

Registered inspector prohibited by disciplinary board from certifying prescribed inspection and repair of windows for 12 months

The Registered Inspectors' Disciplinary Board has completed a disciplinary inquiry under the Buildings Ordinance (BO) and decided that a registered inspector (RI) 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 February 24 was published in the Gazette today (March 5). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20212509/egn202125091178.pdf.

The Board ordered the RI to be prohibited from certifying any prescribed inspection, or certifying or supervising any prescribed repair in respect of windows in buildings for 12 months, with effect from the date of the Board's written decision. The RI shall pay about \$406,000, being the costs of the Board and the Buildings Department (BD) for conducting the inquiry.

The RI submitted a certificate to the BD in November 2014, certifying that the prescribed inspection and repair to the windows of a residential unit in Jordan had been completed.

Subsequently, the BD conducted an investigation in response to a report about a window that had fallen from the unit. It was revealed that the RI had failed to carry out the prescribed inspection personally, and had knowingly misrepresented a material fact in the certificate submitted to the BD certifying that the prescribed repair in respect of the windows was carried out, but in fact no prescribed repair was carried out.

In view of the investigation result, the BD notified the Board for consideration of disciplinary action against the RI under the provision of section 7(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.