

Three contractors convicted for illegally carrying out construction works on Sunday

Three contractors who illegally carried out construction works using powered mechanical equipment in Southern District on Sunday and generated noise nuisance were convicted and fined a total of \$35,000 at Eastern Magistrates' Courts on February 25 and today (March 4) for contravening the Noise Control Ordinance (NCO).

The Environmental Protection Department (EPD) conducted a series of blitz operations in Southern District in August last year with a focus on combating works carried out illegally by construction companies in the district on Sunday. During the operation, it was found that some workers, when carrying out construction or renovation works at two schools, used powered mechanical equipment and generated noise. No construction noise permit (CNP) had been granted before the works commenced. After investigation and evidence gathering, the EPD prosecuted three construction and renovation works companies, which were the main contractor and sub-contractors involved in the cases, in accordance with the NCO. The companies are Tung Kee Construction Co Limited, Keung Lik Engineering Limited and REC Engineering Company Limited.

The spokesperson for the EPD explained that the NCO aims to protect the public from disturbance of rest. Members of the construction industry should carry out works during the daytime and non-general holidays as far as possible to minimise noise disturbance to the nearby residents. If any works procedures have to be conducted during the restricted hours (between 7pm and 7am on the following day, or at any time on a general holiday), a permit must be obtained from the EPD in advance. The construction works shall commence only when the CNP has been granted upon completion of assessment to support its compliance with regulatory requirements. The permit holder must also strictly comply with the requirements of the CNP. For example, only specified powered mechanical equipment can be used when carrying out the works and noise mitigation measures should be implemented. Otherwise, it constitutes an offence. The main contractor should also monitor the construction works carried out by its sub-contractors during restricted hours to ensure all relevant regulations are complied with, or it may also be held liable. Under the NCO, first-time offenders are liable to a maximum fine of \$100,000. A maximum fine of \$200,000 may be imposed on second or subsequent convictions.