

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 (Cap. 123) ('the Ordinance') on 16 January 2024 and was satisfied that CHAN Wai-ching ('Mr. CHAN'), being 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') at the material time, had failed to discharge the duties, or abide by the requirements, imposed on a QP under the Ordinance in respect of a prescribed inspection of windows carried out at the common parts of No. 107 Chuen Lung Street, Tsuen Wan, New Territories ('the Premises') on 1 June 2019 ('the Prescribed Inspection') in that:—

- (1) Mr. CHAN submitted a Form W11 on 4 June 2019 to the BA pursuant to sections 11 and 14 of the Building (Inspection and Repair) Regulation (Cap. 123P) where he certified that he had carried out the Prescribed Inspection to the windows of the Premises in accordance with the Ordinance and in his opinion the windows were safe and no prescribed repair was required;
- (2) Mr. CHAN had failed to examine and assess all components of the windows in the Prescribed Inspection and hence the certification in the submitted Form W11 was false; and
- (3) Mr. CHAN pleaded guilty and was convicted at the West Kowloon Magistrates' Courts under section 40(2A)(c) of the Ordinance on 14 October 2020.

The Board ordered that:—

- (a) Mr. CHAN be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of a window in a building for 6 months, with effect from the Gazette date of these findings and orders.
- (b) Mr. CHAN shall pay:—
 - (i) the costs of the Building Authority assessed at the amount of HK\$23,600; and
 - (ii) the costs of the inquiry of the Board assessed at the amount of HK\$25,300.

28 March 2024

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