

Registered Specialist Contractor disciplined for being convicted by court of offences relating to building works

The Registered Contractors' Disciplinary Board has completed a disciplinary inquiry under the Buildings Ordinance (BO) and decided that a Registered Specialist Contractor (RSC) should be disciplined for having been convicted by a court of offences relating to building works.

The Board ordered the RSC to be reprimanded and be fined \$340,000. Also, the RSC was ordered to pay \$99,199 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 August 30 was published in the Gazette today (September 13). Details are available at the following link: www.gld.gov.hk/egazette/pdf/20242837/egn202428375380.pdf

The case involved a fatal incident that occurred on March 5, 2019, at a foundation construction site in Yuen Long. During the relocation of a casing rotator, two sets of lifting slings being used in the lifting operation were tied to a guard rail unit of the platform of the rotator with ropes. When the lifting slings were dropped, they pulled the guard rail unit off. The detached guard rail unit struck two of the workers who were on the platform and caused them to fall to the bottom of the inner hollow part of the rotator. Both workers sustained injuries and one of them passed away two weeks later.

The RSC was prosecuted by the Labour Department (LD) for violation of the Factories and Industrial Undertakings Ordinance, the Construction Sites (Safety) Regulations and the Factories and Industrial Undertakings (Safety Management) Regulation. The RSC was convicted and fined \$108,000 at the Fanling Magistrates' Courts on January 7, 2020.

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

A spokesperson for the BD reiterated that any registered contractor who is convicted by any court of an offence relating to building works, or has been negligent or has misconducted himself in building works, may be subject to disciplinary action under the BO.