

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 28 June 2024 and was satisfied that Gammon Construction Limited ('the Contractor'), being a registered specialist contractor on the register of specialist contractors under section 8A(1)(b) of the Ordinance, and appointed in the capacity of registered specialist contractor in respect of the foundation works for Yuen Long Station Property Development at Yuen Long Town Lot No. 510 ('the subject site'), was convicted on 7 January 2020 at Fanling Magistrates' Courts of the following offences relating to building works in respect of the relocation of casing rotator at the subject site on 5 March 2019, in that:—

- (a) the Contractor failed to take adequate steps to prevent a person from falling, contrary to regulations 38B(1), 68(1)(a) and 68(2)(g) of the Construction Sites (Safety) Regulations (Cap. 59I) made under the Factories and Industrial Undertakings Ordinance (Cap. 59) ('FIUO') (Charge 1);
- (b) the Contractor failed to provide and maintain safe plant and system of work, contrary to sections 6A(1), 6A(2)(a) and 6A(3) of the FIUO (Charge 2); and
- (c) the Contractor failed to develop, implement and maintain a safety management system, contrary to sections 8(1) and 34(2) of the Factories and Industrial Undertakings (Safety Management) Regulation (Cap. 59AF) made under the FIUO (Charge 3).

The Board ordered that:—

- (a) in relation to Charge 1, the Contractor be fined HK\$170,000;
- (b) in relation to Charge 2, the Contractor be fined HK\$170,000;
- (c) in relation to Charge 3, the Contractor be reprimanded; and
- (d) the Contractor shall pay the costs of the Building Authority assessed at the amount of HK\$22,744; and
- (e) the Contractor shall pay the costs for the inquiry of the Board assessed at the amount of HK\$76,455.

13 September 2024

WONG Chi-wai, Jacky *Chairman,*  
*Registered Contractors' Disciplinary Board*