10th RISM-RICS Surveying Conference (2008 – 2017)
2. Member, MIDA Grant Committee (2010) – obtained RM1.5million grant for RISM
3. Treasurer of Organising Committee, 18th and 21st Pacific Rim Real Estate Society Conference (2008, 2015)
4. Co-author of RISM 50th Year Anniversary Commemorative Book "**50 Years Surveying the Nation**"
5. Reviewed and proposed the new syllabus of Property Surveying Division Professional Examinations: Foundation, Part I, II, III and Graduate Entry Examination (2010)
6. Served the Board of Valuers, Appraisers, Estate Agents and Property Managers Malaysia as Examiner and member of CPD Committee since 2000 to-date.

His contribution internationally includes:

- Member of Standards Setting Committee, **International Property Measurement Standards (IPMS)**, World Bank/RICS
- Member of Standards Setting Committee, **International Land Measurement Standards (ILMS)**, United Nations Food and Agriculture Organisation (UN-FAO)
- Board Member of Pacific Rim Real Estate Society (PRRES) Australia
- Academic Board Member of Asia Pacific Real Estate Association (APREA)
- Member of Editorial Advisory Board, Journal of Corporate Real Estate (UK), Journal of Real Estate Literature (USA) and Pacific Rim Property Research Journal (Australia)

Category of Award:
**Young Surveyor
of the Year**

Recipient:
**Sr Nur Zurairah
Abdul Halim,
MRISM**



She is the fourth child of five siblings and was born in Kuala Kangsar, Perak, around 40 years ago. Her path to becoming a surveyor is heavily influenced by her passion in geography, reading the Atlas, and map reading. Indeed, the fundamental "surveyor" skills had been instilled in her from an early age.

She is a proud alma mater of Tunku Kurshiah College (TKC) and pursued her Bachelor's Degree in Geomatics Engineering in University Technology Malaysia. She then earned her Master's of Research in Built Environment from University Technology MARA.

Since 2004, she has actively contributed her expertise and skills to the surveying community both locally and internationally. She was one of the selected few Young Surveyors worldwide invited to contribute to the publication of international technical guides on cadastre for United Nations agencies such as UN-Habitat, UN-GGIM, and FAO.

She has written and co-authored various articles and papers related to the surveying profession especially on cadastre, locally and internationally.

She is the founder of the Young Surveyor Network Malaysia and a co-founder of the International Federation of Surveyors (FIG) – Asia and the Pacific (AP) Region Young Surveyors' Network. She also won the 2015 International Federation of Surveyors Foundation Grant Award.

She joined the Department of Survey and Mapping Malaysia in 2003 and in 2019 and was recognised as a subject matter expert in the cadastral domain by the Government of Malaysia and was the first female land surveyor to receive such recognition.

She was the first ever female to serve on the RISM Geomatics and Land Surveying Division committee since its inception 62 years ago and held a great range of key positions within the division and organisation.

Category of Award:
**Outstanding Writer
in Property and
Construction Award**

Recipient:
**Sr Dr. Nazirah
Mohamad
Abdullah, MRISM**



This is awarded in recognition of excellence for constructive reporting of the Surveying profession relating to the Property and Construction industries. The award is to recognise writers who promote interests in the Surveying profession to the Government, Regulators and the Public in general. The award shall be given to the best written feature article or series of articles appearing in publications and in electronic or print media.

Sr Dr. Nazirah was born in Perak in 1976. She obtained a Bachelor of Surveying Engineering from Universiti Teknologi Malaysia in 1999. She then began her career at Polytechnic and Community College Education Department (DPCCE) as a lecturer, where she taught Geomatics Engineering. She was best known as "Dr. Innovation" and received the Innovation Category Outstanding Lecturer award while serving there.

She furthered her studies at the Master's level at Universiti Teknologi Malaysia in 2007 and later embarked on a Doctor of Philosophy in Geomatic Engineering in 2017. She was bestowed The Best Student Award while pursuing her PhD at Universiti Teknologi Malaysia.

She joined Universiti Tun Hussein Onn Malaysia (UTHM) as a Senior Lecturer in August 2019. Here, her talent in the field of writing began to shine bright. She immersed herself in writing numerous papers, focusing mainly on the field of Geomatics. She is actively exposing students and society to innovation and scholarly writing. She regularly gives talks on good practices in journal writing and is frequently invited as a panelist and jury for innovation competitions and scientific paper presentations at the international, national and state levels.

Sr Dr. Nazirah strongly believes and practices these words of wisdom for self-motivation, that is: **Knowledge is power, but character is more.**

He obtained scholarships to study Master in Land Economy at University of Western Sydney, Australia and Ph.D. in Finance from Universiti Putra Malaysia.

THE

Pan Pacific Congress

The 30th PPC, 4 - 5 October 2021,
Virtual Congress ~ A Long and
Arduous but Enjoyable Journey

By:

**PP Dato' Sr Lau Wai Seang,
DSPN, DJN, BCN, PPRISM, CIDB
(Fellow), Hon. Member MIEA,
Registered Valuer, Cert. IP Valuer**

This article is written with the intention of sharing valuable lessons I acquired in organising the 30th PPC. Lessons which I honestly think are beneficial to the multi-generational RISM members.

Lessons learnt not because it is the very first time RISM organised a fully virtual event, and for that matter a truly international event, but the human dynamics involved were very intense at times!

ABOUT PPC



The Pan Pacific Congress of Real Estate Appraisers, Valuers and Counsellors is fondly referred to as PPC. This Congress was founded on developing a closer relationship with the various appraisal or valuation institutes as a forum for members to share and exchange information.

PPC
AT A GLANCE

- ▶ 3 Concept Members
- ▶ 12 Supporting Countries around the Pacific Rim
- ▶ 15 Sponsoring Members
- ▶ Bye-Laws:
 - Formulated in San Francisco, USA on 28 September 1973
 - Revised in Petaling Jaya, Malaysia on 16 October 2020 at the 30th virtual PPC Board of Directors Meeting
- ▶ 1st PPC was held in Sydney, Australia in 1959
- ▶ 3rd time RISM hosted a PPC, i.e. in 1983, 2002 and 2021

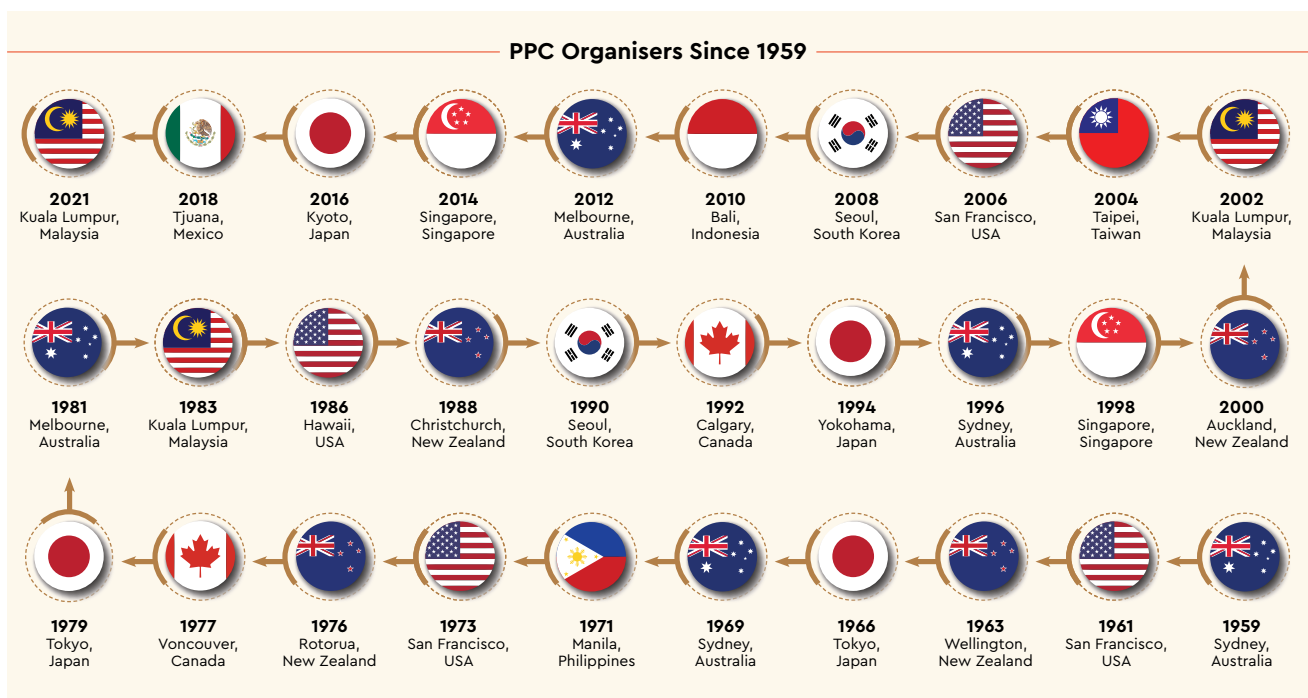
The concept founders of PPC were Australia, America and New Zealand. It has now grown to 15 Sponsoring Member professional organisations from 12 Supporting Countries around the Pacific Rim, where RISM is one of them.

A Sponsoring Member does not have a financial implication. All financial commitments from the organising of a PPC belong to the host organisation.



THE 30TH PPC

Since 1959, the PPC has been rotated on a near bi-annual frequency amongst the Sponsoring Members. This 30th PPC is the third time RISM was given the honour to organise.



Securing the Event

The journey of the 30th PPC started in 2016, at the 28th PPC Board of Directors Meeting in Kyoto, Japan, where I attended with Sr Choy Yue Kwong. RISM successfully registered its interest to organise the 30th PPC. It was in competition with Appraisal Institute of USA. RISM was able to convince the Board that RISM, strategically located in populated Asia, was experienced enough and had the financial resources to host an international event.

In 2018, at the 29th PPC Board of Directors Meeting in Tijuana, Mexico, Sr Lim Choon Yong and I confirmed that RISM will organise the 30th PPC. On both occasions I was the Chief Delegate representing RISM at the PPC Board of Directors.

Lesson #1

When attending an international event overseas where we have a purpose already laid out, we have to be prepared with facts and make a good presentation of our cause. More so when we are facing strong competitors.

Lesson #2

On the other hand, RISM as a professional organisation with many international affiliations is not doing enough to send representatives overseas to sell RISM's cause. The uplifting of RISM's image is beneficial as a form of selling the services of its members. On this score, the allocations for members attending overseas conferences, especially presenting papers, should be reviewed by RISM.

The Journey was Rocky

Organising an international conference is not new to me, as during my two-time session tenure as the Deputy President of RISM, the 18th and 19th International Surveyors' Congress (ISC) were my babies. Little did I know that the challenges are going to be way different from my past experiences. While planning in earnest started in late 2018, the journey started to get bumpy. However, I shall only share noteworthy experiences.

a. Finance

In all expediency of planning a gargantuan event, at the onset stage, a dedicated account will enable the smooth management of financial transactions such as having a dedicated account under the control and management of the Organising Committee.

PPC, as opposed to ISC, is skewed towards real estate valuation matters and I believe that the PS Division would benefit more from networking of like-minded professionals if organised under the PS Division.

There were however, several hiccups along the way to initialising a dedicated PPC account which eventually was parked under the General Council. Suffice to say that the third principle of the Japanese pictorial proverb of the 3 Wise Monkeys, *Speak No Evil*, was totally thrown out of the windows at some points!



Respect does not come with the post; It has to be earned!

Lesson #3

Sitting in committees in an NGO calls for sacrifices and respect for the institution as a whole, as a family. Respect towards a fellow member's integrity should be observed, more so when the member is a senior member of RISM who is commendable and has contributed tremendously.

b. Revision of the PPC By-Laws

The PPC By-Laws stated that a PPC is to be organised once every 2 years. The original date of 5 – 7 Oct 2020, was not viable due to the COVID-19 pandemic.

Traditionally, the PPC Board of Directors Meeting preceded the Congress by a day. But the current situation saw the detachment of these 2 events. On 16 October 2020, the 30th PPC Board of Directors Meeting was held online for the first time from RISM, Malaysia.

At this Meeting, RISM proposed and the Directors endorsed the revision of the PPC By-Laws formulated in San Francisco on 28 September 1973, some 48 years ago. This milestone achieved enables the PPC By-Laws to be more dynamic to cater for eventuality such as the present pandemic as well as to remove gender bias!

Lesson #4

Regulations are not cast in stone. With the revision of the archaic 48 years old PPC By-Laws, RISM was able to conduct the PPC outside the 2 years' time requirement and to permit a woman to be the Chairman-Coordinator for the very first time.

c. *From Physical to Virtual*

After two postponements, the Organising Committee accepted that it was no longer viable to have a physical event. The light at the end of the tunnel was coming from a train! There were two choices, to abort or to go fully virtual.



**Self-trust is the first
secret of success!**

But, as the saying goes, *When the Going Gets Tough, the Tough Gets Going!* So, a virtual event it shall be. We shall *Bite the Bullet!*

Though this means there is an absence of the usual physical bonding, it is nevertheless compensated by the participation of delegates from a larger geographical region and at a very affordable price! Delegates were also offered the option of a video recording of the whole event due to time differences of the PPC members.

The Core Event of the 31 Paper Presentations were planned and presented virtually. It was interspersed with the Fringe Events, to name a few, The PPC Family which comprised corporate videos of PPC Sponsoring members; Let's Zoom Around the World where beautiful attractions of member countries were played; and 3 points for Technical Visits, namely TPM, TRX and Warisan 118.

To bind the whole two days Core and Fringe Events, the emcee's script was also constructed and pre-recorded. The event must have had a close to real effect as many delegates thought some of the Congress presentations were live!



**If you fail to plan;
You plan to fail!**

Lesson #5

Planning was of paramount importance. From timeline to deadlines, commitment and discipline on our parts had to be observed.

All in all, a total of 130 videos coming from all corners of the world were edited and merged. Added to this, there were the Handing Over slides and the 2 Montages to prepare. To enable this to happen, deadlines were spaced out and were monitored closely so as not to cause undue back-end human work pressure.



**It's not about doing what you like;
But liking what you do!**

Lesson #6

The 30th PPC saw the total embracement of ICT, true to the theme of the event **Digital Disruption: Digital Economy & Real Estate Industry**. Though some presenters were initially not into the idea of a virtual presentation, along the process of preparation and participation, everyone eventually learnt many valuable life-enriching lessons.

VITAL STATISTIC OF THE 30TH PPC

- ▶ 28th PPC in Kyoto, Japan, 2016, registered RISM's interest to organise 30th PPC
- ▶ 29th PPC in Tijuana, Mexico, 2018, confirmed RISM's interest to organise 30th PPC
- ▶ 30th PPC eventually was hosted by RISM on 4 – 5 Oct 2021:
 - First ever fully virtual conference organised by RISM since 1961
 - First ever fully virtual congress of PPC since 1959
 - 2 times postponed due to COVID-19 pandemic
 - Dato' Sr Dr. Azhari Bin Mohamed, President of RISM-cum-President of the Board of Land Surveyors Malaysia, was the GOH
 - Dato' Sr Lau Wai Seang, PPRISM, was the Chairman-Coordinator, the first ever woman Organising Chair for a PPC since 1959
 - Supported by MyCEB
 - 11 Endorsers (7 Malaysians & 4 internationals)
 - 2 Sponsors
- 4 Advertisers (2 Malaysians & 2 internationals)
- 1 Media Partner
- 31 speakers (10 Malaysians & 21 internationals)
- 7 Session Chairs (4 Malaysians & 3 internationals)
- 2 Kopitiam Chairs (1 academician & 1 industry practitioner)
- 9 Best Paper Awards Judges (3 industry practitioners & 6 academicians)
- 31 Abstracts received
- 13 Full Papers received (only 6 qualified for scoring of Best Paper Awards)
- 130 videos edited and merged
- 252 participants (150 Malaysians & 102 internationals)
- 2 Best Paper Award Winners (Plenary and Track Categories)
- 2 volumes of e-Souvenir Programmes
- 14 Organising Committee members (RISM & non-RISM members)

CONCLUSION

It took three long years of meticulous preparation to bring to fruition the 30th PPC. Was it a good journey, was it worth the time and effort for at times it was a really lonely trail? Definitely! This is judging from the congratulatory and appreciation messages received from both RISM members and our international community.

I thank everyone who had walked and ran with me in order to deliver this 30th PPC from an ordinary to an extra-ordinary event! Be proud that we are privileged to be part of the 62 years old PPC history where a PPC was delivered wholly virtual.

“

**Life is a journey, at each pit-stop...
Take nothing but good memories,
Leave nothing, but footprints!**

”

It was a momentous and memorable journey for me. I sincerely hope I have left another footprint not only at RISM but at the Board of Directors of the Pan Pacific Congress of Real Estate Appraisers, Valuers and Counsellors (PPC)!

ASSESSMENT

of Competence as Part of the RISM Property Surveying Membership Entry Requirement

By Sr Dr. Kamalahasan Achu, FRISM

In the RISM Extraordinary General Meeting (EGM) conducted on 5 April 2021, thirty-four (34) proposed amendments to the Constitution were approved by the members. The amendments ranged from simple content editing to more significant matters pertaining to electronic voting (e-voting), membership entry and upgrading requirements. This update focuses on part of these amendments as they relate to the Student, Graduate and Member classes of Property Surveying (PS) divisional membership entry routes and upgrading.

Assessment of Competency (AoC)

Firstly, the amended Article 11 on 'Member' reads as follows:

- "(1) A Member must:
- (a) be at least twenty-one (21) years of age; and
 - (b) have acquired a practical knowledge of surveying in any of its disciplines and **have passed the Assessment of Competency**, subject to acceptance by the General Council; and
 - (c) have passed the examinations required for election to that class under the Rules of Examination, or such other examination or examinations accepted by the General Council.
- (2) A person who has received the approval of the General Council may be transferred to the class of Member.
- (3) Members are not eligible for the office of President or Deputy President, subject to the Article of the Constitution and regulations of the General Council. Members are eligible for election or appointment to other offices of the Institution and are entitled to all its rights and privileges."

Article 11 (1)(b) introduces for the first time the requirement to undergo a proficiency test for PS membership which would entitle candidates to the prestigious "Sr" prefix once they have passed it. The aspiration behind this change is to make way for more structured and standardised membership entry requirements for all the four divisions within RISM.

What is the format of RISM's AoC?

For the graduate routeⁱ in general, AoC comprises of the following:

- i. a minimum of two (2) accumulative years of working experience under a Registered Valuerⁱⁱ (RV), whilst for academics only one (1) year is required
- ii. submission of Detailed Records of Work Experience (DROWE)
- iii. pass RISM Interview

For the experience routeⁱⁱⁱ, AoC comprises of the following:

- i. a minimum of sixty (60) months of relevant working experience including twenty-four (24) accumulative months under the supervision of a Registered Valuer (RV), whilst for academics only twelve (12) months RV supervision is required
- ii. submission of Records of Work Experience (ROWE)
- iii. pass RISM Interview

A subcommittee in the PS Division is currently finalising the details of DROWE and ROWE and the interview.

Who is eligible for AoC?

To answer this question, one has to be guided by PS Division's membership entry flowchart as shown in Figure 1.0. This flowchart was first approved by the General Council on the 22 October 2020 whilst the latest updates were approved early this year.

According to the flowchart, graduates holding accredited degrees^{iv} and graduate members of RISM are allowed to sit for AoC. Of course, the graduate pathways (G) for the latter group are diverse depending on their entry qualification. Applicants with a non-accredited degree including Registered Property Managers' (PM license) and Registered Estate Agents^{vi} (E license) with BOVAEP and certified intangible asset valuers, for instance, must make sure that their degree is recognised by Malaysian Qualifications Agency (MQA) and pass Part III RISM examination. Diploma holders in valuation will also go through a different qualification journey based on the 10-year experience criteria. In essence, they must pass the RISM examinations or complete an accredited degree to qualify as a graduate. The experience route, on the other hand, covers seasoned practitioners including those with a foreign professional membership and license.

Effective date for AoC implementation

Considering the window period which is expected to last until 30 June 2022 after another extension, existing graduate members are encouraged to apply for "Member" upgrading or direct application via accredited degree route; the new entry rule is expected to come into force on the 1 July 2022.

An e-blast on this matter from RISM dated 9 November 2021 stated the following:

"The Property Surveying Division of the Royal Institution of Surveyors Malaysia (RISM) wishes to announce the offering of the "Membership" class which carries the prestigious prefix "Sr" to anybody with an accredited degree approved by the Board of Valuers, Appraisers, Estates Agents, and Property Managers, Malaysia (BOVAEP). This rare and limited opportunity is only valid until 31 March 2022. Those RISM members under the "Graduate" class with more than two (2) years of working experience are encouraged to upgrade to full "Member"."

Registered valuers and license or professional membership holders from foreign countries – free for all?

What about our existing and future RVs who would like to carry "Sr"? They are given the privilege to obtain the full membership automatically with the condition that they attend an induction interview.

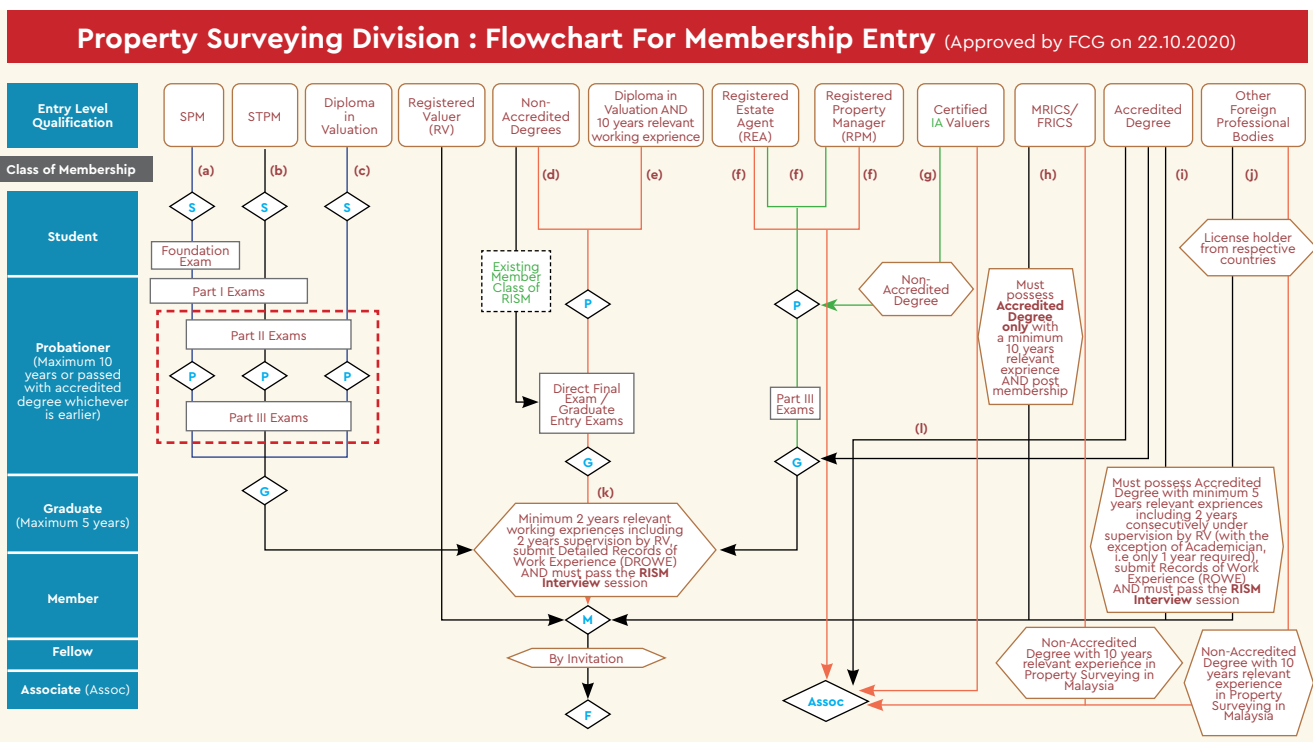


Figure 1.0: PS RISM's PS membership entry flowchart

Abbreviation:

- RISM – Royal Institution of Surveyors Malaysia
- PS Division – Property Surveying Division
- BOVAEP – Board of Valuers, Appraisers, Estate Agents & Property Managers
- REA – Registered Estate Agent
- RPM – Registered Property Manager
- IA – Intangible Asset
- MyIPO – Intellectual Property Corporation of Malaysia
- WTI – World Trade Institution, University of Bern
- ROWE – Records of Work Experience
- DROWE – Detailed Records of Work Experience

On the other hand, only foreign license holders with an accredited degree and five (5) years relevant experience including 2 years of continuous supervision by RV^{vii} can apply for Member class directly. Moreover, they must submit Records of Experience (ROWE) and pass the RISM interview.

Likewise, only fellows and members of RICS (MRICS/FRICS) with an accredited degree and ten (10)-year post-membership will be allowed to apply for full membership directly. Additionally, they must submit a letter of good standing from RICS.

Associate membership – an alternative door to RISM?

There is also an alternative way to join RISM to those who do not have an accredited degree and those who choose not to take the AoC pathway. Registered Property Managers, Registered Estate Agents, certified intangible asset valuers, FRICS/MRICS and foreign license holders may opt for Associate membership instead, which does not grant them "Sr" but "ARISM" initial after their names. They just have to fulfil the minimum practice experience required in Malaysia.

In essence, they must pass the RISM examinations or complete an accredited degree to qualify as a graduate.

Note:

- (a) SPM "Sijil Pelajaran Malaysia" (or O Level or Equivalent) with three (3) credits which include Bahasa Malaysia or English and Mathematics.
- (b) STPM "Sijil Tinggi Pelajaran Malaysia" (or A Level or Equivalent) with Principal Level passes from any two (2) of the following subjects i.e. Mathematics, Economics, Physics, Chemistry, Geography and Bahasa Malaysia.
- (c) RISM/BOVAEP accredited programmes i.e. refer to The Professional Examination (Rules and Syllabuses for Property Management, Valuation & Estate Agency Surveying) prepared by RISM, printed January 2016.
- (d) Applicants with "Non-Accredited Degree" must possess Recognised Degree from Malaysia Qualifications Agency (MQA) **will be exempted from Part I & Part II of the RISM PS Division Exams and sits for RISM Part III as Probationer.**
- (e) Applicants must possess Diploma in Valuation with 10 years relevant working experience(s) in Property Surveying with full supervision of at least one RISM member who is a Registered Valuer **will be exempted from Part I & Part II of the RISM PS Division Exams and sits for the RISM Part III Exams as Probationer.**
- (f) **REA and RPM who have 5 years relevant working experience in Property Surveying post registration will be exempted from Part I & Part II of the RISM PS Division Exams and sit for the RISM Part III Exams as Probationer provided the applicants possess degree recognised and accredited by MQA. Or apply as an Associate Member.**
- (g) Applicant must possess Non-Accredited Degree and is a Certified IA Valuer from MyIPO or equivalent, **will be exempted from Part I & Part II of the RISM PS Division Exams and sits for the RISM Part III Exams as Probationer. Or apply directly as an Associate Member.**
- (h) Applicant must be a Member of RICS for not less than 10 years **with accredited degree** only and must submit a letter of good standing from RICS. Those without accredited degree can apply as Associate Member.
- (i) "Accredited Degree" refers to qualified degrees as recognised by the Board of Valuers, Appraisers, Estate Agents & Property Managers ("BOVAEP") (refer to: <http://lpeh.gov.my/> for the updated list) must have minimum 5 years relevant experience including 2 years full supervision by RV (with the exception of Academicians which only requires 1 year), must submit Records of Work Experience (ROWE) (min 3,000 words) AND pass the RISM interview session.
- (j) Applicant must be a License Holder with respective countries for not less than 10 years in Malaysia including 2 years under supervision by RV with accredited degree can apply for member class. Applicant with non-accredited degree can only apply for Associate class of membership.
- (k) Applicant must have minimum 2 years relevant experience including 2 years full supervision by RV (with the exception of Academicians which only requires 1 year), must submit Detailed Records of Work Experience (DROWE) (minimum 3,000 words) and pass the RISM interview session.
- (l) Academicians have the option of a direct entry into RISM via an application as an Associate Member.

Also, academicians with an accredited degree and teaching property related courses have the option of a direct entry into RISM via Associate membership.

Maximum time limit for Student and Graduate memberships – shelf life?

In the April 2021 EGM, it was also approved that the maximum time limit for holding student and graduate memberships is 5 years. The amount of yearly subscription after 5 years will be automatically increased to the next membership level or as determined by the General Council. Apart from the financial gain, this drive is expected to strengthen the number and administration of members.

"Students and Graduates who are eligible for membership upgrades but would rather continue to enjoy the benefits of the institution at a lower subscription level. The amendment limits such incidents to 5 years." (Minutes of EGM held on 5 April 2021)

Conclusion

The update presented here has summarised some of the key amendments to the RISM Constitution relating to membership entry requirements. The significant change being the Assessment of Competency which hopefully provides a coherent structure to all four divisions within RISM. Kudos to Past President Sr Kwan Hock Hai and his team for their dedication in driving this change. PS Division, in particular, with its diverse entry qualifications to full membership will benefit from this upgrade as only candidates with the right academic and professional background would be admitted to the 'surveying family'. However, as RISM strives on diversity, the door is also wide open to other value-added professionals to close rank under the Associate member class. From PS perspective though, AoC may complement and support the existing Test of Professional Competence (TPC) governed by BOVAEP for probationary valuers, probationary estate agents and probationary property managers. I believe further details on AoC and its implementation will be furnished to members in due course.

Acknowledgement

I would like to acknowledge my gratitude to the Chair of PS Division, Sr Aziah Mohd Yusoff and Sr Stanley Toh for their input.

ⁱ applies to candidates who have graduated within 24 months from the effective date of AoC with accredited degree by BOVAEP or graduate members of RISM Graduate Entry Examination

ⁱⁱ he or she must also be a RISM member

ⁱⁱⁱ refers to candidates who have graduated more than 2 years with an accredited degree

^{iv} refers to qualified degrees as recognised by the Board of Valuers, Appraisers, Estate Agents & Property Managers (BOVAEP)

^v 5 years post registration experience is required to get exemption for Part I and Part II exams

^{vi} 5 years post registration experience is required to get exemption for Part I and Part II exams

^{vii} with the exception of academician, i.e. only 1 year required

BANJIR

Surveyors Social Responsibility

“Tabung Misi Bantuan Kemanusiaan Bencana RISM”

Malaysia was impacted by severe floods mid of December 2021 due to three days of torrential downpours throughout the peninsular. The resulting floods affected eight states across the country leaving at least 54 dead and two missing (*Wikipedia*).

RISM was informed of many of its members who suffered losses due to the heavy floods. RISM took the initiative to launch the “*Tabung Misi Bantuan Kemanusiaan Bencana RISM*” (RISM Humanitarian Charity Fund for Disaster) to provide financial aid to RISM members who have been impacted by the recent floods. The total contribution received is RM70,150.00 donated by the General Council, all five Branches, all four Divisions, RISM members, Members’ firms, professional allied bodies such as Lembaga Jurukur Tanah Malaysia, Yayasan Kebajikan Jurukur Tanah Berdaftar, Board of Quantity Surveyors Malaysia, and KOJUTA.

The General Council decided for the donations to be contributed to four State Governments i.e. Selangor, Melaka, Negeri Sembilan and Pahang State Government at RM10,000.00 each. The contributions were also delivered to eleven RISM members including one staff for RM2,000.00 each as financial aid and relief for those affected.



Cheque handover ceremony to Melaka was done on 27 January 2022 to YB. Datuk Zaidi Johari, State Secretary of Negeri Melaka and presented by RISM President Dato’ Sr Dr. Azhari Mohamed, accompanied by Hon. Secretary General Sr Saiful Wazlan and Deputy Chief Executive Officer of Lembaga Jurukur Tanah Malaysia.



Cheque handover and visit to the house of RISM staff by RISM President Dato’ Sr Dr. Azhari Mohamed, accompanied by YBhg. Datin and RISM Deputy President Sr Dainna Baharuddin.



Cheque handover ceremony to Pahang State Government was done on 3 February 2022 to YAB. Dato' Sri Wan Rosdy Wan Ismail, Chief Minister of Pahang and accompanied by YH. Dato' Sri Dr. Sallehuddin Ishak, State Secretary of Pahang State Government and presented by RISM Hon. Treasurer General Sr Wan Mohamad Darani.



Cheque handover and visits made to the houses of six RISM Members of Geomatics and Land Surveying (GLS) Division by Chair of GLS Division Datuk Sr Johari Wahab and accompanied by Vice Chair.

Cheque handover and visits made to the houses of two RISM members of Quantity Surveying (QS) Division by Chair of QS Division Sr Nazir Muhamad Nor.



Cheque handover to two RISM members of Building Surveying (BS) Division by Chair of BS Division Sr Mohd Amin Mohd Din and accompanied by Divisional Secretary and Treasurer.



INTRODUCTION

The benchmarking analysis has been prepared following submission of target construction project data to the Building Cost Information Services Malaysia (BCISM) and has been arranged by analysing target project to similar projects in the BCISM database.

BENCHMARKING ANALYSIS REPORT

PROJECT DETAILS

Location

Petaling Jaya, Selangor, Malaysia

Cost

RM3,000,000.00

Building Function

Commercial – Office Building (low rise)

GFA

940m²

Base Date

Q4/ 2022

Headlines

Based on RM3,191/ m², the target project is 36% more expensive compared to sampled buildings

Submitting More Data

By submitting your project to BCISM, you will receive a complimentary benchmarking analysis report, in addition you also contribute to raising the quality of benchmark data in the construction sector and eventually support the industry drive for efficiency.

All the data provided are confidential, none of which will be published without your own or the client's concern.

BCISM Benchmarking Analysis Report

Benchmarking allows you to compare the performance of your project against other similar projects which facilitates strategic decisions and continual improvement.

All the submitted projects will be analysed to produce Cost/ m². The costs of the projects with the same function and specification will be updated to reflect the costs at the same date and location as your project before producing a benchmark.

HOW DO WE ANALYSE YOUR PROJECT?

All the projects are analysed using the BCISM standard benchmark and a summary for submitted project will be included in this report. Project with the same function have been converted to a cost per square metre and updated to reflect costs at the same date and location as the submitted project.

The submitted project has been compared with a sample of 5 similar projects and functions. The building cost for submitted project is RM3,191/ m² compared to average cost of RM2,343/ m² for similar projects. The results are summarized in the graphs and tables below.

Please note that the targeted project is excluded from the comparison sample.

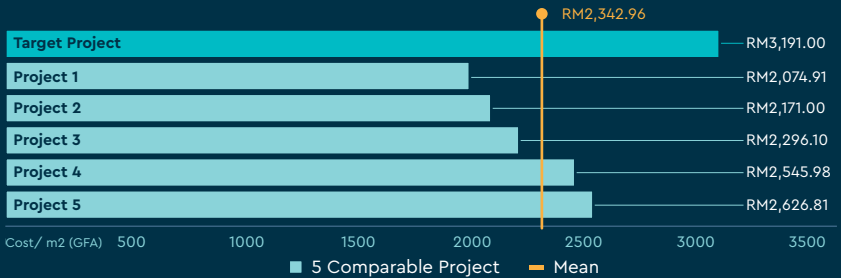
Point of Interest

N3C Website

Other than doing benchmarking analysis for you project, you may also have a look on the materials cost, labors cost, machinery cost, etc. for your project.

For more information and data, you can subscribe at www.n3c.cidb.gov.my

SCAN HERE



Element	Submitted Project (RM/ m ²)	Mean of sampled projects (RM/ m ²)	% above sampled projects
Substructure	245.00	179.22	+36% ↑
Superstructure	1,204.00	916.71	+31% ↑
Finishes	542.00	261.45	+107% ↑
Fittings and furnishings	0	0	0% ■
Services	1,200.00	985.58	+21% ↑

↓ Lower than mean ↑ Higher than mean ■ Equal mean

The element showing largest cost difference is services element which is 107% higher than the mean of similar projects.

The differences between the submitted project with sampled projects is shown by line graph below



MALAYSIA

Construction Materials Survey, 2nd Quarter 2021

CONSTRUCTION INDUSTRY OVERVIEW

The construction industry recorded a sharp decline by -19.4% in 2020 compared to the previous year (2019: 0.4%). The first quarter of 2021 value of construction work done posted a marginal growth by 10.5% (Q420 -14.2%) year-on-year basis to RM31.4 billion (Q420:RM31.7 billion). Nevertheless, this is the fifth straight quarter of contraction in construction activity, amid the prolonged impact of the coronavirus pandemic. Initially a rebound in 2Q21 was expected, but the COVID-19 daily cases recorded remained high and this has affected business activities and recovery plans. Dismal numbers of the country's production impacted further to the country's growth for the year, but the construction sector managed to record a value of work done by 42.6% in 2Q2021 year-on-year basis amounting to RM28.2 billion.

A breakdown of the work done showed RM15.1 billion or 53.7 % were contributed by the private sector whereas RM13.1 billion or 46.3% were by the public sector. Private sector contributed in residential and non-residential buildings whilst the public sector contributed mainly in civil engineering works. The performance of each special trade activities showed a decline in the 2Q21 compared to the 1Q21. The Residential buildings subsector showed the biggest decline at -21.3% followed by non-residential buildings at -7.5%, civil engineering at -6.3% and special trade activities at -0.7%.

Private sector contributed in residential and non-residential buildings whilst the public sector contributed mainly in civil engineering works.

PUBLIC SECTOR

Contributed Mainly in Civil Engineering Works

46.3%

breakdown of the work done
RM13.1 billion



PRIVATE SECTOR

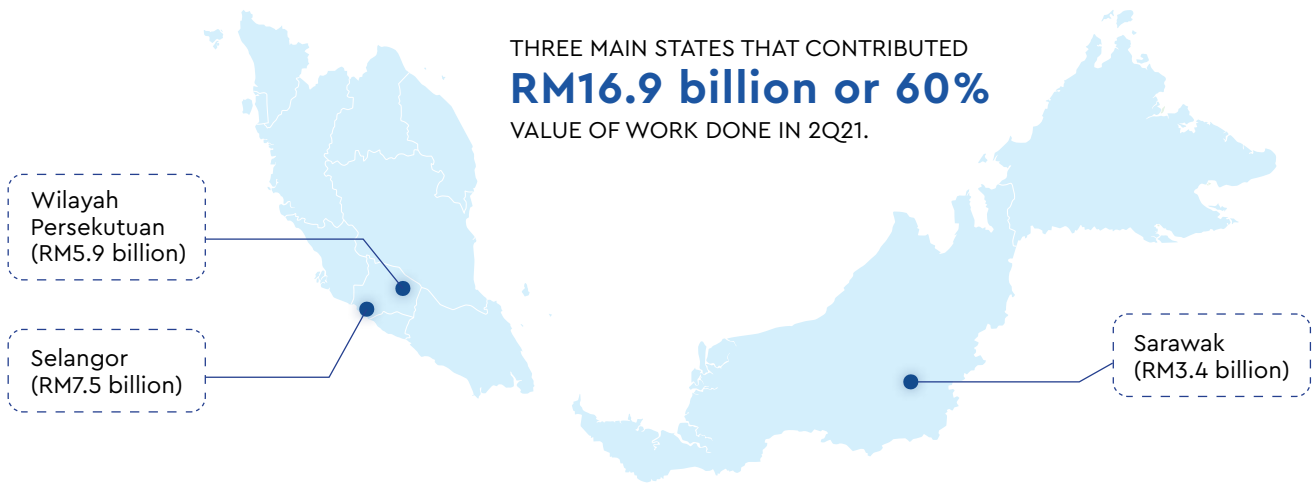
Contributed in Residential and Non-Residential Buildings

53.7%

breakdown of the work done
RM15.1 billion



The 3 main States that contributed 60% value of work done or RM 16.9 billion were Selangor (RM7.5 billion), Wilayah Persekutuan (RM5.9 billion) and Sarawak (RM3.4 billion).



GOVERNMENT POLICY ON CONSTRUCTION INDUSTRY



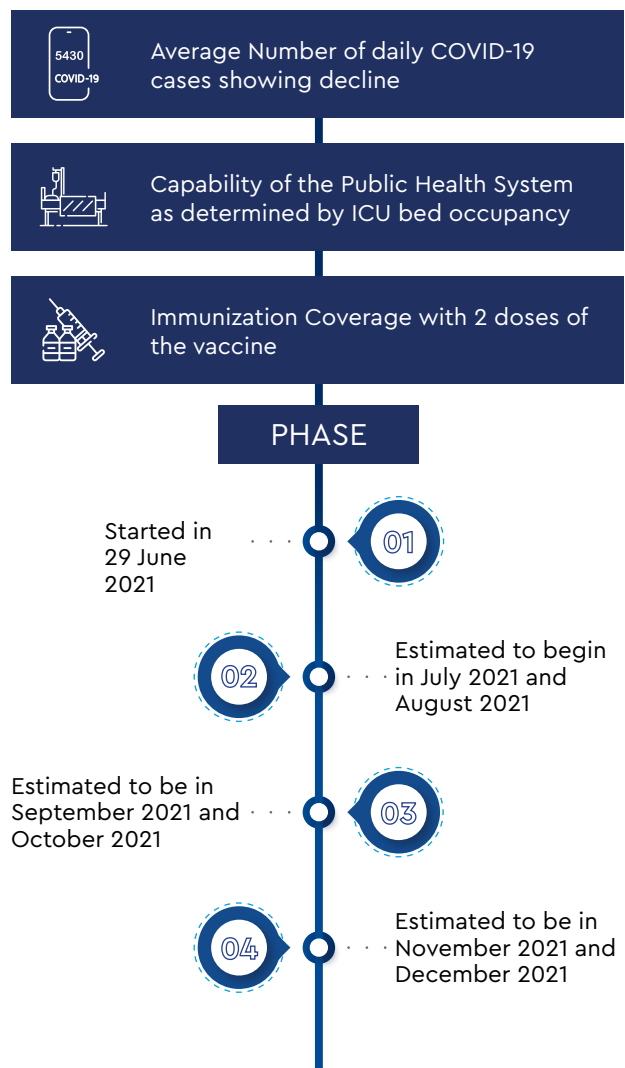
MCO 3.0 (Movement Control Order 3)/ FMCO (Full Movement Control Order)

The Movement Control Order (MCO 3.0) was implemented on 12 May 2021 to 28 June 2021 affecting individual states at different levels of lockdown. During this period, only construction projects listed as being critical services were allowed to operate with approval from Construction Industry Development Board (CIDB). However, limitations imposed on the operations of many members in the materials supply chain have disrupted the supply of materials to the construction sites.

Beside materials, labour was another issue as most of the foreign workers were not vaccinated and were not allowed to work at site. In addition to that, strict enforcement on the workers' quarters proved to be a challenge to the contractors, causing project sites to cease operations due to failure to comply with the COVID-19 standard operating procedures.

National Recovery Plan

The government drew up a National Recovery Plan (PPN) which is a 4-phase road map out of MCO based on 3 indicators:



Program Imunisasi Industri COVID-19 Kerjasama Awam Swasta (PIKAS) for Manufacturing Sector Launched as Phase 4 of the National COVID-19 Immunisation Programme (PICK) to Accelerate Immunisation for Rakyat

In order to assist the Government to accelerate the immunisation in our country, PIKAS was initiated in response to calls from the industry associations, business chambers of commerce and small and medium enterprises (SME).

Multi-tier Levy System for Employment of Foreign Workers

The implementation of the multi-tier levy system for employment of foreign workers which was scheduled to take effect on Jan 1, 2021 had been postponed to July 2021 and now to Jan 1, 2022. The decision was made in the Cabinet meeting on June 2, 2021.

MITI has been tasked to coordinate the immunisation for employees in the manufacturing sectors. The programme kick started in June with on-site vaccination at designated factories and industrial location. Approximately 500 companies with a total of 106,500 workers have signed up for this free programme as of June 2021.

GOVERNMENT POLICY ON CONSTRUCTION MATERIALS

Affirmative Final Determination of Anti-Dumping Duty Investigation with Regard to the Imports of Cold Rolled Stainless Steel in Coils, Sheets or Any Other Form Originating or Exported from the Republic of Indonesia and the Socialist Republic of Vietnam

The reasons for the affirmative final determination are as follows:

- The export price of the subject merchandise is less than its normal value; and
- The domestic industry in Malaysia producing the like product has suffered material injury that can be reasonably linked to the importation of the subject merchandise into Malaysia.

The reason for the imposition of anti-dumping duties is to prevent the injury to the domestic industry producing the like product in Malaysia. The anti-dumping duties ranges from 8.80% to 34.82% and shall apply from shall apply for a period of five years from 24 April 2021 to 23 April 2026.

Customs (Anti-Dumping Duties) Order 2021

This order comes into effect for a period of five years from 27 April 2021 to 23 April 2026.



CHALLENGES WITHIN THE CONSTRUCTION INDUSTRY

All the high expectation of the rebound of construction activities 2Q21 were dampened by the pandemic COVID-19. The sector remained cautious due to:

- 1 The sector's performance was unsatisfactory due to various issues such as increase in materials prices, foreign labour restriction, political uncertainties, and the various lockdowns.
- 2 The elevated National debt has restricted very limited room for fiscal movement by the government.
- 3 With many construction sites not operating, many foreign workers who are unable to work chose to leave their job to return home which has led to a shortage of workers.
- 4 SOP compliance cost such as vaccination, quarantine costs, routine COVID-19 screening test and disinfection works have added another burden to the contractors.
- 5 Contractors have to absorb the increase cost of materials and these costs could lessen their margin and the subcontractors' and there is a possibility of construction projects being abandoned by the contractors.
- 6 The COVID-19 Bill 2020 is not sufficient to protect the contractors, sub-contractors and suppliers.
- 7 The lock down has created a challenge in terms of time loss and getting extension of time to complete the project.

CONSTRUCTION MATERIALS SUPPLIES



There were some item shortages for Perak, Penang, Selangor, Pahang, Johor, Kelantan, Melaka & Negeri Sembilan. During the MCO, some manufacturers were closed as not allowed to operate (no production). Some suppliers were unable to resume production as they were unable to obtain MITI approval to operate. As many in the materials supply chain were not in operation has rendered the essential projects either stopped work or did not start work due to non-availability of materials which includes:



Cement and Sand



Steel Reinforcement



Ready Mixed Concrete



Plumbing – PVC Pipes & Fittings



Bricks



Plywood & Timber



Steel & Metal Sections – Metal Structural Steel Products



CEMENT

Ordinary Portland cement (50kg) prices have decreased in April & May 2021 in Peninsular Malaysia (8 states) because of market price fluctuation due to stiff competition. However, in June 2021, it was increased due to rebate pullback by manufacturer. The rebates are revised daily.

STEEL BAR AND BRC WIRE MESH

The price increment for steel bar and BRC wire mesh are due to the following reasons:

- International raw material price increased
- Suez Canal Block caused high shipping charges
- Anti-dumping duty
- Reduce in steel production output by China due to environment issue
- China cancelled tax rebate 13% for imported product
- Labour shortage due to MCO
- Transportation/ shipping cost increased due to increase in oil price by 22% (December 2020 @ 1.68 to May 2021 @ 2.05)
- No roll out of new project either Government or private
- Implementation MCO 3.0/ FMCO/ PPN Phase 1
- The increase in steel price was also influenced by an unstable industrial cash flow; payments terms between contractors and suppliers further affect the price of building materials where suppliers have to factor in the finance cost for longer payment days.
- Shortage of logistics supply due to delay in shipment of raw materials.

OTHER MATERIALS (OTHER THAN CEMENT, STEEL BARS AND BRC WIRE MESH)

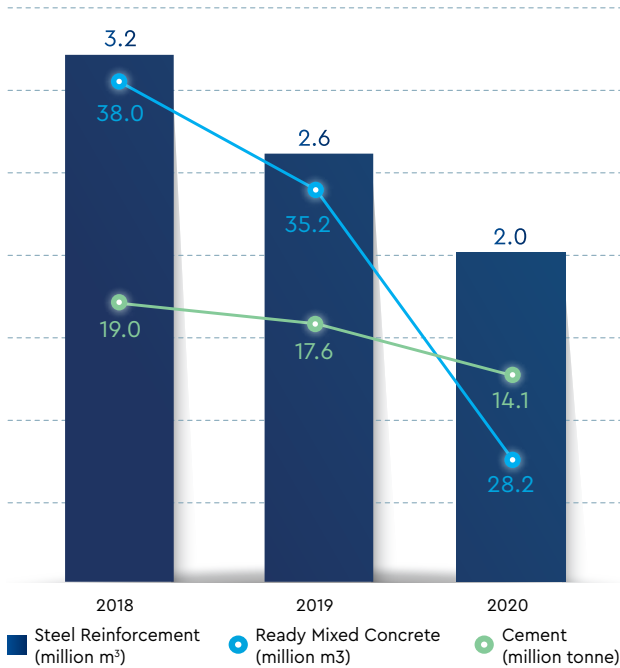
The price increment is due to raw material price increase.

CONCLUSION

The expectation of a recovery in the construction sector for the second half of this year has been dragged down by the surged of the COVID-19 cases which has caused the various phases of lockdown ranging from MCO 3.0/ FMCO/ PPN Phase 1, and in addition the delay in the rollout of new mega contracts.

The pandemic also has indeed affected the demand and supply for the basic construction materials as compared to previous year as shown in the table below:

Construction Material	Steel Reinforcement (million tonne)	Ready Mixed Concrete (million m ³)	Cement (million tonne)
2018	3.2	38.0	19.0
2019	2.6	35.2	17.6
2020	2.0	28.2	14.1



The demand and supply has decreased ranging from 25.7% to 37.5% from 2018 as compared in 2020 and also a slight decrease in 2019 ranging from 7.4% to 18.75%.

The strict enforcement of the SOP following the issuance of a stop work order on all construction works found breaching the SOP have an adverse effect on the cash flow of the construction companies, risking the negative impact of progress billings.

The site productivity levels have also slowed down significantly since the MCO 3.0 was enforced, and made worst as due to disruption of construction materials supply to construction sites.

The outlook for the construction sector remains cautious but some excitements on the revival of MRT 3 and the ECRL realignment projects helped to lift the sentiment. It is hoped these two mega rails more projects will bring positive attributes to the construction sector in the 3Q21.

For more information and data on other materials on various locations, please visit www.n3c.cidb.gov.my and subscribe the latest N3C 2.1. It contains more than 1,000,000 cost data since 2012.

SCAN HERE



Website: www.n3c.cidb.gov.my



List of New Members

Listing for Dec 2021

(Note : No approval of new members from June to Nov 2021 due to migration of registration through new portal)

GLS Division

Member

Abdul Muiz Bin Yazid
Segaris Ukur Konsultant Sdn Bhd

Abdullah Muhaimin Bin Sa'ari

Ahmad Wizan Bin Mohd Thani
Syarikat Jurukur Konsultant

Affandi Bin Bahador
Geomatic Solutions Sdn Bhd

Elhafis Bin A Latiff
University of Nottingham

Imran Bin Joh
Jabatan Tanah & Ukur Sabah

Khairul Hazwan Bin Hussin
Jabatan Tanah & Ukur Sabah

Mattheus Michael D. Akang
Jabatan Tanah & Ukur Sabah

Mohd Firdaus Bin Rozain

Mohd Nazri Bin Abdullah
Jurukur Jitu Runding Sdn Bhd

Nur Liyana Binti Rosman
Lembaga Jurukur Tanah Berlesen
Malaysia

Rozianah Binti Lian
Jabatan Tanah & Ukur Sabah

Saifullizan Mohd Bukari

Siti Mariam Binti Noruddin
JUPEM

Terence Siew Chi Kong
Jabatan Tanah & Ukur Sabah

Warishah Binti Abdul Wahab

Graduate

Amy Ellyza Binti Ghani
IGS Network (M) Sdn Bhd

Daneal Afif Bin Ahmad Roshdi
Hasimi Ukur Consultants

Nik Muhammad Azlan Bin Mohd
Ezazee
Jurukur Bandardesa Sdn Bhd

Nur Umirah Binti Mahmut
Indah Geomatik Sdn Bhd

Siti Nur Izzati Binti Ruhaizat
Jurukur Pavilion Sdn Bhd

PS Division

Member

Farah Shazwani Binti Mazelan
Hong Leong Bank

Lim Zheng Quan
Knight Frank Property
Management Sdn Bhd

Mohd Noor Faqih Bin Abdul
Rahman
SCM Property Services Sdn Bhd

Nurshazana Binti Zulhisham
Knight Frank Penang Sdn Bhd

Su Man Kok
HSR Property Management
Sdn Bhd

QS Division

Fellow

Saipol Bari Bin Abd. Karim
University of Malaya

Member

Afifah Sofiyah Binti Karim
EZQS Consult

Anas Bin Jupari@Jupry
Perunding DMA Sdn Bhd

Eric Kuek Keng Yong
Unitech QS Consultancy (KL)
Sdn Bhd

Kan Fock Kui
University College of Technology
Sarawak

Nor Marina Binti Rosli
Universiti Tunku Abdul Rahman

Nur Nadiah Binti Mat
Perbadanan Pembangunan
Pulau Pinang

Shariffah Zatil Hidayah Binti Syed
Jamaludin
(UiTM) Cawangan Sarawak

Won Huey Si Wong Phui Fung
Universiti Tunku Abdul Rahman

Zain Azrai Bin Shamsuddin
Perunding NFL Sdn Bhd

Graduate

Atashah Bin Amin Safwa
Global Venture (M) Sdn Bhd

Chan Ye Chen
AQS Services Sdn Bhd

Kwan Mei Fong
Ng Kai Seng & Associates
Sdn Bhd

Lee Kuang Yong
Arcadis (Malaysia) Sdn Bhd

Mohd Faizal Bin Abdul Rahim
Universiti Kebangsaan Malaysia

Ong Kai Sin
Setiakon Builders

Wong Teck Sing
UCSI Education Sdn Bhd

Probationer

Yong Pei Yin
Sunway Integrated Properties
Sdn Bhd



Royal Institution of Surveyors Malaysia

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