

BUILDINGS ORDINANCE (Chapter 123)

It is hereby notified that the Registered Contractors' Disciplinary Board ('the Board') conducted an inquiry under section 13 of the Buildings Ordinance (Chapter 123) ('the Ordinance') on 16 January 2024 and was satisfied that:—

- (A) Wong Ho Decoration Co. ('the Contractor'), which is a registered minor works contractor on the minor works contractors' register under section 8A(1)(c) of the Ordinance in the capacity of a qualified person ('QP'); and
- (B) WONG Chi-kai ('Mr. WONG'), being the Contractor's authorized signatory with his name entered in the register pursuant to section 12(7)(a)(ii) of Building (Minor Works) Regulation (Chapter 123N),

had failed to discharge the duties, or abide by the requirements, imposed on a QP under the Ordinance in respect of the prescribed inspection of the windows at Portion B1 on 10/F ('Premises 1') and Portion B1 on 8/F ('Premises 2'), Wah Kiu Mansion, No. 80 Tai Po Road, Kowloon on 21 February 2019 ('the Prescribed Inspection) in that:—

- (1) the Contractor and Mr. WONG certified on the Form W11 on 25 February 2019 ('the Form W11') that they had carried out the Prescribed Inspection at Premises 1 and Premises 2 in accordance with the Ordinance. However, they knowingly misrepresented material facts in the Form W11, contrary to section 40(2A)(c) of the Ordinance that:—
 - (i) Mr. WONG, being the representative of the Contractor, had failed to examine or assess the components of all windows of Premises 1 where some of the windows were obstructed; and
 - (ii) Mr. WONG carried out repairs to windows at Premises 1 and Premises 2 but certified in the Form W11 that the windows were safe and no prescribed repair was required;
- (2) Mr. WONG carried out the Prescribed Inspection at Premises 1 in such manner as was likely to cause a risk of injury to any person or damage to any property on 21 February 2019, contrary to section 40(2B)(b) of the Ordinance; and
- (3) Mr. WONG pleaded guilty and was convicted at the Kowloon City Magistrates' Courts under sections 40(2A)(c) and 40(2B)(b) of the Ordinance on 3 March 2021.

The Board ordered that:—

- (a) the Contractor and Mr. WONG be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of a window in a building for 14 months, with effect from the Gazette date of these findings and orders;
- (b) the Contractor and Mr. WONG do jointly and severally pay:—
 - (i) the costs of the Building Authority assessed at the sum of HK\$15,200; and
 - (ii) the costs of inquiry of the Board assessed at the sum of HK\$24,700.

28 March 2024

HO Kui-yip, *Vincent Chairman,
Registered Contractors' Disciplinary Board*