

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 23 April 2024 and was satisfied that:—

- (A) Kwai Hing Industry Limited (the 'Contractor'), being a registered minor works contractor (Company) ('RMWC') on the minor works contractors' register under section 8A(1)(c) of the Ordinance and was appointed in the capacity of a qualified person ('QP') in respect of the prescribed inspection of the windows at Flat No. 7B on 17th Floor, Wah Tak Building, Nos. 1A–1H & 1J Waterloo Road, Kowloon ('the Premises') on 27 December 2019 ('the Prescribed Inspection'); and
- (B) WONG Chun-hung ('Mr. WONG'), being the Contractor's director and an Authorized Signatory (i.e. the person appointed to act on behalf of the Contractor in relation to the Prescribed Inspection) 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 RMWC and QP under the Ordinance in respect of the prescribed inspection in that:—

- (A) the Contractor was convicted on 13 July 2021 at the Kwun Tong Magistrates' Courts of an offence under the Ordinance for (a) knowingly misrepresenting a material fact in the Form WI 1 dated 27 December 2019 that it had carried out the prescribed inspection in accordance with the Ordinance and certified the windows at the Premises were safe and no prescribed repair was required, contrary to section 40(2A)(c) of the Ordinance; and (b) carrying out the prescribed inspection in such manner as was likely to cause a risk of injury to any person or damage to any property, contrary to section 40(2B)(b) of the Ordinance (items (a) and (b) collectively referred hereafter as 'Offences'); and/or did not inspect all windows at the Premises;
- (B) WONG Chun-hung was convicted on 13 July 2021 at the Kwun Tong Magistrates' Courts of an offence for consenting to or conniving at the commission of Offences by the Contractor, contrary to sections 40(2A)(c), 40(2B)(b) and 40(6) of the Ordinance.

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 6 months, with effect from the Gazette date of these findings and orders;
- (b) the Contractor and Mr. WONG do jointly pay the costs of the Building Authority in the sum of HK\$19,400; and
- (c) the Contractor and Mr. WONG do jointly pay the costs of inquiry of the Board in the sum of HK\$22,700.

26 July 2024

NG Kwok-hei *Chairman, Registered Contractors' Disciplinary Board*