

Contractor for construction works under Shatin to Central Link Project fined for material deviation from works shown in approved plans

A registered contractor, who had deviated in a material way from the building works shown in the plans approved by the Buildings Department (BD), was convicted and fined \$40,000 at the Kowloon City Magistrates' Courts today (June 27). In view of the conviction, the BD will refer the case to the Contractors' Disciplinary Board for instigating disciplinary proceedings under the Buildings Ordinance (BO).

The case is related to the irregularities of the fixing of steel reinforcements in the building works at the Hung Hom Stabling Sidings under the Shatin to Central Link Project carried out in June 2017. Investigations by the BD found that the couplers of the steel reinforcements in a reinforced concrete slab deviated in a material way from the works shown in the plan approved by the BD. Hence, Leighton Contractors (Asia) Limited, the contractor responsible for the building works had committed an offence under section 40(2A)(b) of the BO (Cap. 123). The BD instigated prosecution action against Leighton Contractors (Asia) Limited in May 2020.

A spokesman for the BD said that contractors should carry out building works in accordance with the approved plans and the BO to ensure building and public safety.

Pursuant to section 40(2A)(b) of the BO, any person for whom any prescribed inspection or building works or street works are being carried out and any authorised person, registered structural engineer, registered geotechnical engineer, registered inspector, qualified person, registered general building contractor, registered specialist contractor or registered minor works contractor directly concerned with any such inspection or works who, diverges or deviates in any material way from any work shown in a plan approved by the Building Authority shall be guilty of an offence and liable on conviction to a fine of \$1,000,000 and to imprisonment for three years. Moreover, the contractor who contravenes the relevant provisions of the BO in carrying out building works may also be subject to disciplinary action, liable to be fined, reprimanded or removed from the registered contractors' register.