

Two qualified persons prohibited by disciplinary board from certifying prescribed inspection and repair of windows for six months and eight months

The Registered Contractors' Disciplinary Board has completed disciplinary inquiries under the Buildings Ordinance (BO) and decided that two registered minor works contractors (RMWCs) appointed as qualified persons (QPs) under the Mandatory Window Inspection Scheme (MWIS) and their respective Authorized Signatories (ASs) 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 decisions and orders issued on November 19 were published in the Gazette today (December 3). Details are available at the following links: www.gld.gov.hk/egazette/pdf/20212548/egn202125487556.pdf and www.gld.gov.hk/egazette/pdf/20212548/egn202125487557.pdf.

The Board ordered the two RMWCs and their ASs to be prohibited from certifying any prescribed inspection or certifying or supervising any prescribed repair of windows for six months and eight months, with effect from the date of the Gazette. The RMWCs and their ASs shall pay a total of about \$40,000 and \$42,000, being the costs of the Board and the Buildings Department (BD) for conducting the inquiries.

In the first case, the RMWC submitted a certificate to the BD in December 2016, certifying that the prescribed inspection had been carried out to the windows of a residential unit in Ma On Shan and that those windows were safe and no prescribed repair was required.

Subsequently, the BD received a report of a fallen window incident at the unit. The investigation by the BD revealed that a window at the kitchen of the unit had fallen to the flat roof of the building and that the RMWC had not carried out prescribed inspection of the window.

In the second case, the RMWC submitted a certificate to the BD in September 2017, certifying that the prescribed inspection had been carried out to the windows of a residential unit in Tai Po and that those windows were safe and no prescribed repair was required.

Subsequently, the BD conducted an audit inspection and found defects at some windows in the unit. The BD's investigation revealed that the QP did not carry out the prescribed inspection to the windows personally.

In view of the investigation results, the BD notified the Board for consideration of disciplinary action against both RMWCs under the provision of section 13(1) of the B0.

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 B0 in carrying out the prescribed inspection and repair of windows under the MWIS is subject to enforcement action under the B0.

The BD will continue to conduct audit inspections to ensure the quality of prescribed inspection and repair under the MWIS, he added.