

# Buildings Department instigates prosecution regarding steel segment collapse incident at Tung Yuen Street, Yau Tong

A spokesman for the Buildings Department (BD) said today (December 14) that the BD has completed an investigation into the incident of the collapse of a steel segment that happened on December 14, 2022, at a construction site on Tung Yuen Street, Yau Tong, and initiated four prosecutions. The incident caused the death of one worker.

The spokesman said that the subject steel segment was part of the temporary lateral support to facilitate the excavation works for the construction of the basement. After the basement structure was completed, the lateral support including the steel segment would then be dismantled. The investigation by the BD has revealed that adequate precautionary measures have not been provided by the relevant contractor, sub-contractors and individual persons directly concerned with the incident during dismantling of the steel segment, resulting in the collapse of the steel segment and fatal incident.

In the light of the investigation findings and after consultation with the Department of Justice, the BD has initiated four prosecutions under section 40(2B)(a) of the Buildings Ordinance (BO) against the contractor directly concerned with the building works, and the relevant sub-contractors and individuals directly concerned with the incident involving a total of two companies and two individuals. Summonses have been issued by the Kwun Tong Magistrates' Courts. The hearing of the case is scheduled for January 16, 2024. According to normal procedures, the prosecution information will be posted on the website of the Judiciary the day before the hearing.

Pursuant to section 40(2B)(a) of the BO, any person directly concerned with any building works, who carries out or has carried out such works, or authorises or permits or has authorised or permitted such works to be carried out, in such manner that it causes injury to any person or damage to any property is liable on conviction to a maximum fine of \$1 million and imprisonment for three years.

The spokesman said that the BD reminded once again contractors and persons directly concerned with building works to properly supervise building works during construction in accordance with the BO and its subsidiary legislation and the Code of Practice for Site Supervision to ensure the safety of the building and the public.

In addition, the BD refused the concerned general building contractor (i.e. Aggressive Construction Engineering Limited)'s application for renewal of registration on October 18 and its name was removed from the Register of

General Building Contractors on November 16, and it cannot carry out any building works from that date onwards.

For the subject case, the Labour Department has completed the investigation and initiated prosecution against the relevant duty holders (including the relevant contractor and subcontractors) under the Factories and Industrial Undertakings Ordinance in June 2023. The trial is adjourned to January 11, 2024.