

EVENTS

15 March 2008

Architectural Project Management Designing, Managing, and Administrating Building Contracts in Thailand

By Ar Lokman Mansor
9.00am – 12.30pm
PAM Centre Kuala Lumpur

26 March 2008

Design Lecture Series

By Ar Lim Pay Chye
6.30pm-8.30pm
The Kuala Lumpur Performing Arts Centre

5 April 2008

Hospital Design

By Ar AP Datin Norwina Mohd Nawawi
9.00am-12.30pm
PAM Centre, KL

19 April 2008

Green Building

By Dr Puteri Shireen Jahn Kassim
9.00am-12.30pm
PAM Centre, KL

23 April 2008

Design Lecture Series

By Ar Wool Lok Kuang
6.30pm-8.30pm
Venue: To be Confirmed

3 May 2008

CPD Seminar

By Dr Gwyn Jenkins
9.00am-12.30pm
PAM Centre, KL

17 May 2008

Extension of Time

By Ar Jerry Sum
9.00am-12.30pm
PAM Centre, KL

Kindly note that the scheduled events above are subject to change. Please call PAM at 03-26934182 for confirmation.

Briefing on Service Tax

3 December 2007 • PAM Centre



From left Tuan Mohd Ramlee Musa, Ar Chan Seong Aun, Tuan Hj Shaharuddin Ibrahim, Puan Faridah Daud, Encik Auslem Dominic Jiron, Tuan Hj Mohamad Daud Othman, Encik Salih Othman.

The Malaysian Royal Customs Department (Customs Department) announced recently the abolishment of the threshold of RM150,000 for service tax. All practices are now required to register with the Customs Department by 1 January 2008 and pay services tax, regardless of quantum of income. Hence, on 3rd December 2007, the Customs Department came to PAM to brief PAM Members on Services Tax and licence registration processes. The briefing was attended by 37 members. The representatives from the Service Tax Division of Customs Department comprised of Tuan Haji Shaharuddin bin Ibrahim, (Timbalan Pengarah Kastam), Puan Faridah binti Daud (Penolong Kanan Pengarah Kastam), Tuan Hj Mohamad Daud bin Othman (Penolong Kanan Pengarah Kastam), Tuan Mohd Ramlee bin Musa (Penguasa Kastam), Encik Salih bin Othman (Pegawai Kastam Tinggi) and Encik Auslem Dominic Jiron (Pegawai Kastam).

Service tax is tax charged on taxable service provided by taxable person in Malaysia. The legislation that cover service tax are Service Tax Act 1975, Service Tax Regulation 1975 and Service Tax (Rate of Tax) Order 2000. The rate of service tax is fixed by the Ministry of Finance and it is set at 5% of the value charged. Other than architects, accountants, lawyers, engineers, surveyors, registered valuers, appraisers or estate agents, consultancy and management services are also required to pay services tax.

Taxable person is "any person (an individual, a firm, a society, an association, a company and every other juridical person) as prescribed in the Second Schedule of Service Tax Regulation 1975."

Taxable service is "any service as prescribed in the Second Schedule of the Service Tax Regulations 1975."

Second Schedule of Service Tax Regulations 1975 (for Architect)

Taxable person is "any person who is an architect registered under the relevant laws for the time being enforced." (The relevant law for architects is Architect Act 1967)

Taxable service is "provision of architectural services including professional consultancy services EXCLUDING provision of such services supplied in connection with goods or land situated outside Malaysia."

QLASSIC

Quality Assessment System In Construction

QLASSIC is a method to measure the quality of workmanship of a construction work based on the approved standards. QLASSIC enables the quality of workmanship between construction projects to be objectively compared. QLASSIC assessment is performed by qualified and independent assessors, through site inspection. The quality of workmanship of a construction work is assessed according to the requirement of the relevant standard and marks are awarded if the workmanship complies with the standard. These marks are then summed up to calculate the QLASSIC Score (%) for a construction project. Construction works that are rectified after an assessment will not be re-assessed. Assessment samples are determined prior to carrying out the assessment.

Construction Industry Standard (CIS 7:2006 – Quality Assessment System for Building Construction Work) specifies requirements on quality of workmanship and assessment procedures for building construction work. The requirements in CIS 7 are divided into four main components:

1. Structural Work
2. Architectural Work
3. Mechanical and Electrical Work (M&E) Work
4. External Work

CIS 7 also specifies the sampling guideline and the weightage allocated for each component according to the category of building.



Checking squareness of internal wall



Checking fall of floor in wet areas



Checking hollowness of internal wall



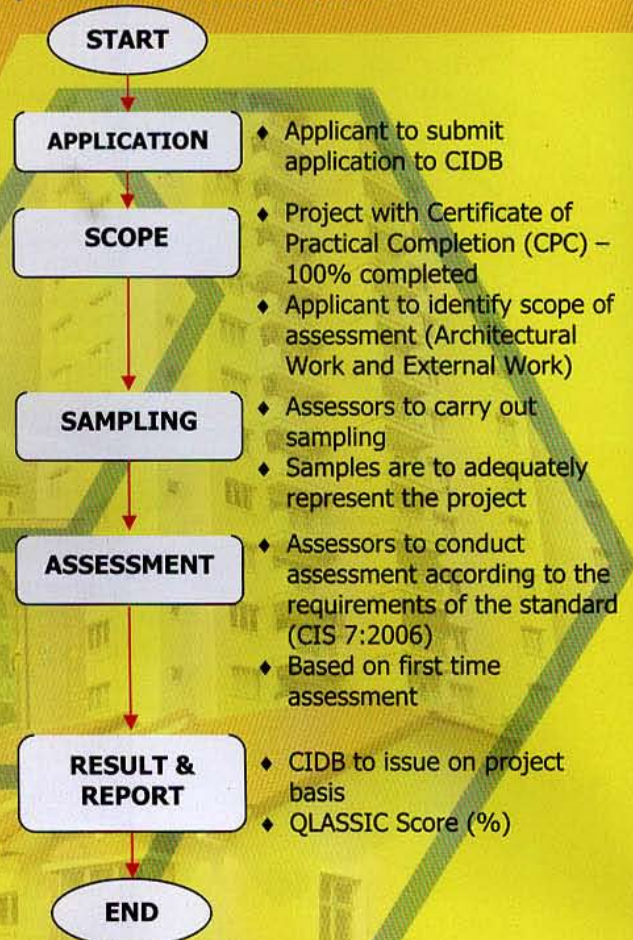
Checking hollowness of tiled floor

- No charges for assessment and processing fee for the time being.
- Enables you to benchmark the quality of workmanship of your construction project.
- Provides you a standard assessment system for quality of workmanship of construction work.
- Enhances quality control of your construction work
- Specified as a quality criterion for contractor's performance score-card.

Who should apply for QLASSIC assessment?

- Projects owner
- Real estate and housing developer
- Contractor
- others

QLASSIC Assessment Process



For further information or to download the application form, please visit our website www.cidb.gov.my

Please contact us should you need further clarification:

Construction Industry Development Board (CIDB) Malaysia
 Construction Technology Development Division
 CIDB HQ, Level 8, Grand Seasons Avenue,
 No. 72, Jalan Pahang,
 53000 Kuala Lumpur

Tel : 03-2617 0360 (Ir. M. Ramuseren)
 03-2617 0352 (Mohammad Faizal Abd Hamid)
 03-2617 0200 (GL)

Fax : 03-4045 1808

Email : mfaizal@cidb.gov.my

DO THINGS RIGHT THE FIRST TIME AND EVERY TIME



Architectural services include:

1 Advisory services

2 Basic services

- schematic design
- design development
- contract documentation
- contract implementation and management phase

3 Supplementary services

- survey and investigation
- planning and development
- supplementary design
- financial advisory
- exceptional negotiation
- project management & administration

The Customs Department also briefed on service tax licence application. Service providers can apply for licence in two ways; manually or on-line called "e-lesen." E-lesen is a web-based application that can be obtained through internet at www.customskl.gov.my. All service providers are advised to register using e-lesen as it will save cost and time. The application is able to be processed and approved immediately.

The Customs Department recommended architect firms to select the nearest custom department to their offices, e.g. if the main office is located in Klang, while having a branch in Kuala Lumpur, it is advisable to register at Customs Office in Klang. There is no need to register again in Kuala Lumpur.

Service tax should be paid when payment is received from the client within a period of twelve calendar months from the date of invoice issued. Any tax due during any taxable period of two calendar months shall be declared in the tax return and shall be payable to the Director General within 28 days from the expiration of that taxable period.

Offences and Penalty

The service providers shall be liable on conviction to a fine not exceeding RM5,000.00 or imprisonment for a term not exceeding 2 years or both, if they did not comply to the following:

- no licence
- did not collect service tax
- paid a lesser amount of service tax
- refused to produce relevant document
- failed or refused to give correct information
- obstructed officer in the discharge of his functions
- submitted incorrect return / incorrect information

Those who lodged false statements in any returns or provide false accounts or records or false responses whether verbally or in writing shall be liable on conviction to a fine not exceeding RM5,000.00 or imprisonment for a term not exceeding 3 years or both.

Below are some questions raised during the Q&A session by the attendees during the briefing:

Question 1: Is an architect acting as an arbitrator required to collect & remit service tax to the government?

Answer: Yes, arbitrator is subjected to service tax. It falls under Consultancy services.

Question 2: Are PAM Members who are giving lectures / talks for CPD also required to pay service tax on their honorarium?

Answer: The category is not listed under the Second Schedule of Service Tax Regulation 1975, hence it is not taxable.

Question 3: Project = overseas; client = Malaysian; payment made in Malaysia, is it taxable?

Answer: The answer will depend on the location of the land. In this case, the land for the project is overseas, therefore the service tax is not applicable. If the project was built in Malaysia, even if the client is a foreigner and payment made outside Malaysia, service tax is payable.

Question 4: Do foreign architects (with projects in Malaysia) have to pay service tax?

Answer: As stated under the "Second Schedule of the Service Tax Regulations 1975" taxable person is defined as "any person who is an architect registered under relevant laws for the time being enforced." The relevant laws for the time being enforced is referred to the Architects Act 1967. Therefore, whether the foreign architect has to pay service tax or not is as prescribed under the Architects Act 1967.

Question 5: For the on-going project which amounted below RM150,000, is it also subject to service tax?

Answer: It will be based on the invoice date. If the invoice issued before 1 January 2008, there will be no tax. But if the invoice issued after 1 January 2008, it is subject to service tax.

Question 6: Is the architect still required to pay the service tax even if he did not receive any payment from his client?

Answer: All fees must be paid within 12 months. Therefore, the answer is in the affirmative. There is a provision in the Service Tax Regulations 1975 called "full debt". If the architect still did not receive the payment from his client, he can submit an application to Customs Department to get his money back, e.g. if the project is abandoned or the client became bankrupt. The architect can always claim his money back after the payment being made with support documents or provide evidence. The architect is able to apply for tax exemption by writing a formal letter to the Treasury of the Ministry of Finance. Only the treasury and not the Customs Department has the power to exempt any person or firm.

Question 7: For charity projects such as mosque, temple or orphanage home, are they subjected to service tax?

Answer: These projects are considered as free services, hence there will be no service tax.

Question 8: Is sub-contract also needed to pay service tax?

Answer: As a matter of principal, the main-contract should pay the tax, so the sub-contract does not need to pay again.

Question 9: If the main-contact is Malaysian, the sub-contract is overseas and the project is in Malaysia, is it taxable?

Answer: Yes, it is subject to service tax and the main-contract is responsible to pay service tax.

Question 10: For a "sdn. bhd." company who also has a partnership company, if the partnership company got a job for "sdn bhd", does the partnership have to pay the service tax?

Answer: As long as you have received the fees, you are liable to pay the tax.

For further information on services tax and licence application processes, you may browse the Customs Department's website at www.customskl.gov.my or telephone at 03-7884 0875.

Terms of Reference of PAM Standing Committees (Part 2)

PROFESSIONAL PRACTICE COMMITTEE

Chairman

Ar Jerry Sum

Co-Chairman

Ar Chan Seong Aun, Ar Alvin Lim Hai Seah

Mission Statement

- To enhance and strengthen members' capacity in all practice matters.

Strategy

- To direct PAM resources in areas of professional practices including design, project management, contract management and design-build development.

Scope of Works

- To elevate the image of PAM via Architects-Meet-The-Public Sessions.
- To issue PAM Practice Notes for members. Prepare notes based on frequently asked questions and answer (FAQ) from the Architects-Meet-The-Public Session.
- To provide advisory support to members in practice and the general public via reply to written queries.

Date Of Meeting

2nd Thursday of the month

PUBLICATIONS AND INFORMATION COMMITTEE

Chairman

Ar Saifuddin Ahmad

Co-Chairman

Ar Hamdan Abdul Jamal

In line with PAM President and Council's aims to strengthen the architectural profession, the Publications and Information Committee is committed to the following:

Mission Statement

- The Committee endeavors to oversee all publications and IT-related matters of interest to Architects, the building industry and the public in general.

Strategy

- To promote and enlarge the knowledge, study and practice of architecture.
- To cultivate a learned and scientific society for architecture.
- To promote architectural discussions and discourse amongst architects and with the public.
- Promote the public's confidence in architects as well as their understanding and appreciation of the art of architecture.

Scope of Works

- PAM Website and e-berita - for information and as a service provider.
- E-submission of plans for approvals - to work together with local authorities.
- Electronic marketing and sales to meet members' need.
- Continues to disseminate the knowledge of architecture both within and outside the profession through various PAM publications.

Details

Publication Activities

- Architects Malaysia E- Directory
- Architecture Malaysia (AM)
- PAM Annual report
- Career Guide Brochure
- Occasional monographs

Information and Technology Activities

- Assist and advise other Committees and Council on all matters pertaining to IT.
- Supervise the design, updating and maintenance of the PAM website.
- Conceptualise, research and implement guidelines on the use of IT and services within the architectural profession.
- Manage IT concepts, technologies and services within the Secretariat.

Date of Meeting

1st Friday of the month

SECRETARIAT AND FINANCE COMMITTEE

Chairman

Ar Chan Seong Aun

Ar Abu Zarim Abu Bakar

Mission Statement

- To promote the advancement of architecture and the profession for the betterment of society.

Strategy

- To continue efforts to strengthen PAM Secretariat to enhance services to Members.

Scope of Works

- Advise PAM Secretariat on Administration and Financial Policies and Procedures, and maintenance of PAM Centre.

Projects

Berita Akitek

PAM Centre Refurbishment

Staff training and programmes

announcement

PAM-TRAVEL SCHOLARSHIP 2008

WORTH RM 5,000

We invite

- PAM Student Members
- Current architecture student from public/private universities, colleges pursuing architectural programme in Malaysia

Requirement

- Priorities shall be given to architectural travels which investigate architectural issues which are unique, new, of heritage value; which benefit the general PAM members at large. The final travel report will be published in PAM publications for information to members.

To apply

- Fill in application form-from <http://www.pam.org.my/>
- A hand written A4 with full details: objectives of travel, itinerary & budget
- Application to be endorsed by head of department to verify applicant as current bona fide student
- Before 22nd February 2008

**PAM TRAVEL SCHOLARSHIP
C/O PAM EDUCATION CHAIRMAN,
PERTUBUHAN AKITEK MALAYSIA,
4 & 6 JALAN TANGSI
PO BOX 10855
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MALAYSIA**

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F +603-2692 8782

E info@pam.org.my

Executive Summary of The Minutes of the Third Meeting of PAM Council 2007-2008

7 Decemer 07 • PAM Centre KL

Council was informed that the proposed amendments to the **OSC guidelines** had been submitted to the Ketua Setiausaha (KSU) of Jabatan Kerajaan Tempatan (JKT) and the KSU had accepted about 90% of the proposals.

Council was informed that a representative of **Archicentre Australia** gave a presentation on Archicentre Australia to LAM & PAM recently. In principle, PAM would be proceeding with the formation of the same in Malaysia. It was agreed on the name "Architect Centre Sdn Bhd". The Architect Centre would especially help to give income to small firms. Council agreed to proceed with Architect Centre Sdn Bhd as a business venture.

Council requested CPD Committee to organise a **talk on the Penang Global City Centre, PGCC** to learn more on the project as there had been much public concern.

At the **PAM-SIA Dialogue** held at SIA on 29 November 2007, Mr Ong Tze Boon, 2nd Vice President of SIA, presented a "comparison of the architect's scale of fees among several countries" done by SIA. It was shown that the Singapore PWD's scale of fees was on average 50% lower than selected countries - UK, Australia, Hong Kong and New Zealand - while the SIA's scale of fees was on average 16% higher. Malaysia's scale of fees was 34% lower than SIA's scale of fees. At the dialogue, Council was also informed that SIA was inspired by Datum: KL and organised **Archifest in Singapore** in November 2007. Archifest had more number of days of activities including numerous exhibitions, 5 days of architectural tours and one-and-a-half day forum.

Council agreed that PAM should organise a **CPD seminar for members in Singapore** although none was able to be organised during the recent PAM Council's visit to SIA. The CPD Committee was proposed to conduct one in Singapore which members in Johor Baru could also participate.

Council was informed that Datuk Shahrir Abdul Samad, Chairman of the Public Accounts Committee Chairman, received the **BIM Integrity Award** and another recipient the late Tan Sri J.G. Daniel, former Director General of the Drainage and Irrigation Department, received the award posthumously.

The Royal Customs of Malaysia gave a briefing on **Service Tax** on 3 December 2007 - on the requirement for all architects' practices to register and pay service tax regardless of income with effect from 1 January 2008. The information on how to register with the Royal Customs of Malaysia is published on the Royal Customs of Malaysia's website.

Architects who provide **arbitration services** are also required to register with the Royal Customs of Malaysia. Parties seeking PAM arbitrators should also be informed that they are subject to 5% service tax. This matter should be taken seriously as the penalty for not paying service tax is severe.

Council approved the **application for one Graduate membership** from Azman bin Abdullah, recommended by the Membership Committee.

Council was informed that the Chairman of **PAM Sabah Chapter** led 10 committee members for a courtesy visit to YB Edward Yong Oui Fah, Assistant Minister of the Ministry of Local Government and Housing, on 31 October 2007. The purpose of the visit was to discuss current issues affecting the architectural profession including issues on submission and registration of consultants by the local government; trial implementation of CCC on single ownership building which does not involve public safety and liability, offer of technical assistance to local councils; and clarification on the role of architects and engineers on the submission of plans with particular reference to LAM's General Circular No. 4/1989.

PAM Sabah Chapter planned to jointly organise an **Interior Design Exhibition** with IPDM Sabah Chapter on 20 to 23 March 2008 at City Mall Kota Kinabalu, with the objective to create awareness and recognition of the importance of the architect and interior designers in the building industry.

The proposed list of categories for the **PAM 2008 Awards** are: Single residential, Overseas projects, Special category, Multiple residential - low-rise, Multiple residential - high-rise, Conservation buildings, Public and civic buildings and Alterations / additions.

The appointed assessors of the **PAM Gold Medal Award** would be submitting their evaluation and decision to the Awards & Competitions Committee by early December 2007. The Committee would decide on the next action upon receiving the decision from the panel of assessors.

Council was informed that 450 participants comprising 188 non architects and 262 architects attended the PAM Forms of Contract 2006 seminar held on 23 and 24 November 2007. The seminar was recorded on tape and the tape would be edited for use at Q&A sessions planned to be held at the Chapters.

The **CPD Committee** decided that PAM shall provide honorarium RM250 to each speaker for presenting a paper at PAM CPD seminar, and additional honorarium of RM500 only if a copy of the paper is submitted to PAM. It was clarified at the Service Tax Briefing that speakers for PAM CPD seminars and Design Lecture Series are not required to pay service tax as the service provided is classified as training.

Council was informed that the passing rate for **LAM Part III Examination** for 2007 was 47%.

Council was informed that the **Malaysian Science Academic Council** (MSAC) is a Government-regulated body and was keen to invite PAM to be a Board member. MASC organises an Award which is open to all. Council agreed that architects should be encouraged to participate in the award to promote the image of architects to the public and the science academia fraternity.

The **Government Liaison Committee** proposed to compile all Malaysian Standards affecting architects and the building industry and enquired whether PEF could provide the funds. Council agreed that Pusat Binaan Sdn Bhd could allocate a certain amount of money for the funding of this activity. On whether there was any duplication of roles of Government Liaison Committee (GLC) and Professional Practice Committee (PPC), it was clarified that there is no duplication as the objective of PPC is different from that of GLC.

The **Heritage and Conservation Committee** proposed and Council agreed to make PAM Centre as a heritage and tourist centre. However, any proposals that involved the building are to be forwarded to DBKL.

PAM President had been nominated to speak at the **Malaysia Services Exhibition 2008** Forum to be held in Sharjah, United Arab Emirates from 13 to 15 January 2008. PAM would also be taking up a booth at the exhibition.

The **Membership Committee** reported to Council on the proposed activities for the term, including Members Night on Friday 29 February 2008., Membership Golf on Thursday 28 February 2008, PAM Golf on Thursday 22 May 2008, Building Industry Dinner which would be held in conjunction with Archidex08 at Kuala Lumpur Convention Centre on Saturday 5 July 2008, PAM Annual Dinner, proposed to be held on Saturday 23 August 2008 at Mandarin Oriental Hotel, proposed PAM Sports Carnival cum Family Weekend in April 2008 and a trip to Universiti Teknologi Petronas in Perak, as well as overseas visits to Beijing, China, Hong Kong or Hanoi, Vietnam.

Council adopted the **Guidelines for Request for Building Plans by Purchasers of Houses Built under Housing Development Act**, which would be published as Practice Notes on the website and Berita Akitek, as well as distributed to members.

The Publications & Information Committee decided that the themes for **Architecture Malaysia (AM)** 2008 shall be unspecified. Council was informed that the AM December issue would be late due to teething problems faced by the new publisher, Inovatif Media.

Council agreed to form an **agreement with TI-M (Transparency International - Malaysia)** to form a partnership in dealing with and combating corruption.

PAM Council 2007-2008



Ar Lee Chor Wah
President
Chairman of PAM Convention Committee



Ar Boon Chee Wee
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Chairman of Disciplinary Committee • Chairman of International Affairs Committee



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Vice President
Chairman of Alternate Dispute Resolution Committee • Chairman of CPD & Design Lecture Series Committee



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Ar Abu Zarim Abu Bakar
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Ar Dr Tan Loke Mun
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Co-Chairman of PAM Convention Committee



Ar Tan Pei Ing
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Chairman of Contract Review Committee • Co-Chairman of International Affairs Committee



Ar Paul Lai Chu
Past President on Council
Chairman of Constitution Review Committee



Ar Dato' Haji Esa Haji Mohamed
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Council Member
Co-Chairman of Education & Resource Centre Committee • Co-Chairman of Membership Committee



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Chairman of Education and Resource Centre Committee • Co-Chairman of Publications & Information Committee



Ar Haji Sarizal Yusman Yusoff
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Ar Alvin Lim Hai Seah
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Co-Chairman of Awards and Competitions Committee • Co-Chairman of Professional Practice Committee



Ar Laurent Lim Aun Giap
Council Member
Co-Chairman of CPD & Design Lecture Series Committee • Co-Chairman of Heritage & Conservation Committee



Ar Mohd Zulhemlee An
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Chairman of Heritage & Conservation Committee • Co-Chairman of CPD & Design Lecture Series Committee



Ar Saifuddin Ahmad
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Ar See Kim Piow
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Chairman of Awards & Competition Committee • Co-Chairman of Education & Resource Centre Committee



Ar Datin Teng Chiu Chew Ying
Northern Chapter Chairman



Ar Hajjah Nor Aini Juffery
Southern Chapter Chairman



Ar Sim Sie Hong
Sabah Chapter Chairman



Ar Ng Chee Wee
Sarawak Chapter Chairman

Other Highlights

1 December 07

Architects and the Dispute Resolution System
Speaker Ms Kua Lay Theng
PAM Centre, KL



The Speaker, Ms Kua Lay Theng



CPD participants

8 December 07

Sun Tzu Art of War, Point of Sales Tinting (POST) Colour Solutions and High Performance Coatings (HPC)
Speakers Master Khoo Kheng Hor, Ms Yong Ching Sze, Ms Rohaiza Ahmad
Saujana Ballroom, Subang Jaya Shah Alam



Master Khoo Kheng Hor



Ms Rohaiza Ahmad



Participants at seminar

11 December 07

Jose Siao Ling, FUAP, APEC Architect-in his practice of Architecture
Speaker Ar Jose Siao Ling
KL Performing Arts Centre



From left, Ar Mohd Zulhemlee, Ar Jose Siao Ling and Ms Ana Ling

15 December 07

Budget 2008
Speaker En Khairudin Ibrahim
PAM Centre, KL



En. Khairudin Ibrahim



Seminar in progress

29 December 07

The "Massification" of Architectural Knowledge: Strategies For the Production of Books, Media Articles and Publication Spin-Offs
Speaker Prof Dr Mohd Tajuddin Mohd Rasdi
PAM Centre, KL



Prof Dr Mohd Tajuddin

berita akitek

PAM Council 2007-2008

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