

# Registered Inspector convicted for contravening regulation under Mandatory Building Inspection Scheme

A Registered Inspector (RI) was convicted and fined at Kwun Tong Magistrates' Courts last week for contravention of the regulation under the Mandatory Building Inspection Scheme (MBIS). This is the first prosecution case against an RI in committing an offence of failing to provide proper supervision of building repair under the scheme.

The RI concerned was appointed in 2015 to carry out inspection of the common area of a building at Parkes Street, Kowloon, and to supervise the required repair. In January 2017, the RI submitted a certificate to the BD, certifying that the building had been rendered dangerous or was liable to become dangerous, and a prescribed repair was required to be carried out to render the building safe. According to the record of the BD, a notice of commencement and certificate of completion of the minor works for the required prescribed repairs were received in April and October 2017 respectively.

Later in December 2017, in response to a report on the collapse of a signboard from the building, inspection by the staff of the BD revealed defects at the soffit of the canopy on the first floor of the building. Further investigation revealed that the supervision of the prescribed repair works of the building was not provided properly by the RI, contravening the requirement under section 30D(4) of the Buildings Ordinance (BO). The RI was subsequently prosecuted for the offence under section 40(2AE) of the BO. He pleaded guilty to the charge and was fined \$3,000 at Kwun Tong Magistrates' Courts on March 19.

A spokesperson for the BD reiterated that contravention of regulations under the MBIS is a serious offence. Upon receipt of reports or when irregularities are found during audit checks, the BD will take appropriate action against the relevant persons, including instigating prosecution and/or disciplinary action.

Pursuant to section 40(2AE) of the BO, an RI who fails to provide proper supervision of the carrying out of the prescribed repair commits an offence and is liable on conviction to a fine of \$250,000.