

Registered minor works contractor reprimanded and fined by disciplinary board

The Registered Contractors' Disciplinary Board has completed a disciplinary inquiry under the Buildings Ordinance (BO) and decided that a registered minor works contractor (RMWC) should be disciplined for having been convicted by court of an offence relating to minor works, having been negligent or misconducted itself in building works, and having certified minor works that had been carried out in contravention of the BO.

The Board ordered the RMWC to be reprimanded and be fined \$15,000. Also, the RMWC was ordered to pay \$50,400 in total, being the costs of the Board and the Buildings Department (BD) for conducting the inquiry.

The Board's written decision and order issued on February 6 was published in the Gazette today (February 23). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20242808/egn20242808911.pdf.

The RMWC submitted a certificate to the BD in April 2019, notifying the commencement of minor works, i.e. the erection of a projecting signboard, at the external wall of a building at Gilman's Bazaar. The BD notified the RMWC in early July of the same year that Gilman's Bazaar was a carriageway where emergency vehicles could enter as and when necessary, and the concerned works might hinder the access of emergency vehicles. However, the RMWC subsequently still submitted a completion certificate to the BD certifying the completion of the signboard erection works. After an audit inspection by the BD, it was revealed that the erection of the signboard contravened section 31(1)(aa)(v) of the BO, i.e. the location and dimensions of the signboard constituted an obstruction to the means of access for firefighting and rescue. The RMWC was later prosecuted, convicted and fined \$4,000 at the Eastern Magistrates' Court in February 2021, pursuant to section 40(1B)(a) of the BO for contravention of the requirement on projections on or over streets under section 31(1) of the BO. All of the above showed that the RMWC had certified minor works that had been carried out in contravention of the BO, and that the RMWC had been negligent or had misconducted itself in building works.

In view of the conviction and conduct of the RMWC, the BD notified the Board for its consideration of disciplinary action against the RMWC under the provisions of section 13(1) and 13(3) of the BO.

A spokesperson for the BD reiterated that any registered contractor who contravenes the relevant provisions of the BO in carrying out minor works will be subject to enforcement action including criminal prosecution and disciplinary action under the BO.