

Registered minor works contractor and its authorized signatory ordered by disciplinary board to have their names removed from register for 12 months

The Registered Contractors' Disciplinary Board has completed a disciplinary inquiry and decided that a registered minor works contractor (RMWC) and its authorized signatory (AS) should be disciplined for having misconducted themselves in carrying out minor works.

The Board's decision and order made on August 17, 2021, was published in the Gazette today (March 18). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20222611/egn202226111273.pdf.

The Board ordered the names of the RMWC and its AS to be removed from the minor works contractors' register kept under section 8A(1)(c) of the Buildings Ordinance (BO) for 12 months, with effect from the date of the above Gazette, and the RMWC to be fined \$5,000. Also, the RMWC and its AS should pay about \$66,000, being the costs of the Board and the Buildings Department (BD) for the disciplinary inquiry.

The RMWC and its AS submitted a specified form to the BD in December 2014 notifying the commencement of minor works item 2.5 for the replacement of protective barriers at the podium floor of a shopping mall at Tin Wu Road, New Territories. Subsequently, the BD conducted an audit inspection and revealed that the works involved alteration of protective barriers under minor works item 1.6 which the RMWC was not registered for. The RMWC thus committed an offence under the BO and was convicted by the Court. In addition, the specified form was submitted less than seven days before the commencement of works, and no prescribed plans and details of the works concerned were included in the submission, contravening the relevant requirements of the Building (Minor Works) Regulation.

A spokesperson for the BD reiterated that any registered contractor who contravenes the relevant provisions of the BO in carrying out minor works is not only liable to criminal prosecution, but also disciplinary action under the BO.