

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 26 July 2024 and was satisfied that:—

- (A) Hung Fai (Sun Yip) Engineering Company Limited ('the Contractor'), being a Registered Minor Works Contractor (Company) ('RMWC') on the minor works contractors' register ('the 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 13 on 5/F, Man Wai Building, Nos. 1–23 Man Cheong Street & Nos. 2–24 Man Wai Street (No. 11 Man Cheong Street), Kowloon ('the Premises') on 7 November 2020 ('the Prescribed Inspection'); and
- (B) LO Ka-hung ('Mr. LO'), being the Contractor's director and 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 the 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 14 December 2021 at the Kwun Tong Magistrates' Courts of the offence that as an appointed QP carried out the Prescribed Inspection of windows in such a manner that it caused damage to a light good vehicle, contrary to section 40(2B)(a) of the Ordinance; and
- (B) Mr. LO was convicted on 14 December 2021 at the Kwun Tong Magistrates' Courts of the offence that as an appointed QP carried out the Prescribed Inspection of windows in such a manner that it caused damage to a light good vehicle, contrary to section 40(2B)(a) of the Ordinance.

The Board ordered that:—

- (a) the Contractor and Mr. LO 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. LO do jointly and severally pay:—
 - (i) the costs of the Building Authority assessed in the sum of HK\$17,200; and
 - (ii) the costs of inquiry of the Board assessed in the sum of HK\$23,800.

4 October 2024

IP Shui-ming, Andy *Chairman,*
Registered Contractors' Disciplinary Board