

Specification of Competency Standards
for the Property Management Industry
Unit of Competency

Functional Area - Law in Practice relating to a Property

Title	Write service contract and determine the contract terms, and manage the execution of contract
Code	110557L5
Range	Writing and execution of contractual provisions, applicable to the writing and determination of contract terms, the approval of contracts and the management of contract execution
Level	5
Credit	6
Competency	<p>Performance Requirements</p> <p>1. Proficient in the principles of contract and legislations</p> <ul style="list-style-type: none"> • Be proficient in contract law, land law and related laws, as well as the latest court cases <p>2. Write contract and terms</p> <ul style="list-style-type: none"> • Be able to synthesize an understanding of contract law and related legislation to write appropriate contract provisions • Be able to understand the impact of the provisions of the contract on both parties to the contract, so as to avoid disputes caused by unclear provisions when preparing the contract • Be proficient in the nature of the service and the relevant legal provisions, writing various service contracts and management agreements, including general contract provisions, terms of contract, schedules, prices, penalties, and termination clauses, etc. • Be able to write an outsourced service contract that is consistent with the management agreement in accordance with the provisions of the management agreement, so as to avoid contradictions in the provisions <p>3. Sign and execute contract</p> <ul style="list-style-type: none"> • Be able to apply legal knowledge and negotiation skills effectively to reach an agreement to determine the content of the contract • Be able to submit the contracts to the owners corporation or professional for approval, and then arrange tendering, screening, selection and approval according to the established procedures before signing the contracts • Be able to enter into service contracts in accordance with the provisions of the deed of mutual covenant / resolution of owners corporation and management agreement • Be able to plan and manage the contractor's work in accordance with the provisions of the service contract, ensure that the contractor fulfills the contract and meet the service quality requirements, and conduct a service review of the contractor to assess the strength and weaknesses of the contractor's service to the management agreement • Be able to plan and monitor the delivery of quality management services by various subordinates/departments/contractors in accordance with the provisions of the management agreement • Be able to clearly understand the details and time frame of the contract to avoid any violation of the terms of the contract
Assessment Criteria	<p>The integral outcome requirements of this UoC are:</p> <ul style="list-style-type: none"> • Be proficient in contract law, land law and related legislation, as well as the latest court cases; • Be able to synthesize the understanding of the law and the practical needs, be proficient in the impact of the provisions of the contract on both parties, then write and update the appropriate contractual provisions in relation to the requirements of both parties;

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	<ul style="list-style-type: none">• be proficient in the contract approval process of owners corporations or other owners organisations, using professional knowledge to ensure that contracts have been approved, tendered, screened and selected, and signed according to proper procedures; and• Be able to plan and manage the contractor's work in accordance with the provisions of the service contract, ensure that the contractor fulfills the contract and meet the service quality requirements, and evaluate the service level of the contractor to assess the strength and weaknesses of the contractor's service to the management agreement.
Remark	The requirement on writing specifications for repair or maintenance and construction contracts is not covered under this unit