

Qualified person prohibited by disciplinary board from certifying prescribed inspection and repair of windows for nine 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 (MWIS) should be disciplined for failing to discharge the duties or abide by the requirements imposed on a QP under the BO.

The Board's written decision and order issued on October 29 was published in the Gazette today (November 12). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20212545/egn202125457059.pdf.

The Board ordered the RMWC to be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair, in respect of windows in buildings for nine months, with effect from the date of the Board's written decision. The RMWC shall pay totalling about \$53,000, being the costs of the Board and the Buildings Department (BD) for conducting the inquiry.

The RMWC submitted a certificate to the BD in November 2016, certifying that the prescribed inspection had been carried out to the windows of two commercial units in Mong Kok and that those windows were safe and no prescribed repair was required.

Subsequently, the BD conducted an audit inspection at one of the units. It was revealed that the windows at that unit were enclosed by decorations or timber panels. As the RMWC's certification that the windows did not require the prescribed repair was only based on the result of inspection from the exterior, no prescribed inspection was actually carried out to the components of the windows.

In view of the audit findings, 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 MWIS is subject to enforcement action under the BO.

The BD will continue to conduct audit inspections to ensure the quality of prescribed inspection and repair under the MWIS, he added.