

Qualified person prohibited by disciplinary board from certifying prescribed inspection and repair of windows for eight months

The Registered Contractors' Disciplinary Board has completed a disciplinary inquiry under the Buildings Ordinance (BO) and decided that a registered minor works contractor (RMWC) appointed as a qualified person (QP) under the Mandatory Window Inspection Scheme should be disciplined for failing to discharge the duties, or abide by the requirements imposed on a QP under the BO.

The Board's decision and order made on May 26 was published in the Gazette today (June 12). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20202424/egn202024243124.pdf

The Board ordered the RMWC to be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair in respect of a window in a building for eight months, with effect from the date of the Gazette. The contractor should pay about \$64,000, being the costs of the Board and the Buildings Department (BD) for conducting the inquiry.

The RMWC submitted a certificate to the BD in March 2015, certifying the prescribed inspection and repair had been carried out to all the windows in the common parts of a building in Mong Kok and that the windows had been rendered safe after completion of the prescribed repair.

Subsequently, the BD received a report in respect of a fallen window incident in the subject building. The investigation revealed that a window at the lift lobby on 6/F had fallen to the street and that the RMWC had neither carried out the prescribed inspection nor prescribed the repair in respect of the concerned window and hence failed to discharge the duties, or abide by the requirements imposed on a QP under sections 30E(4) and (5) of the BO.

In view of the investigation result, the BD notified the Board for consideration of disciplinary action against the RMWC under the provision of section 13(1) of the BO.

A spokesperson for the BD reiterated that in order to ensure building safety, the BD attaches great importance to the quality of the prescribed inspection and repair of windows by a QP. Any QP who contravenes the relevant provisions of the BO in carrying out the prescribed inspection and repair of windows under the Mandatory Window Inspection Scheme is subject to the BD's enforcement action under the BO.